

Kahuranaki Marae Committee Charter

1. Purpose

- 1.1 The purpose of this Charter is to set out the role, responsibilities and relationships of the Kahuranaki Marae Committee to the hapu and descendents of the Marae.

2. Iwi and Hapu Affiliations

- 2.1 The Iwi that this Marae acknowledges is Te Whatuiapiti and Ngati Kahungunu whanui although other iwi and hapu also have acknowledged connections.
- 2.2 The predominant hapu identified for this marae is Ngai Te Rangikoianake.

3. Name and Location

- 3.1 The name of the organisation shall be Kahuranaki Marae Committee.
- 3.2 The premises and facilities administered by the organisation are located at Te Hauke, 1864 State Highway 2, R.D. 11, Hastings 4178, Hawkes Bay.

4. Legal Description

- 4.1 The legal description of the land administered by the Kahuranaki Marae Committee is the Poukawa (Marae) Maori Reservation which incorporates the blocks known as Poukawa 11W, 11U, 11T and 11N1. The Trustees acknowledge those owners who gave land towards the reservation and encourage their involvement in the Committee.

5. Management

- 5.1 Kahuranaki Marae Committee shall also be known as Trustees of the Marae referred to as the 'Committee'. The Kahuranaki Marae Committee will fulfil their trustee responsibilities under the Te Ture Whenua Act 1993 as Trustees and the Maori Community Development Act 1962 as a Maori Committee.
- 5.2 The general responsibilities of the Kahuranaki Marae Committee in respect of the local Maori/ hapu shall be:
- (a) To maintain and administer the marae complex/ reservation to a standard that allows the hapu to satisfactorily apply their tikanga:
 - (b) To consider and discuss such matters as appear relevant to the social, cultural and economic advancement of the local Maori/ hapu:
 - (c) To consider and, as far as possible, give effect to any measures that will conserve and promote harmonious and friendly relations between members of the local Maori/ hapu and other members of the community:
 - (d) To promote, encourage, and assist local Maori—

- (i) To conserve, improve, advance and maintain their physical, economic, industrial, educational, social, moral, and spiritual well-being;
- (ii) To assume and maintain self-reliance, thrift, pride of race, and such conduct as will be conducive to their general health and economic well-being;
- (iii) To accept, enjoy, and maintain the full rights, privileges, and responsibilities of New Zealand citizenship;
- (iv) To apply and maintain the maximum possible efficiency and responsibility in their local self-government and undertakings; and
- (v) To preserve, revive and maintain the teaching of Maori arts, crafts, language, genealogy, and history in order to perpetuate Maori culture:
- (e) To collaborate with and assist Government Agencies and other organisations in—
 - (i) The placement of local Maori in industry and other forms of employment;
 - (ii) The education, vocational guidance, and training of Maori;
 - (iii) The provision of housing and the improvement of the living conditions of Maori;
 - (iv) The promotion of health and sanitation amongst the local Maori people;
 - (v) The fostering of respect for the law and law-observance amongst the local Maori people;
 - (vi) The prevention of excessive drinking and other undesirable forms of conduct amongst the local Maori people; and
 - (vii) The assistance of local Maori in the solution of difficulties or personal problems.

6. Election Process and the Appointment of the Kahuranaki Marae Committee

- 6.1 Elections for members shall be held at Kahuranaki Marae.
- 6.2 All **persons** of Ngai Te Rangikoianake descent and/or with a direct affiliation to the Marae can take part in electing the Committee Members.
- 6.3 All **persons** of Ngai Te Rangikoianake descent and/or with a direct affiliation to the Marae are eligible for appointment, except for those who have been removed by an order of the Maori Land Court.
- 6.4 The Marae Committee shall be elected by the hapu in accordance with **Schedule 1**.
- 6.5 Any disputes regarding eligibility to vote and/or be nominated, shall be resolved by the outgoing Marae Committee.
- 6.6 The election results are to be noted in the records of the Maori Land Court, Takitimu District within one calendar month of the elections.
- 6.7 The importance and special place of Kaumatua within this structure is acknowledged. They should always be given the opportunity to convey their opinion and guidance to the Trustees.

6.8 Membership

The Kahuranaki Marae Committee shall be made up of thirteen (13) members. As a guide, the committee could consider representation from:

- The whānau who bequest the lands
- Kaumātua duly elected by them
- Rangatahi focused members
- Maintenance/ marae buildings/ grounds focused
- Administrators
- Hapu development focused members
- Planners and fundraisers

6.8 The newly elected Committee must complete and submit a consent order, within one month of the triennial hui elections, with the Maori Land Court confirming the names and position holders of the new Trustees.

6.9 On receipt of the endorsed consent form from the Maori Land Court the Trustees must publish within seven (7) days confirmation of their appointment in a local newspaper.

7. Meetings

7.1 The Committee must hold a minimum of ten general Committee meetings per year, or at any other mutually agreed time, for the purpose of on-going management of the Marae.

7.2 The first meeting of the Committee shall be held within thirty days of their appointment.

7.3 Only the members can vote at any general Trustee meeting. Voting will be by a show of hands unless otherwise requested.

7.4 All descendants shall be entitled to attend any of the general Committee meetings, provided that their presence does not detract from the purpose of the Committee or the purpose of the meeting.

7.5 A quorum of 60% of the Committee must be in attendance before the meeting is opened so that any decisions made are binding.

7.6 If a quorum is not established at the meeting, the meeting may proceed, but any decisions made shall not be binding until ratified by a majority of the Committee.

7.7 All decisions shall be decided by a majority of votes of the Committee present at the meeting.

7.8 The Chairperson shall have a deliberative vote and also, in cases of a tie of votes on any matter, a casting vote.

7.9 In the absence of the Chairperson, the Deputy Chairperson shall chair the meeting and shall have a deliberative vote and also a casting vote.

7.10 The voting process shall be by a show of hands unless otherwise agreed by majority of Committee.

7.11 If a member fails to attend three (3) consecutive regular meetings and also fails to submit their apologies to the Chairperson or Secretary, that **member** will be deemed to have resigned, unless **she/he** have been granted special leave of absence **by the Committee**.

Annual General and Special Meetings

- 7.12 Annual General Meetings will be held within three (3) months of the end of the financial year. The purpose of the annual general meeting is to:
- present the Year End Financial Statements and notify Hapu of the Chartered Accountant who has reviewed and/or audited the annual accounts.
 - present an account of the achievements of the year
 - present an annual plan for the coming year
- 7.13 Special general meetings may be called by the Committee at any time as seen necessary where input is required by the Hapu.
- A special general meeting must be called if the number of original elected Committee falls below 60%.
 - Notification of hui will be done in the same manner as for the Triennial hui – refer Sections 6.4 and 6.5 of this document. In the case of special general meetings, the notice period of twenty one (21) days may be waived where an emergency exists. In this case at least all Committee are notified as a matter of urgency.
 - A minimum quorum of 60% of the Committee and (number of descendents) of the Marae shall be present before voting is allowed. Voting will be by a show of hands unless otherwise requested by the majority of attendees.

8. Duties and Behaviour of Committee

Committee must

- 8.1 Act in good faith in exercising their powers.
- 8.2 Administer Kahuranaki Marae:
- for the benefit of descendents
 - for those entitled to use and enjoy Kahuranaki Marae
 - in accordance with the Maori Reservations Act 1994 and Te Ture Whenua Act 1993.
 - In accordance with other relevant legislation.
- 8.3 Committee members cannot delegate their authority.

9. Committee Code of Conduct

- 9.1 All Committee must work together for the betterment of the Marae.
- 9.2 All Committee members must uphold mana Atua, mana Tangata, mana whenua, mana Rangatiratanga.

10. Power of Committee

- 10.1 The Committee of Kahuranaki Marae will by majority resolution:
- authorise activities on the reservation to any person or whanau or group
 - issue permits in relation to any activity on the Marae

- apply to the Court for any directions in relation to the administration of the reservation and the powers and obligations of the Committee
- call meetings of interested persons in relation to the administration of the reservation
- appoint and employ, on behalf of the Committee, such advisers, as the Committee think fit, for the purposes of enabling their better administration of the reservation.

11. Committee Responsibilities and Administration

11.1 The Committee shall be responsible for the efficient and effective running of the Marae, although they may delegate the day to day functions and responsibilities.

11.2 The Committee must ensure tikanga and kawa of the Marae is maintained by :

- maintaining contact with Ngai Te Rangikoianake Kaumatua
- supporting Kaumatua in ensuring Manuhiri and Tangata Whenua are informed of the tikanga and kawa:
- providing clear direction on the use of the Marae Atea and other whenua associated with Kahuranaki Marae for hui and tangihanga; and
- supporting whanau to maintain the Urupa.

11.3 The Committee must keep and maintain accurate and up to date records and accounts in relation to the administration of Kahuranaki Marae.

- The Committee shall maintain a bank account into which all money received for Kahuranaki Marae
- The Secretary shall be responsible for keeping a minute book of all Committee meetings and resolutions. She/he shall also maintain all records related to the administration of Kahuranaki Marae
- The Treasurer will be responsible for the maintenance of all financial records of Kahuranaki Marae.
- To operate Kahuranaki Marae Committee bank accounts, two (2) out of three (3) signatories are required. The signatories must consist of the Treasurer/Chairperson and one other trustee perhaps the Secretary
- Any applications for funding must first be presented to the Committee at a general meeting and authority to proceed confirmed by a resolution of the Committee at a general meeting
- All documents that involve the acquisition of money must be signed by the Treasurer, Secretary or Chairperson

11.4 The Committee shall also be represented on each sub-committee (portfolio) of Kahuranaki Marae as an advisory member of that sub-committee. Their primary role is to work with the sub-committee members to ensure that all communication is open and honest.

- 11.5 The Committee will require that other Committees/Organisations operating on the Marae, inform the Committee of:
- any activity likely to affect the Marae;
 - any activity likely to have financial implications on hapu of the Marae; and
 - any long-term (more than 3 years) affect on the Marae or its whenua.
- 11.6 A duly appointed representative elected by the Committee will represent the Hapu on all relevant Iwi Committees.
- 11.7 All persons who cease to hold office as a member due to retirement or removal must return all records and documents collated during their term as member of Kahuranaki Marae Committee. Such persons shall be released from any liability unless he/she were the instigator and/or participant in any incident, while holding office that gave rise to the liability action.

12. Limitations of Committee Abilities to Administer the Land

In accordance with Te Ture Whenua Maori Act 1993 the Committee:

- 12.1 Cannot sell, gift, exchange or mortgage land that comes under the reservation.
- 12.2 Can only grant leases or occupational licenses of the land for up to fourteen (14) years. The exception to this rule is in the case where land is used for the purpose of education or health.
- 12.3 Must obtain the consent of the Maori Land Court for any lease or licence that exceeds three (3) years.
- 12.4 Any revenue from the lease or licence must be used as directed by the Maori Land Court.

13. Delegation of Authority

- 13.1 In his/her absence the Chairperson may nominate any member to chair a meeting or attend hui on his/her behalf.
- 13.2 The Committee can co-opt onto the committee descendants to complete specific projects or provide specialist advice. Co-opted members are not eligible to vote at general meetings.

14. Constitution

- 14.1 This Charter forms the Constitution for the Kahuranaki Marae Committee.
- 14.2 The Committee must ratify all policies, rules and guidelines of the Kahuranaki Marae Committee.
- 14.3 The Committee can ratify or if need be, call a hapu hui **to ratify** rules, regulations and guidelines **of the Kahuranaki Marae Committee.**

15. Strategic Plan

- 15.1 A Marae development plan may be prepared for Kahuranaki Marae, but it will remain a separate document from this charter.
- 15.2 The plan will be maintained and reviewed by the Committee.
- 15.3 The plan does not need to be registered with the Maori Land Court or any other official body.

15.4 The purpose of the plan shall be to enable the Committee to plan future development, based on the history of Kahuranaki Marae and the needs of the hapu.

16. The Charter

16.1 This charter:

- Shall be kept at the Marae and/or available from the Committee.
- Any amendments to this Charter must be approved and ratified at a special general meeting.

Schedule 1

Election Process. (Reference- Maori Community Development Regulations 1963, Regulation 3).

- (1) At least two weeks before the last Saturday in February in the year 1964 and at least two weeks before the corresponding day in every third year thereafter, each functioning Committee shall, by public notice in a newspaper circulating in its area or in such other or additional manner as it thinks will adequately inform the Whanau/hapu/community in its area, call a public meeting of Whanau/hapu/community residents for the purpose of electing members of the Committee for the ensuing three years. The notice shall state the date, time, and place of the meeting.

Year	Date for advertising in Public newspaper	Triennial Election hui	Check List
2009	2 weeks before the last Saturday in February.	2nd Saturday in March <ul style="list-style-type: none"> • Present Accounts • Annual Committee Report • Elections only required every 3 years 	Appoint Chairman/facilitator
2012			Notify committee Chartered Accountant
2015			Notify Maori Land Court on completion
2018			Present report of achievements and plan for future development.
2021 etc			

(2) At any such meeting any person who is Whanau/hapu/community affiliated, who resides in the Committee's area, and who is of the age of 18 years or upwards shall be eligible to vote. A register of such people present shall be maintained and numbered voting forms shall be issued to each eligible voter.

(3) At any such meeting the Chairman of the outgoing Marae Committee shall preside/facilitate unless the committee choose otherwise. If the Committee Chairman is not chosen to preside/facilitate the meeting the members must designate the chairman/facilitator. If no chairman/facilitator is so chosen a chairman/facilitator shall be elected by the meeting.

(4) Written nominations for election signed by the nominator and seconder and accepted by the nominee may be lodged with the Committee before the meeting and verbal nominations may be made and seconded at the meeting.

(5) If the number of nominations received does not exceed the number of persons required to be elected, those persons shall be declared to be elected.

(6) If more nominations are received than the number of persons required to be elected, a ballot shall be conducted amongst those present who are entitled to vote. At any such ballot no person's vote shall be counted if he votes for more than the number of persons requiring to be elected but a vote for fewer than that number shall not be invalid.

(7) Where a ballot is held, the meeting shall appoint two adult persons present to be scrutineers to check and count the votes. Unless there are insufficient other adult persons present, no person who has been nominated for election and no wife or husband or civil union partner or de facto partner of any such person shall be appointed as a scrutineer.

(8) The nominees up to the number required to be elected who receive the highest number of votes shall be deemed to be elected. If there is an equality of votes amongst a group of nominees who could not all so be declared to be elected without exceeding the number of vacancies, a further ballot shall be taken amongst the members of that group to determine which of them shall be elected, and, if the second ballot does not result in a decision, the chairman of the meeting may exercise a second or casting vote.

(9) All other questions arising at any such meeting shall be decided by a majority of the votes of those present and entitled to vote. In the event of an equality of votes the chairman of the meeting shall have a second or casting vote.