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Application by trustees for incorporation as a charitable trust

Section 7(3) Charitable Trusts Act 1957

- 1** The name cannot be the same as, or confusingly similar to, the name of any other incorporated trust, society, company or other body corporate, nor can it be contrary to the public interest (for example, be offensive or prohibited by an enactment). Check existing trust, society and company names for free by doing a **Register Search** online at www.companies.govt.nz

1. We being all the trustees under "a Trust Document" that creates a trust exclusively or principally for charitable purposes hereby apply to be incorporated as a Board under the Charitable Trusts Act 1957.

Note | Examples of Trust Documents include a:

- deed of trust;
- will;
- declaration of trust; or
- a similar authorisation.

2. We, as trustees, are not at present incorporated.

3. Proposed name of Board

Moses Foundation Charitable Trust

4. Address of registered office

This address must be a physical (street) address and NOT a P O Box, Private Bag or Document Exchange address.

37 Linwood Drive
Paraparaumu
Wellington

5. Address for premises (optional)

Where provided, this address must be a physical (street) address.

NPC# 08

11 JUN 2010

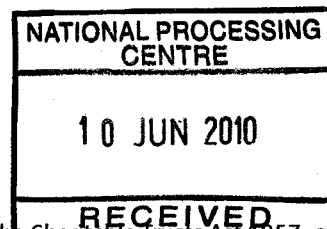
6. Addresses for communication

Postal address (this can be a PO Box address) to which communications from the Registrar may be sent. The Registrar may also contact the Board by email. The email address you provide here will not be publicly available.

Postal address

37 Linwood Drive
Paraparaumu
Wellington

Email address (optional)



7. The following documents are attached to the application

- Copy of the Trust Document (certified by an applicant) as per section 10(2)(a) of the Charitable Trusts Act 1957; and
- Statutory declaration as per section 10(2)(b) of the Charitable Trusts Act 1957.

8. Date 8th June 2010.

9. My contact details

Name and postal address

Warren Sanders
37 Linwood Drive, Paraparaumu
Wellington

Email (optional)

Telephone 049057694

Handwritten signature/initials

Proposed name of Board

Moses Foundation Charitable Trust

Signatures of the trustees who are applying to be incorporated as a Board

1 Full name Warren Paul Sanders Signature 

Residential address 37 Linwood Drive, Paraparaumu, Wellington

2 Full name John Michael Sanders Signature 

Residential address 37 Linwood Drive, Paraparaumu, Wellington

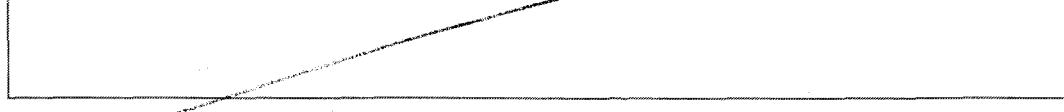
3 Full name Signature 

Residential address 

4 Full name Signature 


Residential address 

5 Full name Signature 

Residential address 

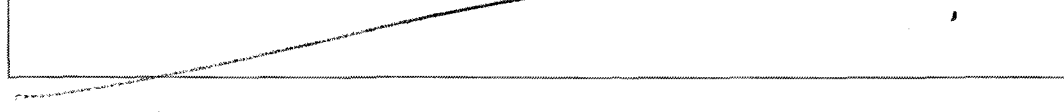
6 Full name Signature 

Residential address 

7 Full name Signature 

Residential address 

8 Full name Signature 

Residential address 



Application by trustees for incorporation as a charitable trust board

Form CT1

Proposed name of Board

Moses Foundation Charitable Trust

Statutory declaration

supporting the application for incorporation as a charitable trust board

Section 10(2)(b) Charitable Trusts Act 1957

I, Warren Paul Sanders

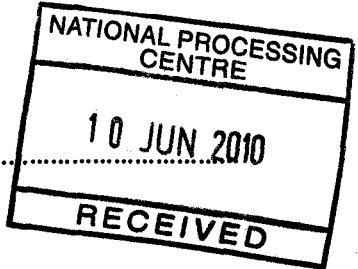
of, 37 Linwood Drive, Paraparaumu, Wellington

do solemnly and sincerely declare that:

- 1. I am one of the applicants under the application for incorporation submitted with this statutory declaration.
- 2. There are no trusts, other than those set out in the Trust Document, under which the applicants for incorporation hold any property.

AND I make this solemn declaration conscientiously believing the same to be true, and by virtue of the Oaths and Declarations Act 1957.

WPS
Signature



Declared at PARAPARAUMU.

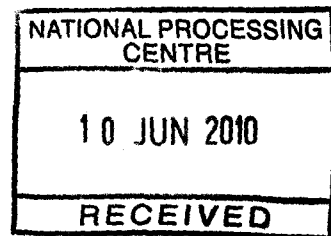
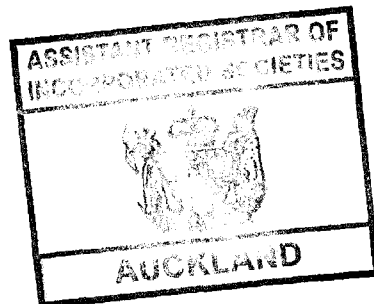
this 8th day of June, 2010.

before me: *K H Collins JP*

Justice of the Peace, Solicitor or other person
authorised to take a statutory declaration

Kenneth H. Collins, JP
#12923
PARAPARAUMU
Justice of the Peace for New Zealand

**THE
MOSES FOUNDATION
CHARITABLE TRUST DEED**



THIS DEED is made this 8th day of June 2010

1. Warren Paul Sanders of Paraparaumu, Wellington, Trustee
2. John Michael Sanders of Paraparaumu, Wellington, Trustee

BACKGROUND

- A. The parties to this deed wish to establish a charitable trust in New Zealand the MOSES FOUNDATION CHARITABLE TRUST for the purposes described in clause 3 of this deed and to give effect to such desire are, at the same time, going to the trust the sum of \$10.00.
- B. The parties: Warren Sanders and John Sanders have agreed to enter into this deed specifying the purposes of the trust and providing for its control and government.

THIS DEED WITNESSES

1. Name of Trust


The name of the trust shall be the Moses Foundation Charitable Trust ("the Trust").

2. Office

The office of the trust shall be such place in New Zealand as the Board of Trustees may determine.

3. Purposes of the Trust

- a) To provide relief of poverty with the poor, in need, aged or suffering genuine hardship.
- b) To provide caring for the aged, children or orphans in need, street kids, the infirm, blind, or disabled, the intellectually disabled.
- c) By providing basic amenities, including food, clothing and shelter to the poor, needy, necessitous, underprivileged, low income, those in financial need and of small/limited means.
- d) By providing the poor with a food bank & clothing.
- e) By providing counseling and other similar programmes.
- f) To undertake projects of social and spiritual concern for the relief of poverty and economic distress both in the case of individuals and communities.
- g) To support such charities as the trustees think fit in line with the Trusts purposes.

JS 

- h) To advance religion by advancing the Christian faith in accordance with the Gospel of the Lord Jesus Christ.
- i) Supporting NZ and foreign missionary work.
- j) Providing and maintaining grounds and buildings to be used by churches or other religious organisations.
- k) All services provided by the Trust are available to everyone and will not be restricted to any caste, creed, race or religion.

4) Members of the Board

4.1 Numbers

The Board of Trustees ("the Board") shall consist of not less than two nor more than 5 members. The initial members of the Board shall be the signatories of this deed.

4.2 Term of Board

Unless otherwise specified in this deed each member of the Board shall hold office for a term of 10 years, or until she or he dies, or is declared bankrupt, or shall have his or her property affairs managed under the Protection of Personal and Property Rights Act 1988 upon the grounds of lack of competency to manage those affairs, or is a "patient" as defined in s2 of the Mental Health (Compulsory Assessment and Treatment) Act 1992, or indicates in writing that she or he wishes to resign from the Board. Any retiring member shall be eligible for reappointment.

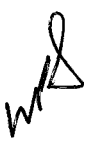
4.3 Appointment of New Trustees

The filling of vacancies on the Board shall be carried out as follows:

- (a) In the case of retirement or replacement of the members of the Board appointed by nominating parties, by appointment by the same nominating parties; and
- (b) In the case of retirement or replacement of other members of the Board, without there being any obligation to make appointment, by appointment by the Board.

4.4 Appointment of further Trustees

The Board may at any time appoint up to three further members for terms which shall expire no later than the time when the terms of the members of the Board appointed by nominating parties expire.

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4.5 Termination of Trusteeship

The Board may, by a motion decided by a two thirds majority of votes, terminate a member's membership of the Board if it believes that such action is in the interest of the Trust.

4.6 Name of the Board

The name of the Board shall be the Moses Foundation Charitable Trust Board.

5. Powers

5.1 General and specific powers

In addition to the powers implied by the general law of New Zealand or contained in the Trustee Act 1956, the powers which the Board may exercise in order to carry out its charitable purposes are as follows:

- a) To use the fund of the trust as the Board thinks necessary or proper in payment of the costs and expenses of the trust, including the employment of professional advisors, agents, officers and staff as appears necessary or expedient; and
- b) To purchase, take on lease or in exchange or hire or otherwise acquire any land or personal property and any rights or privileges which the Board thinks necessary or expedient for the purposes of attaining the objects of the trust and to sell, exchange, bail or lease, with or without option of purchase, or in any manner dispose of any such property, rights or privileges as aforesaid; and
- c) To carry on any business; and
- d) To invest surplus funds in any way permitted by law for the investment of trust funds and upon such terms as the Board thinks fit; and
- e) To borrow or raise money from time to time, with or without security, and
- f) To do all things as may from time to time be necessary or desirable to enable the Board to give effect to and to attain the charitable purposes of the trust.

5.2 Incorporation

The Board is empowered to seek incorporation in accordance with the provision of the Charitable Trust Act 1957.

5.3 Employment

Under clause 5.1 a), the Board may employ as agents, officers, and staff, person who are members of the Board.

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6. Income, benefit or advantage to be applied to charitable purposes

6.1 Application

Any income, benefit or advantage shall be applied to the charitable purposes of the trust.

6.2 Influence

No member of the trust or person associated with a member of the trust shall participate in, or materially influence, any decision made by the trust in respect of the payment to or behalf of that member or associated person of any income, benefit or advantage whatsoever, except where that income, benefit or advantage is derived from;

- a) Professional services to the trust rendered in the course of the business charged at no greater rate than the current market rates; or
- b) Interest on money lent at no greater rate than the current market rates.

6.3 Reasonableness required

Any such income paid shall be reasonable and relative to that which would be paid in an arms length transaction (being open market value).

6.4 Entrenchment

The provisions and effect of this clause shall not be removed from this document and shall be included and implied into any document replacing this document.

7. Proceedings of the Board

7.1 Meetings


The Board shall meet at such times and places as it determines, and shall elect a chairperson from amongst its members at its first meeting and at every subsequent annual general meeting.

7.2 Chairperson

The chairperson shall preside at all meetings of the Board at which she or he is present. In the absence of the chairperson from any meeting, the members present shall appoint one of their number to preside at that meeting.

7.3 Quorum

At any meeting of the Board a majority of members shall form a quorum and no business shall be transacted unless a quorum is present.

To 

7.4 Voting

All questions before the Board shall be decided by consensus. However, where a consensus decision cannot be reached on a question, it shall, unless otherwise specified in this deed, be put as a motion to be decided by a majority of votes. If the voting is tied, the motion shall be lost.

8. Accounts

8.1 True and fair accounts

The Board shall keep true and fair accounts of all money received and expended.

9. Common Seal

The Board shall have a common seal which shall be kept in the custody of the secretary, or such other officer as shall be appointed by the Board, and shall be used only as directed by the Board. It shall be affixed to documents only in the presence of and accompanied by the signature of, two members of the Board.

10. Alteration of deed

The Board may, by consensus or pursuant to a motion decided by two thirds majority of votes, by supplemental deed, make alterations or additions to the term and provisions of his deed provided that no such alteration or addition shall:

- a) Take effect unless it is confirmed by resolution of the Board;
- b) Detract from the exclusively charitable nature of the trust or result in the distribution of its assets on winding up or dissolution for any purpose that is not exclusively charitable.

11. Disposition of surplus assets

If, either on the winding up, failure or dissolution of the trust, or in the case of the Board having incorporated in accordance with the provisions of the Charitable Trusts Act 1957 (or other act passed in substitution for the same) on the liquidation of the Board or on its dissolution by the Registrar, there remains, after payment of all of the trust debts and liabilities any property or assets whatsoever, they shall be given or transferred to trustees carrying out charitable purposes within New Zealand similar to those set out in this deed, or be applied for such charitable purposes within New Zealand as the Board may, by resolution, determine at, before, or during the winding up, failure, dissolution or liquidation. If the Board is unable to make such decision, such property shall be disposed of in accordance with the directions of a Judge of the High Court pursuant to section 27 of the Charitable Trusts Act 1957 on the application of any member of the Board.

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