



## Cover sheet

# Variation of trust /Alteration of rules of a charitable trust board

Sections 16 and 23 Charitable Trusts Act 1957 (the Act)

**NOTE** | Use this form to notify the Registrar of incorporated societies of changes to a board's trust deed, rules or name

### 1. Name of board

You can confirm the full name and registration number of the board by searching the Charitable Trust Board Register [www.societies.govt.nz](http://www.societies.govt.nz)  
Note: If you are submitting a change of name enter the **current name** here (not the new name)

Hawke's Bay Biodiversity Trust

### 2. Registration number

2688591

### 3. What are you changing?

The name of the board

and / or

Administrative rules for the board\* (this type of change requires an alteration of rules under section 23(1) of the Act. Complete this form to step 5. You are not required to complete the statutory declaration on page 2 for this change.

or

Variation of the trust (not an administrative change) under section 23(1) the Act. Complete all steps on this form including the statutory declaration on page 2

### 4. Complete this checklist before filing your documents

The change(s) comply with the Act

I have completed all the fields on page 1

I have attached a copy of the alteration(s) or resolution

The new name of the board (if applicable) is available.

*Note: The name you choose for your board cannot be identical or deceptively similar to that of another board or other body corporate. Make sure the name is available to use. For more information refer to [www.societies.govt.nz](http://www.societies.govt.nz)*

For a variation of the trust please complete this checklist in addition to the requirements above

(Please note that for a board name change or an administrative rule change the following do not need to be completed)

I have attached the completed statutory declaration on page 2

The variation has been certified as a correct copy by one of the trustees, or a member of the committee or governing body of the society with the following statement: "I hereby certify that this is a correct copy of the trust deed or rules of the [Name of Trust Board]"

\*This may include changes to the trustees of the board or the officers of a society and the way in which these people are appointed or cease to hold office, changes to the powers of a board, or the way meetings of the board are held, etc.

### 5. Your contact details

Name and postal address

Genevieve Bennett

Position Project manager

Email genevieve.bennett@hbrc.govt.nz

Telephone

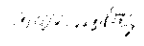

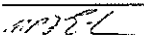

**HAWKE'S BAY BIODIVERSITY TRUST ("TRUST")  
BOARD RESOLUTION**

This is a unanimous written resolution of the Initial Trustees of the Trust (Trust Board), in accordance with clause 10.2.2 of the trust deed of the Trust (Trust Deed).

**RESOLUTIONS**

At its meeting of 29 October 2018 (the Meeting), the Trust Board resolved that:

1. The wording of clause 10.1.5 (a) as it currently reads may, in the certain situations inadvertently result in an unequal balance of interests comprising that quorum.
2. The wording of clause 10.15 (a) shall be amended as follows:  
  
*A quorum at a meeting of the Trust Board will be established only if there is a majority of Trustees (including at least one Guardian) present. No business will be transacted at a meeting at any time unless a quorum is present at that time;*
3. The Registrar of Incorporated Societies will be formerly notified of the amendment to the Trust Deed.
4. For the avoidance of any doubt the Trust Board resolved that all previous resolutions and general business carried out in relation to the Trust Board and Trust are valid and effectual.
5. Mark Ericksen and Christine Cheyne authorised the use of their electronic signatures for the purpose of approving resolutions.

Name of Trustee	Signature	Date
Charles Daugherty (Chair)	 _____	<u>29/10/18</u>
Desma Ratima (Vice Chair)	 _____	<u>29/10/18</u>
Michael Halliday	_____ _____	<u>29/10/18</u>
Connie Norgate	_____ _____	<u>29/10/18</u>
Mark Ericksen	 _____	<u>29/10/18</u>
James Palmer	_____ _____	<u>29/10/18</u>
Christine Cheyne	 _____	<u>29/10/18</u>

Being all of the Trustees of the Trust.

Resolution of the Trust Board- Hawke's Bay Biodiversity Trust 29 October 2018

- (c) provide an agenda or otherwise give an indication of the matters to be discussed at the meeting, in sufficient detail to enable the Trustees to appreciate the general import of those matters, unless this is already known to the Trustees or is impossible or impracticable in the particular circumstances or in relation to a particular matter;

provided that any omission or irregularity in relation to giving such notice is waived by a Trustee if the Trustee attends the meeting without protest as to the irregularity or agrees to waive the omission or irregularity (before, after or during the meeting).

10.1.5. Subject to the provisions set out in clause 13:

- (a) a quorum at a meeting of the Trust Board will be established only if there is a majority of Trustees (including at least one Guardian) present. No business will be transacted at a meeting unless a quorum is present at that time; and
- (b) each Trustee in attendance at a meeting will have one vote, provided that if the number of trustees in favour of any resolution at a meeting equals 50% of the total number of Trustees for the time being the Chair will have a second, casting vote on the resolution.

10.1.6. Subject to the provisions set out in clause 13, and any other provision of this deed (for example, requiring a resolution to be passed by a specified number or majority of Trustees), any resolution to be passed at a meeting of the Trust Board must be approved by a number of votes that exceeds 50% of the total number of Trustees for the time being. A resolution passed in accordance with this clause will be binding on all Trustees.

10.1.7. The Chair, or in the absence of the Chair the Deputy Chair, must chair any meeting of the Trust Board. If no Trustee holds office as Chair or Deputy Chair, or if neither the Chair nor Deputy Chair is present within 15 minutes after the time appointed for commencement of the meeting, the Trust Board at that meeting may appoint one of the attending Trustees to chair the meeting. Subject to the terms of this deed and any rules/regulations adopted by the Trust Board prior to any meeting, the Trustee chairing the meeting will control the conduct of that meeting.

10.1.8. Unless the Trust Board determines otherwise, any Officer who is not a Trustee will be notified of, and entitled to attend and participate (but not vote) at, meetings of the Trust Board, as if the Officer were a Trustee.

10.1 Trust Board Resolutions: Subject to the provisions set out in clause 13 and any other provision of this deed (for example, requiring a resolution to be passed by a specified number or majority of Trustees), the following provisions apply in relation to Trust Board resolutions:


10.2.1. Any resolution at a meeting of the Trust Board must be passed in accordance with clause 10.1.6.

  
Charles Hines Dougherty




---

Richard Meade Hickey



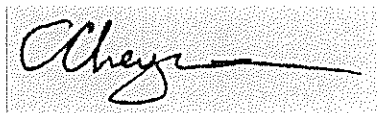
---

Thomas Alexander Palmer



---

Desma Kemp Ratimo



---

Christine Maree Cheyne



---

Mark Peter Frederick Ericksen