

DATED THIS 27th DAY OF September 2003

IN THE MATTER OF an Agreement of intent between

A. Te Runanga O Wharekauri Incorporated Society

of Chatham Islands (hereinafter referred to as "The Runanga")

and

B. Ngati Mutunga O Wharekauri Trust

of Chatham Islands (hereinafter referred to as "Ngati Mutunga")

Whereas Te Ohu Kai Moana criteria requires a single Ngati Mutunga entity as the Iwi representative body for Chatham Island Ngati Mutunga

And

Whereas the Runanga and the Ngati Mutunga agree that a single Ngati Mutunga o Wharekauri organisation should be set up to replace the existing entities within a six month transition period.

And

Whereas registered Members and executive of both parties have passed resolutions that the name of the Iwi organisation to be established shall be Ngati Mutunga O Wharekauri

And

Whereas it is agreed by both parties that the Ngati Mutung O Wharekauri Trust be the vehicle to set up the single Ngati Mutunga O Wharekauri organisation.

And

Whereas the name Ngati Mutunga O Wharekauri is currently used by Ngati Mutunga who together with The Runanga are parties to this agreement.



Now whereas both Parties agree to the following.

1. That an equal number of executive members of Ngati Mutunga and the Runanga form a single executive body to set up the organisation to meet Constitutional and Structural requirements.
3. The executive shall make a commitment to establish management procedures, Portfolios and clear communication systems for transition.
4. Executive members may resign or be resigned where failure to commit to or are in conflict with their Portfolio or procedures set (kaupapa).
5. Where any position/s becomes vacant a member with the appropriate skills may be, by consensus of the executive, co-opted to fulfill the position
6. Be it known that at the date of signing this agreement the executive of Ngati Mutunga O Wharekauri shall consist of an equal number of executive of both parties, during the transition period, who shall:
 - 6.1 Function as a united executive to manage affairs of Chatham Island Ngati Mutunga and establish constitutional requirements with seperate asset management and distribution within its infra-structure.
 - 6.2 Agree Ngati Mutunga O Wharekauri Trust be the FMA4 Rep for the 03/04 wetfish ACE round.
 - 6.3 Establish a process for distribution of 03/04 wetfish ACE with nett proceeds deposited to a seperate Ngati Mutunga O Wharekauri Trust account and the funds frozen, invested and to be transfered to the new entity when it is registered.
 - 6.4 Set up structures to manage other commercial, non commercial, customary and political issues.
 - 6.5 Arrange hui, prepare and present monthly reports to members and Te Ohu Kai Moana.
 - 6.6 Prepare Hui and presentation material for mandate of Ngati Mutunga O Wharekauri (Chatham Islands & New Zealand).
 - 6.7 To clarify process and procedures for managing claims issues.
 - 6.8 Prepare evidence and arrange mandate for negotiators and negotiations


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of Claims.

- 6.9 Prepare & Hold Hui for Election of Executive for the formalised Iwi entity following a six months transition period.
- 6.10 To provide an estimate budget for the six month period.
- 6.11 To ensure the immediate needs of existing entities are finalised and terminated.

This agreement is confirmation of the intent of both parties to set up a Ngati Mutunga O Wharekauri organisation and where legal advise is sort the interpretation of the intent shall not be altered.

The Common Seal of Te Runanga O Wharekauri Rekohu Incorporation is affixed in the presence of




CHAIRMAN



The Common Seal of Ngati Mutunga O Wharekauri Trust is affixed in the presence of :

