

RULES OF THE BROOKLYN COMMUNITY ASSOCIATION INC.

ARTICLE 1:

NAME.

1. The name of the Association shall be the Brooklyn Community Association (Incorporated), hereinafter referred to as "the Association".

ARTICLE 2:

OBJECTS.

2. The objects of the Association shall be:-
 - (a) To provide an Association in which the members may combine and work together with local authorities, religious, charitable and educational bodies and other voluntary organisations in the interests of the Brooklyn community and in the carrying out of all or any of the objects of the Association.
 - (b) To foster a community spirit through service and co-operation in the achievement of the objects of the Association.
 - (c) To encourage and extend child, youth and adult education within the community.
 - (d) To provide and encourage social, recreational, health and cultural activities within the community.
 - (e) To solicit, collect, raise and receive money and other contributions and to use the same for the objects of the Association.
 - (f) To appoint, employ, manage and dismiss paid officers and servants of the Association.

ARTICLE 3:

PROPERTY

3. To achieve these objects the Association may:-
 - (a) Purchase, lease, or otherwise acquire real and personal property.
 - (b) Manage any other property on behalf of the association that enables BCA to meet its Objects.
 - (c) Establish, maintain, manage and develop a Community Centre for activities promoted by the Association and its constituent members in furtherance of the objects or any of them.
 - (d) Furnish, equip and maintain any buildings used in connection with the Community Centre and to make such buildings available for public meetings, entertainments, social gatherings and other functions and to

determine and regulate the purpose for which such buildings shall be used and to permit the use of the same.

- (e) Purchase, hire, or otherwise provide such goods, articles and things as may from time to time be required in connection with the Community Centre.
 - (f) Generally provide, maintain and keep the said Community Centre and all property, real or personal, for the time being used in connection there with in good order, repair and condition and to use the same in the interests of the Association and conditions laid out from the land lessors.
 - (g) Groups can acquire and maintain equipment for the use of all users of the hall.
4. The sphere of operation of the Association shall be within the Brooklyn community as defined in the first schedule hereto.
5. The Association, in carrying out its objects shall not promote any political party or religious group.

ARTICLE 4:

AFFILIATIONS

6. Affiliations shall be open to any non-profit organisation operating within or associated with the Brooklyn community which co-operates in promoting the aims of the Association, upon application and with the approval of the Council of the Association.
7. (a) Affiliation shall give such organisations the right to one representative of their choice on the Council.
- (b) Affiliated organisations may be called upon to make such annual donation as may be reasonable in the circumstances.
- (c) Affiliation may be terminated by either the affiliated organisation or the Association (by resolution of a Council meeting) by notification in writing, to take effect within 3 months of the notice.

ARTICLE 5:

MEMBERSHIP

8. (a) Membership of the Association shall be open to all residents of the Brooklyn community (as defined in the First Schedule hereto), who have reached the age of 16 years, upon registration, or boundaries as defined by the Association.
- (b) Parents or legal guardian of every child up to the age of sixteen years, being a paid up member of a Group of the Association, shall be deemed to be a member of the Association with all rights associated thereto.
- (c) All paid up members sixteen years of age or over of any group of the

Association, shall be deemed to be members of the Association, with all rights associated thereto.

- (d) Honorary and Life Membership of the Association shall be available to such persons as may be elected at the Annual Meeting of the Association. Honorary members shall be elected for one year, but shall be eligible for re-election. The election of such Honorary Members shall be made in recognition of outstanding and unselfish service to the public welfare.

Election to Life membership shall be made in recognition of long and outstanding service to the Community Association.

Recommendations and nominations shall be made in accordance with such procedure prescribed by the Council of the Association from time to time.

Life Members have the right to attend any meeting and have full voting rights as set out in Article 10 paragraph 26.

- (e) Associate Membership shall be available to persons resident outside the Brooklyn area who are paid-up members of an Association Group or who wish to register as members at large, such membership must be approved by the Association Council.
- (f) All members as defined in Clauses 8(a), (b), (c) (d) and (e) shall be entitled to all the rights and privileges of membership and shall be bound by these rules.

- 9. Council may deny membership to any individual it considers has contravened these rules.
- 10. Any member may, at any time, resign their membership of the Association by giving notice in writing to the President.
- 11. A register of membership is required. Residents of Brooklyn as described in schedule one or defined areas, whose name and contact information are not held by BCA are deemed potential members.

ARTICLE 6.

MANAGEMENT.

- 12. The policy of the Association shall be determined by a Council consisting of the officers of the Association, plus any individual members who may be elected at the Annual General Meeting of the Association. The Council shall have the power to co-opt not more than four members.
- 13. The President of the Association shall act as Chairman of the Council.
- 14. If vacancies occur among the officers or among members' representatives on the Council, they may be filled by the Council and confirmed at the next general meeting.

15. The duties of the Council shall be:-
- (a) To manage the affairs of the Association between meetings of the members thereof.
 - (b) To adopt such policies and procedures for the operation of the Association as may be consistent with these rules and the objects of the Association.
 - (c) To appoint such committees as it may deem expedient for the carrying out of the objects of the Association.
 - (d) To arrange for the raising of funds.
 - (e) To control the distribution of funds collected in accordance with the rules and objects of the Association.
 - (f) To supervise the work of all appointed committees.
 - (g) To give at least once in each year a full and complete report of the activities of the Council to a meeting of the members of the Association.

ARTICLE 7.

OFFICERS.

16. (a) The officers of the Association shall be a President and a Treasurer, and such other officers as the Council may from time to time determine, all of whom shall be elected at the Annual General Meeting.
- (b) In addition thereto the Council may employ an Executive Officer and such other officers and employees as may be necessary and may define their duties, fix their remuneration, decide the conditions of employment and terminate their employment.
17. All officers shall remain in office until the conclusion of the meeting at which their successors are elected.
18. The duties of the officers of the Association shall be:-
- (a) **PRESIDENT:** to preside at general meetings of members and of the Council and ensure appropriate Minutes are recorded; to assist in appointing all Committees unless otherwise directed; to call special meetings of the Council whenever he/she deems it necessary; and to carry out such other duties as usually pertain to this office.
 - (b) **TREASURER:** to be responsible for the funds of the Association, to present a financial report to the Council at each of its regular meetings, to prepare the Performance Report in accordance with the Charities Act for approval of an Annual General Meeting and for ensuring it is filed with the Charities Services.

- (c) **COUNCIL OFFICERS:** to be responsible for the development specifics as described in Article 2 Objects.
- (d) **COUNCIL ADVISORS:** to provide the Council with specialist advice such as on legal matters.

ARTICLE 8.

OPERATIONS COMMITTEE.

- 19. (a) An Operations committee may be formed by the Council for the effective day to day management of the BCA. Membership should include the President and Treasurer, BCA staff and other Council Officers as deemed necessary.
- (b) The Operations Committee shall exercise such powers as shall be delegated to it by the Council and shall report on its activities to the Council at its scheduled meetings.

ARTICLE 9.

GROUPS.

- 20. (a) The Council may establish, or assist in the establishment of Groups as set out in the Third Schedule hereto to carry on special aspects of community organisation for social, welfare, recreational, cultural, educational and youth activities. Such Groups shall be established or disbanded and the scope of their activities shall be determined by their members in accordance with the rules and objects of the Association and approved by the Council of the Association, and the Third Schedule shall be amended accordingly by such resolution.
- (b) Each Group shall be organised as its members see fit, but shall appoint a representative to liaise with the Council, and report on its activities and financial position.
- (c) Each Group shall be responsible for its own finances and shall keep its own financial records, including bank accounts, to be produced at any time if required by the Association's Treasurer or its auditor.
- (d) All equipment and other property acquired for a specific Group of the Association remains the Association's property, controlled by the Group with the approval of the Council. Each Group shall insure its own equipment.
- (e) Where a Group representative is a member of the Council they shall have one vote alongside voted Council members pertaining to that group's activities, functions or business at Council meetings.

ARTICLE 10.

MEETINGS

21. **General Meetings:**

- (a) There shall be an Annual General Meeting of the Association no later than three months post the financial year end at such time and place as the Council may determine, for the purpose of the election of officers, receiving the annual report of the Council, the annual Performance Report, and dealing with any other business of which notice has been given.
- (b) Other general meetings of members shall be held as the Council may from time to time determine, or upon the request in writing of not less than five members.
- (c) A general meeting of the Association shall be summoned by notice under the hand of the President specifying the time, place and business of the meeting and such notice shall be forwarded to all members of the Association not less than fourteen days before the meeting and notified not less than fourteen days before the meeting through communication channels which reach the entire Brooklyn Community Association catchment area.

22. **Council Meetings.**

- (a) The first meeting of the newly-elected Council shall be held within two weeks of the Annual General Meeting, establishing sub-committees in accordance with these rules and transacting such other business as may come before it.
- (b) Regular meetings of the Council shall be held throughout the year.
- (c) Special meetings of the Council may be called at any time by the President or by two Council members.

23. **Operational Committee Meetings:**

Regular meetings of the Operations Committee and BCA staff shall be held at least monthly throughout the year.

24. **Sub-Committee Meetings:**

Established Sub-Committees shall meet as they consider necessary to carry out their functions.

25. **Quorum:**

A quorum for non-general meetings of the Association shall be President, Treasurer plus two council members. The quorum for a General Meeting shall be 12 members of the Brooklyn Community.

26. **Attendance at Committee Meetings:**

- (a) Any member of any Committee absenting themselves without apology from three consecutive meetings of the committee shall forfeit their seat thereon.

- (b) The Chairman of the committee concerned shall have power to appoint any member of the Council to fill any vacancy on their committee arising during the course of the year.

27. **Voting at all Meetings:**

All members present shall be entitled to one vote and the Chairman shall have a deliberative vote and in the case of an equality of voting, a casting vote. Voting for the election of officers shall be by ballot, but on all other matters voting shall be by voices unless a division is called for when a show of hands shall be taken and the Chairman's decision on the count shall be final.

ARTICLE 11.

COMMON SEAL

- 28. (a) The Association shall have a common seal which shall be kept safely in the BCA Office.
- (b) 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 Council, and in the presence of the President and one other member of Council.

ARTICLE 12.

BANKING AND INVESTMENT OF FUNDS

- 29. (a) The financial year of the Association shall start on the 1st of July and terminate on the 30th day of June in the following year.
- (b) The funds of the Association shall be banked in the name of the Association and such accounts shall be operated by the Treasurer together with any two members of the Council.
- (c) The surplus funds of the Association may from time to time be invested by the Council in such manner and upon such securities as may be approved by the Council.
- (d) All such investments shall be made in the name of the Association or in the names of the Trustees for the Association, such Trustees to be appointed by the Council.
- (e) Groups of the Association shall handle their own funds. Donations must be paid into the Association Treasurer by 30 June each year.

ARTICLE 13.

BORROWING POWERS

- 30. The Council shall, for the purpose of carrying out any of the objects of the Association, have power, if authorised by a resolution passed by a two thirds

majority of members present and voting at any general meeting of the Association, to borrow or raise money and to give security for the repayment of the same in such manner as the Association shall, by resolution determine and particularly by the issue of debentures, or by mortgage charge, or lien upon the whole or any part of the assets of the Association. Save as is provided in this article the Association shall not have power to borrow money.

ARTICLE 14.

AMENDMENTS

31. The rules may be added to, amended or repealed in whole or in part by a majority vote at any general meeting of the members of the Association, provided that:
 - (a) Not less than twenty eight days before the said meeting, the proposed amendment shall be submitted to the Council for approval; and
 - (b) Such proposed amendment, together with the time and place of the meeting shall have been advertised not less than fourteen days before the meeting in a newspaper circulating in Brooklyn or alternatively, a copy of the proposed amendment, together with notice of the time and place of the meeting shall have been forwarded to all members of the Association not less than fourteen days before the meeting.
 - (c) No addition or alteration of the charitable objects, the income/personal benefit clause shall be approved without the Inland Revenue Department's approval.
32. Amendments must be approved by Council Members before being sent to the Incorporated Society.
33. No amendment of the rules shall be valid until registered.

ARTICLE 15.

WINDING UP

34. This Association may at any time be wound up by the resolution of a majority of the financial members thereof at any annual or extraordinary general meeting of the Association and confirmed by a majority of financial members at an extraordinary general meeting convened for the purpose and held not earlier than thirty days after the date on which such resolution was passed. Notice of the passing of such resolution shall be given to the Registrar. If, upon winding up or dissolution of the organisation, 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 this organisation, but shall be given or transferred to some other charitable organisation or body having objects similar to the objects of this organisation, for the use and benefit of the citizens resident in the Brooklyn area. In this event, the recipient organisation shall be approved, and the transfer of such assets be administered, by the Mayor of Wellington City and its Councillors, or their appointed officers within the Wellington City Council.

ARTICLE 16.

INCOME

35. (a) Any income, benefit or advantage shall be applied to the charitable purposes of the organisation.
- (b) No member of the organisation, 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.
- (c) 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).
- (d) The provisions and effect of this article shall not be removed from this document and shall be included and implied into any document replacing this document.

FIRST SCHEDULE

DEFINITION OF THE BROOKLYN COMMUNITY.

The Brooklyn community is the community resident within the Brooklyn area, that is to say all that area bounded on the north by a line commencing at the junction of Anderson Terrace and running north-west around Central Park through the middle point of the junction of Mortimer Terrace and Durham Street and on to the south-eastern boundary of the Town Belt and thence south-easterly to include the whole of Panorama Heights and Kowhai Park subdivisions and south-easterly to include both sides of Ohiro Road to the land fill, thence southeast to include Kingston, to include Priscilla Crescent and Liardet Street and thence northerly in a line to join up with Anderson Terrace.

SECOND SCHEDULE

Affiliated Bodies in accordance with Article 4:

THIRD SCHEDULE

Groups of the Association in accordance with Article 9:

Brooklyn Walkers
Brooklyn Table Tennis Group
Friends of Owhiro Stream (FOOS)
Upstream-Friends of Central Park