

MANIAPOTO

and

TE NEHENEHENUI

and

THE CROWN

**DEED TO AMEND MANIAPOTO DEED OF SETTLEMENT OF
HISTORICAL CLAIMS**



DEED TO AMEND MANIAPOTO DEED OF SETTLEMENT

THIS DEED is made on the 25th day of February 2022

BETWEEN

MANIAPOTO

AND

TE NEHENEHENUI ("the governance entity")

AND

THE CROWN



1. BACKGROUND

- A. Maniapoto, the governance entity, and the Crown are parties to a Deed of Settlement dated 11 November 2021 (the "**Deed of Settlement**").
- B. Maniapoto, the governance entity, and the Crown wish to enter this deed to formally record certain amendments to the Deed of Settlement, in accordance with clause 5.1 of the General Matters Schedule to the Deed of Settlement.

IT IS AGREED as follows:

EFFECTIVE DATE OF THIS DEED

- 1.1. This deed takes effect when it is properly executed by the parties.

AMENDMENTS TO THE DEED OF SETTLEMENT

- 1.2. The Deed of Settlement:
 - 1.2.1. is amended by making the amendments set out in Schedule 1 to this deed; but
 - 1.2.2. remains unchanged except to the extent provided by this deed.

DEFINITIONS AND INTERPRETATION

- 1.3. Unless the context otherwise requires:
 - 1.3.1. terms or expressions defined in the Deed of Settlement have the same meanings in this deed; and
 - 1.3.2. the rules of interpretation in the Deed of Settlement apply (with all appropriate changes) to this deed.

COUNTERPARTS

- 1.4. This deed may be signed in counterparts (including electronic or scanned counterparts) which together shall constitute one agreement binding on the parties, notwithstanding that the parties are not signatories to the original or same counterpart. For the purposes of the Contract and Commercial Law Act 2017, the parties agree that this deed may be signed (and signatures may be witnessed) electronically using a secure signing method.

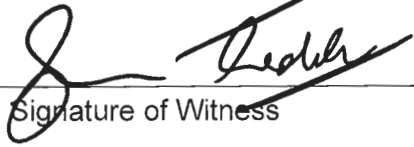


1

DEED TO AMEND MANIAPOTO DEED OF SETTLEMENT

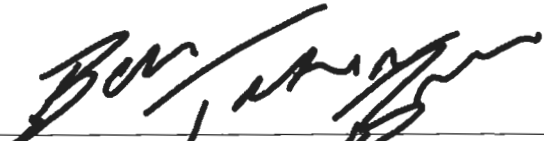
SIGNED as a deed

SIGNED by the trustees of
TE NEHENEHENUI, in the presence of:


Signature of Witness

Glenn Paul Maurea Tootill
Negotiator
Kirikiriroa

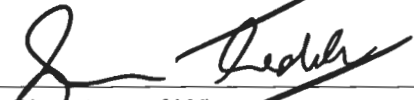
)
)
)


Bella Luana Takiari-Bram


2

DEED TO AMEND MANIAPOTO DEED OF SETTLEMENT

SIGNED by the trustees of
TE NEHENEHENUI, in the presence of:



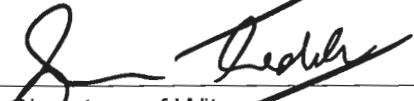
Signature of Witness

Glenn Paul Maurea Tootill
Negotiator
Kirikiriroa

) 
)
) _____
Daniel Takutaimoana Te Kanawa

DEED TO AMEND MANIAPOTO DEED OF SETTLEMENT

SIGNED by the trustees of
TE NEHENEHENUI, in the presence of:



Signature of Witness

Glenn Paul Maurea Tootill
Negotiator
Kirikiriroa

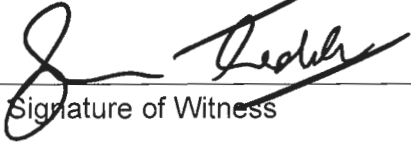
)
)
)



Gabrielle Kuiahine Morgan-Logan

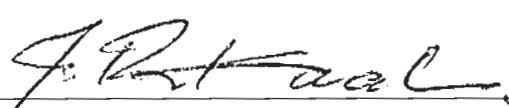
DEED TO AMEND MANIAPOTO DEED OF SETTLEMENT

SIGNED by the trustees of
TE NEHENEHENUI, in the presence of:



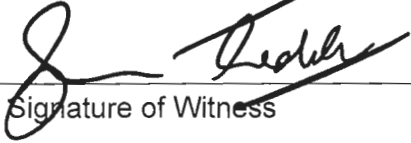
Signature of Witness

Glenn Paul Maurea Tootill
Negotiator
Kirikiriroa

)
) 
) _____
John Reihana Kaati

DEED TO AMEND MANIAPOTO DEED OF SETTLEMENT

SIGNED by the trustees of
TE NEHENEHENUI, in the presence of:


Signature of Witness

Glenn Paul Maurea Tootill
Negotiator
Kirikiriroa

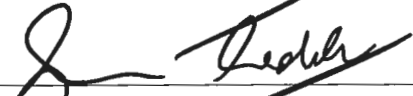
)
)
)

Keith Richard Ikin



DEED TO AMEND MANIAPOTO DEED OF SETTLEMENT

SIGNED by the trustees of
TE NEHENEHENUI, in the presence of:



Signature of Witness

Glenn Paul Maurea Tootill
Negotiator
Kirikiriroa

)
)
)



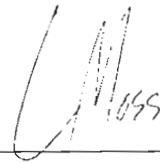
Kruger Arepa Wetere

 
7

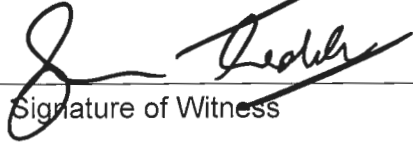
DEED TO AMEND MANIAPOTO DEED OF SETTLEMENT

SIGNED by the trustees of
TE NEHENEHENUI, in the presence of:

)
)
)



Luke Thomas Moss




Signature of Witness

Glenn Paul Maurea Tootill
Negotiator
Kirikiriroa



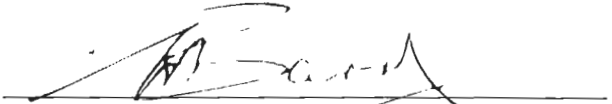
DEED TO AMEND MANIAPOTO DEED OF SETTLEMENT

SIGNED by the trustees of
TE NEHENEHENUI, in the presence of:



Signature of Witness

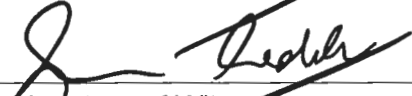
Glenn Paul Maurea Tootill
Negotiator
Kirikiriroa

)
)
)


Muiora Barry


DEED TO AMEND MANIAPOTO DEED OF SETTLEMENT

SIGNED by the trustees of
TE NEHENEHENUI, in the presence of:



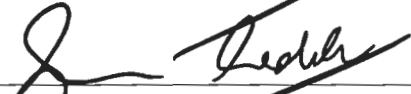
Signature of Witness

Glenn Paul Maurea Tootill
Negotiator
Kirikiriroa

) 
)
) _____
Ronald Tahī Takerei

DEED TO AMEND MANIAPOTO DEED OF SETTLEMENT

SIGNED by the trustees of
TE NEHENEHENUI, in the presence of:



Signature of Witness

Glenn Paul Maurea Tootill
Negotiator
Kirikiriroa


)
)
) 

Wanairangi Kihi Rachael Tuwhangai

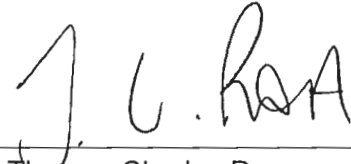
DEED TO AMEND MANIAPOTO DEED OF SETTLEMENT

SIGNED by the trustees of
TE NEHENEHENUI, in the presence of:



Signature of Witness

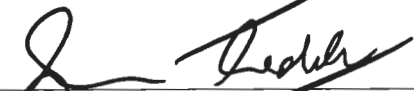
Glenn Paul Maurea Tootill
Negotiator
Kirikiriroa

)
) 
) _____
Thomas Charles Roa



DEED TO AMEND MANIAPOTO DEED OF SETTLEMENT

SIGNED by the trustees of
TE NEHENEHENUI, in the presence of:



Signature of Witness

Glenn Paul Maurea Tootill
Negotiator
Kirikiriroa

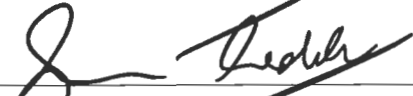
)
)
)



Thomas Leslie Tuwhangai

DEED TO AMEND MANIAPOTO DEED OF SETTLEMENT

SIGNED by the trustees of
TE NEHENEHENUI, in the presence of:



Signature of Witness

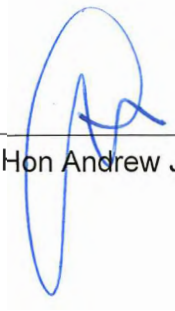
Glenn Paul Maurea Tootill
Negotiator
Kirikiriroa

)
)
)

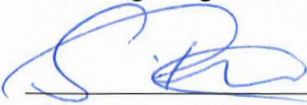

Wikitōria Leanne Tane

DEED TO AMEND MANIAPOTO DEED OF SETTLEMENT

SIGNED for and on behalf of)
THE CROWN by the Minister for Treaty of)
Waitangi Negotiations, in the presence of:)



Hon Andrew James Little



Signature of Witness

SEREANA PERRY

Witness Name

PUBLIC SERVANT

Occupation

PARLIAMENT BUILDINGS, WELLINGTON

Address



145

SCHEDULE 1

AMENDMENTS TO THE DEED OF SETTLEMENT

Deed of Settlement

Current part and reference	Amendment
clause 6.1	<p>Replace clause 6.1 with the following new clause:</p> <p>6.1 The Crown must pay the governance entity on the settlement date \$37,436,000, being the financial and commercial redress amount of \$165,000,000 less –</p> <p>6.1.1 the first on-account payment of \$33,000,000 referred to in clause 6.2.1;</p> <p>6.1.2 the second on-account payment of \$90,750,000 referred to in clause 6.2.2; and</p> <p>6.1.3 \$3,814,000 being the total transfer values of the licensed land.</p>
clause 6.2	<p>Replace clause 6.2 and the heading above with the following new heading and clause:</p> <p>ON-ACCOUNT PAYMENTS</p> <p>6.2 The Crown will, on-account of the financial and commercial redress amount, –</p> <p>6.2.1 within 10 business days after the date of this deed, pay the governance entity \$33,000,000, being the first on-account payment; and</p> <p>6.2.2 within 10 business days after the date of the deed to amend, pay the governance entity \$90,750,000, being the second on-account payment.</p>
clause 8.13.4	<p>Replace clause 8.13.4 with the following new clause:</p> <p>8.13.4 the parties intend that the on-account payments referred to in clause 6.2 are taken into account in any future settlement of the historical claims.</p>

DEED TO AMEND MANIAPOTO DEED OF SETTLEMENT

SCHEDULE 1: AMENDMENTS TO THE DEED OF SETTLEMENT

General Matters Schedule

Current part and reference	Amendment
<p>paragraphs 2.1 to 2.3</p>	<p><i>Replace paragraphs 2.1 to 2.3 with the following new clauses:</i></p> <p>2.1. Subject to paragraph 2.6, the Crown must pay to the governance entity on the settlement date, interest on:</p> <p style="padding-left: 40px;">2.1.1. \$165,000,000, being the financial and commercial redress amount; and</p> <p style="padding-left: 40px;">2.1.2. \$132,000,000, being the financial and commercial redress amount less the first on-account payment of \$33,000,000; and</p> <p style="padding-left: 40px;">2.1.3. \$41,250,000 being the financial and commercial redress amount less the first on-account payment of \$33,000,000 and the second on-account payment of \$90,750,000.</p> <p>2.2. The interest under paragraph 2.1.1 is payable for the period:</p> <p style="padding-left: 40px;">2.2.1. beginning on 15 August 2017, being the date of the agreement in principle; and</p> <p style="padding-left: 40px;">2.2.2. ending on the day before the date the first on-account payment is paid.</p> <p>2.3. The interest under paragraph 2.1.2 is payable for the period:</p> <p style="padding-left: 40px;">2.3.1. beginning on the date the first on-account payment is paid; and</p> <p style="padding-left: 40px;">2.3.2. ending on the day before the date the second on-account payment is paid.</p> <p>2.4. The interest under paragraph 2.1.3 is payable for the period:</p> <p style="padding-left: 40px;">2.4.1. beginning on the date the second on-account payment is paid; and</p> <p style="padding-left: 40px;">2.4.2. ending on the day before settlement date.</p>
<p>paragraphs 2.4 and 2.5</p>	<p><i>Renumber paragraphs 2.4 and 2.5, to be 2.5 and 2.6 respectively</i></p>
<p>paragraph 6.1</p>	<p><i>Delete the definition for on-account payment</i></p>

DEED TO AMEND MANIAPOTO DEED OF SETTLEMENT

SCHEDULE 1: AMENDMENTS TO THE DEED OF SETTLEMENT

Current part and reference	Amendment
paragraph 6.1	<p><i>Insert the following definitions in alphabetical order:</i></p> <p>date of the deed to amend means the date the deed to amend is signed by the parties; and</p> <p>deed to amend means the deed to amend entered into between Maniapoto, the governance entity, and the Crown to record the on-account payments referred to in clause 6.2, and the payment of interest on the amounts set out in paragraph 2.1 of the general matters schedule; and</p> <p>first on-account payment means the amount paid by the Crown on account of the settlement referred to in clause 6.2.1; and</p> <p>on-account payments means the first on-account payment and the second on-account payment; and</p> <p>second on-account payment means the amount paid by the Crown on account of the settlement referred to in clause 6.2.2; and</p>