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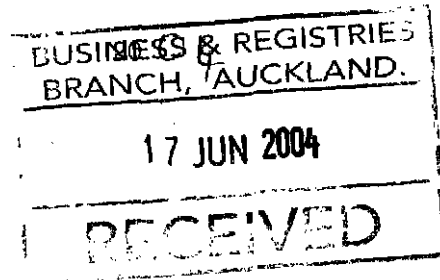
FORM 1
Section 7(3)
The Charitable Trusts Act 1957

1528066

APPLICATION FOR INCORPORATION OF TRUSTEES AS A BOARD

1. We, being trustees for Ezekial 33 Charitable Trust, hereby apply to be incorporated as a Board under the provisions of the Charitable Trusts Act 1957.
2. We desire the name of the Board to be Ezekial 33 Charitable Trust.
3. The registered office of the Board is to be at 4 Skybird Place, Glen Eden, Auckland.
.....
[State an address with sufficient particularity for service by hand and service by post of documents theraf].
4. This application is made with the authority of No Society.
.....
[State name of society for which the trustees act and mode of authorisation by the society. If there is no such society this should be stated].
5. The said society is not itself incorporated.
6. The following documents are attached to the application:
 - (a) Certified copy of Deed of Trust
 - (b) Statutory declaration as per Section 10(2)(b) of the Charitable Trusts Act 1957.

DATED this 13 day of June



P# 08
21 JUN 2004

STATUTORY DECLARATION

(Form 1)

T. Harawira
I, *Tremaine Harawira*
of *Auckland*, do solemnly and sincerely declare that:

1. I am one of the trustees of the *Ezekial 33 Charitable Trust* under the Deed of Trust creating the said Trust and am one of the applicants under the Application for Incorporation submitted herewith.
2. There are no trusts (other than those set out in the said Deed of Trust) under which the said Applicants for Incorporation hold any property.

AND I make this solemn declaration conscientiously believing the same to be true, and by virtue of The Oaths and Declarations Act, 1957.

T. Harawira
.....

Declared at
this *13th* day of *June*
~~20th~~, before me:)
)
)

Wanda Dean *Just J.P.*
.....
Justice of the Peace,
Solicitor or Notary Public. *Retired*
Auckland



SIGNATURES OF THE TRUSTEES WHO ARE MAKING APPLICATION TO BE INCORPORATED AS A BOARD:

Full Name	XXXXXXXXXX
Residential Address	XXXXXXXXXX
Occupation	Signature
Full Name	TREVAHIA HARAWIRA
Residential Address	4 KIRITOIA ST AVONDALE
Occupation	PRINTER
Signature	T. HARAWIRA
Full Name	TIMENA MUNA
Residential Address	4 KIRITOIA ST AVONDALE
Occupation	MOTHER/TEACHER AID
Signature	[Signature]
Full Name	
Residential Address	
Occupation	Signature
Full Name	
Residential Address	
Occupation	Signature
Full Name	
Residential Address	
Occupation	Signature
Full Name	
Residential Address	
Occupation	Signature
Full Name	
Residential Address	
Occupation	Signature

BUSINESS & REGISTRIES
BRANCH, AUCKLAND.

17 JUN 2004

RECEIVED

WITNESS TO ALL SIGNATURES:

Full Name	Louise Kirstine Luke
Residential Address	12 Northolt Rd Hamilton
Occupation	Lawyer
Signature	[Signature]

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IN THE MATTER

of
section 10(2)(b) of the
Charitable Trust Act 1957

AND

IN THE MATTER

of an application by

EZEKIEL 33 CHARITABLE TRUST
For incorporation as a Board

1. THE Trustees shall hold the said sum of TEN DOLLARS (\$10.00) **UPON THE TRUST** following the execution of these presents to apply pursuant to the provision of Part II of the Charitable Trust Act 1957 for incorporation as a Board under the name EZEKIEL 33 CHARITABLE TRUST.
2. THE power to appoint new Trustees of these presents including the power to appoint additional Trustees shall be vested in the Trustees for the time being surviving at the date of any such new appointment in accordance with the provisions of the Trustee Act 1956 **PROVIDED ALWAYS** that the number of the Trustees shall not at any time be more than 5 nor fewer than 2.
3. THE office of the Trustee shall become vacant if:
 - a) He or she shall resign office by giving one month's notice of his / her intention to do so to each of the other Trustees; or
He or she shall become lunatic or of unsound mind; or



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- c) He or she shall be absent from New Zealand for a period of 12 months without obtaining leave of absence from the other trustees; or
- d) He or she shall die; or
- e) He or she fails to attend (and give reasonable explanation for not attending) three consecutive Board meetings; or
- f) ANY Trustee hereof who shall be employed in connection with the Trusts hereof may be paid all such remuneration for his / her services as may be normal as if he / she had been employed in that behalf and not been a Trustee hereof.

OBJECTS OF THE TRUST

We acknowledge the greatness of God, the creator of all things. The objects of the EZEKIEL 33 are subject to the overriding principle of Aroha (Love). In its many forms Aroha espouses the values of honesty, respect, truthfulness and integrity.

The principle of Aroha is imbued in each of the following;

- 4. To strengthen, foster, reclaim and exercise historically accurate values and methodologies which have application in a contemporary setting and which address issues of social justice and community wellbeing. These value bases will be promulgated as a foundation upon which to strengthen the *unique individual and collective capacities of all waka, all iwi, all hapu and all whanau.*
- 5. To strengthen the capacities of whanau and hapu so that our commitments and aspirations as kaitiaki of Te Tiriti o Waitangi may be realized.
- 6. To absolve the levels of dependency, which permeate our communities by *facilitating value based opportunities, that address individual wellness from within a fabric of collective wholeness and wellbeing.*
- 7. The principles of whanaungatanga ensure that whanau are cared for and the struggle of mere existence characterized by impoverished home life is

supplanted by their rightful inheritance of good health, vitality and strength. Whanau are supported into a position where they can care for themselves, each other, their environs and their whenua.

8. To use performing arts, weaving, design and creative writing as mediums to nurture individual and collectives in capacity and recognition building
9. To facilitate and validly research, record and publish historical and contemporary accounts of Aotearoa, such as its people, taonga, traditions and geography etc.
10. To provide a forum to exhibit the many diverse art forms of Aotearoa.
11. To work collectively with other groups to tautoko the development and attainment of the unique aspirations of the townships of Aotearoa which give sustenance to the multiplicity of diversely distinct communities.
12. To create an environment where the teaching of all traditional and contemporary arts and design is best practiced.
13. To enable an environment where roles of kaitiakitanga regarding Te paiperatapu are learnt, practiced, and importantly, informs the basis of authoritative relationships and decision-making processes.
14. To identify and work with other groups to build alliances aimed at developing relevant employment, learning and empowerment opportunities, which address the capacity and recognition building and sustainable developments, needs of our diverse communities.
15. To provide education, mentoring, training, scholarships, awards and any other opportunities, which assist pursuits of excellence in development, work for the benefit of the people of Aotearoa.



16. To provide a fund for the research, training and development of whanau, hapu and Iwi within Aotearoa.
17. To strengthen collaborative links between other stakeholders including but not limited to, other community groups, whanau, hapu, iwi and other indigenous nations.

POWERS OF THE TRUSTEES:

To enable the Trust to carry out the objects, the Trustee's in addition to all other powers conferred upon it by law or by these rules are authorised to exercise all or any of the following powers and rights.

18. The management, control and responsibility for the activities, business and affairs of the Trust shall be vested in the Board of Trustees, which shall ensure that it acts responsibly and is accountable to its communities while maintaining the charitable objects and status of the Trust. The Trust may delegate its powers to a management body.
19. To establish, affiliate and dissolve membership entitlements as determined by the Trust.
20. To employ, dismiss, suspend, re-employ, members and affiliated members required by the organisation. In return for their services rendered, salaries, wages, transport, and resources or facilities to carry out their work may be provided as reasonable reward.
21. To participate in training workshops, conferences and hui, which help to identify, promote, advance, evaluate, and critique adult education ideologies and methodologies. Moreover, to build and strengthen collaborative relationships amongst indigenous peoples and adult education movements.
22. To publish, print, produce, record, tape, film and distribute any newspapers, articles, and submissions, in accordance with the object of the Trust.

23. To borrow or raise funds in accord with carrying out the object of the Trust as long as any such obligation is fiscally sound.
24. To receive any gift, real or personal.
25. To purchase, lease, hire, rent or otherwise acquire real or personal property.
To sell, improve, develop, lease mortgage, exchange, dispose of, or otherwise deal with all or part of the property.
26. To acquire insurance in the name of the Trust.
27. To develop a relationship with or affiliate to other bodies or organisations whose objectives are similar in nature to the Trust?
28. To conduct, defend any proceedings at law against members, affiliated members or employees of the Trust who had acted within the scope of the Trust.
29. To manufacture, buy, sell, supply and deal in goods of all kinds to further the objectives of the Trust.
30. To provide all the necessary resources to deliver the objects of the Trust in a professional manner.
31. Intellectual property shall remain the property of the Trust unless otherwise expressly provided for by the Trust.



GENERAL MEETINGS

32. General meetings will be held 3 monthly.
33. The format of the General meetings will be;
 - a) Acceptance of previous minutes
 - b) Acceptance of correspondence
 - c) Activity reports form each trustee
 - d) The financial report.
34. A list of confirmed activities arising from a General Meeting shall be communicated as soon as practicable to all Trustees following that meeting.
35. Any material required for decision-making purposes must be received by all Trustees (and member(s) if required) by at least 2 working days BEFORE the scheduled meeting.
36. Membership may only be confirmed by the consent of all trustees at a General or Special Meeting.
37. General Meetings may be conducted using any variety of technology and a quorum will be met if the trustee has had the opportunity to review the necessary information, obtain any advice necessary and communicate that decision prior to or real time to the debate.
38. If a Trust member finds that they are unable to attend a meeting 1-day from the scheduled meeting, the Chairperson shall be advised and an alternative time may be set. If a member cannot attend within a 1-day timeframe, they must contact the Chairperson and provide the input that would have been required if that person had attended.
39. An Annual General Meeting shall be held yearly the month after audited statements are received.

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40. The Chairperson shall conduct the meeting in a way that is respectful and attentive to the diverse needs of Trustee's (and members where required). The Chairperson shall have full authority to conduct the meeting in a procedure that respects the diversity of all Trustees'.
41. For a decision to be passed it must receive the support of all Trustees. If a matter is contentious, the preferred course of action is to caucus and to negotiate mutually acceptable outcomes rather than to take a vote. Where this process is not successful in resolving conflict then the essence of care and respect intrinsic to a tuakana / teina relationship must give guidance to such a process. In this case this decision will be binding on all Trustees.

FINANCE

42. Accounts shall be audited yearly.
43. The Treasurer shall be responsible to the Trust for all financial administration, and reporting, requirements as required by the Trust.
44. All funds shall be held in bank accounts in the name of the Trust.
45. Administrative and pre-approved expenses shall be paid and then ratified at a General Meeting.
46. Payment of any other expense shall be approved by the Trust.
47. Cheques shall be signed by any two nominated signatories.

NON-PROFIT STATUS

48. The Trust will not participate in any activities for private pecuniary gain.

Handwritten signature or initials, possibly 'TA' or 'TA' with a flourish below it.

AMENDMENTS TO CONSTITUTION

49. This constitution may be altered, added to or rescinded only at a General Meeting of the Trust.
50. Notices of motion to change the rules must reach the Secretary at least one month from the date of a meeting that has already been scheduled, to which such motion is to be submitted. At least one constitutional working group must meet to discuss those proposed changes.
51. In the event of the secretary receiving such notices at times when a meeting is not scheduled, than a Special Meeting can be called.
52. Any such changes made to the constitution of the Trust may be forwarded to members.
53. No amendment shall be permitted if it effects the non-profit status of the Trust in any way.

DISSOLUTION

54. *In the event of dissolution of the Trust the disposition of any assets shall be decided at the last meeting.*
55. *Any unexpended portions of grants or loans shall be refunded back to the organisation from which such monies were obtained.*
56. Each Trustee member shall be given at least 14 days notice in writing of any meeting, including a copy of the agenda of that meeting.

