

# Application to Incorporate a Society



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The Incorporated S  
This form is available online at [www.societies.med.govt.nz](http://www.societies.med.govt.nz)

AK1504200

Name of Society

SNELLS BEACH RATEPAYERS AND  
RESIDENTS ASSOCIATION INCORPORATED

- The society's name must end with the word Incorporated
- The name cannot be the same as any other society, company or organisation. Check existing society and company names for free by doing a Current Name Search online at [www.societies.med.govt.nz](http://www.societies.med.govt.nz).

Address for Registered Office

This address must be a physical address  
e.g. 6 Anywhere St, Somewhereville.

Address 29 BRIGITTE VIEW  
SNELLS BEACH

Address for Communication

Postal Address (e.g. PO Box) to which  
communications from the Registrar may be sent.  
The email address will not be available publicly.

Address 29 BRIGITTE VIEW  
SNELLS BEACH

Email chairman@snellsbeachratepayers.com

Contact Person Details (optional)

This will allow the Registrar to have a direct  
contact person for your society. The email address  
will not be available publicly.

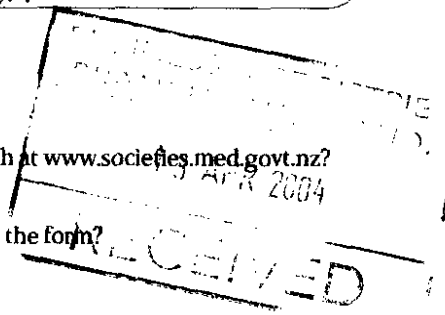
Address Richard Andrews  
29 BRIGITTE VIEW  
SNELLS BEACH

Email richard@ctvici.com

The society's annual general meeting will usually be held in ~~March~~ April (month)

Checklist before filing:

- Have you checked that the society's name is available by conducting a Current Name Search at [www.societies.med.govt.nz](http://www.societies.med.govt.nz)?
- Has the application form been signed by 15 members of the society?
- Have all the signatures been witnessed by someone who isn't one of the 15 members signing the form?
- Has the confirmation of rules statutory declaration been completed?
- Are two copies of the society's rules attached to the statutory declaration?
- Is the fee of \$100.00 included? (Cheques should be made payable to Ministry of Economic Development.)



Completed by

Name and postal address

Richard Andrews  
29 BRIGITTE VIEW  
SNELLS BEACH

Other details

Telephone 09-425 5510

Post to

Registrar of Incorporated Societies  
Ministry of Economic Development  
Private Bag 92061  
Auckland Mail Centre 1020

P# 08



# Incorporated Society Rules Statutory Declaration



The Incorporated Societies Act 1908 (Sections 7 and 21)  
This form is available online at [www.societies.med.govt.nz](http://www.societies.med.govt.nz)

Use this form when submitting an application to incorporate a society OR when a society files an alteration to its rules.

Name of Society SNELLS BEACH RATEPAYERS AND RESIDENTS ASSOCIATION INCORPORATED Society Number

I, RICHARD ANDREWS (name of person making declaration)  
of 29 BRIGITTE VIEW, SNELLS BEACH (residential address)

do solemnly and sincerely declare that:

1. I am a member of / ~~solicitor~~ (delete one) the above society, and
2. The attached rules / ~~alteration to the rules~~ (delete one) comply with section 6 of the Incorporated Societies Act 1908 (see below for list of criteria), and

Either (this option applies to applications to incorporate a society ã delete if not applicable)

3. The majority of members of the society consent to this application for incorporation

Or (this option applies for alterations to existing rules of an incorporated society ã delete if not applicable)

~~4. The alteration to the rules has been made in accordance with the rules of the society~~

And I make the solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Oaths and Declarations Act 1957.

Declared at Snells Beach (place)

this Eight (day) name of society member / ~~solicitor~~ RICHARD ANDREWS

day of APRIL (month) Signature of society member / ~~solicitor~~

2004 (year)

before me: Solicitor / Justice of the Peace / other person authorised to take a Statutory Declaration (delete as applicable)

**GAVIN BROUGH JP**  
Technician  
Snells Beach  
New Zealand

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

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

Completed by Name and postal address  
Richard Andrews  
Chairman  
Snells Beach Ratepayers  
29 Brigitte View  
Snells BEACH 1241

Other details Telephone (09) 425 5510

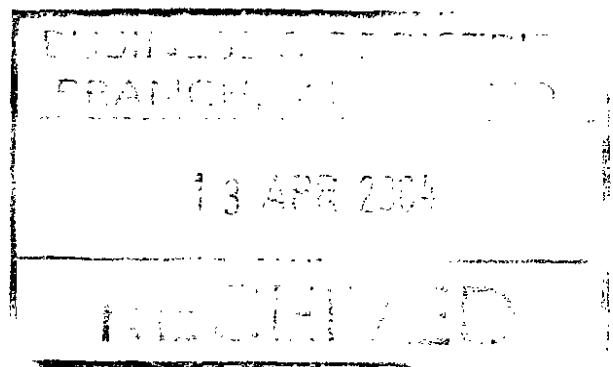
Pos. ... Registrar of Incorporated Societies  
Ministry of Economic Development  
Private Bag 92061  
Auckland Mail Centre 1020

"A"

# Rules

of the

## Snells Beach Ratepayers & Residents Association Incorporated



Amended on the 5<sup>th</sup> of April 2004

The following shall be the rules of the Society:

1 **NAME**

The name of the Society is the Snells Beach Ratepayers and Residents Association Incorporated, (hereafter referred to as "the Society") subject to Clause 10.

2 **OBJECTS**

The objects for which the Society is established are:

- (a) To publicise the objectives of the Society and to do whatever the membership or committee of the Society consider right, appropriate, and lawful for the promotion of the objects set out herein.
- (b) To promote, protect and draw attention to the interests of the ratepayers and residents of Snells Beach
- (c) To encourage all eligible persons to become members of the Society.
- (d) To establish & maintain effective relationships with elected representatives of local government, territorial authorities and their employees, agents or assigns.
- (e) To promote, support or oppose, as may be deemed appropriate, any proposed legislative or other measures affecting the interests of the members.
- (f) To co-operate with any other local community organization which has, as objectives, the promotion and protection of the interests of the ratepayers and residents of its community.
- (g) The Society shall have all necessary powers to buy or lease any real or personal property.

3 **MEMBERSHIP**

- (a) Membership of the Society shall be open to any ratepayer or resident living or owning property within the confines of the community known as Snells Beach, subject to Clause 10.
- (b) Membership of the Society shall be granted to any Household, Trust or Corporate Body as aforesaid upon the payment of the annual subscription fee of the Society.
- (c) Payment of the annual subscription fee of the Society is due immediately following the Annual General Meeting.
- (d) Failure to renew membership by payment of the annual subscription within three months of the Annual General Meeting will be recognised as resignation from the society.
- (e) A member who resigns membership from the Society during the financial year shall not receive reimbursement of the subscription or any part thereof.
- (f) The Annual General Meeting may bestow Life Membership in recognition for outstanding Community service & long term membership of the Society. There shall be a maximum of three life members at any one time.

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## **POWERS OF THE SOCIETY**

The powers of the Society are vested in the Annual General Meeting, Special General Meeting and General Meetings (monthly meetings for the day to day running of business) of the Society and during the intervals between such meetings the powers of the Society shall be exercised by the committee of the Society.

- (a) The Inaugural General Meeting of the Society shall be held not later than ten weeks after the incorporation of the Society.
- (b) At the Inaugural General Meeting of the Society the date of the Annual General Meeting shall be set and shall be held not earlier than 11 months and not later than 15 months hence.
- (c) Subsequent Annual General Meetings shall be set at the prior Annual General Meeting referred to in clause 4(b) herein.
- (d) Notices informing the membership of the Society of the date of the Special and Annual General Meetings of the Society shall be publicly noted to the members 21 clear days before the event by advertisement in the local paper and placing of a notice on a public noticeboard and shall include details of the date, time, place and business to be conducted.
- (e) The Chairman of the Society may from time to time call Special committee meetings of the Society at which time the powers of the Society may be exercised.
- (f) Twelve (12) members of the Society or ten (10) per cent of the membership whichever is the lesser amount may instruct the Secretary of the Society to call a Special General Meeting.

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## **VOTING**

- (a) A quorum at Annual General Meetings, Special General Meetings or General Meetings of the Society shall be twelve (12) members of the Society or ten (10) per cent of the membership whichever is the lesser.
- (b) For the purposes of representation at any Special General Meeting or Annual General Meeting of the Society any member may appoint a proxy who is also a member.
- (c) Unlimited proxies may be held by the chairperson.
- (d) Proxy authorisations shall be in the hands of the Secretary of the Society not later than 48 hours prior to the meeting at which they are proposed to be used otherwise they shall be of no force or effect.
- (e) Voting at general meetings of the Society shall be by voice or show of hands unless a ballot is called for by not less than two members present and voting.
- (f) Voting rights will be restricted to no more than two representatives of any household, trust, Society, or corporate body that is a financial member of the Society.
- (g) Where a property has only one owner / occupier, the member has two votes, equal to any other property as referred to in paragraph 5 (f) herein.

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## **OFFICERS OF THE SOCIETY**

- (a) The committee and officers of the Society serving immediately prior to the Inaugural Meeting of the Society shall be the first duly appointed officers of the Society but such officers and committee shall only hold office until the first Annual General Meeting following the Inaugural General Meeting.
- (b) The positions for officers & committee members of the Society shall be elected by a majority vote of members at the Annual General Meeting.
- (c) Nominations for the office holders and committee membership shall be taken from the floor at the Annual General Meeting, Nominated and Seconded by financial members.
- (d) The officers of the Society shall be the positions of Chairperson, Deputy Chairperson, Secretary, Treasurer and not less than nine members inclusive of the aforesaid officers.
- (e) The duties of the chairperson and secretary may be undertaken concurrently by the same person.
- (f) In the event of a vacancy occurring the committee shall have the power to fill such vacancy by appointment of a member of the Society.

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## **POWERS OF THE COMMITTEE**

In addition to the powers expressed or implied herein the committee of the Society shall have the following express powers, namely:

- (a) The committee shall create or dissolve as many and whatever subcommittee it deems appropriate.
- (b) The committee may from time to time appoint such persons, who shall not be members of the territorial authority upon such terms and conditions as it may think fit, to act as officers of the Society or to perform or carry out any act or function on behalf of the Society and the committee may at any time revoke any appointments so made.
- (c) The committee of the society may from time to time, call Special General Meetings of the Society at which time the powers of the society may be exercised
- (d) Five members of the committee shall constitute a quorum of the committee.
- (e) All meetings shall be conducted in accordance with the recognised rules of debate.
- (f) The committee, having been given the authority by a Special General Meeting, may sue or defend in regard to any proceedings deemed appropriate or involving the interests or objects of the Society.
- (g) If a contentious issue is being discussed or is to be discussed at a General Meeting or Committee meeting that may involve parties not in attendance at the meeting, leave should be given to delay all discussions to the next meeting so that an invitation may be issued to all concerned or associated parties to a further meeting and that they be given special permission to speak. This meeting will then be called as a Special General Meeting and will be notified as set out in clause 4 (b).

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### **DUTIES OF THE SECRETARY**

- (a) The Secretary of the Society shall appoint an appropriate Minute Secretary that will cause minutes to be made and books provided for the purpose in which shall be recorded:
  - (i) All appointments of officers of the Society made by either the Annual, General or Special Meetings of the Society or the committee of the Society.
  - (ii) The names of those present at General Meetings, Special General Meetings and Annual General Meetings of the Society.
  - (iii) All the resolutions and proceedings of all meetings of the Society.
- (b) The Secretary of the Society shall be responsible for advertising all meetings, and such other duties as the Committee shall deem fit.

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### **DUTIES OF THE TREASURER**

- (a) The Treasurer of the Society shall cause proper accounting records to be kept at the registered office of the Society or at such other place or places as the committee thinks fit PROVIDED HOWEVER that any such records as aforesaid shall be open to the inspection of any member at any reasonable time.
- (b) The Treasurer upon authority from the committee shall open a bank account in the name of the Society. Any two of the Treasurer, the Chairman and the Secretary shall be signatories of the account and shall operate the said account.
- (c) The Treasurer shall receipt all moneys received and deposited into the account of the Society.
- (d) Surplus funds may upon authorisation of the committee be invested in whatever style of investment is deemed appropriate by the committee.
- (e) The Treasurer shall supply an audited set of accounts for the Annual General Meeting.
- (f) The Treasurer shall perform such other duties as the Committee shall deem fit.

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### **AMENDMENTS TO THIS CONSTITUTION**

Any of the provisions of this constitution may be repealed or amended or a new provision made by a two thirds vote at any Annual General Meeting or Special General Meeting of the Society PROVIDED HOWEVER that:

- (a) Any proposal, repeal, amendment or addition duly signed by the proposer and seconder shall be given to the Secretary of the Society not less than 21 clear days before the meeting at which it is to be considered.
- (b) The notice of any Annual General Meeting or Special General Meeting at which a change to this Constitution is to be considered must contain the full text of the proposed change.



**11 WINDING UP OF THE SOCIETY**

- (a) The Society may be wound up by a majority vote at a duly constituted Annual General Meeting or Special General Meeting. A winding up resolution must however be confirmed at a subsequent Special General Meeting held not earlier than 30 days after the date of the passage of the aforesaid winding up resolution.
- (b) Upon the voluntary dissolution of the Society any property whatsoever remaining after the satisfaction of all the debts and liabilities shall be disposed of in such a manner as the members of the Society may determine by resolution at the same meeting as which the winding up resolution is first passed.
- (c) On the winding up the Society resolves to follow all the statutory procedures for a voluntary winding up (as set out by Section 24 of the Incorporated Societies Act 1908 or as set out in succeeding legislation)

**12 SEAL OF THE SOCIETY**

- (a) The common seal of the Society shall be that appointed by the committee of the Society and shall be kept in the custody of the Secretary of the Society.
- (b) Whenever the common seal of the Society is required to be affixed to any deed, writing or Document or other instrument of whatsoever nature the seal shall be affixed pursuant to a resolution of the committee of the Society or General Meeting of the Society and in the presence of the Chairman and Secretary of the Society who shall sign the document or instrument to which the seal is so affixed.

**13 NOTICE**

Every notice required to be given to members of the Society shall be deemed to have been duly served if advertised in the local paper.

14 A copy of the Rules of the Society shall be kept at the registered office or other place of the Society nominated by the committee where it may be perused by any member of the Society at any reasonable time. Copies will be made available to members for a payment to cover the cost of production of photocopying.

15 In the absence of the Chairperson of the Society, the Deputy Chairperson shall assume, and have, and be able to exercise all the powers, duties, responsibilities and obligations of the Chairperson and be able to exercise all the powers conferred by these rules of the society as if appointed.