



TE RUNANGA O NGATI WHATUA

KAUPAPA

CHARTER

October 1995

October 1995

CONTENTS

	Page
1. INTRODUCTION	4
2. DESCRIPTIONS	
The Name of the Iwi	4
The Name of the Runanga	4
The Structure of Ngati Whatua	5
Description of the Rohe	6
Description of the Rohe Community	6
Membership	6
Client Statement	7
3. GUIDING PRINCIPLES OF NGATI WHATUA	
The Mission Statement	8
Goals	8
Objectives	10
Philosophy	10
Community Partnerships	11
4. ACCOUNTABILITY TO THE IWI	
General	11
Kauhanganui Hui	12
Runanga Poupou Hui	12
5. REPRESENTATION	13
6. RESOLUTION OF CONFLICTS	14
7. EQUITY	14
8. NGATI WHATUA RELATIONSHIP WITH TAITOKERAU	15
9. NGATI WHATUA TAURA HERE GROUPS	15
10. MANUHIRI	16
11. THE TRIBAL ROLL	16
12. ELECTION AND APPOINTMENT OF TRUSTEES TO	17

THE BOARD

13.	THE BOARD OF TRUSTEES	
	Composition of the Board	18
	The Role of the Board of Trustees	18
	Trust Board Meetings	19
	The Duties and Responsibilities of the Trustees	20
	Portfolios	22
	Committees	23
	Responsibility for Staff	24
14.	THE SUPPORT SERVICES UNIT	
	General	25
	Role of the Chief Executive & Staff	26
	Responsibility for the Annual Plan and Budgets	26
15.	FUNDING	27
16.	ACCOUNTS	27
17.	THE COMMON SEAL	28
18.	CHANGES TO THE CHARTER	28

1. INTRODUCTION

This Charter is a legal undertaking by the Board of Trustees to the Ngati Whatua people which defines how the Board of trustees will run the Runanga and its accountability including that to the Whare Tapu o Ngati Whatua.

In conjunction with the Annual Plan, the Charter lays down the rules by which the Chief Executive can operate to achieve the goals required and clearly identifies the limits of authority held by the Chief Executive and by the Trustees.

The Charter defines:

- Who are we?
- Where are we?
- What we intend to achieve for our people.
- What we believe in.
- Rules to guide us in the management of Ngati Whatua.

The Annual Plan sets out our situation at the start of each year and what we are going to do in the coming year to develop and care for our people.

The Charter complies in all respects with The Maori trust Boards Act 1955 and its subsequent amendments and can be reviewed from time to time as circumstances change. Where there is conflict between the contents of the Charter and the Maori Trust Boards Act, the Act prevails.

2. DESCRIPTIONS

The Name of the Iwi

The iwi represented by this Runanga is Ngati Whatua, tangata whenua o te rohe o Tamaki ki Maunganui.

The Name of the Runanga

The name of the Runanga is Te Runanga O Ngati Whatua.

The Structure of Ngati Whatua

(Te Whare Tapu o Ngati Whatua)

Tupuna

Ngati Whatua has recognised tupuna who are represented by the “Tekoteko of the House”, the Poutokomanawa and the Tahuhu.

Trust Board

The Runanga o Ngati Whatua is a trust Board in terms of the Maori Trust Boards Act 1955 consisting of up to 11 members and came into operation on 18 January 1989. Members of the Trust Board are appointed by the Minister initially until elections are held.

This is the authorised voice of Ngati Whatua and for this function will operate through a consultative process with the iwi, recognising the local autonomy of each marae.

Kauhanganui

The Kauhanganui is a council of elders, kaumatua and kuia. They are the people who advise on the tikanga of Ngati Whatua. They are the custodians of traditional knowledge and customs. They represent the “Heke of the House” and the link with the tupuna.

Runanga Poupou

The Runanga Poupou of Ngati Whatua is composed of a representative from each of the 35 marae which are listed in Appendix I. They represent the “Walls of the House and its foundations”, since in traditional construction the poupou go right into the ground.

The Maori Women’s welfare League, Roopu Wahine, Wahine Toa and other Maori women’s groups provide particular support and emphasis for women’s affairs.

The kahoe waka and rangatahi groups provide a focus for youth development.

The “Marae Atea of the House” represents the iwi o Ngati Whatua whanui. They belong to the house and the house to them. Also aligned to the marae is the tribal flag Awe Awe o Te Rangi and the waka Mahuhu-ki-te Rangi.

TE RUNANGA O NGATI WHATUA

(Development through unity, caring and responsible management)

The house and marae are given administrative support by an administrative unit under the chief executive. This unit represents the kai awihina or kai manaaki and is aligned with the ringa wera of the marae.

Description of the Rohe

The Rohe O Ngati Whatua is traditionally expressed as Tamaki ki Maunganui i te Tai Hauauru and tamaki ki Manaia i te Rawhiti.

The northern boundary is expressed as:

- Manaia titiro ki Whatitiri, Whatitiri titiro ki Tutamoe, Tutamoe titiro ki Maunganui. Marae, whanau and hapu within the maru of these maunga are included within the rohe. The northern Neighbours are various hapu of Ngapuhi.

The southern boundary is expressed as:

Te awa o Tamaki and the southern neighbours are various hapu of Tainui

A schedule of land, water and other resources owned by Ngati Whatua can be found in Appendix II.

Description of the Rohe Community

The rohe community comprises Te Iwi o Ngati Whatua as the Tangata whenua, other Maori whether affiliated or not to other tribal groups, and the population at large.

Membership

The Ngati Whatua people are defined as:

Nga Uri o Ngati Whatua

All descendants of Haumoewarangi and other recognised tupuna who willingly refer to themselves as Ngati Whatua and wish to be included on the list of members.

Nga Hunaonga o Ngati Whatua

The spouses of Ngati Whatua who willingly refer to themselves as Ngati Whatua and wish to be included on the list of members.

Nga Whangai o Ngati Whatua

Any other person adopted by Ngati Whatua, legally, or otherwise, and accepted according to Ngati Whatua custom who willingly refer to

TE RUNANGA O NGATI WHATUA

(Development through unity, caring and responsible management)

themselves as Ngati Whatua and wish to be included in the list of members.

Membership numbers (estimated)	1990
<u>Residing within the rohe</u>	
Rural	7,500
Urban	<u>12,000</u>
	19,500
<u>Residing outside the rohe</u>	
Rural	1,500
Auckland	6,000
Whangarei	1,500
Other	<u>200</u>
	9,200
Total Ngati Whatua	<u>28,000</u>

Client Statement

As Tangata Whenua, it is our intention to provide direct services to:

Ngati Whatua residing within the rohe.

Manuhiri according to reciprocal arrangements and those not provided for by taurahere groups and other organisations.

Client Numbers (estimated)	(1990)	
	Ngati Whatua	Manuhiri
Rural	7,500	3,500
Urban	12,000	28,000
Total	<u>19,500</u>	<u>31,500</u>
Total Clients		<u>51,000</u>

This compares with a total Maori population estimated at 100,000 for the rohe.

3. GUIDING PRINCIPLES

The guiding principles of Te Runanga o Ngati Whatua describe the mission, goals and philosophy of the organisation.

The mission describes the purpose of the organisation.

Goals are broad statements of intent, relevant for three to five years.

The objectives are covered in the annual plan and are annually reviewed and refer to the expected achievements for that particular year.

The annual plan will remain consistent with the statements made in this charter and the specific objectives contained in the plan will be reviewed annually during corporate planning process.

The Mission Statement

The Mission of Te Runanga o Ngati Whatua is to provide for the development of Ngati Whatua as a strong and caring iwi.

Goals

Goal 1

To uphold Te Kotahitanga me Te Tino Rangatiratanga o Ngati Whatua under the guidance of our kaumatua and kuia.

Goal 2

To exercise the responsibility of Tangata Whenua including that of the authorised voice of Ngati Whatua.

Sub Goals:

2.1. To establish and maintain a Ngati Whatua Runanga

2.2. To maintain an ongoing communication network throughout Ngati Whatua.

2.3. To establish links with Government, Local bodies and other organisations on behalf of Ngati Whatua.

Goal 3

To provide for the personal development of Ngati Whatua and other iwi within the rohe o Ngati Whatua.

TE RUNANGA O NGATI WHATUA

(Development through unity, caring and responsible management)

Sub Goals:

- 3.1. To advance the educational attainment levels of Ngati Whatua students within the education system.
- 3.2. To establish and maintain vocational training facilities under the control of Te Runanga O Ngati Whatua.
- 3.3. To provide encouragement and support for marae based youth activities.
- 3.4. To provide for the cultural development and preservation of the heritage of Ngati Whatua.

Goal 4

To provide for the caring of Ngati Whatua and other iwi within the rohe o Ngati Whatua.

Sub Goals:

- 4.1. To develop pride and productivity through employment, other schemes and the involvement of our people in community development schemes.
- 4.2. To encourage and support activities which improve the health and lifestyle of Ngati Whatua.
- 4.3. To assist in the provision of adequate housing that serves Ngati Whatua whanau needs.
- 4.4. To encourage and support the development of marae facilities and wananga capability.
- 4.5. To ensure our natural resources remain intact for enjoyment of Ngati Whatua and the whole community.

Goal 5

Sub Goals:

- 5.1. To encourage Ngati Whatua land development and help retain it in Maori ownership.
- 5.2. To retain full rights to our traditional fishing areas and to develop the industry in all aspects including inshore and aquaculture.

TE RUNANGA O NGATI WHATUA

(Development through unity, caring and responsible management)

- 5.3. To encourage and support Ngati Whatua business ventures in providing employment opportunities and development of Ngati Whatua resources through mana and other schemes.
- 5.4. To promote tourism and encourage Ngati Whatua involvement in the industry through the support of tourism ventures and the development of Ngati Whatua resources through Mana and other schemes.

Goal 6

To manage the affairs and finance of Ngati Whatua.

Sub Goals:

- 6.1. To achieve centralised resource capture and management of Ngati Whatua affairs.
- 6.2. To provide financial control for the Runanga including budgets, management of expenses, statutory and other reporting.

Objectives

The objectives of Te Runanga O Ngati Whatua are defined in the annual plan, which is reviewed annually, and describe the specific targets to be achieved during the next year. (see Appendix III)

Philosophy

Mahia ki raro i te korowai o Te Tiriti o Waitangi.

Our first priority is to our Ngati Whatua people:

- (i) To their unity.
- (ii) To their way To their wairuatanga.
- (iii) To their development and well being.

Our activities derive from the needs of our people and we work from the marae up, rather than from the top down.

We acknowledge our responsibility as tangata whenua to represent that status at local and regional authority organisations, government agencies and other committees.

TE RUNANGA O NGATI WHATUA

(Development through unity, caring and responsible management)

Although our first priority is to Ngati Whatua, we will also cater for all other Maori people in our rohe not catered for by taurahere or urban runanga. Our policy, therefore, is inclusive not exclusive.

We have a caring philosophy:

- We care for the improved future of our people.
- We care for the continued use and belief in our language, culture and Ngati Whatua heritage.
- We care for our rohe and endeavour to develop and preserve its natural beauty for the enjoyment of all within it.
- We will work towards good relations with all people in the community of our rohe.
- We will not allow organisational changes to separate us from friends and loved ones from other iwi or nationalities.
- We hope for reciprocal arrangements with other iwi for Ngati Whatua people in their rohe.

Community Partnerships

The Runanga is in the business of helping to develop the community and recognises that there are other community groups with similar objectives. In particular, there are other Maori Trusts and incorporations, some of which are owned by members of Ngati Whatua, operating within our rohe with similar objectives as our own. (See Appendix IV for a schedule of Ngati Whatua Trusts and incorporations).

The Runanga intends to work closely with these community groups and Trusts and help them meet their objectives as a valuable way of meeting Runanga objectives. It will participate on the basis that it can positively contribute experience and resources based on its mana as tangata whenua, its deep commitment to the rohe, its network of marae and its access to tribal resources.

The Runanga has no management control over these Trusts and recognises the right of their owners to determine their own affairs.

4. ACCOUNTABILITY TO IWI

General

The Board will be required to attend Runanga Poupou huis and report regularly to the iwi on the objectives of the Runanga's Charter and on how well they are being achieved. It will also be expected to ensure that the iwi is being informed regularly of the achievements of the Runanga as a whole.

TE RUNANGA O NGATI WHATUA

(Development through unity, caring and responsible management)

No trustee will be liable for “loss in good faith” - but trustees will be individually liable for wrong doing. *(M.T.B. Act S37)*

Kauhanganui hui

Kauhanganui hui to provide an open forum for discussion on issues by kaumatua and kuia. Ngati Whatua people are welcome to attend but the focus is on our elders. They are the ones that are influential in advising on all matters to do with nga tikanga o Ngati Whatua.

Runanga Poupou hui

The Runanga Poupou comprises a representative from each of the 35 Ngati Whatua marae. And also a forum for discussion of major issues concerning Ngati Whatua.

Major issues for Runanga Poupou hui include:

- (i) Proposed changes to the Charter can only be approved by a majority vote at a Runanga Poupou hui.
- (ii) The Annual Report must be presented at a poupou hui in accordance with the Maori Trust Boards Act.
- (iii) Notices of future planning.
- (iv) Reports on the delivery of services.

It is the job of each marae representative to keep the people of the marae informed of all happenings at Runanga Poupou hui and to pass on information received from the Runanga office and other sources. Their job is also to convey to the Runanga any issues of concern that their marae members might have.

Each marae will appoint their own representative to the Runanga Poupou.

Runanga Poupou hui can be called by the Board of Trustees, or requested by one or more marae representatives.

At each poupou hui the members shall appoint a chairman according to the following process:

- (i) Te poupou no tena marae will be invited to take the chair.

TE RUNANGA O NGATI WHATUA

(Development through unity, caring and responsible management)

- (ii) In the event that te pou pou no tena marae declines, the members may elect one of their number as chairman.
- (iii) The members may request the Chairman of the Board of Trustees to chair the meeting.
- (iv) In the event that the Chairman of the Board of trustees is not present the members may request a member of the Board of trustees or the Chief Executive to chair the meeting.

The procedure of pou pou hui will include the conduct of general pou pou business, such as Board reports and major issues mentioned above, followed by a more open discussion on local marae, rangatahi and wahine issues.

The discussion during general pou pou business will be restricted to the marae representatives and chairman. Various people such as the chief executive and members of the Board of Trustees may be called on by the chairman to speak on certain issues.

The second part of the hui on local marae, rangatahi and wahine issues etc. is open for all attendees to address their discussion in an orderly fashion through the chairman.

5. REPRESENTATION

The Ngati Whatua need to be represented to ensure their interests and views as tangata whenua are considered by Government, Local Bodies and other organisations.

It is important for the iwi to be aware of major issues in advance to enable them to effectively communicate their position and it is equally important to be able to monitor events which affect Ngati Whatua.

Ngati Whatua will be represented:

- a) By the Runanga as the authorised voice of Ngati Whatua.
- b) By one or more representatives on the National Maori Congress.
- c) By various representatives on local body and other communities.

To ensure that the representation is effective:

TE RUNANGA O NGATI WHATUA

(Development through unity, caring and responsible management)

- (i) The Runanga will refer to appropriate Ngati Whatua in areas of particular concern and where the issue is not satisfactorily understood. Significant issues will be advised to the Runanga Poupou hui.
- (ii) Ngati Whatua representation to the National Maori Congress and on any committee will be provided on the basis that:
 - the agenda of each meeting shall be advised to the Runanga at least 7 days in advance.
 - The minutes from each meeting and/or a report from the representative shall be sent to the Runanga without due delay.
 - The Runanga may decide to circulate all or part of any such communication.
- (iii) Ngati Whatua will authorise their representatives on various committees as official representatives of Ngati Whatua o Tamaki ki Maunganui. This authorisation will be specific to each committee and will restrict the representative from making representational statements in any other forum. Authorisation will last for one year and will require the representative to keep the Runanga informed periodically according to certain guidelines.

6. RESOLUTION OF CONFLICT

The Runanga hopes that any conflicts that occur can be resolved within Ngati Whatua without recourse to other avenues which could be costly, time consuming and divisive.

The Runanga approach will be to encourage whanau to try to resolve such issues themselves.

Where agreement within the whanau is not possible, assistance would be offered through the Chief Executive and/or Chairman with a Kauhanganui representative where necessary.

7. EQUITY

The Runanga will provide fairly for all those it serves without prejudice.

Equity is ensured by:

- (i) Equitable representation on the Board of trustees according to the election process.

TE RUNANGA O NGATI WHATUA

(Development through unity, caring and responsible management)

- (ii) Regular reporting to Ngati Whatua iwi via marae representatives on Runanga activities at Runanga Poupou huis and with direct communications.
- (iii) Specific representation at Runanga Poupou hui certain groups such as rangatahi and wahine groups.

8. NGATI WHATUA ELATIONSHIP WITH TAITOKERAU

Ngati Whatua has traditionally been a part of Te Taitokerau expressed briefly as mai Tamaki ki te Rerenga Wairua. There is a common link of the different iwi of Taitokerau through the tupuna Rahiri.

Ngati Whatua is represented on the Taitokerau Maori Trust Board and also Te Runanganui o te Taitokerau.

Ngati Whatua recognises the traditional links and is receptive to seeking ways of fostering the relationship on an equal basis both with the Taitokerau organisations and runanga established by individual iwi.

Within its rohe however, Ngati Whatua intends to manage its own affairs independent of any other organisation. That is to say that Ngati Whatua will be the masters of its own destiny.

The northern part of Ngati Whatua (Topuni northwards) is aligned to the Taitokerau District Maori Council whilst the southern part is linked to the Auckland District Maori Council.

Ngati Whatua is a member of the National Maori Congress in its own right.

9. NGATI WHATUA TAURAHERE GROUPS

Taurahere groups to represent the whole of Taitokerau were established in Auckland, Wellington and Christchurch before the recent policy of setting up individual tribal Runanga began.

Te Runanga o Ngati Whatua intends to establish links with the Taitokerau taurahere in these areas:

- To ensure a channel of communication for our people.

TE RUNANGA O NGATI WHATUA

(Development through unity, caring and responsible management)

- To consider what assistance, if any, we can provide.

The Runanga will have an open policy in regard to Ngati Whatua people in other areas.

10. MANUHIRI

Ngati Whatua acknowledge that there are various Taurahere and Urban Authority groups already established in the rohe.

The Runanga welcomes these organisations and invites them to work in harmony with us. The key point for this policy is recognised by those other iwi of the mana whenua of Ngati Whatua. In particular we will:

- (i) Establish regular communications with these organisations to ensure our activities and services are mutually compatible.
- (ii) Consider any requests from other iwi to set up their Taurahere group within our rohe.
- (iii) Endeavour to provide whatever support to these organisations that from time to time we think appropriate as Tangata Whenua.

11. THE TRIBAL ROLL

The Board of trustees must ensure that a tribal roll is prepared containing the names and addresses of all adult members of Ngati Whatua, and shall from time to time ensure that it is kept up-to-date. (*M.T.B. Act S42*)

The roll will be maintained in the following manner:

- (i) Initially forms will be circulated for completion by Ngati Whatua iwi, including their name, address, marae at which they wish to be enrolled and other information.
- (ii) All returned forms will be compiled onto a computer database and reports will be produced for each marae showing their list of members.
- (iii) It will be the responsibility and the marae representative in each case to coordinate changes, additions and deletions to each marae list and advise the Runanga accordingly. Additions and alterations may also be advised by iwi directly to the Runanga.

The Board of Trustees shall have jurisdiction to determine whether any person applying for inclusion in the tribal roll is qualified for inclusion,

TE RUNANGA O NGATI WHATUA

(Development through unity, caring and responsible management)

and to determine (where applicable) the ward in which they are entitled to be included. (M.T.B Act S45).

It will be possible for iwi to identify more than one marae with which they are associated. However, each person must elect one as their primary marae.

The Ngati Whatua roll will be kept on computer at the Runanga office with sufficient security to ensure confidentiality.

Each marae representative will be provided with an up-to-date list of all iwi associated with their marae from time to time. These will be kept secure and will be limited to full name, address and phone number only.

12. ELECTION AND APPOINTMENT OF TRUSTEES TO THE BOARD

Final details for the first election of the Board of Trustees are currently being considered with a view to a recommendation being made to the Trust Board. *(See Appendix V for details on the Electoral process)*

The election process will in all respects be in accordance with the Maori Trust Boards Act and in general the following will apply:

It is the responsibility of each adult member of Ngati Whatua to ensure that his/her name is included in the roll and to supply to the Board his/her full postal address for the time being. *(M.T.B. Act S43)*

At least 4 months before the term of office of the members of the Board expires, the Secretary of the Board shall call for nominations by public notice. *(M.T.B. Act S46)*

The elected members will be appointed to the Board of trustees by the Governor General in accordance with the Maori Trust Board Act. *(M.T.B. Act S14)*

Elections to the board will be held every three years.

Every member of the Board shall be appointed for a term of 3 years and any member may from time to time be reappointed *(M.T.B. Act S14)*

13. THE BOARD OF TRUSTEES

Composition of the Board of Trustees

The Board will consist of up to 11 members, elected by the Ngati Whatua iwi of eligible age. *(M.T.B. Act S15)*

Board membership is open only to descendants of Haumoewarangi.

The Board of trustees will meet regularly (approximately monthly) to determine the policy of the Runanga, to review progress and evaluate and approve the performance of the Chief Executive with regard to his management of the administration unit.

The Board will encourage a fair representation from their iwi and may, in accordance with the Maori trust Boards Act apply for recognition of wards throughout the rohe to further ensure equitable representation.

The Chief Executive may not be a member of the Board of Trustees or Chairman of the Board but may hold the position of Secretary or Secretary/Treasurer. The Chief Executive may not vote at trust Board meetings but may be a marae representative and as such may vote at Runanga Poupou meetings.

The Role of the Board of Trustees

The Board of Trustees is responsible for the broad policy objectives and effective running of the Runanga. The Board will be expected to be responsive to iwi needs and to set the policies of programmes and courses to meet them.

The Board of Trustees, through direction to the Chief Executive, shall apply income and/or capital of the Trust as they think fit in accordance with the objectives of the Trust.

Without limiting their discretion conferred above, the Trustees shall in determining whether to apply funds for any purpose have regard to whether sufficient funds to support the activity in question are available from other persons, bodies or Government.

The Board will be responsible for the preparation of the Runanga Financial Accounts and their submission for audit in accordance with the Maori Trust Boards Act. The board will also send a set of audited annual accounts to the Minister. *(M.T.B. Act S32)*

TE RUNANGA O NGATI WHATUA

(Development through unity, caring and responsible management)

The Trustees operate at the level of making and reviewing policy, and overseeing the administration unit's performance. It is not their job to become directly involved in the management of the administration unit.

Trust Board Meetings

The first meeting of the newly appointed members of the Board will be arranged by the Secretary in consultation with a quorum of members, to be held within 2 months of the appointment of members.

Subsequent meetings will be held and such times and places as the Board appoints and will generally occur monthly. *(M.T.B. Act S18.2)*

Meetings of the Board of trustees are open to members of Ngati Whatua under the following conditions:

- (i) Visitors are not authorised to take part in discussions on any particular topic unless specifically approved by the person presiding as Chairman.
- (ii) Where visitors are invited to contribute to the discussion they must observe normal Trust Board meeting procedure and recognise the authority of the person presiding.
- (iii) The person at that time presiding as Chairman may exclude any or all visitors from a trust Board meeting at any time.

The Minister or the chairman may at any time call a special meeting of the Board, and any 3 members of the Board may at any time request in writing the Chairman to call a special meeting of the Board to be held no later than one month after the day he/she received the notice. *(M.T.B. Act S18.3)*

At all meetings of the Board a quorum shall consist of at least half of the number of members.

The Chairman shall preside at all meetings at which he is present. *(M.T.B. Act S18.5)*

In the absence of the Chairman from any meeting the members present shall appoint one of their number to preside. *(M.T.B. Act S18.7)*

TE RUNANGA O NGATI WHATUA

(Development through unity, caring and responsible management)

At any meeting of the Board the person presiding shall have a deliberative vote, and, in the case of an equality of votes, shall also have a casting vote. *(M.T.B. Act S18.8)*

All questions before a Board shall be decided by a majority of the valid votes recorded. *(M.T.B. Act S18.9)*

If after half an hour after the time at which a meeting of the Board was appointed, a quorum is not present, an officer of the Board may adjourn the meeting to such time and place as is thought fit. *(M.T.B. Act S18.9)*

The Board may from time to time, subject to the approval of the Minister, appoint a fit and proper person, who may be a member of the Board, to act as Secretary of the Board, and with the like approval, may at any time remove the Secretary from office. *(M.T.B. Act S19.2)*

The Secretary shall have such powers and duties as the Board from time to time determines, and shall at all times conform to the directions of the Board. *(M.T.B. Act S19.2)*

The Secretary shall ensure that the proceedings and resolutions of each Board meeting are recorded in a minute book to be kept for that purpose. *(M.T.B. Act S18.11)*

The Trustees may from time to time appoint and remove any number of advisors upon such terms and conditions as they shall think fit to assist in advising on the administration and management of the Trust. The trustees shall not be bound to accept the advice of the advisors. *(M.T.B. Act S19.3)*

The Trustees shall have the power to apply for incorporation of the trust pursuant to the provisions of the Runanga Iwi Act in the event that it is decided at a Runanga Poupou hui that such incorporation should proceed.

The Duties and Responsibilities of the Trustees

Trustees are expected to attend all Trust Board meetings and most Runanga Poupou hui and must:

- a) Act in good faith in the best interests of the Runanga as an entity in its own right and in the best interests of Ngati Whatua iwi as a whole. Trustees must disclose conflicts of interests, e.g. in property, financial and share-related matters;

TE RUNANGA O NGATI WHATUA

(Development through unity, caring and responsible management)

- b) Act with reasonable care drawing upon their knowledge, skill and experience and be diligent in attending to Runanga affairs;
- c) Act honestly and not seek to make profits from their positions;
- d) Exercise reasonable supervision over each other and, through the Chief Executive, over the other officers of the administration unit in the performance of those duties for which they are ultimately responsible.
- e) Ensure that requirements as to accounting records, holding of Poupou hui, provision of statutory information and annual returns are undertaken properly and to a professional standard;
- f) Disclose any interest in a contract or other activities;
- g) Issue statutory reports to iwi members including:
 - Proposed changes to the Charter.
 - The Annual Report.
 - Notices for future planning.
 - Reports on the delivery of services.
- h) Produce to the Minister any Runanga documents upon request;
- i) At the close of each financial year, arrange for the Annual Balance Sheet and Statement of Income and Expenditure to be sent to the Audit Office. *(M.T.B. Act S31)*
- j) Arrange for the annual production of the Corporate Plan including budgets and deliver it to the Minister in the month following the close of the financial year. *(M.T.B. Act S32)*
- k) Keep confidential such information that comes to them in their capacity as Trustees.
- l) Be equipped, through experience or study, to select and assess the Chief Executive's competence in terms of conceptual thinking, leadership and practical management techniques. Trustees must

TE RUNANGA O NGATI WHATUA

(Development through unity, caring and responsible management)

rapidly become thoroughly familiar with the demands of running the Runanga.

- m) Evaluate the performance of the Chief Executive against his or her targets, as recorded in a performance agreement, and ensure there is a proper corporate plan that is realistic and fits the needs of the Runanga and its resources.
- n) Initiate or review major corporate objectives, policies, budgets, plans and strategies. This includes approving major projects, capital expenditure of financial significance and compliance with periodic audits.
- o) Monitor the Runanga's financial structure, e.g. changes in capital structure and debt policy, short and long term credit facilities, insurance coverage and guarantees and financial obligations.
- p) Provide for the orderly succession to the position of Chief Executive and approve the duties and limits of authority of the Chief Executive. This should extend to monitoring, reviewing and appraising the Chief Executive and ensuring that this approach is adopted by the Chief Executive for the remainder of the organisation.

Portfolios

The various activities of the Runanga will be grouped into portfolios to allow a clear focus to be applied. One or more trustees will be allocated the responsibility for a portfolio and they will have the primary role of deciding its policy and monitoring its management.

Portfolios will operate under the same rules as committees and will at all times be subject to the direction of the Board of Trustees. The Chairman of the Board of Trustees will be an ex-officio member of all portfolio committees and subcommittees.

The Trustee with primary responsibility for a portfolio shall be called the Director of the portfolio.

Portfolio directors and other trustees responsible for portfolios must:

- Contribute to and approve the corporate plan as it applies to their portfolio.

TE RUNANGA O NGATI WHATUA

(Development through unity, caring and responsible management)

- Cooperate with trustees holding other portfolios on issues where two portfolios overlap.
- Monitor the progress of funding and achievement of objectives for their portfolio.
- Ensure an equity of distribution of portfolio resources across the rohe.

The authorities of a portfolio director are:

- To convene subcommittees within the guidelines of the portfolio.
- To administer expenditure within specific guidelines as defined from time to time by the board of trustees and within the limits prescribed for committees in terms of the Maori Trust Boards Act.
- To represent the iwi on matters relating to the portfolio.

The support services unit will provide specific portfolio support through positions of portfolio managers as demands and budgets allow.

Committees

The Trust Board may from time, by resolution, appoint a committee or committees, consisting of 2 or more persons, of whom at least one shall be member of the board. *(M.T.B. Act S20.1)*

The powers delegated to each committee shall be specified in the resolution, however, no committee may be revoked at any time by the board. *(M.T.B. Act S20.2, S20.3)*

Any delegation of power to committee may be revoked at any time by the board. *(M.T.B. Act S20.4)*

The Chairman of a committee may be appointed and removed by the board provided that a committee may at any meeting appoint one of its members to act in the absence of the Chairman from that meeting. *(M.T.B. Act S21)*

Each committee shall fix a quorum, which shall be subject to the approval of the board and no business shall be transacted at any meeting of a committee unless a quorum is present. *(M.T.B. Act S22.2)*

Responsibility for Staff

The board will be the legal employer of the support services staff and so will be responsible for setting guidelines for staffing matters.

The board shall have the power to appoint and remove the Chief Executive. The Chief Executive has the power to appoint and remove staff for the support services unit within guidelines from time to time set down by the board.

Once the Board of Trustees has approved a new staff or contract position, the Chief Executive will be responsible to advertise, interview and recommend the most suitable recruit to the Board of Trustees for their approval.

Selection criteria will include iwi affiliation as well as qualifications, ability and suitability. The Board of Trustees may refer applications to the Chief Executive for consideration.

In the event of a dispute arising from the removal of the Chief Executive, the Chief Executive may appoint a mutually acceptable person as arbitrator who shall consider the case and advise the Board of Trustees who will accordingly accept the recommendations given by the arbitrator.

Appointment of the Chief Executive will be on contract within a market based salary range. The term of the contract will be negotiated between the Board of Trustees and the Chief Executive.

14. THE SUPPORT SERVICES UNIT

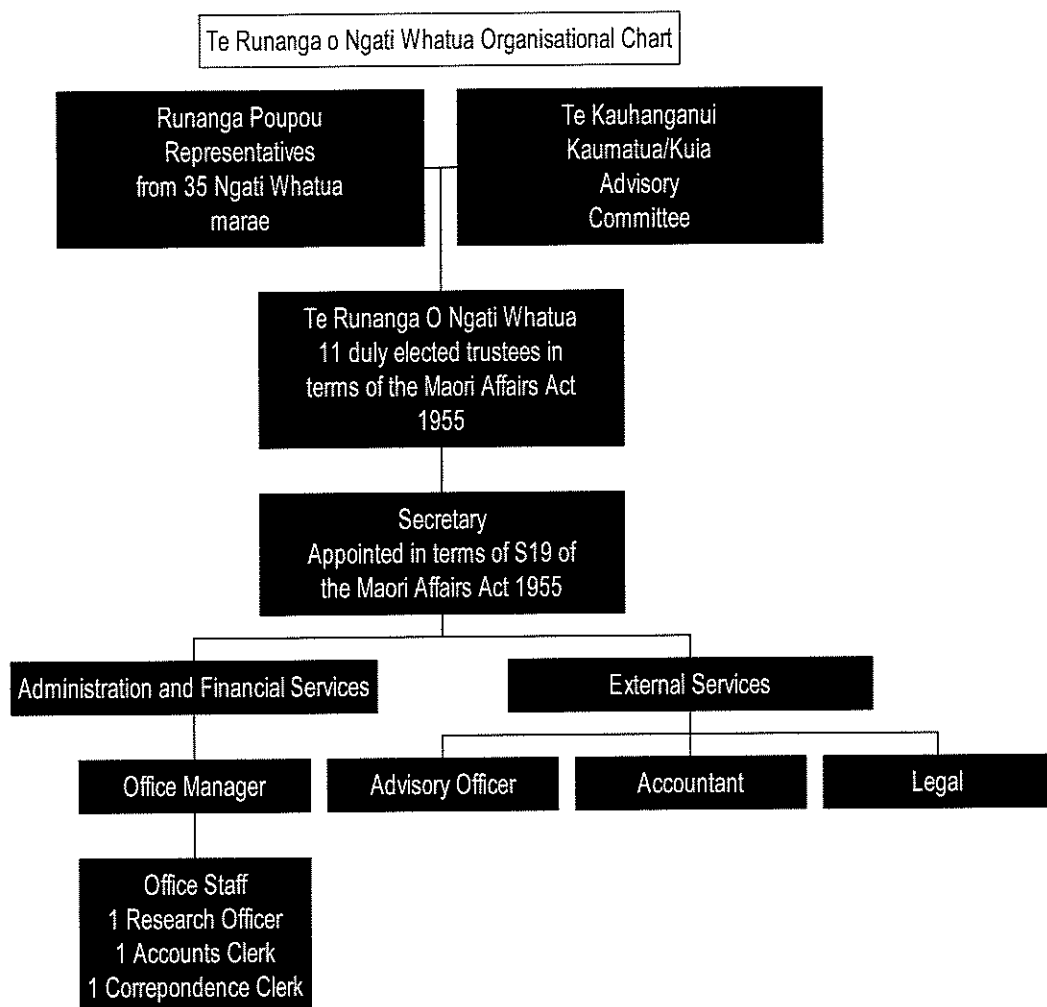
General

The support services unit will provide services for the Runanga with a central headquarters at Wellsford and branch offices at Dargaville and Auckland. The support services unit will be under the overall policy control of a Board of Trustees - but the day to day control and implementation of the policy will be the responsibility of the Chief Executive. The Chief Executive will be the professional leader of the support services unit and will be responsible to the board.

The staff organisation of the support services unit is as follows:

TE RUNANGA O NGATI WHATUA

(Development through unity, caring and responsible management)



Initially the unit will be established with minimum staff and will expand according to the demands of new programmes and as budgets allow.

The unit will have a company orientation with an emphasis on management expertise. Where it is effective to do so, the unit may coordinate the activities of self contained organisations which may be set up or contracted to manage certain programmes.

The support services unit will initiate activities in the areas of people development, language, cultural and heritage, and communications within and without the iwi according to the objectives of the corporate plan.

The unit will respond to individual and group initiatives within the rohe. Within guidelines set by the board of trustees, it will apply Runanga resources or recommend actions to the board for approval.

The unit will coordinate communications within and without the iwi.

Role of Chief Executive and Staff

The Chief Executive is responsible for:

- the preparation and maintenance of the charter
- the allocation of duties and detailed objectives amongst staff
- the development of performance objectives and measures to assess that performance
- coordinating the annual preparation of the corporate plan
- the management of the support services unit

The Chief Executive will be expected to work in a collaborative relationship with staff, but will have the final responsibility for making decisions.

The Chief Executive is expected to attend all trust board meetings and Runanga poupou meetings.

The Chief Executive will be responsible for approving leave of staff and will reimburse staff for day-to-day expense claims.

The Chief Executive will be responsible for employing relieving staff.

Issues concerning the actions of staff will be directed to the Chief Executive. In the event that resolution cannot be achieved and only where the issue is of importance then as a last resort, the matter may be addressed to the Board of Trustees.

Responsibility of the Annual Plan and Budgets

The Chief Executive is responsible to the Board of trustees for the completion of the annual plan and associated annual budget.

The annual plan shall be produced in co-operation with the trustees. The budget will be produced from the plan by the support services unit and will be approved by the board prior to its delivery to the Minister.

15. FUNDING

Funding will come from Government and private sources.

TE RUNANGA O NGATI WHATUA

(Development through unity, caring and responsible management)

It is the responsibility of the Chief Executive to coordinate funding negotiations and to ensure that the necessary funds are acquired to support the activities of the corporate plan.

Contact with each sponsor will be coordinated according to a plan and initial meetings with sponsors will include the Chief Executive and various members of the trust board. Subsequent contact, particularly at local level may be with various Ngati Whatua involved with managing projects, subject to Chief Executive approval, and it will be essential that the Runanga is kept informed of local discussions, plans and negotiations.

The process of negotiation for funds will be ongoing throughout the year and to be successful it will be essential that it is coordinated and that the Trustees are kept aware of all plans and discussions taking place.

The negotiation plan will be drawn up under the direction of the Chief Executive and members of the trust board. It will take into account the requirements of each portfolio and the expected availability of funds.

All operational costs will be met from funds raised.

If monies are received by the trustees which are intended to form part of the trust's assets and the donor of such monies has specified that those monies shall be used for a specific purpose (being one of the objectives of the trust) then the Trustees shall not use those monies for any other purpose except with the consent of the donor.

The Board will be able to borrow money commercially if they so desire, subject to written consent from the Minister. Because of this, it may be necessary to create a general liability – held to a specified limit of grant funds – as security for lenders.

16. ACCOUNTS

All monies belonging to the board shall, without delay, be paid into the bank account of Te Runanga o Ngati Whatua *(M.T.B Act S28.1)*

No money shall be withdrawn from this account except with the authority of the board and by cheque signed by 2 authorised signatories. *(M.T.B S28.2)*

The board shall cause full and accurate accounts to be kept of all money received and paid by it. *(M.T.B. Act S30)*

17. THE COMMON SEAL

The trust shall have a common seal which shall not be affixed to any document except pursuant to a decision of the Trustees and in the presence of the Secretary and two trustees who shall sign any such document as witnesses to the affixing of the seal. *(M.T.B Act S34)*

The Secretary of the trust shall have the custody of the seal and shall record all decisions to affix the common seal taken by the Trustees in a minute book for that purpose.

18. CHANGES TO THE CHARTER

The Board of Trustees may recommend changes to this Charter to iwi at a Runanga Poupou hui.

With the approval by majority vote of the recommended changes, the Board of Trustees shall have the power to register these changes with the Maori Land Court or any other appropriate body.

Appendices, with the exception of appendix IV which describes the election process, may be changed at any time and only represent information current at the time of writing.

TE RUNANGA O NGATI WHATUA

(Development through unity, caring and responsible management)

APPENDIX 1

List of Marae Poupou

Marae	Location	Poupou	Address
ORAKEI TAKIWA			
Orakei	Auckland	Ani Pihema	P.O. Box 108, Helensville
SOUTH KAIPARA TAKIWA			
Haranui	Helensville	Waata Richards	Haranui Road, PDC PARAKAI
Puatahi	Puatahi	Pita Pou	89 Metcalfe Road, Ranui, HENDERSON
Reweti	Waimauku	Te Warana Ratima	PO Box 128, WAIMAUKU
Te Aroha Pa	Araparera	Te Kaiarahi Komene	29 Downer Street, HELENSVILLE
Te Kia Ora	Kakanui	Wiremu Kapea	136 Manuka Road, GLENFIELD
OTAMATEA TAKIWA			
(Nga Tai) Whakarongorua)	Tinopai	Heketā Paora	Moana Road, TINOPAI, RD1 Matakoho
Oruawharo	Oruawharo	Jim Connelly	Settlement Road, PO Box 70, KAIWAKA
Otamatea	Batley	Ross Walker	Tanoa, RD1 MAUNGATUROTO
Parirau	Matakoho	Dick Samuels	20 Workers Road, WELLSFORD
Pouto	Pouto	Ross Wright	Tapora, RD7 WELLSFORD
Rawhitiroa	Arapaoa	Cassandra Moar	93 Whau Valley Road, WHG
Te Kiri	Leigh	Peri Watts	Hauraki Road, LEIGH
Te Kowhai	Matakoho	Erana Allen	Te Kowhai Road, RD1 RUAWAI
Te Pounga	Oneriri	Liz Mitchelson	PO Box 372, KUMEU
Waiahou	Matakoho	Paul Shepherd	c/- W.D. Walker RD.1 Matakoho
Waihaua	Arapaoa	Wikiriwhi Hetaraka	14 Dakota Place, Raumanga, WHG
Waiotea	Tinopai	Mikaira Miru	Private Bag, TINOPAI, RD1 Matakoho
WHANGAREI TAKIWA			
Korokota	Titoki	Joe Cassidy	Brewer Road, Mangakahia, RD9 WHG
Takahiwai	Takahiwai	Wi Pirihī	Postal Agency, RUAKAKA, Whangarei
Tirarau	Tangiteroria	Druis Barrett	272 Western Hills Drive, WHANGAREI
Toetoe	Whangarei	Tom Parore	3 Kauri Place, WHANGAREI
NORTHERN WAIROA TAKIWA			
Ahikiwi	Mamaranui	Ani Edwards	RD7 BAYLYS BEACH, Dargaville
Kapehu	Arapohue	John Retimana	11A William Bond Street, DEVONPORT
Matatina	Waipoua	Alex Nathan	Waipoua Settlement, Private Bag, DARG.
Naumai	Naumai	Lynnette Chapman	Naumai, RD2 RUAWAI
Oturei	Oturei	Hugh Nathan	Aoroa, PO Box 321, DARGAVILLE
Pahinui	Waipoua	Tom Walker	Waipoua Settlement, Private Bag, DARG.
Ripia	Te Kopuru	Georgina Parata	9 Mawne Road, HENDERSON
Taita	Mamaranui	John Tai Nathan	RD3 DARGAVILLE
Tama Te Uaua	Kaihu	Syd Morunga	Whatoro, RD9 DARGAVILLE

TE RUNANGA O NGATI WHATUA

(Development through unity, caring and responsible management)

APPENDIX IV

ELECTORAL PROCESS

Where the members of Ngati Whatua are divided in wards or sections for the purpose of elections:

- (i). The roll shall also show the ward to which each member belongs,
- (ii). Members associated with more than one ward will have to elect which one they are to be enrolled in for election purposes.

It is the responsibility of each adult member of Ngati Whatua to ensure that his/her name is included in the roll and to supply to the board his/her full postal address for the time being. *(M.T.B. Act S43)*

At least 4 months before the term of office of the members of the board expires, the Secretary of the board shall call for nominations by public notice. *(M.T.B. Act S46)*

- (i). Candidates must be nominated in writing by at least 5 Ngati Whatua who are on the roll and eligible to vote. *(M.T.B. Act S47.1)*
- (ii). The candidate must endorse his/her consent on the nomination paper. *(M.T.B. Act S47.2)*
- (iii). Nominations must be lodged with the Secretary of the board no later than 3 months before the term of office of the members of the board expires. *(M.T.B. Act S47.3)*
- (iv). Candidates may stand for election in only one ward. *(M.T.B. Act S47.4)*

Elections will be by postal ballot. *(M.T.B. Act S50)*

- (i). The Minister will appoint the Returning Officer. *(M.T.B. Act S52)*
- (ii). The Secretary of the board will ensure that ballot papers are posted out to each member on the roll of Ngati Whatua according to their recorded addresses. *(M.T.B. Act S51)*
- (iii). Ballot papers must be posted back or lodged with the Returning Officer no later than one month before the term of office of the board expires. *(M.T.B. Act S52)*
- (iv). The Returning Officer will count the valid votes and advise the Secretary of the board of the results. *(M.T.B. Act S53)*

The elected members will be elected to the board of trustees by the Governor General in accordance with the Maori Trust Boards Act. *(M.T.B. Act S14.2)*

Elections to the board will be held every three years.

Every member of the board shall be appointed for a term of 3 years and any member may from time to time be reappointed. *(M.T.B. Act S15.2)*

If a trustee resigns or is removed in accordance with the Maori Trust Boards Act, the Governor General may appoint some qualified person to the board for the residual term of office. *(M.T.B. Act S16)*

At the first meeting of the board following an election, and at the vacation of office by the Chairman, the board shall appoint from its members a chairman. Any person appointed as chairman of the board shall hold office, while he/she continues to be a member of the board