

QAs HBPCT Trust Deed Update/Review

Why is the Deed being updated?

There's a couple of key reasons; our current deed was written in the 1990s, and is now out of date in some parts, and needs to be modernised. Also, new legislation governing Trusts came into force in the last few years and our deed needs to reflect those changes too. Many power consumer trusts around the country are making similar changes.

What kind of changes are planned?

There are seven changes, mostly administrative with all details on our website, but there are a couple of key changes in addition to modernising and reflecting changes in the trust act. They are:

- **Dropping the requirement for Unison directors to produce a report** in respect of each Dividend received by the Trustees. Trustees believe this is no longer necessary.
- **Capping the period that HBPCT will hold unclaimed dividends** on behalf of power consumers to three years. If unclaimed beyond this period, monies will be returned to HBPCT for the benefit of all power consumers.
- **Extending the life of the Trust** to reflect the new 125 year term permitted by the Trust Act. The termination date of HBPCT is being extended to 2117.

How can the community find out more?

There's full details on our website and a marked up version of the trust deed that highlights the changes.

How can the community have a say?

Power consumers are welcome to have their say, via our month long submission period and can submit a form online (find it at www.hbpct.co.nz) or post it to our PO Box HBPCT Trust Deed Update, PO Box 146 Hastings.

Are you protecting submitters privacy?

Yes – we have robust systems in place to ensure privacy.

Why are you extending the life of the trust?

To reflect the changes in the Trust Act. When HBPCT was created, its life was the maximum permitted by the Act. The Trust Act 2019 has extended the maximum period for a trust to 125 years. We are simply reflecting that change in our deed, and the termination date of our trust goes from 2072 to 2117.

How will extending the life of the trust benefit consumers?

It's an administrative change. We still have the Unison Ownership Review clause that examines whether trust ownership is the right vehicle for ownership of Unison, and invites power consumers to have their say. That happens every five years.

Why are you capping the unclaimed dividend period?

If dividends are unclaimed after three years we think it unlikely that they will be claimed. We'd like those funds to come back to HBPCT for the benefit of all power consumers.

What are the key dates for this process?

- Month long submission process opens 23 July
- Submissions close 23 August
- Submissions made public 26 August
- Public meeting to hear submissions 4 September
- Public meeting for Trustees to make their decision 11 September