TEMPLATE NOTICE TO BOARD REMOVING A DIRECTOR – USER NOTES

This notice of removal of a director has been prepared for use where a shareholders' agreement or constitution of a company give shareholders the right to remove a director by notice to the company. Our template shareholders' agreements and constitution both contain these provisions (see the resources section of our website).

USING THIS TEMPLATE

The ***User Notes*** and the statements in the footer (all marked in red) are included to assist you to prepare this document. They are for reference only. You should delete all user notes and the statements in the footer from the final form of your document.

The use of [*square brackets*] around black text means that:

- the requested details need to be inserted
- there are different options for you to consider
- the item is optional and you need to consider whether to include it, based on the company's circumstances and the user notes.

Before finalising your document, check for all square brackets to ensure you have considered the relevant option and deleted the brackets.

This template document is provided for guidance purposes only. We recommend you obtain the help of a qualified lawyer to complete it. Use of this document is subject to the terms and conditions linked at https://kindrik.co.nz/resources/.

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To: The directors
[*insert company name*]
[*insert company address*]

Date: [*insert date*]

NOTICE REMOVING A DIRECTOR

In accordance with clause [*4.1c*] of the shareholders agreement relating to [*insert company name*] (**Company**) dated [*insert the date of the shareholders' agreement*] and clause [*9.4c*] of the Company's constitution, [*I/we/insert name of shareholder, if the shareholder is a company*] give[*s*] the board of directors of the Company notice that [*I/we/insert name of shareholder*] [*have/has*] removed [*insert name of director*] as a director of the Company with effect from the date of this notice.

SIGNED BY [*INSERT NAME OF SHAREHOLDER WHO HAS THE RIGHT TO REMOVE A DIRECTOR UNDER THE SHAREHOLDERS' AGREEMENT*]:

[*User note: Use the following signature block if the relevant shareholder is an individual.*]

_____

[*Insert name of individual shareholder*]

[*User note: If the relevant shareholder is a trust, all of the trustees of that trust must sign the notice. Use the following signature block for each trustee of a trust.*]

_____

[*Insert name of trustee*]

[*User note: If the relevant shareholder is a company, use the following signature block.*]

_____

[*Signed by [Insert name] for and on behalf of [Insert name of company]*]

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