

1. NAME

The name of the Corporation shall be the KAINGAROA FOREST VILLAGE INCORPORATED.

2. INTERPRETATION

Unless the context otherwise requires:

"Corporation: shall mean the Kaingaroa Forest Village Incorporated.

"President" means the officer who is the president of the Corporation and Chairperson of the Council.

"The Council" means the executive committee of the Society.

"The Vice-president" means the officer who is the vice president of the Corporation and the deputy chairperson of the Council.

"The members" means the members of the Society.

"The officers" or "the officers of the Society" means the President, vice president, and if appointed Secretary and other officers from time to time appointed by the Council.

"The papakainga:" means all that piece of land situated in the Kaingaroa Survey District containing 98.5450 hectares more or less being ~~the area shown delineated in red on the attached Plan~~ ~~section xxxxxxxxxx and being xxxxxxxxxx~~ compiled in certificate of title volume folio (South Auckland registry).

3. These rules shall be accorded a fair large and liberal interpretation to the intent that the objects shall be maintained and promoted.

4. If at any time any matter shall arise which is not provided for in these Rules or in the interpretation of these Rules the same shall be determined where appropriate by the Council.

5. These rules and every amendment to these rules shall be deemed to be always speaking.

6. OBJECTS

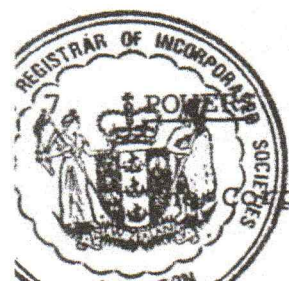
The object for which the corporation is established are:

To bring into accord all the residents of the papakainga.



- 6.2 To undertake, encourage and co-ordinate activities for the general well-being of the residents of the papakainga.
- 6.3 To make decisions and/or take such action in the interests of the papakainga with respect to any matter of concern to the papakainga as is appropriate, expedient and practicable.
- 6.4 To provide, maintain and manage services, amenities and facilities inside the papakainga for the benefit of all members and their families residing in the papakainga.
- 6.5.1 To sell or lease the dwelling houses vested in the Corporation in trust for the benefit of members in a manner the Council deems fit to persons who are or will become members of the Corporation and will retain their dwelling houses within the papakainga.
- 6.5.2 To dispose of or retain all other assets including other buildings in the papakainga for the benefit of its members and for the future and development of the Kaingaroa Village concept.
- 6.6 To foster and promote the education of all members and their families.
- 6.7 To promote and encourage the employment of all members and their families either within the papakainga or outside of it.
- 6.8 Any object undertaken for the benefit of members or their families shall be deemed charitable for legal purposes.
- 6.9 Any other lawful object passed at a general meeting of the Society shall be an object of the Society.

Corporation shall be empowered to:



- 7.1 Purchase, take on lease, exchange, hire or otherwise acquire or sell any real or personal estate which may be deemed necessary or expedient by the Council for any purpose of the Corporation.
- 7.2 Take in gift, any property, whether or not subject to any special trust, for one or more of the objects of the Corporation.
- 7.3 Borrow or raise funds by mortgage or otherwise subject to approval by general meeting at the Corporation.
- 7.4 Invest any moneys of the Corporation not immediately required for any of its objectives in such manner as may from time to time be determined by the Council provided that such investment is in accordance with the Trustee Act 1956.
- 7.5 Do all such lawful things as may be deemed incidental or conclusive to the attainment of the above objects

8. MEMBERSHIP OF THE CORPORATION

- 8.1 The foundation members of the Corporation shall be those persons whose names are on the application for registration of the Corporation.
- 8.2 The following persons shall be eligible for membership:

8.2.1 General Members

Any person ~~being or intending to be a resident within the papakainga~~ who has entered into a contract to acquire an interest right or licence from the Corporation whether by way of agreement to purchase, lease, licence, tenancy or otherwise in respect of any dwelling house or other property within the papakainga.



8.2.2 HONARY MEMBERS

Any person who by virtue of that person's contribution to the papakainga may be awarded honorary membership by the Council to be ratified by a general meeting of the Corporation.

8.3 Application for Membership

8.4.1 Application for membership shall be made in writing and shall include the applicants address and be signed and dated by the applicant and shall be delivered to the registered office of the Corporation.

8.5 Termination of Membership

A person shall cease to be a general member if the member ceases to have an interest, right of licence from the Corporation whether by way of agreement to purchase, lease, licence, tenancy or otherwise in respect of any dwelling house or property within the papakainga.

9. MEETINGS OF THE CORPORATION

9.1 First General Meeting

9.2 At the first general meeting of the Corporation all Foundation members may be present, and at that meeting 3 members present in person shall form a quorum. The member to chair the meeting shall be chosen by lot.

9.3 At the first general meeting of the Corporation the members shall elect nine (9) members to constitute the Council. xx and xx
Vice President xx Secretary xx Treasurer xx
Audit Committee xx



- 9.4 If the first general meeting is not held then the Maori Trustee may in writing appoint the nine (9) members of the Council who shall be the first officers of the Council. Such persons will be deemed to have been elected under clause 9.3 of this constitution and the first general meeting of the Corporation will be deemed to have been held on the date appointed by the Maori Trustee.

9.5 Annual or Special General Meeting

- 9.5.1 The annual general meeting of the Corporation shall be held on such day and at such time as the Council shall determine, but not more than threemonths after the close of the financial year. The business of the Annual General Meeting shall consist of:
- 9.5.1.1 Receiving and considering the report of the Council.
 - 9.5.1.2 Receiving and considering the Income and Expenditure Account and Balance Sheet.
 - 9.5.1.3 Receiving reports of committees.
 - 9.5.1.4 Reporting the results of elections and appointments to committees.
 - 9.5.1.5 Appointing an Auditor and legal advisor.
 - 9.5.1.6 Any matter of which written notice is required, or of which written notice has been given to the Council at least one (1) months prior to the date of the meeting.
 - 9.5.1.7 Any other business as may be properly conducted and which is agreed to by a majority vote of the annual general meeting.



The Council shall give notice of an annual general meeting not more than three (3) months prior to the date on which it is to be held. Such notice shall call for any notices of motion, or business for which notice is required to be given. ✓

9.6 Special General Meeting

9.6.1 A Special General Meeting may be called by any group of general members comprising of no less than fifteen (15) members, or by any members of the Council.

9.6.2 Written notice of the request for a special general meeting stating the nature of the business to be transacted shall be given to the Council which shall within one (1) month of receiving such notice, call a special meeting.

9.6.3 No business other than that arising out of such notice shall be transacted at such meeting except by leave of the majority of members present.

9.7 Voting at Meetings

9.7.1 At all meetings of the Corporation each general member shall have one (1) vote. ✓

9.7.2 Except for elections
/ Voting at any general or special meeting shall be by a show of hands but, if at least three (3) general members immediately dispute the decision then the motion shall be put to the vote and decided by a majority of votes. Where the votes are equal the chairperson shall, if the chairperson has exercised his/her deliberative vote, also having a casting vote.

9.7.3 Every motion passed by a majority shall become a resolution of the Corporation and bind all members. ✓



9.8 Attendance at Meetings

9.8.1 All members may attend and speak at any meeting of the Corporation but only general members shall vote.

9.8.2 A member who is unable to be represented in person at a meeting of the Corporation may give instructions and voting direction to another member who shall act as proxy. The Council shall receive such notice in writing at least three (3) days prior to the meeting.

9.9 Chairperson

9.9.1 The president or in that person's absence the vice-president shall take the chair at any meeting of the Corporation. If there is no chairperson or deputy chairperson available to take the chair, then the members present shall choose a chairperson.

9.10 Quorum

9.10.1 The quorum for all meetings of the Corporation is twenty (20) members.

10. COUNCIL

10.1 Powers

10.1.1 The management of the affairs of the Corporation shall be vested in a committee which shall be and is herein called "the Council" which shall be elected in accordance with clause 10.3 and which may exercise all the powers of the Corporation which are not by the rules expressly required to be exercised by the annual general meeting.



- 10.1.2 The Council may delegate any of its powers to sub-committees, consisting of such members of that body and/or such other persons as it thinks fit and may from time to time revoke such delegation. Any sub-committee so formed shall, in the exercise of the powers so delegated, conform to any regulations or directions that from time to time are imposed or given by the Council but shall in any event only have power to recommend to the Council.

10.2 Constitution and Term of Office

- 10.2.1 The Council shall consist of members who from amongst their membership shall elect a president, vice president and if necessary a secretary.
- 10.2.2 Triennial elections shall be held for the election of Council members.
- 10.2.3 Council members are eligible for re-election.

10.3 Nomination and Election of Council

10.3.1 Nominations:

- 10.3.1.1 The Council shall call for nominations for the Council not less than two (2) months prior to the date on which the election is to be held or in the case of a casual vacancy not less than one (1) month prior to the date of the election.

- 10.3.1.2 Any member shall be entitled to nominate candidates for the Council PROVIDED THAT nominees for positions shall be restricted to general members. In the event of dispute of eligibility the Council shall have the power to adjudicate the matter.



10.3.1.3 Each nomination shall be entered into in writing and signed by the nominor and the nominee and forwarded to the Council by the date specified in the notice calling for nominations.

10.3.1.4 If the number of nominations does not exceed the number of vacancies on the Council then those persons nominated shall form the Council without the necessity of an election.

10.3.2 Voting:

10.3.2.1 Voting for election of the Council shall be by poll vote only and shall be organised by a Returning Officer appointed by the Council. ✓

10.3.2.2 Scrutineers shall be appointed by the meeting to count the votes.

10.3.2.3 Every member shall be entitled to one (1) vote for each vacant position on the Council.

10.4 Meetings of the Council

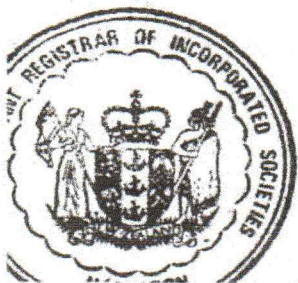
10.4.1 The Council shall meet as often as is necessary for the conduct of the affairs of the Corporation.

10.4.2 The quorum for any meeting of the Council shall be five (5) members present in person.

10.4.3 At each meeting of the Council the President or in his/her absence the vice president, shall take the chair. If neither the president nor the vice president is present, the Council shall appoint one of its members to the chair.

10.4.4 The Chairperson of the Council shall have a casting vote as well as a deliberative vote.

10.4.5 The Council shall act by majority decisions.



10.5 Creation of a casual vacancy on Council

10.5.1 Any position on the Council shall become vacant if the person holding that office:

- (a) ceases to be a member of the Corporation;
- (b) is absent from three (3) consecutive meetings without leave being obtained from the Council or the President;
- (c) gives notice in writing resigning from the position held;
- (d) becomes bankrupt or insolvent;
- (e) is convicted of a criminal offence that carries with it a sentence of imprisonment of three (3) months or more;
- (f) is judged to be of unsound mind pursuant to the Mental Health Act.

10.5.2 An election shall be held to fill any casual vacancy, and shall be held subject to the provisions of clause 10.3 above.

11. FINANCE AND MANAGEMENT

11.1 Subscriptions

The annual subscription if any payable by all general members shall be decided from time to time by resolution of the Annual General Meeting, subject to the following provision:

The Council shall have the power to reduce the subscription payable in any case where it is satisfied that such payment would cause undue hardship or where it is satisfied that there are other reasonable grounds for such action.

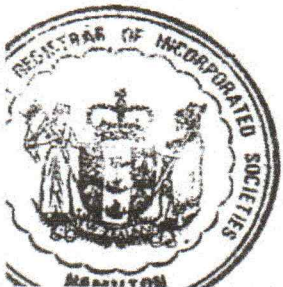


11.3 Management of Finances

- 11.3.1 The accounts of the Corporation shall be closed on the last day of March in each year.
- 11.3.2 The funds and property of the Corporation shall be vested in the Corporation and managed by the Council.
- 11.3.3 All moneys received shall be paid to the credit of the Corporation, into a bank selected for that purpose by the Council.
- 11.3.4 All accounts incurred by the Corporation shall be passed for payment by the Council and paid by cheque.✓
- 11.3.5 All cheques of the Corporation shall be signed by two (2) Council members and if approved by the Council, countersigned by the Manager or other staff member of the Corporation appointed by the Council. Where an endorsement is required, the signature of the Manager shall be sufficient.
- 11.3.6 The Annual General Meeting, after receiving expert advice may borrow or raise money and secure payment of same on the satisfaction or performance of any obligation or liability to be undertaken or incurred by the Corporation and in particular, by mortgage, charge, lien upon the whole or any part of the Corporations property or assets whether present or future and may pay interest on any borrowed moneys.

11.4 Common Seal

There shall be a common seal of the Corporation which shall be kept at the office of the Council solicitor.



The common seal shall not be affixed to any document, except by authority of a resolution of the annual general meeting or of the Council. Every document to which the common seal shall be affixed shall be signed by four (4) members of the Council at least.

11.5 Audit

11.5.1 Each Annual General Meeting shall appoint an auditor, who shall be a qualified accountant who does not hold any other office in the Corporation.

11.5.2 The duty of the auditor shall be to conduct an annual audit of the accounts of the Corporation in accordance with currently accepted auditing procedures.

11.6 Levies

11.6.1 The Council may at any time impose a levy or levies on each household or commercial premises, in the papakainga, should it be necessary to do so.

11.6.2 Written notice of any proposal to impose such a levy shall be circulated to all members at least one (1) month prior to the date the levy becomes payable.

11.7 Payment of Expenses

NOTWITHSTANDING any provision in this constitution, the Council may approve payment of travel expenses and/or an allowance, or meet any actual and reasonable expenses incurred by any member of ^{the Council or of} any corporation committee or corporation representative where such expenses are not provided for from any other source.



12. APPOINTED OFFICERS

12.1 Manager

A Manager may be appointed by the Council who shall be responsible to the Council for the efficient administration of the affairs and finances of the Corporation and shall manage the office of the Corporation including designation of duties of staff as is appropriate PROVIDED THAT should the Council decide to employ a manager appointment shall be made only after the position has been advertised.

12.2 The Manager shall cause to be kept a register of members of the Corporation.

12.3 The Manager may also be responsible for arranging the taking of records of all meetings of the Corporation and its committees.

12.4 The Manager shall enter into a contract of employment with the Corporation.

12.5 Paid Officers

The Council shall appoint from time to time such additional officers as may be required to maintain the efficient administration of the Corporation and such position(s) shall be advertised.

13. COMMUNICATION

No member of the Corporation shall speak on behalf of the whole Corporation without prior consultation with the President or Vice President.

14. INDEMNITY

All members of the Council and its sub-committees, members of standing committees, the manager and any other officers shall be indemnified by the Corporation from and against all losses



and expenses incurred by them in or about the discharge of their respective duties, except such as happen from their own wilful default.

15. ALTERATION OF RULES

15.1 These rules may be altered, added to or rescinded only by resolution of the annual general meeting, or of a special general meeting called for that purpose PROVIDED THAT:

15.1.1 Written notice of any proposed amendment shall be handed to the Manager not later than two (2) months prior to the date of the meeting. The Manager shall circulate any such proposal, in writing, to all members not less than one (1) month prior to the date of the meeting and PROVIDED THAT:

15.1.2 Any such motion shall be required to be carried by a majority of at least two-thirds of the total votes.

16. DISPOSITION OF PROPERTY ON WINDING-UP

On the winding-up or dispatch of the Corporation the surplus assets of the Corporation shall be distributed in such a manner as the Corporation in general meeting or the Council shall decide PROVIDED THAT no portion of such assets and funds shall under any circumstances be distributed to any member of the Corporation.

17. BY-LAWS

17.1 The Corporation may make by-laws to govern the management, administration and good running of the papakainga and its members inclusive of procedures as to disciplinary action against members, procedures as to conduct of meetings and such other matters as may be deemed appropriate.



Incorporated at Hamilton
this 6th day of April 1960
R. Blunage
Assistant Registrar of



ORDER REVESTING LAND ACQUIRED FOR A PUBLIC WORK

The Maori Affairs Act 1953, Section 436

In the Maori Land Court
of New Zealand
Waiariki District

AT a sitting of the Court held at Rotorua on the 21st day of December 1988 before Heta Kenneth Hingston, Esquire, Judge.

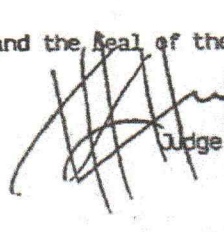
WHEREAS the land described in the First Schedule hereto was acquired for a public work and is no longer required as such:

AND WHEREAS application has been made by the Minister of Maori Affairs in the concurrence with the Minister of Lands for an Order vesting the said land in the person/s the Court finds justly entitled thereto:

AND WHEREAS upon hearing all the evidence adduced in support and the Court being satisfied that the person justly entitled to have the said land vested in him is the person described in the Second Schedule hereto:

NOW THEREFORE the Court DOETH HEREBY ORDER that the land described in the First Schedule hereto be and the same is hereby vested in the person whose name is set out in the Second Schedule hereto in the share set out opposite his respective name:

AS witness the hand of the Judge and the Seal of the Court

 Judge 

FIRST SCHEDULE

ALL that piece of land known as Kaingaroa 5 containing 98.5450 hectares more or less situated in Block IX Kaingaroa Survey District and being the land formerly known as Section 1 Block IX Kaingaroa Survey District as is more particularly delineated on M.L. 21973 lodged in the office of the Chief Surveyor Hamilton

SECOND SCHEDULE

Tangiharuru, m.a. deceased

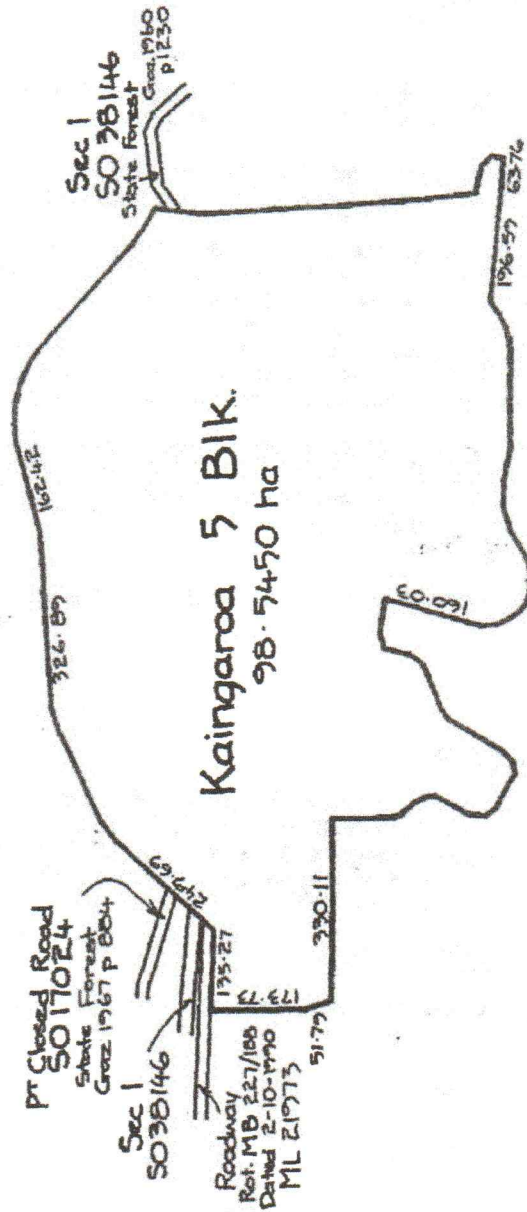
1.00000

SOUTH AUCKLAND LAND DISTRICT

Blk X Kaingaroa S.D.

Rotorua District

PT Run 55
SO 16371
State Forest
Graz 1911 p 3567



PT Run 57
SO 16371
State Forest
Graz 1911 p 3567

Kaingaroa 5 Blk.

(Formerly PT Run 55, PT Run 57, PT Closed Road
and PT Sec 1 Blk X Kaingaroa S.D.)

- B The object of the Trust shall be limited to the retention of the land and to provide for the care management and alienation of the land to best advantage as a papakainga and to represent the beneficiaries of the Trust on all matters relating to the land.

C POWERS

1 General

That for the purposes of the Trust hereby created and the objects thereof the Trustees shall have and may from time to time exercise all or any of the following powers:

- 2 To do all things in relation to the land which the Trustees would be entitled to do were the Trustees, in their own right, the legal and beneficial proprietors of the estate in fee simple in the land: PROVIDED THAT the Trustees shall not alienate the estate in fee simple in all or any part or parts of the land by sale or gift and shall not mortgage or otherwise charge that estate in all or any part or parts of the land or except to the extent hereinafter mentioned grant any lease or licence in respect of all or any part or parts of the land:
- 3 Without limiting the provisions of sub-clause (1) hereof immediately precedent hereto:
- i To acquire any estate or interest in land by way of purchase, lease, exchange or otherwise to the intent that the estate or interest so acquired shall be held upon the same trusts and be subject to the same powers as are in this Order set forth in relation to the land:
 - ii To subdivide or partition the land in any manner from time to time permitted by law into such subdivisions or parts which the Trustees may consider desirable:
 - iii To grant a lease or a licence to occupy in respect of all or any part or parts of the land from week to week, fortnight to fortnight, month to month, quarter to quarter, half year to half year or year to year or for any term of years not exceeding (including any right or rights or renewal) 42 years to any person including (but not exclusively) the Crown or any body corporate at such rent or licence fee (including one of a peppercorn or nominal nature) as the Trustees shall think fit and upon such other covenants and other conditions as the Trustees may specify:
 - iv To accept surrenders of and otherwise lawfully to determine leases and licences so granted:
 - v For the purpose of facilitating the management of all or any part or parts of the land to appoint the Kaingaroa Forest Village Incorporated (hereinafter referred to as "the Council") to manage the village:



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- vi To accept office as Trustees under any other Trust:
- vii To administer trust funds:
- viii Notwithstanding anything hereinbefore contained to sell any buildings which at the date hereof are applied to or are upon the land and as if such buildings were chattels personal to any person or persons residing or desirous of residing on the portion or portions of the land upon which such buildings respectively are situated and if necessary or desirable to sever and remove all or any of such buildings from the land and sell the same to the intent that the proceeds of each such sale shall to the extent necessary or desirable be outlaid by the Trustees or by the Council for any one or more of the purposes of maintaining improving and administering the land or meeting any costs for the purposes of administering the Trusts:

AS witness the hand of the Judge and the Seal of the Court.


Judge



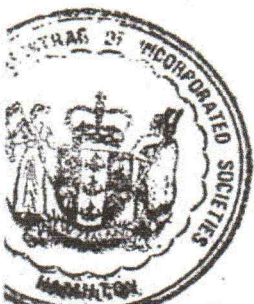
KAINGAROA VILLAGE INCORPORATED SOCIETY

Application for Incorporation

WE the several persons whose names are subscribed hereto being members of the above mentioned society, hereby make application for the registration of the society under the foregoing rules, in accordance with the Incorporated Societies Act, 1908.

DATED this day of 1989.

<u>SIGNATURE, OCCUPATION AND ADDRESS OF APPLICANT</u>	<u>SIGNATURE, OCCUPATION AND PLACE OF ABODE OF WITNESS</u>
1. <i>3. Barron Street Kaingaroa Forest</i> <i>Pita Toni Biddle.</i>	
2. <i>Garry Edward Roberts.</i>	
3. <i>8 Bailey Crescent Kaingaroa Forest</i> <i>Wendell Margaret Edwards</i>	
4. <i>173 DANIEL ST. KAINGAROA</i> <i>NORMAN CHARLES NAIKOR</i>	
5. <i>60 DANIEL ST. KAINGAROA FOREST</i> <i>Margaret Mary Doherty</i>	
6. <i>192 Daniel St. Kaingaroa Forest</i> <i>Linda Rachel Tane</i>	<i>Witness to all signatures</i>
7. <i>52 Daniel Street.</i> <i>Lynda Bowers 45 Daniel Street</i>	
8. <i>Marty Bowers 45 Daniel Street</i>	
9. <i>Hiki MOKA 26 Barron Street</i>	
10. <i>R.G.T.F. EDWARDS</i> <i>79 Daniel ST</i>	
11. <i>Susan Birch - 101 Daniel St, Kaingaroa Forest</i>	<i>Shangtau</i>
12. <i>Maria Delanty 160 Daniel St.</i>	<i>Colin</i>
13. <i>Polly Huia Limet 129 Daniel St.</i>	<i>Robert</i>
14. <i>L.M. Thompson 98 DANIEL ST.</i>	
15. <i>A.R. Kelly</i>	



SIGNATURE, OCCUPATION AND ADDRESS OF APPLICANT

SIGNATURE, OCCUPATION AND PLACE OF ABODE OF WITNESS

T TUKAIKI
6 COLLINS PLACE
J.T. CASHDY
21 GROOME ST.
J. KIEL
9 GROOME ST.

BUSHMAN KAINGAROA FOREST
J. KIEL
BUSHMAN
J. KIEL
S. JUNG

R. K. Hasodani
S. JUNG 75 DANIEL ST.

J. KIEL
S. JUNG

I. K. R. 175 DANIEL ST.
75 DANIEL ST.

B. Campbell
129 DANIEL ST.

J. KIEL

T. Timoti
8 Munro Place

J. KIEL

A. J. Austin
8 Munro Place

J. KIEL
S. K. Austin
S. K. Austin (Wife)
J. K. Austin

J. K. Austin
S. K. Austin

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J. K. Austin
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Witness to all signature
H. K. Austin
S. K. Austin

