

NGATI PAHAUWERA
DEED OF COVENANT

THIS DEED is made by

THE TRUSTEES OF THE NGATI PAHAUWERA DEVELOPMENT TRUST (the
Governance Entity)

BACKGROUND

- A. The Ngati Pahauwera Section 30 Representatives have a mandate to represent Ngati Pahauwera in the prosecution and settlement of the Ngati Pahauwera Treaty claims against the Crown, pursuant to an order of the Maori Land Court made on 13 June 1994 under section 30 of Te Ture Whenua Maori Act 1993. At hui-a-iwi at Mohaka in June and July 2007 a process was proposed to establish a governance entity with the full support of Ngati Pahauwera.
- B. The Ngati Pahauwera Section 30 Representatives and the Crown signed Terms of Negotiation on 8 May 2008. The Terms of Negotiation recognised that the members of Ngati Pahauwera were in the process of developing a governance entity to take over responsibility from the section 30 representatives for negotiating a settlement of Ngati Pahauwera's claims, and to receive redress from any negotiated settlement of claims with the Crown.
- C. Further consultation hui on the proposed governance entity took place, culminating in a hui at Mohaka on 14 June 2008 to approve the key components of the governance entity (as contained in the two draft Trust Deeds which were made available prior to the hui) to go to postal ballot. An observer from Te Puni Kokiri attended the hui on 14 June 2008 and later confirmed the Crown's satisfaction with the integrity of the process followed by Ngati Pahauwera to decide whether to adopt the proposed governance entity structure.
- D. The governance structure comprises two Trusts, the Ngati Pahauwera Development Trust (the Trustees of which will be the governance entity for



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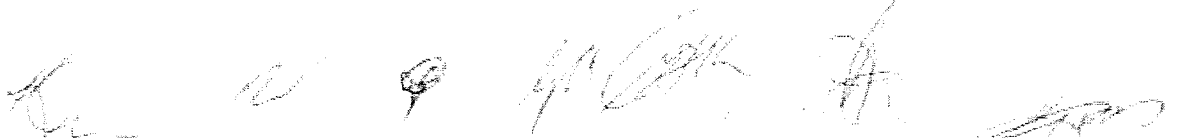
the purposes of a Deed of Settlement between Ngati Pahauwera and the Crown) and the Ngati Pahauwera Tiaki Trust (the Trustees of which will be the same as those of the Ngati Pahauwera Development Trust and will receive Wahi Tapu redress pursuant to decisions of the Governance Entity, under a Deed of Settlement between Ngati Pahauwera and the Crown). Members of Ngati Pahauwera voted in favour of the double trust structure through a postal vote, which closed 5 July 2008. The Trustees comprise the Three active Section 30 Representatives, Tom Gemmill, Kuki Green and Toro Waaka for an initial term of 2 years and the four trustees elected by postal ballot closing on 18 August 2008 to serve a four year term, being Gerald Aranui, Sisseil Henderson, Charles Lambert and Tureiti Moxon.

- E. The Governance Entity was established on 27 September 2008 as the entity to receive the redress to be provided to Ngati Pahauwera under a Deed of Settlement between Ngati Pahauwera and the Crown.
- G. In accordance with paragraph 27 of the Terms of Negotiation the Governance Entity now executes this Deed of Covenant.

NOW THE GOVERNANCE ENTITY AGREES as follows:

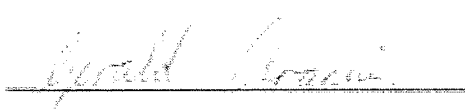
1. COVENANT

- 1.1 The Governance Entity covenant that, from the date of this Deed, as the Governance Entity for Ngati Pahauwera they will observe and perform all the obligations of the section 30 representatives under the Terms of Negotiation.

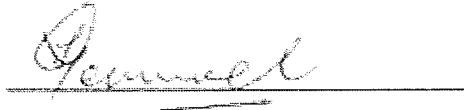
A series of seven handwritten signatures in black ink, arranged horizontally across the bottom of the page. The signatures vary in style and length, representing the individuals mentioned in the text above.

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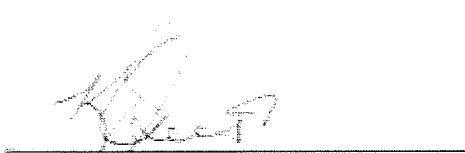
SIGNED as a Deed on 27 September 2008



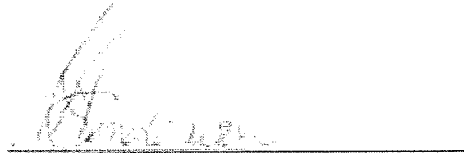
Gerald Aranui
Trustee



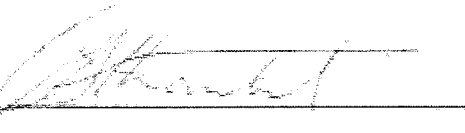
Tom Gemmell
Trustee



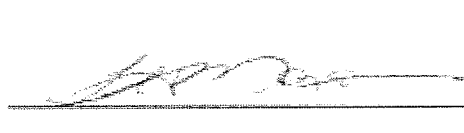
Kuki Green
Trustee



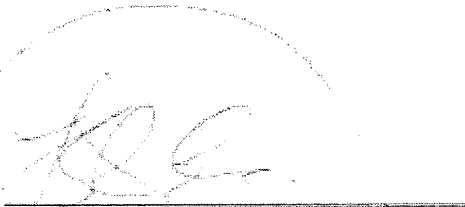
Sissell Henderson
Trustee



Charlie Lambert
Trustee



Tureiti Moxon
Trustee



Toro Waaka
Trustee

WITNESS

Name: L. G. Donoh

Occupation: Solicitor

Address: Auckland

