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COM-45F 4

INCORPORATED SOCIETY



10040698958

**Declaration by an Officer of a Society, or a
Members consent to Incorporation, and
Rules are the Rules of the Society.**

signed or sealed

I, Kazimierz Stanislaw Miliszewski of Wellington, Solicitor

do solemnly and sincerely declare as follows —

(1) State if Solicitor
or Office held in
Society

1 That I am ⁽¹⁾ the solicitor to the society.

2 That a majority of the members of WELLINGTON ETHNIC AFFAIRS
COUNCIL INCORPORATED

(2) State mode in
which consent
has been
obtained

has consented to the application for the incorporation of the said Society, and that
such consent has been obtained ⁽²⁾ at a general meeting of members held at
the Wellington Multicultural Resource Centre on 11 August 1985.

3 That the rules accompanying the application signed or sealed by the sub-
scribers are the rules of the society

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

Declared at Wellington this 7th day of November 19 86

A Justice of the Peace, Solicitor, Notary Public, or other person authorised to take a
Statutory Declaration

WELLINGTON ETHNIC AFFAIRS COUNCIL

CONSTITUTION AND RULES

1. NAME

The name of the organisation shall be WELLINGTON ETHNIC AFFAIRS COUNCIL INCORPORATED.

2. OBJECTIVES OF THE COUNCIL SHALL BE:

- a. To promote joint action and co-operation between ethnic societies on issues of common concern.
- b. To support the rights of ethnic individuals and groups to equal opportunities.
- c. To pursue the right to effective participation in and co-operation with Government and Local bodies.
- d. To lobby Government and Local and other authoritative bodies groups companies or individuals and to represent the views of ethnic individuals and groups in so doing.
- e. To promote and support the sharing of community resources.
- f. To encourage the development of ethnic organisations concerned with the social and cultural life of their communities and to assist them in their endeavours.
- g. To participate actively in the development of a culturally pluralistic and socially cohesive society in New Zealand and relate to relevant community organisations and structures keeping in mind the purpose of interaction with all sections of New Zealand society.
- h. To do all such acts, matters and activities that it considers necessary on the advice of its members in attaining these objects.

3. MEMBERSHIP:

- a. Membership to the Wellington Ethnic Affairs Council shall be open to any Ethnic Societies and to individuals representative of an ethnic group in the greater Wellington area.
- b. Where individuals representative of an ethnic group are members, no more than two such members shall be accepted as members for that particular ethnic group.
- c. (1) Any ethnic Society or individual/s representative of an ethnic group must apply in writing to the Wellington Ethnic Affairs Council to become a member.



- c. (11) Upon receiving such an application for membership the Council of the Wellington Ethnic Affairs Council at any one of its regular meetings where there is a quorum shall consider the application. In so doing it may request the applicant to supply such further particulars as the Council deems necessary to arrive at a decision upon the application.
- (111) If such particulars are not forthcoming then the application shall be declined OTHERWISE the Council shall determine the application after giving due consideration to the particulars supplied with the application and shall accept or decline the application on a majority of the members present at its meetings.
- d. (1) Where a Society is a member, that Society shall have the right to appoint two representatives to attend and vote at each Annual General Meeting of the Wellington Ethnic Affairs Council.
- (11) Each representative shall have one vote.
- (111) No ethnic Society shall have more than two votes.
- (1V) Where individuals representative of an ethnic group are members no more than two such members shall be accepted as members for that particular ethnic group.
- (v) Each individual member shall have one vote at the Annual General Meeting so that no ethnic group shall have more than two votes.
- e. Any member can resign by fourteen days notice in writing to the Wellington Ethnic Affairs Council after paying all outstanding dues.
- f. Any member who fails to observe the rules or the spirit of the Wellington Ethnic Affairs Council can be expelled from the Council at a General Meeting attended by a representative of at least two-thirds of the ethnic Societies or groups represented on the Council and by simple majority of such a meeting.

4. MEETINGS:

- a. The Annual General Meeting shall be held on such a date as the Executive will decide but in no event later than 31 July in each year.
- b. Notification of the Annual General Meeting shall be given in writing at least 21 days prior to the proposed meeting.

- c. (1) The Executive shall hold regular Council meetings.
- (11) The Executive shall decide the time and place of such meetings and shall endeavour to hold such meetings once a month.
- (111) Council meetings shall comprise the Executive and representative/s of all ethnic Societies and groups who are members.
- (1v) The quorum at all Council meetings must comprise a representative member from at least thirty percent of the ethnic Societies and groups.
- (v) If the quorum is not met then the Executive may lower the quorum which shall not be less than twenty percent for the next meeting
- d. A General Meeting may be called by its members representing no less than one-third members with no less than twenty eight days notice in writing to the Executive.
- e. The quorum at the Annual General Meeting of General Meetings must comprise a representative of at least fifty percent (50%) of the ethnic Societies and groups. If the quorum is not met at any Annual General Meeting or General Meetings that meeting shall be re-advertised and the ordinary quorum of thirty percent (30%) shall apply.
- f. Votes at Annual and General Council Meetings shall be by secret ballot unless that meeting shall decide otherwise.
- g. In the event of a tied vote the Chairperson shall have the casting vote
- h. Votes may be recorded personally or by proxy from paid up members only. A signed proxy must be in the hands of the Chairperson before the commencement of the meeting at which it is intended to be used. Every attending member is allowed only one proxy vote.

5. **ADMINISTRATION**

- a. A Chairperson, Vice-Chairperson, Secretary and Treasurer shall comprise the Executive and shall be elected at the Annual General Meeting for a term of one year and shall hold office until resignation, removal, decease, or election of successors, by Annual or General Meeting.
- b. The Executive shall carry out the administrative functions and representative duties of the Wellington Ethnic Affairs Council with honesty and integrity to the benefits of its members.

- c. The Executive shall have such powers to co-opt such members and/or persons as it thinks fit to further the objectives of the Council.
- d. The Chairperson shall preside at each Council meeting and each Executive Meeting. In his or her absence the Vice-Chairperson shall assume the chair.
- e. (1) The Council may appoint patron and Honorary members for the purpose of furthering the objects of the Wellington Ethnic Affairs Council.
(11) Honorary Membership shall be forfeit for failure to observe these rules or foster the objects of the Wellington Ethnic Affairs Council in the manner provided for in rule 3 (f) hereof.
- f. All minutes shall be kept of all meetings and read and ratified at the beginning of each meeting. Such minutes shall be signed by the presiding Chairperson and Secretary. A record of all correspondence shall be kept and presented at each meeting.

6. FINANCE

- a. (1) The Wellington Ethnic Affairs Council shall open and maintain two Bank Accounts.
(11) The First Account shall be styled the Wellington Ethnic Affairs Council Incorporated Administration Account.
(111) This account shall be funded by subscriptions, donations specifically designated for that account and any funds raised by the Council or its members specifically for that account.
(1v) The administration account shall be used to meet all expenses connected with the administration of the Wellington Ethnic Affairs Council.
(v) The second account shall be styled the Wellington Ethnic Affairs Council Incorporated Trust Projects Account.
(v1) This account shall be funded from donations, not specified to the administration account, grants received from any body company organisation or individual for the purpose of furthering the objects of the Wellington Ethnic Affairs Council and projects organised by the Wellington Ethnic Affairs Council and designated for this account.
(v11) The Trust Projects Account shall be used for all expenses incurred in furthering the objects of the Wellington Ethnic Affairs Council as contained in Clause 2 of these rules.

- b. All monies received by the Council or on behalf of the Council shall be deposited at the earliest possible date to the credit of the appropriate bank account of the Wellington Ethnic Affairs Council. Receipts for all monies received shall be issued promptly.
- c. All withdrawals whether by cheques or withdrawal forms shall be signed by at least two persons out of three nominated for that purpose by the Council Meeting.
- d. The Council may from time to time undertake to raise or borrow money but only after full consultation with its members.
- e. (1) The Council at its meeting by majority decision may at its own discretion invest any surplus funds in its bank accounts on interest bearing term deposits with its trading bank and where appropriate on any trustee authorised investment in accordance with New Zealand Law.
(11) Any such investment shall be recorded in the minutes of the meeting and referred to in the Treasurers reports
(111) All incomes derived from such investment shall be credited to the particular account from which the investment arises.
- f. (1) The Wellington Ethnic Affairs Council shall have the power to deal in, buy, sell, acquire, lease, hire or dispose of any land, buildings or chattels.
(11) Such power to be exercised by the members at any Annual General Meeting of General Meeting called for such purpose.
- g. The Treasurer shall keep a full and correct record of income and expenditure and present regular statements to the monthly meetings.
- h. The Executive may authorise a financial payment up to \$500-00 (Five Hundred Dollars) without prior Council approval. Such payment shall, nevertheless, be confirmed at the next meeting of the Council following payment. All payments to be recorded in a minute book.
- i. Any expenditure in excess of the sum of \$500-00 to be authorised at a meeting of the Council at which there is a representative member of at least 30 percent of the Ethnic Council.
- j. Annual subscription fees to the Wellington Ethnic Affairs Council shall be formulated and reviewed at Annual General Meetings of the Council.
- k. All annual accounts shall be audited, certified and presented at the Annual General Meeting.

1. The Auditor shall be appointed at the Annual General Meeting. The books shall be closed thirty days prior to the Annual General Meeting of the Council.

7. INTERPRETATION

Any dispute arising as to the interpretation of these Rules and the Constitution shall in the first place be resolved by discussion within the Council. If this is not achieved, the matter shall be referred to an independent arbitrator selected by the Council and accepted by the parties to the dispute. The arbitrator's decision shall be final.

8. AMENDMENTS, ALTERATIONS AND REVISIONS:

This constitution and its rules may be amended or altered in whole or in part by a resolution of a General Meeting called for this purpose. Any amendment or alteration shall be in writing handed to the secretary and shall be posted by the secretary to all members no less than 28 days prior to the calling of a General Meeting for this purpose.

9. COMMON SEAL:

The Wellington Ethnic Affairs Council Incorporated shall obtain a Common Seal and the same shall not be affixed to any document unless there is a prior resolution from the Council Meeting and the Common Seal shall be witnessed by at least two members of the Executive. The Common Seal shall at all times be kept at the Council's Solicitors safe, or elsewhere as decided by the Council.

10. REGISTERED OFFICE:

The Council shall have a registered office in Wellington. All communications and correspondence may be sent to an address to be determined by the Executive.

11. BY-LAWS:

- a. (1) The Council shall have the power from time to time to make, alter or rescind by-laws.
- (11) The purpose of any by-law is to enable the better management of this Society or to enable the better attainment of its objects.

All by-laws made by the Council shall be adopted by a majority, and shall be recorded in the minutes and notice of and by-law shall be given in writing to all members

12. DISSOLUTION OF THE COUNCIL:

The Council may be dissolved or wound up voluntarily if the Council at an Extraordinary General Meeting passes a Resolution, requiring that the Wellington Ethnic Affairs Council be dissolved or wound up. Such a meeting to be attended by at least two-thirds of the ethnic groups on the Council. The Resolution is to be confirmed at a subsequent General Meeting called together for that purpose and held not earlier than 30 days after the date on which the Resolution so to be confirmed was passed. A minimum of twenty-eight days notice of the motion to dissolve the Council be posted to all members of the Council. If in the event of dissolution, there remains after the payment of all debts and liabilities legally incurred, any funds, the same shall not be paid or distributed among the members but shall be distributed to such charitable organisations as shall be chosen by the Council at the Special General Meeting so convened.

These Rules and Constitution were adopted at a meeting of the Council held on the _____ day of _____ 1985 at Wellington.

