

The Incorporated Societies Act 1908
Application for
**INCORPORATION OF A
SOCIETY**
(Section 7(a))



10043217127

Please note that the information in this form should be either typewritten or printed or neatly handwritten in block capitals
When completing this form, please refer to notes overleaf

Name of Proposed Society

~~HOE TONGA PACIFIC WAKA~~
AMA ASSOCIATION INCORPORATED

Name Reservation Number

WPA 1258916

Proposed Address of Registered Office

% Andrew Schulz
10 Rangitane Street
Wellington

Postal Address to which Communications from the Registrar may be sent

PO Box 11432
manners street
Wellington

We the several persons whose names are subscribed hereto, being members of the above-mentioned society, hereby make application for incorporation of the society under the rules accompanying this application, in accordance with the Incorporated Societies Act 1908

Presented by

Andrew Schulz
PO Box 11432
manners street
Wellington

Account No

Postal Address

Telephone

021 707 147

Facsimile

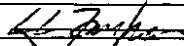

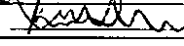
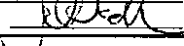

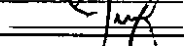
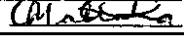
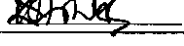








PW 08

9 Jul 2002

APPLICATION FOR INCORPORATION

Name of Proposed Secretary Hoe Tonga Pootira Waka Ama Association Incorporated

APPLICANTS The following person are the applicants of the proposed society

APPLICANT	WITNESS*
1 Full Name <u>LEN TAMLEMI</u> Residential Address <u>7 BOWLINE PLACE WAIKATO</u> Occupation <u>ANALYST</u> signature 	Full Name _____ Residential Address _____ Occupation _____ Signature _____
2 Full Name <u>AVERAILE PAENGA</u> Residential Address <u>78 COCCLETON ST</u> <u>ASCOT PARK</u> Occupation <u>BANK OFFICER</u> signature 	Full Name _____ Residential Address _____ Occupation _____ Signature _____
3 Full Name <u>DAVID THORAX</u> Residential Address <u>20 WILSON STREET</u> <u>NEW TOWN WELLINGTON</u> Occupation <u>BIKE DELIVERER</u> signature 	Full Name _____ Residential Address _____ Occupation _____ Signature _____
4 Full Name <u>JAMES SADLER</u> Residential Address <u>12 LAUDERDALE RD</u> <u>PAPAKOIHAI</u> Occupation <u>CONSULTANT</u> signature 	Full Name _____ Residential Address _____ Occupation _____ Signature _____
5 Full Name <u>Stan Tampeau</u> Residential Address <u>16 Yarrow Place, Papakowhai</u> Occupation <u>Company Manager</u> signature 	Full Name _____ Residential Address _____ Occupation _____ Signature _____
6 Full Name <u>GEORGE PAKISO</u> Residential Address <u>31 ANNAN DRIVE</u> <u>PAPAKOIHAI</u> Occupation <u>PUBLIC SERVANT</u> signature 	Full Name _____ Residential Address _____ Occupation _____ Signature _____
7 Full Name <u>Charmaine Matika</u> Residential Address <u>24 Frederick St, Whenuakura</u> Occupation <u>Cashier</u> signature 	Full Name _____ Residential Address _____ Occupation _____ Signature _____
8 Full Name <u>Kris Stowers</u> Residential Address <u>3 Duna Place</u> <u>Palmerton North</u> Occupation <u>D Principal</u> signature 	Full Name <u>Andrew Schultz</u> Residential Address <u>10 Rangitapu street</u> <u>Wellington</u> Occupation <u>Programmer</u> signature 
9 Full Name <u>Mairee Hammond</u> Residential Address <u>3 Middlesea PI</u> <u>Northward Wellington</u> Occupation <u>Doctor</u> signature 	Full Name _____ Residential Address _____ Occupation _____ Signature _____
10 Full Name <u>Manna Milanta-Lourey</u> Residential Address <u>17 Mercury Way</u> <u>Whitby Wellington</u> Occupation <u>Executive Associate</u> signature 	Full Name _____ Residential Address _____ Occupation _____ Signature _____
11 Full Name <u>PAUL DEVONPORT</u> Residential Address <u>118 TARA ROAD</u> <u>MIRAMU</u> Occupation <u>IT ADMINISTRATOR</u> signature 	Full Name _____ Residential Address _____ Occupation _____ Signature _____
12 Full Name <u>Robert Tiatu</u> Residential Address <u>45 Beaumont Crescent</u> <u>POLICIA</u> Occupation <u>WATERSIDER</u> signature 	Full Name _____ Residential Address _____ Occupation _____ Signature _____
13 Full Name <u>KARMEN WALLACE</u> Residential Address <u>20 CONISTON STREET</u> <u>WAINIOMATA</u> Occupation <u>Secretary Analyst</u> signature 	Full Name _____ Residential Address _____ Occupation _____ Signature _____
14 Full Name <u>RECEY KOHATLI</u> Residential Address <u>209 DOWSE DR</u> <u>LOWER HUTI</u> Occupation <u>ADVISOR</u> signature 	Full Name _____ Residential Address _____ Occupation _____ Signature _____
15 Full Name <u>RICHARD KATANA</u> Residential Address <u>20 BULL AVE</u> <u>WAINIOMATA</u> Occupation <u>YOUTH WORKER</u> signature 	Full Name _____ Residential Address _____ Occupation _____ Signature _____

Dated this 15th day of November 2002

A person who is an applicant cannot be witness to other applicants

The Incorporated Societies Act 1908
Declaration of
**ADOPTION, ALTERATION
OF RULES**
(Section 7 (b) and 21)

Document Number

(for office use only)

Please note that the information in this form should be either typewritten, printed, or neatly handwritten in block capitals
When completing this form, please refer to notes overleaf

Society Name

HOE TONGA PACIFICA WAKA
AMA ASSOCIATION
INCORPORATED

Society Number

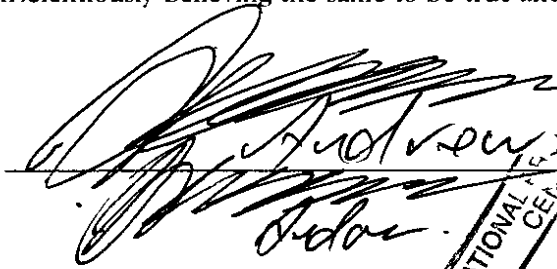
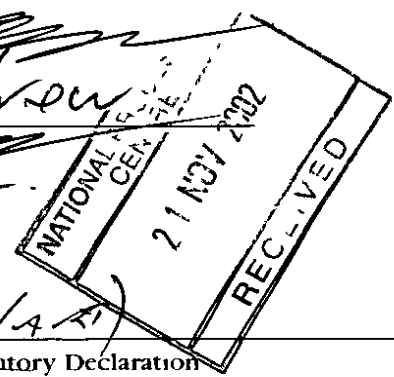
I, Andrew Schultz
of 10 Rangitane street, Wellington

do solemnly and sincerely declare as follows _____

- 1 That I am* a member of ~~the Society to~~ the abovenamed Society
- 2 That annexed hereto and marked with the letter A is/are -
 - *(a) the rules, signed or sealed, which have been adopted by the society a majority of whose members have consented to the application for incorporation, ~~or~~
 - *(b) ~~the alteration of rules of the society, which alteration has been made in accordance with the Rules of the society~~
- 3 That the rules comply with section 6 of the Incorporated Societies Act 1908

And I make the solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Oaths and Declaration Act 1957

Declared at Wellington,
this 18th day of November,
2002 before me)


Andrew Schultz
John


A Solicitor Justice of the Peace or other person authorised to take a Statutory Declaration

Presented by

Andrew Schultz
PO Box 11432
Manners Street
Wellington

Account No

021 707 147

Facsimile

*Delete whichever is not applicable

' A '

RULES AND CONSTITUTION OF

**HOE TONGA PACIFICA WAKA AMA
ASSOCIATION INCORPORATED**



A society incorporated under the Incorporated Societies Act 1908

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1 NAME

The name of the Incorporated Society is "Hoe Tonga Pacifica Waka Ama Association Incorporated"

2 DEFINITIONS

- 2.1 Member means a club, or organization as provided in clauses 7.1 and 7.2 and may include any persons associated with the said club or organisation
- 2.2 Association means the Hoe Tonga Pacifica Waka Ama Association Incorporated
- 2.3 Association Officers means persons defined in clause 10.3 and collectively form the Association Committee
- 2.4 Executive Officers means person defined in clause 10.1 and collectively form the Executive Committee
- 2.5 NKOA means The New Zealand Maori Polynesian Canoe Sporting Federation Nga Kaihoe O Aotearoa Inc

3 AFFILIATIONS

- 3.1 The Association is an affiliate member of NKOA and is accountable for the regional area in matters determined by NKOA
- 3.2 The Association may affiliate with any other organisations to further its goals in any way whatsoever that is in the interests of the Association

4 MISSION STATEMENT

To develop, encourage, organise, and promote the culture, and sport of waka ama regionally and nationally. These efforts are for the benefit of all waka ama clubs, individuals, and organisations interested in waka ama, regardless of their race, religion, political views, age or gender.

5 NON-PROFIT ORGANISATION

The Association is a non-profit association established for the benefit of the community in accordance with the Income Tax Act 1994.

6 AIMS AND OBJECTIVES

- 6.1 To recognise and promote the special qualities waka ama brings to Aotearoa and encourage members to have an affiliation with a Marae or Tribal Authority in their area
- 6.2 To create and foster friendship, particularly cross-cultural friendship, among the people who participate in waka ama
- 6.3 To establish, support and enforce regulations for waka ama events for the enjoyment of all participants
- 6.4 To promote awareness of the benefits, enjoyment and spectacle of waka ama to all layers of the community
- 6.5 To establish and enforce regulations and expectations covering individuals or teams representing the regions

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- 6 6 To foster and promote *maritime* safety standards, and to encourage the undertaking of skills training in waka ama safety by all Members
- 6 7 To support and promote regional, national and international competition
- 6 8 To carry out all those activities associated with achieving improved management, education, and understanding of waka
- 6 9 To arrange seek, accept and receive sponsorship, donations, subsidies, grants, endowments, gifts, legacies, loans and bequests, either in money or in kind, or partly in money and partly in kind for all or any of the purposes and objectives of the Association and to carry out any specified trust attaching or relating to the same to the extent that the donations, grants etc made to the Association may be made for the benefit of the general purposes of the Association or may be made for some purposes within the general objects of the Association specified in particular cases by the donors, or lenders
- 6 10 To carry on any other objective to the Association deems capable of being carried out in conjunction with the above objectives or are calculated directly or indirectly to advance the objectives of the Association
- 6 11 To act proactively for the Members on a regional and national level

7 MEMBERSHIP

- 7 1 Members of the Association are waka ama clubs, or any other organisations that are accepted as Members at an Annual General Meeting or Extraordinary General Meeting of the Association. The said club or organisation must reside or have office located within the region designated under the Association by NKOA
- 7 2 Membership of the Association does not confer on any Member any privilege or any estate or proprietary right, interest, or share in the funds and property of the Association, nor shall any Member be personally liable for any of the liabilities of the Association

8 MEMBERSHIP SUSPENSION / TERMINATION

- 8 1 A Member may resign their membership at any time by notice in writing to the Secretary and on receipt of this notice they shall cease to be a Member. No such resignation shall relieve the Member from payment of any monies due to the Association
- 8 2 Any Member who does not abide by the Association's rules, or has acted in a way contrary or prejudicial to the aims and/or interests of the Association, may be suspended by either the Association Committee or by a resolution passed at an Extraordinary General Meeting. A membership under suspension may only be terminated at a subsequent Annual General Meeting
- 8 3 A suspension or termination of membership shall not relieve the Member from payment of any monies due to the Association
- 8 4 If a membership is suspended or terminated, or a Member resigns, then no fees paid shall be refunded
- 8 5 No Member of the Association or any person associated with a Member shall participate in or materially influence any decision made by the Association in respect of the payment to or on behalf of the Member or associated person of any income, benefit, or advantage whatsoever. If any income is paid to a Member, any such income shall be reasonable and relative to that which would be paid in an arms length transaction, being open market value or as determined by this constitution as an honorarium payment

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9 MEMBERSHIP FEE

- 9.1 The annual membership fee, payable by each Member, shall be determined by the Association Committee and NKOA. Membership fees of Members shall be payable within twenty-eight (28) days of the Annual General Meeting of NKOA.
- 9.2 Late payment of membership fees or may result in a penalty, and that penalty shall be determined by the Association Committee.
- 9.3 Any Member failing to pay their membership fees within three (3) months from the date of the Annual General Meeting may be suspended as described in clause 8.2.
- 9.4 Any Member whose fees are outstanding will not be recognised as a Member of the Association at any regional regattas or regattas held under the sanction of NKOA, and may not be permitted entry into any such events.

10 ASSOCIATION COMMITTEE MEMBERS

- 10.1 The Executive Officers of the Association are elected at the Annual General Meeting and shall comprise of
- President
 - Vice President
 - Secretary
 - Treasurer
 - NKOA Representative
- (Up to Two persons can hold the position of vice president)
- 10.2 The election of Executive Officers shall be by ballot. All persons standing for office in the Association must be associated to a financial Member. If the person is not present at the Annual General Meeting, he/she must give notice of their willingness to accept the nomination.
- 10.3 The Association Committee are comprised of the Executive Officers and one (1) representative from each Member as defined in clause 7.1. Members of the Association Committee are called "Association Officers".
- 10.4 The Association Committee may also include any other positions created by the Association.

11 MANAGEMENT OF ASSOCIATION AFFAIRS

- 11.1 The management and control of the affairs of the Association shall be vested in the Association Committee. Subject to clause 13, the Association Committee has the power to run the routine business of the Association.
- 11.2 Notice of Meetings
- The Secretary of the Association will call a meeting upon receipt of a requisition in writing by the President or by three members of the Association Committee. The Secretary shall give the Members written notice of the meeting no less than 14 days before the proposed meeting.
- 11.3 General Meetings

The Association Committee shall meet at least once a quarter at a time and place to be fixed

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by resolution of the Association Committee

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Quorums at Meetings

No business shall be transacted at a meeting unless there is a quorum. The quorum shall be no less than six (6) members, of which two (2) must be Executive Officers. The meeting shall lapse if there is no quorum after 30 minutes of the specified time for the meeting.

11 5

Committee Business and Payments

The Executive Committee shall transact the routine business of the Association, control all finance raised in the name of the Association and authorise payments of accounts incurred by the Association. All payments from the Association's funds shall only be made by order of the Association Committee. Payments shall be made by cheques or withdrawals duly signed by the Treasurer and co-signed by an Executive Officer. All monies received shall be paid into the bank accounts of the Association.

11 6

Disputes

The Executive Committee shall have the power to hold inquiries relating to the Association. The decisions of the Executive Committee in these matters shall be final.

11 7

Removal of Association Officers

The Association Committee may suspend, penalise or terminate an Association Officer if the person has acted in a way contrary or prejudicial to the aims and/or interests of the Association. In all such cases, such persons shall be given full opportunity of having their case heard before the Association Committee.

11 8

Abandonment of Position

The Secretary shall note and record the names of those present at the meetings of the Association.

An Executive Officer shall forfeit his/her position if he/she is absent without leave from three (3) consecutive meetings, and may only be reinstated by a majority vote of the Association Committee if it is opined that the non-attendances were justified.

A Member shall forfeit their Membership if representation on their behalf is absent without leave from three (3) consecutive meetings, and may only be reinstated by a majority vote of the Association Committee if it is opined that the non-attendances were justified.

11 9

Acting Executive Officer

Where the position of an Executive Officer is vacant and occurs before the Annual General Meeting, the Association Committee may appoint a person from a Member to act in the role vacated.

11 10

Appointment of Officers and/or, Sub-Committees

The Association Committee may, by a two-thirds majority vote, appoint or employ officers, persons or sub-committees to conduct the business of the Association.

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12 FINANCE

- 12.1 The financial year of the Association shall commence on the first day of October and end on the last day of September the following year
- 12.2 The audited Balance Sheet and Statement of Income and Expenditure shall be submitted to the Annual General Meeting
- (i) True & Fair Accounts
The Association shall keep true and fair accounts of all money received and expended
- (ii) Audit
The accounts of the Association shall be audited by an agreed auditor as soon as practicable at the end of every financial year of the Association
The audited accounts shall be presented to the AGM

13 MEETINGS

13.1

The Annual General Meeting

The Annual General Meeting of the Association shall be held not later than the end of November of each year, at a place, date and hour fixed by the Association Committee. The Secretary shall give the Members written notice of the meeting no less than 14 days before the proposed meeting.

The following business shall be transacted at the Annual General Meeting

- (i) The receiving of the Presidents report for the previous financial year
- (ii) The receiving of the Treasurer's report and Balance Sheet and Income and Expenditure Accounts for the previous financial year
- (iii) Election of Executive Officers
- (iv) Motions affecting the rules or policy of the Association
- (v) Membership Fees
- (vi) Membership

Any member of a member is allowed to attend an Annual General Meeting but only the members representative are allowed to vote and will be counted as one vote

Newly elected Officers will resume responsibilities at the close of the current Annual General Meeting or Extraordinary Meeting

13.2

Extraordinary Meetings

An Extraordinary General Meeting of the Association may be called by resolution of the Association Committee or at the request in writing of not less than three (3) financial Members of the Association. The request for the Extraordinary Meeting, containing the purpose of the meeting, must be, delivered or posted to the Secretary of the Association. The proposed Extraordinary Meeting will be held within twenty one (21) days after the receipt of the request.

13.3 General Meetings

- 13 3 1 The Association shall hold a general meeting as soon as possible after the Annual General Meeting of the Association
- 13 3 2 Outgoing officer's of the Association must hand over all minute books and accounting records to the newly appointed offices at the Annual General Meeting
- 13 3 3 The Vice-President shall chair the General Meeting if the President is not present The Members present shall choose a Chairperson from amongst themselves if the President and Vice-President are not present at the General Meeting
- 13 3 4 The Secretary shall prepare an agenda setting forth the business to be transacted at the General Meeting The order of business shall be as follows
 Apologies
 Confirmation of minutes of the previous meeting
 Matters arising
 Financial Report
 Notices of Motion
 Items as per Agenda (including Committee business)
 General Business

13 4

Voting at Meetings

Voting rights

Persons entitled to vote for each motion proposed at the meetings of the Association are as follows

- (a) Annual General Meetings - Association Officers
- (b) General Meetings - Association Officers
- (c) Extraordinary Meetings - Association Officers

Each vote is counted as (1) one vote

At all meetings, business shall be decided by a majority vote unless otherwise specified

In the case of an equality of votes, the Chairperson shall have a casting and deliberative vote

Proxy voting for Annual General Meeting

Proxy voting is available for Annual General Meetings The proxy forms will be sent to Members with the notice of the Annual General Meeting, or can be requested from the Secretary of the Association

Proxy voting will only be counted if the completed forms are delivered to the Secretary of the Association seven (7) days before the Annual General Meeting

14 FINANCIAL POWERS

The Association shall have the following financial powers

- 14 1 To purchase, take on lease or in exchange hire or otherwise acquire any real or personal property or any rights and privileges in connection therewith and to hold, improve, manage, develop, let or lease, sell, exchange, or otherwise dispose of any such property rights and privileges
- 14 2 To borrow or raise money in such manner as the Association may think fit and to secure the repayment thereof by the issue of debentures or by mortgage or charge upon the whole or any part of the property or assets of the Association (whether present or future) and to purchase, redeem or pay off any such securities
- 14 3 To invest and deal with the monies of the Association not immediately required in such manner as may from time to time be determined by the Association Committee, but only in the furtherance of the objects of the Association

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- 14.4 To retain and engage members of any profession for the purposes of carrying out the objects of the Association
- 14.5 To do all things which are deemed necessary and incidental to carrying out any of the objects of the Association

15 COMMON SEAL

The Association shall have a common seal which shall be kept in the custody and control of the Secretary of the Association. The Association shall execute any document pursuant to an order or resolution of the Association Committee by affixing a print of the common seal along with signatures of two Executive Officers.

16 REGISTERED OFFICE

The registered office of the Association shall be the Secretary's residence or at any other physical address as the Executive Committee may from time to time appoint. Notice of any change to the Association's registered office shall be given to the Registrar of Incorporated Societies.

17 WINDING UP

- 17.1 In the event of the Association being wound up, any surplus of the assets from the winding up shall not be distributed amongst the Members. The Members agree that the surplus assets shall be given to some other organisation or body having objects similar to the objects of the Association or to some other charitable organisation or purpose, within New Zealand.

18 ALTERATION OF RULES

- 18.1 The Rules of the Association shall not be altered, added to or rescinded except on the vote of the majority of two-thirds of the membership present at any Annual General Meeting or at an Extraordinary General Meeting duly convened.
- 18.2 Written notice of motions affecting the Rules of the Association must be submitted to the Secretary no less than twenty-one (21) days before the Annual General Meeting or Extraordinary General Meeting.
- 18.3 No addition to or alteration or recession of the Rules of the Association shall be approved if it affects the non-profit aims, personal benefit clause or the winding up clause.

19 INTERPRETATION

- 19.1 If at any time any matter shall arise which is not provided for in these rules or in the interpretation of the rules the same shall be determined where appropriate by majority vote of the members which decision shall be final.

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Statutory Declaration exhibit note

A "This is the document marked "A" referred to in the annexed declaration of Andrew Schulz made at Wellington this 15th day of November 2002 before me"

9 - 18th

Signed by



18 11 2002

