

Rules of Pakistan Association of Otago

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# Rules of Pakistan Association of Otago

## INTRODUCTION

### 1.0 Name

1.1 The name of the Association is Pakistan Association of Otago incorporated ("the Association").

1.2 The Association is constituted by resolution dated 10 October 2018.

### 2.0 Registered Office

2.1 The Registered Office of the Association is 36 Somerville Street, Andersons Bay, Dunedin 9013.

### 3.0 Purposes of Association

3.1 The purposes of the Association are to:

- a. To foster fellowship, goodwill and understanding among members and similar Pakistani organizations in New Zealand.
- b. To promote the general welfare of the Association members: Mutual respect and honesty will be our guiding principles in dealing with fellow members and other New Zealand residents.
- c. To work towards promoting and preserving the customs, culture and heritage of the Pakistani community in Otago, New Zealand.
- d. To amplify cognizance of our splendid traditions and integral values among our youth.
- e. To provide forums for discussing issues of interest to, or directly affecting, Association members;
- f. To regularly organize functions and other recreational activities to promote Pakistani values and cultures.
- g. To liaise with other organizations having kindred interests, and to represent the Association on ethnic or other bodies.
- h. To promote closer relationship between Pakistan and New Zealand.
- i. To encourage, promote and provide for better interaction, understanding, and unanimity among the people of Pakistan and other New Zealanders.
- j. To take steps by personal or written appeal, public meetings or through media or otherwise, as and when necessary to advance the charitable purpose.
- k. To streamline and grow the funding for the association in the form of grants, donations, contributions, periodic subscriptions, fees and engage other sources of funding for the sole purpose of charity to the community.

3.2 Financial gain is not a purpose of the Association.

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## **Association membership**

### **4.0 Admission of Members**

4.1 To become a member, a person (“the Applicant”) must be resident in Otago, and who was:

- a. Born in Pakistan or Kashmir, or is (or has been) a Pakistani Citizen
- b. Is the spouse or child of a person referred above and is aged 16 years and over.
- c. Complete an application form, if the Rules, Bylaws or Committee requires this; and
- d. Supply any other information the Committee requires.

4.2 Membership Fee has been waived for founding members and any new member until end of Jan 2023. However, donations to the Pakistan Association of Otago incorporated are welcomed. Membership fee will be NZ \$10 per year for an individual. Membership must close 2 days prior to the elections.

4.3 Membership duration is Jan to Dec.

4.4 The Committee may interview the Applicant when it considers Membership applications.

4.5 The Committee shall have complete discretion when it decides whether to allow the Applicant to become a Member. The Committee shall advise the Applicant of its decision, and that decision shall be final.

## **MANAGEMENT OF THE ASSOCIATION**

### **5.0 Managing Committee**

5.1 The Association shall have a managing committee (“the Committee”), comprising the following persons:

- a. The Chair/President;
- b. The Vice Chair/President
- c. The General Secretary;
- d. The Joint Secretary
- e. The Treasurer;
- f. General members as Association may decide.

5.2 The Committee may choose to have sub committees for multiple purposes i.e. Sports, Program, Emergency Response, etc.

5.3 Only Members of the Association may be Committee Members.

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5.4 The “Term” for the Committee is 2 years, the members may change the “Term” period by majority of the votes in “AGM”. “AGM” will be held in April each year.

### **6.0 Appointment of Committee Members**

6.1 At Association Meeting, the Members may decide by majority vote:

- a. How large the Committee will be;
- b. Who shall be the Chair/President, Secretary, and Treasurer;
- c. Whether any Committee Member may hold more than one position as an Office bearer;
- d. How long each person will be a Committee Member (“ the Term”).

### **7.0 Cessation of Committee Membership**

7.1 Persons cease to be Committee Members when:

- a. They resign by giving written notice to the Committee.
- b. They are removed by majority vote of the Association at an Association Meeting.
- c. Their Term expires.

7.2 If a person ceases to be a Committee Member, that person must within one month give to the Committee all Association documents and property.

### **8.0 Nomination of Committee Members**

8.1 Nominations for members of the Committee shall be proposed and seconded in writing or verbal by Members during an AGM planned for re-election. All retiring members of the Committee shall be eligible for re-election.

8.2 If the position of any Office bearer becomes vacant between Annual General Meetings, the Committee may appoint another Committee Member to fill that vacancy until the next Annual General Meeting.

8.3 If the position of any Committee Member (other than office bearer) becomes vacant between Annual General Meetings, the Committee may appoint another Association Member to fill that vacancy until the next Annual General Meeting.

8.4 If any Committee Member is absent from three consecutive meetings without leave of absence the Chair/President may declare that person’s position to be vacant.

### **9.0 Role of the Committee**

9.1 Subject to the rules of the Association (“The Rules”), the role of the Committee is to:

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- a. Administer, manage, and control the Association;
- b. Carry out the purposes of the Association, and Use Money or Other Assets to do that;
- c. Manage the Association's financial affairs, including approving the annual financial statements for presentation to the Members at the Annual General Meetings;
- d. Set accounting policies in line with generally accepted accounting practice
- e. Delegate responsibility and co-opt members where necessary
- f. Ensure that all Members follow the Rules;
- g. Decide how a person becomes a Member, and how a person stops being a Member;
- h. Decide the times and dates for Meetings, and set the agenda for Meetings;
- i. Decide the procedures for dealing with complaints;
- j. Set Membership fees, including subscriptions and levies;
- k. Make regulations.

9.2 The Committee has all of the powers of the Association, unless the Committee's power is limited by these Rules, or by a majority decision of the Association.

9.3 All decisions of the Committee shall be by a majority vote. In the event of an equal vote, the Chair/President shall have a casting vote, that is, a second vote.

9.4 Decisions of the Committee bind the Association, unless the Committee's power is limited by these Rules or by a majority decision of the Association.

### **10.0 Roles of Committee Members**

10.1 The Chair/President is responsible for:

- a. Ensuring that the Rules are followed;
- b. Convening Meetings and establishing whether or not a quorum (half of the Committee) is present;
- c. Chairing Meetings, deciding who may speak and when;
- d. Overseeing the operation of the Association;
- e. Providing a report on the operations of the Association at each Annual General Meeting.

10.2 The Vice Chair/President is responsible for:

- a. The Vice chair will back fill the role of Chair and Treasurer in case of absence or resignation.

10.3 The Secretary is responsible for:

- a. Recording the minutes of Meetings;
- b. Receiving and replying to correspondence as required by the Committee;
- c. Advising the Registrar of Incorporated Societies of any rule changes;
- d. Pick the responsibilities of Joint Secretary in case of absence or resignation

10.4 The Joint Secretary is responsible for :

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- a. Keeping the Register of Members;
- b. Holding the Association's records, documents, and books except those required for the Treasurer's function;
- c. Forwarding the annual financial statements for the Association to the Registrar of Incorporated Societies upon their approval by the Members at an Annual General Meeting.
- d. Pick the responsibilities of Secretary in case of absence or resignation

10.5 The Treasurer is responsible for help :

- a. Keeping proper accounting records of the Association's financial transactions to allow the Association's financial position to be readily ascertained;
- b. Preparing annual financial statements for presentation at each Annual General Meeting. These statements should be prepared in accordance with the Societies' accounting policies (see 8.1.d).
- c. Providing a financial report at each Annual General Meeting;
- d. Providing financial information to the Committee as the Committee determines.

### **11.0 Committee Meetings**

11.1 Committee meetings may be held via video or telephone conference, or other formats as the Committee may decide;

11.2 No Committee Meeting may be held unless more than half of the Committee Members attend;

11.3 The Chair/President shall chair Committee Meetings, or if the Chair/President is absent, the General Secretary shall chair that meeting;

11.4 Decisions of the Committee shall be by majority vote;

11.5 The Chair/President or person acting as Chair/President has a casting vote, that is, a second vote;

11.6 Only Committee Members present at a Committee Meeting may vote at that Committee Meeting.

11.7 Subject to these Rules, the Committee may regulate its own practices;

11.8 The Chair/President or his nominee shall adjourn the meeting if necessary.

### **12.0 The Register of Members**

12.1 The Secretary shall keep a register of Members ("the Register"), which shall contain the names, the postal and email addresses and telephone numbers of all Members, and the dates at which they became Members.

12.2 If a Member's contact details change, that Member shall give the new postal or email address or telephone number to the Secretary.

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12.3 Each Member shall provide such other details as the Committee requires.

### **13.0 Cessation of Membership**

13.1 Any Member may resign by giving written notice to the Secretary.

13.2 Membership terminated in the following way:

- a. If, for any reason whatsoever, the Committee is of the view that a Member is breaching the Rules or acting in a manner inconsistent with the purposes of the Association, the Committee may give written notice of this to the Member ("the Committee's Notice"). The Committee's Notice must:
  - I. Explain how the Member is breaching the Rules or acting in a manner inconsistent with the purposes of the Association;
  - II. State what the Member must do in order to remedy the situation; or state that the Member must write to the Committee giving reasons why the Committee should not terminate the Member's Membership.
  - III. State that if, within 14 days of the Member receiving the Committee's Notice, the Committee is not satisfied, the Committee may in its absolute discretion immediately terminate the Member's Membership.
  - IV. State that if the Committee terminates the Member's Membership, the Member may appeal to the Association.
- b. Fourteen days after the Member received the Committee's Notice, the Committee may in its absolute discretion by majority vote terminate the Member's Membership by giving the Member written notice ("Termination Notice"), which takes immediate effect. The Termination Notice must state that the Member may appeal to the Association at the next Meeting by giving written notice to the Secretary ("Member's Notice") within 14 days of the Member's receipt of the Termination Notice.
- c. If the Member gives the Member's Notice to the Secretary, the Member will have the right to be fairly heard at a Association Meeting held within the following 28 days. If the Member chooses, the Member may provide the Secretary with a written explanation of the events as the Member sees them ("the Member's Explanation"), and the Member may require the Secretary to give the Member's Explanation to every other Member within 7 days of the Secretary receiving the Member's Explanation. If the Member is not satisfied that the other Association Members have had sufficient time to consider the Member's Explanation, the Member may defer his or her right to be heard until the following Association Meeting.
- d. When the Member is heard at a Association Meeting, the Association may question the Member and the Committee Members.
- e. The Association shall then by majority vote decide whether to let the termination stand, or whether to reinstate the Member. The Association's decision will be final.



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## **14.0 Obligations of Members**

14.1 All Members (and Committee Members) shall promote the purposes of the Association and shall do nothing to bring the Association into disrepute.

14.2 All members (subject to section 4 above) shall have full rights to attend and vote at meetings, hold office in the Association, receive newsletters and documents of the Association and participate in the activities of the Association.

## **Funds and other assets of the Association**

### **15.0 Use of Funds and Other Assets**

15.1 The Association may only Use Money and Other Assets if:

- a. It is for a purpose of the Association;
- b. It is not for the sole personal or individual benefit of any Member; and
- c. That Use has been approved by either the Committee or by majority vote of the Association.
- d. If the funds required for an event which doesn't carry common interest of all the members, the event may proceed and arranged with the funds collected from the interested members only and the general Associated funds shall not be utilized.

### **16.0 Joining Fees, Subscriptions and Levies**

16.1 Annual subscriptions, if any, shall be payable in advance and election to membership shall not become effective until payment of the appropriate subscription. The full membership fee will apply regardless of the date of application during the year.

16.2. The annual subscription shall be determined from time to time by the Annual General Meeting, and shall thereupon be notified to all members.

## **Conduct of meetings**

### **17.0 Association Meetings**

17.1 A Association Meeting is either an Annual General Meeting or a Special General Meeting.

17.2 The Annual General Meeting shall be held once every year.

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17.3 Special General Meetings may be called by the Committee. The Committee must call a Special General Meeting if the Secretary receives a written request signed by at least 10% of the Members.

17.4 The Secretary shall:

Give all Members at least 7 days Written Notice of the business to be conducted at any Association Meeting

17.5 All Members may attend and vote at Association Meetings.

17.6 No Association Meeting may be held unless at least 10% of eligible Members attend. (This will constitute a quorum.)

17.7 All Association Meetings shall be Chaired by the Chair/President. If the Chair/President is absent, General Secretary shall Chair that meeting. A person Chairing an Association Meeting has a casting vote.

17.8 On any given motion at a Association Meeting, the Chair/President shall in good faith determine whether to vote by:

- a. Voices;
- b. Show of hands; or
- c. Secret ballot.

However, if any Member demands a secret ballot before a vote by voices or show of hands has begun, voting must be by secret ballot. If a secret ballot is held, the Chair/President will have a casting, that is, second vote.

17.9 The business of an Annual General Meeting shall be:

- a. Receiving any minutes of the previous Association's Meeting(s);
- b. The Chair/President's report on the business of the Association;
- c. The Treasurer's report on the finances of the Association, and the Annual Financial Statements;
- d. Election of Committee Members;
- e. Motions to be considered;
- f. General business.

## **18.0 Motions at Association Meetings**

18.1 Any Member may request that a motion be voted on ("Member's Motion") at a particular Association Meeting, by giving written notice to the Secretary at least 28 days before that meeting. The Member may also provide information in support of the motion ("Member's Information"). The Committee may in its absolute discretion decide whether or not the Association will vote on the motion. However, if the Member's Motion is signed by at least 25% of eligible Members:

- a. It must be voted on at the Association Meeting chosen by the Member; and

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- b. The Secretary must give the Member's Information to all Members at least 14 days before the Association Meeting chosen by the Member; or
- c. If the Secretary fails to do this, the Member has the right to raise the motion at the following Association Meeting.

18.2 The Committee may also decide to put forward motions for the Association to vote on ("Committee Motions") which shall be suitably notified.

### **19.0 Funds Source and Management**

19.1. The financial year of the Association shall run from 1 January to 31 December.

19.2 The financial affairs of the Association shall be administered by the Treasurer acting under the direction of the Committee.

19.3. The Annual General Meeting may appoint an auditor who shall make an annual audit of the books and accounts of the Association each financial year.

19.4. A properly financial statement shall be presented by the Treasurer to the first Committee meeting following the close of each financial year. After acceptance of the statement by Committee it shall be submitted for ratification at the Annual General Meeting.

19.5. The funds of the Association shall be derived from annual subscriptions of members and donations / sponsorships and, subject to any resolution passed by the Association in general meeting and subject to the Incorporated Societies Act 1908 and the Charities Act 2005, as the Committee determines.

19.6. All money received by the Association shall be deposited as soon as practicable and without deduction to the credit of the Association's bank.

19.7. The Association shall, as soon as practicable after receiving any money, issue an appropriate receipt.

19.8. All cheques or withdrawal slips drawn on the Association account shall be signed by any two of the Treasurer, the Secretary and the President.

19.9. Subject to any resolution passed by the Association in a general meeting, the funds of the Association shall be used in pursuance of the objects of the Association and no portion shall be distributed directly or indirectly to the members of the Association except as bona fide compensation for services rendered or expenses incurred on behalf of the Association.

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## **Common seal**

### **20.0 Common seal**

20.1 The Common Seal shall be the Association's official stamp, and shall be kept in the custody of the Secretary

20.2 The Common Seal shall not be affixed to any instrument or document except by the authority of the Executive Council and the affixing of the common seal shall be attested by the signatures either of President, Secretary and one other member of the Executive Council.

## **Altering the rules**

### **21.0 Altering the Rules**

21.1 The Association may alter or replace these Rules at a Association Meeting by a resolution passed by a two-thirds majority of those Members present and voting.

21.2 Any proposed motion to amend or replace these Rules shall be signed by at least 25% of eligible Members and given in writing to the Secretary at least 28 days before the Association Meeting at which the motion is to be considered and accompanied by a written explanation of the reasons for the proposal.

21.3 At least 14 days before the General Meeting at which any Rule change is to be considered the Secretary shall give to all Members written notice of the proposed motion, the reasons for the proposal, and any recommendations the Committee has.

21.4 When a Rule change is approved by a General Meeting no Rule change shall take effect until the Secretary has filed the changes with the Registrar of Incorporated Societies.

## **Bylaws**

### **22.0 Bylaws to govern the Association**

22.1 The Committee may from time-to-time make, alter or rescind bylaws for the general management of the Association, so long as these are not repugnant to these rules or to the provisions of law. All such bylaws shall be binding on members of the Association. A copy of the bylaws for the time being, shall be available for inspection by any member on request to the Secretary.

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### **23.0 Dissolution**

23.1 Any resolution to dissolve the Association shall be received by the Secretary in writing signed by 50% members not less than six weeks before a general meeting together with a statement giving reasons for the proposal. Such a proposal for alteration shall be circulated to all members not less than one month before the meeting and put before the general meeting as a general resolution in accordance with the Incorporated Societies Act 1908. The resolution to dissolve the Association shall become operative if approved by three-quarters of the members present in a general meeting.

23.2. In the event of the Association being dissolved, the amount that remains after such dissolution and the satisfaction of all debts and liabilities shall be transferred to any Association with similar purposes which is not carried on for the profit or gain of its individual members.

### **24.0 Records**

24.1 Subject to the Incorporated Societies Act 1908, and these rules, the Secretary shall keep in his or her custody or under his or her control all records, books, and other documents relating to the Association.

24.2 The records, books and other documents of the Association shall be open to inspection at a place in Otago, free of charge, by a member of the Association at minimum 3 days advance notice.

### **Winding up**

### **25.0 Winding up**

25.1 If the Association is wound up:

- a. The Association's debts, costs and liabilities shall be paid;
- b. Surplus Money and Other Assets of the Association may be disposed of:
  - I. By resolution; or
  - II. According to the provisions in the Incorporated Societies Act 1908

### **Definitions**

### **26.0 Definitions and Miscellaneous matters**

26.1 In these Rules:

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- a. "Majority vote" means a vote made by more than half of the Members who are present at a Meeting and who are entitled to vote and voting at that Meeting upon a resolution put to that Meeting.
- b. "Money or Other Assets" means any real or personal property or any interest therein, owned or controlled to any extent by the Association.
- c. "Association Meeting" means any Annual General Meeting, or any Special General Meeting, but not a Committee Meeting.
- d. "Use Money or Other Assets" means to use, handle, invest, transfer, give, apply, expend, dispose of, or in any other way deal with, Money or Other Assets.
- e. "Written Notice" means communication by post, electronic means (including email, and website posting), or advertisement in periodicals, or a combination of these methods.
- f. It is assumed that
- g. Where a masculine is used, the feminine is included
- h. Where the singular is used, plural forms of the noun are also inferred
- i. Headings are a matter of reference and not a part of the rules
- j. Matters not covered in these rules shall be decided upon by the Committee

