

# Constitution of

## The Dutch Connection Museum Centre

### Incorporated Charitable Trust

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**Registered Office:** 30 Grendon Road, Titirangi, Auckland  
PO Box 60423, Titirangi, Auckland

# TABLE OF CONTENTS

## **1. Introduction**

- 1.1 Background of the Museum Centre Project
- 1.2 Museum Centre Location
- 1.3 Visitors and Users of the Facilities

## **2. Purpose and Objectives**

- 2.1 Vision Statement
- 2.2 Mission Statement
- 2.3 Goals
- 2.4 Purpose
- 2.5 Collection
- 2.6 Revenues

## **3. Stakeholders**

- 3.1 Key Stakeholders
- 3.2 Interest Groups

## **4. Governing Principles**

- 4.1 A contemporary Museum Centre
- 4.2 Multi-functional Museum Centre Facilities
- 4.3 Bi-cultural considerations and cultural diversity
- 4.4 Alignment with Horowhenua District Council strategy and initiatives

## **5. Governance**

- 5.1 The Dutch Connection – Museum Trust
- 5.2 Project Development / Management Team
- 5.3 Board of Advisors
- 5.4 Museum Ambassadors

## **6. Powers of the Trust**

- 6.1 Trustees
- 6.2 Roles of Trustees
- 6.3 Museum Governance
- 6.4 Powers of the Charitable Trust
- 6.5 Changes to the Trust and /or the Museum Centre

## **7. Compliance**

# 1. Introduction

## 1.1 Background of the Museum Centre Project

The Dutch Connection Museum Trust (previously known as the Dutch Heritage Museum Trust) was set up and incorporated in 2005, to celebrate the many long-standing and lively connections between 'Nederlanders' (New Zealanders of Dutch descent) and New Zealanders.

The original aims and objectives included collecting and displaying articles and artifacts of Dutch historic, contemporary and cultural value; displaying artists of Dutch descent and their arts; and making information available for education, research and other purposes. This was over time widened to the following:

- to create an institution that nurtures and stimulates a deeper understanding of the common past and present, shared by Nederlanders and New Zealanders;
- and to inspire us all, through a dynamic programme of exhibitions and events, to create a future that better brings together two population groups and two countries.

After these initial ideas were introduced and widely discussed in 2006 / 2007, with Dutch interest groups and community leaders, the original scope of the project was broadened to give it a wider appeal: **establishing and managing a national museum and cultural centre for the Dutch community.**

The central concept for the Museum Centre was finalised after extensive discussion and consultation, and a research project in 2007 by Museum Expert Luit Bieringa:

### **'Understanding and Nurturing Our Connections':**

- Understand and nurture the many historic and contemporary connections between New Zealanders and Nederlanders
- Understand the stories of the Dutch migration waves into New Zealand – the hardships and troubles encountered, as well as successes and achievements
- Better understand the Dutch contribution to the country's national identity and its economy
- Enable the children of Dutch migrants (and their children) to understand and leverage the cultural heritage and original roots that have influenced their values, outlook on life, character and personality
- Achieve a deeper understanding of what enables and defines successful immigration – a topic of local and global interest and concern – and leverage the benefits it brings through the creation of a multi-cultural society
- Better connect two small, entrepreneurial, trading nations so they can improve collaboration and achieve a better future in areas of common interest – such as science, business, the arts, multi-culturalism or international cooperation

## 1.2 Museum Centre Location

One of the most crucial decisions the Museum Trust had to make, was where in New Zealand to locate the Museum Centre.

After a comprehensive Location Analysis, Foxton was unanimously selected by the 11 member organisations of the 'Federation of New Zealand Netherlands Societies' as the ideal location, virtually in the geographic centre of the country, next to 'De Molen' – a 25 m high replica Dutch 17<sup>th</sup> century windmill, set in Main Street.

### **1.3 Visitors and Users of the Facilities**

The Dutch Connection Museum Centre will service a number of audiences:

- New Zealanders with an interest in their country's history and culture, and/or topics of immigration and nation building, and/or international linkages.
- Dutch migrants living in New Zealand (some 40,000 or more)
- New Zealanders of Dutch descent (over 100,000)
- (Dutch speaking) Migrants of South African / Flemish / Indonesian origin
- Researchers and students, at all levels and from various disciplines
- Community groups in the Horowhenua district
- Regional population of the wider Manawatu / Wanganui / Horowhenua / Kapiti districts
- International travellers (including for example 28,000 Dutch visitors p.a., and cruise ship tourists boarding Wellington)
- Travellers driving along State Highway 1 or visiting the region
- Virtual visitors from throughout New Zealand, the Netherlands and other parts of the world

## **2. Purpose and Goals**

### **2.1 Vision Statement**

"Share, with pride, the inspirational stories about the many lively connections between Nederlanders and New Zealanders. To create a greater awareness and deeper understanding of our common past, present and future."

### **2.2 Mission Statement**

"Create a financially sustainable attraction that will exhilarate visitors through displays, exhibitions, activities, exchanges, entertainment, education and research – in a manner that inspires enhanced collaboration and interaction between two peoples and two countries."

### **2.3 Goals**

- Create and manage a Museum Centre that is appealing to people from different social, cultural and ethnic backgrounds, and all age groups
- Establish a high quality, dynamic and thriving centre that proves its potential and that is financially self-sufficient and sustainable

- Unite Dutch community groups and organisations in support of the Museum Centre, by instilling a sense of national identity into the Dutch Connection and by providing Nederlanders with facilities that offer networking, participation, research and advocacy opportunities
- Organise and curate educational and innovative displays, exhibitions, activities, events, exchanges, entertainment and research that have a positive influence on perceptions about the Dutch presence in New Zealand, and migration issues in general - enhancing learning and understanding about these topics
- Encourage the exchange of displays, ideas and individuals between the Netherlands and Aotearoa / New Zealand to strengthen existing connections and forge new ones, to enable improved collaboration between two nations

## 2.4 Purpose

### **Celebrate the many lively connections between Nederland and Aotearoa**

- **Create an icon** that can symbolise the proud Dutch presence in New Zealand: a place where we can acknowledge the origins, culture and heritage of the Nederlandse New Zealanders, and celebrate what they have achieved and contributed to this country
- **Inform, educate and inspire** New Zealand about its Dutch Connections
- **Act as a focal point** for a Dutch Community that is spread far and wide throughout the country
- **Build a 'home' - a place with a sense of national identity** that offers a warm sense of 'thuis' - where we can proudly host guests and welcome them in for 'een kopje koffie' and celebrate the strong bonds between the Dutch and New Zealanders
- **Provide exciting experiences**, using multimedia, art, creativity and technology to work on all the senses: from the visual to the intellectual, taste to smell, pride to humility, laughter to tears, and from listening to debate
- **Showcase the difficulties as well as the achievements of a highly successful migration story**, and illustrate the benefits of multi-culturalism
- **Create a centre that can enhance the present and help shape the future** by providing a platform - for two small, smart, down-to-earth, seafaring nations that have much more in common than just a few historic events - to explore cooperation through:
  - Artistic, scientific, educational and cultural exchanges
  - Forums for political cooperation, scientific debate, business cooperation

## 2.5 Collection

The Museum Collection will need to reflect the Museum Concept. The approach to building, maintaining and enhancing the Collection, so that it meets the needs of the Museum Centre's target audiences, is identified in the Collection Policy, which includes the Acquisition Policy and the De-Accessioning Policy.

## 2.6 Revenues

The Museum Centre is a not-for-profit organisation. Funding of its operations will be earned through donations, commercial sponsorships, funding from Government / Local Government and other non-profit organisations, entrance fees to the Museum, hiring out of facilities, leasing of part(s) of the building (eg a café), revenues from events, revenues from sales (eg shop or art gallery), and other opportunities which may arise.

It is expected that the Museum Centre will reach break-even point by actively generating financial support from outside organisations on an ongoing basis.

Any surplus revenues generated by the Museum Centre, after operational and capital expenses have been taken care of, will be re-invested in improving the delivery of programmes out of the DC.

## 3. Stakeholders

### 3.1 Key Stakeholders

The Dutch Connection Museum Trust must establish and run the Museum Centre as a community networked institution, since it is set up on behalf of the Dutch community in New Zealand (Nederlanders) and intends to serve a number of stakeholder groups.

Since the Dutch community is fragmented – geographically, but also demographically – the only way to represent the Nederlanders is through the various Dutch organisations and by stimulating and developing a dynamic network of ambassadors, members and interested individuals.

#### **Key 'Dutch' stakeholder organisations include:**

- The NZ-NL Foundation
- The individual NZ-NL organisations that belong to the Federation of NZ-NL Societies, and the Federation
- The NZ-NL Business Association
- The Royal Netherlands Embassy and the Consulate General
- Emigration organisations and other institutions in the Netherlands who would sponsor this project
- Other representative organisations – some temporary or less formal in set-up

**'De Molen'** - One of the key reasons why Foxton was selected as the ideal location for the Museum Centre, was that it can provide visitors with a unique, varied and traditionally Dutch experience since it also is home to De Molen.

It is envisaged that the two trusts which manage De Molen and the Museum Centre are to merge once the Museum Centre has been established in Foxton.

**Horowhenua District Council** – The local Council has had a strong interest in the project, ever since it prepared a 'Registration of Interest' in 2006. A Memorandum of Understanding was signed with Horowhenua District Council in 2008, in which Council expresses its intentions to make a site available close to De Molen through an affordable lease, and how the Museum Trust and Council can cooperate closely to align public facilities and building designs in the area.

**Museums** – The Dutch Connection will initiate partnerships and exchange arrangements with other museums in New Zealand and the Netherlands.

**Consultants** – The Museum Project needs ongoing expert input from a number of Consultants, ranging from museum experts to an architect, and exhibition designers. Where possible, the Trust will engage consultants with a 'Dutch Connection', to retain a Dutch cultural flavour.

**Sponsors** – Sponsors with a 'Dutch Connection' will play a key part in financing the Museum Centre project on an ongoing basis, but will not be limited to organisations with a 'Dutch Connection'

**Funding organisations** – The 'Dutch Connection' will initiate both short term and long term arrangements with funding organisations in New Zealand and the Netherlands to finance the Museum Centre project on an ongoing basis.

### **3.2 Interest Groups**

**Local tangata whenua** – The Dutch Connection and the local Iwi have expressed their intent to cooperate to achieve mutual goals.

**Local community groups** – A number of community groups in Foxton and the Horowhenua District will wish to access the Museum Centre facilities and will bring visitors to the facilities, which benefits both.

**Local attractions** – Currently there are several tourist attractions in Foxton, including museums, which operate in a fragmented manner. The Dutch Connection will encourage close cooperation between the various regional attractions.

**Tourist operators** – Key to the success of the Museum will be high visitor numbers. By establishing attractive public facilities, including public toilets etc, and by building relationships with operators of tour buses and cruise ships they will be enticed to include Foxton as a stop-over or destination for their customers.

## **4. Governing Principles**

### **4.1 A contemporary Museum Centre**

As a contemporary Museum Centre, the Dutch Connection intends to follow the guidelines of the *Strategy for the Museum Sector in New Zealand, Museums Aotearoa, 2005*, and create a centre that can "help people understand their world by using objects, ideas and art to interpret the past and present, and to explore the possible future... Places where communities come together to explore their cultural

and artistic heritage, to discuss topics of current interest, or simply to pursue leisure or entertainment activity. They are shared community spaces.”

The Dutch Connection will be a museum centre with facilities that have the capacity of fulfilling multiple roles. “A broad a range of activities within a balanced programme should ensure the goodwill of not only the specific target audience but also the wider community, whether local, national or international.” (*Luit Bieringa*)

The two most important functions from a facilities perspective are:

1. Exhibitions and collections
2. Activities and events

Through our **Exhibition / Collection** areas we can preserve, research and display those objects, collections of art, and information that are important to the Dutch and wider New Zealand community - on their behalf, as ‘beschermers’ or ‘kaitiaki’ (guardians) - and hold them in trust and make them accessible to society.

Through our **Activities / Events** areas we can provide civic and community spaces - gathering places for people to meet and spend time with families and friends and others. Museums should be a meeting ground for communities, and provide spaces that are open, transparent and accessible to visitors and to the communities of which they are part.

#### **4.2 Multi-functional Museum Centre Facilities**

The Museum Centre must be multi-functional and provide facilities for exhibitions and displays as well as cultural and heritage activities for the national Dutch community and the wider regional community. Its design will facilitate both outside and inside activities in the immediate surroundings of the Museum / De Molen.

Museum Expert Luit Bieringa made the following recommendations: “A purpose built facility with different spaces that enable a range of exhibitions to be installed, activities to be staged and educational programs to be carried out. Some activities may be more suited to outside sites and the siting of any structure will need to take such activities into consideration” (*Luit Bieringa – ‘An investigation into options and strategies pertaining to the establishment of a Dutch museum / cultural centre in Foxton’ - July 2007*)

Through taking this multi-functional approach, the Dutch Connection aims to become an important educational, cultural and recreational resource. A place where visitors identify, learn about and celebrate our national identity and its formation. A centre of learning that contributes long term value to the community by contributing to our social, economic and cultural well-being and development.

The Museum’s Educational Policy outlines in a separate document how the topic of education will be approached.

#### **4.3 Bi-cultural considerations and cultural diversity**

The Dutch Connection also aims to fulfil its role in the debate about the “nature of our bi-cultural society and its other multi-cultural influences”, and in “exploring and evaluating those influences and the nature of our society”. (*Strategy for the Museum Sector in New Zealand*) The Dutch Connection perceives this role as part

of fulfilling its Purpose: "Celebrate the many lively connections between Nederland and Aotearoa / New Zealand"

The defining principle of the Museum Centre will be that it is a place of partnership and connection between the Dutch in New Zealand and all other New Zealanders – the tangata whenua and other manuhiri or immigrant groups.

#### **4.4 Alignment with Horowhenua District Council strategy and initiatives**

The Dutch Connection initiative fits with the Horowhenua District Council strategy to turn Foxton into a regional tourist destination, complete with Visitors Centre and public toilets.

The memorandum of Understanding between Horowhenua District Council and the Museum Trust outlines how building activities in the area around De Molen should create alignment between the Dutch Connection and a planned new Library / Community Centre / Visitors Centre / public toilets:

1. Functional or operational alignment – The Library / Community centre acts as an amenity with *local visitor focus*. The Museum Centre has a *public or external visitor focus*.
2. Visual alignment – To create a natural visitor flow between the various facilities in the town centre area – especially De Molen and the Dutch Connection

## **5. Governance**

Governance is the responsibility of the Dutch Connection Museum Trust. The Trust will work closely with several management, advice and support groups.

### **5.1 The Dutch Connection – Museum Trust**

The work of the Trust is governance oriented. The Trust will oversee and carry ultimate responsibility for all tasks related to the implementation and management of the Museum Centre Project. Responsibilities include planning, providing strategic direction and final signoff on major aspects of the Project.

The Trust is tasked with developing a succession planning policy.

The Trust has the power to appoint the Project Development / Management Team.

### **5.2 Project Development / Management Team**

The Project Team and Management Team are execution and task oriented, and report into the Trust. They will carry responsibility for the execution of key tasks / projects which have been delegated to them by the Trust. They report into the Trust either on request or on a regular, but at least monthly basis, through their manager or other representative. Within the scope of their delegated projects, the teams have full authority to execute those actions necessary to achieve major initiatives approved by the Trust.

The Project Team will manage the implementation of the Museum Centre project at a day to day level, and manage progress. To oversee the building and development work in Foxton, the Trust and the Project Team may jointly appoint a local manager as part of the Team.

Members of the Trust may participate in the Project Development / Management Team. Key decisions, contractual agreements, budgetary decisions and key expenditures must always be approved by the Trust.

The Project Development\_Team will be disbanded after the opening of the Museum Centre.

Upon the opening of the Museum Centre, the Trust will appoint a Management Team, which will manage the Museum Centre on an ongoing basis.

### **5.3 Board of Advisors**

The Trust may consider, at any point, to appoint a Board of Advisors and a Chairperson of the Board, who can provide advice and are prepared to use their name and reputation on a voluntary basis to enhance the profile of the Museum Centre.

The Trust may consider, at any point, to appoint a Vice Patron and a Patron of the Museum Centre, who will automatically be members of the Advisory Board.

The Board must consist of individuals with significant experience, expertise, knowledge and networks relevant to the Museum Centre. In close collaboration with the Trust, Board members provide advice on key elements of the project, provide introductions to key stakeholders and identify prospective sources of funding.

Advisors will be appointed by the Trust on an annual basis, and can make themselves eligible for any number of terms. Advisors will receive no remuneration, but costs can be reimbursed at the discretion of the Trust.

The Trust retains the authority to disband the Board of Advisors, at their sole discretion, with a month's notice.

### **5.4 Museum Ambassadors**

The Trust may consider, at any point, to organise or stimulate the organisation of Groups of Ambassadors led by a National Coordinator, who can run their own affairs in support of The Dutch Connection and who report back on their activities into the Trust. Some robust guidelines for these Museum Ambassador Groups will be developed by the Trust, in consultation with the National Coordinator.

The Ambassador Groups can act as a loosely organised network of groups from around New Zealand. The groups can be involved in support activities in conjunction with or on behalf of the Trust - like fundraising, local community liaison, organising events, and collecting or temporarily storing Museum pieces. Any funds raised or items collected on behalf of the Dutch Connection, must be transferred to the Museum.

The Trust retains the authority to disband any Ambassador Groups, at their sole discretion, within a month's notice.

## **6. Powers of the Trust**

### **6.1 Trustees**

The Trust must hold a minimum number of six and a maximum number of eight Trust Members, at any one time.

New Trust Members can be appointed to the Trust at regular meetings, through a majority vote.

As of July, 2008, current Trust Members include:

- Chairperson: Arjan van der Boon, 30 Grendon Rd, Titirangi, Auckland
- Treasurer: Martina Drumm, 228b Te Atatu Rd, Te Atatu, Auckland
- Secretary: Hester den Ouden, 10 North Way, Titirangi, Auckland
- Jos Vroegop, 35 Otitori Bay Rd, Titirangi, Auckland
- Stephan van Haren, 9 Dorset Crescent, Palmerston North
- Yolande van de Wetering, 61 Arney Road, Remuera, Auckland

### **6.2 Roles of Trustees**

The Trust will appoint a chairperson, treasurer and secretary.

**The chairperson** shall:

- Manage Trust meetings.

**The secretary** shall:

- Notify Trust members of Trust meetings;
- Keep a register of the trustees;
- Keep a record of all the proceedings of Trust meetings and the attendance of the persons present and absent from the meetings.

**The treasurer** shall:

- Bank or cause to be banked all the money received for the Charitable Trust on its accounts;
- Disburse the funds as may be determined by the Trust;
- Keep the Trust's books and accounts and prepare the necessary financial accounts and statements.

Each Member of the Trust shall have their own portfolio of tasks and responsibilities.

### **6.3 Museum Governance**

The Trust will ensure that:

- Exhibitions, activities and events meet the purpose and goals of the Museum Centre, and that the underlying concept for the Museum Centre stays central to the facilities, exhibitions and any initiatives that are identified.
- The needs of its various audience groups are met.
- The Educational Policy is properly implemented and meets its goals.
- The Collection, Acquisition and De-Accessioning Policies are complied with.
- Curatorial care of the collection is properly implemented and appropriate records are maintained and updated of all items in possession, on loan or on display, whether temporarily or permanently.
- Management of the Museum Centre facilities, exhibitions and events is properly executed, and that revenues from various sources are sufficient to meet costs.

#### **6.4 Powers of the Charitable Trust**

To further the aims of the Museum Centre, the Trust has the powers to:

- Apply for funding and grants
- Implement a fundraising programme
- Make out and accept cheques, grants of money, promissory notes, donations, etc
- Receive gifts in kind, etc
- Borrow or invest money
- Buy or lease property
- Enter into contract or agreement with other organisations, suppliers etc
- Promote, establish, manage, finance or in any way assist any activities that are conducive to the objectives of the Museum Centre
- Accept resignations of Trustees, and select and appoint new Trustees
- Select and appoint the Project Management Team and the Management Team of the Museum Centre
- Select and appoint new Advisory Board Members, a Patron and a Vice Patron
- Select appoint and employ staff
- Select and sign contracts with commissionaires
- Select and appoint contractors

**Meetings** – The Trust will hold regular monthly meetings, but a minimum amount of six meetings per year.

Questions arising at the meetings shall be decided preferably with unanimity, but otherwise with a majority of the votes. In case of an equality of votes, the chairperson will have the second casting vote. A minimum of four Trustees must be present at a meeting to make valid decisions.

The terms of the Charitable Trust may only be changed by unanimous agreement of the Trust Members, provided that such changes do not allow funds to be used for other than charitable purposes.

**Indemnity of Trustees** – No Trustee shall be held liable for the acts, receipts, neglects or default of any other Trustee, or for any loss occasioned by any error of judgment, or oversight on his or her part, or for any loss, damage or misfortune, whatever which shall happen in the execution of the duties of his or her office, or in relation thereto, unless the same has been through his or her own willful default, dishonesty or fraud.

**Banking** – The control and investment and spending of all funds of the Charitable Trust will be in hands of the Trustees. All cheques shall be signed by two members of the Trust.

**Limitations of the Charitable Trust's Funds** – The Funds of the Charitable Trust will be used for the furtherance of the exclusively charitable aims of the Charitable Trust, set out herein.

## **6.5 Changes to the Trust and /or the Museum Centre**

**Altering the Rules** – No addition to or alteration of the charitable objectives, the personal benefit clause or the winding-up clause shall be approved without Inland Revenue's consideration.

**Voluntary Winding Up** – If upon the winding up or dissolution of the Charitable Trust, there remains after the satisfaction of all debts and liabilities, any property whatsoever, the same shall not be paid to or distributed to the Trustees of the Charitable Trust. Such remaining property shall be given or transferred to some other charitable organisation, having objectives similar to the objectives of this Charitable Trust or for some other charitable purpose in New Zealand or the Netherlands.

In the event of a default, with Trust Members being unable to decide, the remaining assets are to be distributed as a Judge of the Court directs.

## **7. Compliance**

The Charitable Trust will comply with the Incorporated Charitable Trust Act 1957.

The ultimate legal, financial and decision making responsibility for the Museum Centre will be provided by the Trust Members.

**Confidentiality** – Confidentiality will be maintained as to information of a personal nature and in regards to issues of a sensitive nature, contracts, tenders, financial matters and other topics that require due care.

**Books and Financial Statements** – The Charitable Trust shall keep proper books of account in which will be kept a true and complete account of the affairs, assets and transactions of the Charitable Trust

At the close of each financial year an income and expenditure account and statement of assets and liabilities of the Charitable Trust will be prepared and will be examined and the correctness will be ascertained by the Auditor of the Charitable Trust.

The Charitable Trust will deliver annually to the Registrar in such form and at such times as he or she requires a statement containing the following particulars:

- The income and expenditure during the last financial year.
- The assets and liabilities of the Charitable Trust during the financial year.
- All mortgages, charges and securities of any description affecting any of the property of the Charitable Trust at the close of the financial year.

This statement will have the signature of the Charitable Trust to the effect that the statement has been submitted to and approved by the Charitable Trust.

**Auditor** – The auditor will receive a copy of the treasurer’s or accountant’s accounts and statements. It will be his or her duty to thoroughly examine them in detail with the books, accounts and vouchers of the Charitable Trust. The Auditor also receives a list of all books kept by the Charitable Trust and must be given access to these books. All possible assistance must be given to the auditor.

The auditor makes a report available to the Charitable Trust based on the accounts and statements of the Charitable Trust. It will state whether in his or her opinion they are full and fair accounts and statements containing the particulars required by the rules of the Charitable Trust and are properly drawn up to exhibit a true and correct view of the Charitable Trust’s affairs. Such reports will be read at the relevant regular Charitable Trust meeting

**Charitable Status** – The Charitable Trust must be registered with the Charities Commission in order to retain its income tax exemptions.

**Donee Status** – The obligations for the Charitable Trust’s donee status require that official receipts must be issued for donations received. These receipts must:

- Clearly indicate ‘Qualifying Donation’ to identify that it qualifies for a tax rebate, according to IRD guidelines
- Be stamped with the Trust’s official stamp.
- Show the date the donation was actually received.
- Be signed by an authorised person.

**Obligations under the Tax Administration Act 1994** – The Tax Administration Act specifies that:

- Financial records must be kept for a period of seven years.
- Sufficient records must be kept in the English language to ascertain sources of all donations and application of all funds.

**Private Pecuniary Profit** – No private pecuniary profit shall be made by any person from the Charitable Trust except that:

- Any Trustee may receive full reimbursement for all expenses properly incurred by that Trustee in connection with the affairs of the Trust.
- The Trust may pay reasonable and proper remuneration to a Trustee in return for services actually rendered.
- Any Trustee may be paid all usual professional business charges for services rendered, time expended and all acts done by that Trustee or by the firm or entity

of which that Trustee is a member, employee or associate, in connection with the affairs of the Charitable Trust.

- Any Trustee may retain remuneration properly payable to that Trustee by any company or undertaking with which the Charitable Trust may be in any way concerned or involved, for which the Trustee has acted in any capacity whatsoever, notwithstanding that Trustee's connection with that company or undertaking is in any way attributable to that Trustee's connection with the Charitable Trust.

**Income, benefit or advantage** – No Trustee or person associated with a Trustee of the Charitable Trust shall derive any income or benefit or advantage from the Charitable Trust where they can materially influence the payment of the income, benefit or advantage, except where that income, benefit or advantage is derived from:

- Professional services to the Charitable Trust rendered in the course of business, charged at no greater rate than current market rates.
- Interest on money lent at no greater rates than current market rates.