



Te Tari Taiwhenua

Memo

To: Richard McDonald

CC:

From: Ann Buick

Date: 3 February 2009

Subject: HON ENGLISH RESIDENCE

You will recall that Ministerial Services has been requested to take a lease over the English home at [redacted]. We understand from Hon English that the residence is owned by a family trust, The Endeavour Trust.

We sought advice from the 9th floor whether leasing from a family trust was appropriate and were subsequently advised that leasing of properties as ministerial residences from trusts is permissible subject to the following stipulations:

1. An independent market valuation is to occur
2. The rental to be the lower of market value or a \$700 per week rental cap
3. Ministers are to certify in writing that they have no pecuniary interest in the trust.

The above conditions have now been met and I attach the relevant documentation as follows:

1. Independent market valuation
2. Declaration signed by Hon English (together with a copy of his legal advice from the Office of the Clerk of the House of Representatives).

To date we have not entered into a lease agreement. In anticipation of this occurring however we have delivered a television set to the residence and arranged for the electricity to be in the name of Ministerial Services.

I recommend that the attached documentation be reviewed by DIA Legal and look forward to your advice that it is in order to proceed with the preparation of a lease agreement.

Ann Buick
Acting Property Manager