

PUKERUA BAY RESIDENTS ASSOCIATION INCORPORATED

Constitution and rules

Association established February 1926

1 Name

The society shall be the Pukerua Bay Residents Association Incorporated (hereinafter referred to as “the Association”)

2 Objects

The objects of the Association shall be to:

- 2.1 Work on behalf of, and for the benefit of the community of Pukerua Bay and surrounding areas on matters affecting their interests and well being;
- 2.2 Protect and promote the residential, social, recreational, educational and environmental amenities of the Pukerua Bay area for the benefit of both residents and visitors;
- 2.3 Pursue matters of wider interest affecting the Pukerua Bay community, and liaise or affiliate with other community based groups in matters of common interest;
- 2.4 Pursue dialogue and mediation regarding any development or activity considered detrimental to the above objects, including the lodging of any objection, petition, or appeal or taking part in any process relating to such matters.

3 Area

The area covered by the Association shall be all parts of Pukerua Bay including the adjacent foreshore and waters.

4 Membership

Membership of the Association shall be open only to persons residing in or paying rates on a property in the area represented by the Association.

5 Termination of Membership

- 5.1 Membership of the Association may be terminated:
 - (a) By written resignation sent to the Secretary;
 - (b) Expulsion by resolution of a General Meeting.
- 5.1.1 If at any time the Executive Committee is of the opinion that a Member has acted in a manner prejudicial to the interests of, or in breach of the rules of the Association, the member shall be notified in writing of any such proposed recommendation by the Executive Committee, and shall be given an opportunity to offer the Executive Committee an explanation either orally or in writing at a Special General Meeting.
- 5.1.2 The member in question will be suspended and notified in writing of such which includes suspension of all powers of office, and notified of their rights as per clause
- 5.1.3 Voting on such a motion at a General Meeting shall be by ballot, and shall require a two-thirds majority vote of Members present.
- 5.1.4 The member in question will be notified in writing as to the result of the ballot.
- 5.2 Every person upon ceasing to be a member of the Association forfeits all right to and claim upon the Association and its property and funds.

6 Subscription

The voluntary Annual subscription fee, currently nil, shall be such sums as determined at the Annual General Meeting or at a Special General Meeting.

7 Financial Year

The Financial year shall end of the 30th day of September in every year, to which day the accounts of the Association shall be balanced.

8 Notice to be given of Meetings

- 8.1 Notice of an Annual General Meeting or Special General Meeting shall be given by advertisement throughout the Community either via the Community Newsletter or public notices, at least 14 days before the meeting, OR by notice delivered to each household in the area covered by the Association at least 5 days before the meeting, and includes the invitation to raise any issue.
- 8.2 Monthly Executive Committee Meeting dates shall be set at the first meeting after the AGM. These Dates and Venues shall be advertised in the following Community Newsletter.
- 8.3 Notice of any change of date to be communicated to Executive Committee Members at least 5 days before the meeting.

9 Annual General Meetings

- 9.1 The Annual General Meeting of the Association shall be held in October, as soon after the 30th September as considered suitable by the Executive Committee.
- 9.2 The business of the Annual General Meeting shall be to:
- (a) Confirm the minutes of the previous Annual General Meeting and any Special General Meetings since held.
 - (b) Receive the Annual Report and Financial Statements of the Association for the preceding financial year.
 - (c) Elect an Executive Committee from nominations from the floor, and committee members wishing to stand again.
 - (d) Set any subscriptions for the financial year.
 - (e) Transact any business of which notice has been given or which is the subject of a recommendation from the previous Executive Committee.
 - (f) Consider any other general business, providing that no decision or recommendation at the meeting shall be binding of the Executive Committee, unless it is the unanimous decision of the meeting.
 - (g) Set the date of the next Executive Committee meeting.

10 Special General Meetings

- 10.1 A Special General Meeting of the Association shall held at any time if the Executive Committee considers such a meeting necessary or upon the requisition of no less than 8 Members.
- 10.2 Notice of any Special General Meeting shall specify the matters to be considered at that meeting, and shall be notified as per an Annual General Meeting.

11 Executive Committee Meetings

- 11.1 Meetings will be held at monthly intervals, or as deemed necessary by the Executive Committee, or President/Chairperson, or upon the requisition of not less than 2 members of the Executive Committee.
- 11.2 Meetings will be open to all Members of the Association, and for any other invited persons to attend, speak on issues of concern to them, but not take part in any decisions. The Executive may agree to go into committee to discuss any particular matter. During such discussion, non-Executive Committee Members may be excluded.

12 Procedure at Meetings

- 12.1 Quorums - The quorum throughout all General Meetings of the Association shall be 6 Members, and for Executive Meeting shall be 3 Members.
- 12.2 Chair – At all Executive Committee and General meetings the chair shall be taken by the President/Chairperson or the Vice-President/Chairperson, or in their absence the Members present shall elect one of their numbers to take the chair.

- 12.3 Notices of Motion – Members are invited via the public notices in the Community Newsletter, to bring any issues to any meeting.
- 12.4 Voting Eligibility –
- (a) Every Member present shall be entitled to one vote upon every motion;
 - (b) Voting powers at General Meetings shall be limited to those Members sixteen years of age and over;
 - (c) At Executive Committee Meetings only Executive Committee Members may vote.
- 12.5 Voting Procedure –
- (a) At all meetings, voting will be by voice or by show of hands.
 - (b) If requested by not less than two Members, or because of the nature of the vote and the chair so decides, a ballot may be held.
 - (c) In case of an equality of votes the chair shall have a casting vote.

13 Officers

- 13.1 An Executive Committee of no less than 5 and no more than 10 Members shall be elected at each Annual General Meeting. Should an Annual General Meeting fail to elect a new committee, the previous committee shall continue to run the affairs of the Association until a Special General Meeting can be called to appoint a new committee.
- 13.2 The Executive Committee shall appoint from its members a President/Chairperson, Vice President/Chairperson, Secretary, Treasurer, and such other officers as it deems necessary.
- 13.3 The Executive Committee may appoint Members to fill vacancies.
- 13.4 It may appoint subcommittees as considered desirable, and may co-opt other persons (including non-residents) to assist in special projects.
- 13.5 The entire management of the Association shall be the responsibility of the Executive Committee

14 Finance

- 14.1 The control and investment of funds of the Association shall be with the Executive Committee.
- 14.2 Banking operations on the Association's account(s) shall be carried out by the Treasurer, and such accounts shall be operated on the signatures of any two of three Members of the Executive Committee appointed for that purpose by the Executive Committee.
- 14.3 If an audit of the financial accounts is required by General Meeting or by the Executive Committee, a suitably qualified auditor shall be appointed by the Executive Committee.

15 Borrowing Powers

The Association may borrow any sum(s) of money for the purposes of the Association, from any persons, businesses, or corporations, but only in accordance with a resolution passed by a two-thirds majority vote of the Members present at a General Meeting.

16 Liquidation

- 16.1 The Association may be liquidated if, at an Annual General Meeting or a Special General Meeting of the Members, a resolution is passed accordingly by a majority of the members present.
- 16.2 That this resolution is confirmed at a subsequent general meeting held not earlier than 30 days after passing of the resolution in question.
- 16.3 In the event of the liquidation or dissolution of the Association, all surplus assets and money shall, after satisfaction of all debts and liabilities, be disposed of for purposes in accordance with the Association's objects or to an organisation in New Zealand with similar objects, as determined by the general meeting.
- 16.4 Such surplus assets or monies shall not be paid to or distributed amongst the members of the Association or to any other individual members of another organisation.

17 Use of Common Seal

17.1 The Seal shall be kept by the Secretary, and affixed to any document where a seal is legally required.

17.2 The Seal shall only be used following a resolution of the Executive Committee, and the use shall be witnessed by the Secretary and one other member of the Committee.

18 Alterations to Rules

These rules may be amended, added to or repealed by a two-thirds majority vote at any general meeting of the Association, providing that notice of intention to make such changes has been given in the notice convening the meeting.

19 Interpretation of Rules

The Executive Committee is the sole authority of the interpretation of these Rules.

20 Personal Benefits

20.1 Any income, benefit or advantage shall be applied to the stated objects of the Association

20.2 No member or person associated with a member shall participate in or materially influence any decision made by the Association in respect of payment to or on behalf of that member or associated person of any income, benefit or advantage whatsoever.

20.3 Any income, benefit or advantage may be derived for Professional services to the Association rendered in the course of business charged at no greater rate than current market rates, or interest on money lent at no greater than current market rates.

21 Indemnity

The Executive Committee, and each and every one of them respectively may be fully indemnified by and out of the funds of the Association against any loss, damage expenses or liability incurred by reason of, or in connection with any legal proceedings instituted against them or any of them, for any act done, omitted or suffered in relation to the performance of any of their official duties.