

**NOTICE OF MODIFICATION OF CONSTITUTION OR RULES**  
*Pursuant to section 13A of the Covid-19 Response*  
*(Requirements for Entities – Modifications and Exemptions) Act 2020 (the Act)*

<b>Name of entity:</b>	The Fono Trust
<b>Type of entity:</b>	Charitable Trust
<b>We are relying on section 13A of the Act to modify our constitution or rules</b>	Yes
<b>A copy of the notice of the modification is attached.</b>	<b>Attached</b>
<b>We satisfied the requirements of s 13A of the Act by:</b>	In accordance with s13A(2) of the Act: <ol style="list-style-type: none"> <li>1. The modification of the Trust Deed relates to calling or holding meetings, being a matter in section 14 of the Act as required by s 13A(2)(a);</li> <li>2. The modification is not inconsistent with any enactment or rule of law or equity as required by s 13A(2)(b);</li> <li>3. A majority of the trustees passed resolutions <b>attached</b> to this notice, which resolutions satisfy the requirements of section 13A(2)(c) to (e);</li> <li>4. The modification has an expiry date (30 April 2022) in accordance with s13A(2)(d)(i);</li> <li>5. The Trust complies with the conditions in s 18 as required by s13A(2)(g) and has kept written records of the notice, the resolutions and is notifying the Registrar by this notice.</li> </ol>
<b>The reason(s) the majority of our governing officers believe that it is not, or is not likely to be, reasonably practicable to comply (or comply fully) with our constitution or rules is(are):</b>	The AGM was scheduled to be held on 17 December 2021. The trustees have closely monitored the recent national developments of Covid-19 and note: <ol style="list-style-type: none"> <li>a. The Trustees met and discussed the risks of Covid-19;</li> <li>b. A number of other local trusts have indicated or postponed their AGM;</li> <li>c. Significant number of attendees of AGM are vulnerable;</li> <li>d. The AGM is to be held at an indoor venue; and</li> <li>e. The Trustees' primary concern should be the health and safety of whānau.</li> </ol>

	The Trustees resolved that it is in the best interest of the Trust and the community to postpone the AGM and the businesses of the AGM.
<b>The reason(s) the majority of our governing officers believe that the modification goes no further than is, or is likely to be, reasonably necessary in the circumstances is(are):</b>	The trustees have resolved to hold the AGM by no later than 30 April 2022 (subject to any further Government restrictions that may be imposed because of COVID-19).
<b>The reasons(s) the majority of our governing officers believe that the modification is not oppressive, unfairly discriminatory, or unfairly prejudicial to any member, creditor, or other person is(are):</b>	The postponement of the AGM will not affect any Trust business or restrict the ability of the Trust to operate effectively.
<b>A certificate by a governing officer of the entity certifying that, in making the modification, all requirements of this Act were complied with, is attached.</b>	Certification by the trustees is <b>attached</b> .
<b>The reason(s) the majority of our governing officers believe that the requirements or restrictions in the entity's constitution or rules that relate to the integrity of the voting process are substantively maintained or enhanced, is(are):</b>	AGM is postponed.  Any voting at the AGM will follow the same process in the new AGM date.