

11 November 2020

Dame Rangimarie Naida Glavish  
Te Rūnanga o Ngāti Whātua  
193 Lower Dent St  
**WHĀNGAREI**

Attention: Dame Naida Glavish (Chairperson)

**By post and email – [runanga@ngatiwhatua.iwi.nz](mailto:runanga@ngatiwhatua.iwi.nz) / [naida.glavish@waitematadhb.govt.nz](mailto:naida.glavish@waitematadhb.govt.nz)**

Tēnā koe Dame Naida Glavish,

#### **APPOINTMENT OF TE KAWAI TAUMATA MEMBER**

Tēnā koutou katoa i roto i ngā āhuatanga o tēnei wā. Ka mihi ki a koutou me ō koutou tini mate, haere, haere, haere atu rā.

As you will be aware, until the amendments to the Maori Fisheries Act 2004 are passed giving effect to iwi decisions arising from the statutory review, Te Kawai Taumata still has the task of appointing directors to Te Ohu Kai Moana Trustee Limited under the Maori Fisheries Act 2004 ('MFA').

I am writing to you to advise that an appointment is required to be made to Te Kawai Taumata by your rohe. Kevin Robinson is the current member for Te Taitokerau. He was appointed on 23 September 2015 for a term of four years. His term therefore expired on 22 September 2019, however he remains in office until he is reappointed or a new member is appointed in his place as per clause 5(2) of Schedule 8 of the MFA. The term of the alternate member for Te Taitokerau has also expired and he/she will need to be reappointed or a new alternate appointed (if you so choose).

As required by clause 1(2) of Schedule 8 of the MFA, it is the responsibility of your mandated iwi organisation for the first iwi named in each group of iwi set out in Schedule 3 of the Act to call together the other iwi in your rohe to make this appointment.

I have **attached** to this letter relevant information on the process that needs to be followed which is detailed in Schedule 8 of the MFA. As you will be aware, the other members of your electoral college are the MIOs for the Iwi of Te Rarawa, Ngāti Kahu, Ngāti Kuri, Ngāti Wai, Ngāpuhi/Ngāti Kahu o Whaingaroa and Ngāi Takoto.

I would be obliged if your organisation could initiate this process and advise me in writing no later than **21 December 2020** of your rohe's appointment of member and alternate member (if you have one) so that we can update our register and contact the successful appointee (or re-appointee, as the case may be). In brief, the process is for your organisation to decide a time and place to hold a meeting for your rohe and provide at least 10 working days' notice to the other organisations in your rohe. The appointee is then appointed by a majority of the organisations in your rohe who each have one vote, as per s 59 of the MFA.

Please note prior to appointment, that a person is **not** eligible to be a director of Te Ohu Kai Moana Trustee Limited, Aotearoa Fisheries Limited, Te Pūtea Whakatupu Trustee Limited, Te Wai Māori Trustee Limited or any subsidiaries of any of those companies if that person has been a member or alternate member of Te Kawai Taumata within the previous two years.

Whilst your organisation will have run this process before, if you have any questions please do not hesitate to contact Dion Tuuta at Te Ohu Kaimoana. Dion can be contacted at [Dion.Tuuta@teohu.maori.nz](mailto:Dion.Tuuta@teohu.maori.nz)

I note the other members of Te Kawai Taumata in office currently are:

| Member               | Region                             | Term expires |
|----------------------|------------------------------------|--------------|
| Rikirangi Gage       | Porourangi                         | 13.1.2023    |
| Kevin Robinson       | Te Taitokerau                      | 22.9.2019    |
| Wane Wharerau        | Ngāpuhi                            | 6.9.2024     |
| Mike Paku            | Takitimu                           | 31.1.2021    |
| Glenn Toothill       | Tainui                             | 31.1.2021    |
| Heemi Biddle         | Te Arawa                           | 22.9.2019    |
| Puhirake Ihaka       | Mataatua                           | 22.9.2019    |
| Sam Tamarapa         | Hauauru                            | 23.3.2023    |
| Judith MacDonald     | Te Moana o Raukawa                 | 10.2.2023    |
| Joseph Thomas        | Waipounamu/Rekohu                  | 22.9.2019    |
| Amiria Reriti-Crofts | Representative Māori organisations | 23.3.2023    |

Nāku noa, nā

Rangimarie Hunia  
**CHAIR**

**MAORI FISHERIES ACT 2004**  
**Schedule 8**

*Part 1 Procedures for appointments of members and alternate members of Te Kawai Taumata*

**Appointments**

**1 Appointment of Te Kawai Taumata members**

- (1) This clause applies—
  - (a) to the initial appointments of members and alternate members under sections 55 and 57; and
  - (b) to subsequent appointments that must be made when—
    - (i) the term of office of a member or alternate member expires under clause 5; or
    - (ii) a member or alternate member is removed under clause 6; or
    - (iii) a member or alternate member dies or resigns.
- (2) In the case of the initial appointments referred to in subclause (1)(a), the mandated iwi organisation of the first iwi named in each group of iwi set out in Schedule 3 (except Group B—NGAPUHI) must—
  - (a) appoint a time and place to hold a meeting of the representatives of the mandated iwi organisations of every iwi in the group; and
  - (b) give not less than 10 working days' notice of the meeting to all mandated iwi organisations in the same group, or other period of notice previously agreed by them; and
  - (c) advise Te Ohu Kai Moana Trustee Limited of the name of the member and the alternate member appointed to Te Kawai Taumata by the mandated iwi organisations of that group of iwi.
- (3) In the case of a subsequent appointment referred to in subclause (1)(b), the requirements of subclause (2) apply only to the group of iwi that needs to make an appointment.
- (4) In the case of Group B—NGAPUHI, as set out in Schedule 3, the mandated iwi organisation must—
  - (a) appoint a time and place to hold a meeting of the directors, trustees, or office holders; and
  - (b) give not less than 10 working days' notice of the meeting to all directors, trustees, or office holders, or any other period of notice previously agreed by them; and
  - (c) advise Te Ohu Kai Moana Trustee Limited of the name of the member and alternate member appointed to Te Kawai Taumata by the directors, trustees, or office holders of the mandated iwi organisation.
- (5) The first representative Maori organisation named in Schedule 5 must—
  - (a) appoint a time and place to hold a meeting of 1 representative from each representative Maori organisation; and
  - (b) give not less than 10 working days' notice of the meeting to every other representative Maori organisation, or other period of notice previously agreed by them; and
  - (c) advise Te Ohu Kai Moana Trustee Limited of the name of the member and the alternate member appointed to Te Kawai Taumata by the representative Maori organisations.
- (6) A notice given under subclause (2)(b) or subclause (4)(b) or subclause (5)(b) may be combined with a notice given under clause 7 or clause 8.

## **2 Purpose of meetings**

The only purpose and business of the meetings referred to in clause 1(2)(a), (4)(a), and (5)(a) is to appoint a member of Te Kawai Taumata, an alternate member, or both, unless clause 6 applies.

## **3 Voting to appoint or remove members or alternate members**

- (1) At meetings held for the purposes of clause 1 or clause 6,—
  - (a) each mandated iwi organisation has 1 vote:
  - (b) each representative Maori organisation has 1 vote:
  - (c) in the case of Ngapuhi, each director, trustee, or office holder of the mandated iwi organisation of Ngapuhi has 1 vote.
- (2) The votes cast on behalf of the iwi of Hauraki and the iwi of Te Arawa must, in each case, represent the majority view of the respective group.
- (3) If Ngati Hine or Rongomaiwahine withdraws from the mandated iwi organisation of Ngapuhi or Ngati Kahungunu, as the case may be, as provided for by section 20, the votes cast on behalf of Ngapuhi or Ngati Kahungunu must, in each case, take into account the view of the withdrawing iwi.
- (4) If a group of iwi listed in column 1 of Schedule 3 or the representative Maori organisations have not appointed their member and alternate member of Te Kawai Taumata by the date when the members and alternate members of Te Kawai Taumata must appoint directors under section 46(1), the appointed members or alternate members of Te Kawai Taumata must carry out their function of appointing directors without a member or alternate member appointed by the relevant group of iwi or the representative Maori organisation, as the case may be.
- (5) A decision to appoint or remove a member or alternate member of Te Kawai Taumata must be based on the votes cast at the meeting, so long as not less than 75% of those entitled to vote are present.

## **4 Vacancies or irregularities in appointment**

- (1) Despite a vacancy in the membership of Te Kawai Taumata, its appointed members or alternate members may perform their functions, provided there is a quorum.
- (2) The decisions of the members or alternate members of Te Kawai Taumata are not affected if a member's appointment, or that of an alternate member, is defective.

### ***Term of office***

## **5 Term of office of members and alternate members**

- (1) A member of Te Kawai Taumata and an alternate member—
  - (a) is appointed for a term of office not exceeding 4 years; and
  - (b) is eligible for reappointment; but
  - (c) may not hold office for more than 2 consecutive terms.
- (2) Subject to clause 6, a member and alternate member continues in office until—
  - (a) he or she is reappointed; or
  - (b) his or her successor is appointed.
- (3) However, the term of office of an alternate member expires when the term of office of the relevant member expires.