

Rules of Maitahi Outrigger Canoe Club Incorporated under the Incorporated Societies Act 1908

**1 NAME**

The name of the society shall be Maitahi Outrigger Canoe Club **INCORPORATED**.

**2 OBJECTS**

The objects for which the Society is established are:

The purpose of Maitahi Outrigger Canoe Club is to strengthen family and community relationships, improve ourselves both mentally and physically and help eliminate social differences. We aim to create positive interdependence and help preserve the customs and traditions of Waka Ama through fostering the development of outrigger paddling.

**3 MEMBERS**

- (a) The Society shall consist of an unlimited number of members.
- (b) Any person or body corporate or organisation corporate having first completed a form of enrolment approved by the Society and having paid the appropriate subscription shall become a member of the Society.
- (c) A member shall cease to be a member of the Society in any of the following events:
  - resign from membership by notice in writing
  - be removed from the Society's Register of Members if s/he fails to pay a subscription within one year of the due date.
  - if s/he is expelled from membership. In this event a special general meeting will be called and the member to be expelled invited to attend or submit in writing grounds to refute the allegation and defend himself/herself. A vote is to be taken to decide the members fate and the member informed in writing of the decision.
- (d) Each member shall pay to the Society such a subscription as may from time to time be determined. Subscriptions are payable in advance and shall be due and payable on 1 July of each year.

**4 REGISTER OF MEMBERS**

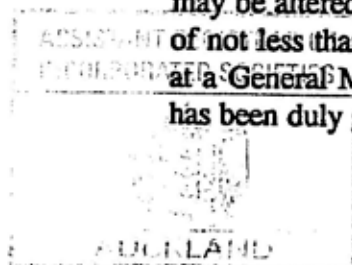
- (a) The Society shall keep a register of its members containing the names and addresses of those members and the dates at which they became members. The Society shall from time to time when required by the Registrar send to the Registrar a list of the names and addresses of its members accompanied by a statutory declaration verifying that list and made by the Chairperson, Secretary or Treasurer of the Society.

**5 REGISTERED OFFICE**

- (a) In accordance with Section 18 of the Incorporated Societies Act 1908, the Society shall have a registered office to which all communications may be addressed and notice of the situation of that office and of any change therein shall be given to the Registrar as provided by that section of the Incorporated Societies Act 1908.

**6 ALTERATION OF RULES**

- (a) Subject to Section 21 of the Incorporated Societies Act 1908 these rules or any of them may be altered added to or rescinded by a resolution in that behalf passed by a majority of not less than three-fourths of the members as, being entitled to do so, vote in person at a General Meeting of which notice specifying the intention to propose the resolution has been duly given.



- (b) No addition to or alteration to the charitable objects, the personal benefit clause or the winding up clause shall be approved without the Inland Revenue Department's approval.

## **7 GENERAL MEETING**

- (a) A general meeting of the Society shall be held once in every calendar year at such time and place as the Committee of the Society may determine. The above mentioned General Meetings shall be called Special General Meetings.
- (b) Special General Meetings of the members may be convened at any time by the Secretary or Chairperson and shall be convened on the requisition of not less than three members of the committee or not less than 10 members of the Society.
- (c) Fourteen days notice of any Annual or Special General Meetings shall be given to members.
- (d) At every Annual or Special General Meeting the chair shall be taken by the Chairperson or any member of the Committee.
- (e) The voting at Annual or Special General Meetings shall be taken as the Chairperson shall direct. In case of equality of votes the Chairperson shall have a casting vote.
- (f) The business of the Annual General Meeting shall be:
- (i) to receive the annual report of the Committee of the Society
  - (ii) to receive the duly audited annual financial accounts
  - (iii) to elect members to the Committee of the Society
  - (iv) to appoint an auditor
  - (v) to transact any other business
- (g) At each Annual General Meeting the following regulations for the election of Committee members shall unless varied at an Annual or Special General Meeting apply:
- (i) each of the committee members shall be nominated by a financial member of the Society at or before an Annual General Meeting.
- (h) No business shall be transacted at any General Meeting unless a quorum is present. Such quorum shall be three members personally represented.
- (i) If within half an hour from the time appointed for the meeting a quorum of members is not present the Meeting shall stand adjourned to some convenient time and place.
- (j) No member shall be eligible to vote at any meeting unless s/he be a financial member.
- (k) Subject to the foregoing provisions every member shall have one vote including corporate bodies.
- (l) Votes shall be recorded in person only.

## **(8) COMMITTEE MEMBERS**

- (a) The Committee of the Society shall be as follows:
- (i) A Chairperson elected annually
  - (ii) A maximum of ten executives elected annually
  - (iii) A treasurer, auditor and secretary appointed by the Committee.
  - (iv) The Treasurer, auditor and secretary shall hold office until they resign or are removed from office by the Committee. Any vacancies shall from time to time be filled by a resolution of the Committee.
  - (v) Only persons who are financial members of the Society shall be eligible to be members of the Committee.

- (vi) The Committee shall have the power to co-opt additional members to the Committee if required.

**(9) INDEMNITY OF OFFICERS**

- (a) No officer of the Society shall be liable for the acts receipts neglects or defaults of any other officer of the Society or for any loss occasioned by any error of judgement or oversight on his/her part or any other loss damage or misfortune whatever which shall happen in the execution of the duties of his/her office or in relation thereto unless the same happen through his/her own wilful default or dishonesty.

**(10) MEETINGS OF THE COMMITTEE**

- (a) The Committee may meet together for the dispatch of business adjourn and otherwise regulate their meetings as they think fit. Questions arising at any meeting shall be decided by a majority of votes.
- (b) The quorum necessary for the transaction of the business of the Committee shall be three Committee Members.
- (c) The Committee may delegate any of its powers to sub-committees consisting of any such member or members as it thinks fit; any committee so formed shall in the exercise of the powers so delegated conform to any regulations that may be imposed on it by the Committee.

**(11) POWERS OF THE COMMITTEE**

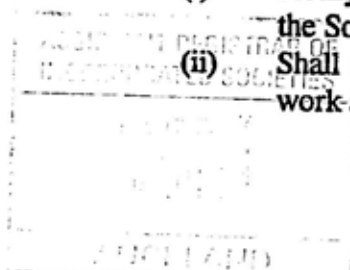
- (a) The management of the business of the Society shall be vested in the Committee and the Committee may exercise all such powers and do all such acts and things as the Society by its rules or otherwise authorised to exercise and do are not hereby or by Statute directed or required to be exercised or done by the Society in General Meeting but subject nevertheless to the provisions of the Incorporated Societies Act 1908 and of these rules and to any regulations not being inconsistent with these rules from time to time made by the Society in General Meeting. The Committee may think fit to confer any such powers from time to time and to exercise for such objects and purposes and upon such terms and restrictions as the Committee thinks expedient such powers to any person it may think fit and may from time to time revoke withdraw alter or vary all or any such powers.

**(12) COMMON SEAL**

- (a) The Secretary shall have custody of the common seal of the Society and such seal shall not be affixed to any instrument except by the authority of a resolution of the Committee and in the presence of a member of the Committee and of the Secretary: and that member of the Committee and the Secretary shall sign every instrument to which the seal of the Society is so affixed in their presence.

**(13) THE SECRETARY**

- (a) The Secretary shall:
- (i) Notify members of the Society of each Annual or Special General Meeting of the Society.
- (ii) Shall draft for consideration by the Committee an annual report of the years work and activities for presentation to the Annual General Meeting.



- (iii) Keep a register of members
- (iv) Keep a record of all proceedings of meetings and of the attendance of officers and members of the Society at such meetings.
- (v) Keep a record of the number of members voting at the election of Committee Members and the result of such voting.
- (vi) Do such other acts in relation to the affairs of the Society as from time to time the Committee may require.

**(14) TREASURER**

**(a) The Treasurer shall:**

- (i) Bank or cause to be banked in the name of the Society all moneys received.
- (ii) Disburse the funds of the Society as may be determined by the Committee.
- (iii) Keep the Society's Books of Account and prepare the necessary financial Accounts and Statements.
- (iv) Do such other acts as the Committee may from time to time require.

**(15) CHEQUES**

- (a)** All cheques shall be signed or endorsed in such manner as the Committee shall from time to time direct.

**(16) BOOKS AND FINANCIAL STATEMENTS**

- (a)** The Society shall cause to be kept proper books of account in which shall be kept full true and complete accounts of the affairs assets and transactions of the Society.
- (b)** At the close of each financial year and at such other times as the Committee may elect an income and expenditure account and a statement of assets and liabilities of the Society shall be prepared and shall be examined and the correctness thereof ascertained by the Auditor of the Society.
- (c)** The Society shall deliver annually to the Registrar in such form and at such times as required a statement containing the following particulars:
  - (i)** The income and expenditure of the Society during the Society's last financial year.
  - (ii)** The assets and liabilities of the Society at the close of the said year.
  - (iii)** All mortgages charges and securities of any description affecting any of the property of the Society at the close of the said year.
- (d)** The said statement shall be accompanied by a certificate signed by the Secretary or some other officer of the Society authorised by the Committee to the effect that the statement has been submitted to and approved by the members of the Society at a General Meeting.

**(17) AUDITOR**

- (a)** The remuneration of the Auditor shall be fixed by the Committee.

- (b) If any casual vacancy occurs in the office of any Auditor appointed by the Society the Committee shall appoint an Auditor to carry on the duties of the Auditor.
- (c) Every Auditor shall be supplied with a copy of the accounts and statements aforesaid and it shall be her/his duty thoroughly to examine the same in detail with the books accounts and vouchers relating thereto.
- (d) Every Auditor shall have a list delivered to him/her of all books kept by the Society and shall at all reasonable times have access to the books and documents of the Society and she/he may in investigating such accounts examine the Committee or such officers of the Society who shall at all times render all assistance to such Auditor.
- (e) The Auditor shall make a report to the members upon the accounts and statements aforesaid and in every such report she/he shall state whether in her/his opinion the same is or are full and fair accounts and statements containing the particulars required by the rules of the Society and properly drawn up so as to exhibit a true and correct view of the Society's affairs and such report shall be read together with the report of the Committee at the Annual General Meeting.

**(18) NOTICES**

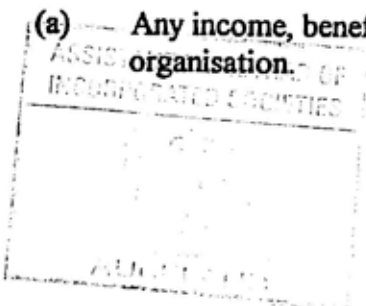
- (a) Every notice to be given to any member pursuant to any of these rules shall be deemed to be sufficiently given to and served on him/her if posted or delivered to him/her address appearing in the Society's Register of members.
- (b) The loss delay or non-delivery of any notice sent or delivered to any member of the Society or of the Committee whether through the post or otherwise shall not invalidate or prejudice any resolution passed or election made or other thing done by the Society or Committee.
- (c) Any notice if given or served by post shall be deemed to have been given or served 24 hours after the letter containing the same is posted and in providing such service it shall be sufficient to prove that the letter containing the notice was properly addressed and put into the post office or pillar box.

**(19) WINDING UP**

- (a) The Society may be wound up voluntarily if the majority of the members present at a General Meeting pass a resolution requiring the Society to be wound up.
- (b) This resolution must be confirmed at a subsequent meeting held at least thirty (30) days after the date on which the above resolution (a) was passed.
- (b) If upon the winding up or dissolution of the Society there remains after satisfaction of all costs and debts and liabilities any property or assets whatever the same shall not be paid to or distributed among the members of the Society but shall be given sold or transferred to some other Institution or Institutions having similar objects to the objects of the Society or in the absence of any Institution then to such public charity or public charities as the Committee deems appropriate.

**20 PERSONAL BENEFIT**

- (a) Any income, benefit or advantage shall be applied to the charitable purposes of the organisation.



- (b) No member of the organisation or any person associated with a member shall participate in or materially influence any decision made by the organisation in respect of any income, benefit or advantage whatsoever.
- (c) Any such income paid shall be reasonable and relative to that which would be paid in an arm's length transaction.
- (e) The provisions and effect of this clause shall not be removed from this document and shall be included and implied into any document replacing this document.

ASSISTANT  
REGISTRAR

Incorporated this... 13 .....  
day of August 2001  
R. SELICK  
Assistant Registrar of Incorporated Societies