

## **NELSON MULTICULTURALCOUNCIL, INCORPORATED**

### **RULES**

**1. NAME:/INGOA**

The name of the Society shall be Nelson Multicultural Council (herein referred to as 'the Council' in this document)

**2. AIMS:/MATAPONO**

- 2.1 To promote and preserve ethnic customs, languages, religions and cultures throughout the Nelson region.
- 2.2 To support the rights of ethnic individuals and groups to enjoy equal opportunities and have equitable access to and an equitable share of the resources which the Government manages on behalf of the communities.
- 2.3 To raise consciousness among ethnic communities of the needs, aspirations and status of the Tangata Whenua.

**3. OBJECTIVES:/ WHAINGA**

- 3.1 To provide information and support to people in the Nelson Region whose ethnic origins are different from the majority.
- 3.2 To create opportunities for the general public of this region to gain greater understanding and respect for people of other ethnic origins from themselves.
- 3.3 To provide our services and activities in a way that supports the special status and rights of Tangata Whenua under the Treaty of Waitangi.
- 3.4 To do anything else that would further any of these aims and objectives.

Referred to in the annexed declaration of (1)

Amended at *Nelson* this 8<sup>th</sup> of August 2012

#### **4. POWERS:/TAKETAKE**

Nelson Multicultural Council Incorporated will have the following powers:

- 4.1 To purchase, lease, hire or otherwise acquire any real or personal property.
- 4.2 To sell, let, mortgage or otherwise dispose of or deal with any of the property of the Council.
- 4.3 To construct, maintain or alter any buildings or property.
- 4.4 To borrow, raise or invest money in any manner and on any terms suitable to the Council.
- 4.5 To enter into any arrangement or contract with any individual, Government department or corporate body.
- 4.6 To pay all or any of the expenses incurred in establishing and running the Council and to delegate authority for nominated staff to approve expenditure as directed by the NMC Management Committee up to an agreed value.
- 4.7 To employ or engage staff, advisors or other people and to pay their wages, salaries and /or their expenses on terms suitable to the Council.
- 4.8 To run educational, training, social and cultural programmes.
- 4.9 To alter the powers and rules of the Council provided that no alterations or additions detract from the charitable purposes of the Council.
- 4.10 To do all other things that will further its charitable objects.

#### **5. MEMBERSHIP:/HUANGA**

- 5.1 Membership of the Council shall be open to people of all ethnic origins who support the objectives of the Council.
- 5.2 Membership of the Council is open to all groups and individuals who agree with the stated aims and objectives contained within the rules of the Councils Certificate of Incorporation and comes into effect once the

annual subscription is paid. Paid up financial members have the rights and privileges of membership.

- 5.3 Paid up membership applications to be noted in the Minutes of the Management Committee Meeting.

## **6. TERMINATION OF MEMBERS:**

Persons shall cease to be members of the Council if:

- 6.1 She/he moves from the Nelson region.
- 6.2 She/he wishes to leave the Council notice is to be given to the secretary, orally or in writing.
- 6.3 If any member has acted in a way that is harmful to the Council that member may be expelled by a two-thirds (2/3rds) majority of a General Meeting. The member concerned must:
- i. be given written notice of the proposed expulsion and the reasons for it and
  - ii. be given an opportunity to be heard at the meeting considering the expulsion.

## **7. MEMBERSHIP / HUANGA FEES**

- 7.1 Membership fee for each member will be set at Annual or Special General meetings by all members present at the meeting.

## **8. REGISTER OF MEMBERS:**

- 8.1 The Council will keep a register of all current members including:
- i. each member's name, address and
  - ii the date on which they became members.

## **9. GENERAL MEETINGS: / NGA HUI WHANUI**

- 9.1 General meetings of the Council will be held at least once yearly.
- 9.2 The General Meetings will be open to all paid up members.

- 9.3 General Meetings will be convened by the Chairperson or in his/her absence by a person appointed by the General Meeting.
- 9.4 The quorum for all General meetings will be ten (10) members.
- 9.5 Decision making at all General meetings of the Council will be by consensus but failing a consensus, decisions will be made by a simple majority vote of the members present. The voting system will be decided at the meeting.

**10. SPECIAL GENERAL MEETINGS: NGA HUI OHORERE**

- 10.1 The Management Committee or six members may request a Special General Meeting at any time by giving written notice to the Secretary stating the reasons for wanting a Special General Meeting.
- 10.2 The Secretary will give notice of a Special General Meeting no later than seven days after receiving the request.

**11. ANNUAL GENERAL MEETINGS:**

- 11.1 The Annual General Meeting of the Council will be held each year, not more than fifteen months after the previous Annual General Meeting.
- 11.2 Notice of the Annual General Meeting shall be given by advertisement in the:
- 11.2.1 local paper,
  - 11.2.2 email and
  - 11.2.3 website notices

at least seven (7) days before the date set for the meeting.

- 11.3 The quorum for the Annual General meeting shall be no less than ten (10) members. If a quorum is not reached, notice of a new date must be organised in the same way as the original Annual General meeting.
- 11.4 The business of the Annual General Meeting will include:
- i. The Annual Report.
  - ii. The Financial Accounts.
  - iii. The appointment of an auditor to audit the financial accounts.
  - iv. The election of the Management Committee members, to a maximum number of 15.
  - v. The consideration of any other business.

## **12. MANAGEMENT COMMITTEE: KOMITI WHAKAHAERE**

- 12.1 The role of the Management Committee will be:
- i. manage the affairs of the organisation.
  - ii. implement policy set at General Meetings.
  - iii. Carry out the aims and powers of the Council
- 12.2 The Management Committee will comprise a maximum of 15 paid-up members in any year.
- 12.3 The Management Committee will hold a minimum of ten (10) meetings each year.
- 12.4 The quorum of the Management Committee Meeting will be five (5) members or one-half of the total number of members of the Committee, whichever is the lesser number.
- 12.5 At the first Management Committee meeting, the committee will elect the respective officers.
- 12.5.1 the Chairperson; and
- 12.5.2 the Vice-Chairperson; and
- 12.5.3 the Treasurer; and
- 12.5.4 the Secretary
- 12.6 The immediate Past Chairperson may provide only advisory services to the management committee for the duration of the current Chairperson's term.
- 12.7 The maximum number of years a member may serve on the Management Committee is five years. An extension to the maximum five year term may be granted when approval from both the Chairperson and the Vice-Chairperson is given. If the Chairperson seeks an extension of office, then approval from the Management Committee by majority vote is required.
- 12.8 Following a period of one year off the Management Committee, previous Committee members who have been elected will be eligible to sit again for a term outlined in 12.6 above.

- 12.9 Paid up members may attend all Management Committee Meetings.
- 12.10 The Chairperson will convene Management Committee meetings and in her/his absence the meeting will appoint another person.
- 12.11 Management Committee decisions will be by consensus but failing a consensus by a simple majority, vote of the Management Committee members present.
- 12.12 The Management Committee may form sub-committees to carry out specific directions of the Management Committee.
- 12.13 Employees and Contractors of NMC can be members of NMC, but are not entitled to a vote at Management Committee meetings.
- 12.14 The Management Committee may co-opt people who may or may not be members of the Council, to assist the Management Committee in its work. A co-opted person may exercise the same rights as a member. His/her co-option will cease at the Annual General Meeting.
- 12.15 If any position becomes vacant on the Management Committee prior to the next Annual General Meeting the committee may appoint any member of the Council to fill it as they deem it necessary.
- 12.16 Management Committee members are expected to play an active part in the governance of NMC. As such Management Committee members are expected to attend a minimum of six Management Committee meetings per year.
- 12.17 Any Management Committee member, who fails to attend three consecutive meetings of the Board without notification, shall be deemed to have resigned, unless the Management Committee grants a leave of absence, which may only occur in exceptional circumstances. A notice of resignation will be sent to the affected Management Committee member.

### **13. NOTICE OF ALL MEETINGS OF THE COUNCIL:**

- 13.1 Seven (7) days notice of all general meetings will be given to all members stating the time, date and place of the meeting.
- 13.2 The notice for a Special General Meeting of the Council will include the reasons for calling the meeting.

### **14 CONTROL OF FUNDS: / WHAKARITE PUTEA**

- 14.1 All funds received by the Council will be paid into its Bank Account.
- 14.2 All cheques and withdrawal slips drawn on the Council account must be signed by two appointed account signatories by resolution of the Management Committee.
- 14.3 Only the Management Committee or General Meetings have the authority to approve expenditure and to delegate authority for nominated staff to approve expenditure as directed up to an agreed value.
- i. Any income, benefit or advantage shall be applied to the charitable purposes of the organisation.
  - ii. No income or property is to be paid or transferred directly or indirectly to any NMC members. This will not prevent payment of reasonable remuneration or expenses to any officer or employee of the Council or to any members for any services performed by them for the Council.
  - iii. A member may charge for services carried out by her/him where the Council would have had to pay for that service if it was carried out by somebody who was not a member.
  - iv. The provisions and effect of this clause shall not be removed from this document and shall be included and implied into any document replacing this document.

## **15 COMMON SEAL: /TE TOHE TAKETAKE**

- 15.1 The Common Seal of the Council will be used only when authorised by a resolution of the Management Committee. When the seal is used it will be signed by an office holder and one other Management Committee appointed to sign that document by the Committee.

## **16 ALTERATIONS AND ADDITIONS TO THE RULES:/ TE WHAKAREREKETANGA**

- 16.1 The Council may alter, add or cancel any rules at a General Meeting provided that:
- i. Written notice of proposed change is included in the notice calling the meeting.

- ii. The meeting may amend the proposed change.
- iii. Two-thirds majority (2/3rds) of the members present at the meeting agree to change.
- iv. No addition to or alteration of the charitable objects, the personal benefit clause or the winding up clause shall be approved without the Inland Revenue Department's approval.

## **17 WINDING UP: /TE TUKE TOENGA RAWA**

17.1 The Council may be wound up if:

- i. A majority of the members at a General Meeting pass a resolution to wind up the Council, and
- ii. A second meeting is held not earlier than 30 days since the first meeting to confirm or reject the resolution.
- iii. At the second meeting two thirds (2/3rds) majority of the members confirm the resolution.

17.2 On winding up any surplus assets of the Council will be distributed to other charitable organisations of a similar nature in New Zealand.

**Signed:** \_\_\_\_\_  
**Priyani de Silva-Currie**  
**Chairperson**

**Signed:** \_\_\_\_\_  
**Denise Hutterd**  
**Secretary**