

Application to Incorporate a Society



10055293053

Name **Protect Piha Heritage Society 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 Register Search online at www.societies.govt.nz and www.companies.govt.nz

2081034

Address for Registered Office
 This address must be a physical address
 e.g. 6 Anywhere Street,
 Somewhereville

Address **4B HAMILTON RD
 HERNE BAY
 AUCKLAND**

Email Address for Communication
 The Registrar may contact the society
 by email. This email address will
 not be publicly available.

Email

Address for Communication
 Postal Address (e.g. P O Box) to which
 Communications from the Registrar
 may be sent.

Address: **P.O. BOX 3 PIHA
 WAITAKERE CITY**

Contact Person Details (optional)
 This will allow the Registrar to have
 a direct contact person for your
 society. The email address will not
 be publicly available.

Name **SUSAN DAVIS** Position Held: **SECRETARY**
 Address:
 Email:

The society's annual general meeting will usually be held in December or January (month)

Checklist before filing:

- Have you checked that the society's name is available by conducting a Register Search at www.societies.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?
- Is a copy of the society's endorsed rules attached to the application?
- Is the fee of \$100.00 included? (Cheques should be made payable to Ministry of Economic Development)
- Has an officer of the society or a solicitor completed the attached certification?

Your Contact
 Details

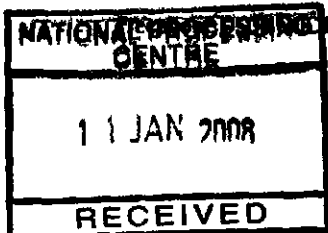
Name and Postal Address
**SANARA CONEY
 P O BOX 3
 PIHA**

Other Details

Teleph
 Em

Post To

Incorporated Societies Register
 Companies Office
 Private Bag 92061
 Auckland Mail Centre 1142



NPC# 23

11 JAN 2008

Incorporated Society Application to Incorporate - Certificate

Society's Name

I certify that the rules that are endorsed with this application have been approved by a majority of the members of the society.

Name

Position

Signature Date

The certificate must be completed by an officer of or solicitor for the society who should also sign the first page of the rules that are being submitted

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

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

Your Contact Details

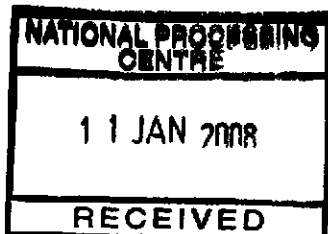
Name and Postal Address:

Other Details

Telephone:

Post To


Freephone 0508 SOCIETIES (0508 762 438) | Website www.societies.govt.nz | Email info@societies.govt.nz



Name of Incorporated Society Protect Pihla Heritage Society 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 23 December 2007

Option 1 Witnessed by (to be completed if there is only one witness for all members signatures):
 Name TOR OWN Address 63 SET VALLEY RD, PITHA Signature 

Option 2 Members 1-7 (N.B. Members 8-15 are continued on the next page)

1 Name Elizabeth Hawker Signature 

Address 35 MARINE PARADE, PITHA

2 Name Monique Davis Signature 

Address 4 Niles Rd Oratia

3 Name Mischa Davis Signature 

Address 7 Niles Rd Oratia

4 Name Kath Devor Signature 


Address 63 Seaview Road, Pihla

5 Name Swain Davis Signature 

Address 4^B Hawthorn Rd, Hevne Bay, AKLD 1011

6 Name DAVID FALLA Signature 

Address 160 Lore Kauri Rd Carelene

7 Name Sherna von Bassewitz Signature 

Address 6 Pendrell Road, Pihla

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

1 Name _____ Signature _____

Address _____

2 Name _____ Signature _____

Address _____

3 Name _____ Signature _____

Address _____

4 Name _____ Signature _____

Address _____

5 Name _____ Signature _____

Address _____

6 Name _____ Signature _____

Address _____

7 Name _____ Signature _____

Address _____

 M. Anderson
 21 Seaview Rd. PITHA

Name of Incorporated Society Protect Pina Heritage Society 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 23 December 2007

Mary T Mearns
62 Rattray Rd, Pina Mary Mearns

Option 2 Members 8-15 (continued from previous page)

8 Name GREGOR NICHOLAS Signature [Signature]

Address 4B HAMILTON RD, HERVEY BAY

9 Name HELEN REARD Signature [Signature]

Address 27 Fernley Ave, Pt Chevalier

10 Name Francis Sale Signature [Signature]

Address 5-38 Cleveland St B. Pina

11 Name Jim Stephenson Signature [Signature]

Address 43 Rouver Rd, Pina

12 Name Megan Hobking Signature [Signature]

Address 5-38 Cleveland St, Brooklyn Wellington

13 Name Peter Hosiene Signature [Signature]

Address Sp ~~Sp~~ Arpaer Rd Pina

14 Name SL CONEY Signature [Signature]

Address 201/121 Customs St W. Viaduct Hou

15 Name AL. BARKLES Signature [Signature]

Address 173 Pina Rd Pina

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

9 Name _____ Signature

Address

9 Name _____ Signature

Address

10 Name _____ Signature

Address

11 Name _____ Signature

Address

12 Name _____ Signature

Address

13 Name _____ Signature

Address

14 Name _____ Signature

Address

15 Name _____ Signature

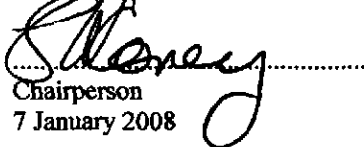
Address

Zeke Webb [Signature]

6 Rendell Rd. Pina



Certified as a copy of the Rules of the Protect Piha Heritage Society Incorporated


Chairperson
7 January 2008

Rules for Protect Piha Heritage Society Incorporated

1. NAME

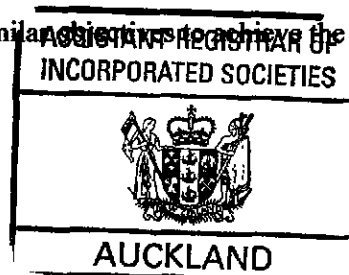
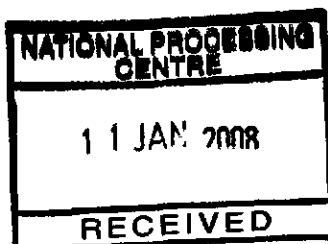
The name of the Society will be **Protect Piha Heritage Society Incorporated**, in this Constitution called "the Society".

2. VISION

The Society will be a charitable body which will promote guardianship of the character, heritage and traditions of Piha as an iconic West Coast black-sand surf beach and self-reliant coastal village enclosed by dramatic landforms and forested ranges, which offers respite and the ability to be 'one with nature' to locals and visitors. The Society will strive to ensure that development does not lead to urbanisation and commercialisation that may undermine the natural, cultural and historic values of the Piha area, resulting in the loss of the experience of being located on the wild edge of the great Tasman Sea.

3. OBJECTIVES

- 3.1 To protect and enhance the character and heritage of Piha, including its natural, cultural and historic values.
- 3.2 To provide education and information to enhance appreciation of the character of Piha and its natural, cultural and historic heritage.
- 3.3 To promote, support and undertake projects to protect and enhance the natural heritage of Piha.
- 3.4 To promote protection of features and sites of natural, cultural and historic heritage importance.
- 3.5 To undertake research, publish, hold workshops and organise events to promote the aims of the Society.
- 3.6 To cooperate with other organisations with similar objectives to achieve the aims of the Society.



3.7 To do any or all such things as are necessary to advance the aims of the Society.

4. MEMBERSHIP

4.1 Any person who agrees with the objectives of the Society may, subject to the Committee's approval, become a member of the Society by application in writing and on payment of the membership subscription, if any, set from time to time by a general meeting of the Society.

4.2 A register of members of the Society will be maintained by the Secretary in accordance with the provisions of the Incorporated Societies Act, 1908 and subsequent enactments.

4.3 Any person may resign membership of the Society by giving written notice to the Secretary. The Secretary will maintain a record of any resignation.

4.4 Any member whose subscription remains unpaid 90 days after the date of the previous annual general meeting shall be deemed to have resigned from the Society.

4.5 Membership of the Society shall also cease if a majority of at least two-thirds of those present and voting at a duly summoned meeting of the Committee resolves that the conduct of the member has been prejudicial to the interests of the Society and that the membership be determined. Ten days notice in writing or by email of any such resolution must be sent to the member's last known postal address or email address, as the case may be, and the member has a right of audience at the meeting. The Committee's decision shall be final.

5. GENERAL MEETINGS

5.1 The annual general meeting of the Society shall be held within 6 months of the end of the Society's financial year.

5.2 The business of the annual general meeting shall include the report of the Chairperson of the Society, the annual financial statements and the election of officers and other Committee members for the forthcoming year.

5.3 The Chairperson, a majority of members of the Committee, or a majority of members of the Society may request the Secretary in writing to call a special general meeting of all members of the Society at any time other than the annual general meeting to discuss the matters nominated in the requisition. Within 10 days after receipt of such requisition, the Secretary shall notify all members of the Society in writing of the time and place at which a general meeting shall be held and the business to be conducted at the meeting. Such meeting shall be held within 42 days after the request for a meeting is received.

5.4 The Secretary shall give all members of the Society at least 10 days notice of any general meeting of the Society. Such notice shall be given in writing or by email to the address last notified to the Secretary by each member as either the member's physical or email address.

5.5 The Chairperson of the Society (or in his/her absence, the Vice-Chairperson) shall chair all general and Committee meetings. In the absence of the Chairperson and Vice Chairperson, the meeting shall appoint a Chairperson.

5.6 At all meetings of the Society or the Committee, an attempt will be made to reach decisions by consensus. If this is not possible, decisions will be made by majority vote of those present and entitled to vote. The Chairperson of the meeting shall have a deliberative and a casting vote.

5.7 The Chairperson and Vice Chairperson shall be ex-officio members of all sub-committees of the Society.

6. SUBSCRIPTION

Membership subscriptions shall be fixed at a general meeting.

7. PATRON, OFFICERS AND COMMITTEE

7.1 There may be one or more Patrons of the Society, who shall be elected at an annual general meeting

7.2 The officers of the Society shall consist of a Chairperson, Vice Chairperson, Secretary and Treasurer. The positions of Secretary and Treasurer may be held by any other officer.

7.3 Up to five (5) other members may be elected to the Committee of the Society. The Committee may co-opt any member to fill any vacancy on the Committee until the next annual general meeting.

7.4 The patron, officers and other committee members of the Society shall be elected at an annual general meeting from nominations made and seconded at the annual general meeting.

7.5 No decision of the Committee shall be invalidated by a vacancy in any Committee position.

8. QUORUM

The quorum required for any meetings of the Committee shall be five (5) and the quorum required for any general meetings of the Society shall be ten (10) people whose subscriptions for the current year of the Society have been paid.

9. VOTING

At any general meeting of the Society, each member who is present and has paid a subscription for the current year of the Society shall be entitled to one (1) vote. Voting shall be by show of hands or, if the meeting so decides, by secret ballot.

10. FINANCIAL POWERS OF THE SOCIETY

To assist in achieving its objectives, the Society may -

10.1 Own, purchase, or otherwise acquire property to enhance or assist in achieving the objectives of the Society.

10.2 Sell, lease, mortgage, charge or otherwise dispose of any of the property of the Society and grant such rights and privileges thereover in such a manner as the Society may from time to time consider necessary and proper.

10.3 Borrow monies by way of mortgage, bank overdraft, debentures or otherwise in such a manner and on such terms and to give such security over all or any of the property of the Society as the Society shall think necessary and expedient.

11. POWERS OF THE COMMITTEE OF THE SOCIETY

The Committee shall have power and responsibility to carry out the objectives of the Society, including:

11.1 Receipt, control and investment of funds for the purposes of the Society.

11.2 Keeping records of the Society's financial affairs, including bank accounts, with all cheques or payments drawn on any accounts to be signed by two (2) of any three (3) members as nominated by the Committee.

11.3 Entering into legally binding commitments in accordance with the Society's objectives.

11.4 Taking such steps as it considers expedient or necessary for the carrying out of the Society's affairs.

11.5 Payment of such expenses as are incurred by, for, or on behalf of the Society.

11.6 Payment in respect of the acquisition of real property, provided that such payment has been authorised by members of the Society at a general meeting.

12. ALTERATION TO THE RULES

12.1. Proposed alterations to the Constitution of the Society shall be notified to all members in writing or by email not less than ten (10) days prior to the date of the meeting at which such alterations are to be voted upon. Such notice shall be given in writing or by email to the address last notified to the Secretary by each member as either the member's physical or electronic address. No amendment to the Constitution may be approved which affects the charitable objects, Article 17 (Winding Up) or Article 19 (Benefits to Members) without prior approval of the Inland Revenue Department.

12.2 Alterations to the Constitution of the Society shall be decided on by a majority of those present at a general meeting called for the purpose and entitled to vote.

13. COMMON SEAL

The Common Seal of the Society shall be in the custody of the Secretary and shall not be affixed to any document except by resolution of the Committee and in the presence of the Chairperson (or Vice Chairperson) and the Secretary of the Society.

14. FINANCIAL YEAR

The financial year for the Society shall commence on the first day of November and terminate on the following thirty-first day of October.

15. ANNUAL FINANCIAL STATEMENTS

The Treasurer, or in the Treasurer's absence, another committee member, shall prepare annual financial statements for consideration at the annual general meeting. The Committee may, in its discretion, also appoint an Auditor to audit the accounts.

16. REGISTERED OFFICE

The Society shall keep and maintain a registered office, the location of which shall be determined by resolution of the committee, or failing any such resolution being passed then at the residence of the Chairperson for the time being.

17. WINDING UP

In the event of the winding up or other dissolution of the Society any surplus assets of the Society shall be distributed to such other charitable body or bodies in New Zealand whose objectives are similar to those of the Society, or for some other charitable purpose, as decided at a general meeting of the Society called to deal with matters relating to the winding up or other dissolution of the Society, and may not be distributed to any member of the Society.

18. INDEMNITY

The members of all properly constituted committees in accordance with these rules, the Secretary, the Treasurer, the Auditor, and all other officers shall be indemnified by the Society in respect of all losses and expenses incurred by them in or about the discharge of their respective duties in good faith

19. **BENEFITS TO MEMBERS**

19.1 Any income, benefit or advantage will be applied to the charitable purposes of the Society.

19.2 No pecuniary profit shall be made by any person from the Society, except that

(a) any member or associated person may receive full benefit for all reasonable expenses properly incurred by that member or associated person in connection with the affairs of the Society;

(b) the Committee may pay reasonable and proper remuneration to any member, officer, Committee member or employee of the Society (whether a member or associated person or not) in return for services actually rendered to the Society;

(c) any member or associated person may be paid all usual professional, business or trade charges for services rendered, time expended and all acts done by the member or associated person or by any firm or entity of which that member or associated person is associated;

(d) any member or associated person may retain any remuneration properly payable to that member or associated person by any company or undertaking with which the Society may be in any way concerned or involved for which that member or associated person has acted in any capacity whatever, notwithstanding that that member's or associated person's connection with that company or undertaking is any way attributable to that member's or associated person's connection with the Society.

19.3 Notwithstanding anything contained or implied in this Constitution, any person who is

(a) a member or associated person of the Society,

(b) a shareholder or director of any company carrying on any business of the Society,

(c) a trustee or associated person of any trust which is a shareholder of any company carrying on any business of the Society, or

(d) an associated person of any such member, shareholder, director or trustee

shall not, by virtue of that capacity, in any way (whether directly or indirectly) determine, or materially influence in any way the determination of, the nature or the amount of any benefit or advantage or income or the circumstances in which it is or is to be received, gained, achieved, afforded or derived by that person.

19.4 Any person who in the course of and as a part of the carrying on of his or her business of a professional public practice, shall not, by reason of his or her rendering professional services to the Society or any company by which any business of the Society is carried on, be in breach of the terms of this Article

provided always that the Committee shall not lend money nor lease property or assets at less than commercial rates, having regard to the nature and terms of the loan and lease to any person (as defined by the Income Tax Act 1994)

(a) who is an officer or Committee member of the Society, or

(b) who is a shareholder or director of any company by which any business of the Society is carried on, or

(c) who is a settler or trustee of a trust that is a shareholder of any company by which any of the business of the Society is carried on,

if that person and the officer or Committee or shareholder or director or settler or trustee referred to in any of the foregoing paragraphs or this proviso are associated persons.

19.5 The members or officers or Committee members of the Society, in determining all reimbursements, remuneration and charges payable in terms of the Article shall ensure that the restrictions imposed by the above sub articles are strictly observed.

19.6 Any member or associated person who is or may be, in any other capacity whatever interested or concerned directly or indirectly in any property or undertaking in which the Society is, or may be, concerned or involved shall disclose the nature and extent of that person's interest to the Committee, and shall not take any part whatever in any deliberations of the Committee concerning any matter in which that person is or may be interested other than as a Committee member.

20. INTERPRETATION

In this Constitution, unless the context otherwise requires,

“associated person” has the meaning ascribed by the Income Tax Act 1994

"general meeting" refers to both an annual general meeting and a special general meeting;

“Piha” means Piha and its environs