

# Rules of Leigh School Parent Teacher Association

## 1. Name

- 1.1 The name of the society is Leigh School Parent Teacher Association ("the Society").
- 1.2 The Society is constituted by resolution dated 17<sup>th</sup> November 2008

## 2. Registered Office

- 2.1 The Registered Office of the Society is c/o Leigh School, 26 Hauraki Road, Leigh.

## 3. Purposes of Society

- 3.1 The purposes of the Society are to:
  - a) Advance education by:
    - Encouraging parents/caregivers to be involved in the education of their children.
    - Providing a link between students, parents/caregivers, the community and Leigh School.
    - Raising funds to provide improved facilities and educational opportunities for the school community.
    - Bringing parents and caregivers and the teachers together in social or informative activities.
    - Carrying out other activities consistent with the charitable objects of the organisation.
  - b) Do anything necessary or helpful to the above purposes.
- 3.2 Pecuniary gain is not a purpose of the Society.
- 3.3 At all times our activities will be limited to those activities that are charitable in New Zealand.

## Management of the Society

### 4. Managing Committee

- 4.1 The Society shall have a managing committee ("the Committee"), comprising the following persons:
  - a) The Chairperson;
  - b) The Secretary;
  - c) The Treasurer; and
  - d) Other Members as the Society shall decide.
- 4.2 Only Members of the Society may be Committee Members.
- 4.3 There shall be a minimum of three Committee Members.

### 5. Appointment of Committee Members

- 5.1 At a Society Meeting, the Members may decide by majority vote:
  - a) How large the Committee will be;
  - b) Who shall have the title of Chairperson, Secretary, and Treasurer;
  - c) Whether any Committee Member may have more than one title;
  - d) How long each person will be a Committee Member ('the Term').

### 6. Cessation of Committee Membership

- 6.1 A person ceases to be Committee Members when:
  - a) They resign by giving written notice to the Committee.
  - b) They are removed by majority vote of the Society at a Society Meeting.
  - c) Their Term expires.
- 6.2 If a person ceases to be a Committee Member, that person must within one month give to the Committee all Society documents and property.

### 7. Nomination of Committee Members

- 7.1 Nominations for members of the Committee shall be called for at least 14 days before a General Meeting. Nominations of candidates for election as office bearers or ordinary members of the committee shall be made in writing and signed by two members of the

Association and by the nominee. Nominations shall close at 5pm on the fifth day before the Annual General Meeting. The Secretary shall post all nominations on a suitable notice board at least two days before the Annual General Meeting. All retiring members of the Committee shall be eligible for re-election.

7.2 If the position of any Committee Member becomes vacant between Society Meetings, the Committee shall appoint another Committee Member to fill that vacancy until the next Society Meeting.

7.3 If any Committee Member is absent from three consecutive meetings without leave of absence the Chairperson may declare that person's position to be vacant.

## **8. Role of the Committee**

8.1 Subject to the rules of the Society ("The Rules"), the role of the Committee is to:

- a) Administer, manage, and control the Society;
- b) Carry out the purposes of the Society, and use money or other assets to do that;
- c) Manage the Society's bank accounts;
- d) Ensure that all Members follow the Rules;
- e) Decide how a person becomes a Member, and how a person stops being a Member;
- f) Decide the times and dates for Meetings, and set the agenda for Meetings;
- g) Decide the procedures for dealing with complaints;
- h) Make regulations.

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

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

## **9. Roles of Committee Members**

9.1 The role of the Chairperson is to:

- a) Ensure that the Rules are followed;
- b) Convene Meetings;
- c) Chair Meetings, deciding who may speak and when;
- d) Oversee the operation of the Society;
- e) Give a report on the operation of the Society at each Annual General Meeting;
- f) Advise the Charities Commission of any alteration to the Rules.

9.2 The role of the Secretary is to:

- a) Record the minutes of Meetings;
- b) Keep the Register of Members;
- c) Hold the Society's records, documents, and books;
- d) Receive and reply to correspondence as required by the Committee;

9.3 The role of the Treasurer is to:

- a) Collect and receive all payments made to the Society. These payments must be banked within seven days after the Treasurer receives them;
- b) Keep a true and accurate record in the Society's account book, so that the Society's financial situation can be clearly understood at any point in time;
- c) Give a financial report and statement of accounts (including an Income and Expenditure Account and Balance Sheet) at each Annual General Meeting, and more often if either the Committee or a majority of the Society decides this in a Meeting;
- d) Forward the annual financial statements for the Society to the Charities Commission upon approval by the Members at an Annual General Meeting.

## **Society membership**

### **10. Admission of Members**

10.1 Any parent/caregiver, teacher or interested adult may become a member of the Society.

10.2 To become a Member, a person (“the Applicant”) must complete an application form, if the Committee requires this.

10.3 The Committee shall have complete discretion when it decides whether or not to let the Applicant become a Member. The Committee shall advise the Applicant of its decision, and that decision shall be final.

### **11. The Register of Members**

11.1 The Secretary shall keep a register of Members (“the Register”), which shall contain the names, the addresses and telephone numbers of all Members, and the dates at which they became Members.

11.2 If a Member’s address or telephone number changes, that Member shall give the new address or telephone number to the Secretary.

### **12. Cessation of Membership**

12.1 Membership ceases:

- a) By verbal or written resignation to the Secretary of the Society;
- b) If a caregiver or parent ceases to use the School, or a staff member ceases to be employed, except where both the Member and the Executive agree that Membership may continue.
- c) Where a member has, in the opinion of the elected Committee, acted in a manner harmful to the Association, or has acted contrary to the objects of the Society.
- d) The Committee must give written notice of its intention to terminate any membership under sub-section c), and that person has the right to address the next Committee meeting before the decision of the Committee takes effect.
- e) Individuals whose membership has been terminated remain liable for any damage caused to the Society.

### **13. Re-admission of former Members**

13.1 Any former Member who has resigned may apply for re-admission in the same way as a new applicant, but if the former Member’s membership was terminated by the Committee or the Society, the Applicant shall not be readmitted without the approval of the Committee by majority vote.

### **14. Obligations of Members:**

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

## **Money and Other Assets of the Society**

### **15. Use of Money and Other Assets**

15.1 The Society may only use money and other assets if:

- (a) It is for a purpose of the Society;
- (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 Society.

### **16. Additional Powers**

16.1 The Society may:

- (a) Employ people for the purposes of the Society;
- (b) Exercise any power a trustee might exercise;
- (c) Invest in any investment that a trustee might invest in;
- (d) Borrow money and provide security for that if authorised by Majority vote at any Society Meeting.

## **17. Financial Year**

17.1 The financial year of the Society begins on 1 April of every year and ends on 31 March of the next year.

## **18. Cheques**

18.1 Any Payment made by the Society above a value of one hundred dollars must be by Cheque or electronic deposit.

18.2 All Cheques must be signed by two Committee Members.

## **19. Appointing an Auditor**

19.1 At an Annual General Meeting, the Society may by majority vote appoint someone to audit the Society ("the Auditor"). The Auditor shall audit the Society's accounts, and shall certify that they are correct. The Auditor must be a member of the New Zealand Society of Accountants, and must not be a Member of the Society. If the Society appoints an Auditor who is unable to act for some reason, the Committee shall appoint another Auditor as a replacement.

## **Conduct of meetings**

### **20. Society Meetings**

20.1 A Society Meeting is either an Annual General Meeting or a Special General Meeting.

20.2 The Annual General Meeting shall be held once every year between 1 April and 31 August.

The Committee shall determine when and where the Society shall meet within those dates.

20.3 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 one quarter of the Members.

20.4 The Secretary shall give all Members at least 14 days written notice of:

- a) The business to be conducted at any Society Meeting;
- b) A copy of the Annual Report and Statement of Accounts, if the Society Meeting is an Annual General Meeting;
- c) A list of Nominees for the Committee, and information about those Nominees if it has been provided.
- d) Notice of any motions and the Committee's recommendations about those motions. If the Secretary has sent notice to all Members in good faith, the Meeting and its business will not be invalidated simply because one or more Members do not receive the notice.

20.5 All Members may attend and vote at Society Meetings.

20.6 No Society Meeting may be held unless at least 6 Members attend.

20.7 All Society Meetings shall be chaired by the Chairperson. If the Chairperson is absent, the Secretary shall chair the Society Meeting. If the Secretary is also absent, the Society shall elect another Committee Member to chair that meeting. Any person chairing a Society Meeting has a casting vote.

20.8 Voting and decision making at all Meetings of the Society shall be by consensus wherever possible.

- a) Where necessary decisions shall be made by a simple majority of votes.
- b) All members are entitled to one vote.
- c) All votes are to be given personally.
- d) In the case of equality of voting on a question the motion is deemed to be defeated.

20.9 The business of an Annual General Meeting shall be:

- a) Any minutes of the previous Meeting(s);
- b) The Chairperson's report on the business of the Society;
- c) The Treasurer's report on the finances of the Society, and the Statement of Accounts;
- d) Election of Committee Members;
- e) Motions to be considered;

- f) General business; and
- g) Approval of plans for the balance of the current and next calendar years.

## **21. Motions at Society Meetings**

- 21.1 Any Member may request that a motion be voted on (“Member’s Motion”) at a particular Society 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 Society will vote on the motion. However, if the Member’s Motion is signed by at least a quarter of all Members:
- a) It must be voted on at the Society Meeting chosen by the Member; and
  - b) The Secretary must give the Member’s Information to all Members at least 14 days before the Society 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 Society Meeting.
- 21.2 The Committee may also decide to put forward motions for the Society to vote on (“Committee Motions”).

## **22. Committee Meetings**

- 22.1 The Committee shall generally meet on a monthly basis or as required.
- 22.2 No Committee Meeting may be held unless 3 of the Committee Members attend.
- 22.3 The Chairperson shall chair Committee Meetings, or if the Chairperson is absent, the Secretary shall chair the Committee Meeting. If the Secretary is also absent, the Committee shall elect a Committee Member to chair that meeting.
- 22.4 Decisions of the Committee shall be by majority vote.
- 22.5 The Chairperson or person acting as Chairperson has a casting vote.
- 22.6 Only Committee Members present at a Committee Meeting may vote at that Committee Meeting.
- 22.7 Subject to these Rules, the Committee may regulate its own practices.

## **Altering the rules**

### **23. Altering the Rules**

- 23.1 The Society may alter or replace these Rules at a Society Meeting by a resolution passed by a two-thirds majority of those Members present and voting.
- 23.2 Any proposed motion to amend or replace these Rules shall be signed by at least 15 Members and given in writing to the Secretary at least 28 days before the Society Meeting at which the motion is to be considered, and accompanied by a written explanation of the reasons for the proposal.
- 23.3 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.
- 23.4 When a Rule change is approved by a General Meeting the Managing Committee shall cause to be filed with the Registrar of Incorporated Societies advice of the Rule changes in the required form. No Rule change shall take effect until this is done.
- 23.5 No change, addition or deletion to the Rules may affect the provisions of clauses 24 and 25, and any such change, addition or deletion must not be inconsistent with the general charitable scope of this constitution.

### **24. No Private Pecuniary Profit**

- 24.1 The Society will not carry on any business, nor permit any business to be carried on for the private pecuniary profit of any individual.

- 24.2 Clause 24.1 will not prevent payment in good faith of reasonable and proper remuneration to any officer, servant or employee of the Society in return for services actually rendered to the Society.
- 24.3 Where any payment is made to an officer, servant or employee of the Society, or any person who is an associated person (as that term is defined in the *Income Tax Act 1976*) the officer, member or employee may not determine or influence in any way the type or amount of remuneration paid to that member or that associated person.

## **Winding up**

### **25. Winding up**

- 25.1 The Society may be wound up if at a General Meeting of its members, it passes a resolution to wind up, and the resolution is 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 to be confirmed was passed.
- 25.2 If upon the winding up or dissolution of the Society there remains after the satisfaction of all its debts and liabilities any property whatsoever the same shall not be paid to or distributed among the members of the Society but shall be given or transferred to some other organisation/s or body/ies having charitable objects similar to the objects of the Society, or to some other charitable organisation or purpose, within New Zealand. Such institutions shall be determined by the Members of the Society at the time of dissolution.

## **Definitions**

### **26. Definitions**

26.1 In these Rules:

- a) "Cheque" means a personal cheque or a bank cheque.
- b) "Committee" means the Committee of the Society.
- c) "Committee Meeting" means a meeting of the Committee.
- d) "Committee Member" means any Member who is on the Committee.
- e) "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.
- f) "Meeting" means any Annual General Meeting, any Special General Meeting, and any Committee Meeting.
- g) "Money or Other Assets" means any real or personal property or any interest therein, owned or controlled to any extent by the Society.
- h) "Payment" means any transfer of legal tender by cash, electronic transfer, bank cheque, or any other means of paying legal tender, and includes payment by personal cheque.
- i) "Rules" means these rules, being the rules of the Society.
- j) "Society Meeting" means any Annual General Meeting, or any Special General Meeting, but not a Committee Meeting.
- k) "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.
- l) "Written Notice" means hand-written, printed or electronic communication of words or a combination of these methods.

Signed by the Secretary, 17 November 2008

