

**FIRST SCHEDULE: TRUST REGISTER****1. TRUST TO KEEP REGISTER****(a) Trustee to maintain Register**

The Trust shall establish and maintain a register of the beneficial owners of Ngati Te Whiti Whenua Topu Trust.

**(b) Register to comply with this Schedule**

The Trust Register shall be maintained in accordance with the rules and procedures as set out in this Schedule.

**2. CONTENTS OF REGISTER****(a) Register to contain Beneficial Owners' details**

The Trust Register shall record in it the full names, dates of birth, contact details of beneficial owners, and the name of each beneficial owner's Tupuna.

**(b) Beneficial Owner Registration Number**

The Trust will allocate a beneficial owner registration number to each registered adult beneficial owner. The Trust will in the next notice or communication following the first allocation of beneficial owner registration numbers, notify the relevant registered adult beneficial owner of his/her registration number.

**3. APPLICATIONS FOR REGISTRATION****(a) Form of Applications**

All applications for registration as a beneficial owner of the Trust must be made on the Trust's registration form. The application must contain:

- (i) the full name, date of birth and contact details of the applicant;
- (ii) such evidence as the Trust may from time to time require as to that applicant's whakapapa to Ngati Te Whiti Hapu, including the name of at least one Ngati Te Whiti Tupuna and the generational blood connections to that Tupuna.

**(b) Entitlement to make Applications**

An application for registration as a beneficial owner of the Trust may be made by:

- (i) adult beneficial owners – on their own behalf or by their legal guardian;
- (ii) beneficial owners from Ngati Te Whiti Hapu who are under the age of 18 years – by a person on their behalf who is their parent or legal guardian; or
- (iii) beneficial owners from Ngati Te Whiti Hapu by a person on their behalf who in the opinion of Ngati Te Whiti Whakapapa Committee, stands in the stead of a parent or legal guardian of that person.

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(c) **Compliance with Trust Order**

All beneficial owners who apply to register and are registered on the Trust Register are, by their application and registration, deemed to agree to the terms of this Trust Order, including the disputes procedure set out in Orders 15.(a) to (h) inclusive and the election, voting, and meeting procedures set out in the Second, Third and Fourth Schedules respectively.

4. **DECISIONS AS TO ACCEPTANCE ON THE TRUST REGISTER**

(a) **Whakapapa Committee to be established**

The Trust shall establish a Ngati Te Whiti Whakapapa Committee to make recommendations to the Trust on all applications made pursuant to rule 3.(a) of this Schedule by any person whose whakapapa is to Ngati Te Whiti Hapu.

(b) **Ngati Te Whiti Tupuna List**

Upon establishment, and as required from time to time, the Ngati Te Whiti Whakapapa Committee shall determine the list of Ngati Te Whiti Tupuna.

(c) **Composition of the Whakapapa Committee**

The Whakapapa Committee shall comprise not less than three (3) and up to seven (7) Kaumatua, appointed by the Trust from time to time. Trustees with the required expertise and knowledge of Ngati Te Whiti whakapapa may be appointed.

(d) **Consideration of applications**

All applications for membership pursuant to rule 3.(a) of this Schedule, together with any supporting evidence, shall be forwarded to the Whakapapa Committee.

(e) **Decisions to be made on applications**

Upon receipt of an application for membership in accordance with rule 3.(a) of this Schedule, the Whakapapa Committee shall consider the application and shall make a recommendation to the Trust as to whether the application should be accepted as to the applicant's status as a beneficial owner of the Trust.

(f) **Successful applications to be notified and registered**

In the event that the Whakapapa Committee recommends an application should be accepted, and the Trust accepts that application, then the Trust shall notify the applicant and enter the applicant's name and other relevant details in the appropriate part of the Trust Register.

(g) **Notification of unsuccessful applicants**

In the event that the Whakapapa Committee recommends declining an application, then such recommendation shall be conveyed in writing to the Trust together with the reasons for that recommendation. If the Trust accepts the recommendation declining an application, it shall then notify the applicant in writing of the decision together with the reasons for that decision.

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**(h) Unsuccessful applicant may reapply**

Any applicant whose application has been declined may at any time seek to have his or her application reconsidered by the Whakapapa Committee, provided that such application for reconsideration may only be made on the basis of new evidence (being evidence that was not submitted or considered as part of any previous application) as to the applicant's whakapapa belonging to a Ngati Te Whiti Tupuna.

**(i) Assistance in identifying membership**

In maintaining the Trust Register, the Trust shall develop policies for assisting in the identification and registration of those from Ngati Te Whiti Hapu who, for the time being, are not on the Trust Register. Such policies shall include policies as to the nature of the assistance that the Trust will provide to those persons who believe their whakapapa is to Ngati Te Whiti Hapu but for whatever reason are not able to establish such whakapapa.

**(j) Responsibility of Beneficial Owners to the Trust**

Notwithstanding rules 6.(a) and (b) of this Schedule, it shall be the responsibility of each registered beneficial owner (or in the case of those persons under 18 years, the parent or legal guardian of that person) to ensure that his or her full contact details for the time being is provided and updated. If the Trust receives additional information that has the potential to alter a decision of the Trustees on an existing registrant, that information shall be referred to the Whakapapa Committee for reconsideration and recommendation back to the Trustees.

**(k) Consequences of registration**

Registration of any person in the Trust Register, whose whakapapa has been validated by the Whakapapa Committee and whose application to register has been accepted by the Trust, shall be conclusive evidence of that person's status as a registered beneficial owner of the Trust under whose name he or she is recorded.

**5. NGATI TE WHITI WHENUA TOPU TRUST REGISTER****(a) Information from existing beneficial owners**

The Trust shall include on the Trust Register the full names, dates of birth, and contact details of every beneficial owner whose name and other details are, immediately before the date of this Trust Order, on the register of members maintained by the Puke Ariki Land Trust.

**(b) Register available for inspection**

Subject to the Privacy Act 1993 and to any policies that may be adopted from time to time by the Trust for the protection of private information, the Trust shall ensure that the Trust Register is available to be inspected during business hours by all beneficial owners, provided that each beneficial owner shall have access to:

- (i)** inspect their own full personal details on the Register; and
- (ii)** inspect only the names of other beneficial owners on the Register.