

**RULES OF
THE TUTUKAKA COAST RATEPAYERS AND RESIDENTS ASSOCIATION INC**

1. THE NAME

The name of the Association shall be "The Tutukaka Coast Ratepayers and Residents Association Incorporated" (the Association)

2 AIMS AND OBJECTIVES

- a) The Association shall be apolitical and non-partisan.
- b) To promote, sponsor and support the welfare of the district known as the "Tutukaka Coast" consisting of, and including the area from Ngunguru Ford Road in the south and Sandy Bay to the north with all adjacent areas, and of the ratepayers and residents of the area.
- c) To promote and support improvements to community services and amenities.
- d) To contribute a responsible and informed community voice to the improvement of the area and provide a medium through which residents and ratepayers can make themselves heard on matters of community importance.
- e) To provide a mechanism through which the community can be informed of their rights and obligations, and encouraged to participate effectively and lawfully in any matters relating to the environment, resource management, planning and other issues, by establishing formal lines of communication with appropriate local, regional, and national authorities and organizations.
- f) To consult, co-operate and act in conjunction with any local authority, community organization, service club, iwi or other organization in pursuance of the Association's aims and objectives.
- g) To encourage the restoration of the environment to preserve the natural character of the coast.
- h) Undertake any lawful acts which are conducive to the attainment of the Aims and Objectives of the Tutukaka Coast Ratepayers and Residents Association.

3. MEMBERSHIP

- a) Membership is open to any person either paying rates or resident in the Tutukaka Coast area. A resident is defined as any person who has been residing in the area for at least three months during the current year. All other applications for membership shall be at the discretion of the Executive Committee.



- b) The membership fee shall be determined by the Annual General Meeting on recommendation from the Committee.
- c) A person shall cease to be a member of the Association if their membership fee remains unpaid for two months after such fees become due.

4. MANAGEMENT

- a) The Annual General Meeting shall be held at a venue within the Tutukaka Coast area sometime between 1 August and 30 September each year for the following purposes:
 - (i) To receive the report of the outgoing Committee
 - (ii) To receive the Treasurer's report and financial statement
 - (iii) To elect an Executive Committee and Auditor.
 - (iv) To transact any other general business.
- b) Notice of the time and place of the Annual General Meeting shall be distributed to each member not less than fourteen days before such meeting. The Annual General Meeting shall be advertised on at least one occasion, fourteen days before the meeting, in a local newspaper circulating in the area.
- c) An ordinary General Meeting shall be held each year during the summer school holidays. The Committee may, whenever it thinks fit, convene additional General Meetings. Notice of such meetings shall be the same as for the Annual General Meeting.
- d) Special General Meetings may also be convened on a written request of at least five members of the Association. This request must state the purpose of the meeting. It must also be signed by those requesting the meeting and handed to the Executive who shall within twenty-one days of the receiving the request convene a Special General Meeting.
- e)

5. VOTING AT GENERAL MEETINGS

- a) Every member (as defined in Paragraph 3) present at the meeting shall have one vote. Generally voting shall be by show of hands unless a request is made for a secret ballot, in which case a secret ballot must be conducted. In the event of a tie the status quo will remain.
- b) At any General Meeting a quorum shall be eleven members.

6. ELECTION OF THE EXECUTIVE COMMITTEE

- a) The election of the Executive Committee for the ensuing year shall take place at the Annual General Meeting.
- b) The Executive shall consist of at least five but no more than twelve members, elected by a majority of members present.
- c) Written nominations signed by the nominee, the proposer and the seconder may be forwarded to the Secretary prior to the meeting. Verbal nominations approved by the nominee shall be accepted from the floor of the meeting. Proposers and seconds of all nominations must be members of the Association.
- d) The previous years Committee are eligible for re-election.
- e) In the event of too many nominations being received, election shall be by secret ballot. Scrutineers shall be appointed by the meeting.
- f) The Chairman and Secretary for the preceding year shall continue to act as Chairman and Secretary until the end of the Annual General Meeting.
- g) The date of the first Committee meeting following the Annual General Meeting shall be fixed at the Annual General Meeting.

7. EXECUTIVE COMMITTEE FUNCTIONS AND POWERS

- a) At its first meeting following the Annual General Meeting the Committee shall elect from its own members:
 - (i) a Chairperson
 - (ii) a Secretary
 - (iii) a Treasurer
- b) The previous year's Chairperson and Secretary and Treasurer shall attend the first Executive Committee Meeting to hand over the Seal, Papers, Monies, Vouchers, Bank Books and all other documents pertaining to the Association.
- c) The Executive Committee shall hold a minimum of six meetings a year and other meetings as the Committee itself shall decide.
- d) It shall be responsible for carrying out the aims of the Association in accordance with the policy laid down by the Association at General Meetings.

- e) The Chairperson and the Secretary shall have the power to call a meeting at any time subject to Clause 7g.
- f) The quorum necessary for the transaction of Committee business shall be five Committee members. Voting at Executive Committee Meetings shall be defined by Clause 5a for General Meetings.
- g) At least five days notice of the date, time and place of every Executive Committee Meeting shall be notified by the Secretary to each member of the Committee. Information regarding these meetings shall also be readily available to all members of the Association.
- h) Should any member of the Executive Committee be absent from more than three consecutive meetings without an apology to the Secretary, the Committee may resolve that he/she be deemed to have resigned from the Committee.
- i) The Executive Committee shall have the power to appoint a member to fill any vacancy on the committee until the next annual general meeting and any member so appointed shall retire at the next annual general meeting together with the rest of the members when all or any of the retiring committee shall be eligible for re-election
- j) The Common Seal of the Association shall be kept by the Secretary who shall, upon a resolution of the Executive Committee, affix it to appropriate deeds or documents. The affixing of the Seal shall be countersigned by the Secretary, the Chairperson, and one other member of the Executive Committee.
- k) The Chairperson will chair all meetings of the Association. As of right she/he shall also be a member of all sub-committees of the Association.
- l) The Secretary shall keep a record of the business transacted at all meetings and keep other records as required by the Committee. He/she shall also keep a copy of the Rules of the Association and call meetings in accordance with those rules.
- m) The Treasurer or another person nominated by the Committee, shall keep a register of the Association's members. This register shall contain the names and addresses of the members and the date at which they became members.
- n) The Treasurer shall manage all monies of the Association, and furnish regular financial statements to the Committee. She/he shall submit a report of the financial position of the Association as at the 30th day of June in each year to the Annual General Meeting.

- o) No monies shall be paid out except those authorised by minute of the Committee. The Trustees of the Association's bank accounts shall be the Chairperson, the Secretary and the Treasurer, any two of whom may sign cheques and withdrawal slips.
- p) Within fourteen days after the Annual General Meeting the Secretary shall file the Financial Statement as required by Section 23 of the Incorporated Societies Act, with the Registrar of Incorporated Societies.
- q) **No private pecuniary profit shall be made by any person involved in this Association, except that:**
 - (i) **Any employee or member of the Association (whether a committee member or not) may receive full reimbursement for all expenses properly incurred by them in connection with the affairs of the Association.**
 - (ii) **The Association may pay reasonable and proper remuneration to any employee or member of the Association (whether a committee member or not) in return for services actually rendered to the Association.**
 - (iii) **Any member of the Association (whether a committee member or not) may be paid all usual professional, business or trade charges for services rendered, time expended and all acts done by that member or by any firm or entity of which the person is a member, employee or associate, in connection with the affairs of the Association.**

8. FINANCIAL YEAR

The Financial Year of the Association shall end on the 30th day of June each year.

9. WINDING UP THE ASSOCIATION

In the event of a decision at a General Meeting of the Association called in accordance with Section 24 of the Incorporated Societies Act that the Association be wound up, all funds, equipment and other assets shall be converted into cash. After the payment of all debts the residuary funds shall be distributed to a charity registered with the Charities Commission, or to the charitable purposes of another organisation, preferably operating within the Association's area as nominated by the outgoing Committee.

10. ALTERATION TO RULES

These rules may be altered, added to, or rescinded at any time by two thirds majority of the members present at any General Meeting provided that written notice of the proposed amendments signed by the proposer and seconder be given to the Secretary at least twenty-eight days before the date of such a meeting. Notice of the proposed changes shall be circulated to members with the notice of the meeting. Within fourteen days after the approval to alter the Rules, the Secretary shall file the alterations with the Registrar of Incorporated Societies as required by Section 21 of the Incorporated Societies Act.

**Minutes of Special General Meeting
TUTUKAKA COAST RATEPAYERS & RESIDENTS ASSOCIATION
18 May 2009 Tutukaka Marina Offices**

Present: Ben Edgar, Gloria Bruni, Sophie Edwards, Mary Britton, Chris Robertson, Greg Martin.

Apologies: Anna Murphy, Trevor Shoebridge, Jim Kilpatrick.

Meeting open: 7pm

It is proposed pursuant to Rule 10 of the Rules of the Tutukaka Coast Ratepayers and Residents Association that the following amendments be made to the Association's Rules so that the Association meets the criteria for registration as a charitable entity with the Charities Commission.

RESOLUTIONS

“That Rule 7 paragraph q be added as follows”

- q) No private pecuniary profit shall be made by any person involved in this Association, except that:
 - (i) Any employee or member of the Association (whether a committee member or not) may receive full reimbursement for all expenses properly incurred by them in connection with the affairs of the Association.
 - (ii) The Association may pay reasonable and proper remuneration to any employee or member of the Association (whether a committee member or not) in return for services actually rendered to the Association.
 - (iii) Any member of the Association (whether a committee member or not) may be paid all usual professional, business or trade charges for services rendered, time expended and all acts done by that member or by any firm or entity of which the person is a member, employee or associate, in connection with the affairs of the Association.

“That Rule 9 be amended to read”

In the event of a decision at a General Meeting of the Association called in accordance with Section 24 of the Incorporated Societies Act that the Association be wound up, all funds, equipment and other assets shall be converted into cash. After the payment of all debts the residuary funds shall be distributed to a charity registered with the Charities Commission, or to the charitable purposes of another organisation, preferably operating within the Association's area as nominated by the outgoing Committee.

It is proposed pursuant to Rule 10 of the Rules of the Tutukaka Coast Ratepayers and Residents Association that the following amendments be made to the Association's Rules for the benefit of consistency and completeness.

RESOLUTIONS

“That Rule 1 be amended to add (*the Association*) after the Associations full name.”

"That Rule 7 paragraph j be amended to replace the word 'society' with the word 'Association'."

"That Rule 7 paragraph i be added as follows"

- i) The Executive Committee shall have the power to appoint a member to fill any vacancy on the committee until the next annual general meeting and any member so appointed shall retire at the next annual general meeting together with the rest of the members when all or any of the retiring committee shall be eligible for re-election

That the above rule changes, as circulated be adopted. Mary Britton/Sophie Edwards.
Carried.

Meeting closed: 7:10pm.

S. C. Edwards

BOPEL
Alvine A. Bruni