



www.societies.govt.nz | 0508 SOCIETIES | 0508 762 438  
Post your completed form to: Companies Office, Private Bag 92061, Victoria Street West, A



\*10056856399\*

### Certificate - Alteration of rules

Section 21 Incorporated Societies Act 1908

#### 1. Name of society

Mount Victoria Residents Association, Inc.

#### 2. Society number

216503

I certify that the rules that are endorsed with this application have been approved by a majority of the members of the society and comply with Section 6 of the Incorporated Societies Act 1908.

#### Name

Jessica Closson

#### Position

President

Signature *Jessica Closson* Date 7 NOV, 2008

#### 3. Checklist before filing your application

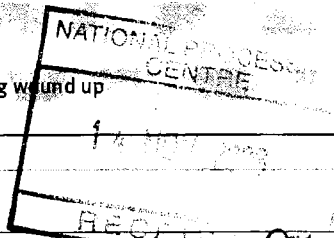
- Does the rule alteration include a name change for the society? *NO*
- If the name of the society is being changed, have you checked that the society's name is available by conducting Register Searches at both [www.societies.govt.nz](http://www.societies.govt.nz) and [www.companies.govt.nz](http://www.companies.govt.nz)?
- Has this certification been completed by an officer of or a solicitor for the society?
- Is a copy of the rule alteration(s) attached? This can either be a complete copy of the updated rules with the alterations underlined or in **bold type**, or a copy of the particular rule(s) that were altered.
- Has the copy of the alteration to rules been signed by three members of the society?

#### What must be included in your rules?

Section 6 of the Incorporated Societies Act 1908 requires that a society's rules include the following:

- The name of the society (ending with the word Incorporated)
- The objects for which the society is established
- How people become members of the society and cease being members of the society
- How meetings of the society will be called and held and how voting will take place
- How officers of the society will be appointed
- Control and use of the common seal
- How the society's funds will be controlled and invested
- The powers (if any) that the society has to borrow money
- How any property of the society will be distributed in the event of the society being wound up
- How the rules of the society can be altered.

NPC# 08  
7 NOV 2008



#### 4. Your contact details

Name and postal address  
Jessica Closson  
62 Austin St.  
Mt Victoria  
Wellington

Email (optional) ~~\_\_\_\_\_~~

Telephone 04 802 4333

**THE RULES OF  
THE MOUNT VICTORIA RESIDENTS ASSOCIATION  
INCORPORATED**

**1. NAME**

The name of the Association shall be Mount Victoria Residents Association Incorporated (hereinafter called "the Association").

**2. PURPOSE**

The Association shall work for the benefit of the residents of Mount Victoria, being the area generally bounded by the length of Cambridge and Kent Terraces to the west, and Roxburgh, Hood, Prince, McFarlane, and Moeller Streets, Palliser Road to the north, the Town Belt and Alexandra Road to the east, Wellington East Girls College and Wellington College to the south, and the length of Dufferin Street.

**3. OBJECTIVE**

The objective of the Mount Victoria Residents Association is to promote the benefit of the Mount Victoria community, including:

- 3.1 Promoting, undertaking or facilitating activities that encourage a community spirit and sense of unity, and contribute to the wellbeing of residents
- 3.2 Protecting the quality and heritage values of the built and natural environment of Mount Victoria to enhance its attributes as a place in which to live, and promoting its sustainable management
- 3.3 Working with other groups and organisations with similar objectives
- 3.4 Representing the interests of the Mount Victoria community.

**4. ASSOCIATION TO BE NON-POLITICAL**

The Association shall be strictly non-party-political.

**5. MEMBERSHIP**

- 5.1 Any adult resident of the district included in the Association area shall be eligible for membership.
- 5.2 That Honorary Life membership be given to persons who have given outstanding service to the Association.
- 5.3 The annual minimum subscription shall be such amount as shall be determined from time to time by the Association in general meeting. Subscriptions shall be due and payable within one month of the Annual General Meeting of the Association and a member shall be deemed to be unfinancial if his/her subscription is not paid within that time.
- 5.4 Membership in the Association is forfeited:
  - (i) On losing the residential qualification
  - (ii) On notice of resignation in writing to the Secretary of the Association, together with such Subscription as may be due

- (iii) On expulsion by a two-thirds majority at a General Meeting of the Association
- (iv) On becoming unfinancial

## **6. OFFICERS OF THE ASSOCIATION**

- 6.1 The management of the Association shall be deputed to an Executive Committee consisting of a President, Vice President, Secretary and Treasurer and up to ten other members all of whom shall be elected at the Annual General Meeting and shall hold office for one year or until the election of their successors, provided that consequent on a dissolution of the Executive Committee under Rule 8, a new Executive Committee may be elected at a Special General Meeting to hold office until the next Annual General Meeting of the Association.
- 6.2 Any member of the Executive Committee who absents him/herself without leave from three consecutive Committee meetings shall cease to be a member of the Committee, provided that the Executive Committee shall have power to excuse non-attendance.
- 6.3 The method of election shall be as follows:  
Nominations shall be called for at the Annual General Meeting and the new officers shall be installed immediately after they are elected. In the event of there being more nominations than vacancies for the position or positions to be filled, a ballot is to be taken for such positions among the financial members of the Association there present.
- 6.4 No member shall be proposed for any office without his prior consent

## **7. MEETINGS OF EXECUTIVE COMMITTEE**

- 7.1 The Executive Committee shall meet once a month or at such other intervals as may be determined and a Special Committee Meeting may be summoned at any time by the President, Vice-President or two other Executive members.
- 7.2 At all meetings of the Executive Committee the chair shall be taken by the President, or, in his/her absence, by the Vice-President. In the absence of the President and Vice-President, the Executive Committee may elect a Chair for that meeting from those members of the Executive Committee present.
- 7.3 The Chairperson of an Executive Committee Meeting shall have a deliberative vote and, should the voting be equal, a casting vote also.
- 7.4 The quorum for an Executive Committee Meeting shall consist of four members.

## **8. POWERS OF EXECUTIVE COMMITTEE**

- 8.1 The Executive Committee shall have power to direct the general activities and manage the affairs of the Association subject to any special instruction of the members in General Meeting assembled.

- 8.2 The Executive Committee may appoint sub-committees of its members with powers to act as defined by the Executive Committee. The President shall be an ex-officio member of all such Sub-Committees.
- 8.3 The Executive Committee may set up Special Committees which may include members outside the Executive Committee, for any special purposes required.
- 8.4 The Executive Committee may vary or rescind any powers granted to any Sub-Committee or Special Committee.
- 8.5 The Executive Committee may make, amend or repeal by-laws for the guidance of its own meetings.
- 8.6 The Executive Committee may form an Action Committee of the President and two others to be elected.
- 8.7 The Executive Committee may appoint members to fill casual vacancies occurring on the Executive Committee between Annual General Meetings.
- 8.8 The Executive Committee shall have the power to prepare standing orders for the conduct of all meetings of the Association.

## **9. DUTIES OF THE PRESIDENT**

- 9.1 The President shall be responsible for carrying out the policy and decisions of the Association and the Executive Committee and shall draft for consideration by the Executive Committee an annual report of the year's work and activities for presentation to the Annual General Meeting and shall do such other acts and things as from time to time the Executive Committee or the members of the Association in General Meeting may require.

## **10. DUTIES OF THE SECRETARY**

- 10.1 The Secretary shall keep regular minutes of the proceedings of the Association Committee and of all other Special and General Meetings. He/She shall also under the supervision of the Executive Committee conduct the correspondence and shall call all ordinary and special meetings of the Association by notice as provided in Rule 15.

## **11. DUTIES OF THE TREASURER**

- 11.1 All monies shall be paid to the Treasurer and his/her receipt shall be sufficient discharge. He/She shall keep a correct set of books showing all monies received and paid out on account of the Association. He/She shall submit to the Secretary an account of receipts and disbursements and a financial statement showing the financial position of the Association for presentation at the Annual General Meeting.

## **12. REMOVAL OF OFFICERS**

- 12.1 At any Special General Meeting called as provided for in Rule 13.5 the Executive Committee may be dissolved by a resolution in that behalf passed by a majority of not less than two-thirds of the members of the Association present at that meeting and a new Executive Committee elected as provided for in Rule 15.

### **13. GENERAL MEETINGS OF THE ASSOCIATION**

- 13.1 The Annual General Meeting shall be held in the month of September of each year.
- 13.2 The regular business of the Annual General Meeting which shall take precedence over all other business shall be:
- (i) To receive annual report and balance sheet
  - (ii) Election of officers
  - (iii) Consideration of Notices of Motion
  - (iv) To fix the rate of the annual subscription for the ensuing year

All Notices of Motion affecting the election of officers shall be considered before section (ii).

- 13.3 Appropriate Standing Orders shall be read out by the Secretary at each Annual General Meeting of the Association.
- 13.4 Ordinary General Meetings shall be held quarterly.
- 13.5 A Special General Meeting shall be called:
- (i) At any time by resolution of the Executive
  - (ii) At any time on the written request of ten (10) or more financial members being deposited with the Secretary of the Association, provided that such requisition states the purpose of the meeting to be held. Notification of such a meeting is to be given by the Secretary as stipulated in Rule 14 but should the Secretary fail to do so within seven (7) days of receiving such requisition any ten (10) members may convene the meeting by notice given under their own hands.

### **14. NOTICE OF GENERAL MEETINGS**

- 14.1 At least seven (7) clear days notice (Sunday counting as a day) of all General Meetings shall be given to members. Such notice to be given either in writing or by advertisement in a newspaper, newsletter or periodical circulating in the district. The notice of meeting shall state the business to be transacted.

### **15. CHAIRING OF GENERAL MEETINGS**

- 15.1 At all meetings of members or of the Executive Committee the chair shall be taken by the President or, in his/her absence, by the Vice-President. In the absence of the President and Vice-President the meeting may elect a Chairperson from among those present.

### **16. MINUTES**

- 16.1 Minutes of all meetings shall be entered in a book and be confirmed at a subsequent meeting. The minutes shall record:
- (i) All appointments of officers
  - (ii) The names of the members of the Executive Committee present at any meeting of said committee
  - (iii) All resolutions, and proceedings at conferences, general meetings and meetings of all committees and sub-committees
  - (iv) The reports of delegates and such other matters as any meeting shall by

resolution be recorded in the minutes

## **17. FINANCES**

- 17.1 The income and property of the Association from whatsoever source derived, shall be applied solely towards the promotion of the objectives of the Association and no portion of the funds shall be paid or transferred directly or indirectly by way of dividends, bonus or otherwise to members of the Association except by way of honorarium agreed to at the Annual General Meeting.
- 17.2 The funds of the Association shall be under the control of the Executive Committee of the Association. All monies received shall be banked and no money shall be paid out unless authorized by resolution of the Executive Committee. Any surplus funds of the Association may be invested by the Executive Committee in such securities as are approved by a General Meeting. Deeds and other documents in connection with investments shall be examined by a Solicitor appointed by the Association and certified by him/her as in order. All interest and dividends arising out of such investments shall go to augment the funds of the Association.
- 17.3 An official numbered receipt shall be issued for all monies received by the Association. All such monies shall be lodged to the credit of the Association's banking account as soon as possible, but the Executive Committee may authorise the Treasurer or other officer to hold in cash any sum which the said Executive Committee deems reasonable for the purpose of petty cash.
- 17.4 Payment of all monies, except petty cash disbursements shall be made by cheque signed by the President and either the Treasurer or Secretary.
- 17.5 Audit – An auditor shall be appointed at the Annual General Meeting. It shall be his/her duty to check and audit the accounts for the past term, and to examine and prove the assets, see that the books and accounts are properly balanced and that a Balance Sheet and Cash Account showing in detail all expenses incurred are made out and published in the Annual Balance Sheet. He/She shall also see that all deeds and securities are in safe and proper keeping and report thereon to members of the Association at the Annual General Meeting and explain his/her report at such meeting. The Auditor shall not be a member of the Committee or hold any other office in the Association.

## **18. DELEGATES TO CONFERENCE, MEETINGS OF AFFILIATED BODIES & ETC**

- 18.1 Delegates shall be nominated by the General Meeting of the Association, or by the Executive Committee.
- 18.2 Delegates shall at such conference and meetings as they are directed to attend express themselves on all matters in conformity with the instructions of the Association or its Executive Committee.

## **19. NEW RULES AND ALTERATION OF RULES**

- 19.1 These rules may be amended or new rules made at the Annual General Meeting or any Special Meeting called for that purpose. At least fourteen (14) days notice in writing of the intended alterations shall be given to the Secretary who shall within seven (7) days of the receipt of such notice notify members as provided in Rule 14.1. No rule is valid until accepted by the Registrar of Incorporated Societies.

## 20. WINDING UP

- 20.1 The Association may be wound up voluntarily. It shall be so wound up only if a General Meeting of its members of which 14 days' notice to members has been given passes a resolution requiring the Association to be wound up and such resolution is confirmed at a subsequent General Meeting called for that purpose.
- 20.2 Fourteen (14) days' notice must have been given of this subsequent General Meeting which shall not be held earlier than thirty (30) days after the date on which the resolution to be confirmed was passed.
- 20.3 **In the event that the Association is wound up, all the Association's funds and other assets, after payment of its just debts, shall be given or transferred to one or more other organisations that also has an income tax exemption for some other charitable purpose within New Zealand. The funds and other assets shall not be paid to or distributed amongst members of the Association. A resolution passed by a two-thirds majority of members present at the General Meeting at which the winding up is confirmed shall decide the distribution to the recipient organisation(s).**

## 21. SEAL AND CUSTODY OF SAME

- 21.1 The seal of the Association shall remain in the custody of the Secretary and be used by him/her only when he/she is directed to use it by resolution passed by the Association. The seal shall be affixed by the Secretary.

## 22. METHOD OF VOTING

- 22.1 Voting shall be by show of hands except on request by three (3) or more members. In such cases a ballot shall be held.

Signed by three MVRA members for acceptance by the Ministry of Economic Development:

X Jessica Closson  
Jessica Closson, President

X Anne Kelly  
Anne Kelly, member

X Ginny McCarty  
Ginny McCarty, member

\*\*\*\*\*