

CONSTITUTION OF THE DARFIELD RESIDENTS ASSOCIATION INC



The Association

1. Name

- a. The Association shall be known as the Darfield Residents Association Inc.
- b. The Society is not and does not intend to be registered as a charitable entity under the Charities Act 2005.
- c. This constitution was voted in on 18 July 2024.
- d. The Association will cover the area of the Darfield Water Supply area:
 - i. The boundaries will be as per the Selwyn District Council Darfield water supply map.
 - ii. Case by case consideration can be made for people outside these parameters if required.

2. Definitions

- a. 'Society' and 'Association' refer to Darfield Residents Association Inc.
- b. 'Committee' means the Society's governing body.
- c. 'Annual General Meeting' means a meeting of the members of the Society held once per year which, among other things, will receive and consider reports on the Society's activities and finances.
- d. 'Notice' to members includes any notice given by email, post, or courier.
- e. 'Officer' means a natural person who is a member of the committee, or who is occupying a position in the Society that allows them to exercise significant influence over the management or administration of the Society, including any Chair or Treasurer.
- f. 'Register of Members' means the register of members kept under this Constitution as required by Section 79 of the Act.
- g. 'Special General Meeting' means a meeting of the members, other than an Annual General Meeting, called for a specific purpose or purposes.

3. Purpose

The purpose of the Association shall be:

- a. To recruit and promote the interest of all residents living in our area.
- b. To seek to improve the conditions for the residents in the area.
- c. To work in partnership with the Council and other agencies to achieve our aims.

4. Act and Regulations

Nothing in this Constitution authorises the Society to do anything which contravenes or is inconsistent with the Act, any regulations made under the Act, or any other legislation.

5. Contact Person

The Society shall have at least one, but no more than three, contact person(s) whom the Registrar can contact when needed. These persons shall be the Chair, Secretary or Treasurer.

6. Membership

- a. Membership is open to all residents in the Darfield water supply area, with a minimum number of members being 10.
- b. Members are those who consent to register their names and addresses, in writing, at the AGM of the Association or who otherwise advise the committee of their interest in being a member.
- c. All members shall promote the interests and purposes of the Society and shall do nothing to bring the Society into disrepute.
- d. Members can advise the committee if they wish to cease membership.
- e. The committee may vote to decline membership of any person at their discretion.
- f. The register of members, including name and address, will be reviewed by the committee yearly.
- g. A member may at any time make a written request to the Society for information held by the Society. The Society must, within a reasonable time after receiving a request -
 - i. provide the information, or
 - ii. agree to provide the information within a specified period, or
 - iii. agree to provide the information within a specified period if the member pays a

- reasonable charge to the Society (which must be specified and explained) to meet the cost of providing the information, or
- iv. refuse to provide the information, specifying the reasons for the refusal.

7. Management

From the end of each Annual General Meeting until the end of the next, the Society shall be managed by, or under the direction or supervision of, the committee, in accordance with the Incorporated Societies Act 2022, any Regulations made under that Act, and this Constitution.

- a. The committee of the Association will be made up of Officers including:
 - i. Chair
 - ii. Secretary
 - iii. Treasurer
 - iv. General members
- b. The election of all members will during the AGM – the process will be:
 - i. Nominated, voted and moved at the AGM.
 - ii. Appointment of Officers is at the first meeting of the new committee.
- c. The minimum number of committee shall be 5 and up to a maximum of 11 members.
- d. The committee has the power to co-opt as they see fit.
- e. Named Officers to be re-elected every 3 years. No Officer shall serve for more than two consecutive terms.
- f. There is no set term for general members.
- g. Committee members who miss more than three consecutive meetings without giving reasonable apologies will be asked to resign their post.
- h. Every Officer must be a natural person who -
 - i. has consented in writing to be an Officer of the Society, and
 - ii. certifies that they are not disqualified from being elected or appointed or otherwise holding office as an Officer of the Society.

Officers must not be disqualified under section 47(3) of the Act from being appointed or holding office as an Officer of the Society.

- i. A member of the committee may be removed or suspended from their position if they bring the good name of the committee to disrepute. A full meeting of the committee will be called to consider evidence from all sides and a majority vote will be necessary to remove or suspend.
- j. The role and duties of the positions will be:
 - i. Chair – the Chairperson is responsible for making sure that each meeting is planned effectively, conducted according to the constitution and that matters are dealt with in an orderly, efficient manner.
 - ii. Secretary – Ensuring meetings are effectively organised and minuted. Maintaining effective records and administration.
 - iii. Treasurer – Responsible for the accounts, incomings and outgoings. Report on the current financial position at each committee meeting and this should be recorded in the minutes.
- k. Conflicts of interest – members are to declare any conflicts of interest as they arise at each meeting. The committee shall at all times maintain an up-to-date register of the interests disclosed by Officers and by members of any sub-committee.
- l. Malvern Community Board representative – Are welcome to attend but will not have voting rights and will not be included in quorum. In accordance with Council instructions, the Board member must be formally invited to meetings, unless specifically excluded.
- m. Committee email address – A stand-alone (generic) email address will be created. This will be used for correspondence and manned by committee members.
- n. The contact person for the Association will be the Secretary at the email address of darfieldresidentsassociation@gmail.com.
- o. The committee may vote to remove any member of the committee for conduct which brings the organisation into disrepute.

Meetings:

8. Committee meetings

- a. There will be a minimum of four committee meetings held each year.

- b. There will be at least seven days' notice of committee meetings given to all committee members.
- c. The quorum for committee meetings shall be 5. Participation may be by electronic means and a proxy vote is acceptable.
- d. Voting shall be a majority vote.
- e. The Chair will have a deciding vote in the event of a tied decision.
- f. The committee will provide an update to the residents of the area at least twice a year on their work and how it will positively encourage participation from all sections of the community. This could be in the form of newsletters/DRA Facebook page.
- g. Minutes must be kept of all meetings of the committee:
 - i. The minutes will be presented to the next meeting to be approved. The minutes should be made available to residents on request.
 - ii. Minutes may go to the Malvern Community Board.

9. Public Meetings

- a. Open to all residents of Darfield.
- b. The committee will hold a minimum of one public meeting each year, which could be the AGM.
- c. The committee will publicise public meetings through multiple avenues to residents.
- d. Ideally fourteen days' notice of public meetings will be given to residents.
- e. Councillors and technical staff may be requested to attend each public meeting.
- f. The quorum for public meetings shall be a minimum of seven members. Participation may be by electronic means and a proxy vote is acceptable
- g. If there are matters for decision, they will be decided by a simple majority vote of those over 18 years of age present at that meeting, with the final decisions made by the committee with further public consultation if required.
- h. No resident shall have more than one vote.
- i. Minutes must be kept for all meetings of the committee. The minutes will be presented to the next meeting to be approved. The minutes should be made available to residents on request.
- j. All attendees are expected to treat each other with respect and act in a courteous manner. The chair may ask any attendee to leave if their behaviour is disruptive or offensive.

10. AGMs

- a. An annual general meeting of the committee shall be held once a year (within 13 months of the last AGM).
- b. Written notice of the meeting should/will be advertised locally within the community ideally fourteen days in advance. Notices of motion to be considered at the AGM can be raised by any member and must be forwarded to the Secretary seven days in advance of the meeting.
- c. Residents should be made aware that they will have the opportunity to make a nomination for election or stand for election themselves and to vote for the committee at the meeting.
- d. The quorum for AGM shall be a minimum of five current committee members.
- e. At the meeting:
 - i. The minutes of the previous AGM will be presented and approved.
 - ii. The existing committee will present a report of the committee's activities in the past year.
 - iii. Accounts for the year will be presented.
 - iv. Elections will take place.
 - v. Any proposals to amend the constitution can be presented.
 - vi. Future recommendations from attendees.

11. SGMs

- a. A special general meeting may be called at any time by the committee by resolution or by a written request by 30% of members.
- b. Written notice of the meeting should/will be advertised locally within the community ideally fourteen days in advance. Notices of motion to be considered at the SGM can be raised by any member and must be forwarded to the Secretary seven days in advance of the meeting.
- c. The quorum for SGM shall be a minimum of five current members.

Finance and Assets

12. Finance

- a. The committee's financial year will be July 1st to June 30th.

- b. The treasurer shall keep a proper account of the finances of the committee and create the official annual accounts.
- c. The committee will open a bank account in the name of the committee.
- d. The committee will keep copies of all relevant invoices and receipts to support expenditure and income. Presented at each committee meeting.
- e. The committee will nominate three people who can sign for the account. These people must not live in the same household or be close family members.
- f. Official Annual accounts to be reviewed each year by someone external from the committee. To be presented at the AGM.
- g. The committee will apply for grants and funding as and when required.
- h. The committee is responsible for the proper use of money raised through grants according to the guidelines issued by the funding body.
- i. The treasurer shall keep receipts/proof of purchase for all money paid out in expenses to committee members for duties carried out on behalf of the group.
- j. All money raised by or on behalf of the committee shall be applied to the achievement of the objectives of the Association and for no other purpose.

Constitution

13. Amendments

- a. Any proposals to amend the constitution must be presented to the Secretary in writing at least 21 days prior to the meeting at which they are to be considered.
- b. Proposals to amend the constitution must be circulated to all members of the committee with the notice of the meeting.

14. Dissolution

- a. If the general meeting decides at any time by a simple majority vote that it is necessary or advisable to dissolve, the Officers shall call a special general meeting.
- b. A resolution to dissolve the committee shall be agreed by a majority vote of those present and voting.
- c. All outstanding bills will be paid and the balance of any grants and funds held by the committee will be returned to the appropriate body.
- d. Upon winding up all available funds will be put back into the community, namely Hato Hone St John.

15. Disputes and Complaints

- a. Where any member of the Association has a dispute or complaint about the actions or decisions of the committee or any member of the committee they may present this in writing to the Secretary.
- b. A meeting of the committee shall be called within fourteen days to consider the submission and take appropriate action, following the guidelines as set out in the Incorporated Societies Act 2022.
- c. The action taken will be communicated back to the submitter in writing.

Signed by the present committee on 18 July 2024

Harvey Polgrave

Narinder Singh

Liz Hamilton

Dwayne Groves

Erin van der Zwet-Brodie

