

The Kumeu – Huapai Residents and Ratepayers Association Incorporated

COPY

Rules :

FORMATION

Name :

1.1 The name of the Society shall be "The Kumeu – Huapai Residents and Ratepayers Association Incorporated.

Registered Office :

1.2 Shall be at such place as the committee determines from time to time.

Objects :

1.3 Are Community Consultation and the sensitive and planned development of our community.

Powers of the Society :

1.4.1 In addition to its statutory powers the Society ; shall have the power to do all lawful acts and things in line with attaining the Society's objects.

1.4.2 The Society shall use its money only to further purposes recognised by law. No money shall be applied for the sole personal or individual benefit of any member.

2. MEMBERSHIP – Initial members

2.1 The initial members are those who are members of the Society at the time it incorporated.

New Members

2.2 Any person may become a member of the Society who is a resident or ratepayer of the district.

2.3 To become a member a Person must be accepted and pay the annual subscription fee in accordance with these rules.

Annual Subscription :

2.4 Is as set at the Annual General Meeting and payable in advance.

Register of members



- 2.5 The Secretary shall keep and maintain a register of members with the full name and address of each member, and be available for inspection and copying on request of members.

Membership is Personal :

- 2.6 And cannot be assigned or transmitted to anyone else.

Resignation of member

- 2.7 May be done by giving notice in writing to the Secretary of his or her resignation.
2.8 The Secretary must record in the register of members, the date on which the member ceased to be a member.

Expulsion of a member.

- 2.9 May be carried out if the committee believes that a member has failed to comply with these rules or is guilty of conduct unbecoming, or prejudicial to the interests of the society.
2.10 It may also suspend the member for a specified period.

Committee must inform member of expulsion or suspension

- 2.11 The committee must promptly notify the member of its resolution to expel or suspend the member and the grounds on which it is based.

Cessation of membership

- 2.12 A member who has resigned or been expelled shall cease to hold him or herself out as a member of the Society, and shall return to the Society all materials produced by the Society.

Obligations of membership

- 2.13 Members must treat all information relating to commercial arrangements entered into by the Society as strictly confidential, and must not disclose any information regarding to the Society to any third party without the prior written approval of the Society.

3. MEETINGS

Annual General Meeting

- 3.1 The Society must convene an annual general meeting of its members in each calendar year. The committee must set the date of the meeting. The notice convening the meeting must state that it is the Annual General Meeting, the ordinary business of which is as follows :

- 3.1.1 To confirm the minutes of the last Annual General Meeting and any general meeting held since that meeting.
- 3.1.2 To Receive from the committee, reports on the transactions of the Society during the last financial year.
- 3.1.3 To elect officers of the Society and ordinary members of the committee
- 3.2 The meeting may also transact any special business of which notice is given in accordance with these rules.

Special general meetings

- 3.3 Any general meeting of the Society except the Annual General meeting is a special general meeting. The committee may convene a special general meeting whenever it thinks fit. Reference in these rules to general meetings includes both annual general meetings and special general meetings.

Special general meetings at request of members.

- 3.4 The Committee must also convene a special general meeting if not less than 5% of the total number of members request the Secretary to do so in writing. The request must state the purpose of the meeting and must be signed by the members making the request.

Notice of meetings

- 3.5 At least 14 days before the date fixed for a general meeting of the Society, the secretary must send each member of the Society a notice by post or email specifying the place, date, and time of the meeting and the nature of the business to be transacted. The notice must be sent to the addresses noted in the register of members, and/or a notice placed in the local newspaper.

Limitation on business to be transacted

- 3.6 No business may be transacted at a general meeting of the Society except that specified in the notice of meeting. A member who wants an item of business to be transacted at a general meeting may give notice of the business in writing to the Secretary. The Secretary must include the business in the next notice of a general meeting.

Quorum

- 3.7 An item of business may not be transacted at a general meeting unless a quorum of 10 members is present while the item is being transacted. If a quorum is not present at the time for commencement of the meeting and is still not present half an hour later, the following rules apply :
 - 3.7.1 If the meeting was convened at the written request of members, the meeting is automatically dissolved.

3.7.2 In any other case, the meeting is automatically adjourned to the same time and day in the next week. It is to be held in the same place unless the chairperson specifies another place at the time of the adjournment or by a written notice given to members at least 24 hours before the date of the adjourned meeting.

3.8 If a quorum is not present at the time of the commencement of an adjourned meeting and is still not present half an hour later, the quorum becomes 3 members. If that quorum is not present the meeting is automatically dissolved.

Chairperson at meetings

3.9 The Chairman and in the Chairman's absence the Secretary must preside as chairperson at each general meeting of the Society. If the chairman and the secretary is absent, the members present must elect one of their number to preside as chairperson over their meeting.

Adjournment of meetings

3.10 The chairperson of a general meeting at which a quorum is present may adjourn the meeting with its consent. If a meeting is adjourned for 14 days or more, notice of the adjourned meeting must be given as in the case of the original meeting.

Limitation on business

3.11 No business may be transacted at an adjourned meeting except the business left unfinished at the original meeting

One member one vote

3.12 A member, and only financial members has 1 vote on any question that is to be decided at a general meeting. A vote must be given personally. If votes on a question are tied, the chairperson of the meeting is entitled to exercise a second or casting vote.

Voting by show of hands

3.13 A question that is to be decided at a general meeting of the Society is to be decided on a show of hands. Unless a poll is demanded in accordance with clause 3.14, a declaration by the chairperson that a resolution has been carried, carried unanimously, carried by a particular majority, or lost, plus an entry to that effect in the minute book of the Society is evidence of the fact without proof of the number or proportion of the votes recorded for and against that resolution.

Demanding of a poll

- 3.14 If at least 3 members entitled to vote at a general meeting demand a poll on a question that is to be decided at the meeting, the chairperson must comply with that demand. The demand may be made before a show of hands or immediately after the chairperson's declaration on a show of hands. In the latter case, the poll overrides the show of hands.

The entitlement to vote

- 3.15 A member is entitled to vote at a general meeting unless he or she owes an amount to the Society that is overdue.

4. COMMITTEE

Committee to manage the Society

- 4.1 The Society is to be managed by a committee. The committee may exercise all the powers of the Society except those that the rules require to be exercised by an annual general meeting or special general meeting.

Officers

- 4.2 The officers of the Society are a chairman, secretary, and treasurer. They must each be members of the Society. An officer shall hold office until the end of the next annual general meeting after the date of his or her election, and is eligible for re-election.
- 4.3 If there is a casual vacancy in an office, the committee may appoint one of its members to fill the vacancy. That person holds office until the end of the next annual general meeting after the date of appointment.

Treasurer to keep accounts

- 4.6 The Treasurer must collect all money due to the Society and make all payments authorised by the Society. The treasurer must also keep accurate books and accounts of the financial affairs of the Society including full details of receipts and spending.

Election of committee

- 4.7 The committee shall consist of the officers of the Society and no more than 8 ordinary members. The ordinary members are to be elected at the annual general meeting each year. They hold office until the end of the next annual general meeting after the date of his or her re-election.
- 4.8 If there is a casual vacancy in an ordinary members membership of the committee, the committee may appoint one of the members to fill the vacancy. That person holds office until the end of the next annual general meeting after the date of the appointment.

Election of officer or ordinary member

4.9 The election of an officer or ordinary member of the committee must take place at the annual general meeting.

Nomination for election

4.10 A nomination of a candidate for election as an officer of the Society or as an ordinary member of the committee must be in writing and signed by 2 members of the Society. It must be accompanied by a written consent of the candidate (which may be endorsed by nomination). It must be given to the Secretary at least 7 days before the date of the annual general meeting. A nomination of a candidate is not valid if that candidate has already been nominated for an office or for membership of the committee as an ordinary member in the same election.

4.11 If only one nomination is properly made for an office or less than 8 nominations are properly made for ordinary membership of the committee, the candidates nominated are to be treated as having been elected.

4.12 If no nomination is properly made for an office or less than 2 nominations are made for ordinary membership of the committee, further nominations must be called for at the annual general meeting.

Vacation of office

4.13 The office of an officer of the Society or of an ordinary member of the committee becomes vacant if that officer or member :

4.13.1 ceases to be a member of the Society

4.13.2 resigns from office by giving the Secretary notice in writing

4.13.3 Becomes bankrupt

4.13.4 Dies

Removal of officer from office

4.14 A general meeting of the Society may resolve to remove a member of the committee before the members term of office ends, and may appoint another member in his or her place for the remainder of the term.

Proceedings of the committee

4.15 The committee must meeting at least 4 times a calendar year. The Chairman or any 4 members of the committee may convene a meeting. Adequate notice of a meeting must be given to members of the committee. The notice must specify the place, date and time of the meeting and the nature of business to be transacted at it.

Quorum at a committee meeting

- 4.16 An item of business may not be transacted at a committee meeting unless a quorum of 3 members entitled to vote is present while the item is being transacted. If a quorum is not present at the time for commencement of a meeting and is still not present half an hour later the meeting is automatically adjourned to the same time and day in the next week. It is to be held in the same place unless the chairperson specifies another place at the time of the adjournment or by a written note given to the committee members at least 24 hours before the date of the adjourned meeting.
- 4.17 If a quorum is not present at the time of the commencement of an adjourned meeting, and is not present half an hour later, the meeting is automatically dissolved

Chairperson at committee meetings

- 4.18 The chairman, and in his/her absence the Secretary must preside as chairperson at each committee meeting. If the chairman and the secretary are absent, the members must elect one of their number to preside as chairperson at the meeting.

Adjournment of committee meetings

- 4.19 The chairperson of a committee meeting at which a quorum is present may adjourn the meeting with its consent. If a meeting is adjourned for 14 days or more, notice of the adjourned meeting must be given as in the case of the original meeting.

Voting by show of hands at a committee meeting

- 4.20 A question that is to be decided at a committee meeting has to be decided on a show of hands. Unless a poll is demanded in accordance with the next clause a declaration by the chairperson that a resolution has been carried, carried unanimously, carried by a particular majority or lost, plus an entry to that effect in the minute book of the Society, is evidence of that fact, without proof of the number or proportion of the votes recorded for and against that resolution.

Demanding a poll at a committee meeting

- 4.21 If at least 3 members entitled to vote at a committee meeting demand a poll on the question that is to be decided, the chairperson must comply with that demand. That demand may be made before a show of hands or immediately after the chairperson's declaration on a show of hands. In the latter case the poll overrides the show of hands.

Entitlement to vote at a committee meeting

- 4.22 A member is entitled to vote at a committee meeting unless he/she owes an amount to the Society that is overdue.

Subcommittees

- 4.23 The committee may appoint subcommittees consisting of such person and for such purposes as the committee thinks fit. At least 3 members of every subcommittee must be members of the Society. Subcommittees shall only have the powers and duties that are conferred on them by the committee.

Indemnity

- 4.24 The members of the committee and any subcommittee appointed under 4.2.3 shall at all times be held indemnified by the Society from and against all claims, acts, proceedings and damages made suffered or sustained by a committee or subcommittee member as a result of his or her carrying out in good faith the requirements of the committee, subcommittee or the Society.

5. MISCELLANEOUS

Alteration of rules

- 5.1 The rules of the Society may be altered, added to or rescinded at any annual of general meeting of the Society. The notice given to members shall contain a copy of or state briefly the nature of the resolution to be moved at the general meeting. A copy of the motion, resolution or business shall be lodged with the Secretary at least 14 days prior to the meeting. The resolution shall be effective if passed by not less than three quarters of the members present at the meeting.
- 5.2 The Society shall register any alteration or addition to the rules as required by the Incorporated Societies Act 1908 or any Act passed in substitution for it.

Execution of documents

- 5.3 The Secretary shall retain the common seal of the Society
- 5.4 Documents shall be executed by the Society pursuant to a resolution of the committee :
- 5.4.1 by affixing the common seal witnessed by the chairman or secretary and countersigned by some other member of the committee
- 5.4.2 where the document is not required by statute to be executed under common seal, the chairman or secretary and some other member of the committee signing on behalf of the Society.

Annual financial statements

- 5.5 Every year a set of annual financial statements shall be prepared by or at the instigation of the treasurer showing all the receipts and spending of the Society since the preceding annual financial statements and shall include a general statement of the funds, effects, liabilities, assets and all mortgages, charges and securities of any description affecting any property of the Society.

5.6 The annual financial statements shall be audited prior to and approved by the members of the annual general meeting.

5.7 The annual financial statements shall be submitted to and approved by the members at the annual general meeting

5.8 The treasurer shall send the annual financial statements and a certificate in the required form signed by the treasurer certifying that the annual financial statements have been approved, to the Register of Incorporated Societies.

Financial Year

5.9 Shall be from 1 April to 31 March or as may be otherwise determined by the committee

Fees and Expenses for committee members

5.10 No member of the committee shall be entitled to meeting fees or reimbursement of travel expenses.

Liability of members.

5.11 No member shall be under any liability in respect of any contract or other obligation made or incurred by the Society.

Winding Up

5.12 The Society maybe dissolved and its affairs wound up by a resolution passed by a majority of votes at a general meeting. The notice for that general meeting must specify winding up the society as the business or part of the business of the meeting.

5.13 If the Society is wound up the surplus assets after payment of all debts, costs and liabilities shall be disposed of in accordance with the terms of a resolution passed at a special general meeting called for that purpose. The surplus assets or funds must be given or transferred to some other organisation within New Zealand having objectives similar to those of the Society

5.14 No portion of the assets or the funds of the Society may be transferred directly to any member or members of the Society.

Notices

5.15 A notice or other document may be served on a member of the Society either personally or by sending it by post to the member at the address show on the register of members. A notice or other document sent by post is to be treated as having been given to the Person at the time the letter would have been delivered in the ordinary course of the post.