

2 Office

The office of the Trust shall be such place in Takaka, Golden Bay as the Board of Trustees may determine from time to time and shall first be care of Golden Bay Medical Centre, 1 Edinburgh Street, Takaka (P O Box 173).

3 Purposes

The purposes of the Trust are as follows:

- (a) to make available medical equipment and procedures for the physical needs of all persons from time to time in the Golden Bay community at large.
- (b) without restricting the scope of the foregoing, to take all ancillary and related actions to achieve that purpose.

4 Members of the board

4.1 Number of board. The Board of Trustees ("the Board") shall consist of not less than four (4) nor more than eight (8) members. The initial members of the Board shall be the signatories to this deed.

4.2 Term of Board. Unless otherwise specified in this deed ~~each initial member of the Board shall hold office for a term of three (3) years (except for the Tasman District Council appointee and the Golden Bay Medical Practitioners appointee as hereinafter set out) or until she or he dies or is declared bankrupt or is found to be a mentally disordered person within the meaning of the Mental Health Act 1969 or indicates in writing that she or he wishes to resign from the Board~~ **PROVIDED THAT one member of the Board shall be appointed by the Tasman District Council from time to time and shall not be limited to a three year tenure.** **AND PROVIDED FURTHER THAT one member of the Board shall be appointed by the Medical Practitioners in Golden Bay from time to time and shall not be limited to a three (3) year tenure.**

With respect to the remaining four initial members of the Board the first two named in this Deed shall retire at the end of the first three year term and the second two named in this Deed shall retire three years from the retirement of the first two with all replacement appointees holding office for three years. Similarly any additional Board members beyond the original six (6) ~~shall hold office for three years.~~ Any retiring member shall be eligible for re-appointment.

4.3 Appointment of new trustees. The filling of vacancies on the Board shall be carried out as follows:

- (a) in the case of retirement or replacement of the members of the Board appointed by nominating parties, by appointment by the same nominating parties; and
- (b) in the case of retirement or replacement of other members of the Board ~~nominations shall be called for from the community to fill the position or positions and at the end of one (1) month from the date nominations are called for nominations shall close and the Tasman District Council and the remaining~~

[Handwritten signatures and initials]
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~~Board members shall decide who shall be appointed.~~

- 4.4 **Appointment of further trustees.** The Board may at any time appoint up to two further members for terms which shall expire no later than the time when the terms of the members of the Board last appointed expire.
- 4.5 **Termination of trusteeship.** The Board may, by a motion decided by a two-thirds majority of votes, terminate a member's membership of the Board if it believes that such action is in the best interest of the trust.
- 4.6 **Name of the board.** The name of the Board shall be the "GOLDEN BAY MEDICAL CENTRE COMMUNITY TRUST BOARD".
- 5 **Powers**
- 5.1 **General and specific powers.** In addition to the powers implied by the general law of New Zealand or contained in the Trustee Act 1956, the powers which the Board may exercise in order to carry out its charitable purposes are as follows:
- (a) to use the fund of the Trust as the Board thinks necessary or proper in payment of the costs and expenses of the Trust, including the employment of professional advisers, agents, officers and staff as appears necessary or expedient; and
 - (b) to purchase, take on lease or in exchange or hire or otherwise acquire any land or personal property and any rights or privileges which the Board thinks necessary or expedient for the purpose of attaining the objects of the Trust and to sell, exchange, bail or lease, with or without option of purchase, or in any manner dispose of any such property, rights or privileges as aforesaid; and
 - (c) to carry on any business; and
 - (d) to invest surplus funds in any way permitted by law for the investment of Trust funds and upon such terms as the Board thinks fit; and
 - (e) to borrow or raise money from time to time with or without security and upon such terms as to priority and otherwise as the Board thinks fit; and
 - (f) to do all things as may from time to time be necessary or desirable to enable the Board to give effect to and to attain the charitable purposes of the Trust.
- 5.2 **Employment.** Under rule 5.1(a) the Board may employ as agents, officers and staff persons who are members of the Board.
- 6 **Income, benefit or advantage to be applied to charitable purposes**
- 6.1 **Application.** Any income, benefit or advantage shall be applied to the charitable purposes of the Trust.
- 6.2 **Influence.** No member or person associated with a member of the Trust shall derive

Handwritten signatures and initials at the bottom right of the page, including what appears to be "J.P.", "J.P.", "J.P.", and "B".

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*Murray
email sent to Graeme 7/8/12
advising you will see to this on
your return on 13/8/12.
Valerie.*

Date: 03/08/12
Time: 16:59:36
Page: 1

To: Mr. Murray Staite
Company: Tasman District Council
Fax #: 035439524

From: Graeme Hall
Address: 35 Selwyn Street, Pohara, R.D. 1,
TAKAKA, Nelson 7183
New Zealand
Fax #: 5258268
Voice #: 5258268

Message:

RE: Appointment of Trustees to the Golden Bay Medical Centre Community Trust.

Good afternoon , Murray, Would you help us please?

The Trust Deed of GBMCCT provides in clause 4.2 for rotation of Trustees and in clause 4.3(b) for the appointment of Trustees which involves the involvement of Tasman District Council. This is where we ask for your assistance.

The rotational program, as specified in the Trust Deed, was lost last year, but the Trustees now wish to re-activate a similar such rotation and to facilitate this John Crocker & Graeme Hall have given notice in writing that each will resign as a Trustee but each will offer himself for re-appointment.

In compliance with clause 4.3(b) I intend to call for nominations to fill these 2 positions by advertising in the Golden Bay Weekly to be issued on Friday 10 August 2012 which means that nominations will close on 10 September 2012.

Would you please arrange for a representative of T.D.C. (previously Cr. Trevor Norriss) to be selected to sit on the selection panel some time after 10 September.

If this proposed timetable is not suitable to a councillor, would you please let me know an alternative.

I tried to email this message to you but there was an operator problem. If you prefer to use email my address is GRAEMARY@xtra.co.nz. thanks.