

TE KOOTI WHENUA MAORI



MAORI LAND COURT

Our Ref: A19990003652

24 August 1999

Tarati Carrington  
53 King Street  
OPOTIKI

Kia ora

**WHAKAPAUPAKIHI 5**

I enclose herein a copy of the Orders made on 1 June 1999 for the abovenamed block for your information.

Naku noa na

E A South (Mrs)  
for REGISTRAR

Encl



COPY

**VESTING ORDER**

Te Ture Whenua Maori Act 1993, Section 220

In the Maori Land Court  
of New Zealand  
Tairāwhiti District

55 Ruatoria MB 40-42

IN THE MATTER of the Maori freehold  
land known as:-

**WHAKAPAUPAKIHI 5**

At a sitting of the Court held at Gisborne on the 1st day of June 1999 before Wilson Whare  
Isaac, Esquire, Judge.

THE COURT being satisfied as to all matters upon which it is required to be satisfied

DOETH HEREBY ORDER pursuant to the provisions of Section 220 of Te Ture Whenua Maori  
Act 1993 that the said Whakapaupakihi 5 be and the same is hereby vested in the following  
Trustees:-

Pehimana Haapu Brown, 213 Kaitara Road, RD 4, Te Karaka  
Tarati Carrington, 53 King Street, Opotiki  
Leonard Apanui Brown, Bell's Road, Waimana  
John James Hata, PO Box 110, Opotiki  
Henry Russell Hollis, 1532 SH 2, RD 7, Te Puke

-JOINTLY-

AS WITNESS the hand of the Deputy Registrar and the Seal of the Court.



*Handwritten initials/signature in the bottom left corner.*

COPY

TRUST ORDER

Te Ture Whenua Maori Act 1993, Section 215, 219 & 222

In the Maori Land Court  
of New Zealand  
Tairāwhiti District

55 Ruatoria MB 40-42

IN THE MATTER of the Maori  
freehold land known as:-

**WHAKAPAUPAKIHI 5**

At a sitting of the Court held at Gisborne on the 1st day of June 1999 before Wilson Whare Isaac, Esquire, Judge.

UPON HEARING the application and other material filed in support thereof

NOW THEREFORE the Court being satisfied upon all things upon which it is required to be so satisfied DOETH HEREBY order pursuant to Section 215 of Te Ture Whenua Maori Act 1993 (hereinafter referred to as "the Act") that a Trust be constituted over the Maori freehold land known as Whakapaupakihi 5

AND THE COURT DOETH HEREBY ORDER pursuant to Section 222 of the Act that the following Trustees (hereinafter called "the Trustees") be appointed as Responsible Trustees for the said block:-

Pehimana Haapu Brown, 213 Kaitara Road, RD 4, Te Karaka  
Tarati Carrington, 53 King Street, Opotiki  
Leonard Apanui Brown, Bell's Road Waimana  
John James Hata, PO Box 110, Opotiki  
Henry Russell Hollis, 1532 SH 2, RD 7, Te Puke

-JOINTLY-

AND THE COURT DOETH FURTHER ORDER AND DECLARE PURSUANT TO SECTION 219 OF THE ACT the trusts upon which the Trustees shall hold the said land upon and subject to the following trusts:-

1. The Trust shall be known as the "WHAKAPAUPAKIHI 5 TRUST".



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2. The Trustees shall have power to use, occupy and manage the land vested in the Trustees and to that end to do all or any of the things which they would be entitled to do if they were the beneficial owners of the land PROVIDED HOWEVER:-

- (a) That the Trustees shall have no power to mortgage or sell the land or any part thereof.
- (b) That the Trustees shall not lease the land or any part thereof other than in accordance with the provisions of subclauses (n) or (p) of Clause 3 thereof.
- (c) That forthwith upon the death or resignation of a Trustee the surviving Trustees shall apply to the Court for the appointment of another Trustee.

3. The Trustees shall have such powers and authorities as are necessary for the effective performance of the trusts herein contained including power:-

- (a) To use occupy and manage the land or any part thereof for agricultural pastoral forestry or horticultural purposes, including the use of the land or any part thereof for the growing of permanent horticultural crops by the Trustees themselves or in conjunction with any other person or persons upon such terms for the growing utilisation or sale of the crop as the Trustees may consider appropriate.
- (b) To investigate whether the land could be more conveniently worked or dealt with in conjunction with any other land in the vicinity and to make and prosecute such applications to this Court for Orders of Aggregation of Ownership or Amalgamation of Title or otherwise as may seem appropriate to the Trustees in order to enable such land to be worked or dealt with together.
- (c) To grant or obtain easements, licences or profits of any kind whatsoever over out of or in favour of the land vested in the Trustees.
- (d) To enter into contracts or arrangements with the Crown or any local authority or any person, firm or corporation.
- (e) To employ and dismiss contractors, advisers, servants, agents and workmen.
- (f) At the discretion of the Trustees to purchase all or some of the shares of any equitable owner wishing to sell the same to the intent that any shares so purchased will be held in trust for all the remaining equitable owners.
- (g) To safeguard to the best of the Trustees ability any graves of Maori people or other places on the land of special significance to Maori people.
- (h) To protest, appeal or make representations in relation to any entry or proposed entry on the land or the actual or proposed carrying out of any works on the land, or any proposed acquisition of the land or any part thereof by the Crown or a local authority or any other person or body for any purpose whatsoever.



3.

- (i) To negotiate with the Crown or a local authority the terms of entry upon the land, or of the carrying out of works on the land or the proposed acquisition of the land or any part thereof for a "public work" within the meaning of those words as defined in Section 2 of the Public Works Act 1981.
- (j) To negotiate for the settlement of compensation for land taken by the Crown or a local authority for a public work and to enter into any agreement thereon.
- (k) To commence proceedings for the determination of compensation for land taken for a public work or to commence proceedings for the recovery of money for any matter in relation to the land.
- (l) To defend or resist or take part in proceedings of any other nature relating to the land.
- (m) To institute or take part in such proceedings under the Resource Management Act 1991 in respect of the land or any other land in the vicinity as the Trustees may consider necessary or desirable in the interests of the equitable owners of the land vested in the Trustees.
- (n) To grant licences to occupy to such individual equitable owners who wish to build dwellings on the land of such part or parts of the land for such purpose at such rent and subject to such covenants and conditions as the Trustees may determine.
- (o) To consent to the erection of dwellings on the land by those individual equitable owners who have been granted a licence to occupy without partition of his, her or their interest and if any such equitable owners shall apply to any State Lending Institution (hereinafter called the Lender) for a loan to build on the land, the Trustees shall have power to enter into and execute such deed or deeds other than mortgages as may be required by the Lender for the repayment of loans granted by the Lender to any one or more of the equitable owners for the erection of dwellings on the land.
- (p) To lease any part of the land for successive terms each not exceeding 10 years inclusive of any right of renewal by such means and to such person as the Trustees shall determine and on the expiry or sooner determination of any such lease and as often as the same may occur the Trustees may again lease the land in such manner.
- (q) To execute variations of and accept a surrender of any existing lease.
- (r) To grant a forestry right in accordance with the provisions of the Forestry Rights Registration Act 1983 for a term not exceeding thirty three (33) years including any right(s) of renewal provided that:
  - (i) There shall be no compensation payable to the Grantee or any other person for improvements affected to the land by the Grantee in respect of any such forestry right, and
  - (ii) Any such forestry right granted shall impose no liability on the Trustees or the equitable owners of the land other than an obligation to permit the Grantee to exercise the rights granted.



4. The Trustees shall apply the revenues arising from the operations of the trust in paying the costs of administration of the affairs of the trust and in furtherance of the objects of the trust including:-
- (a) Payment of the costs and disbursements of and incidental to the making and prosecuting of the application to this Court for this order or in making a refund to any person who may have paid the same.
  - (b) Payment of title charges, if any.
  - (c) Setting aside reserves for contingencies or capital expenditure or for retaining in an accumulated profit account any portion of such money which the Trustees shall think it prudent not to pay under the next succeeding subclause.
  - (d) Payment of so much of the residue from time to time as the Trustees may in their absolute discretion determine to the equitable owners in accordance with their several shares PROVIDED HOWEVER:-
    - (i) That the Trustees shall be at liberty to pay such money to the Maori Trustee for distribution to the equitable owners if the Maori Trustee is willing to do so, and
    - (ii) If the Trustees shall make any such distribution then the Trustees shall not make payment to any equitable owner whose share will be less than \$5.00 but shall accumulate the amounts payable to that equitable owner until the amount so accumulated exceeds \$5.00 and then pay the same to that equitable owner.
5. If the income of the Trust in any one year exceeds \$10,000 the Trustees shall:-
- (a) Cause to be kept proper books of account in which shall be kept full true and complete accounts of the affairs and transactions of the Trust.
  - (b) At a date not later than the 30th day of November of such year file in the Court a Profit and Loss Account made up to a date not earlier than the date of filing by more than 6 months together with a Balance Sheet as at the date to which such Profit and Loss Account is made up. Such documents shall be open to public inspection during office hours without payment of any fee.
  - (c) If such accounts are not prepared by a Chartered Accountant the Trustees shall cause each set of accounts to be audited by a person or firm qualified to audit the accounts of a Maori Incorporation.
6. The Trustees may apply to the Court from time to time for such variation of the trusts and powers contained in this Order as may then seem appropriate to the Trustees and the Trustees shall so apply not later than the 1st day of June 2019 when if no other variation shall seem appropriate to the Trustees the Trustees shall apply for an Order varying the present Trust Order by making a new Trust Order in substitution



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therefore with the like trusts and powers as are herein contained but with the substitution for the year set out in this clause of the year 20 years after that year.

AS WITNESS the hand of the Deputy Registrar and the Seal of the Court.



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"Draft" of Proposed Trust Order

VESTING ORDER

Te Ture Whenua Maori Act 1993, Section 220

In the Maori Land Court  
of New Zealand  
Tairāwhiti District

52 Ruatoria MB 54-55 &  
52 Ruatoria MB 56

IN THE MATTER of the  
Maori freehold land known as:-

Whakapapa Kiki 5  
~~TOKATA B10~~

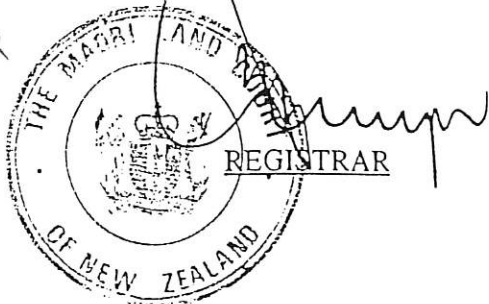
AT sittings of the Court held at Gisborne on the 3rd day of August 1998 and on the 10th day of August 1998 before Wilson Whare Isaac, Esquire, Judge.

THE COURT being satisfied as to all matters upon which it is required to be satisfied

DOTH HEREBY ORDER pursuant to the provisions of Section 220 of Te Ture Whenua Maori Act 1993 that the said ~~Tokata B10~~ Whakapapa Kiki 5 be and the same is hereby vested in the following Trustees:-

- (Pene) Pohimana Haapu Brown, 213 Kaitara Road, RD4, Te Karaka
- Tarati Carrington, 53 King Street, Opotiki
- Leonard Apanui Brown, Bells Road, Waimana
- John James Hata, P O Box 110, Opotiki
- Henry Russell Hollis, 1532 SH 2, RD 7, Te Puke

AS WITNESS the hand of the Registrar and the Seal of the Court.



From - Tas. COLLIER  
Maori Trust Office  
Gisborne.

For your info:



TRUST ORDER

Te Ture Whenua Maori Act 1993, Sections 215, 219 & 222

In the Maori Land Court  
of New Zealand  
Tairāwhiti District

*Draft*

~~52 Ruatoria MB 54-55 &  
52 Ruatoria MB 56~~

IN THE MATTER of the  
Maori freehold land known as:-

*Whakapapa Kiri 5*  
~~TOKATA-BIO~~

AT sittings of the Court held at Gisborne on the ~~3rd~~ day of ~~August 1998~~ and ~~on the 10th day of August 1998~~ before Wilson Whare Isaac, Esquire, Judge.

UPON HEARING the application and other material filed in support thereof

NOW THEREFORE the Court being satisfied upon all things upon which it is required to be so satisfied DOETH HEREBY order pursuant to Section 215 of Te Ture Whenua Maori Act 1993 (hereinafter referred to as "the Act") that a Trust be constituted over ~~Tokata-BIO~~ *Whakapapa Kiri 5*

AND THE COURT DOETH HEREBY ORDER pursuant to Section 222 of the Act that the following persons (hereinafter called "the Trustees") be appointed as Responsible Trustees for the said block namely:-

- (Pene) Pohimana Haapu Brown, 213 Kaitara Road, RD4, Te Karaka
- Tarati Carrington, 53 King Street, Opotiki
- Leonard Apanui Brown, Bells Road, Waimana
- John James Hata, P O Box 110, Opotiki
- Henry Russell Hollis, 1532 SH 2, RD 7, Te Puke

AND THE COURT DOETH FURTHER ORDER AND DECLARE PURSUANT TO SECTION 219 OF THE ACT the trusts upon which the Trustees shall hold the said lands upon and subject to the following trusts:-

*Whakapapa Kiri 5*

1. The Trust shall be known as "~~THE TOKATA-BIO TRUST~~".
2. The Trustees shall have power to use, occupy and manage the land vested in the Trustees and to that end to do all or any of the things which they would be entitled to do if they were the beneficial owners of the land PROVIDED HOWEVER:-
  - (a) That the Trustees shall have no power to mortgage or sell the land or any part thereof.



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- (b) That the Trustees shall not lease the land or any part thereof other than in accordance with the provisions of subclauses (n) or (p) of Clause 3 hereof.
- (c) That forthwith upon the death or resignation of a Trustee the surviving Trustees shall apply to the Court for the appointment of another Trustee.

3. The Trustees shall have such powers and authorities as are necessary for the effective performance of the trusts herein contained including power:-

- (a) To use occupy and manage the land or any part thereof for agricultural pastoral forestry or horticultural purposes, including the use of the land or any part thereof for the growing of permanent horticultural crops by the Trustees themselves or in conjunction with any other person or persons upon such terms for the growing utilisation or sale of the crop as the Trustees may consider appropriate.
- (b) To investigate whether the land could be more conveniently worked or dealt with in conjunction with any other land in the vicinity and to make and prosecute such applications to this Court for Orders of Aggregation of Ownership or Amalgamation of Title or otherwise as may seem appropriate to the Trustees in order to enable such land to be worked or dealt with together.
- (c) To grant or obtain easements, licences or profits of any kind whatsoever over out of or in favour of the land vested in the Trustees.
- (d) To enter into contracts or arrangements with the Crown or any local authority or any person, firm or corporation.
- (e) To employ and dismiss contractors, advisers, servants, agents and workmen.
- (f) At the discretion of the Trustees to purchase all or some of the shares of any equitable owner wishing to sell the same to the intent that any shares so purchased will be held in trust for all the remaining equitable owners.
- (g) To safeguard to the best of the Trustees ability any graves of Maori people or other places on the land of special significance to them.
- (h) To protest, appeal or make representations in relation to any entry or proposed entry on the land or the actual or proposed carrying out of any works on the land, or any proposed acquisition of the land or any part thereof by the Crown or a local authority or any other person or body for any purpose whatsoever.
- (i) To negotiate with the Crown or a local authority the terms of entry upon the land, or of the carrying out of works on the land or the proposed acquisition of the land or any part thereof for a "public work" within the meaning of those words as defined in Section 2 of the Public Works Act 1981.
- (j) To negotiate for the settlement of compensation for land taken by the Crown or a local authority for a public work and to enter into any agreement thereon.
- (k) To commence proceedings for the determination of compensation for land taken for a public work or to commence proceedings for the recovery of money for any matter in relation to the land.

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3.

- (l) To defend or resist or take part in proceedings of any other nature relating to the land.
- (m) To institute or take part in such proceedings under the Resource Management Act 1991 in respect of the land or any other land in the vicinity as the Trustees may consider necessary or desirable in the interests of the equitable owners of the land vested in the Trustees.
- (n) To grant licences to occupy to such individual equitable owners who wish to build dwellings on the land of such part or parts of the land for such purpose at such rent and subject to such covenants and conditions as the Trustees may determine.
- (o) To consent to the erection of dwellings on the land by those individual equitable owners who have been granted a licence to occupy without partition of his, her or their interest and if any such equitable owners shall apply to any State Lending Institution (hereinafter called the Lender) for a loan to build on the land, the Trustees shall have power to enter into and execute such deed or deeds other than mortgages as may be required by the Lender for the repayment of loans granted by the Lender to any one or more of the equitable owners for the erection of dwellings on the land.
- (p) To lease any part of the land for successive terms each not exceeding 10 years inclusive of any right of renewal by such means and to such person as the Trustees shall determine and on the expiry or sooner determination of any such lease and as often as the same may occur the Trustees may again lease the land in such manner.
- (q) To execute variations of and accept a surrender of any existing lease.
- (r) To grant a forestry right in accordance with the provisions of the Forestry Rights Registration Act 1983 for a term not exceeding thirty three (33) years including any right(s) of renewal provided that:
  - (i) There shall be no compensation payable to the Grantee or any other person for improvements affected to the land by the Grantee in respect of any such forestry right, and
  - (ii) Any such forestry right granted shall impose no liability on the Trustees or the equitable owners of the land other than an obligation to permit the Grantee to exercise the rights granted.

4. The Trustees shall apply the revenues arising from the operations of the trust in paying the costs of administration of the affairs of the trust and in furtherance of the objects of the trust including:-

- (a) Payment of the costs and disbursements of and incidental to the making and prosecuting of the application to this Court for this order or in making a refund to any person who may have paid the same.
- (b) Payment of title charges, if any.

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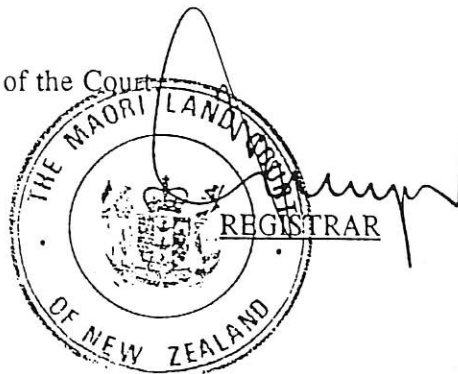
- (c) Setting aside reserves for contingencies or capital expenditure or for retaining in an accumulated profit account any portion of such money which the Trustees shall think it prudent not to pay under the next succeeding subclause.
- (d) Payment of so much of the residue from time to time as the Trustees may in their absolute discretion determine to the equitable owners in accordance with their several shares PROVIDED HOWEVER:-
  - (i) That the Trustees shall be at liberty to pay such money to the Maori Trustee for distribution to the equitable owners if the Maori Trustee is willing to do so, and
  - (ii) If the Trustees shall make any such distribution then the Trustees shall not make payment to any equitable owner whose share will be less than \$5.00 but shall accumulate the amounts payable to that equitable owner until the amount so accumulated exceeds \$5.00 and then pay the same to that equitable owner.

5. If the income of the Trust in any one year exceeds \$10,000 the Trustees shall:-

- (a) Cause to be kept proper books of account in which shall be kept full true and complete accounts of the affairs and transactions of the Trust.
- (b) At a date not later than the 30th day of November of such year file in the Court a Profit and Loss Account made up to a date not earlier than the date of filing by more than 6 months together with a Balance Sheet as at the date to which such Profit and Loss Account is made up. Such documents shall be open to public inspection during office hours without payment of any fee.
- (c) If such accounts are not prepared by a Chartered Accountant the Trustees shall cause each set of accounts to be audited by a person or firm qualified to audit the accounts of a Maori Incorporation.

6. The Trustees may apply to the Court from time to time for such variation of the trusts and powers contained in this Order as may then seem appropriate to the Trustees and the Trustees shall so apply not later than the 1st day of June 2019 when if no other variation shall seem appropriate to the Trustees the Trustees shall apply for an Order varying the present Trust Order by making a new Trust Order in substitution therefore with the like trusts and powers as are herein contained but with the substitution for the year set out in this clause of the year 20 years after that year.

AS WITNESS the hand of the Registrar and the Seal of the Court



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TE K O O T I W H E N U A M A O R I



M A O R I L A N D C O U R T

Our Ref: A19990003652

24 August 1999

Henry R Hollis  
1532 SH 2  
RD 7  
TE PUKE

Kia ora

**WHAKAPAUPAKIHI 5**

I enclose herein a copy of the Orders made on 1 June 1999 for the abovenamed block for your information.

Naku noa na

E A South (Mrs)  
for REGISTRAR

Encl



VESTING ORDER

Te Ture Whenua Maori Act 1993, Section 220

In the Maori Land Court  
of New Zealand  
Tairāwhiti District

55 Ruatoria MB 40-42

IN THE MATTER of the Maori freehold  
land known as:-

**WHAKAPAUPAKIHI 5**

At a sitting of the Court held at Gisborne on the 1st day of June 1999 before Wilson Whare Isaac, Esquire, Judge.

THE COURT being satisfied as to all matters upon which it is required to be satisfied

DOETH HEREBY ORDER pursuant to the provisions of Section 220 of Te Ture Whenua Maori Act 1993 that the said Whakapaupakihī 5 be and the same is hereby vested in the following Trustees:-

Pehimana Haapu Brown, 213 Kaitara Road, RD 4, Te Karaka  
Tarati Carrington, 53 King Street, Opotiki  
Leonard Apanui Brown, Bell's Road, Waimana  
John James Hata, PO Box 110, Opotiki  
Henry Russell Hollis, 1532 SH 2, RD 7, Te Puke

-JOINTLY-

AS WITNESS the hand of the Deputy Registrar and the Seal of the Court.



*Wilson*

2. The Trustees shall have power to use, occupy and manage the land vested in the Trustees and to that end to do all or any of the things which they would be entitled to do if they were the beneficial owners of the land PROVIDED HOWEVER:-
- (a) That the Trustees shall have no power to mortgage or sell the land or any part thereof.
  - (b) That the Trustees shall not lease the land or any part thereof other than in accordance with the provisions of subclauses (n) or (p) of Clause 3 thereof.
  - (c) That forthwith upon the death or resignation of a Trustee the surviving Trustees shall apply to the Court for the appointment of another Trustee.
3. The Trustees shall have such powers and authorities as are necessary for the effective performance of the trusts herein contained including power:-
- (a) To use occupy and manage the land or any part thereof for agricultural pastoral forestry or horticultural purposes, including the use of the land or any part thereof for the growing of permanent horticultural crops by the Trustees themselves or in conjunction with any other person or persons upon such terms for the growing utilisation or sale of the crop as the Trustees may consider appropriate.
  - (b) To investigate whether the land could be more conveniently worked or dealt with in conjunction with any other land in the vicinity and to make and prosecute such applications to this Court for Orders of Aggregation of Ownership or Amalgamation of Title or otherwise as may seem appropriate to the Trustees in order to enable such land to be worked or dealt with together.
  - (c) To grant or obtain easements, licences or profits of any kind whatsoever over out of or in favour of the land vested in the Trustees.
  - (d) To enter into contracts or arrangements with the Crown or any local authority or any person, firm or corporation.
  - (e) To employ and dismiss contractors, advisers, servants, agents and workmen.
  - (f) ~~At the discretion of the Trustees to purchase all or some of the shares of any equitable owner wishing to sell the same to the intent that any shares so purchased will be held in trust for all the remaining equitable owners.~~
  - (g) To safeguard to the best of the Trustees ability any graves of Maori people or other places on the land of special significance to Maori people.
  - (h) To protest, appeal or make representations in relation to any entry or proposed entry on the land or the actual or proposed carrying out of any works on the land, or any proposed acquisition of the land or any part thereof by the Crown or a local authority or any other person or body for any purpose whatsoever.



- (i) To negotiate with the Crown or a local authority the terms of entry upon the land, or of the carrying out of works on the land or the proposed acquisition of the land or any part thereof for a "public work" within the meaning of those words as defined in Section 2 of the Public Works Act 1981.
- (j) ~~To negotiate for the settlement of compensation for land taken by the Crown or a local authority for a public work and to enter into any agreement thereon.~~
- (k) To commence proceedings for the determination of compensation for land taken for a public work or to commence proceedings for the recovery of money for any matter in relation to the land.
- (l) To defend or resist or take part in proceedings of any other nature relating to the land.
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- (n) To grant licences to occupy to such individual equitable owners who wish to build dwellings on the land of such part or parts of the land for such purpose at such rent and subject to such covenants and conditions as the Trustees may determine.
- (o) To consent to the erection of dwellings on the land by those individual equitable owners who have been granted a licence to occupy without partition of his, her or their interest and if any such equitable owners shall apply to any State Lending Institution (hereinafter called the Lender) for a loan to build on the land, the Trustees shall have power to enter into and execute such deed or deeds other than mortgages as may be required by the Lender for the repayment of loans granted by the Lender to any one or more of the equitable owners for the erection of dwellings on the land.
- (p) To lease any part of the land for successive terms each not exceeding 10 years inclusive of any right of renewal by such means and to such person as the Trustees shall determine and on the expiry or sooner determination of any such lease and as often as the same may occur the Trustees may again lease the land in such manner.
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  - (i) There shall be no compensation payable to the Grantee or any other person for improvements affected to the land by the Grantee in respect of any such forestry right, and
  - (ii) Any such forestry right granted shall impose no liability on the Trustees or the equitable owners of the land other than an obligation to permit the Grantee to exercise the rights granted.





4. The Trustees shall apply the revenues arising from the operations of the trust in paying the costs of administration of the affairs of the trust and in furtherance of the objects of the trust including:-
- (a) Payment of the costs and disbursements of and incidental to the making and prosecuting of the application to this Court for this order or in making a refund to any person who may have paid the same.
  - (b) Payment of title charges, if any.
  - (c) Setting aside reserves for contingencies or capital expenditure or for retaining in an accumulated profit account any portion of such money which the Trustees shall think it prudent not to pay under the next succeeding subclause.
  - (d) Payment of so much of the residue from time to time as the Trustees may in their absolute discretion determine to the equitable owners in accordance with their several shares PROVIDED HOWEVER:-
    - (i) That the Trustees shall be at liberty to pay such money to the Maori Trustee for distribution to the equitable owners if the Maori Trustee is willing to do so, and
    - (ii) If the Trustees shall make any such distribution then the Trustees shall not make payment to any equitable owner whose share will be less than \$5.00 but shall accumulate the amounts payable to that equitable owner until the amount so accumulated exceeds \$5.00 and then pay the same to that equitable owner.
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  - (b) At a date not later than the 30th day of November of such year file in the Court a Profit and Loss Account made up to a date not earlier than the date of filing by more than 6 months together with a Balance Sheet as at the date to which such Profit and Loss Account is made up. Such documents shall be open to public inspection during office hours without payment of any fee.
  - (c) If such accounts are not prepared by a Chartered Accountant the Trustees shall cause each set of accounts to be audited by a person or firm qualified to audit the accounts of a Maori Incorporation.
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5.

therefore with the like trusts and powers as are herein contained but with the substitution for the year set out in this clause of the year 20 years after that year.

AS WITNESS the hand of the Deputy Registrar and the Seal of the Court.



*[Handwritten mark]*

TRUST ORDER

Te Ture Whenua Maori Act 1993, Section 215, 219 & 222

In the Maori Land Court  
of New Zealand  
Tairāwhiti District

55 Ruatoria MB 40-42

IN THE MATTER of the Maori  
freehold land known as:-

**WHAKAPAUPAKIHI 5**

At a sitting of the Court held at Gisborne on the 1st day of June 1999 before Wilson Whare Isaac, Esquire, Judge.

UPON HEARING the application and other material filed in support thereof

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AND THE COURT DOETH HEREBY ORDER pursuant to Section 222 of the Act that the following Trustees (hereinafter called "the Trustees") be appointed as Responsible Trustees for the said block:-

Pehimana Haapu Brown, 213 Kaitara Road, RD 4, Te Karaka  
Tarati Carrington, 53 King Street, Opotiki  
Leonard Apanui Brown, Bell's Road Waimana  
John James Hata, PO Box 110, Opotiki  
Henry Russell Hollis, 1532 SH 2, RD 7, Te Puke

-JOINTLY-

AND THE COURT DOETH FURTHER ORDER AND DECLARE PURSUANT TO SECTION 219 OF THE ACT the trusts upon which the Trustees shall hold the said land upon and subject to the following trusts:-

1. The Trust shall be known as the "WHAKAPAUPAKIHI 5 TRUST".



Handwritten initials and a signature at the bottom left of the page.

URUTAWA

Pakihū Stm

25  
(57,604.2)  
(69)

Balance on Street 2

Pt 2 3  
179,230.2  
(72)

2 of 24  
69,626.2  
(71)

Whakapaupakihi  
Pt No 4  
298,126.6  
(70)

15,399.3  
(79) Pt 2  
WHAKAPAUPAKIHI

Pt 23A

1496  
otuhora

IN 93  
(74)

Sec 47  
20,212  
(73)

WHAKAPAUPAKIHI  
Pt No 2  
794,163.5  
(80)

2

Whakapaupakihi  
3

MOTUHORA RD  
Pt No 1  
70,906.2  
(76)

Whakapaupakihi  
5

for L 28310  
Enlargement of  
side

Motuhora Stm

(801)  
12,798.2

1498  
Oafua

149A

Whakapaupakihi Stm

MOTU

Pt

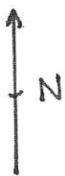
Pt 1  
D.P. 2345

Old Railway  
Taken for Road

No 1  
(839,191.6)  
(32)

Motu Rd.

Pt 1  
D.P. 2345



MOTU BLK

Matawai

MOTU

286