

# TĀWHARAUTIA

## *Te Whakatōhea*

AUGUST 2023

## OPENING FROM

*Vaughan Payue, Chair*

### **Arriving at a settlement with the Crown has been a very long journey.**

There have been so many sacrifices made over many decades, particularly by our tīpuna.

It is an honour being an Establishment Trustee of our new post-settlement entity, Te Tāwharau o Te Whakatōhea. On behalf of my fellow trustees, I would like to thank past and current members and staff of the following:

- Te Taumata Kaumātua
- Whakatōhea Māori Trust Board
- Whakatōhea Raupatu Working Party
- Tū Ake Whakatōhea Collective
- Whakatōhea Pre-Settlement Claims Trust

I would also like to specifically

thank our negotiators Jason Pou and Maui Hudson who have done an outstanding job, and largely on an aroha basis.

Lastly, I would like to thank everyone who has supported our settlement as individuals, as hapū, as an Iwi.

However, as one of many who actively opposed our 1996 settlement offer, I understand and respect that not everyone supports our settlement.

No settlement will provide justice for the wrongs done against our whānau, our hapū, our Iwi. That said, I know our tīpuna want us to move forward. For the sake of our mokopuna, we must move forward. As whānau, as hapū, as an Iwi we must unite and move forward as one. I refer to one of our whakatauhākī, from my tuākana Te Kahautu:

**E roi Te Whakatōhea i te roi a Tinirau. Our Iwi will be weak if we are divided. But together, through kotahitanga, we will be strong and unbreakable.**

While raupatu severely undermined our hapū, that never stopped our tīpuna and our hapū over many decades working together to unite us as an Iwi.

As Establishment Trustees our duty is to support our settlement. Supporting our settlement is part of a long journey of healing for our people so that we can move from the travesties of our dark past, into a brighter future.

Mauri ora ki a tātou.

*Vaughan Payue*

Establishment Trustee Chair  
Te Tāwharau o Te Whakatōhea





# DEED OF SETTLEMENT *Signing*

Our Whakatōhea rangatira signed Te Tiriti o Waitangi on the 27th of May 1840; and exactly 183 years to the day on the 27th of May 2023 over 500 whānau and manuhiri gathered at Whitikau to witness the signing of the Settlement between Te Whakatōhea and the Crown.

It was an historic and emotional day, made even more significant by the presence of King Tuheitia and the sheer numbers of whānau who travelled from as far as the depths of Te Waipounamu as well as from overseas.

You could hear a “pin drop” as Minister Little read the Crown’s

apology to our whānau who sat and listened, while remembering our leaders, whānau and friends who have gone before us.

This was also the day Whakatōhea said goodbye to the Whakatōhea Pre-Settlement Claims Trust and Trustees and said kia ora to Te Tāwharau o Te Whakatōhea and the

Establishment Trustees.

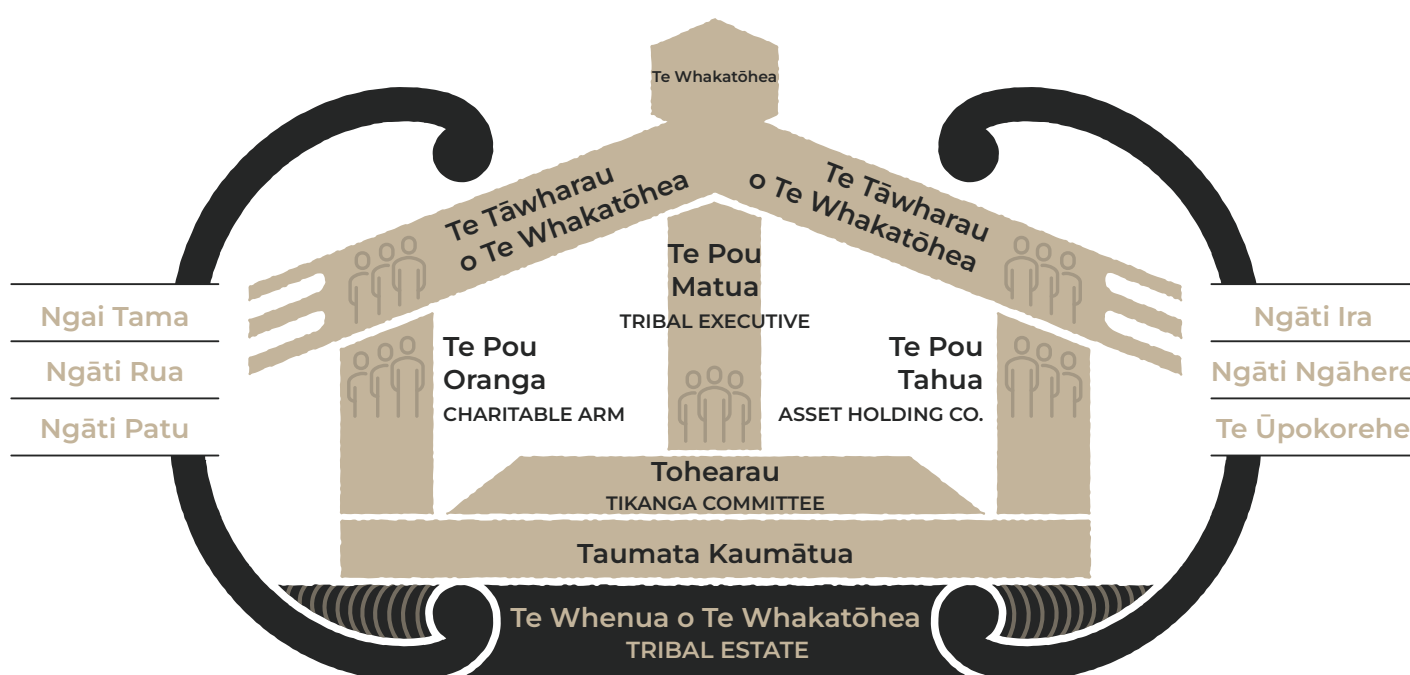
You can view the Deed of Settlement signing day and all of the speeches, waiata and haka on Te Tāwharau o Te Whakatōhea [Facebook Page](#), [YouTube](#) or [Website](#).



# WHAT AND WHO IS *Te Tāwharau o Te Whakatōhea?*

When Whakatōhea voted to accept the Settlement, we also agreed that Te Tāwharau o Te Whakatōhea will be the Post-Settlement Governance

Entity (PSGE) to receive and manage all the redress from our settlement on behalf of Whakatōhea.



## KAUPAPA

**The purpose of Te Tāwharau o Te Whakatōhea (TTotW) is to receive and to provide governance over the management and administration of the Trust's assets for the benefit of Whakatōhea Iwi members.**

More specifically, Te Tāwharau o Te Whakatōhea will:

- Receive, hold, and manage settlement property for the benefit of its members
- Support the maintenance and establishment of places of cultural or spiritual significance to the Iwi
- Promote the educational, spiritual, economic, social, and cultural advancement and well-being of the Iwi and its members
- Undertake commercial activities to support its objective's and purposes; and
- Any other purpose that is considered from time to time to be beneficial to the Iwi and its members
- Provide the flexibility for both commercial functions as well as distribution to members.



## ROLE OF THE ESTABLISHMENT TRUSTEES

### The 8 Establishment Trustees have been appointed to complete 4 tasks in their short term:

- to Sign the Deed of Settlement on behalf of Te Whakatōhea
- to support the settlement legislation through parliament
- to manage the elections for the Initial Trustees

- to hold the first AGM that will introduce you to your **Initial Trustees**

Establishment Trustees are not eligible to run in the election for the Initial Trustees for TToTW. They must retire at the AGM where the newly elected Initial Trustees will be officially appointed. It will then be the responsibility for the Initial Trustees to govern Te Tāwharau going forward.

The Establishment Trustees for Te Tāwharau o Te Whakatōhea are:

- Vaughan Payne - Chair
- Graeme Riesterer - Deputy Chair
- Anau Apanui
- Bruce Pukepuke
- Erin Moore
- Kate Hudson
- Robert Edwards
- Tahu Taia

## ROLE OF THE INITIAL TRUSTEES

### The Initial Trustees constitute the Board of Trustees which is the legal authority for Te Tāwharau o Te Whakatōhea, bound by the terms of the Trust Deed.

As a member of the Board, a Trustee acts in a position of trust for Te Whakatōhea Iwi and is responsible for the provision of effective governance in the management, guardianship, and development of assets for and on behalf of the Iwi.

## DUTIES OF INITIAL TRUSTEES

### In exercising the powers and functions under this Deed, each Trustee must have regard to the context of the Trust and the Trust's Purpose.

Mandatory Duties: Each Trustee is required to comply with the Mandatory Duties. For the avoidance of doubt, each Trustee must:

- know the terms of this Deed;
- act in accordance with this Deed;
- act honestly and in good faith;
- hold or deal with the Trust Assets and liabilities and otherwise act for the benefit of the Members of Whakatōhea, in accordance with this Deed and the Trust's Purpose;
- exercise their powers for a proper purpose; and
- Act in accordance with any Code of Conduct developed by the Trust.



# NOMINATIONS FOR INITIAL TRUSTEES

OPEN MONDAY 28 AUGUST 2023



**Nominations open for the Initial Trustees to Te Tāwharau o Te Whakatōhea on Monday 28 August 2023.**

Two elected members from each of the six hapū and four elected members Iwi wide with one of these seats for rangatahi will make up the sixteen elected members to

the Te Tāwharau o Te Whakatōhea governance board.

To be elected as a Trustee you must be registered in the Whakatōhea Register of Beneficiaries, be over the age of 18 and be eligible in accordance with the Trust Deed. Anyone who is 18 years and over and of Whakatōhea descent is eligible to vote.

Candidates must meet the eligibility criteria set out in rule 2.1 and 6.8 of the Second Schedule of the Te Tāwharau o Te Whakatōhea Trust Deed. The eligibility criteria are outlined on the nomination form and can also be found at the Te Tāwharau o Te Whakatōhea website [www.tewhakatohea.co.nz](http://www.tewhakatohea.co.nz).

Candidates will either stand for a hapū seat, or a General seat. They can not stand for both.

Candidates are also required to declare if elected, that they agree to be bound by the terms of Te Tāwharau o Te Whakatōhea Trust Deed, Te Oatitanga, and any other relevant Trustee obligations and to publicly swear on an oath to do so.

Nominations must be made on the official nomination form, which is available from the Returning Officer (contact details below), along with a Nomination & Candidate Guide for prospective candidates.

**Nominations close at 12 noon Monday 25 September 2023.**

The Trust will give further notification of the election process after nominations have closed.

## TE OATITANGA

All Trustees are required to declare

I, \_\_\_\_\_, accept election as a Trustee to Te Tāwharau o Te Whakatōhea, and in doing so declare:

I agree to be bound by the terms of its Trust Deed. I understand my obligations as a Trustee and confirm that I will faithfully, impartially, and to the best of my ability, act in the best interests of Te Whakatōhea. I will put Whakatōhea first and will not be unfairly partial to one beneficiary or group of beneficiaries to the detriment of any other.

Tāwharautia a Te Whakatōhea

Dated  
Signed

The term of office is three (3) years, with the maximum of any one person serving on the Trust being 3 consecutive terms.

## INDEPENDENT RETURNING OFFICER

TToTW has appointed ElectionNZ to manage Te Tāwharau o Te Whakatōhea Call for Nominations and the subsequent Election of Trustees process.

For candidate nomination packs contact the Independent Returning Officer:

Anthony Morton  
Independent Returning Officer - [electionz.com](http://electionz.com)  
Ph: 0800 666 047  
Email: [nominations@electionz.com](mailto:nominations@electionz.com)



## BE READY TO VOTE!

**The Whakatōhea Māori Trust Board are still managing all tribal registrations.**

If you are not registered on the Whakatōhea Register of Beneficiaries (tribal database) and wish to participate in the election process, your registration must be received by 12 noon Monday 25 September 2023.

To request a registration form, or if you think you may be registered but your address has changed you can contact by:

**calling Registrations  
07 3156150**

**emailing  
[reception@whakatohea.co.nz](mailto:reception@whakatohea.co.nz)**

**Or online  
[www.whakatohea.co.nz](http://www.whakatohea.co.nz)**

*We encourage all Whakatōhea whānau to register to the Whakatōhea Register of Beneficiaries.*

**REGISTER BY 25 SEPTEMBER 2023**

## ELECTIONS FOR INITIAL TRUSTEES

**If an Election is required for any of the Hapū Trustee positions and/or the General Trustee positions, the voting will open on Tuesday 24 October and close on Tuesday 21 November 2023.**

- Hapū Trustee Candidates shall be selected only by those adult registered members who have selected that particular hapū as their primary hapū for the purposes of Trustee elections
- The 2 Hapū Trustee

candidates that receive the highest number of valid votes for the relevant Hapū vacancies will be elected as Hapū Trustees.

- The Whakatōhea General and Rangatahi Trustee Candidates shall be selected by all adult registered members. The 3 Whakatōhea General Trustee Candidates who receive the highest number of valid votes shall be elected as Whakatōhea General Trustees. If one of the 3 elected is between the age of 18 and 35 years at the closing date of nominations,

that Trustee will be the Rangatahi Trustee and the fourth highest polling Whakatōhea General Trustee Candidate will be the elected as a General Trustee.

- If none of the 3 elected General Trustees are aged between 18 and 35 years old as at the closing date of nominations the highest polling General Trustee Candidate aged between 18 and 35 years old will be elected as the Rangatahi Candidate.

Voting will be by post and online.

# WHAT'S IN A NAME?



**Coming up with the name 'Te Tāwharau o Te Whakatōhea' was no mean feat! The Whakatōhea Pre-Settlement Claims Trust reached out to Whakatōhea whānui taking:**

- 8 months
- 2 surveys,
- 1 hui a rohe round of workshops
- followed by Te Taumata Kaumātua consultation

- and feedback
- then whānau visitation to the monthly WPCT hui with their kōrero
- and then back to Te Taumata Kaumātua who gave more feedback

The name, which signifies “to shelter”, embodies the vision of supporting and nurturing our whānau, whenua, awa, and moana of Te Whakatōhea.

## **The Initial Logo**

The initial logo may not have

taken 8 months but the wero was – “how to breathe life into the name “Te Tāwharau.”

When you look at the shapes and colours used and even the choice of fonts, it oozes the vision. The font was chosen to portray strong pillars, or pou.

The A's in the name were designed as maunga and represent the 6 hapū o Te Whakatōhea.

Ngāti Ira, Ngai Tamahaua, Ngāti Patumoana, Ngāti Ngāhere, Te Ūpokorehe and Ngāti Ruatakena.

At the very top of our logo is our interpretation of shelter or tāwharau, extending its embrace to shelter all whānau entering our wharenuī.

*Whakatōhea Tāwharautia!*

## WHAKATŌHEA MĀORI TRUST BOARD

**The Whakatōhea Māori Trust Board have also agreed that on a successful vote for Settlement it would dissolve and shift the assets and liabilities of the Trust Board over to Te Tāwharau o Te Whakatōhea.**

Because the Trust Board is a construct of The Māori Trust Board's Act 1955, its dissolution must be through a legislation process. This is included in the Whakatōhea Settlement Bill that is currently before parliament.

Whakatōhea can be enormously proud of our Trust

Board entity, and members, both current and past. The coupling of safe secure hands alongside the brave and visionary decisions has provided Whakatōhea with an asset base we are proud of.

*Ngā wihi ki ngā Raukatira, ngā kaiuahi o Te Poari.*



# LEGISLATIVE STEPS

## FOR THE WHAKATŌHEA SETTLEMENT TO BE PASSED INTO LAW



Whakatōhea Bill introduced into parliament  
13 June 2023



Whakatōhea Bill First reading  
17 August 2023



Māori Affairs Select Committee  
public submissions  
dates tbc



Second reading



Third reading



Royal assent

**Yet another milestone in the journey to Settlement was witnessed on the 17<sup>th</sup> of August 2023 as Whakatōhea whānau filled the Parliamentary gallery to hear the First Reading.**

The First Reading is the step that triggers the parliamentary process to move the Bill through the legislative steps into becoming law. This year is an election year which means

Parliament will dissolve on the 8<sup>th</sup> of September in preparation for the October elections.

Whānau, we will have to wait until 2024 for Parliament to complete the process with the 3<sup>rd</sup> and final reading being when the legislation is officially passed into law.

The Governor General then gives the legislation “royal assent” and Te Tāwharau o Te Whakatōhea will get a letter confirming that the Settlement

Act has been passed into law. When this happens, it will mean that the Deed of Settlement is now unconditional and the redress package will then be passed to TToTW, and the historical claims will be settled.

It is then that the Whakatōhea Settlement assets will be passed over to Te Tāwharau o Te Whakatōhea.



## STAY CONNECTED DON'T BE LEFT OUT !

*Subscribe to our Newsletter*

Phone: 0508 839 245 (0508 tewhakatohea)  
email: [gina.smith@tewhakatohea.co.nz](mailto:gina.smith@tewhakatohea.co.nz)

*Check out our website*

[www.tewhakatohea.co.nz](http://www.tewhakatohea.co.nz)

