



# Societies and Trusts Online



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Form ISZ

(Updated: March 2010)

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Post your completed form to: Companies Office, Private Bag 92061, Victoria Street West, Auckland 1142

## Certificate - Alteration of rules

Section 21 Incorporated Societies Act 1908

### 1. Name of society

ETHNIC COUNCIL OF WELLINGTON INCORPORATED

### 2. Society number

378417

I certify that the alteration has been made in accordance with the rules of the society.

### Name

KELVIN RATNAM

### Position

SECRETARY

### Signature

### Date

4 1 5 1 2 0 1 1

### 3. Complete this checklist before filing your application

Tick all options that apply to this alteration of rules

- This certification has been completed by an officer of or a solicitor for the society.
- A copy of the rule alteration(s) is attached. **Note** | 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.
- The copy of the alteration to rules has been signed by three members of the society.

For society name changes —

- This rule alteration also includes a name change for the society, and
- We have checked that the new name of the society 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).

### 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

### 4. Your contact details

Name and postal address

KELVIN RATNAM  
SECRETARY  
ETHNIC COUNCIL  
P.O. BOX 1114, WELLINGTON

Telephone

Email (a)

rat.com

# ETHNIC COUNCIL OF WELLINGTON

Member of the New Zealand Federation of Ethnic Councils  
PO Box 1114, Wellington 6140, New Zealand

## SPECIAL GENERAL MEETING

Minutes  
Tuesday, 8<sup>th</sup> June 2010, 6pm  
Wellington City Council  
Council Chambers

### 1.0 PRESENT

01	Abdi Sote	Wellington Somali Council
02	Alice Hang	Wellington City Council
03	Alice Rufino	Mabuhay Association Inc
04	Beryl Vincent	Citizen Advice Bureau
05	Camilia Chin (President) <i>Chair</i>	New Zealand-Malaysia Society
06	Celia Wade Brown	Councillor, Wellington City Council
07	Ian McKinnon	Deputy Mayor, Wellington City Council
08	Kelvin Ratnam (Secretary)	Wellington Regional Jewish Council
09	Lonie Martin (Treasurer)	Mabuhay Association Inc
10	Lorena Gonzalez-Escribano	Ethnic Coordinator, Innermost Gardens [ <i>Guest Speaker</i> ]
11	Mike Scrivener	Upper and Lower Hutt Ethnic Council
12	Mohan Mistry	Wellington Indian Association
13	Nick Auckett, Senior Constable	New Zealand Police (Ethnic & Pacific Island Affairs)
14	Prem Singh (Immediate Past President)	Wellington Hindu Society
15	Rama Ramanathan	Wellington Tamil Society
16	Ravindran Annamalai (Vice-President)	Wellington Mutamizh Sangam
17	David Shepherd	Auditor, MCW
18	Stu Rowe, Acting Sergeant.	New Zealand Police (Ethnic & Pacific Island Affairs)
19	Sue Lata	Wellington Hindu Society
20	Suntra Singh	Wellington Hindu Society
21	Sylvia Findlay Rawle	Pan-Pacific & South East Asia Women's Association

### 2.0 APOLOGIES

01	Channa Ranasinghe	United Sri Lanka Association
02	Das Devadas	New Zealand-Malaysia Society
03	Perkash B Mathur	Bharat Samaj
04	Robyn Murray	Associate Member

### 3.0 OBSERVERS

	R L Rawle	Pan-Pacific & South East Asia Women's Association
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The President, Camilia Chin (Chair) called the Special General Meeting (SGM) to order at 6:30 pm and advised that, in line with the Constitution, the required notice had been given for this SGM.

The Chair advised the meeting that the purpose of the SGM was to vote on a change of name for the ECW.

A head count of those in attendance at the meeting confirmed that there was a quorum of financial members present to hold an SGM.

Moved, Camilia Chin/seconded, Kelvin Ratnam

"That the ECW meeting of 8 June 2010 be preceded by an SGM to change the Council's name from the "Ethnic Council Wellington" to the "Multicultural Council Wellington, noting that there was a required quorum to proceed with the SGM".

This was a procedural motion and there being no further discussion, the motion was put to the floor by the Chair.

Carried, unanimously.

Moved Lonie Martin/seconded, Prem Singh

"That the name of the Ethnic Council of Wellington be changed to the "Multicultural Council Wellington"

There was some general discussion on the motion to change the name of the ECW from "Ethnic Council Wellington" to "Multicultural Council Wellington (hereafter referred to as, "MCW").

The motion to change the name arose from a recommendation to other regional ethnic councils by the New Zealand Federation of Multicultural Councils which had changed its name from the New Zealand Federation of Ethnic Councils to the New Zealand Federation of Multicultural Councils (NZFMC).

There being no further discussion, the motion was put to the floor by the Chair.

Carried, unanimously.

There being no further matters form discussion, the SGM was brought to a close at 6:45 pm

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Signed, **Kelvin Ratnam**  
Secretary

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Approved, **Camilia Chin**  
President

XX July 2010

XX July 2010

# ETHNIC COUNCIL OF WELLINGTON

PO Box 1114, Wellington, New Zealand  
Affiliated to the New Zealand Federation of Ethnic Councils

## SPECIAL GENERAL MEETING

### Minutes

Monday, 7 March 2011, 6.45 pm

Wellington City Council

Council Chambers

### 1.0 PRESENT

#### Members of the Ethnic Council of Wellington

Alice Hang✓  
Angie Briguera  
Ara Kassabian  
Beryl Vincent  
Camilia Chin (**President, ECW**), *Chair*  
Geeta Balakrishnan  
Kelvin Ratnam (**Secretary, ECW**)  
Lonie Martin (**Treasurer, ECW**)  
Mohamud Mohamed  
Mohan Mistry  
Pallavi Chhibber  
Paul Eagle  
Prem Singh (President, NZFMC\*)  
Rama Ramanathan  
Robyn Murray-Devadas  
Scott Tingey  
Sue Latta

#### Representative Organisations

Acting Senior Advisor, City Communities and  
Grants/Ethnic Communities, Wellington City Council.  
Wellington Hiyas Cultural Group  
Armenian Association of Wellington  
Pan-Pacific and South East Asia Women's Association  
New Zealand-Malaysian Society  
New Zealand-Malaysian Society  
Wellington Regional Jewish Council  
Wellington Hiyas Cultural Group  
Somali Community of Wellington  
Wellington Indian Association  
Wellington Ethnic Youth  
Councillor, Wellington City Council  
Wellington Hindu Society  
Wellington Tamil Society  
Associate Member  
Armenian Association of Wellington  
Wellington Hindu Society

\* New Zealand Federation of Multicultural Councils

### 2.0 APOLOGIES

#### Members of the Ethnic Council of Wellington

Suntra Singh  
Adelia Hogarth✓  
Glenys Wood  
Channa Ranasinghe,  
Ravindran Annamalai (**Vice-President, Acting  
Chair, ECW**)  
Das Devadas  
Ian McKinnon

#### Representative Organisations

Wellington Hindu Society  
Armenian Association of Wellington  
Pan-Pacific and South East Asia Women's Association  
United Sri Lanka Association  
Wellington Mutamizh Sangam  
Associate Member  
Deputy Mayor

### 3.0 OBSERVERS

There were no observers.

### PURPOSE

The purpose of the Special General meeting was to amend the Constitution of the Ethnic Council of Wellington to meet the criteria to become a charitable organisation under the Charities Act 2005.

#### 4.0 INTRODUCTION

4.1 In a letter dated 17 December 2010 (attached), the Charities Commission declined our application for registration as a charity because the ECW Constitution does not meet the following criteria for registration:

- no exclusively charitable purpose
- insufficient winding up clause
- no clauses to prevent private pecuniary profit (arising from winding up and the dissolution of assets)

4.2 The Commission pointed out that a charitable purpose according to the Charities Act 2005 (Section 5(1)) includes every charitable purpose, including whether it relates to:

- To relieve poverty by . . .
- To advance education by . . .
- To advance religion by . . .
- To be beneficial to the community by . . .

4.3 The President, Camilia Chin, introduced the proposed changes to the Constitution and invited feedback. With the exception of some minor grammatical and stylistic changes, there was general discussion and agreement on the changes to be made to the Constitution. The changes made to the proposed amendments are shown in the attached Annex.

4.4 There being no further discussion on the proposed amendments to the Constitution, the following motion was moved:

Moved, Kelvin Ratnam/seconded, Rama Ramanathan

"That the proposed amendments to the Constitution in the attached Annex, as further amended (style and grammar) by this Special General Meeting, be accepted and conveyed to the Registrar of Societies and the Charities Commission".

Carried, unanimously

4.5 On the passing of the next motion, the Special General closed at 7.10 pm:

Moved, Camilia Chin/seconded, Prem Singh

"That this Special General Meeting be closed".

Carried, unanimously

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Signed, **Kelvin Ratnam**  
Secretary  
7 March 2011


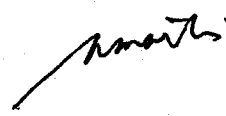
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Approved, **Camilia Chin**  
President  
7 March 2011

## ANNEX

	<p>(10) Any payment made to a member of the Council or person associated with any member, must be for goods or services that advance the charitable purpose and must be reasonable relative to payments that would be made between unrelated parties.</p>
<p><b>DELETE Clause 48 (DISSOLUTION), Sub-clause 2</b></p> <p>(1) The Council may be liquidated at a General Meeting provided that:</p> <ul style="list-style-type: none"> <li>a) notice of motion is given to the Secretary at least fourteen clear days before the date of such meeting; and</li> <li>b) the procedures stipulated in the Incorporated Societies Act 1908 are carried out.</li> </ul> <p>(2) In the event of the Council being liquidated all debts and liabilities legally incurred on its behalf shall be discharged as fully as possible and any funds remaining shall be disposed of in such manner as is decided by the High Court of New Zealand.</p>	<p><b>INSERT new Clause 48 (DISSOLUTION), Sub-clause 2 to read:</b></p> <p>(2) <i>In the event of the Council being liquidated all debts and liabilities legally incurred on its behalf shall be discharged as fully as possible and any property or funds remaining after the settlement of the Council's debts and liabilities must be used to further a charitable purpose or purposes as defined in section 5(1) of the Charities Act 2005.</i></p>

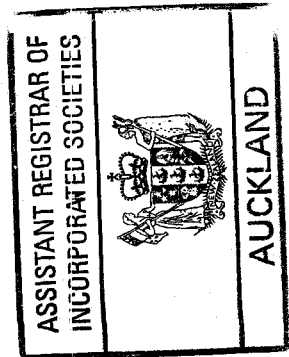
**Kelvin Ratnam**  
 Secretary  
 Ethnic Council of Wellington  
 5 March 2011

*KELVIN RATNAM, SECRETARY*

*CAMILIA CHIN, PRESIDENT*

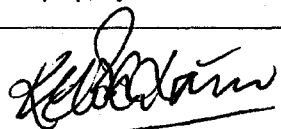
*LONIE MARTIN, TREASURER*

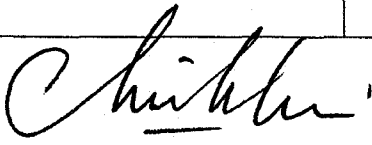


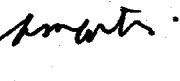
# ETHNIC COUNCIL WELLINGTON

## Amendments to the Constitution to meet the criteria for registration as a charitable organisation

EXISTING PROVISIONS	AMENDMENTS
<p><b>Clause 4: Objectives</b>  <b>DELETE, Sub-clauses 1-10,</b>  <b>REASSIGN, Sub-clauses 11-14 to Clause 27</b>  <b>DELETE, Sub-clause 15</b></p> <p>The objectives of the Council shall be:</p> <ol style="list-style-type: none"> <li>1. To preserve, promote and safeguard the interests of its members.</li> <li>2. To promote and maintain unity and friendship among members and between members and other communities in New Zealand.</li> <li>3. To promote joint action and cooperation between ethnic people or issues of common concern.</li> <li>4. To promote the rights of ethnic people to equal opportunities.</li> <li>5. To promote the right of ethnic people to effective participation in central and focal Government and other bodies.</li> <li>6. To lobby Government and other bodies and to represent the views of ethnic people.</li> <li>7. To promote and support the sharing of community resources.</li> <li>8. To promote the development of ethnic organisations concerned with the social and cultural life of their communities and to assist them in their endeavours.</li> <li>9. To participate actively in the development of a culturally pluralistic and socially cohesive society in New Zealand.</li> <li>10. To promote and encourage cultural, social and sports activities within ethnic groups and between them and others.</li> <li>11. To publish and distribute newspapers, journals, periodicals, books, leaflets and other such publications and to establish bookshops which the Council considers will promote its objectives</li> <li>12. To purchase, take on lease, rent, exchange, hire or otherwise acquire property both real and personal and any rights interests and privileges which may be necessary expedient or beneficial in any manner whatsoever for the purpose of the Council and to improve, manage, develop, sell, lease, mortgage, dispose of or turn into account or otherwise deal with all or any part of the property of the Council.</li> </ol>	<p><b>INSERT new Clause 4 to read,</b></p> <p>4  <i>The objectives of the Council shall be :</i></p> <ol style="list-style-type: none"> <li>4.1 <i>To preserve, promote and safeguard the interests of its members;</i></li> <li>4.2 <i>To recognise and celebrate the cultural diversity of our society;</i></li> <li>4.3 <i>To foster harmonious relations between diverse peoples;</i></li> <li>4.4 <i>To promote intercultural understanding and celebrate the diversity of culture and language of the peoples of Wellington;</i></li> <li>4.5 <i>To promote the equal enjoyment by everyone of their civil, political, economic, social and cultural rights, regardless of race, colour, ethnicity or national origin;</i></li> <li>4.6 <i>To encourage the use of languages other than English and Maori, while strengthening the status and use of the official languages of New Zealand (English, Maori and Sign Language);</i></li> <li>4.7 <i>To encourage and assist the social, cultural, economic and political institutions of New Zealand to be both respectful and inclusive of New Zealand's multicultural character;</i></li> <li>4.8 <i>To present the views and concerns of migrant and ethnic peoples to the Government and other bodies, when necessary.</i></li> <li>4.9 <i>To advance multiculturalism in harmony with the national commitment to the Treaty of Waitangi.</i></li> </ol>

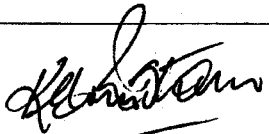
  
**KELVIN RATNAM, SECRETARY**

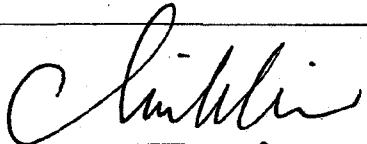
  
**CAMILIA CHIN, PRESIDENT**

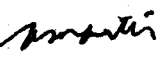
  
**LONIE MARTIN, TREASURER**

## ANNEX

<p>13. To borrow and raise money in such manner as the Council may think fit and proper</p> <p>14. To accept or give any gift or property whether subject to trust or not for any one or more of the objects of the Council.</p> <p><del>15. To conduct or perform all such acts and deeds as are incidental or conducive to the attainment of the foregoing objects</del></p>	
<p><b>DELETE Clause 27 title "Meetings of the Executive"</b></p> <p><b>INSERT Sub-clauses 11-14 of Clause 4 (Objectives) into Clause 27 (Meetings of the Executive)</b></p> <p>10 To promote and encourage cultural, social and sports activities within ethnic groups and between them and others. (Delete, "cultural, social and sports")</p> <p>11 To publish and distribute newspapers, journals, periodicals, books, leaflets and other such publications and to establish bookshops which the Council considers will promote its objectives</p> <p>12 To purchase, take on lease, rent, exchange, hire or otherwise acquire property both real and personal and any rights interests and privileges which may be necessary expedient or beneficial in any manner whatsoever for the purpose of the Council and to improve, manage, develop, sell, lease, mortgage, dispose of or turn into account or otherwise deal with all or any part of the property of the Council.</p> <p>13 To borrow and raise money in such manner as the Council may think fit and proper</p> <p>14 To accept or give any gift or property whether subject to trust or not for any one or more of the objects of the Council.</p>	<p><b>INSERT new Clause 27 title "FUNCTIONS OF THE EXECUTIVE" and new sub-clause to read:</b></p> <p><i>The Executive shall meet at such times and at such places it considers appropriate. In addition, the Executive can carry out the following activities to further the objectives of the Council :</i></p> <ol style="list-style-type: none"> <li>1. <i>Promote and encourage cultural, sports and social activities within ethnic groups, between them and others.</i></li> <li>2. <i>Publish and distribute newspapers, journals, periodicals, books, leaflets and other such publications which the Council considers will promote its objectives</i></li> <li>3. <i>Purchase, take on lease, rent, exchange, hire or otherwise acquire property both real and personal and any rights interests and privileges which may be necessary expedient or beneficial in any manner whatsoever for the purpose of the Council and to improve, manage, develop, sell, lease, mortgage, dispose of or turn into cash or otherwise deal with all or any part of the property of the Council.</i></li> <li>4. <i>Borrow and raise money in such manner as the Council may think fit and proper</i></li> <li>5. <i>Accept or give any gift or property whether subject to trust or not for any one or more of the objects of the Council.</i></li> </ol>
<p><b>DELETE Clause 36 title "BANK ACCOUNTS AND FINANCES"</b></p>	<p><b>RENAME Clause 36 title to read "BANK ACCOUNTS, FINANCES AND PREVENTION OF PECUNIARY PROFIT"</b></p> <p><b>INSERT new Clause 36 sub-clauses</b></p> <p>(8) Any income, benefit, or advantage must be used to advance the charitable purposes of the Council.</p> <p>(9) No member of the, or nor anyone associated with a any member, is allowed to take part in, or influence any decision made by the organisation in respect of payments to, or on behalf of, that member or associated person of any income or benefit, or advantage.</p>

  
**KELVIN RATNAM, SECRETARY**

  
**CAMILIA CHIN, PRESIDENT**

  
**LONIE MARTIN, TREASURER**