

Constitution
of the

Akatarawa
Recreational
Access Committee
Incorporated

1 Name

The name of the Society shall be "Akatarawa Recreational Access Committee Incorporated", hereinafter referred to as ARAC

2 Objects

The objects of ARAC shall be the furtherance and improvement of Recreational Access to facilities, lands and water in and around New Zealand and the doing of all such things as are incidental or conducive to the attainment of the above object and without limiting the generality of the foregoing more particularly

- (a) To Create, Maintain and Operate a Society in accordance at all times with the provisions of the Charities Act 2005 (and any subsequent modifications).**
- (b) To benefit the community at large by fostering, promoting and improving Recreational Access for the General Public.**
- (c) To offer advice and guidance to Private or Public bodies on ways to improve access to, and the use of, lands, lakes, rivers, streams and other facilities and to disseminate such information gained**
- (d) To act alone or with any other organisation in the interest of Recreational Access**

3 Powers

The powers which the Committee may exercise in order to carry out its charitable purposes are as follows:

- (a) To present the case for improving Recreational Access at any public or private hearing, insofar as it is ancillary to the provision of facilities to all recreational users**
- (b) To acquire the freehold or leasehold of or limited rights over such real or personal property as may be considered advisable for the acquisition, maintenance and control of any building erected or acquired in relation to Recreational Access**
- (c) To make, maintain and enforce regulations for the control and governing of Recreational Access and use of facilities**
- (d) To invest, control and dispose of the funds and property of ARAC as may be considered advisable for the advancement of Recreational Access and in particular, but without in any way limiting the foregoing**
 - (i) To Invest the same in such securities as are authorised trustee securities**
 - (ii) To advance and lend money to any third party, organisation or individual at such interest and upon such terms and conditions as it thinks fit**
- (e) To raise money for the purpose of ARAC and to secure payment thereof in such manner as may be determined and for the purpose to charge or mortgage all or any part of the property or assets of ARAC**
- (f) To sell, manage, improve, develop, exchange, lease, dispose of, turn into account or otherwise deal with all or any part of the property or assets of ARAC**
- (g) To receive any gifts or bequests whether subject to any trust, or restriction or not and to administer such gifts, bequests to trusts**
- (h) To exercise all or any of the powers conferred upon Associations by the Incorporated Societies Act 1908**

4 Membership

Any bona fide recreational user or supporter will be eligible for membership of ARAC

- (a) Ordinary Membership: Any person, body corporate or incorporated society shall by application to the Secretary be eligible for ordinary membership on such terms and conditions as ARAC thinks fit
- (b) Life Membership: ARAC may from time to time appoint life membership to any ordinary members for services rendered to recreational access. This appointment shall afford all benefits of Ordinary Membership, yet shall be free of all charges, fees, levies etc. as may from time to time be imposed upon ordinary members

5 Cessation of Membership

Any member shall cease to be a member of ARAC if

- (a) They tender their resignation
- (b) They engage in any activities that are considered detrimental to the aims and objectives of ARAC as defined herein
- (c) They fail to render any payments due to ARAC within three months of being advised such payments are due

6 Subscriptions

- (a) Subscriptions shall be as set by the Annual General Meeting and shall be payable in advance. Any Member whose subscriptions remain unpaid for 3 months shall have all their Membership rights suspended until such time as subscriptions are paid in full
- (b) Any subscriptions shall wherever possible be set at the minimum value necessary to allow ARAC to pursue its aims and objectives

7 Meetings

- (a) There shall be an Annual General Meeting of ARAC, held between 1 March and 30 June each year
- (b) Other General Meetings shall be held as follows
 - (i) By the written request of not less than 15 Members to the Secretary, whereupon, the Secretary shall convene a General Meeting with 28 days of receipt of such written request
 - (ii) By request to the Secretary of any three Committee Members (as defined herein). The Secretary shall convene such meeting as soon as is practicable, or at a date and time as may be requested providing such date and time is consistent with these Articles
- (c) At least 10 days' notice of each meeting shall be given to each Member by whatever means is considered desirable and effective by the Secretary having regard to the costs involved and the likelihood of advising as many Members as possible
- (d) Accidental omission to give notice to any Member shall not invalidate the meeting

8 Committee

- (a) At each Annual General Meeting a Committee comprising the following shall be elected from amongst the Members - Chairman, Vice-Chairman, Secretary, Treasurer, Press Officer
- ~~(b) Every incorporated society that is a Member and whose aims are off-road recreation shall be entitled to hold one committee position additional to the positions of Chairman, Vice-Chairman, Secretary, Treasurer and Press Officer. The incorporated society must advise the name and contact details of their appointee in writing or by email prior to the appointee holding the committee position.~~

Every Body Corporate or Incorporated Society granted Membership in accordance with Section 3 above shall be entitled to be represented by one delegate position on the Committee. Such delegate must be advised to the secretary in advance and shall hold a single non-transferable vote.

- (c) The position of any Committee Member absent from three consecutive general or Committee meetings without leave of absence shall automatically become vacant. Acceptance of an apology for absence shall be deemed grant of such leave
- (d) The Committee may fill casual vacancies from amongst the Membership as it sees fit, including co-option
- (e) The immediate past Chairman shall ex officio be a Member of the Committee
- (f) ARAC at general meeting, or the Committee may appoint sub committees with such powers and authority as are specified
- (i) Such sub-committees shall from amongst themselves appoint a Chairman, and where appropriate other officers such as Secretary, Treasurer, Liaison Officer etc.
- (ii) The Appointed Chairman of each sub-Committee shall by virtue of such position be automatically appointed to the full Committee of ARAC, with all the rights and privileges thereof
- (g) All voting at Committee and Sub-Committee shall be by voice or show of hands. However, any Committee or Sub-Committee Member may request and shall be granted a secret ballot
- (h) Each Committee and Sub-Committee member shall have one vote, the Chairman shall in addition have a casting vote
- (i) An Officer holding more than one position shall only have one vote
- (j) Any motion that fails to gain a majority of votes shall be lost

9 Proxy Votes

- (a) Any Member, Committee or Sub-Committee Member shall be entitled to be represented by proxy
- (b) Such proxies shall not be considered as contributing towards a Quorum
- (c) Proxies may be made in favour of any person, including a non-member, or may be directed to the Chair
- (d) To be accepted, all proxies must be presented to the Secretary before the appointed start time for the meeting

10 Quorums

- (a) The quorum at any general meeting shall be 8 Members present and entitled to vote
- (b) The quorum at any Committee or Sub-Committee meeting shall be 50% of the Committee or Sub-Committee

11 Finance

- (a) The financial year shall be from 1 January to 31 December each year
- (b) The Treasurer shall prepare an annual report and balance sheet for presentation to the Annual General Meeting
- (c) All monies received shall be deposited in an ARAC bank account
- (d) Cheques drawn upon any bank account shall require at least two signatories as shall be determined by Committee or General Meeting
- (e) Sub-Committees may only operate Bank accounts when such authority has been specifically delegated by General Meeting or Committee
- (f) Where Sub-Committees operate such bank accounts, full records shall be maintained of all financial transactions, and shall report the same to the Treasurer for inclusion in the Financial Report to the Annual General Meeting

12 Common Seal

The shall be a Common Seal, which shall be kept by the Secretary and shall only be used under the authority of a resolution to that effect by the Committee. Every document and other instrument to which the seal is affixed shall be signed by the Secretary and shall be countersigned by two other Members of the Committee

13 Rules

- (a) ARAC shall establish a set of Standing Orders to provide for the day-to-day operation of its affairs
- (b) Alterations to this Constitution and the Standing Orders may only be made at General Meeting by resolution earned by a not less than two-thirds majority of the Members present and entitled to vote
- (c) **No addition to or alteration or recession of the constitution shall be approved if it affects the charitable objectives, non-profit aims, personal benefit clause or the dissolution clause. The provisions and effect of this sub-clause shall not be removed from this constitution, and shall be included and implied into any document replacing this constitution.**

14 Indemnity

The Committee, their officers and servants shall be indemnified by ARAC against expenses incurred in or about the discharge of their duties except such as happens to be their own wilful act, neglect or default

15 **Personal Benefit**

- (a) **No member of ARAC or any person associated with a member shall participate in or materially influence any decision made by the organisation in respect of the payment to or on behalf of that member or associated person of any income, benefit, or advantage whatsoever.**
- (b) **Any such income paid shall be reasonable and relative to that which would be paid in an arm's length transaction (being the open market value).**

16 Dissolution

- (a) ARAC shall not be dissolved unless a motion to that effect has been passed by a majority of Members present and entitled to vote at any special general meeting convened for that purpose and in accordance with the provisions of the Incorporated Societies Act 1908 and its amendments
- (b) Upon dissolution of a sub-committee any surplus monies remaining after payments of all liabilities, shall be paid over to ARAC
- (c) If upon the winding up or dissolution of ARAC there remains after the satisfaction of all debts and liabilities any property whatsoever the same shall not be paid to, or distributed among the members of ARAC but shall be given or transferred to some other charitable organisation or body having objects similar to the objects of the first organisation, or for some other charitable purpose, within New Zealand

17 Inspection of Rules

The rules and regulations of ARAC shall be open to inspection at the address of the Association at all reasonable times, and a copy thereof shall be supplied on such terms and conditions as the Committee may from time to time direct

18 Notices

All notices requiring to be given by these rules shall (if not specifically provided for herein) be deemed to have been given if they have been posted addressed to the last known address of the addressee