

17 JUN 1992

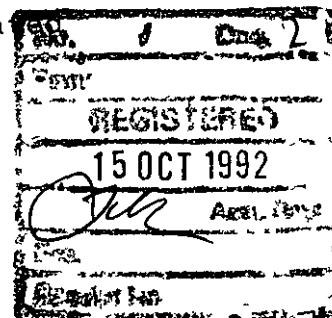
BLenheim

THE INCORPORATED SOCIETIES ACT 1908

(Pursuant to Section 7 of the Incorporated Societies Act 1908)



\*10042174710\*



WE, the several persons whose names are subscribed hereto, being members of the abovementioned Society, hereby make application for the incorporation of the Society under the foregoing rules in accordance with the Incorporated Societies Act 1908.

DATED this 9th day of April 1992

Witness to all  
Signatures

1. A. K. McKay  
28 Eltham Road  
Blenheim Retired

Wood  
44 High Street Renwick  
Teacher

2. J. G. Gifford  
58 Renwick Crescent  
Blenheim

Retired Hospital  
Physician

3. John E. Hyndman  
7 Wadsworth Crescent  
Blenheim Retired

4. Paul Bond  
64 Park St Blenheim  
Fireman

(Note: Witness cannot also be a subscriber)

5. R. W. BURDON  
6. WARWICK ST. BLENHEIM.  
HOSPITAL ORDERLY
6. I. W. CONWAY  
CASEY SRD. BLIND RIVER SEDDON  
FARMER
7. Phil J. Conyn  
4 McFarlane Place Blenheim  
Automotive Technician
8. H. H. Emstee  
39. New Renwick Rd. Blenheim  
Freezing Worker
9. P. L. McKay  
Rowley Crescent Blenheim  
Unemployed
10. P. S. Harris  
Mt. Acker Rd. H. Blenheim  
Farmer
11. H. B. Harris  
Mount Acker Rd. Blenheim  
Farmer
12. L. Lawson  
114 Hospital Road Blenheim  
Homemaker
13. P. R. Chy  
51 McLAUCHLAN ST BLEN  
LOCKSMITH
14. J. R. Lawson  
114 Hospital Rd Blenheim  
Barman
15. P. S. Harris  
269 Ngai St. Blenheim R.D. 3 Blenheim 7321  
Radio Technician

*M. Wood*  
44 High Street  
Blenheim  
Teacher

LAND &amp; DEEDS REGISTRY

17 JUL 1992

BLENHEIM

# INCORPORATED SOCIETIES ACT, 1908

Bo. 1	Doc. 4
Comm Att 4	
REGISTERED	
15 OCT 1992	
<i>[Signature]</i> Asst. P.	
Company No.	

Declaration by a Member of a Society, or a Solicitor, that the signed or sealed Rules are the Rules of the Society

I, (1) Ian William Conway, of (2) Seddon, Marlborough,

(3) Farmer. do solemnly and sincerely declare as follows

1 That I am a (4) Member of the Society

2 That a majority of the members of (5) MARLBOROUGH AMATEUR RADIO CLUB INCORPORATED

has consented to the application for incorporation of the said society, and that such consent has been obtained by (6) Resolution at the Special General meeting of the Society on the 12th of March 1992

3 That the rules accompanying the application as set out in the document marked "A" hereto annexed (7) and signed or sealed by the subscribers are the Rules of the Society

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

Signed (8) *I W Conway*

Declared at Blenheim, this 15<sup>th</sup> day of October 19 92 before me

*PC Boulton J. P.*

(9) A Justice of the Peace, Post Master, Solicitor, Notary Public or other person authorised to take a Statutory Declaration

- NOTES
- (1) Full name of the person making the declaration
  - (2) Place of abode e g Wellington or Dunedin
  - (3) Occupation e g Driver or Cleaner or Clerk
  - (4) State whether you are a member of the society or its solicitor
  - (5) The full name of the society
  - (6) State the way in which consent has been obtained
  - (7) The document attached must have written upon it a capital A plus the following

"This is the document marked "A" referred to in the annexed declaration of (1) *Ian William Conway* made at *Blenheim* this *15<sup>th</sup>* day of *October* 1992 before me" *PC Boulton J. P.*

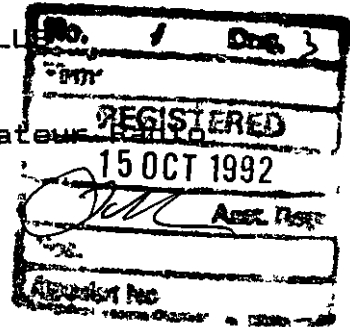
This will be completed and signed by the person taking the statutory declaration (refer to note 8 below)

(8) To be signed by the person making the declaration

(9) Statutory Declarations can only be taken by persons specially authorised for the purpose The JP etc must sign here and complete the exhibit note referred to in note (6) above

*This is the document marked "A" referred to in the  
annexed declaration of Jan William Conway made at  
Blenheim this 15<sup>th</sup> day of October 1992 before me  
P.L. Gatten J.P.*

CONSTITUTION OF THE MARLBOROUGH AMATEUR RADIO CLUB



1. NAME :

The name of the society shall be the Marlborough Amateur  
Club .  
(Hereafter called the Branch)

2. OBJECTS :

The objects of the Branch shall be :

(a) To further the objects of the New Zealand Association of Radio Transmitters Incorporated (hereinafter called "The Association") an Incorporated Society under the Incorporated Societies act 1908, and the objects set forth in the Constitution of the Association shall be deemed to be also objects of the Branch.

(b) To establish and operate an amateur transmitting station under the Radio Regulations 1987 and to appoint one or more of its members to be trustees of the station.

(c) To foster interest in the various branches of amateur radio among the people of Marlborough, to co-operate with the Marlborough District Council in the operation of a Civil Defence organization under the Civil Defence Act 1983 and to provide communications when required by the Search and Rescue Organization.

3. MEMBERSHIP :

Part 1. Members

(a) Membership of the Branch shall be open to all persons in Marlborough having a bona fide interest in Radio and Electronics upon making written application to the Branch Committee .

Provided that no person who is not a member of the Association shall in any circumstances be admitted as a member of the Branch.

(b) The Committee of the Branch shall have the right to refuse membership to any person.

Any person refused membership shall be advised by the committee in writing.

(c) Any member of the Branch whose subscription is two months in arrears shall not be entitled to vote, hold office or enjoy any other privilege of membership, such members shall be notified in writing of their arrears and advised they will be struck from Branch membership if their arrears are not paid within one month. Members who fail to pay their arrears within one month of such notice shall be struck from Branch membership.

(d) Nothing in this clause shall restrict the right of a person

attached to the Branch by the Association for voting purposes in accordance with clause 20(b) of the Constitution of the Association to vote with the Branch on Association business.

(e) The nominees of successful membership applications shall be advised in writing by the committee. All new members shall receive a copy of the Branch Constitution.

(f) Any member who ceases to be a member of the Association has their Branch status transferred to that of associate.

#### Part 2. Associates

(a) The committee may, in addition to admitting members, admit Associates who are persons who are not members of the Association.

(b) Associates shall have all rights of members, except that they shall not have the right to hold any office voted for at any meeting, or vote in any election, or vote in any matter before a Branch meeting.

(c) Any Associate of the Branch whose subscription is two (2) months in arrear shall not enjoy any privileges of being an Associate, such Associates shall be notified in writing of their arrears and advised they will be struck from the Branch Associate membership if their arrears are not paid within one month. Associates who fail to pay their arrears within one month of such notice shall be struck from Branch Associate membership.

(d) The nominees of successful Associate membership applications shall be advised in writing by the Committee. All new Associates shall receive a copy of the Branch Constitution.

(e) Any Associate who becomes a member of the Association has their Branch Membership status transferred to that of Member.

(f) No vote shall be challenged or treated as invalid solely on the grounds that Associates voted, unless objection is taken immediately the result is declared, provided that this rule shall not apply on any vote to amend the Branch Constitution, or for any votes requiring expenditure of the Branch finances for their implementation.

#### 4. PATRON, HONORARY MEMBERS AND HONORARY LIFE MEMBERS / ASSOCIATE :

(a) The Branch may at an Annual General meeting appoint a person of standing and repute (who need not be a member of the Branch or the Association) to be a Patron of the Branch. The office of Patron shall be a post of honour only, and carry no executive responsibilities.

(b) The Branch may at an Annual General Meeting upon the written recommendation of the Committee appoint any member of the Branch to be an Honorary Life Member / Associate of the Branch.

(c) The Branch may at an Annual General Meeting upon the written

recommendation of the Committee appoint Honorary Members / Associates (whether or not such a person is already a member of the Branch or Association) who shall hold office for a period of one year from the date of their appointment. Honorary membership / association may be held by any member in addition to their ordinary membership, but Honorary members (unless they are also ordinary members) shall have no right to vote and shall not be eligible to become officers of the Branch. An Honorary Member / Associate (whether or not also an ordinary member) shall not be required to pay a subscription.

#### 5. OFFICERS AND COMMITTEE :

(a) The executive officers of the Branch shall consist of President, Vice-President, Secretary and Treasurer

The Committee shall consist of the officers and not less than two nor more than four members. These persons shall be elected at the Annual General Meeting of the Branch and shall hold office until the conclusion of the following Annual General Meeting.

(b) Not less than two thirds of the Committee shall hold a current Amateur Station licence.

(c) In lieu of a Secretary and Treasurer the Branch may elect a Secretary-Treasurer to fill both offices in which case the number of the Committee members allowed under sub-clause (a) hereof shall be increased by one.

#### 6. PROCEDURE OF THE COMMITTEE :

(a) The Committee shall meet from time to time on an as required basis and may make, repeal and amend such regulations as it may consider necessary or convenient for the proper administration of the Branch. Such regulations, repeals and amendments shall be binding on all members and associates until otherwise determined by the Committee provided that no such regulations shall conflict with this Constitution or the Constitution of the Association or the Incorporated Societies Act 1908.

(b) The President, Vice-President or Secretary shall call Committee meetings on such notice as he deems fit.

(c) A quorum of the Committee shall be (5) five members present in person.

(d) Any motion shall be valid and in full force and effective immediately the result of the vote is declared.

(e) Any Member or Associate of the Branch may be present at the Committee meeting but shall have no right to vote thereat and may take part in discussion only at the invitation of the Chairman of the meeting.

(f) Save as is expressly provided herein, the Committee shall determine its own Rules of Procedure for the conduct of Committee meetings.

(g) The committee shall have the right to form sub-committees and co-opt members as it requires.

## 7. POWERS OF THE COMMITTEE :

(a) The Committee shall have control of the funds and assets of the Branch and shall have all the administration powers necessary for properly carrying out the objects of the Branch in accordance with this Constitution.

(b) Without restricting sub-paragraph (a) the Committee shall have the following additional powers :-

(i) Generally to purchase, take on lease or exchange, hire or otherwise acquire any real or personal property and any rights and privileges which the Committee may think necessary for the purpose of any objects of the Branch. In particular the Committee may acquire any land, buildings, easements, machinery equipment or motor vehicles.

(ii) To construct, maintain, alter or dismantle any buildings, equipment or works necessary or convenient for the purposes of the Branch.

(iii) To invest any funds of the Branch not immediately required upon any investments authorized by law of the Dominion of New Zealand for the investment of trust monies.

(iv) To sell, improve, manage, develop, exchange, lease or dispose of or otherwise deal with all or any part of the Branch property.

(v) To borrow, or raise money by overdraft from any bank or in any manner as may be thought fit and to secure the payment thereof and in particular by the issue of debentures or by mortgage or lien upon the whole or any part of the Branch property or assets both present and future provided always that no such debentures mortgages, charge or lien shall be made or given without the prior consent of the members in General Meeting but no lender having dealings with the Branch shall be concerned to see or enquire whether any such consent has in fact been given.

(vi) The banking of the Branch shall be with such banking concerns as may be from time to time directed by the committee.

(vii) All monies received by or on behalf of the Branch shall be paid into an account or accounts and cheques, bills and withdrawal forms drawn on such accounts shall be signed by two Committee members nominated for that purpose by the committee.

(viii) No monies owing to the Branch shall be paid out or any other payments made except with the authority and resolution of the committee.

(ix) To engage, remunerate and dismiss salaried officers and servants whenever this may seem expedient.

(c) Notwithstanding the foregoing the Committee shall not dispose

of property in excess of the value of FIVE HUNDRED DOLLARS nor incur expenditure in excess of the sum of FIVE HUNDRED DOLLARS without the prior approval of the Branch in General Meeting.

#### 8. ANNUAL GENERAL MEETINGS AND SPECIAL GENERAL MEETINGS :

(a) The Annual General Meeting shall be called by the Secretary to be held during the month of March each year.

The notice of the meeting shall be in the hands of the members fourteen (14) clear days before the appointed date. The agenda for the meeting shall be set out in the notice convening the meeting and shall include so far as is practical notices of any motions to be considered at the meeting and shall be included with the notice of the meeting.

(b) A Special General Meeting may be called by the Committee at any time. Notices of such meetings shall be in the hands of members (14) fourteen clear days before the appointed date and be accompanied by an agenda of such meeting.

(c) A Special General Meeting shall be called by the President, Vice-President or Secretary within (31) thirty one days of receipt of a written petition signed by not less than (5) five financial members calling for the said meeting and setting out in writing the motions for the said meeting to consider.

Notice of such a meeting shall be given to the members (14) fourteen clear days before the appointed date accompanied by an agenda of such meeting.

(d) A quorum at any General meeting shall consist of not less than (8) eight financial members.

(e) Voting at such meetings shall be by show of hands, voices or by secret ballot whichever is desired by the meeting provided that whenever it is necessary to elect officers of the Committee of the Branch the vote shall be conducted by secret ballot.

(f) Each financial member may exercise one vote on each motion before the meeting except that in the case of equality of voting the Chairman may exercise a casting vote in addition to his deliberative vote.

(g) Except as is otherwise provided in this Constitution a simple majority of members shall decide any question.

(h) Except as provided in Clause 10 hereof any motion shall be valid and in full force and effect immediately the motion be put and the voting be recorded

(i) The Annual General Meeting shall after hearing the recommendation of the Committee fix a subscription for the following year, and different rates of subscription may be set for different categories of members.



## 9. OTHER GENERAL MEETINGS :

(a) The committee shall in addition to the Annual General Meeting and any Special General Meetings call monthly General meetings of the Branch.

(b) The business to be transacted at monthly general meetings shall be as follows.

(i) To receive apologies, to table correspondence and report on Branch activities during the previous month.

(ii) To deal with any Branch or Association business.

(iii) To make recommendation to the Committee for the control and management of the Branch.

(iv) To receive an address or lecture upon a topic of interest to the members, generally falling within the objects of the Branch.

(c) The Committee may at its discretion dispense with the calling of the monthly General meeting or alternatively direct that the conduct of business be dispensed with at any monthly General meeting but shall ensure that before dispensing with business that proper alternative arrangements are being made for dealing with urgent or regular Association business and that Members/Associates of the Branch are kept informed of Association matters and are able to exercise their voting rights as members of the Association.

## 10. ALTERATION OF THE RULES :

(a) The Constitution of the Branch may be altered, rescinded or added to by resolution passed at any Annual or Special General Meeting and then only if the motion to amend, rescind or add rules is passed with a 60% majority of those present in person and entitled to vote at the meeting and provided further that the Notice of the proposed alteration, rescission or addition shall be given in general terms in the notice calling the meeting.

(b) Immediately upon any addition, alteration or rescission the text of the alteration shall be submitted to the Council of the Association for approval and shall then be presented to the Registrar of Incorporated Societies for registration.

(c) On any resolution to amend this Constitution, voting shall be confined to members who hold amateur station licences.

## 11. SECRETARY'S DUTIES :

(a) The Secretary shall conduct the correspondence of the Branch and shall keep the records thereof and in addition shall keep full minutes of all Committee meetings, monthly general meetings, Annual General Meetings and Special General Meetings.

(b) The Secretary shall also keep a Register showing the Members and Associates for the time being of the Branch, whether or not they are financial and whether or not they are members of the Association.

#### 12. TREASURER'S DUTIES :

All book-keeping and accounting shall be done by the Treasurer of the Branch. The Treasurer shall keep all necessary accounts and books and shall annually produce duly audited accounts to the Annual General Meeting.

#### 13. THE SEAL :

The Common Seal shall be kept in the custody of the Secretary. It shall not be affixed to documents except with the authority of a resolution of the Committee. The Seal shall be affixed by a Committee member in the presence of two other members of the Committee and all three members shall attest to the affixing thereof.

#### 14. SERVICE ON MEMBERS AND ASSOCIATES:

(a) Any notice which by this Constitution or by any regulations made hereunder is required to be served upon a member shall be served by posting the same to his last known place of address or occupation by Advice Received Post and the same shall be deemed to have been delivered in the ordinary course of post.

(b) Any notice of meeting shall be given to Members or Associates (where such notice is required to be given) by posting the same by ordinary prepaid post to the Members or Associate's last known residential or business address and the same shall be deemed to have been delivered in the ordinary course of the post.

(c) No meeting shall be deemed improperly constituted and no decision reached at any meeting shall be invalid solely on the grounds that due to accident or inadvertence the requisite notice has not been given to any member or members unless the meeting itself determines otherwise.

#### 15. REMOVAL OF OFFICERS AND COMMITTEE :

(a) Any Officer or Member of the Committee may resign from office within the Committee by giving notice in writing to the Secretary.

(b) A member of the Committee can be removed from office by a 60% majority vote on a resolution at a Special General Meeting provided that the notice of intention to move the resolution has been given in the notice calling the meeting.

The officer or the Committee member shall be served with notice

of the resolution in accordance with clause 14(a) of this Constitution and shall have (14) fourteen clear days notice of the meeting.

(c) The officer or the Committee member shall be given the opportunity to address the meeting or may have read to the meeting a written statement of reasonable length before the vote is taken.

(d) Any vacancy in the Officers and Committee between Annual General Meetings shall be filled by the Committee provided that the Committee may call a Special General Meeting to fill the vacancy or may (without any notice) refer the matter to the next Monthly meeting of the Branch, whereupon the Branch will fill the vacancy.

#### 16. EXPULSION OF MEMBERS AND ASSOCIATES:

(a) If in the opinion of the majority of members attending the Annual General Meeting or a Special General Meeting it shall be considered that any member of the Branch is or has been acting in a manner contrary to this Constitution or otherwise likely to bring Amateur Radio into disrepute, then the General Meeting may direct the Committee to enquiry into the conduct of the Member or Associate.

(b) The Committee may thereupon conduct an enquiry, and shall as nearly as may be follow the same procedures as the Council of the Association is directed to follow in paragraph 6 of the Association Constitution. The Committee may admonish the Member or Associate, or may expel the Member or Associate from the Branch.

(c) Alternatively the Committee may refer the matter to the Council of the Association for such action as the Council deems fit, and upon such referral Council shall ( in addition to any rights and powers it has under the Association Constitution ) have the same powers as the Committee under subparagraph (b) above. Upon such referral, the Committee shall take no further action in respect of any complaint concerning the same matter.

#### 17. RESIGNATION :

A Member or Associate of the Branch may resign from membership or by giving due notice to the Secretary in writing but shall remain liable for any subscriptions remaining due at the time the resignation takes effect.

#### 18. ACCOUNT AND AUDIT :

The financial year of the Branch shall end at the end of the month of December each year. Within two (2) calendar months after the close of each financial year the accounts of the Branch shall be balanced and duly audited to enable the Annual Report and Balance sheet to be prepared by the Committee.

19. AUDITOR :

An auditor for the Branch shall be appointed at each Annual General Meeting. Membership of the Branch shall not disqualify any person from acting as Auditor.

20. REGISTERED OFFICE :

The registered office of the Branch shall be at an address to be determined by the Committee from time to time.

21. SOLICITOR :

A Solicitor for the Branch may be appointed by the Committee of the Branch.

22. AMATEUR RADIO EMERGENCY CORPS :

(a) The Branch may establish a section of the Amateur Radio Emergency Corps in accordance with the provisions of clause 37 of the Association Constitution.

(b) The accounts of any Section so established shall be included with and shall be audited with the Branch Accounts.

(c) The Branch may (subject to any regulations made by the Association) make regulations relating to the operation of its section of the Corps and defining the relationship between the Corps and the Branch.

23. CASES NOT PROVIDED FOR :

(a) In the event of any question arising out of the interpretation of this Constitution or in the event of any case arising for which no provision is made in this Constitution that question of interpretation or matter for which no provision is made shall be settled by the Committee of the Branch.

(b) Any member of the Branch who is dissatisfied with any determination of the Committee under this clause may within such time as Council shall allow appeal to the Council of the Association after giving the Secretary (7) seven clear days notice of his intention to do so. The decision of the Council on any appeal shall, saving the rights of any Court of competent jurisdiction, be final and binding on the Branch and the members thereof.

## 24. DISSOLUTION :

Upon the winding up of the Branch and after payment of all liabilities has been made, the remaining assets shall be disposed of as resolved by special resolution passed at the General Meeting at which the special resolution for winding up is confirmed by transferring those remaining assets to any other Association, Society or Club having similar objects to this Branch or any organization, charity or trust established exclusively or partly for similar objects.

THESE are the rules referred to in the annexed statutory declaration of

THE MARLBOROUGH AMATEUR RADIO CLUB.

made in Blenheim this      day of 19  
before me :-

A Solicitor of the High Court of New Zealand or Justice of the Peace.

*new clauses  
25 + 26  
added  
see doc 7*

15  
October 1992

*DM*

