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# Returning Officer Report – Voting Results

## Special General Meeting of Ngāti Pāhauwera Development Trust

October 2014



## 1. Introduction

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The Trustees of Ngāti Pāhauwera Development Trust (**Trust**) have engaged us to act as Returning Officer for the Special General Meeting of the Trust held on Sunday 19 October 2014 (**SGM**). The purpose of the SGM was to consider and vote a Special Resolution to amend the Deed of Trust for Ngāti Pāhauwera Development Trust (**Trust Deed**). This proposal was made by the Trustees following an independently facilitated review of the Trust Deed that was carried out in accordance with clause 25 of the Trust Deed.

## 2. Overview of voting process

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The procedure for passing a Special Resolution is covered by the Third Schedule of the Trust Deed. In accordance with rule 2 of the Third Schedule, voting shall occur either by placing voting forms into a ballot box in person at the SGM or by post.

### Postal Voting

We have received, counted and recorded postal votes in accordance with the timing set out in the Trust Deed. The timeframe for casting a postal vote is set out in rule 6.2 of the Third Schedule of the Trust Deed. Votes must be cast no later than the closing date for voting. We note that the closing date for voting was Sunday 19 October 2014. The same provision establishes that votes otherwise validly cast are valid and able to be counted if they have been received by the Returning Officer no later than 3 business days after the closing date. This is only applicable if the envelope containing the voting form date is stamped on or before the date the voting closes.

### Voting at SGM

We also attended the SGM. In accordance with rule 7.3 of the Trust Deed, at the SGM we were available as Returning Officer to collect any completed voting forms. We also ensured that additional voting forms were available at the SGM.

In coordination with the office staff of the Trust we ensured that appropriate measures were in place to ensure that only one vote was cast by each Adult Member of Ngāti Pāhauwera.

### Votes validly cast

We have used a template voting form that aligns with the terms of the Trust Deed and best practice standards usually applied in other voting processes.

We have considered as votes validly cast those that:

- have selected one of the two possible voting options; and
- have the print name as well as the signature of the relevant Adult Member of Ngāti Pāhauwera (or if only the signature was included, it is legible enough to determine the relevant name).

As noted above, we have considered only the postal votes that have been posted and received in accordance with the timing set out in the Trust Deed.

For completeness we have recorded all votes that have not been considered for not meeting the above criteria.

## Voting Threshold

In accordance with rule 3 of the Third Schedule, for a Special Resolution to be passed it must receive the approval of not less than 70% of the validly cast votes.

## Updates for Register

We have recorded relevant input received from Adult Members of Ngāti Pāhauwera in terms of information to be updated on the membership register. These updates refer to name changes, address changes, information of deceased members, and in some cases, email addresses.

## 3. Results of Voting Process

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### Recording and counting of votes

In accordance with rules 7.5 and 8.1 of the Third Schedule of the Trust Deed we have kept record of all votes received and counted those validly cast.

The table below summarises the voting results of the Special Resolution:

Validly cast votes	719	100%
Accepting Proposal	501	69.68%
Rejecting Proposal	218	30.32%

## 4. Conclusion and Certification

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**As a result of the above, the voting threshold has not been met. This means that the Special Resolution consisting in the approval of the proposed amendments to the Trust Deed has not been passed.**

**In accordance with rule 8.2 of the Third Schedule of the Trust Deed, we hereby certify the results of the Special Resolution.**