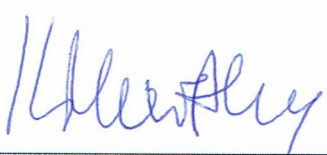


# Management and Governance Initial Representations

31 March 2019

Please complete the attached questionnaire.  
If you need more space, please feel free to add extra pages.

Thank you for completing this questionnaire.

Completed by :	General Manager
Signature:	
Name:	Kevin Murphy
Date:	20/5/19

On behalf of the Board	Chairman
Signed:	
Name:	Sid Kempton
Date:	20/5/19

20/5/19

## Governing document

Question	Answer
1. Have there been any changes to your organisation's governing document (e.g. Constitution, Trust Deed) during the year? If so, please provide an amended copy.	No
<b>Additional Comments:</b>	None

## Related party transactions

Question	Answer
1. Were there any material related party transactions (with Key Management Personnel, Board members, or their close family members) during the year?	Yes
2. Identify the related party and nature of relationship. (Separate list if necessary).	See note 12 to draft financial statements issued for audit review.
3. Identify types of transactions (e.g. sales to and/or from, purchases to and/or from, debts forgiven or written off).	Ditto
4. Does the organisation have procedures for identifying related parties and conflicts of interest? If so, what do they involve?	<p>Yes, on election Trustees are invited to advise management of any relevant financial or other interests. These are recorded in a Register of Interests. Trustees are periodically requested to update entries in the Register as necessary.</p> <p>At commencement of every publicised Board meeting, Trustees are requested to declare any conflict of interest arising from consideration of any item on the agenda. If they do it is expected they will withdraw from debate and not vote on any resolution.</p>
5. Is there a conflicts of interest policy? If so, please provide a copy.	<p>Yes, to the extent set out in paras 17.7 and 17.8 of Trust Standing Orders adopted in December 2016 (extract attached).</p> <p>Legal advice is currently being sought regarding specific conflict of interest issues relating to Board members.</p>
<b>Additional Comments:</b>	None

## Commitments

Question	Answer
<p>1. Were there any capital commitments (contracts etc) entered into by your governing body prior to balance date, but not actioned until subsequent to balance date? If so, provide details.</p>	<p>Yes, there are signed sale and purchase agreements in place for vacant lots 21, 23 and 25, Arbor Place, Greytown. The commitment re. lot 23 has been carried over from 2017/18.</p> <p>Settlement is principally conditional upon provision by the Trust of freehold title, which is expected to occur in June 2019. However, in the case of Lot 25 an additional due diligence clause in favour of the purchaser will not expire until 24 June 2019, at which time the purchaser may decide not to proceed.</p>
<p>2. Are there any commitments – operating or capital lease to pay arrangements (e.g. building rent, photocopier lease) at balance date? If so, provide details.</p>	No
<b>Additional Comments:</b>	None

## Contingencies

Question	Answer
<p>1. Was the organisation involved in any litigation at balance date?</p>	No.
<p>2. Are you aware of any legal claims against the organisation?</p>	No.
<p>3. Has the organisation used the services of a lawyer during the year?</p>	Yes.
<p>4. Are there any pending warranty or other claims including disputes with creditors or IRD? If so, please provide details. (Note contingencies may be either potential gains or losses to the organisation.)</p>	No.
<p>5. Are you aware of any fraud involving management or employees that could affect the financial statements?</p>	No.
<p>6. How does management communicate to employees regarding its views on business practices and ethical behaviour?</p>	See Fraud Risk Assessment - similar response applies as for communication of fraud.

7. What procedures does management have in place to assess specific risk of fraud and to mitigate those risks?	Essentially, via separation of duties (to the extent management structure allows), authorisation procedures and regular reporting of financial performance.
<b>Additional Comments:</b>	None

#### Events subsequent to balance date

Question	Answer
1. Were there any events which occurred subsequent to balance date which may affect the current period's audit? (e.g. fire, destruction of premises, destruction of accounting records, litigation) If so, please provide details.	No.
<b>Additional Comments:</b>	None

#### Open/unprocessed invoices

Question	Answer
1. Are there currently any open or unprocessed invoices as at today's date? If so, please provide copies of these invoices.	No.
<b>Additional Comments:</b>	None

#### Going concern

Question	Answer
1. Are there any events or conditions that appear to cast doubt on the organisation's ability to continue as a going concern? If so, what is the basis for management's assessment of going concern?	No.
2. Are there any events or conditions beyond 12 months that may cast significant doubt on the organisation's ability to be a going concern?	No.
<b>Additional Comments:</b>	None

#### Consideration of laws and regulations

Question	Answer
1. Has the organisation taken steps to ensure that there is compliance with all applicable governing laws and regulations? If any areas of doubt, please provide details.	Yes.

2. Has the organisation breached any laws and regulations which are central to the organisation's ability to conduct its business?	No.
3. How is legislation monitored to ensure that compliance with laws and other regulations are being met?	Via Audit & Risk Committee, Board training on legislation and reading/research by General Manager.
4. What specific laws or regulations does the organisation have to abide by?	GDTLT Act 1979 Charities Act 2005 Health & Safety at Work Act 2015 Financial Reporting Act 2013 Property Law Act 2007 Contract and Commercial Law Act 2017 Building Act 2004 Construction Contracts Act 2003 Holidays Act 2003 Employment Relations Act 2000 Resource Management Act 1991 Local Government Official Information & Meetings Act 1987 Local Authorities (Members' Interests) Act 1968 Privacy Act 1993 Goods and Services Tax Act 1985.
<b>Additional Comments:</b>	
None	

### Performance incentives

Question	Answer
1. Do any staff have performance incentives (i.e. bonuses linked to financial performance) in their employment contracts? If so, please provide details.	Salaries are related to a point on a scale that assumes performance expectations are met. If the Board assesses following performance review that these expectations have been exceeded it can at its discretion elect to either move pay to a higher point on the scale or pay a one-off bonus.
<b>Additional Comments:</b>	
None	

## Meetings

Question	Answer
1. How often are governing body meetings held?	Monthly for normal business, supplemented by workshops on specific matters where necessary
2. What type of financial reports are prepared for your governing body?	Monthly profit & loss, aged debtors/receivables, balance sheet plus analysis of compliance with borrowing mandate
3. Does your governing body consider that it produces or has access to all of the financial information it requires?	Yes
4. Is a detailed summary of receipts and payments presented and approved at each meeting?	No
5. Is a summary of accounts payable and accounts receivable presented and approved at each meeting?	Yes
6. Are the movements in all bank accounts monitored by your governing body? How?	Transfers between accounts are reported to the Board.
7. What payments must be approved at a governing body level?	All payments
8. Is the financial information provided to management and governing body thoroughly reviewed by someone other than the preparer? Who?	By the GM
9. Are proper procedures for approving and seconding motions used and recorded?	Yes
10. Is an agenda prepared and circulated before each meeting?	Yes
11. Are minutes signed by the Chairperson once they are approved?	Yes
<b>Additional Comments:</b>	
None	