



CANTERBURY  
FIJI COMMUNITY  
INCORPORATED  
CONSTITUTION

## ARTICLE 1 - NAME

The name of the organisation shall be the Canterbury Fiji Community. Hereafter it shall be referred to as the ~~Community~~Society.

## ARTICLE 2 - PURPOSE

The Society will carry out charitable activities to improve the wellbeing of Fijian people in Canterbury.

In particular the Society will

- Foster/maintain/preserve Fijian languages/identities
- Foster and encourage employment, economic and enterprise development to help Fijian people raise their living standards;
- Build Pacific communities capacity;
- Provide information and assistance to improve the health and wellbeing of Fijian people; and
- Carry out other charitable objectives consistent with these objectives.

## ARTICLE 3 - MEMBERSHIP

- 1.Full membership will be granted to Fiji people and friends of Fiji living in Canterbury permanently or on a temporary basis and are aged 18 years and over.
2. Associate membership will be granted to people living outside Canterbury. They will have no voting rights and cannot serve as Office Bearers.
3. Youth membership will be granted free to those under the age of 18 years. They will have no voting rights at the Annual General Meeting or Special General Meetings.
4. There will be no maximum number of members.
5. Membership will take effect on receipt of a completed and fully paid-up registration form.
6. Membership is valid for one (1) year and expires at the end of the Annual General Meeting.

## ARTICLE 4 - SUBSCRIPTIONS

1. The annual subscription for membership and associate membership shall be set at the Annual General Meeting.
2. Subscriptions are due within four (4) weeks after the AGM or on acceptance of a membership registration form.
3. People failing to pay the membership fee of the current financial year by the due date as set by the Committee will no longer be considered members. Should they wish to rejoin the ~~Community~~Society a new membership form will have to be completed.

## ARTICLE 5 – VOTING AT GENERAL MEETINGS

1. Only ~~financial~~full members will be eligible to vote.
2. A member may be represented at a General Meeting by a nominee appointed by notice in writing to the Secretary and received by the Secretary before the meeting. A member will have the right at any time to change, withdraw or revoke the appointment of the member's nominee by notice in writing to the Secretary  
~~Proxies shall be granted in the case of absenteeism on reasonable grounds. All proxy matters are at the discretion of the Committee.~~
3. The ~~President~~Chairperson at any General Meeting may exercise a casting vote in addition to his or her ordinary vote.
4. The ~~Ce~~ommittee may in its sole discretion take a postal ballot (transmitted either by post or email) of all members on any question that it considers of sufficient importance.

## ARTICLE 6 - COMMITTEE

The Committee shall consist of four (4) Executive Members and six (6) Committee Members.

1. The Executive shall be:

~~President~~Chairperson

Vice-~~President~~Chairperson

Secretary

Treasurer

2. The Committee shall be empowered to co-opt ~~Ft~~ members when required. Should a Committee member resign mid-term, the Committee shall appoint a ~~Community~~Society member for the remainder of the term.
3. A member appointed to fill an extraordinary vacancy on the Committee shall hold office for only the remaining portion of the term of office of the predecessor.
4. All questions will if possible be decided by consensus. In the event that a consensus cannot be reached then a decision will be made by a majority vote by show of hands.
5. The Executive Committee will at all times be bound by the decisions of the members at General Meetings.

## ARTICLE 7 - ELECTION OF OFFICE BEARERS

Only full members of the ~~Community~~Society can hold office.

### Nominations

1. Nominations for Office Bearers shall be made in writing and signed by two members of the ~~Community~~Society as proposer and seconder, and also by the candidate as proof of his or her consent.
2. No nominations shall be withdrawn after the date upon which nominations close.
3. All nominations must be received by the Secretary at least fifteen (15) days before the Annual General Meeting.

4. Newly-elected Office Bearers shall take office immediately after their election, and receive there and then from their predecessor all books, documents, keys, computer passwords, backup disks, etc that are relevant to their duties.

## ARTICLE 8 - ANNUAL GENERAL MEETING

1. The Annual General Meeting shall be held during ~~the first weekend the months~~ of February or March to:
  - i) Elect a new Executive Committee and Committee members.
  - ii) Discuss and decide on matters relating to the ~~Community~~Society.
  - iii) Receive the Committee's reports of the previous year.
  - iv) Fix the annual subscription.
  - v) Appoint an Auditor.
2. Notice of the Annual General Meeting shall be circulated by post/electronic mail to the last known address of the member and by public advertisement along with nomination forms by the Secretary one (1) month before the day of the meeting.
- ~~1.~~ 3. Notification of an Annual General Meeting will specify the time, date and place of the meeting. Notification will also describe in a general way all the matters that will arise to be considered and specify what further and more detailed information on these matters is available from the Committee.
4. Elected members of the Committee will retire at each Annual General Meeting, but will be eligible for re-election at the same and subsequent meetings. Newly elected Committee members will take office immediately upon their election.

## ARTICLE 9 - SPECIAL GENERAL MEETING

1. Special General Meetings may be called by the ~~President~~Chairperson or may be requested by no fewer than five financial members. Such requests should be made to the Secretary, who will then organise the meeting with at least-up to two (2) weeks notice given. Notice of the Special General Meeting shall be circulated by post/electronic mail to the last known address of the member and by public advertisement.
2. Notification of a Special General Meeting will specify the time, date and place of the meeting. Notification will also describe in a general way all the matters that will arise to be considered and specify what further and more detailed information on these matters is available from the Committee. Full information will be provided concerning any proposed amendments to the constitution or any matter which is the business of a Special General Meeting. Such information will be supplied to any member requesting it.

## ARTICLE 10 - QUORUM

1. The Quorum for the Annual General Meeting and Special General Meeting shall be 20 percent of ~~financial~~ full members.
2. The Quorum for the Committee meeting shall be four.

## ARTICLE 11 - FREQUENCY OF MEETINGS

1. The Society shall meet annually at Annual General Meetings. Special General Meetings shall be held as and when necessary.
2. The Committee shall meet at least once a month, or more often as deemed necessary by the Chairperson.
3. Any Committee member absent from three consecutive meetings without providing a written or oral explanation to the satisfaction of the Committee shall be deemed to have vacated his or her office as a Committee member.

## ARTICLE 12 - DUTIES AND POWERS OF THE COMMITTEE

1. The Committee shall manage and control the affairs and finances of the ~~Community~~ Society, and shall have all administrative and other powers necessary for properly carrying out the objectives of the ~~Community~~ Society.
2. The Committee shall have the power to fill any vacancy which may occur within its ranks.
3. The Committee shall submit to the Annual General Meeting reports of the previous year's work and activities, and a financial statement for the year certified by the Auditor.
4. The procedure for expulsion of members will be as follows:
  - 4.1 Any person or organisation may make a complaint to the Executive Committee that the conduct of a member of the Society is or has been injurious to the character of the Society. Every such complaint will be in writing and addressed to the Secretary.
  - 4.2 If the Executive Committee considers that there is sufficient substance in the complaint, it may invite the member to attend a meeting of the Executive Committee and to offer a written and/or oral explanation of the member's conduct.
  - 4.3 The committee will give the member at least fourteen (14) days written notice of the meeting. The notice will:
    - 4.3.1 sufficiently inform the member of the complaint so that the member can offer an explanation of the member's conduct; and
    - 4.3.2 inform the member that if the Executive Committee is not satisfied with the member's explanation the Executive Committee may expel the member from the Society.

4.4 If in the meeting the Executive Committee decides to expel the member from the Society the member will cease to be a member of the Society.

4.5 A member expelled by the Executive Committee may within seven days give written notice of appeal to the Secretary. The Secretary will then call a Special General Meeting to take place within twenty eight (28) days of receipt of the notice of appeal. If that meeting passes a resolution rescinding the expulsion, the member will be reinstated immediately. and taking any disciplinary action deemed necessary.

~~5. The Committee shall write up a Code of Conduct for the Community~~

## **ARTICLE 13 - CONTROL OF FUNDS AND ASSETS**

1. All money received by or on behalf of the ~~ommunity~~Society shall be paid into a bank account in the name of the CommunitySociety. All withdrawals shall only be authorised by the Committee and shall bear the signatures of both the Treasurer and the ~~President~~Chairperson. In the unavailability of one of them, a designated sitting member will sign. Cheques should only be signed during Committee meetings.

2. No assets of the CommunitySociety will be sold or gifted without the prior approval of the Committee, and that approval shall be granted at a Committee meeting.

3. The financial year of the Society will be from 1 April to 31 March.

## **ARTICLE 14 - POWER TO DELEGATE**

1. The Executive Committee may from time to time appoint any committee and may delegate any of its powers and duties to any such committee or to any person. The committee or person may without confirmation by the Executive Committee exercise or perform the delegated powers or duties in the same way and with the same effect as the Executive Committee could itself have done.

2. Any committee or person to whom the Society has delegated powers or duties will be bound by the charitable terms of the Society and any terms or conditions of the delegation set by the Executive Committee.

3. The Society will be able to revoke such delegation at will, and no such delegation will prevent the exercise of any power or the performance of any duty by the Executive Committee .

4. It will not be necessary for any person who is appointed to be a member of any such committee, or to whom such delegation is made, to be a member of the Society.

## **WINDING UP**

~~Should the Community be dissolved, any assets which remain after payment of liabilities shall not revert to any member of the Community, but shall be applied in accordance with a decision of the Community at a Special General Meeting before its dissolution, and distributed as a donation to a Society or Trust.~~

## **ARTICLE 15 - HEADQUARTERS AND REGISTERED OFFICE**

1. The headquarters of the CommunitySociety shall be at 18 Denise Crescent, Hornby, Christchurch, until such time as a resolution of an Annual General Meeting shall otherwise determine.

2. The Registered Office shall be situated at the place of the Headquarters. Notice of the change in the address of the Registered Office shall be given to the Registrar of the Incorporated Societies.

## ARTICLE 16 - CONSTITUTIONAL AMENDMENTS

1. Amendments to the constitution shall be submitted to the Committee in writing for consideration. A reading or email of the proposed amendment(s) will be required prior to submitting the amendment to a vote.
2. Written notification of the proposed amendment to all voting members shall be made by post or email by the Secretary at least two weeks before the Annual General Meeting.
3. A two-thirds vote of the quorum of members present will be required for the amendment to be adopted.
4. No addition to or alteration of the purpose clause (Section 2), the pecuniary profit clause (Section 20), the winding up clause (Section 24), or the Activities Limited to New Zealand clause (Section 23) will be approved without the prior consent of the Department of Inland Revenue.

## ARTICLE 17 - PROCEDURE OF MEETINGS

All meetings will:

- i) Open with a prayer.
- ii) Follow standard protocols and procedures (apologies, minutes, financial reports, general business, etc).
- iii) Be conducted in English.
- iv) Close with a prayer.

## ARTICLE 18 - COMMON SEAL

The seal of the ~~CommunitySociety~~ shall consist of the words "*The Common Seal of the Canterbury Fiji CommunityCommunity*". It shall be held in the custody of the Secretary and used only when directed by the Committee or General Meeting. The seal shall be affixed to any document requiring execution by the ~~CommunitySociety~~. The Secretary shall attest such affixing during a Committee meeting.

## ARTICLE 19 DUTIES OF EXECUTIVE OFFICERS

### 1. ~~PresidentChairperson~~

The ~~PresidentChairperson~~ will be the executive officer of the Committee, will have general supervision of the affairs of the ~~CommunitySociety~~ and preside at all meetings. The ~~PresidentChairperson~~ will be the Spokesperson of the ~~CommunitySociety~~ and represent the ~~CommunitySociety~~ at all conferences, conventions and meetings.

### 2. Vice-~~PresidentChairperson~~

The Vice-~~PresidentChairperson~~ will be the junior executive officer and will act on behalf of the ~~PresidentChairperson~~ in the event of the ~~PresidentChairperson~~'s absence. Perform any duties delegated by the ~~presidentChairperson~~.

### 3. Secretary

The Secretary will record the proceedings of each meeting and distribute the minutes to the members, deal with correspondence as necessary, give notice of meetings in conjunction with the ~~President~~Chairperson, which should include time, place, date and agenda. Distribute reports or papers before meetings.

### 4. Treasurer

The Treasurer will maintain records of all expenditures and ensure that generally accepted accounting practices and monetary controls are in place. He or she will also advise the ~~Community~~Society on financial matters, present an audited financial report to the Annual General Meeting, present a statement at Committee meetings, and prepare budgets for special functions and projects.

## **ARTICLE 20 - INCOME, BENEFIT OR ADVANTAGE TO BE APPLIED TO CHARITABLE OBJECTS (PECUNIARY BENEFIT)**

1. Any income, benefit or advantage will be applied to the charitable objects of the Society.
2. No member of the Society or any person associated with a member shall participate in or materially influence any decision made by the Society in respect of any payment to or on behalf of that member or associated person of any income, benefit or advantage whatsoever
3. Any such income paid shall be reasonable and relative to that which would be paid in an arm's length transaction (being the open market value).
4. The provision and effect of this clause shall not be removed from this constitution and shall be implied into any document replacing this constitution.

## **ARTICLE 21 - INSURANCE**

The Committee shall ensure that the ~~Community~~Society's assets are adequately covered by insurance against theft, fire, earthquake, etc.

## **ARTICLE 22 – DEVELOPMENT FUND~~CULTURAL CENTRE~~**

The Society will establish a development fund to further the strategic goals of the Society.

## **ARTICLE 23- ACTIVITIES LIMITED TO NEW ZEALAND**

The activities of the Society will be limited to Aotearoa/New Zealand.



## **ARTICLE 24 - WINDING UP**

Should the Society be dissolved, any assets which remain after payment of liabilities shall not revert to any member of the Society, but shall be applied in accordance with a decision of the Society at a Special General Meeting before its dissolution, and distributed as a donation to a Society or Trust with charitable tax status.