

Our Ref: ELR-449543-10-13-V1

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2 October 2015

Pat Magill
74 Meeanee Quay
Westshore
NAPIER 4110

Dear Pat

TE AROROA OFFERS HOPE CHARITABLE TRUST

As requested, please find enclosed the draft deed of trust for the Te Araroa Offers Hope Charitable Trust. As advised, this document is still in draft form and there will be a number of matters still to discuss with you, and with regards to the incorporation of the suggestions by Peter Rendell.

We look forward to going over the Trust Deed with you at our meeting next Wednesday 7 October 2015 at 3pm.

Yours faithfully
WILLIS TOOMEY ROBINSON SCANNELL HARDY



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ASSOCIATES

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- 2.1 **Name of the Trust:** The name of the Trust is Te Araroa Offers Hope Trust.
- 2.2 **Change of Name:** The Trustees may change the name of the Trust by deed to any other name which they may determine from time to time, provided that:
- 2.2.1 **Incorporation:** the Trustees will be incorporated as a trust board under the Charitable Trusts Act 1957 under the new name; or
- 2.2.2 **Not Offensive or Misleading:** if the Trustees will not be incorporated as a trust board, the new name is not offensive or liable to mislead any member of the public.

3. PURPOSES OF TRUST

- 3.1 **Exclusively Charitable Purposes:** The Trustees hold the Trust Fund on trust to pay or apply so much of the capital and income of the Trust Fund as the Trustees think fit exclusively for or towards any one or more of the following exclusively charitable purposes, which are declared to be the purposes of the Trust, namely:
- 3.1.1 **First Object:** To organise a series of staged walks along the length of New Zealand. The series of walks are to commence on the Te Araroa long trail (an already established trail with approximately 40 years of history).
- 3.1.2 **Second Object:** To promote, encourage, assist and enable disenfranchised walkers to participate in walks organised by the Trust for the purpose of undertaking exercise while sharing issues and communicating with peers and walk leaders. The walks will use the experience of volunteers "Mainstream Walkers" to support and encourage "New Walkers" who may have health issues such as diabetes, heart conditions, physically unfit, suffering from depression lacking self-esteem, mental wellness, in environments causing hardship, and to ensure respite care is provided on the walks.
- 3.1.3 **Third Object:** To promote, encourage, assist and enable the New Walkers to walk and socialise with the Mainstream Walkers to encourage bonding, providing challenges to encourage and enable a changing in life and opportunities.
- 3.1.4 **Fourth Object:** To promote the walk to provide opportunities for New Walkers seeking employment by making contact with contacts outside of their current places of residence.
- 3.1.5 **Fifth Object:** To provide contact and support networks for New Walkers after the walk, including providing or resourcing ongoing evaluation, support and opportunities for personal development.
- 3.1.6 **Sixth Object:** To encourage previous walkers to raise funds for their future involvement in walks and encourage other walkers especially from welfare homes.

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- 3.1.7 **Seventh Object:** To maintain records of walkers for future walks and to enable contact and follow up re their wellbeing.
- 3.1.8 **Eighth Object:** To network with other organisations in other regions in New Zealand, to encourage such walks on their own established walking trails close to their own cities, and where possible to link up with Te Araroa.
- 3.1.9 **Ninth Object:** To encourage local and central government to support walking as an attribute to health.
- 3.1.10 **Tenth Object:** To support The Robson Collection in the Napier Public Library, the Annual Napier Pilot City Awards and network with [NPCT – Pat please clarify?] as a community voice.
- 3.1.11 **Eleventh Object:** Support adequate Treaty of Waitangi workshops for national and local government to better understand that the pangs of colonisation and urbanisation are still affecting many of our people.
- 3.1.12 **Twelfth Object:** To contract with employ or otherwise secure the services of any person or persons for the purposes of carrying out any of these objects, and in particular aim to employ a full time walker/facilitator/ promoter to promote the walks and the Trust.
- 3.1.13 **Incidental Matters:** all things incidental to the charitable purposes described in this clause 3.1.
- 3.2 **Change in Law:** If, because of any change in the law brought about by the enactment of new legislation and/or the amendment or repeal of existing legislation, or by any change in the official interpretation or official application of any such legislation, it is at any time necessary to amend the terms of this deed in order to achieve and/or preserve the availability of any concession in relation to the Trust under any of the Concessionary Provisions, which would otherwise be available were it not for the change in the law, then, despite clause 12, the terms of this deed will at that time be deemed to be amended to the extent necessary.
- 3.3 **No Limitation:** None of the purposes of the Trust will be:
- 3.3.1 **Limited or Restricted:** in any way limited or restricted by reference to or inference from the terms of any other clause or the name of the Trust, except where the context specifically or expressly requires it; and
- 3.3.2 **Subsidiary or Ancillary:** treated as subsidiary or ancillary to any other purpose of the Trust.
- 3.4 **Purposes Independent:** The Trustees are empowered to carry out any one or more of the purposes of the Trust independently of any other purpose of the Trust.
- 3.5 **New Zealand Purposes Only:** All of the purposes of the Trust must be pursued exclusively within New Zealand.

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