

*Parties*

HIKI C26 TRUST

HER MAJESTY THE QUEEN

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**DEED OF COVENANT**

**RELATING TO DEED OF SETTLEMENT BETWEEN**

**THE WAIOHAU CLAIMANTS AND THE CROWN**

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## WAIOHAU DEED OF COVENANT

Date: 26 December 2004

### PARTIES

- (1) **HIKI C26 TRUST** (*Governance Entity*)
- (2) **HER MAJESTY THE QUEEN** in right of New Zealand (*the Crown*)

### BACKGROUND

- A Under a Deed of Settlement dated 1 December 2004 between the Waiohau Claimants and the Crown, the Crown agreed to provide certain redress to the Governance Entity, which was to be established by the Waiohau Claimants, subject to certain terms and conditions specified in the Deed of Settlement.
- B The Governance Entity was constituted on 26 December 2004 and is the entity to which the Waiohau Claimants wish the redress to be provided by the Crown under the Deed of Settlement.
- C As required by *clause 2.1.1(b)* of the Deed of Settlement, the Governance Entity covenants with the Crown as set out in this Deed.

**NOW THE GOVERNANCE ENTITY AGREES** with the Crown as follows:

### 1 INTERPRETATION

- 1.1 In this Deed, unless the context otherwise requires *Deed of Settlement* means the deed referred to in paragraph A of the Background.
- 1.2 Terms defined in the Deed of Settlement have the same meanings in this Deed, unless the context requires otherwise.
- 1.3 The rules of interpretation set out in *clause 8.2* of the Deed of Settlement apply in the interpretation of this Deed.

### 2 THE GOVERNANCE ENTITY'S COVENANT

- 2.1 The Governance Entity confirms that it has been ratified by the Waiohau Claimants as an appropriate body to which the Crown will provide the redress under the Deed of Settlement.
- 2.2 The Governance Entity covenants with the Crown that from the date of this Deed the Governance Entity will:

AB  
 J.J.  
 J.H.

- (a) Become a Party to the Deed of Settlement as if it had been named as a Party to the Deed of Settlement and had executed it; and
- (b) Observe and perform all the obligations under the Deed of Settlement which are expressed to be performed by the Governance Entity and will be bound by the terms of the Deed of Settlement.

2.3 The Governance Entity hereby ratifies and confirms all acknowledgments and agreements made in the Deed of Settlement and all elections made by, waivers given by, and all other actions taken in relation to, the Deed of Settlement by the Waiohau Claimants, and by the agent appointed on behalf of the Waiohau Claimants under *clause 2.3* of the Deed of Settlement, and agrees to be bound by them.


**3 NOTICES**

Any notice to the Governance Entity may be given in the same manner as is specified in the Deed of Settlement. The Governance Entity's address for notices is:

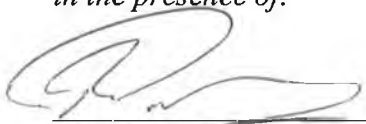
C/- Taane Turei  
415 Braemar Road  
WHAKATANE.

**EXECUTED** as a deed on the date first written above.

**SIGNED** for and on behalf of  
**HIKI C26 TRUST** by its trustees:

  
\_\_\_\_\_  
Patsy Nikora

*in the presence of:*

  
\_\_\_\_\_  
Name: Rachel Paul  
Occupation: Solicitor  
Address: 34 Harbour Road  
Ohope

  
M.B.  
R.K. G.N. J.J.  
D. L. Laurie  
M. H. S. L.  
R.

*Libby Fairlie*

Libby Fairlie

*in the presence of:*

*[Signature]*

Name: Rachel Huwiana Paul

Occupation: Solicitor

Address: 34 Harbour Road, Ohape

*[Signature]*

Hemana Waaka

*in the presence of:*

*[Signature]*

Name: Rachel Huwiana Paul

Occupation: Solicitor

Address: 34 Harbour Road Ohape

*[Signature]*

Kiri Henry

*in the presence of:*

*[Signature]*

Name: Rachel Huwiana Paul

Occupation: Solicitor

Address: 34 Harbour Road  
Ohape

*[Handwritten notes and signatures]*  
S.S.  
L. Fairlie  
W. Henry

*J. Hata Stevens*  
Hata Stevens

*in the presence of:*

*[Signature]*

Name: Rachel Huriana Paul  
Occupation: Solicitor  
Address: 34 Harbour Road Ohape

*H. Hiki*  
Henare Hiki

*in the presence of:*

*[Signature]*

Name: Rachel Huriana Paul  
Occupation: Solicitor  
Address: 34 Harbour Road Ohape

*J. Turei*  
Taane Turei

*in the presence of:*

*[Signature]*

Name: Rachel Huriana Paul  
Occupation: Solicitor  
Address: 34 Harbour Road Ohape

*Handwritten notes and signatures:*  
144  
K. A. J.J.  
Laurie  
Walter



Aubrey Kohunui

*in the presence of:*

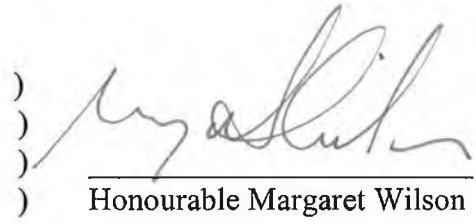


Name: Rachel Huriana Paul

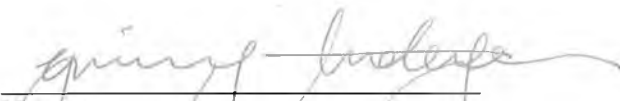
Occupation: Solicitor

Address: 34 Harbour Road Ohope

**SIGNED** for and on behalf of  
**HER MAJESTY THE QUEEN** in right  
of New Zealand by the Minister in Charge  
of Treaty of Waitangi Negotiations

  
Honourable Margaret Wilson

*in the presence of:*



Name: VIRGINIA ANDERSEN

Occupation: PRIVATE SECRETARY

Address: WELLINGTON

