

THE TRUSTEES OF TE KOTAHITANGA O TE ATIWA TRUST

and

THE CROWN

**THIRD DEED TO AMEND
TE ATIWA
DEED OF SETTLEMENT**

THIRD DEED TO AMEND TE ATIAWA DEED OF SETTLEMENT

THIS DEED is made on the *4th* day of *April* 2016

BETWEEN

THE TRUSTEES OF TE KOTAHITANGA O TE ATIAWA TRUST

AND

THE CROWN

PNS

1. BACKGROUND

- A. Te Atiawa, the trustees of the Te Kotahitanga o Te Atiawa Trust (the "**trustees**") and the Crown are parties to:
- (a) a Deed of Settlement dated 9 August 2014;
 - (b) a Deed to Amend the Te Atiawa Deed of Settlement dated 10 August 2015; and
 - (c) a Second Deed to Amend the Te Atiawa Deed of Settlement dated 8 December 2015;
- (together the "**Deed of Settlement**").
- B. The trustees and the Crown wish to enter this deed to formally record certain amendments to the Deed of Settlement, in accordance with paragraph 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 which together shall constitute one agreement binding on the parties, notwithstanding that the parties are not signatories to the original or same counterpart.

JP NB

THIRD DEED TO AMEND TE ATIWA DEED OF SETTLEMENT

SIGNED as a deed on 4 APRIL 2016

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

)
) Christopher Finlayson
)

Honourable Christopher Finlayson

Jamie Manley
Signature of Witness

Jamie Manley
Witness Name

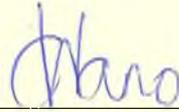
Secretary
Occupation

Parliament Buildings
Address

THIRD DEED TO AMEND TE ATIWA DEED OF SETTLEMENT

SIGNED by the trustees of the TE KOTAHITANGA O TE ATIWA TRUST

SIGNED by WHAREHOKA CRAIG WANO
as trustee, in the presence of:



Wharehoka Craig Wano

S.M. Tamarapa

Signature of Witness

Sharyn Marie Tamarapa

Witness Name

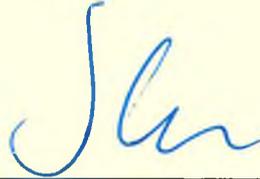
Administrator

Occupation

33 Mouatt Street, Waitara

Address

SIGNED by SHAUN JOSEPH KEENAN
as trustee, in the presence of:



Shaun Joseph Keenan

S.M. Tamarapa

Signature of Witness

Sharyn Marie Tamarapa

Witness Name

Administrator

Occupation

33 Mouatt St, Waitara

Address

SIGNED by SHELLEY JANE KOPU
as trustee, in the presence of:



Shelley Jane Kopu

S.M. Tamarapa

Signature of Witness

Sharyn Marie Tamarapa

Witness Name

Administrator

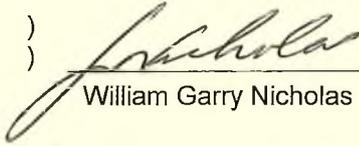
Occupation

33 Mouatt St, Waitara

Address

THIRD DEED TO AMEND TE ATIWA DEED OF SETTLEMENT

SIGNED by WILLIAM GARRY NICHOLAS
as trustee, in the presence of:

)
) 
William Garry Nicholas

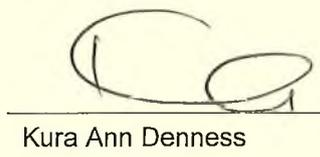
d. m. Tamarapa
Signature of Witness

Sharyn Marie Tamarapa
Witness Name

Administrator
Occupation

33 mouatt St, Waitara
Address

SIGNED by KURA ANN DENNESS
as trustee, in the presence of:

)
) 
Kura Ann Denness

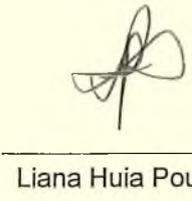
d. m. Tamarapa
Signature of Witness

Sharyn Marie Tamarapa
Witness Name

Administrator
Occupation

33 mouatt St, Waitara
Address

SIGNED by LIANA HUIA POUTU
as trustee, in the presence of:

)
) 
Liana Huia Poutu

d. m. Tamarapa
Signature of Witness

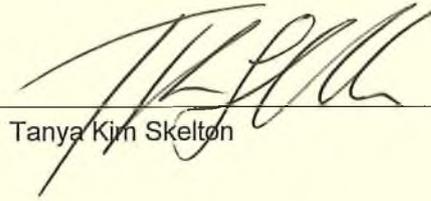
Sharyn Marie Tamarapa
Witness Name

Administrator
Occupation

33 mouatt St, Waitara
Address

THIRD DEED TO AMEND TE ATIAWA DEED OF SETTLEMENT

SIGNED by TANYA KIM SKELTON
as trustee, in the presence of:

) 
Tanya Kim Skelton

S. M. Tamarapa.
Signature of Witness

S. M. Tamarapa. - Shaun Marie Tamarapa.
Witness Name

Administrator.
Occupation

33 Mouta St; Waitara
Address

SCHEDULE 1

AMENDMENTS TO THE DEED OF SETTLEMENT

Deed of Settlement

Current reference	Amendment
Clause 5.6	The words "Subject to clause 5.6A," in clause 5.6 are deleted.
Clause 5.6A	Clause 5.6A is deleted and the words "Clause not used" are inserted.
Clause 5.6B	The word "clauses" is replaced with "clause", and the words "or 5.6A, as the case may be," in clause 5.6B are deleted.
Clause 6.3	Clause 6.3 is deleted and replaced with the following: "6.3 The trustees may during the deferred selection period give the Crown a written notice of interest in accordance with part 4 of the property redress schedule."
New clauses 7.12 and 7.13	The following new clauses, and their associated heading, are added immediately after clause 7.11.5: "RECOGNITION OF NEW MANDATED IWI ORGANISATION 7.12 The Crown has received written confirmation from Te Ohu Kai Moana Trustee Limited that it is satisfied that, for the purposes of the Maori Fisheries Act 2004, the requirements for recognition of the Te Kotahitanga o Te Atiawa Trust as the MIO for Te Atiawa have been met. 7.13 The settlement legislation will: 7.13.1 provide that Te Kotahitanga o Te Atiawa Trust is the MIO for Te Atiawa (listed as Te Atiawa (Taranaki) in Schedule 3 of the Maori Fisheries Act 2004), in place of the Te Atiawa (Taranaki) Settlements Trust, as if Te Kotahitanga o Te Atiawa Trust were recognised as the MIO under section 13(1) of that Act; 7.13.2 confirm that Te Atiawa (Taranaki) Holdings Limited is the asset-holding company of Te Kotahitanga o Te Atiawa Trust under the Maori Fisheries Act 2004; and 7.13.3 provide for certain consequential matters arising from the recognition of Te Kotahitanga o Te Atiawa Trust as the MIO for Te Atiawa."

General Matters Schedule

Current reference	Amendment
Paragraph 6.1	The definition of " deferred selection period " is deleted and replaced with the following: " deferred selection period means a period of two years starting on the

THIRD DEED TO AMEND TE ATIAWA DEED OF SETTLEMENT

Current reference	Amendment
	settlement date; and"
Paragraph 6.1	After the definition of " main body of this deed ", the following new definition is inserted: <p style="margin-left: 40px;">"Mandated Iwi Organisation and MIO have the meaning given to "mandated iwi organisation" in section 5 of the Maori Fisheries Act 2004; and".</p>
Paragraph 6.1	After the definition of " Te Kotahitanga o Te Atiawa Trust ", the following new definition is inserted: <p style="margin-left: 40px;">"Te Ohu Kai Moana Trustee Limited means the company established by section 33 of the Maori Fisheries Act 2004; and".</p>

Property Redress Schedule

Current reference	Amendment
Paragraph 4.1	Paragraph 4.1 is deleted and replaced with the following: <p style="margin-left: 20px;">"4.1 The trustees may during the deferred selection period give the Crown a written notice of interest in purchasing a deferred selection property."</p>