

TRUSTEES OF TE ROROA MANAWHENUA TRUST

and

TRUSTEES OF TE ROROA WHATU ORA TRUST

and

HER MAJESTY THE QUEEN

in right of New Zealand

DEED IN RELATION TO SETTLEMENT INTEREST

DEED IN RELATION TO SETTLEMENT INTEREST

TABLE OF CONTENTS

BACKGROUND.....	2
1. SETTLEMENT INTEREST	3
2. OTHER MATTERS.....	3
3. DEFINITIONS AND INTERPRETATION	3

DEED IN RELATION TO SETTLEMENT INTEREST

THIS DEED is made

BETWEEN

TREVOR EDWARD BIRCH, 83 River Road, Dargaville;
ERANA MENGE CLARKSON, 4 Thompson Place, Tikipunga, Whangarei;
ISOBEL FLORENCE HUTCHINS, 39B Logan Street, Dargaville;
STEPHEN CASSIDY NAERA, 29 Amblers Road, Waimamaku;
ALEXANDER NATHAN, 161A Hokianga Road, Dargaville;
WILLIAM GEORGE NGAKURU, 269 Pokas Road, Waimamaku;
WINIKA TUHIWAI, 121 Station Road, Dargaville;
THALEA TRACEY POMPEY, 12 Memorial Drive, Riverside, Whangarei;
MARAMA REWA, 222 Browns Road, Manurewa, Auckland;
TAOHO SNOW TANE, 148 Awakino Road, Dargaville;
ORIANA VENUS TE RORE, 7 Domain Road, Mangere Bridge, Auckland; and
RANGIORA TIMUTIMU, 121 Station Road, Dargaville

as trustees of Te Roroa Manawhenua Trust (the "**Current Manawhenua Trustees**")

AND

TREVOR EDWARD BIRCH, 83 River Road, Dargaville;
ERANA MENGE CLARKSON, 4 Thompson Place, Tikipunga, Whangarei;
ISOBEL FLORENCE HUTCHINS, 39B Logan Street, Dargaville;
STEPHEN CASSIDY NAERA, 29 Amblers Road, Waimamaku;
ALEXANDER NATHAN, 161A Hokianga Road, Dargaville;
WILLIAM GEORGE NGAKURU, 269 Pokas Road, Waimamaku;
WINIKA TUHIWAI, 121 Station Road, Dargaville;
THALEA TRACEY POMPEY, 12 Memorial Drive, Riverside, Whangarei;
MARAMA REWA, 222 Browns Road, Manurewa, Auckland;
TAOHO SNOW TANE, 148 Awakino Road, Dargaville;
ORIANA VENUS TE RORE, 7 Domain Road, Mangere Bridge, - Auckland; and
RANGIORA TIMUTIMU, 121 Station Road, Dargaville

as trustees of Te Roroa Whatu Ora Trust (the "**Current Whatu Ora Trustees**")

AND

HER MAJESTY THE QUEEN in right of New Zealand acting by the Minister in Charge of Treaty of Waitangi Negotiations (the "**Crown**")

DEED IN RELATION TO SETTLEMENT INTEREST

BACKGROUND

- A. The Crown and Te Roroa are parties to a deed of settlement dated 17 December 2005.
- B. The Te Roroa Claims Settlement Act 2008 has been enacted and the deed of settlement has become unconditional.
- C. The Manawhenua Trustees, as the Governance Entity under the deed of settlement, may, on behalf of Te Roroa, agree to amend the deed of settlement.
- D. The Crown, the Manawhenua Trustees, and the Whatu Ora Trustees, have by a deed dated 30 January 2007, and by a deed dated on or about the date of this deed, amongst other matters, agreed, under clause 3.7 of the deed of settlement, that the Financial and Commercial Redress under the deed of settlement is to be paid or transferred to the Whatu Ora Trustees (and not the Manawhenua Trustees).
- E. The Manawhenua Trustees and the Whatu Ora Trustees:
- (i) confirm that it is their view that it has been, and is, Te Roroa's intention that:
 - i. not only is the Financial and Commercial Redress to be paid or transferred to the Whatu Ora Trustees; but
 - ii. the interest payable by the Crown under clause 15.1 of the deed of settlement on the Financial and Commercial Redress Amount is also to be paid to the Whatu Ora Trustees (and not the Manawhenua Trustees); and
 - (ii) request the Crown to enter into this deed providing for that interest to be paid to the Whatu Ora Trustees.
- F. The Crown has agreed to enter into this deed as:
- (i) those trustees have made that confirmation and request; and
 - (ii) the Crown is satisfied that the Whatu Ora Trust has a structure that provides for:
 - i. representation of Te Roroa; and
 - ii. transparent decision-making, and dispute resolution, processes; and
 - iii. accountability to Te Roroa.
- G. The Manawhenua Trustees and the Whatu Ora Trustees have resolved to enter into this deed.

DEED IN RELATION TO SETTLEMENT INTEREST

IT IS AGREED by the parties as follows:

1. SETTLEMENT INTEREST

- 1.1 The parties agree that clause 15.2.3 of the deed of settlement is amended to provide that interest will be paid to the Whatu Ora Trustees on the Settlement Date by the Crown under clause 15.1 of the deed of settlement.

2. OTHER MATTERS

- 2.1 The deed of settlement remains unchanged, except to the extent provided by:
- 2.1.1 the deeds of amendment referred to in paragraph D; and
 - 2.1.2 this deed.
- 2.2 This deed takes effect when it is signed by the parties.

3. DEFINITIONS AND INTERPRETATION

- 3.1 In this deed, unless the context otherwise requires:

“**deed of settlement**” means the deed referred to in clause A of the Background, as amended by the deeds of amendment referred to in paragraph D;

“**Manawhenua Trustees**” means the trustees from time to time of the Te Roroa Manawhenua Trust, in their capacity as trustees of that trust;

“**party**” means each of the Current Manawhenua Trustees, the Current Whatu Ora Trustees, and the Crown;

“**Te Roroa Manawhenua Trust**” means the trust established by the Te Roroa Manawhenua Trust Deed;

“**Te Roroa Manawhenua Trust Deed**” means the deed of trust establishing the Te Roroa Manawhenua Trust dated 15 August 2006;

“**Te Roroa Whatu Ora Trust**” means the trust established by the Te Roroa Whatu Ora Trust Deed;

“**Te Roroa Whatu Ora Trust Deed**” means the deed of trust establishing the Te Roroa Whatu Ora Trust dated 15 August 2006; and

“**Whatu Ora Trustees**” means the trustees from time to time of the Te Roroa Whatu Ora Trust, in their capacity as trustees of that trust.

- 3.2 Unless the context requires otherwise:

DEED IN RELATION TO SETTLEMENT INTEREST

- 3.2.1 terms or expressions defined in the deed of settlement have the same meanings in this deed; and
- 3.2.2 the rules of interpretation in the deed of settlement apply (with all appropriate changes) to this deed.

DEED IN RELATION TO SETTLEMENT INTEREST

SIGNED as a deed on 24 October 2008

SIGNED by TREVOR EDWARD BIRCH in the presence of:

Trevor Birch
As a Manawhenua Trustee

Trevor Birch
As a Whatu Ora Trustee

WITNESS


Name:

Occupation: Anthony Grant Ruakere
Solicitor
Address: Auckland

SIGNED by ERANA MENGE CLARKSON in the presence of:

E Clarkson
As a Manawhenua Trustee

E Clarkson
As a Whatu Ora Trustee

WITNESS


Name:

Occupation: Anthony Grant Ruakere
Solicitor
Address: Auckland

SIGNED by ISOBEL FLORENCE HUTCHINS in the presence of:

I Hutchins
As a Manawhenua Trustee

I Hutchins
As a Whatu Ora Trustee

WITNESS


Name:

Occupation: Anthony Grant Ruakere
Solicitor
Address: Auckland

DEED IN RELATION TO SETTLEMENT INTEREST

**SIGNED by STEPHEN CASSIDY
NAERA in the presence of:**




As a Manawhenua Trustee



As a Whatu Ora Trustee

WITNESS



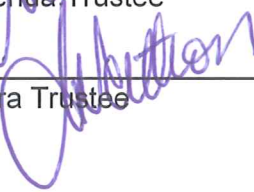
Name:

Occupation: Anthony Grant Ruakere
Solicitor
Address: Auckland

**SIGNED by ALEXANDER NATHAN
in the presence of:**

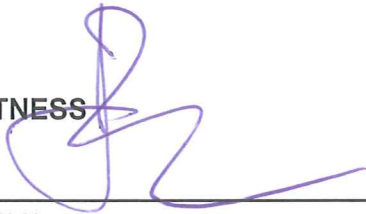


As a Manawhenua Trustee



As a Whatu Ora Trustee

WITNESS



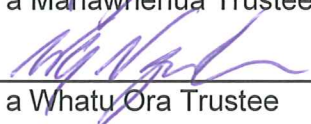
Name:

Occupation: Anthony Grant Ruakere
Solicitor
Address: Auckland

**SIGNED by WILLIAM GEORGE NGAKURU
in the presence of:**




As a Manawhenua Trustee



As a Whatu Ora Trustee

WITNESS



Name:

Occupation: Anthony Grant Ruakere
Solicitor
Address: Auckland

DEED IN RELATION TO SETTLEMENT INTEREST

SIGNED by WINIKA TUHIWAI
in the presence of:

Winika Tuhiwai
As a Manawhenua Trustee

Winika Tuhiwai
As a Whatu Ora Trustee

WITNESS
[Signature]
Name:

Occupation: Anthony Grant Ruakere
Solicitor
Address: Auckland

SIGNED by THALEA TRACEY POMPEY
in the presence of:

M. Y. Pompey
As a Manawhenua Trustee

M. Y. Pompey
As a Whatu Ora Trustee

WITNESS
[Signature]
Name:

Occupation: Anthony Grant Ruakere
Solicitor
Address: Auckland

SIGNED by MARAMA REWA
in the presence of:

Marama Rewa
As a Manawhenua Trustee


Marama Rewa
As a Whatu Ora Trustee

WITNESS
[Signature]
Name:

Occupation: Anthony Grant Ruakere
Solicitor
Address: Auckland

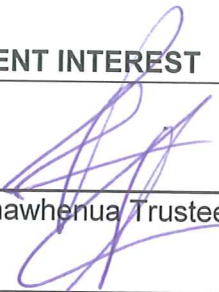
DEED IN RELATION TO SETTLEMENT INTEREST

SIGNED by TAOHO SNOW TANE
in the presence of:

WITNESS 

Name:

Occupation: Anthony Grant Ruakere
Solicitor
Address: Auckland



As a Manawhenua Trustee


As a Whatu Ora Trustee

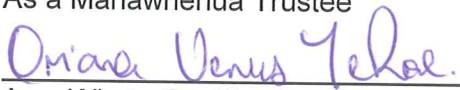
SIGNED by ORIANA VENUS TE RORE
in the presence of:

WITNESS 

Name:

Occupation: Anthony Grant Ruakere
Solicitor
Address: Auckland



As a Manawhenua Trustee



As a Whatu Ora Trustee

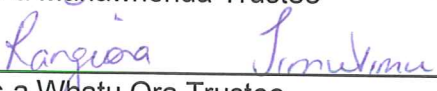
SIGNED by RANGIORA TIMUTIMU
in the presence of:

WITNESS 

Name:

Occupation: Anthony Grant Ruakere
Solicitor
Address: Auckland



As a Manawhenua Trustee


As a Whatu Ora Trustee

DEED IN RELATION TO SETTLEMENT INTEREST

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 in the presence of:



WITNESS



Name:

Katrina Greco-Anslie

Occupation:

Private Secretary

Address:

9- The Beehive, Wellington