

**MT PLEASANT MEMORIAL
COMMUNITY CENTRE & RESIDENTS'
ASSOCIATION (INCORPORATED)**

**CONSTITUTION
(RULES)**

Adopted 30 March 1998

Revised 28 September 2009

DEFINITIONS

Where the following words or abbreviations are used in these rules they shall have the following meanings:-

A.G.M.

Where the abbreviation AGM is used this will mean the Annual General Meeting of the Association.

ASSOCIATION

The Mt. Pleasant Memorial Community Centre and Residents' Association (Inc.)

AFFILIATED ASSOCIATION

An Association, club or similar organisation which carries on its activities and has its office or club rooms in the area defined in these definitions and which pays a levy equivalent to the subscription payable by all its members if they were individual members of the Association. Members of the Affiliated Associations will be deemed to be members of the Association and will not be required to pay an individual subscription to gain the benefit of any other activity run by the Association or any other Affiliated Association.

SENIOR MEMBER

Any person residing in or who is a ratepayer in the "area", who is 18 years or age or over, and is financial, having paid the subscription applicable for Senior Members.

JUNIOR MEMBER

Any person residing in or who is a ratepayer in the "area", who is under the age of 18 years, and who is financial, having paid the subscription appropriate for Junior Members.

FAMILY MEMBER

Any family residing in the "area", which is financial, having paid the subscription appropriate for family membership. Family membership confers the right of membership on up to two senior members plus any children under the age of 18 years living in a family relationship.

ASSOCIATE MEMBER

Any person residing outside the "area" and who is financial, having paid the subscription appropriate to him or her (Senior or Junior).

MEMBER

Where the term "member" is used the term will include all members whether Senior, Junior or Associate.

AREA

The area bounded on the east by Balmoral Lane up to the Summit Road, along Summit Road, and on the west from Summit Road down the spur along Bridle Path Road to Heathcote River mouth, along the Heathcote River to the junction of Ferry Road and Charlesworth Street, along Charlesworth Street to Linwood Avenue, along Linwood Avenue, Humphreys Drive, Tidal View, Heathcote Bridge and Main Road to Balmoral Lane.

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RULES OF THE MOUNT PLEASANT MEMORIAL COMMUNITY CENTRE & RESIDENTS' ASSOCIATION (INC.)

1. NAME

The name of this Association shall be Mt. Pleasant Memorial Community Centre & Residents' Association (incorporated), herein referred to as "The Association".

2. REGISTERED OFFICE

The registered office of the Association shall be at the Memorial Community Centre, McCormacks Bay Road, Christchurch, or at such other place as the Committee shall from time to time determine.

3. OBJECTS

The objects of the Association are:-

- a) To co-operate with the Christchurch City Council in the development and operation of a Community Centre in the Mt. Pleasant district.
- b) To foster the growth of community spirit by providing facilities and encourage local groups participating in social, recreational, educational, cultural and other activities.
- c) To organise social, recreational, educational, cultural and other activities conducive to the growth of community spirit.
- d) To carry out any activity which is deemed by the Committee to be of benefit to the Mt Pleasant community.
- e) To act as a watchdog on behalf of the community and in particular to promote community views to the Christchurch City and Canterbury Regional Councils or any other local authorities which may supersede them.

4. MEMBERSHIP

- a) Members will be classified as "Senior Members" or "junior Members" whether they have joined as individual, through Affiliated Associations or through Family Membership. (See definitions)
- b) In addition there will be a classification of Associate Member (see definitions)
- c)
 1. Every application for membership accompanied by the appropriate subscription must be made in writing in the prescribed form which must be signed by the applicant and delivered to the secretary.
 2. The application for membership will be considered by the committee and the applicant will be notified in writing whether or not his/her membership has been approved.
 3. The committee may by resolution suspend or expel any senior, junior or associate member from membership of the Association for any reason it may deem fit. **Provided however** that such member may within one month of such suspension or expulsion give notice in writing to the Secretary of his/her intention to appeal such decision and the Committee will then appoint three senior members to hear and determine such appeal and will give notice of the time and place of the hearing of such appeal.
 4. Any member or associate member may by notice in writing sent to the Secretary at the Registered Office of the Association resign from membership.

5. Any member whose annual subscription is unpaid at 30 June in any year shall cease to be a member.

5. SUBSCRIPTIONS

The annual subscription for each ensuing year will be set at each AGM at a level that will encourage membership. It will be competent for the AGM to set differential rates of subscription for the different classes of members.

6. FINANCIAL YEAR

The financial year will be from the first day of January to the last day of December.

7. ANNUAL GENERAL MEETING

The Annual General Meeting of members will be held no later than the last day of March in each year and at this meeting the following business is to be transacted:

- a) The consideration of a report for the past year from the Committee. This report is to make reference to the activities of Affiliated Associations during the year under review.
- b) The consideration of the Annual Financial Statement.
- c) The election of the following officers: President, Vice-President, Secretary, Treasurer and up to six other members of the Committee excluding the immediate past President who will continue to be a member of the Committee for one year. In any year that there is not an Immediate past President on the Committee, one further member may be elected onto the Committee (Mar 2002).
- d) Receive advice of nominations to the committee by Affiliated Associations in terms of Rule 16 (a)
- e) The election of an auditor or auditors.
- f) Such other business as may properly be brought before the meeting.

All nominations for Officers of the Association must be in the hands of the Secretary 24 hours prior to the AGM and must be signed by the proposer and seconder both of whom must be Senior Members. The AGM may decide to accept nominations from the floor if insufficient written nominations are received.

8. ANNUAL FINANCIAL STATEMENT

The financial statement will show receipts and payments of the Association for the financial year and a statement of financial position as at the close of the year. Every such statement shall be signed by the President and Treasurer and attested by the auditor.

9. SPECIAL GENERAL MEETING

A Special General Meeting of members may be held at any time that the Committee may appoint. It will also be competent for any 15 Members to sign a requisition to the President to convene such a meeting and on receipt of such requisition, the President will instruct the Secretary to call such meeting within one month of receipt of such requisition. The business to be dealt with at such Special Meetings will be limited to the matters stated in the requisition and notices of such meeting.

10. CHAIRPERSON

At all Annual and Special General Meetings of the Association the President (or in his/her absence the Vice President) will preside but should those officers be absent, the chair will be taken by a Member appointed by members present and entitled to vote.

11. VOTING

- a) All members (except Associate members) are entitled to one vote at Annual or Special General Meetings.
- b) The Chairperson at all meetings will have a deliberative vote and in the case of votes being equal will also have a casting vote.
- c) No Member who is absent from a meeting (unless such Member has signified in writing his/her willingness to accept nomination) is eligible for nomination, for office or for membership of the Committee.
- d) All matters at meeting of the Association will be decided on the voices, show of hands or on demand by those Members present, by secret ballot.

12. NOTICES

Notices of all Annual and Special General Meetings will be deemed to be duly given if displayed 14 days prior to the date of the meeting in a prominent place in the Centre and advertised at least 14 days prior to the date of the meeting in a newspaper circulation in the Area.

13. QUORUM

A quorum at all Annual and Special General Meetings will be 15 members personally present or voting by proxy and at all Committee meetings will be a minimum of 6 Committee Members.

14. DUTIES OF SECRETARY

The Secretary will:-

- a) Convene and attend all Annual and Special General Meetings of the Association and all meeting of the Committee and such subcommittees as directed by the Committee.
- b) Keep accurate minutes of same.
- c) Conduct all correspondence, retaining copies and submitting same to relevant meetings.

He/she will be under the control and direction of the Committee and will attend generally to all clerical duties in connection with the Association that pertain to the office of Secretary and keep a register of Members in terms of Section 22 of the Incorporated Societies Act 1908.

15. DUTIES OF TREASURER

The Treasurer will:-

- a) Issue a consecutively numbered receipt for all money received and keep a correct record of all receipts and payments.
- b) At the close of each financial year prepare the annual financial statements and produce all books and vouchers in his/her possession required by the Auditor.
- c) Prepare financial accounts for monthly meetings of the committee
- d) Pay regularly all money received into a bank account (determined by the Committee) to the credit of "Mt. Pleasant Memorial Community Centre & Residents Association (Inc.)"
- e) Inspect the books of any Affiliated Associated at any time that he/she thinks such action appropriate.
- f) Furnish returns as required by Section 23 of the Incorporated Societies Act 1908.

16. COMMITTEE

- a) The Committee of the Association will consist of President, Immediate Past President, Vice President, Secretary, Treasurer and up to 6 elected Members plus not more than one member nominated to represent each Affiliated Association and any duly elected junior member.
- b) The term of office of all members of the Committee shall be one year. All members will be eligible for re-election except that no President will hold that position for more than three successive years.
- c) Any member of the Committee being absent from three consecutive meetings without leave of absence will on the passing of a resolution by a majority of the Committee thereupon cease to be a member of the Committee.
- d) Should any vacancy occur on the Committee, the Committee shall have power to fill such vacancy.

17. COMMITTEE MEETINGS

A meeting of the Committee will be held monthly except in the month of January. It will be competent for any five members of the Committee to sign a requisition to the President to convene a meeting of the Committee and on receipt of such requisition the President will instruct the Secretary to call such a meeting to consider the business set forth in such requisition.

18. COMMON SEAL

The Common Seal of the Association will be in the custody of the Secretary. The Seal may be affixed to any document only on a resolution of the Committee and in the presence of two members of the Committee or one member of the Committee and the Secretary.

19. FUNCTIONS OF THE COMMITTEE

- a) The policy, management and control of the Association is vested in the Committee which may exercise all appropriate powers subject only to the direction of the Association in Annual or Special General Meeting.
- b) Without prejudice to the general powers of the Committee, it is hereby expressly directed that the committee may exercise and perform the following duties and powers.
 - i) To appoint sub-committees on such terms as the Committee thinks fit.
 - ii) To engage, control and dismiss staff of the Association and to exercise all such administrative power as may be necessary to achieve the objects of the Association.
 - iii) To invite individuals or representatives of other organisations for the purpose of informing the Committee.
 - iv) To purchase or acquire any real or personal property and to execute mortgages over land and chattels.
 - v) To purchase, construct and maintain buildings, fences, machinery and other works as may be necessary for the use of the Association and to lease or accept leases of any land, easement or tenements and to purchase, let or sell lands or any interest therein on such terms and upon such rental as it will think fit provided that no lands shall be sold or purchased without the approval of the Association in General Meeting.
 - vi) To enter into all negotiations, contracts and agreements in the name and on behalf of the Association as it may consider expedient provided these are not inconsistent with the objects of the Association.

- vii) To exercise all the rights, powers and duties which under these rules are required to be performed by the Committee.
- viii) To appoint such officers or members of the Committee for the purpose of signing or endorsing cheques or other negotiable instruments on behalf of the Association and to open any Bank Accounts the Committee may think fit.
- ix) To invest the funds of the Association in any authorised trustee security.

20. JUNIOR MEMBERS

Junior members of the Association may elect one representative to the Committee. To enable this representative to be elected junior members shall hold a General Meeting within 30 days after the date of the Annual General Meeting. The meeting to be presided over by a senior member.

21. USE OF CENTRE

The Centre is primarily for the use of residents in the Mt Pleasant Area. It should be remembered that the facility is a war memorial and should be treated with due respect. The letting of the various venues in the Centre shall be under the control of the Committee, which has the power to grant or refuse any application for letting or to impose any restriction on such letting and after consultation with the Christchurch City Council to fix letting charges.

The Committee will use the following priority list in granting applications:

1. Study groups, Kindergarten, Plunket or Pre-School activities
2. Affiliated Association with cultural aims.
3. Sports groups that use the centre.
4. Other Affiliated Associations
5. Individual members' requirements.
6. All other applications not in above categories.

22. AFFILIATION

The Association may associate itself with or be affiliated to any other body or institution whose purposes may be calculated lawfully to advance the objects of the Association.

23. ALTERATIONS TO RULES

Any alterations, amendments or recession of these rules shall be made only by a resolution passed by a 75% majority of Members entitled to **vote** and present at a Special General Meeting called for that purpose.

24. GENERAL

Should a question arise which is not provided for in these rules or any doubt exists as to the interpretation of these rules or any other matter arising pertaining to the Association the same shall be determined by the Committee whose decision will be conclusive and binding on all members.

25. WINDING UP

The Association may be dissolved by the consent of a 75% majority of Members entitled to vote in a manner provided by Section 24 of the Incorporated Societies Act 1908.

Upon the Association being wound up the assets of the Association shall be sold and the balance after payment of its debts shall be held in trust by the Christchurch City Council for the benefit of residents of the area bearing in mind the objects of the Association.