

## **ONEMANA RATEPAYERS ASSOCIATION INCORPORATED**

### **RULES**

**1. NAME**

The name of the Society is "Onemana Ratepayers Association Incorporated" hereinafter referred to, unless the context otherwise demands, as "the Association"

**2. OBJECTS**

The objects for which the Association is established are:

- i) To assist in the beautifying and development of the area known as Onemana for the benefit of present and future residents of Onemana and visitors to the area.
- ii) To assist in the provision and development of sporting and social amenities in the area known as Onemana for the benefit of present and future residents of Onemana and visitors to the area.
- iii) To make representations on behalf of members to any local or national or other authority concerning matters affecting the welfare, development or protection of land or other property in Onemana or affecting the interests of the owners of any such property.
- iv) To disseminate information to members by means of a periodic newsletter.
- v) To establish sub-committees (whether in general meeting or by a resolution of the committee) for any of the foregoing purposes.
- vi) To do all such other things as are incidentally or conducive to the attainment of any of the foregoing objects.

**3. REGISTERED OFFICE**

The registered office of the Association shall be situated at such a place as the Association shall from time to time determine.

**4. MEMBERS**

- i) Membership shall be open to:

All persons having an interest as proprietor of an estate in fee simple (whether as a sole proprietor or jointly or in common with any other person) in any land (other than Thames-Coromandel District Council reserves) in the area known as Onemana.

- ii) Any person to become a member under Clause 4 (i) shall make application in writing on a form prescribed by the Committee to the Secretary and shall apply such evidence of entitlement to membership as the Committee shall require.

**5. SUBSCRIPTION**

The annual subscription shall be fixed by each Annual General Meeting for the financial year commencing on 1<sup>st</sup> October following the AGM. If at any Annual General Meeting the subscription is not so fixed, it shall remain the

same as for the previous year. Subscriptions shall be due and payable by 1st November in the financial year commencing on 1<sup>st</sup> October following the AGM. No member whose subscription remains unpaid after it has become due shall be eligible to vote at any meeting. Any person whose subscription is in arrears for 12 months shall thereupon cease to be a member.

6. **FINANCIAL YEAR**

The financial year of the Association shall commence on the 1st day of October preceding each annual meeting and shall end on the 30th day of September next following it.

7. **RESIGNATION OF MEMBERS**

Any member may resign from his or her membership by giving to the Secretary notice in writing to that effect and every such notice shall, unless otherwise expressed and agreed to by the Committee, take effect forthwith, but shall not in any event release the member from liability to pay his or her subscription for the year then current

8. **EXPULSION OF MEMBERS**

The committee may at any time by letter invite any member to resign within a specified time from membership for breach by him or her of these Rules or for conduct unbecoming to a member of the Association, and in default of such resignation may deal with the question of his or her expulsion at a meeting of this Committee to be held within three calendar months from the date of the letter and of which not less than fourteen days notification must be given to the member concerned and such member shall be entitled to appear at such meeting, to be fully informed of the nature of the complaint against him or her and to be heard in his or her own defence.

The meeting shall be conducted in all respects in accordance with the rules of natural justice, nor shall the fact that the member has been invited to resign create any kind of presumption against him or her.

9. **ALTERATION OF RULES**

- i) These Rules may be altered, added to, rescinded or otherwise amended by a Resolution passed by a simple majority of those present at a general meeting, of which fourteen days notice has been given citing the nature and purpose of the proposed alteration, addition, rescission or other amendment.
- ii) Duplicate copies of every such alteration, addition, rescission or amendment shall forthwith be delivered to the Registrar of Incorporated Societies in accordance with the requirements of the Incorporated Societies Act 1908 or any statute passed in substitution thereof.

10. **ANNUAL GENERAL MEETING**

The Annual General Meeting shall be held on a date to be fixed by the Committee, being not earlier than the 26th day of December nor later than the 31<sup>st</sup> day of January, at which the following business (in addition to any general or other special business) shall be discussed:

- i) To receive a report from the Chairman upon the activities of the Association.
- ii) To receive the Treasurer's report, balance sheet and statement of accounts for the preceding year.
- iii) To receive the Auditor/Reviewer report.
- iv) To elect Officers, Committee and an Auditor/Reviewer for the ensuing year.
- v) To fix the annual subscription for the financial year commencing on 1st October following the AGM.

**11. SPECIAL GENERAL MEETING**

The Chairman, or in his or her absence, any member of the Committee, may at any time for any special purpose call a special general meeting of the Association, and shall do so forthwith upon the requisition in writing of any fifteen members stating the purpose for which the meeting is required.

**12. ORDINARY GENERAL MEETING**

- i) Every meeting for the purpose of these Rules shall be held at a suitable venue in Onemana.
- ii) An ordinary general meeting shall be held when called by the Committee.

**13. NOTICES OF MEETING**

- i) Every notice required to be given to the members or any of them shall be deemed to have been duly delivered if posted or emailed to him or her at his or her last known physical or email address as notified by the member in writing to the Secretary.
- ii) Each member shall be given not less than fourteen days notice of Annual, General or Special general meetings.

**14. PROCEDURE AT MEETINGS**

- i) At all general meetings the Chairman of the Association or, in his or her absence, any other duly elected Chairman ad hoc shall take the chair.
- ii) In all cases one vote only shall be exercised in respect of each property title (or in respect of a Body Corporate each Principle Unit) in person, and every member having more than one ownership qualification as defined in Clause 4 (1) (a) hereof shall be entitled to one (and only one) additional vote, provided the subscription has been paid for the additional section, save that the Chairman in the case of an equality of votes shall have a casting as well as a deliberative vote.
- iii) Members who are in joint or common ownership of a property must decide between themselves who will exercise the vote for that property.
- iv) Voting shall be on the voices unless a show of hands is called for by the Chairman or any two members present. Before voting for Committee members at an Annual General Meeting those nominated members standing for the Committee shall be given the opportunity to address the meeting.
- v) A similar voting procedure shall apply to Committee meetings, with the exception of the additional vote for members with the extra ownership qualifications referred to in sub-clause (ii) above.
- vi) Notwithstanding anything aforesaid in this Rule, any member may nominate in writing another person to vote for him/her at any Annual General Meeting, Special General Meeting or Ordinary General Meeting of the Association, provided that the Secretary of the Association has been provided, in writing, with a copy of such proxy vote prior to the commencement of the meeting.

**15. QUORUM**

- i) At all general meetings ten (10) percent of the current membership shall constitute a quorum provided that a minimum of ten financial members are present.
- ii) At all Committee meetings, five (5) officers and/or Committee members shall constitute a quorum.

**16. APPOINTMENT OF OFFICERS AND COMMITTEE**

- i) At the first meeting of the Association, and at every Annual General Meeting held thereafter the Association shall elect a Committee consisting of a Chairman, a Secretary, a Treasurer and not more than nine members of the Association.
- ii) Any person elected for the purpose of Chairman, Secretary, Treasurer or Committee member shall come into office immediately following the conclusion of the Annual General Meeting at which they are elected.
- iii) At every Annual General Meeting the Association shall elect an Auditor/Reviewer who may or may not be a member of the Association.
- iv) One person may hold both the offices of Secretary and Treasurer. In this situation a third signatory will be required.
- v) The Committee shall have power to appoint a member to fill any casual vacancy arising in respect of any office or on the Committee, the person so appointed to hold office until the next Annual General Meeting.
- vi) It shall be the duty of the Committee to undertake all matters entrusted to it by these Rules and to generally conduct the affairs of the Association and to keep all usual and proper records.  
Meetings of the Committee may be convened by the Chairman or the Secretary in such manner as the Committee may from time to time determine.

**17. COMMON SEAL**

The Common Seal of the Association shall be that appointed by the Committee who shall be responsible for the safe custody and control thereof.

**18. ATTESTATION OF DOCUMENTS**

Whenever the Common Seal of the Association is required to be affixed to any instrument, the Seal shall be affixed thereto in the presence of two members of the Committee, one of whom shall be either the Chairman or the Secretary.

**19. INVESTMENT OF FUNDS**

The Committee shall from time to time place or invest in the name of the Association in such bank or building society account or accounts or in any such authorised trustee investment as it shall think fit the whole or any part of the funds of the Association which in its opinion will not be required for the immediate purposes of the Association. The signatories to bank or building society accounts shall be any two of the Chairman, the Secretary and the Treasurer and an additional signatory, who is a member of the ORA committee, will be required if one person holds the positions of Secretary and Treasurer.

If any of the signatories are married/partners then only one of them can be a signatory and an additional signatory, who is a member of the ORA committee, will be required.

20. **BORROWING POWERS**

The Association shall, in addition to other powers vested in it, have power to borrow or raise money from time to time by the issue of debentures, bonds, mortgages or Security founded or based on all or any of the property and/or rights of the Association, or without any such security, and upon such terms as to priority and otherwise that seem fit to the Association in general meeting, and the Committee shall have no power to borrow except to the extent sanctioned in general meeting.

21. **DISSOLUTION**

- i) The Association may be voluntarily wound up in accordance with Section 24 of the Incorporated Societies Act 1908.
- ii) In the event of the Association being wound up, the surplus assets and funds after payment of the Association's liabilities and expenses shall be spent for such charitable purposes as are consistent with Clauses 2(i) and 2(ii) of these Rules within the area known as Onemana or, in the event that such is not possible shall be paid to the Thames Coromandel District Council to be used for such exclusively charitable purposes for the benefit of the community in the area known as Onemana as the Council shall decide after consultation with the residents of Onemana.

Revised Rules of the Onemana Ratepayers Association  
approved at a Special General Meeting held on 27 October 2013

Supersedes all previous Rules