

Report to the Policy and Finance Committee
from Ted Maguire, Council Secretary

Wider Wellington Olympics Trade Focus Group

1. Purpose

To advise the Committee of the decision of the Directors of Port Investments Ltd regarding the Wider Wellington Olympics Trade Focus Group (WWOTFG) proposal.

2. Background

At its meeting of 5 October 1999, the Policy and Finance Committee resolved, among other things, to recommend to Council that it:

Subject to legal advice, resolve to request the Directors of Port Investments to consider making available \$350,000 for the purpose of supporting the WRC/WWOTFG regional economic trade opportunities and initiatives.

At their meeting of 20 October 1999, the Directors of Port Investments Ltd (PIL) considered this request and resolved to seek an independent legal opinion on whether or not the Company was legally able to make a contribution for the purposes of supporting the WRC/WWOTFG initiative, and whether any constraints would apply in any circumstances. The Directors were aware of the legal advice obtained by the Council in this matter.

At a further meeting on 9 November 1999, the PIL Directors formally received an opinion from Chapman Tripp on the Company's legal capacity to make a contribution to WWOTFG (**Attachment**). On the basis of this legal advice, the Directors noted it was unlawful for the Company to make a contribution to WWOTFG, as requested by the Council. Accordingly the Directors resolved to:

Advise the Wellington Regional Council that the Directors of Port Investments Ltd have considered the Council's request to consider making available \$350,000 to support the Wider Wellington Olympics Trade Focus Group's economic development proposal, and that on the basis of legal advice received, the Directors decline this request.

3. Recommendation

That the Committee receive this report and note its contents.

TED MAGUIRE
Council Secretary

Attachment: Chapman Tripp opinion on Legal Capacity of Port Investments Ltd

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