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12 December 2025

Ngāti Te Whiti Whenua Tōpū Trust
Ngamotu Marae Reservation Trust

Legal Advisor Report for AGM, to be held 13 December 2025

1. This report updates beneficiaries of the Ngāti Te Whiti Whenua Tōpū Trust and the Ngamotu Marae Reservation Trust on assistance I have been providing both trusts on certain activities.

Update on Legal Documents/Status

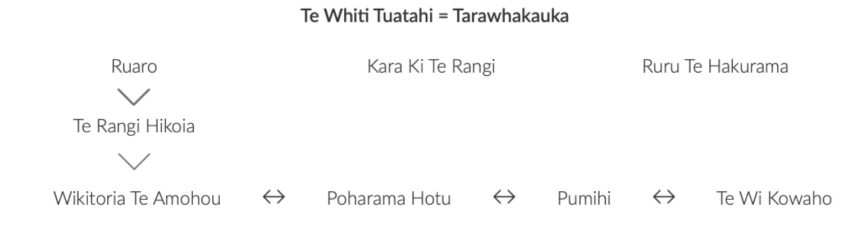
2. Following the AGMs in January 2025, a revised Trust Deed for NTWWTT was adopted, and a revised Charter for the NMRT was adopted.
 - (a) The revised Trust Deed is the subject of a Māori Land Court application with a hearing date to be advised. Beneficiaries will be entitled to participate in the hearing.
 - (b) The revised Charter does not require a formal MLC hearing.
3. Based on the revised Charter, Ngamotu Marae is applying for charitable tax status which will be of considerable benefit in the Marae's fundraising activities. It is expected that a decision by the Charities Commissioner can be made very soon, and trustees will be informed as soon as that decision is available.

Whakapapa

4. The Trustees have received a query concerning the whakapapa of Ngāti Te Whiti tupuna as recorded in the revised Charter. The query appears to revolve around the fact that the Charter records the whakapapa as follows, showing descent from one wife of Te Whiti Tuatahi, being Tarawhakauka:

2. WHAKAPAPA AND BENEFICIARIES OF THE RESERVATION

The Beneficiaries of this Reservation (Kaitiaki) are those persons who affiliate by way of verified whakapapa to the hapū of Ngāti Te Whiti by being descendants of our eponymous ancestor, Te Whiti Tuatahi who lived in the late 1700s by way of the union with his wife Tarawhakauka, as shown by the following whakapapa:



5. This definition of the beneficiaries was a result of a long process of wānanga with members of the whakapapa working group, and consultation with Ngāti Te Whiti at hui ā-hapū. The definition was then brought into the revised draft Charter and discussed at the AGM on 19 January 2025, and approved.
6. If there now are objections to the definition, it is recommended that:
 - (a) Those who have objections provide relevant supporting information to the trustees, who could refer that information to the whakapapa experts;
 - (b) If the whakapapa experts then decide it is appropriate to amend the definition, this will require a change to the charter, which will have to occur after appropriate engagement and hui with beneficiaries, and then a publicly notified hui to consider and approve an amendment;
 - (c) The charter also has a dispute resolution process if needed.

Trustee Elections

7. Trustee elections were conducted for vacancies arising in 2025. Results of the elections will be announced at the AGM. From there, an application to the Court will be made and a hearing held in 2026 for the Court to appoint the new trustees. Until the appointment by the Court at the hearing, the existing trustees remain in office. However, it is recommended that the trustees-elect be invited to participate in trust business in the meantime (on a non-voting basis), to increase their capacity and allow for a smooth transition.

Noho ora mai



Leo Watson