

Disputes Procedure

A clear and transparent dispute resolution process is an essential part of Uenuku Charitable Trust's accountability to the claimant community.

1.0 General disputes

- 1.1. If a member of the claimant community feels they have cause to appeal about an issue or decision made by the Trust, they shall address their concern to the Chairman of the Board of Trustees stating:
 - The action or decision complained of;
 - The effect of that action on the complainant;
 - The remedial action sought by the complainant.
- 1.2. The Chairman shall reply within 10 working days to the appellant.
- 1.3. The parties shall endeavour to resolve the dispute in good faith between them. If the parties are unable, within a reasonable time, to resolve the matter by negotiation, the disputes resolution process shall apply as follows:
- 1.4. The Board shall firstly attempt to resolve the matter 'kanohi ki te kanohi' and in accordance with the tikanga of the Iwi.
- 1.5. If the approach in Paragraph 1.4 does not resolve the dispute, the UCT shall suggest the appointment of a mediator to try to resolve the dispute.
- 1.6. If the approach in Paragraph 1.5 is unsuccessful, then there shall be a vote of the UCT Trustees, with the Chairperson having an additional casting vote in the event of a tied vote.
- 1.7. If the approach in Paragraph 1.6 is unsuccessful, the UCT shall refer the matter to a tribal Hui-ā-iwi, which will determine the outcome of the dispute. The Hui shall be conducted in accordance with the UCT's Deed of Trust and the decision will be final and binding.

2.0 Registration disputes

- 2.1 If the UCT's Whakapapa and Registrations Committee makes a decision to either not register a person, or to remove a person from the register or decline the changes requested in a notice, it must notify the Board and the Board must notify the person concerned of the decision and, if requested by that person, of the principal reasons for that decision.
- 2.2 If the person concerned disputes that decision, the Whakapapa and Registrations Committee shall provide the person concerned, and any representative that person appoints, the opportunity to attend a meeting of the Whakapapa and Registrations Committee and present their account of why they should be registered or remain on the register as the case may be.
- 2.3 The Whakapapa and Registrations Committee shall have the discretion to take into account the Whakapapa Committee members' own knowledge and such other matters as the Whakapapa and Registrations Committee considers will assist it in making a determination. The Whakapapa and Registrations Committee must also inform the person concerned of those other matters and take into account any submissions or information provided by the person on those matters.
- 2.4 The Whakapapa and Registrations Committee may then make a final recommendation to the Board in respect of the registration of the person concerned.
- 2.5 The determination of the Board on the registration of the person concerned shall be final and binding on that person.