

2015 Trustee Election

This info sheet outlines information for the inaugural election of Trustees for Te Kotahitanga o Te Atiawa Trust.

It has been prepared as a guide to assist potential candidates and others with general information on the election process. Candidates or other persons requiring more detailed information should contact the Returning Officer, Anthony Morton.

Te Kotahitanga o Te Atiawa Trust is an unincorporated trust, and has a trust deed which sets out the rules as to how it will operate.

Trustees are also subject to the law governing trusts. A significant part of this law is the duties that trustees owe to beneficiaries, which includes the duty to act in the best interests of the beneficiaries.

The Trust Deed provides that the purpose of Te Kotahitanga o Te Atiawa Trust is to receive, hold, manage and administer the assets (and liabilities) held by the trustees for any object or purpose that is beneficial to Te Atiawa. This includes assets provided as part of a Treaty of Waitangi settlement.

At a practical level, the objects of the Trust include:

- being the voice and representative body for Te Atiawa;
- exercising strategic governance over any established trust entities; and
- fostering and promoting physical, social and economic wellbeing and advancement, as well as recognition of traditional customs and values amongst Members of Te Ātiawa.

From this election the Trust will be governed by up to seven (7) Trustees for a term of three (3) years.

Board Meetings and Remuneration

Meeting Frequency

The Trust's ordinary meetings are generally held on a six (6) weekly basis at the Trust's office in New Plymouth. The meetings usually last for half a day. Trustees are required to attend all meetings.

Board Quorum and Voting

To meet the quorum requirements of the Trust Deed, at least 50% of Trustees must be present in person or by telephone for any meeting to discuss ordinary resolutions.

Voting is by way of majority vote.

Meeting Packs

Before each meeting Trustees receive their meeting pack via post or email and are required to read the reports, consider the associated recommendations and participate in the discussions during the meeting.

Remuneration

The current level of Trustees' Fees (before tax) has been set at;

- Chairperson \$37,000 pa
- Deputy Chairperson \$23,125pa
- Trustees \$18,500pa

Term of Office

Trustees are elected for three (3) year terms.

Returning Officer

The role of the Returning Officer (RO) is to conduct the election in accordance with the requirements of the Trust Deed, as well as in accordance with standard election management practices.

The Trust has appointed Anthony Morton from *electionz.com* as the Returning Officer for this election. *electionz.com* is an election management company based in Christchurch and has considerable experience conducting elections in New Zealand including numerous polls and elections for Māori Trusts.

Subject to the statutory regulations, the RO has complete and final control over how the election process is carried out. The RO is engaged by the Trust, but does not take direction from the Trust.

The RO is responsible for all staff, systems, resources, policies, procedures and actions to ensure that the democratic process is carried out with utmost integrity, security and fairness for all parties.

Queries regarding the actions or performance of the RO for Te Kotahitanga o Te Atiawa should be directed to the Trust, via the Transition Manager - Hemi Sundgren, tari@teatiawa.iwi.nz, or telephone 06 7584 685.

Nominations

Key Dates

- Nominations open on **Monday 13 July 2015**.
- Nominations close at **5.00pm Friday 31 July 2015**.
- A public notice calling for nominations will appear in the Taranaki Daily News newspaper on Monday 13 July 2015.

Nomination Papers

Each nomination must be made on the official nomination paper. Nomination papers are available from the Returning Officer, Anthony Morton, *electionz.com* Ltd:

Free Phone: 0508 666 337

Free Fax: 05282 3353 2869

Email: nominations@electionz.com

Eligibility

To be elected, a nominee for appointment must:

- a. as at the closing date for nominations, be recorded in the Te Atiawa Register as an adult registered member; and
- b. not:
 - i be bankrupt, or have within five years been adjudged bankrupt;
 - ii have ever been convicted of an offence involving dishonesty as defined in section 2(1) of the Crimes Act 1961, or an offence under section 373(4) of the Companies Act 1993 (unless that person is an eligible individual for the purposes of the Criminal Records (Clean Slate) Act 2004);
 - iii be or have been disqualified from being a director of a company registered under the Companies Act 1955 or the Companies Act 1993;
 - iv be or ever have been removed as a trustee of a trust by order of Court on the grounds of breach of trust, lack of competence or failure to carry out the duties of a trustee satisfactorily;
 - v be physically or mentally incapacitated to the extent that he or she is unable to perform the duties of a Trustee;
 - vi be subject to a property order made under section 30 or 31 of the Protection of Personal Property Rights Act 1988;
 - vii have been convicted in the last 10 years of an offence punishable by more than three years imprisonment (unless that person is an eligible individual for the purposes of the Criminal Records (Clean Slate) Act 2004); and
 - viii have been removed as a Trustee under paragraph 6 (Removal of Trustee) of this Schedule within the past three years.

Candidates will be required to confirm on the nomination form that they meet all eligibility requirements.

Police Vetting

A Police Vetting form will be required to be filled out for all successful candidates appointed to the Trust.

Lodgment of Nomination Papers

Nominations close at 5.00pm Friday 31 July 2015.

- Nomination papers must be received by the Returning Officer no later than the above time and date. Any nominations received after **5.00pm Friday 31 July 2015** will be invalid and will not be processed.
- Nomination forms should be faxed or emailed to the Returning Officer in the first instance. Delivery address options are included on the nomination form.
- Email to nominations@electionz.com is the preferred delivery method.

Once lodged, nomination forms are checked to ensure that the candidate and nominators are adult registered members of the Trust.

Each candidate is encouraged to submit a profile statement and a recent photo with the completed nomination form (see next section for further details on the format of candidate profile statements and photos).

The lodgment of nomination papers should not be left to the last minute. Should a nomination paper be lodged late on the day nominations close, and be incorrectly completed or refer to an ineligible nominator, there may be insufficient time to correct the situation and the nomination paper could be invalidated.

Please do not leave lodging your nomination to the last minute.

The Returning Officer will email or give phone confirmation of an accepted nomination to each candidate within 24 hours of the nomination paper being received. If you have not received a message confirming receipt of your nomination form within 24 hours of submitting it, please ring the election helpline on 0508 666 337 to check if it has been received.

Processes After the Close of Nominations

If more than seven (7) nominations are received, an election will be required to determine the Trustees. A listing of the confirmed candidates and the subsequent election details will be listed on the Te Atiawa website as soon as possible after the nominations have been confirmed. Candidates will be emailed a copy of that notice.

Candidate Profiles

The Trust encourages candidates to provide a profile and photo with their nomination form. In the event an election is required, these are collated by the Returning Officer and forwarded to registered members with the voting papers.

Candidate Profile Statements

- **Must not** exceed 250 words in total (excluding the candidate's name)

The word limit will be strictly enforced

- **Must** be plain black and white text (in English or Māori), but special formatting (macrons, bold, italics, underlining, quote marks etc.) is permitted
- **Must** be confined to information concerning the candidate, and the candidate's policies and intentions if elected
- **May** include a recent (i.e. less than one year old) photograph of the candidate only (i.e. not part of a group)

A suggested format for the profile statement is:

Tribal Affiliation:

Occupation:

Current Qualifications:

Personal Interests:

Community involvement:

Candidate statement:

Photos should preferably be in an electronic format (scanned as a jpg attachment on email), but hard copy photos will be accepted and will be scanned at 300 dpi by the Returning Officer. Photos will be printed in black and white only but can be supplied in colour. **(N.B. hard copies of photos will not be returned to candidates).**

Queries

Any queries regarding candidate profiles or other parts of the election process should be directed to the Returning Officer on 0508 666 337.

Eligibility to Vote

In the event an election is required, voting papers will be sent to all adult members of the Trust who have current contact details. To register or update contact details applicants can ring the Trust office on 06 7584 685 or email tari@teatiawa.iwi.nz

Registrations for this election can be accepted up to the close of voting on 11 September 2015.

Campaigning and Vote Processing

Campaigning

In the event an election is required, campaigning can be undertaken on the following basis:

- Campaigning can commence at any time;
- If a candidate chooses to undertake advertising as part of their campaigning, those advertising costs are the responsibility of the candidate. There is no monetary limit for campaigning costs;
- Advertising material should not include any Te Atiawa logos or branding;
- No election material can contain any untrue

statement defamatory of any candidate and be calculated to influence the vote of any elector;

- Voting papers are not permitted to be collected from electors by candidates or persons on their behalf. Each elector is required to post or deliver his or her own voting paper to the Returning Officer (or exercise their own vote electronically if they choose that voting method).

Any acts committed by candidates that constitute criminal offences will be referred to the Police for their action.

Electoral Rolls

The Electoral Roll (being the Te Atiawa Registration Database) is not available to candidates for electioneering purposes.

Vote Processing and Election Results

If an election is required, the processing of the voting papers will be carried out by electionz.com at its premises at 307 Wairakei Rd, Christchurch. Postal voting papers should be returned in the reply freepost envelope to the Returning Officer.

Voting papers will be posted on Thursday 13 August 2015. Voting will close at 5pm on Friday 11 September 2015.

The election results will be available as soon as all special voting papers have been checked. It is hoped this will be completed by Wednesday 16 September 2015. The Returning Officer will email the election results to the candidates as soon as they are available. The results will then be posted on the Te Atiawa website and announced at the Trust's AGM on **Sunday 27 September 2015.**

Scrutineers

- There is no provision in the Trust Deed rules for candidates to appoint scrutineers.

Confidentiality

Voting is by confidential ballot. Completed voting papers go directly to the Returning Officer. No other party will have access to the information on the papers. Voting papers will be destroyed by the Returning Officer thirty (30) days after the close of voting.