

# Incorporated Society Rules Statutory Declaration



\*10046055167\*

Ministry of Economic  
Development



Manatū ōhanga

The Incorporated Societies Act 1908 (Sections 7 and 21)  
This form is available online at [www.societies.med.govt.nz](http://www.societies.med.govt.nz)

Use this form when submitting an application to incorporate a society ~~OR when a society files an alteration to its rules.~~

Name of  
Society

The Marlborough Pool  
Association Incorporated

Society  
Number

1595946

I, Lawrence Walter Landon-Lane (name of person making declaration)  
of 20 Lucas St, Blenheim (residential address)

do solemnly and sincerely declare that:

- 1. I am a member of / ~~solicitor to (delete one)~~ the above society, and
- 2. The attached rules / ~~alteration to the rules (delete one)~~ comply with section 6 of the Incorporated Societies Act 1908 (see below for list of criteria), and  
~~Either (this option applies to applications to incorporate a society ñ delete if not applicable)~~
- 3. The majority of members of the society consent to this application for incorporation  
~~Or (this option applies for alterations to existing rules of an incorporated society ñ delete if not applicable)~~
- 4. ~~The alteration to the rules has been made in accordance with the rules of the society~~

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

Declared at Blenheim (place)

this 14th (day) name of society member / ~~solicitor~~ Lawrence Walter Landon-Lane

day of January (month) Signature of society member / ~~solicitor~~ [Signature]

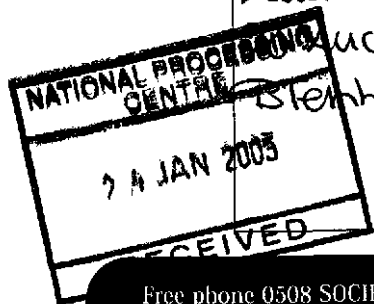
20 05 (year)

before me: [Signature] J.P. Solicitor Justice of the Peace other person authorised to take a Statutory Declaration  
Margaret Woman (delete as applicable)  
Blenheim

Note: Section 6 of the Incorporated Societies Act 1908 requires a society's rules to include the following:

- i The name of the society (ending with the word Incorporated)
- i The objects for which the society is established
- i How people become members of the society and stop being members of the society
- i How meetings of the society will be called and held and how voting will take place
- i How officers of the society will be appointed
- i How the society's funds will be controlled and invested
- i The powers (if any) that the society has to borrow money
- i How any property of the society will be distributed in the event of the society being wound up, and
- i How the rules of the society can be altered.

Completed by Name and postal address  
Lawrence W Landon-Lane  
Lucas street  
Blenheim



Other details Telephone 5788601  
Email [Redacted]

Post to Registrar of Incorporated Societies  
Ministry of Economic Development  
Private Bag 92061  
Auckland Mail Centre 1020

+ 8 pages [Signature]

# Application to Incorporate a Society



The Incorporated Societies Act 1908 (Section 7)  
This form is available online at [www.societies.med.govt.nz](http://www.societies.med.govt.nz)

Name of Society

The Marlborough Pool Association Incorporated

- The society's name must end with the word Incorporated
- The name cannot be the same as any other society, company or organisation. Check existing society and company names for free by doing a Current Name Search online at [www.societies.med.govt.nz](http://www.societies.med.govt.nz).

Address for Registered Office

This address must be a physical address  
e.g. 6 Anywhere St, Somewhereville.

Address

20 Lucas St  
Blenheim

Address for Communication

Postal Address (e.g. PO Box) to which  
communications from the Registrar may be sent.  
The email address will not be available publicly.

Address

20 Lucas St  
Blenheim

Email

Contact Person Details (optional)

This will allow the Registrar to have a direct  
contact person for your society. The email address  
will not be available publicly.

Address

20 Lucas St  
Blenheim

Email

The society's annual general meeting will usually be held in February (month)

Checklist before filing:

- Have you checked that the society's name is available by conducting a Current Name Search at [www.societies.med.govt.nz](http://www.societies.med.govt.nz)?
- Has the application form been signed by 15 members of the society?
- Have all the signatures been witnessed by someone who isn't one of the 15 members signing the form?
- Has the confirmation of rules statutory declaration been completed?
- Are two copies of the society's rules attached to the statutory declaration?
- Is the fee of \$100.00 included? (Cheques should be made payable to Ministry of Economic Development.)

Completed by

Name and physical address

Wanda-Lane  
20 Lucas Street  
Blenheim

24 JAN 2005

NATIONAL PROCESSING CENTRE

RECEIVED

Other details

Telephone

5788601

Email

Post to

Registrar of Incorporated Societies  
Ministry of Economic Development  
Private Bag 92061  
Auckland Mail Centre 1020

Name of Incorporated Society The Marlborough Pool Association Incorporated

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

Dated 16.10.4

15 members must sign the application form - for the purposes of making up the 15 members, individual members count as 1 member and a body corporate (e.g. other incorporated societies or companies) counts as 3 members. Unincorporated bodies (e.g. trusts) cannot sign the application form as a member.

Each member's signature must be witnessed - anyone witnessing a member's signature CANNOT also sign the application form as one of the 15 members. There are two options for witnessing the members' signatures -

Option 1 - One person witnesses all the members' signatures

Option 2 - Members' signatures are witnessed by more than one person.

Option 1. Witnessed by (to be completed if there is only one witness for all members' signatures):

Name LAWRENCE WALTER Address 20 LUCAS ST Signature [Signature]  
LONDON - LANE BLENHEIM

Members

Option 2. Witnessed by (to be completed if there is more than one witness)

- |   |  |
|---|--|
| 1. Name <u>V. MacDonald</u> Signature <u>[Signature]</u> Name _____ Signature _____<br>Address <u>117 Hawick Rd Blenheim</u> Address _____              |  |
| 2. Name <u>C. Thompson</u> Signature <u>[Signature]</u> Name _____ Signature _____<br>Address <u>74a Takings Road Blenheim</u> Address _____            |  |
| 3. Name <u>L. Searens</u> Signature <u>[Signature]</u> Name _____ Signature _____<br>Address <u>20 Lucas St</u> Address _____                           |  |
| 4. Name <u>Greg Wells</u> Signature <u>[Signature]</u> Name _____ Signature _____<br>Address <u>P.O. BOX 67 Havelock</u> Address _____                  |  |
| 5. Name <u>David Chant</u> Signature <u>[Signature]</u> Name _____ Signature _____<br>Address <u>12 Goulard Rd Spring Creek</u> Address _____           |  |
| 6. Name <u>Nicole Chauwal</u> Signature <u>[Signature]</u> Name _____ Signature _____<br>Address <u>20 Leirim St Blenheim</u> Address _____             |  |
| 7. Name <u>L. Bowman-Rutledge</u> Signature <u>[Signature]</u> Name _____ Signature _____<br>Address <u>19a Lucas St Blenheim</u> Address _____         |  |
| 8. Name <u>P. Groves</u> Signature <u>[Signature]</u> Name _____ Signature _____<br>Address <u>14 Springvale March St Blm</u> Address _____             |  |
| 9. Name <u>[Signature]</u> Signature <u>BLOOMFIELD</u> Name _____ Signature _____<br>Address <u>53 DILLON ST BLENHEIM</u> Address _____                 |  |
| 10. Name <u>D. Edwards</u> Signature <u>[Signature]</u> Name _____ Signature _____<br>Address <u>5 Newbourne Cres Blenheim</u> Address _____            |  |
| 11. Name <u>Kim MacDonald</u> Signature <u>[Signature]</u> Name _____ Signature _____<br>Address <u>44 Elgata Street Blenheim</u> Address _____         |  |
| 12. Name <u>Greg Beck</u> Signature <u>[Signature]</u> Name _____ Signature _____<br>Address <u>14 March Street Spring Creek Blenheim</u> Address _____ |  |
| 13. Name <u>NER BUTTS</u> Signature <u>[Signature]</u> Name _____ Signature _____<br>Address <u>6 RYAN PLACE BLENHEIM</u> Address _____                 |  |
| 14. Name <u>Peter Chandler</u> Signature <u>[Signature]</u> Name _____ Signature _____<br>Address <u>P.O. Box 47 Spring Creek</u> Address _____         |  |
| 15. Name <u>Wayne Platchis</u> Signature <u>[Signature]</u> Name _____ Signature _____<br>Address <u>9 Nicoll St Blenheim</u> Address _____             |  |

✓ nicole chauwal [Signature]  
20 Leirim St Blenheim

Constitution of The Marlborough Pool Association Incorporated

**MARLBOROUGH POOL ASSOCIATION INCORPORATED**

**CONSTITUTION**

**1. NAME**

The name of the Association shall be the "Marlborough Pool Association Incorporated".

**2. REGISTERED OFFICE**

The Registered office of the Association shall be at 20 Lucas Street, Blenheim, and the postal address of the Association shall be 20 Lucas Street, Blenheim, or at such other place as the Executive may from time to time determine. Notice of every change of situation of the Registered Office shall be duly given to the Registrar of Incorporated Societies.

**3. OBJECTS**

The Objects for which the Association is established are:

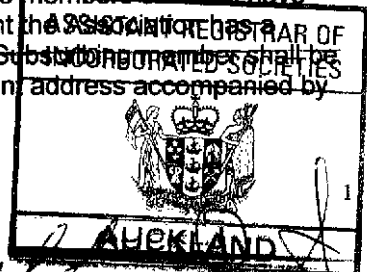
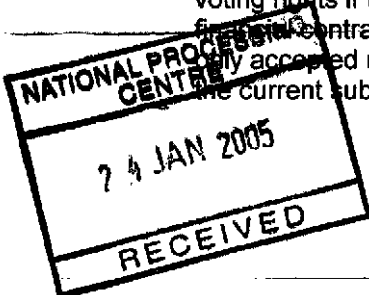
- 3.1 To substantially promote the playing of pool and to encourage healthy and rational recreation and social activities.
- 3.2 To establish, maintain and conduct an Association and generally afford to its members the advantages, privileges and conveniences of the Association.
- 3.3 To develop and encourage all players by way of coaching, tournaments and competitions sanctioned by the Association.

**4. POWERS**

- 4.1 To acquire by purchase, lease, hire or elsewhere any real or personal property or any rights or privileges which may be considered necessary or expedient for attaining any of the objects of the Association, or for promoting the interests of the Association or its members.
- 4.2 To facilitate the promoting, organising, holding and conducting of competitions, matches, games and other events.
- 4.3 To affiliate the Association to its governing body The New Zealand Pool Association Incorporated (NZPA).
- 4.4 To provide engraved trophies, reasonable travel, accommodation and vests for players representing the Association or the NZPA, reasonable associated promotional and administration costs, venue hire, equipment hire, entry fees to tournaments and competitions for players representing the Association or the NZPA.
- 4.5 To borrow or use funds of the Association for and to do all other such things as may be incidental or conducive to, the attainment of any of the foregoing objects.

**5. MEMBERSHIP**

The members of the Association shall consist of male and female persons made up of either subscribing members or life members. However, these members shall not have voting rights if they are a paid employee of any establishment the Association has a contract with. Membership of the Association as a Subscribing member shall be only accepted upon receipt of a persons full name and current address accompanied by the current subscriptions due (refer rule 6).



## Constitution of The Marlborough Pool Association Incorporated



- 5.2 Any Subscribing Member may be elected as a Life Member in accordance with the following conditions.
- 5.2.1 Life membership shall be conferred only for outstanding service rendered to the Association and not under any circumstances for a monetary consideration.
- 5.2.2 Every proposal for a Life Membership shall be first considered by the Executive and if approved by it, submitted to a ballot at a General Meeting where a 75% majority of those members present and voting thereon shall be necessary to effect such an election.
- 5.2.3 A Life member shall not be liable for payment of any subscriptions.

### 6. SUBSCRIPTONS

- 6.1 The annual subscription payable by Members shall be as such as from time to time be prescribed by the Association at a General Meeting.
- 6.2 All annual subscriptions shall become due and payable on the first day of April in every year.
- 6.3 If the annual subscription of any Member and any other monies owed by them to the Association shall remain unpaid after the 30<sup>th</sup> day of April in every year, they shall be deemed to be unfinancial and shall not thereafter, unless the executive shall otherwise determine special circumstances, be entitled to exercise or enjoy any rights or privilege of membership until such monies have been paid.
- 6.4 Persons joining the Association after the 30<sup>th</sup> day of April in every year shall be subject to fees as determined by the Executive.

### 7. TERMINATION OF MEMBERSHIP

- 7.1 If any member shall be desirous of ceasing to be such, they shall give notice in writing to the secretary, who after acceptance by the Executive, shall not accept the resignation until all monies due to the Association by the Member in their capacity as a Member shall have been paid.
- 7.2 If any Member shall make default in payment of their subscription and other (if any) monies due by them to the Association for a period of one month after written notice requiring them to pay same has been given by the Secretary, the Executive shall have the power to determine their membership be ceased as a defaulter, but such a member shall not thereby be relieved from liability to pay monies due.
- 7.3 If the conduct of any Member shall be reported as obnoxious the Executive shall, on receiving a written complaint, or may of its own initiative, take the matter into consideration. If after the member concerned has been heard if they so desire, and their conduct deemed by the Executive to be contrary to these Rules, or inconsistent with the character welfare or interest of the Association, or such as to render them unfit to associate with members of the Association, the Executive shall have the power by a majority decision of not less then two-thirds of its number present at the meeting to expel or otherwise deal with the offending member.
- 7.3.1 If such a Member feels aggrieved by the decision of the Executive they may, within ten days of being notified thereof, appeal by notice in writing to the Secretary, and there-upon a Special General Meeting shall be convened at which a report shall be presented by the Executive, the Member concerned heard, and the matter determined by ballot. A majority of two-thirds of valid votes cast by members present shall be required to

## Constitution of The Marlborough Pool Association Incorporated

carry any motion either to confirm the action of the Executive or to otherwise expel or censure a Member.

### 8. GENERAL MEETINGS

8.1 The Annual General Meeting of the Association shall be held in February of each year at such day, place and hour as the Executive shall fix and determine. The business of the meeting shall be as follows:

- Attendances and apologies
- Annual (Presidents) report
- Acceptance of previous minutes
- Audited statement of accounts and balance sheet for the preceding financial year
- Setting of Annual subscription and fees for the following year
- Electing officers, members of the committee and selectors of representative teams
- Notices of motion (remits)
- General business

8.2 A Special General Meeting, at which only the business for which such a meeting was convened may be dealt with, may at a time be summoned upon the order of the Executive, or after the receipt by the Secretary of a written requisition signed by 15 ordinary members setting forth in the form of a motion or motions, the objects of such a meeting. The secretary shall then within seven days, summon the meeting.

8.2.1 If the Executive does not within the said period of seven days summon a Special Meeting, the parties to the requisition, or any of them, may (subject to the provision of these Rules as to notice) summon the meeting.

8.2.2 At least fourteen clear days of notice in writing of every Special Meeting, specifying the place, day and hour of the meeting and the nature of the business to be dealt thereat, shall be given by the Secretary, or the parties to the requisition (as per Rule 8.2.1) to every Member of the Association. The accidental omission to give, or the non-receipt by any such Member of such notice shall not invalidate the proceedings of the meeting. In addition, notification of the details of this meeting shall be advertised in the Public Notices of The Marlborough Express.

### 9. PROCEEDINGS AT GENERAL MEETINGS

9.1 No business shall be transacted at any General Meeting unless a quorum of members is present at the time when the meeting proceeds to business. Fifteen members of the Association personally present shall constitute a quorum for all General Meetings.

If a quorum is not present within one half hour after the time appointed for the meeting, the meeting, if convened upon the requisition of members, shall be dissolved. In every other case it shall stand adjourned to a time and place to be fixed by the Chairperson on adjourning the meeting. If at the adjourned meeting a quorum is not present within one half hour after the time appointed for the meeting, the Members present shall form a quorum.

9.2 The President, or in the absence of or unwillingness to act, the Vice President shall preside at all General meetings, provided however that if neither of these Officers be present or will to act, the meeting shall appoint some Member present to act as Chairperson.

9.3 At all General Meetings every Member personally present and eligible to vote

 A handwritten signature, possibly 'L.H.L.', is written in cursive. To its right is a circled number '3'. Further right is a small number '3' above a stylized signature or mark.

## Constitution of The Marlborough Pool Association Incorporated

(refer rule 5), shall on each question have one vote, and in the case of an equality of votes, the Chairperson shall have a further (or casting) vote. Voting at General Meetings shall be by a show of hands, or if the Chairperson or any two Members present and qualified to vote shall so require, by secret ballot, as the case may be.

- 9.4 The Chairperson's decision as to the result of the motion and an entry provided to that effect in the minutes of the proceedings shall be conclusive of the terms of any resolution of a General Meeting and of its' having been passed or rejected.

The minutes of each General Meeting shall be provisionally confirmed at the next appropriate meeting of the Executive. Upon provisional acceptance of these minutes, copies shall be made available to members seven days prior to the next AGM.

### 10. THE EXECUTIVE

- 10.1 The management of the affairs of the Association shall be invested in a committee of management (in these rules referred to as the Executive) consisting of the Officers as defined in Rule 10.2.

- 10.2 The Officers of the Association shall be as follows:

President  
Vice president  
Secretary  
Treasurer  
Six elected members

- 10.3 The Executive elected shall hold office for a period of one year.

### 11. ELECTIONS

- 11.1 A notice calling for nominations for Officers of the Association shall be sent to all clubs of the Association at least twenty-eight days prior to every year's Annual General Meeting.

- 11.2 The name of every candidate with names of their proposer and seconder must be in writing, signed by such candidate, proposer and seconder and sent to be received by the Secretary no later than fourteen days prior to the Annual General Meeting.

11.2.1 Candidates can not be a paid employee of the Association or of any Venue the Association has a financial contract with.

- 11.3 A notice listing nominations for Officers of the Association and advice on voting procedures shall be sent to all venues of the Association at least seven days prior to every year's Annual General Meeting.

- 11.4 If no names or an insufficient number of names shall be received of candidates eligible for election, nominations for these vacant positions may be accepted from the floor at the General Meeting.

- 11.5 Election of Officers shall be by ballot or show of hands at the Annual General Meeting.

- 11.6 Authorised personnel as appointed by the President or the President shall carry out counting ballots or hands and results noted to Secretary at AGM.

Handwritten signature and initials at the bottom right of the page. The signature appears to be 'S. L. L.' followed by a circled '4' and a stylized flourish.

**Constitution of The Marlborough Pool Association Incorporated**

**12. VACATION OF OFFICE**

12.1 The office of an Officer of the Executive shall be vacated if the holder thereof:

Ceases to be a Member of the Association, or

Resigns office, or

Dies, or

Without being excused by the Executive, absents themselves from three consecutive meetings of the Executive, or

Shall be removed from office by resolution of two-thirds of the members present and voting at a Special General Meeting convened for the purpose.

12.2 In the case of any vacation of office of an Officer of the Executive, the Executive shall order the summoning of a Special General meeting to fill the vacancy which may occur until the officer's term is due to expire.

**13. ADMINISTRATION**

13.1 The Executive may meet together for the dispatch of business, adjourn and otherwise regulate its meeting, as it shall think fit. A meeting of the Executive may be convened by the President or the Secretary or by any two other Officers of the Executive.

13.2 The President, or in their absence the Vice President, shall preside at all meetings of the Executive at which they are present. In the absence of these Officers, the meeting shall appoint their own chairperson.

13.3 Except as otherwise required by these Rules, the bare majority of votes shall permit all questions. Each person personally present shall on each question have one vote and in the case of an equality of votes, the Chairperson shall have further (or casting) vote. No proxies shall be allowed.

13.4 At all meetings of the Executive, five Officers personally present shall constitute a quorum.

13.5 Without prejudice to the general powers of these Rules conferred upon it, the Executive shall have power to do all acts and things which it may consider proper or expedient for accomplishing the objects and caring of the affairs of the Association and in particular shall have the specific power to do the following things.

13.5.1 To control, manage and expend funds of the Association (including power to invest or otherwise deal with any funds not currently required) and to incur such liability on behalf of the Association, as it may think necessary or expedient in furtherance of the objects and purposes of the Association. The executive shall have the power to borrow or raise, and secure the repayment of such sum or sums of money in such manner as they shall think fit and in particular by mortgages, bonds, debentures or other securities charges upon all or any of the Associations assets (both present and future) and to purchase, redeem and pay off any such securities. The Executive's power to loan funds shall be limited to a total of \$500 unless accepted by the members at a special general meeting called expressly for that purpose.

Every member becoming surety for any loan shall be indemnified by the Association respect thereof.



Handwritten signature and a circled number 5 with a superscript 5.

## **Constitution of The Marlborough Pool Association Incorporated**

- 13.5.2 To appoint from its own members or otherwise such sub-committees as it may from time to time deem necessary or proper (the President shall be ex-officio a member of every such sub-committee).
- 13.5.3 To engage or appoint and at pleasure remove employees, to define their duties and powers, and to fix and determine their salaries and emoluments.

No member of the Association or any person associated with a Member shall participate in or materially influence any decision made by the Executive in the respect of the payment to or on behalf of that member or associated person of any income benefit or advantage whatsoever. Any such income paid shall be reasonable and relative to that which would be paid on the open market.

- 13.5.4 To make, alter and repeal such bylaws as it may from time to time consider necessary and proper for the well being of the Association.

- 13.5.5 Every resolution of the Executive which is not inconsistent with, or does not support to repeal or alter anything contained in respective Rules of the Association or except as provided in Rule 19 hereof, any resolution of any General Meeting of the Association, shall be binding on all members of the Association unless and until set aside by a resolution of a General Meeting of the Association.

- 13.6 Minutes of these meetings, once confirmed as a true and accurate record, shall be available to all members.

### **14. APPOINTED POSITIONS**

The Executive shall be responsible for selecting such persons to fill appointed positions to perform tasks of the Association it deems necessary as soon as possible after the Annual General Meeting. These appointed positions shall include the following:

- 14.1 The Auditor, who is not a member of the Executive, shall be selected by the Executive. The Auditor shall examine and report on the Annual Statement of Accounts and Balance Sheet. The Auditor shall at all reasonable times have access to the Association's books and accounts and shall be entitled to any information required relating hereto and to any matter deemed necessary or desirable for audit purposes.

### **15. FINANCIAL**

- 15.1 The Association's current bank accounts shall be kept at such a bank as may from time to time be decided by the Executive. Any two of the following shall sign all cheques on such accounts, the President, the Secretary, the Treasurer. Should the Secretary and Treasurer positions be combined, then one other signatory shall be appointed by the Executive.
- 15.2 The Association's financial year shall end on the 30<sup>th</sup> day of January every year. The Executive shall cause true and correct accounts to be kept of the income and expenditure and assets and liabilities of the Association. An audited statement of Accounts and Balance Sheet in the form approved by the Executive shall be made available to every member at the Annual General Meeting.

### **16. INDEMNITY**

The Executive of the Association shall be indemnified by the Association against all disbursements, expenses, liabilities and losses incurred by them in or about the discharge of their duties except such as happens from their own wilful act, neglect or fault.

Handwritten signature and initials. The signature is a cursive name, possibly 'D. L. L.', followed by a circled number '6' and a stylized initial 'A'.

**Constitution of The Marlborough Pool Association Incorporated**

**17. COMMON SEAL**

The common seal of the Association shall bear the registered name of the Association and shall be kept in the custody of the Secretary. It shall, after a resolution of the Executive in that behalf, be affixed to any instrument, deed or document in the presence of two Officers of the Executive (one of who shall be the President or the Secretary) who shall subscribe their names and offices thereto as witness.

**18. WINDING UP**

18.1 The Association may be wound up on a resolution of a majority of votes recorded at a Special General Meeting called for the purpose, such resolution being confirmed by two-thirds of the Members present and voting at a subsequent General Meeting called for that purpose and held not earlier than thirty days and not later than three months after the passing of the resolution.

18.2 In the event of the winding up of the Association or of its dissolution by the Registrar, should there remain after the satisfaction of all debts and liabilities any property whatsoever, the same shall not be paid to or distributed among the Members of the Association but shall be transferred to the Marlborough District Council to hold in trust until such funds can be applied to a charitable cause or an Association having similar objects to this Association.

**19. MATTERS NOT PROVIDED FOR**

If any matter shall arise which is not, or which in the opinion of the Executive is not, provided for under these Rules, the Executive in such manner shall determine the same as it shall deem fit. Every such determination shall be binding on the Association, and its Members unless until set aside by a resolution of a Special General Meeting.


**20. ALTERATION OF RULES**


20.1 These rules shall not be amended, added to, or rescinded except by a resolution in that behalf passed by a majority of the Members present and entitled to vote at a General Meeting, nor unless written notice of the proposed amendment, addition or rescission shall be given to the Secretary not less than 22 days before the meeting.

20.2 No such amendment, addition or rescission shall be valid unless and until accepted by the following:

20.2.1 The Registrar of Incorporated Societies for compliance to the Incorporate Societies Act 1908.

20.2.2 The Inland Revenue Department for the Association to retain all its tax exempt status as a Sports Promoter.

  
\_\_\_\_\_  
President

  
\_\_\_\_\_  
Secretary



Constitution of The Marlborough Pool Association Incorporated


Exhibit Note

This is the annexure marked 'A' referred to in the

declaration of Lawrence Walter Landon-Lane

and declared at Blenheim

this 14th day of January 5 2004 before me

Signature  Davis JP