

APPLICATION TO ADD, REDUCE, REPLACE OR REMOVE TRUSTEES

Te Ture Whenua Māori Act 1993

Section 239 (Add, Reduce or Replace trustees)

Section 240 (Remove Trustees); or

Section 239 and 338(7) (Add Reduce or Replace Māori Reservation Trustees);

For more information visit www.maorilandcourt.govt.nz

WHAT IS THIS FORM FOR?

Use this form to add, reduce, replace or (in exceptional circumstances) remove trustees of a Whānau Trust, Kaitiaki Trust, Ahu Whenua Trust, Whenua Tōpū Trust, Pūtea Trust or Māori Reservation.

HOW TO FILE AND COMPLETE THIS APPLICATION FORM

- (i) This form must be accompanied with the appropriate application fee and can should be filed with the Registrar in the District in which some or all of the land is located;
- (ii) Please ensure that all information required on the form is completed;
- (iii) Where tick boxes ☒ are provided please ensure you tick all those boxes that apply to your application, unless you are required to select one box, then only select the box that applies;
- (iv) If there is insufficient room on the form to provide all the required information you should continue your application on a separate sheet of paper;
- (v) Additional information – in addition to completing this form, if the application requires you to provide further information you must include all documents, information or evidence you wish the Court to consider; and
- (vi) Comply with the requirements set out in the Checklist at the end of this form.

Office use:

Application: ACCEPTED / REFUSED

Dated:

Signed:

Name:

Designation:

Your application may be heard by a Registrar and you will not need to attend court. If you would prefer your application to be heard in court by a Judge, please tick here: ☐

The Māori Land Court of New Zealand

(Please select the name of the Māori Land Court District in which some or all of the lands or the subject matter of the application is located)

Please select one District	<input type="checkbox"/> Taitokerau	<input type="checkbox"/> Waikato Maniapoto	<input type="checkbox"/> Waiariki
<input type="checkbox"/> Tairāwhiti	<input type="checkbox"/> Tākitimu	<input type="checkbox"/> Aotea	<input type="checkbox"/> Te Waipounamu

BLOCK(S):

NAME OF TRUST OR MĀORI RESERVATION:

APPLICATION:

I / We

..... (state full name), apply to:

☐ Appoint 1 or more new trustees as listed in the Schedule (under section(s) 239 and/or 338(7)); or

☐ Remove 1 of more existing trustees who have resigned, retired or are deceased (under sections(s) 239 and/or 338(7)); or

☐ Remove 1 or more trustees for other reasons (under section 240).

DETAILS OF CHANGES TO TRUSTEES:

1. Trustees to be removed as a result of resignation, retirement or death are: (if none then go to question 3)

Names of Trustees	Reason for removal (resignation, retirement, death)

Note: If a trustee is to be removed because he or she is deceased, the Court will require reasonable evidence as to his or her death, for example, evidence of attendance at the tangi, a copy of the death certificate, or other reliable evidence.

2. Trustees to be removed for other reasons:

Names of Trustees	Reason for removal

Note: Where a trustee is to be removed for other reasons, the Court requires an applicant to notify the trustee of the application for removal and the time, date, and place of the hearing, unless good reason can be shown for not doing so.

The trustees to be removed:

☐ have been notified of this application and the time, date, and place of hearing by *(specify the details of notice given)*

.....

..... or

☐ have not been notified of this application because *(specify reason)*

.....

.....

3. Trustees to be added are:

Names of Trustees	Address

4. Signed consents are attached of:

☐ the retiring or resigning trustees; and/or

☐ the proposed trustees.

NOTE: Signed consents of those trustees who are retiring by rotation according to the terms of the trust order, or who were present and accepted the election process, are not required.

5. Details of meeting to confirm proposed trustees

☒ tick the appropriate checkbox: *(if no meeting was held go to the next section)*

☐

The proposed new trustees were elected at a meeting of owners held at:

..... Dated:

☐

A copy of the minutes of the meeting owners which consented to the replacement / additional trustees are attached.

☐

A copy of the notice of the meeting given to the owners is attached *(including any newspaper advertisement)*.

PREFERRED PLACE OF HEARING:

SIGNATURE OF APPLICANT(S)

Dated:

Dated:

Dated:

CONTACT DETAILS

Contact Address:

.....
.....

(Address to which documents or correspondence in connection with the application can be posted or delivered)

Phone Number(s):

Home:

Work:

Mobile:

Fax:

Email Address:

NOTE: Where fax or email addresses are given these may be used as a means of notice and service.

Fee: \$ 68.00

CHECKLIST OF DOCUMENTS REQUIRED: Please tick to confirm the following

- ☐ Signed consents of trustees
- ☐ Notice of meeting given to beneficiaries or owners (*eg written notification, public advertisement etc*)
- ☐ Minutes of meeting consenting to replacement or addition of trustees

MĀORI LAND COURT CONTACT DETAILS

This applications should be lodged with the Registrar in the District in which some or all of land is located.

TAITOKERAU

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16 Rathbone Street
WHANGĀREI

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WHANGĀREI

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WAIKATO MANIAPOTO

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HAMILTON

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WAIARIKI

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ROTORUA

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ROTORUA

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mlcwaiairiki@justice.govt.nz

TAIRĀWHITI

Ngā Wai e Rua Building
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GISBORNE

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TĀKITIMU

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AOTEA

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WHANGANUI

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TE WAIPOUNAMU

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