

PBRA – How we operate

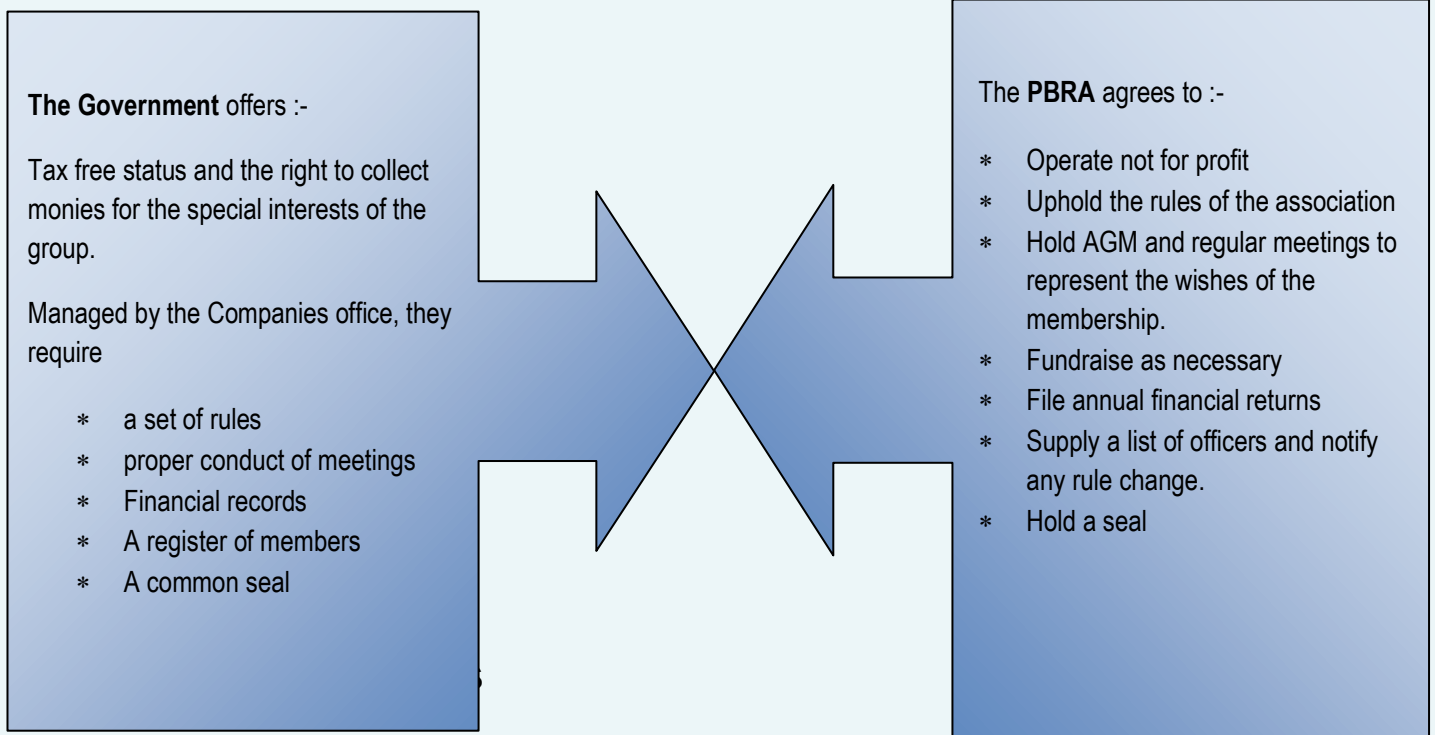
Statutory requirements and Role descriptions



Pukehina Beach Ratepayers Association Incorporated 1968 (# 213420)

What it means to be an Incorporated Society.

- * Is a separate legal identity
- * Must comply with the laws of NZ
- * Be Not-for-profit
- * May apply for funding
- * Can enter contracts
- * Has limited liability



The Rules of the Pukehina Ratepayers' Association Incorporated (30th May 1968)

1. The name of the Society is the **Pukehina Beach Ratepayers' Association Incorporated**.
2. The objects for which the Association is established are: -
 - (1) To conserve, promote and advance generally the interests and welfare of the ratepayers of Pukehina Beach.
 - (2) To seek redress of wrongs from which all or any of the members may from time to time suffer or make representations by way of deputations or otherwise being under the notice of any regulatory local body authority, presently the Western Bay of Plenty District Council and Environment Bay of Plenty, or any other constituted authority, such matters as in the opinion of the Association require attention or alteration.
 - (3) To use the funds of the Association that the Association may consider necessary or proper, in payment of the costs and expenses and furthering or carrying out the objects of the Association or any of them including the employment of counsel, solicitors, agents, officers and servants as shall appear necessary or expedient.
 - (4) To subscribe, to become a member of, and cooperate with any other Association whether incorporated or not, whose objects are similar to those of this Association and to procure from and to communicate to such Associations any such information as may be likely to forward the objects of this Association.
 - (5) To do all such things as are incidental or conducive to the attainment of the above objects.
3. The Association shall consist of financial members each being a person or body corporate of any kind being a ratepayer of the area known as Pukehina Beach.
4. New financial members are always welcome to join provided they own property at Pukehina Beach and pay the annual subscription.
5. An annual subscription shall be from time to time be fixed by resolution at the annual general meeting. Non-payment of the annual subscription will terminate membership.
6. Any member may resign from membership by giving the secretary notice in writing to that effect and every such notice shall unless otherwise expressed, take effect from the end of the financial year then current.
7. These rules may be altered or rescinded or otherwise amended by resolution passed by 75% majority at the annual general or special general meeting for which 14 days notice has been given to all members.
 - (1) Every such notice shall set forth the purpose of the proposed alteration, addition, rescission or other amendment.
 - (2) Duplicate copies of every such intended alteration, addition, rescission or amendment be sent to the registrar for approval in accordance with requirements of the Act.
8. The annual general meeting shall be held between the 27th December and the 7th January, and members will be advised of the place and time of the meeting, for the following purposes: -
 - (1) To receive from the committee a balance sheet and statement of accounts for the year ended 30th November.
 - (2) To elect members to the committee.
 - (3) To decide on any resolution which may be duly submitted to the meeting.
 - (4) To discuss any other general business.
 - (5) The Incorporated Society Act 1906 does not require annual accounts to be audited and our Association's accounts shall not be audited.
9. At any time for any special purpose, a special general meeting shall be called upon the requisition in writing of any nine members stating the purposes for which the meeting is required. The secretary shall on receipt of the requisition give fourteen days notice to all financial members of the time, place and purpose of the meeting.
10. (1) At all annual general meetings or special general meetings the chairperson,

or in his/her absence any other elected chairperson shall take the chair and every member shall be entitled to one vote on every motion exercised in person and in the case of an equality of vote, the chairperson shall have a casting vote, as well as a deliberative vote. The voting shall be by show of hands or by ballot, as the chairperson shall direct.

- (2) Membership may be in either one or joint names. Where there is joint membership, that is only one subscription has been paid per property, then only one vote will be allowed. Members who own more than one property may, if the required additional subscription(s) have been paid, have more than one vote allowed to them; eg if they own three properties, and have paid three subscriptions they are entitled to three votes.
 - (3) At all general meetings and special general meetings only financial members shall be eligible to vote and to stand for election. Persons who are not members of the Association may be permitted to speak only with the consent of the chairperson but shall not be permitted to move or second a motion or to vote on such a motion.
11. At all general meetings 7 members shall constitute a quorum.
 12. At every annual general meeting, members shall elect a committee of the following officers - a chairperson, secretary and treasurer and a minimum of five committee members who shall hold office until retirement at the next annual meeting or resignation from office. All committee members must be paid up financial members.
 13. The committee shall have the power to appoint a member to fill any casual vacancy on the committee, and the right to co-opt further members until the next annual general meeting. Any member so appointed shall retire at the next annual general meeting together with the rest of the committee but all or any of the retiring committee shall be eligible for re-election.
 14. (1) It shall be the duty of the committee generally to conduct the affairs of the Association to keep usual and proper books of account and other records of the business of the association as well as to notify members of the intended meetings and the nature of the business to be transacted.
(2) The committee must also prepare and submit to the annual general meeting a report, balance sheet and statement of accounts for the preceding year.
 15. (1) Meetings of the committee are usually held monthly at such times and place as the chairperson shall direct or, in the case of his/her absence, inability or refusal to act, the secretary or any other member shall so direct.
(2) In addition to the usual monthly meetings, the chairperson or the majority of the committee may call a special committee meeting as required.
(3) The secretary shall give notice of every such meeting to every committee member by any reasonable means, including the telephone or electronic device.
(4) Four members of committee will constitute a quorum for all such above-mentioned meetings.
(5) In the absence of the chairperson, the remaining members shall elect one of their numbers to preside at any of the above-mentioned meetings.
 16. The committee shall be responsible for the safe custody and control of the common seal of the Association
 17. Whenever the common seal of the Association is required to be affixed to any deed, document, writing or other instrument, the seal shall be affixed pursuant to a resolution of the committee or of the Association by the chairperson and any other member of the committee thereby authorised to affix the seal. The persons so affixing the seal shall at the same time sign the document to which the seal is so affixed.
 18. (1) All moneys received by or on behalf of the Association shall be paid to the credit of the Association in an account with any bank or savings bank from time to time, to be decided by the Association.
(2) All cheques and withdrawal slips prepared by the treasurer and drawn on the account shall be signed by either the chairperson, secretary or the treasurer (or up to two committee members may also be co-signatories, however one of the signatories must be either the chairperson or the secretary).
(3) All purchases, except petty cash items, must be authorised prior to commitment for non-regular items.
(4) Two authorised signatories must sign all cheques and no cheques shall be pre-signed.
(5) Receipts to be issued by the treasurer as required, or by any nominated committee member.



19. The Association may from time to time invest and reinvest in such securities upon such terms as it shall think fit, the whole or any of its funds, which shall not be required for the immediate business of the Association.
20. (1) The Association may from time to time by resolution in general meeting make, amend or rescind regulations not inconsistent with these rules governing procedure at its meetings and publications (if any) or reports thereof and of the business of the Association in the press.
(2) No addition to or alteration or rescission of the rules shall be approved if it affects the non- profit aims, personal benefit clause or winding up clause.
21. In the event of the Association being wound up the surplus after payment of the Association's liabilities and expenses of the winding up, shall vest absolutely in the body corporate known as the chairperson, councillors and inhabitants of the regulatory local body authority that has jurisdiction, with the instruction that the said authority shall use the moneys for the improvement of the area known as Pukehina Beach.
22. (1) The registered office of the Association shall be situated at such place to be decided by the committee from time to time but shall be either the business or residential address of the chairman, treasurer or secretary.
(2) Notice of every change of situation of the registered office shall be duly sent to the Registrar of Incorporated Societies.

Signed;

Chairman.

Treasurer;

Secretary;

Committee;



Role Descriptions of Committee Officers

CHAIRPERSON

Scope:

The role of the Chair is to be carried out in accordance with the requirements of the Incorporated Societies Act 1908 (see <http://www.societies.govt.nz>) which should be read in conjunction with the Rules of the Pukehina Beach Ratepayer's Association Incorporated.

Duties:

1. Ensuring that the rules and all regulatory compliance requirements are met.
2. Convening meetings and establishing whether or not a quorum ie four for committee meetings and seven for general meetings is present.
3. Chairing meetings including the AGM and deciding who may speak and when.
4. Overseeing the operation of the Association.
5. Acting as a spokesperson for the Association in the community or delegating that role where required to the appropriate committee member.
6. Providing a report on the operations of the Association at each AGM
7. Other specific duties as decided by the committee from time to time.

TREASURER

Scope:

The role of the Treasurer is to be carried out in accordance with the requirements of the Incorporated Societies Act 1908 (see <http://www.societies.govt.nz>), read in conjunction with the Rules of the Pukehina Beach Ratepayer's Association Inc.

Duties:

1. Maintaining all financial matters using the accounting system subscribed to or provided by the Association.
2. Preparing and updating an operations guideline for this role on a regular basis.
3. Keeping and maintaining an asset register for the Association.
4. Keeping and maintaining all deposit and cheque books.
5. Documenting all payments made, including receipts, invoices and statements.
6. Reimburse monies when necessary, and as approved by the Committee.
7. Ensure that the Committee has all the information required to approve or ratify all payments made and that these are recorded in the Minutes.
8. Ensure that all payments authorised are paid using the two-signature system, whether by cheque or online banking.
9. Co-ordinate the preparation of the financial statements of the Association and their certification by the Committee prior to their submission to the AGM.
10. Prior to each monthly Committee meeting, prepare financial reports as required and forward to the Secretary for distribution with the Notice of Meeting. These reports should include:
 - a. Cash Summary (including YTD)
 - b. A Schedule of accounts for payment
 - c. A brief report on the financial activity for the month under Report, including Cash at Bank as at the date of the meeting:
 - d. Balances of other accounts held by the Association.
11. Following each AGM, in conjunction with the Secretary, file with the Registrar of Incorporated Societies (aka The Companies Office) copies of:
 - * Annual Financial Statements (Treasurer)
 - * Changes of Officers (Secretary)
 - * Changes to Rules (Secretary)



SECRETARY

Scope:

The role of the Secretary is to be carried out in accordance with the requirements of the Incorporated Societies Act 1908 (see <http://www.societies.govt.nz>), read in conjunction with the Rules of the Pukehina Beach Ratepayer's Association Inc.

Duties:

1. Recording the minutes of meetings.
2. Distributing notice of meetings with agenda, reports or financials
3. Keeping the register of members.
4. Holding the association's records, documents and books except those required for the treasurer's function.
5. Receiving and replying to correspondence as required by the committee.
6. In association with the treasurer, forwarding annual financial statements to the Registrar of Incorporated Societies (aka The Companies Office) upon their approval by the members at an AGM
7. Advising the Registrar of Incorporated Societies of any rule changes.
8. Advising the Registrar of Incorporated Societies of office holders
9. Holding the association seal and Incorporated society registry key
10. Maintaining a list of addresses and phone contacts
11. Applying to WBOPDC for the annual secretarial grant
12. Preparing and updating an operations guideline for this role on a regular basis.



NEWSLETTER EDITOR

Duties

Produce Newsletters for the membership and wider community in March, mid-year and December.

1. Collating items, Editing and Printing:
2. The December newsletter serves as notice for the AGM and goes to all Pukehina Beach ratepayers, while the interim editions go to members only.
3. Print any leaflets or inclusions eg invoices in September edition.
4. Source address list from WBOPDC and prepare labels for mailing:
5. Send as many as possible via email, with the remainder by post or hand delivery.
6. Send email copy to councils, Coastcare, Librarian.
7. Display extra copies in the beach shops.
8. Keep a record of each edition



WEBSITE EDITOR

Duties

Updating the website (www.pukehinabeach.co.nz) monthly through

Dave Smyth – Energise Web design Ltd, email: www.energise.co.nz

Including specifically:

1. Members' Pages:
 - * Monthly - verified PBRA committee meeting minutes
 - * Annually - PBRA AGM meeting minutes (current year shown as provisional until verified at following AGM)
 - * Selecting annual user name and password updates to access members' pages
 - * Adding newsletters as produced
2. Making any changes to any page to ensure website provides up-to-date reporting on all matters pertaining to Pukehina Beach and/or PBRA
3. Liaising with local clubs and organisations to ensure website information is current
4. Procuring and retaining advertising sponsorship to provide funding for website monthly fees and additional funds for PBRA
5. Liaising with treasurer to facilitate invoicing of sponsors



COMMITTEE MEMBERS

Duties

Actively participate in the operation of the PBRA, formed for enhancing the safety and prosperity of Pukehina Beach and wellbeing of its residents

1. Attending most monthly meetings and the AGM
2. Becoming familiar with the objectives and projects of the group
3. Maintaining open Communications with community members, committee & councillors
4. Being involved with projects and reporting progress
5. Voting on topics requiring a decision

