



TRUSTEE
CORPORATIONS
ASSOCIATION
of NEW ZEALAND Inc



2011

the year in review

2011 – the year in review

Contents

- 3 The Trustee Corporations Association of NZ Inc (TCA) – a snapshot
- 4 2011 in review: the Chairman's report
- 6 TCA – recent developments
- 8 Trustees responsibilities
- 10 Industry performance 2011
- 11 TCA's public policy work
- 12 Guest commentary: Hon Simon Power, Minister of Commerce
- 13 TCA committees
- 14 TCA members and executive

TCA can be contacted at

Level 12, City Chambers
 Corner Johnston and Featherston Streets
 PO Box 2382
 Wellington 6140

04 499 6791
www.tca.org.nz

Executive Director: David Brown Douglas
davidbd@tca.org.nz



The Trustee Proposition

A Trustee has fiduciary obligations of

Independence

Honesty

Prudence

Impartiality

Professionalism

The Corporate Trustee's most visible role is to act as the prudential adviser to financial arrangements providing independent oversight for issues of securities to the public, in accordance with their specific legislation.

A Corporate Trustee also undertakes a number of non-public roles where a financial arrangement requires elements of independence.

The obligations above are important to private individuals as well. Trustee Corporations are a safe, reliable provider of services such as will preparation, estate administration, enduring powers of attorney, setting up and administering trusts for future generations, for family members under a disability, and managing property and investments for those who are elderly or do not wish to look after these matters themselves.

Trustee Corporations offer an impartial stewardship that ensures all beneficiaries are treated fairly and avoids conflicts of interest. Trustee Corporations also provide a long term solution – their corporate structure will endure long after the present generation of family members and their lawyers have retired from active participation.

A Corporate Trustee's core responsibility is "to act for the benefit of another", interpreted as protecting the interests of beneficiaries and investors. There are statutory obligations contained in legislation as well including the Trustee Act, the Trustee Companies Act, the five Trustee Corporations Acts and the Securities Act.



The Trustee Corporations Association (TCA) – a snapshot

- TCA is the industry association that represents New Zealand's 'Trustee Corporations'.
- There are five full members (Statutory Trustees) – Guardian Trust, Māori Trustee, Perpetual, Public Trust and Trustees Executors; and one associate member, Covenant Trustee Company.
- Statutory Trustees have their own individual Acts of Parliament. The legislation gives them authority to act specifically as Corporate Trustees for the administration of personal trusts, estates, charitable interests and various wholesale trust matters. They also had authority to oversee the interests of investors in bond issues and collective investment schemes including KiwiSaver, however this preference has been relinquished in support of the concepts of the Trustee licensing legislation as set out in the Securities Trustees and Statutory Supervisors Act 2011.
- TCA members also act as Trustees in a wide range of other areas, usually because of legal requirements to protect the interests of investors and beneficiaries. Examples include property management and administration, retirement villages and many personal services ranging from family trusts to estate planning and management.
- In the year to 30 June 2011, TCA members:
 - safeguarded the interests of investors in securities totalling \$173 billion
 - managed more than 26,000 personal trusts valued at \$6.3 billion
 - employed 900 staff at 79 locations around the country.
- TCA is governed by an Executive, appointed by the member companies. The Chairman is elected annually by the Executive at the AGM. Day-to-day running of the organisation is in the hands of an Executive Director, with policy guidance provided by a number of industry related committees.

TCA Executive



TCA Executive (from left)

STANDING:

John Botica – Guardian Trust

Graham Miller – Covenant Trustee

John Paki – Māori Trustee (to 23 August 2011)

Grenville Gaskell – Public Trust

SEATED:

David Brown Douglas – TCA Executive Director

Clynton Hardy – Trustees Executors (TCA Chairman)

Patrick Middleton – Perpetual Group

Trustee Corporations Association has continued with a very high level of activity in consulting and lobbying government to ensure the constant championing of standards and continuing promotion of awareness of the Trustee Proposition.

Our proactive approach with the Minister of Commerce and his officials has proven worthwhile. It has contributed to the development of a number of pieces of now enacted and proposed legislation. The Minister has also expressed appreciation of our approach.

The aftermath of the devastating earthquake in Christchurch on February 22 continues to take a toll on TCA members with major disruption experienced by a number of our member corporations and specifically Perpetual. We are a reasonably close knit industry and therefore the casualties and hardships are being felt personally amongst a large number of our member organisations.

Financial Markets Conduct Bill – Exposure Draft

The Exposure Draft of the new Financial Markets Conduct Bill has been published and the Bill will be introduced into Parliament before the election. The Bill rewrites the Securities Act, the Securities Markets Act, the Unit Trusts Act, the Superannuation Schemes Act and the non-tax parts of the KiwiSaver Act. It also makes amendments to the Securities Trustees and Statutory Supervisors Act.

Establishment of the Financial Markets Authority

The Financial Markets Authority was established on 1 May 2011 pursuant to the Financial Markets Authority Act 2011. The FMA will gather in the Securities Commission, the NZX Surveillance Panel, the MED Enforcement Unit and the functions of the Government Actuary.

TCA welcomes this development. The role of the



Corporate Trustee will fit under the FMA and complete the regulatory oversight gap that has been a problem in the NZ retail funds sector as identified by the IMF and World Bank reviews. TCA is building a relationship with the FMA with a view to entering into a Memorandum of Understanding similar to the one we have with the Reserve Bank of New Zealand.

KiwiSaver Amendment Act 2011

This Act came into force on 1 May 2011 and among other things introduces into KiwiSaver the concept of the Manager/Provider assuming the obligation of Issuer and allowing the Trustee to focus on supervision. The latter point corrects a major difficulty with the Act and shifts the Issuer risk to the Provider where it rightly belongs. It ensures the Trustee reverts to the traditional role of supervising the interests of members/investors.

Law Commission Review of the Law of Trusts

The NZ Law Commission has begun a Review of Trust Law in New Zealand and we are making submissions but at this stage their progress has been slow. We are well engaged with the Commission and are reasonably confident of some positive outcomes in time. TCA is of the view that trust legislation is in need of reform but care needs to be taken to ensure reform does not impact on the large body of established case law or inhibit the efficient and beneficial working of New Zealand's law of trusts.

Abolition of Gift Duty

Legislation to abolish gift duty has now been passed and came into force on 1 October 2011. The Minister of Revenue said that "he was particularly pleased at the abolition of gift duty", describing it as a tax that

imposed compliance costs and which was “well past its use-by date,” Mr Dunne said.

Supervision of Non-bank Deposit Takers (“NBDTs”)

The regulations dealing with NBDT Capital Adequacy, Related Party Transactions and Liquidity have been gazetted and came into force on 1 December 2010. These regulations have required considerable interaction with our NBDT clients in terms of Trust Deed amendments and enhanced reporting as well as regular discussions with the Reserve Bank under the MOU we have in place.

The Bank has introduced a new Amendment Bill (The Non-bank Deposit Takers Bill) which deals with such matters as NBDT licensing, suitability of key personnel and greater powers of direction. The Bill has had its first reading and been referred to Select Committee.

We remain concerned, however, that the NBDT industry is contracting rapidly, primarily as a result of business failures but also as a consequence of the business model failing in the current economic climate coupled with massive compliance costs.

The Supervision of Corporate Trustees

The Minister announced the fast track revision of the law supervising Corporate Trustees. Our proactive approach recommending a concept of Licensing, Supervision and Accountability for Corporate Trustees has been accepted. This was to correct a disconnect between the supervising Corporate Trustee and the various regulators.

The Securities Trustees and Statutory Supervisors Act came into force on 1 October 2011 and all current Corporate Trustees must apply for a licence within one month of that date in order to receive a one year temporary licence. We have appreciated the high level of consultation on the accompanying Regulations. We anticipate a flurry of registration activity after 1 October.

The Regulations have no surprises for us with the principal focus being on “fit and proper, and fit for purpose” requirements together with “robust FMA supervision”.

The Māori Trustee

We are very pleased that the Māori Trustee has joined TCA as from 1 June 2011. This is a very important step for TCA as now all Statutory Trustees are members. The Māori Trustee brings a special set of skills to TCA and broadens the base of clients and organisations that we either supervise or represent.

Conclusion

With all of these work streams and initiatives underway TCA is encouraged that as an organisation representing the Corporate Trustee Industry, we are making headway in promoting a better understanding of the Trustee Proposition with politicians, influencers and officials. However we can't rest on our laurels as the continual change in both the personnel of Government Departments and an impending election creates constant risks.

Our strategic goal is to weave the concept of the independent Trustee (“The Trustee Proposition”) into the legislative fabric of New Zealand. We are having a good degree of success in achieving this but the cloth will never be finished. In addition we have continued with our proactive policy of endeavouring to provide solutions, not problems or excuses. Accordingly we are looking forward positively to the next twelve months and beyond.



Clynton Hardy

Chairman

Trustee Corporations Association of New Zealand Inc

Earthquake – a Corporation's experience

On 4 September 2010, the country, even the world – certainly the seismologists, were shocked by the news of a 7.1 size earthquake in Christchurch in the early hours of that Sunday.

Despite some damage through the city, once transportation and roading issues were addressed, most businesses returned to business as usual. Work on updating our disaster recovery plan, which was already underway as part of our upcoming split from Marac, recommenced in earnest.

Just over five months later, the nation was literally shaken again – this time with the devastating 6.3, only 5 kilometres below the ground. And, this time, at the centre of the business day, on Tuesday 22 February.

It was shortly after the news hit that we began getting incomplete reports of the state of the PGC building and our team members located on the 1st floor. As mobile phone service was intermittent at best, some of our information came from television coverage. Seeing the first images of the building, few of us could even recognise it as our own.

Few companies would have to execute a disaster recovery plan to the scale and urgency we were forced to; as a reference we used 9/11. The first priority was accounting for team members. We established a situation room with clearly defined responsibilities and tasks for each manager. The floor seating plan and personnel contact spreadsheet were our Bibles as, over the next 72 hours, we recorded who was and wasn't in the building at the time, who was being rescued and who were still unaccounted for.

We redirected all our Christchurch phone lines immediately over to Auckland with the people tasked with tending those calls given any updates as and when available as the majority of the calls were from family and friends desperate for news.

Our systems, located in the ground floor of the PGC building, were unusable. Fortunately, we had redundancy

in both resource and systems through our other offices and on the day already had replacement systems available at Marac facilities. Many of our rescued Christchurch team members were keen to get back to work - to be together, to keep busy and to talk to their clients and team mates. We are extremely grateful to our sister company, PGG Wrightson, which opened its Hornby office to us for the past 5 months to enable this to happen.

As a business, external communications needed to be with those who have a stake in our business: our strategic partners and clients. Within the first few days, we had direct conversations with our partners updating them on operations and, within the week, we had a letter to our clients with an update on what was happening in the business.

Throughout the past months, we have been constantly humbled by the amount of support we've received – from the clients who offered cards and letters and were so patient with us, to companies that offered accommodation and travel so that we and the families could be where we needed to be, to our partners and those who would normally be viewed as competitors who offered their services and facilities. Many also contributed generously to our PGC Earthquake Fund.

It goes without saying that our deepest gratitude is with the rescue and emergency services who rescued 19 of our colleagues. Our deepest sympathy goes to the families and friends of the 10 whom we will never work with again.

We have recently opened our new Christchurch premises at 305 Lincoln Road in Addington and, while we're reaching a level of normality again as a company and back on track in achieving our business objectives, we recognise as a business that we are not the same as we were prior to the February tragedy. We have experienced first-hand what we've told our clients for years: at anytime, anything can happen and outcomes can be mitigated only through plan preparation and effective execution of that plan.

Our experience as a Statutory Trustee from this event simply reflects the wording in the preface to our 1884 Act of Parliament: “In these uncertain times the role and stability of a Statutory Trustee is all important”.



Patrick Middleton
CEO, Perpetual Group

The Māori Trustee – A brief history

In pre-European times Māori land was communally owned based on the traditional system of Māori customary law. By 1862, roughly two thirds of New Zealand, including most of the South Island, had been acquired by the Crown.

In 1865 the Native Lands Act and the Native Land Court (renamed the Māori Land Court in 1947) were created to settle conflict relating to the sale of land to settlers. The Act allowed the creation of individual land titles (in place of customary communal title) that were the custom in English law.

In 1920 the Native Trustee Act established the Native Trustee (now the Māori Trustee) and Native Trust Office. All native reserves that had been vested in the Public Trustee were vested in the Native Trustee and money held by the Public Trustee for native reserves was transferred to the Native Trustee.

The role expanded beyond the administration of reserves and estates into a major administrator of Māori land. This included not only turning unproductive land into productive land, but also managing the interests of the owners, to make land holdings more ‘economic’, including providing loan funding, the ability to directly run farms, accept deposits on trust from any Māori or accept appointment as a trustee, executor, agent or attorney of any Māori.

In 1947 the Native Trustee, Native Trust Office and the Native Department were renamed the Māori Trustee, the Māori Trust Office and the Department of Māori Affairs.

During the 1950s and 1960s there were major reviews of Māori land legislation. The legislation began to focus on protecting Māori land from alienation, but also on managing the effects of fragmentation of ownership. The Māori Trustee was given added responsibility for administering Māori land and related development activity. The Māori Trustee took over leases formerly administered by the Māori Land Boards. The Trustee also had access to greater revenues but also had greater obligations to accept administration of properties that had limited uses and were encumbered with unpaid rates or with a severely fragmented title.

The late 1980s and early 1990s saw a major review of Māori land legislation which focused on keeping land under Māori control and ownership. It was agreed that Māori land should be recognised as a taonga tuku iho (a treasure handed down) of special significance to Māori. It also recognised that the land should be retained for the use and benefit of its owners and their whānau. Much of the land in larger land blocks started to transfer back to owner-based trusts during this period.

Following widespread consultation and discussion through Māori communities about the future direction of the Māori Trustee, in 2009 the Māori Trustee Amendment Act was passed establishing the Māori Trustee as a standalone organisation, independent of government. The Māori Trustee’s strategy is to become a sustainable and viable organisation, focused on providing relevant services to clients.

For TCA, having the Māori Trustee as a member will broaden its exposure to and involvement in a whole new range of Trust services. Māori Trustee staff have a unique understanding of the special character of Māori assets and community ownership, including issues around the fragmentation of land and the challenges of multiple ownership, knowledge the TCA and its current members will benefit from.

Trustee Corporations provide a wide range of services to New Zealanders, but few are aware of the breadth of these activities or the extent of the work involved in keeping them up-to-date so as to provide an efficient and effective financial system.

Trusts in the 21st century

If the news media are to be believed, trusts are now next to worthless – or simply a device for the dishonest to hide their wealth. The truth is, of course, that trusts continue to have a legitimate use in protecting assets, such as in a couple's transfer of their home and savings to a trust prior to establishing a business or an individual settling separate property on a trust prior to entering into a new relationship. Ring-fencing assets is also perfectly legitimate and responsible provided proper disclosure is made.

The abolition of gift duty from 1 October 2011 makes it feasible for settlors to transfer assets on a 'blue sky day', when there are no competing claims from creditors or a spouse or partner. There is some concern about the consequences of this abolition – it will be easier for people to avoid making provision in their will for dependents, and easier to give away assets while still living, thereby ensuring there can be no successful claims under family protection or testamentary promises legislation. A further concern is that gift duty will no longer operate as a constraint on the transfer of relationship property to a trust, knowing that the anti-avoidance provisions of the Property (Relationships) Act 1976 at present do not extend to a clawing back of capital.

Attacking the institution of trusts is not the solution to such abuse. The answer must be found in laws relevant to the form of abuse in question. Robust anti-avoidance provisions are needed in the Property (Relationships) Act, the Family Protection Act and similar legislation. Trust legislation is indeed in need of reform, but care needs to be taken to ensure reform does not inhibit the efficient and beneficial working of our law of trusts.

TCA will continue to be actively engaged in working to ensure trusts deliver on the goals of those establishing them as well as meeting the demands of professionalism and independence which are becoming much more relevant.

Corporate Trusts

Corporate Trustees currently supervise financial arrangements with assets valued in excess of \$173 billion, \$60 billion of which are in mortgages alone. In the role of independent supervisor, it is the Trustees' duty to act impartially and prudently in the best interests of lenders and investors.

Under various Acts of Parliament, Corporate Trustees have long had statutory responsibilities to represent the interests of investors and lenders, but many investors have generally been unaware of these activities and the obligations on Trustees that go with them.

To address this matter, TCA has continued to work closely with government, leading to the new legislation to licence Trustees. The Securities Trustees and Statutory Supervisors Act came into force during the year and this, along with the relevant regulations will give government, through the newly formed Financial Markets Authority, the ability to monitor the activities of Corporate Trustees. This oversight, fully supported by TCA, will lead to an improved understanding of what their members' responsibilities and obligations are, and confirmation that Trustees are meeting these responsibilities, which should inevitably lead to increased investor confidence in the financial system.

It is most significant that TCA members, who have long had statutory rights to conduct Corporate Trustee services, have voluntarily given these rights up in favour of the new licensing regime in the interests of being seen to be performing their Corporate Trustee responsibilities fully, professionally and transparently.

With the encouragement of TCA, the disconnect between the supervising Corporate Trustee and the

Regulator has now been addressed and this should also add to the transparency around the role that Corporate Trustees have in many financial products.

The new legislation to introduce Trustee licensing will allow new market participants to offer Corporate Trustee services provided they meet FMA criteria based around the concepts of “fit and proper” and “fit for purpose”. We congratulate the government for the initiatives they have taken in this area.

Retirement Villages

TCA members act as Statutory Supervisors for more than 60% of registered Retirement Villages.

Most significantly for our members, a Code of Practice was introduced late in 2009 to complement the Retirement Villages Act 2003 and its Regulations. Though nothing was introduced that altered the contractual relationship between a Retirement Village and its Statutory Supervisor, the Code did add a high level of detail concerning government’s requirements and expectations of supervisors. The industry standard is now much more clearly described for all Statutory Supervisors, TCA members and non-members alike.

Since the Retirement Commissioner’s review of Statutory Supervisors some two years ago, it has been helpful to see growing interaction between that office, the Department of Building and Housing and the Retirement Villages Association. Not only is it encouraging that these interested parties are talking together more, but also, as a result, that the role and functions of the Statutory Supervisor have become clearer to a wider audience.

Back Office Services

Essential to the activities of the Fund Manager, the Investor and the Trustee are ‘Back Office Services’. These are generally comprised of three components –

- Registry, which communicates with investors and records their names and addresses;
- Custody, which holds the assets on behalf of the investors; and
- Investment Accounting, which values the fund’s assets and produces the annual accounts.

TCA members provide some or all of the above Back Office Services to a number of Fund Managers which have chosen to focus on distribution and investment activities.

In the KiwiSaver space alone (ignoring other unitised investment vehicles), the Inland Revenue advises that in the 12 months to 30 June 2011 there were:

- 295,990 new enrolments or registrations and
- \$2.911 billion of new funds invested

Total membership in the various KiwiSaver schemes has reached 1.75 million investors.

Back office service providers continue to keep a close eye on the Anti-money Laundering and Countering Financing of Terrorism legislation to ensure compliance - particularly with the Know Your Client rules. In addition, there is new legislation coming from the US – the Foreign Account Tax Compliance Act - that has the potential to require more reporting at an individual investor level in the years ahead.

Trustee Corporations Association of New Zealand Inc

Performance Statistics

(Year to 30 June 2011)

Activity	2011		2010		2009	
	#	\$m	#	\$m	#	\$m
Personal Trusts	26,097	6,300	26,459	6,308	27,570	6,166
Agencies ¹	7,864	807	8,156	1,049	8,075	1,164
Powers of Attorney	12,414		12,352		17,276	
Administrations commenced ²	5,810	969	7,076	1,161	8,140	1,168
Internally Managed Funds ³		1,988		2,019		2,532
Corporate Trusts ⁴	2,800	173,293	1,310	159,183	1,286	142,149
Registry ⁵	388,911		334,347		183,434	
Tax Returns completed	15,413		15,589		15,327	
Staff numbers	908		931		999	
Locations	79		69		69	

Footnotes

- 1 Agencies – Management of client personal assets under a Power of Attorney
- 2 Administrations commenced – Wills of deceased clients admitted to probate
- 3 Internally Managed Funds – Principally group investment funds
- 4 Corporate Trusts – Supervisory Trustee of unit trusts, debt securities, participatory securities, retirement villages, superannuation trusts, KiwiSaver trusts and capital market issues
- 5 Registry – Maintenance of individual investor information, unit holdings for managed funds and KiwiSaver schemes (number of member records)

2011 proved to be another very busy year for legislative and regulatory change, in particular the introduction of the regulations governing the activities of financial advisers and the important establishment of the Financial Markets Authority. The level of consultation is welcomed. Once again the Association believes its input has been beneficial resulting in relevant and focused new legislation and regulations.

- **Making Tax Easier - Discussion Document**
(Inland Revenue)
- **Financial Advisers (Disclosure) Regulations 2010**
(Ministry of Economic Development)
- **Review of Securities Law - Discussion Paper**
(Ministry of Economic Development)
- **Implementation of the Anti-Money Laundering and Countering Financing of Terrorism Act 2009 – Regulations and Codes of Practice - Consultation Document**
(Ministry of Justice)
- **Remaining NBDT Regulatory Requirements - Consultation Document**
(Reserve Bank)
- **Financial Markets (Regulators and KiwiSaver) Bill**
(Commerce Select Committee)
- **Securities Trustees and Statutory Supervisors Regulations**
(Ministry of Economic Development)
- **Savings Through Education Trusts**
(Treasury)
- **Beneficiary Income of Trusts**
(Inland Revenue)
- **Review of the Law of Trusts (Stage 1):**
 - **Introductory Issues Paper**
 - **Some Issues with the Use of Trusts in New Zealand**
 - **Perpetuities and the Revocation and Variation of Trusts**
 - **The Duties, Office and Powers of a Trustee**
(Law Commission)
- **Periodic Reporting Regulations for Retail KiwiSaver Schemes - Discussion Paper**
(Ministry of Economic Development)
- **Prudential Disclosure Requirements for Non-Bank Deposit Takers - Discussion Document**
(Reserve Bank and Ministry of Economic Development)
- **Fee and Levy Changes for the Financial Markets Authority, External Reporting Board, NZ Companies Office, and Insolvency and Trustee Service - Discussion Document**
(Ministry of Economic Development)
- **Financial Markets Conduct Bill – Exposure Draft**
(Ministry of Economic Development)

Again we wish to record the Association's appreciation of the opportunity for wide-ranging discussions with politicians and government officials on all of the above matters which took place during the year. There is little evidence there will be much reduction in activity in the immediate future as the government moves to further improve investor confidence in the financial markets.

The main areas of this focus in the coming year will be the introduction of Trustee licensing and the review of the Securities Laws.



Office of Hon Simon Power

MP for Rangitikei

Minister of Justice

Minister of Commerce

Minister Responsible for the Law Commission

Minister of Consumer Affairs

Associate Minister of Finance

Deputy Leader of the House

I was extremely pleased when the new licensing regime for securities trustees came into force on 1 October, because it addresses another weakness in our capital markets framework.

This regime requires all corporate trustees, including those for non-restricted KiwiSaver schemes, to be licensed, along with certain statutory supervisors.

The Financial Markets Authority (FMA), which began operating on 1 May, has the power to grant licences, providing applicants satisfy conditions, such as having satisfactory monitoring systems, processes, experience, infrastructure, and financial strength.

In addition, directors and senior managers of trustee companies will be assessed against 'good character' requirements. The FMA also has increased powers to require information from trustees and order them to act in situations when investors' interests are at risk.

The regime allows the FMA to seek redress for breaches of obligations via pecuniary penalties and compensation orders on behalf of investors. Failure to comply with certain FMA directions is an offence under the Act with penalties of up to \$200,000.

Since November 2008, the Government has made significant improvements to the financial landscape to help restore the confidence of mum and dad investors in our capital markets, and the introduction of the trustee licensing regime is a fundamental component of the financial sector reform agenda.

If there's one thing I've learned from all this reform, it is that we're at our best when the government works collaboratively with others. The construction of this new regime, I believe, highlights the good outcomes that can be achieved through working together.

I would like to take this opportunity to personally thank the Trustee Corporations Association for its constructive engagement and support with this reform agenda. I'm confident this new regime will help our capital markets work better and ultimately enhance the well-being of New Zealanders.

Hon Simon Power
Minister of Commerce

Corporate Trust Managers Committee

Clynton Hardy (Chairman)	Trustees Executors
Yogesh Mody	Trustees Executors
Bryan Connor	Guardian Trust
John Sewell	Guardian Trust
Matt Lancaster	Perpetual
Stephanie McGreevy	Perpetual
Dennis Church	Public Trust
Lloyd Wong	Public Trust
Andrea Williams	Māori Trustee
Graham Miller	Covenant Trustee
Peter Orpin	Covenant Trustee

Personal Trust and Advisory Services Committee

John McFetridge (Chairman)	Perpetual
Jeff Reed	Perpetual
Grant Brenton	Public Trust
Dave Gordon	Public Trust
Karty Mayne	Guardian Trust
James Scullin	Guardian Trust
Vern Phillips	Trustees Executors
Tom Hoey	Trustees Executors
Andrea Williams	Māori Trustee

Taxation and Accounting Committee

Ron Soper (Chairman)	Public Trust
Damian Smith	Public Trust
Stuart McLaren	Trustees Executors
Sue Jayasena	Guardian Trust
Shane Wicken	Perpetual

Back Office Services Committee

David Mansfield (Chairman)	Trustees Executors
Geoff Cheeseright	Trustees Executors
Graham Hartshorn	Perpetual
David Campbell	Public Trust
Sandra Towgood	Guardian Trust

Retirement Villages Sub-Committee

Peter Orpin (Chairman)	Covenant Trustee
Lloyd Wong	Public Trust
Carol Cook	Trustees Executors
Chris Lithgow	Perpetual

Legal Sub-Committee

James Scullin	Guardian Trust
John Donovan	Public Trust
Elaine Mosley	Trustees Executors
Jeff Reed	Perpetual

Guardian Trust

Guardian Trust

The New Zealand Guardian Trust Company Limited was formed by a special Act of Parliament, and on behalf of clients acts as a trustee in the growth and protection of their wealth. The origins of Guardian Trust date back to 1882.

Guardian Trust is wholly-owned by The Trust Company, an Australian independent trustee services group listed on the Australian Securities Exchange. The combined group has total funds under supervision of approximately NZ\$210 billion, and employs 440 people in 20 offices across New Zealand, Australia and Singapore.

Guardian Trust provides wide-ranging advice and expertise in areas including estate planning and administration, financial planning, personal trusts and wealth management. Corporate Client services assist our corporate clients with professional governance, compliance and custodial services through offices in Auckland, Wellington, Sydney, Melbourne and Singapore. A significant focus for Guardian Trust is the contribution made to the community through Philanthropic services; having distributed over \$31 million to New Zealand charities in the last year alone.

John Botica

john_botica@nzgt.co.nz
09 377 7300
www.guardiantrust.co.nz



Māori Trustee

The Māori Trustee was established under the Māori Trustee Act 1953 as a corporation sole. The Māori Trustee was separated from government under amendments to the legislation in 2009 and is independent in its functions and accountable directly to clients. The Māori Trustee's strategy is to become a sustainable and viable organisation, focused on providing relevant services to clients.

Māori Trustee manages or administers around 2,000 properties with about 105,000 hectares of Māori freehold land, some 130,000 client accounts and over \$150 million in investments.

Jamie Tuuta (from 23 August 2011)

jamie.tuuta@maoritrustee.co.nz
04 803 2800
www.maoritrustee.co.nz



Perpetual

Perpetual was established in Dunedin in 1884, under its own Act of Parliament. The modern company, wholly owned by NZX-listed Pyne Gould Corporation, was formed by a merger between PGG Trust and AMP Perpetual Trustee Company in 1996. We are a proud New Zealand authorised trustee company and, through our variety of international strategic partners, are able to provide a breadth of knowledge and depth of experience to our clients, both personal and corporate.

For individuals, families and businesses, we offer comprehensive financial solutions to protect, preserve and grow wealth through our core services:

- Trust planning and administration;
- Estate planning and management, including wills and enduring powers of attorney;
- Financial planning and investment management.

Perpetual also offers its own stable of funds manufactured in conjunction with strategic research partners and fund managers to support investment strategies and help achieve client risk to return goals.

On the institutional side, Perpetual provides trustee and statutory supervisory services to companies from large, listed corporations with more traditional needs to smaller, emerging industry companies which need innovative and specialist services and support.

To support our many clients, Perpetual has team members across the country through our offices in Dunedin, Timaru, Ashburton, Christchurch, Wellington, New Plymouth and Auckland.

Patrick Middleton

patrick.middleton@perpetual.co.nz
09 927 9400
www.perpetual.co.nz



*Public Trust – Te Tari Tiaki Iwi
The organisation that takes care of people*

Public Trust

Public Trust is New Zealand’s most enduring trustee organisation, providing independent and reliable trustee services since 1873. As a Crown Entity its independence is guaranteed under the Public Trust Act 2001.

Public Trust’s strong investment grade rating and deposit rating, combined with the Crown guarantee on Common Fund deposits, provides customers with confidence as to their investment with Public Trust.

Public Trust provides a range of products and services to help all New Zealanders grow and protect the important things in their lives. Its core products and services include trustee services, estate planning and administration, enduring powers of attorney, agency and asset management services, providing financial, insurance and investment products and services, managing investment funds and Corporate Trustee Services.

With 28 customer centres and 18 part-time offices nationwide Public Trust looks after the interests of more than 250,000 New Zealanders.

Wherever people are at in their lives, whether they’re starting a family, buying a home, building and managing assets or planning for retirement, Public Trust has the experience and expertise to help them protect what’s important.

Grenville Gaskell

grenville.gaskell@publictrust.co.nz
04 978 4510
www.publictrust.co.nz



Trustees Executors Limited

Trustees Executors Limited was the first private Trustee company to be established in New Zealand, in 1881. Originally known as The Trustees, Executors and Agency Company of New Zealand and later TOWER Trust, Trustees Executors was empowered as a Statutory Trustee Company in September 1882.

Trustees Executors has professional teams based in Auckland, Wellington, Christchurch and Dunedin, and is the market-leading provider of Corporate Trustee and bundled back office solutions for PIE unit trusts and KiwiSaver offerings. It is also the largest outsourced KiwiSaver registry provider in New Zealand and has a major presence in the market for custodial and reporting services with substantial assets under administration.

Governed by an independent Board of Directors, the Corporate Trust division ensures clients employ sound management and governance practices through robust supervision and due diligence processes.

The Trustees Executors’ Private Wealth Team provide a total wealth management service to New Zealanders and their families helping them build wealth, protect wealth and eventually pass it on.

The Private Wealth service offers tailored financial and investment planning, combined with portfolio management and estate planning services such as trusts, wills and enduring powers of attorney, to create a complete package of financial strategies.

Clynton Hardy

clynton.hardy@trustees.co.nz
09 308 7100
www.trustees.co.nz



Covenant Trustee – Associate Member

Covenant Trustee Company was established in 1983 and, while not a statutory Trustee Corporation, has appointments as a trustee and statutory supervisor in accordance with the Securities Act 1978 and the Unit Trusts Act 1960. Its sister company, Covenant Trustee Services Limited, is approved as a statutory supervisor under the Retirement Villages Act 2003 and is the leading provider of statutory services to retirement villages in New Zealand.

Graham Miller

grm@covenant.co.nz
09 302 0638
www.covenant.co.nz

TCA MEMBERS

SAFEGUARD

the interests of investors in securities totalling
\$173b

MANAGE

more than 26,000 personal trusts valued at
over \$6.3b

EMPLOY

at 79 locations around the country, a staff of
900



www.tca.org.nz