

Relevant Definitions

- A Voting Member means a Member who is a Māori Grower.
- A Māori Grower means a Māori Entity that is either (a), (b), (c) or (d) in the definition of Māori Grower.
- A Māori Entity means either (a), (b), (c) or (d) in the definition of Māori Entity.
- A list of further definitions that apply to the election process for Regional Representatives is **attached** to this document as Appendix 1.

Regional Boundaries

- Regional boundaries can be fixed by the Executive Committee from time to time.
- Regions for Representation don't need to be reviewed until after the 2019 Kiwifruit Season, when 2019 production statistics become available.
- Election of Regional Executive Committee members to be held approximately every two years, so around approximately Dec 2019 for all regions except Tauranga as they are holding an election in the 2018 year.

Current regional representation outlined below;

No	Region	Total Volume (Tray Equivalent)	% Total Volume	No of Regional Representations
1	Te Tai Tokerau	180,972	2 %	1
2	Tauranga Moana (Omokoroa, Katikati, Tauranga)	3,938,467	39%	2
3	Te Puke (Te Puke, Paengaroa)	2,657,609	26%	2
4	Rangitaiki (Whakatane, Te Teko)	894,841	9 %	1
5	Opotiki	725,412	7 %	1
6	Te Whanau a Apanui (Omaio, Te Kaha, Waihou Bay)	1,337,558	13 %	1
7	Te Tai Rawhiti	113,865	1 %	1
8	Te Tau Ihu	217,467	2 %	1
TOTALS		10,066,191		10

Process for Election to be held on 12th October 2018

1	Returning officer appointed to run and administer the election	The Admin Hub
2	Independent scrutineer appointed	The Admin Hub
3	Nominations must open 8 weeks before the election date and close no later than 4 weeks before voting commences	Friday 10th Aug 2018 Friday 10th Sep 2018
4	Electoral Roll must be produced and open to inspection 6 weeks prior to election being conducted and include Voting Member name, # of votes entitled to in each region	Friday 24th Aug 2018 Membership registration closes 21 st Aug.

Other key points to note

- The election of Regional Representatives is by way of Tray Votes (Rule 7.5(c)(i)).
- Tray votes are determined and adjusted in accordance with Rules 7.5(d) & e (Definition of Tray Votes")
- Candidates for election as regional representatives must be Voting Members within that region.
- Candidates must be nominated and seconded by another Voting Member within that region.
- A Voting Member may only seek election to one position and must not already be an Executive Committee Member.
- Each Voting Member can cast its votes for one candidate in each Region as recorded on the Electoral Roll.
- Any disputes as to eligibility or number of votes will be determined by the Scrutineer.

APPENDIX 1

"Executive Committee" means the Executive Committee for the time being of MKGFI constituted under Rule 8 of these Rules.

"Financial Year" means the financial year described at Rule 9.

"Voting Member Votes" means the votes determined pursuant to Rule 7.5(b).

"Māori Entity" means:

- (a) a natural person of Māori descent;
- (b) an unincorporated collective of natural persons, a majority of whom are of Māori descent;
- (c) a trust or incorporation that holds or administers Māori land (as that term is defined in Te Ture Whenua Māori Act 1993);
- (d) a company, partnership, limited partnership, trust or other trading entity in which persons of Māori descent;
 - (i) control the composition of the board of governors or office holders; or
 - (ii) are in a position to exercise, or control the exercise of, more than one-half of the voting rights; or
 - (iii) hold more than one-half of the shares or ownership interests; or
 - (iv) are entitled to receive more than one-half of the dividends or distributions.

"Māori Grower" means a Māori Entity that is:

- (a) the registered owner as shown on the Certificate of Title of land on which Kiwifruit is grown and from which Kiwifruit is submitted to an Exporter for Export; or
- (b) the registered owner as shown on the Certificate of Title of land on which Kiwifruit has been grown in a prior season and from which Kiwifruit would have been submitted to an Exporter for Export, except for the existence of vine disease or the grafting of a new variety onto existing rootstock, or the incidence of an adverse weather event or other act of God; or
- (c) the registered owner as shown on the Certificate of Title of land on which Kiwifruit is grown and from which Kiwifruit would have been submitted to an Exporter for Export but for the fact that the Kiwifruit vines grown on the land have not yet produced their first crop; or
- (d) a person that derives business income from producing Kiwifruit for Export and holds title to Kiwifruit that is submitted to an Exporter for Export.

"Member" means a Māori Grower or a Māori Participant who has become a member pursuant to Rule 7.

"Region" shall mean the Kiwifruit growing regions referred to in Rule 8.2(c) as varied from time to time in accordance with Rule 8.2(e) and "Regional" shall have the corresponding meaning.

"Regional Representative" means a member of the Executive Committee elected pursuant to Rules 8.2 to 8.5.

"Register" means the register established pursuant to Rule 7.3.

"Total Volume" means the total volume of fruit produced by Māori Growers (on a Tray Equivalent basis).

"Tray" means a standard single layer tray of Kiwifruit packed for Export to industry specifications as that is understood in the New Zealand Kiwifruit industry and which is submitted to an Exporter for Export. Unless otherwise stated, the word "Tray" when it appears in these Rules includes the words "Tray Equivalent".

"Tray Equivalent" is the answer obtained when a volume of fruit packed or stored in non-standard size containers is recalculated to convert that volume to the number of Trays that the same volume of fruit would have occupied if packed in standard containers.

"Tray Votes" means the number of votes a Voting Member may exercise on the matters set out in Rule 7.5(c), and as determined and adjusted in accordance with Rules 7.5(d) and (e).

"Voting Member" means a Member who is a Māori Grower.