

## **Rules of**

### **The Central North Island Sika Foundation Incorporated**

#### **The Society**

##### **1.0 Name**

1.1 The name of the society is The Central North Island Sika Foundation Incorporated ("the Society").

1.2 The Society is constituted by resolution dated 6<sup>th</sup> March 2016.

##### **2.0 Registered Office**

2.1 The Registered Office of the Society is 38B Arthurs Cres, Hill Top, Taupo 3330

##### **3.0 Purposes of Society 4 objectives**

3.1 The purposes of the Society are to:

- 1. To actively manage the central north island Sika herd as a "Herd of Special Interest" under the Game Animal Council Act (2013), in order to provide enhanced benefits to hunters and a higher level of protection for the forests and grasslands in which they live.**
  - Enhanced hunter benefits through:-
    - aspiring to produce better conditioned animals for meat hunting.
    - improving access and opportunity for hunters to have better animal encounter experiences (e.g., more intense rut hunting).
    - managing specific selected areas to improve trophy quality and production.
    - providing better hunter information on how to encounter Sika and education on what type (age, sex) of animals could be harvested.
  - Provide higher levels of protection for the forests and grasslands within which Sika live:-
    - better understand how the forests and grasslands are used by Sika.
    - focusing hunter pressure on areas of more vulnerable vegetation types to maintain an acceptable threshold of deer impact.
    - promote better access to areas requiring more hunting pressure to better manage deer impact where needed.

- 2. To advance a management regime that involves a collaborative partnership between Recreational Sika Hunters, the Game Animal Council, the Department of Conservation, the local Iwi, interested landowners and businesses with an interest in Sika.**
  - To be inclusive within the management structure and seek appropriate consultation with key stakeholders that use the public conservation land within the range of the Sika herd.
  - To consult with adjacent land owners to evaluate any effect, that management of Sika might have on them.
  
- 3. To achieve and maintain consistent, appropriate harvest levels of healthy Sika by better coordination of recreational Sika hunting.**
  - Develop and coordinate monitoring programs of Sika harvest in the more vulnerable vegetation areas, and Sika condition.
  - Communicate effectively with recreational hunters where the need for population management is required and enable access to those areas.
  - Undertake management of sika impact where this is identified as a priority
  
- 4. To increase the understanding by recreational Sika hunters of the Sika herd through better information and education.**
  - Develop programs to educate Sika hunters on how the animals can impact on the forests and grasslands and how their efforts can improve the herd for the benefit of all.
  - Provide species specific information on how to find, hunt and carefully harvest Sika to support more sustainable outcomes for both Sika and the forests and grasslands in which they live.

3.2 Pecuniary gain is not a purpose of the Society.

## **MANAGEMENT OF THE SOCIETY**

### **4.0 Managing Committee**

4.1 The Society shall have a managing committee (“the Committee”), comprising the following officers:

- (a) The President; Chairperson appointed by Board
- (b) The Secretary;
- (c) The Treasurer; and

(d) Such other Members as set out in clause 4.3.

4.2 Only Members of the Society may be Committee Members.

4.3 There shall be a minimum of six Committee Members, in addition to the Officers. Of these committee members

- One persons shall be nominated from Hunters and Habitats Inc
- One person shall be nominated by the New Zealand Deerstalkers Association Inc
- One person shall be nominated by Iwi Interests
- One person shall be nominated from either Tongariro-Taupo or Lower North Island Conservation Boards
- One person shall be elected from persons with knowledge and expertise as it applies to the Eastern (Kaweka) section of the Sika Habitat
- One person shall be elected from persons with knowledge and expertise as it applies to the Western (Kaimanawa) section of the Sika Habitat
- Two persons elected from the membership at large.

4.4 Power to co-opt

The committee shall have the power to co-opt persons as they deem necessary to assist with achieving the objectives of the society. Co-opted members will have the rights as are applicable to other committee members other than the right to cast a vote.

4.5 The officers and committee of the society shall be elected for a “term” of one year

## **5.0 Appointment of Committee Members**

5.1 At a Society Annual General Meeting, the Members may decide by majority vote:

- (a) How large the Committee will be;
- (b) Who shall be the President, Secretary, Treasurer and committee members;

## **6.0 Cessation of Committee Membership**

6.1 Persons cease to be Committee Members when:

- (a) They resign by giving written notice to the Committee.

(b) They are removed by majority vote of the Society at a Society Meeting.

(c) Their Term expires.

6.2 If a person ceases to be a Committee Member, that person must within one month give to the Committee all Society documents and property.

## **7.0 Nomination of Committee Members**

7.1 Nominations for members of the Committee shall be called for at least 28 days before an Annual General Meeting. Each candidate shall be proposed and seconded in writing by Members and the completed nomination delivered to the Secretary. Nominations shall close at 5pm on the fifth day before the Annual General Meeting. [See also rule 21.4(b)] All retiring members of the Committee shall be eligible for re-election.

7.2 The meeting may decide by majority vote to accept nominations from the floor

7.3 If the position of any Officer becomes vacant between Annual General Meetings, the Committee may appoint another Committee Member to fill that vacancy until the next Annual General Meeting.

7.4 If the position of any Committee Member becomes vacant between Annual General Meetings, the Committee may appoint another Society Member to fill that vacancy until the next Annual General Meeting.

7.5 If any Committee Member is absent from three consecutive meetings without leave of absence the President may declare that person's position to be vacant.

## **8.0 Role of the Committee**

8.1 Subject to the rules of the Society ("The Rules"), the role of the Committee is to:

- (a) Administer, manage, and control the Society;
- (b) Carry out the purposes of the Society, and Use Money or Other Assets to do that;
- (c) Manage the Society's financial affairs, including approving the annual financial statements for presentation to the Members at the Annual General Meetings;
- (d) Set accounting policies in line with generally accepted accounting practice
- (e) Delegate responsibility and co-opt members where necessary
- (f) Ensure that all Members follow the Rules;

- (g) Decide how a person becomes a Member, and how a person stops being a Member;
- (h) Decide the times and dates for Meetings, and set the agenda for Meetings;
- (i) Decide the procedures for dealing with complaints;
- (j) Make regulations.
- (k) Make recommendations to the Annual General Meeting for membership capitation levies

8.2 The Committee has all of the powers of the Society, unless the Committee's power is limited by these Rules, or by a majority decision of the Society.

8.3 All decisions of the Committee shall be by a majority vote. In the event of an equal vote, the President shall have a casting vote, that is, a second vote.

8.4 Decisions of the Committee bind the Society, unless the Committee's power is limited by these Rules or by a majority decision of the Society.

## **9.0 Roles of Committee Members**

9.1 The President is responsible for:

- (a) Ensuring that the Rules are followed;
- (b) Convening Meetings and establishing whether or not a quorum (half of the Committee) is present;
- (c) Chairing Meetings, deciding who may speak and when;
- (d) Overseeing the operation of the Society;
- (e) Providing a report on the operations of the Society at each Annual General Meeting.

9.2 The Secretary is responsible for:

- (a) Recording the minutes of Meetings;
- (b) Keeping the Register of Members;
- (c) Holding the Society's records, documents, and books except those required for the Treasurer's function;
- (d) Receiving and replying to correspondence as required by the Committee;

(e) Forwarding the annual financial statements for the Society to the Registrar of Incorporated Societies upon their approval by the Members at an Annual General Meeting.

(f) Advising the Registrar of Incorporated Societies of any rule changes;

9.3 The Treasurer is responsible for:

(a) Keeping proper accounting records of the Society's financial transactions to allow the Society's financial position to be readily ascertained;

(b) Preparing annual financial statements for presentation at each Annual General Meeting. These statements should be prepared in accordance with the Societies' accounting policies (see 8.1.d).

(c) Providing a financial report at each Annual General Meeting;

(d) Providing financial information to the Committee as the Committee determines.

## **10.0 Committee Meetings**

10.1 Committee meetings may be held in person, via video or telephone conference, or other formats as the Committee may decide;

10.2 No Committee Meeting may be held unless more than half of the Committee Members attend;

10.3 The President shall chair Committee Meetings, or if the President is absent, the Committee shall elect a Committee Member to chair that meeting;

10.4 Decisions of the Committee shall be by majority vote;

10.5 The President or person acting as President has a casting vote, that is, a second vote;

10.6 Only Committee Members present at a Committee Meeting may vote at that Committee Meeting.

10.7 Subject to these Rules, the Committee may regulate its own practices;

10.8 The President or his nominee shall adjourn the meeting if necessary.

10.9 Adjourned Meetings: If within half an hour after the time appointed for a meeting a quorum is not present the meeting, if convened upon requisition of members, shall be dissolved; in any other case it shall stand adjourned to a day, time and place determined by the President of the Society, and if at such adjourned meeting a quorum is not present the

meeting shall be dissolved without further adjournments. The President may with the consent of any Society Meeting adjourn the same from time to time and from place to place but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.

## **Society membership**

### **11.0 Types of Members**

11.1 Membership of the society shall be made up of the following categories of members:

- (a) Ordinary members
- (b) Affiliate members
- (c) Associate members

11.2 Affiliate membership is for organisations that support the objects of the society. An affiliate member shall have no voting rights at society meetings unless that organisation has been allocated an appointed position on the committee.

11.3 Associate members are individuals who support the objects of the society, but prefer to not be actively involved in the functions of the society. An associate member shall have no voting rights at society meetings.

11.4 Ordinary members have the rights and responsibilities set out in these rules. Organisations with an affiliate membership and all associate members have the rights and responsibilities as set out in these rules but do not have voting rights at an Annual General Meeting.

11.5 The fees and any levies pertaining to the various membership categories shall be proposed by a "notice of motion" from the committee before the AGM and the confirmed charges will take effect from the beginning of the next financial year.

### **12.0 Admission of Members**

12.1 To become a Member, a person organisation or other entity or other such entity ("the Applicant") must:

- (a) Full contact details of the person or organisation including a valid email address
- (b) Supply any other information the Committee requires.

12.2 The Committee may interview the Applicant when it considers Membership applications.

12.3 The Committee shall have complete discretion when it decides whether or not to allow the Applicant become a Member. The Committee shall advise the Applicant of its decision, and that decision shall be final.

### **13.0 The Register of Members**

13.1 The Secretary shall keep a register of Members ("the Register"), which shall contain the names, the postal and email addresses and telephone numbers of all Members, and the dates at which they became Members.

13.2 If a Member's contact details change, that Member shall give the new postal or email address or telephone number to the Secretary.

13.3 Each Member shall provide such other details as the Committee requires.

13.4 Members shall have reasonable access to the Register of Members.

### **14.0 Cessation of Membership**

14.1 Any Member may resign by giving written notice to the Secretary.

14.2 Membership terminated in the following way:

(a) If, for any reason whatsoever, the Committee is of the view that a Member is breaching the Rules or acting in a manner inconsistent with the purposes of the Society, the Committee may give written notice of this to the Member ("the Committee's Notice"). The Committee's Notice must:

- (i) Explain how the Member is breaching the Rules or acting in a manner inconsistent with the purposes of the Society;
- (ii) State what the Member must do in order to remedy the situation; or state that the Member must write to the Committee giving reasons why the Committee should not terminate the Member's Membership.
- (iii) State that if, within 14 days of the Member receiving the Committee's Notice, the Committee is not satisfied, the Committee may in its absolute discretion immediately terminate the Member's Membership.
- (iv) State that if the Committee terminates the Member's Membership, the Member may appeal to the Society.



(b) 14 days after the Member received the Committee's Notice, the Committee may in its absolute discretion by majority vote terminate the Member's Membership by giving the Member written notice ("Termination Notice"), which takes immediate effect. The Termination Notice must state that the Member may appeal to the Society at the next Meeting by giving written notice to the Secretary ("Member's Notice") within 14 days of the Member's receipt of the Termination Notice.

(c) If the Member gives the Member's Notice to the Secretary, the Member will have the right to be fairly heard at a Society Meeting held within the following 28 days. If the Member chooses, the Member may provide the Secretary with a written explanation of the events as the Member sees them ("the Member's Explanation"), and the Member may require the Secretary to give the Member's Explanation to every other Member within 7 days of the Secretary receiving the Member's Explanation. If the Member is not satisfied that the other Society Members have had sufficient time to consider the Member's Explanation, the Member may defer his or her right to be heard until the following Society Meeting.

(d) When the Member is heard at a Society Meeting, the Society may question the Member and the Committee Members.

(e) The Society shall then by majority vote decide whether to let the termination stand, or whether to reinstate the Member. The Society's decision will be final.

## **15.0 Obligations of Members**

15.1 All Members (and Committee Members) shall promote the purposes of the Society and shall do nothing to bring the Society into disrepute.

15.2 General misconduct and disciplinary action:

15.2.1 Disciplinary Costs Recovery

15.2.1(a) Any member may be disciplined, fined, suspended or expelled from the Society and may be denied any or all privileges of the Association whenever it shall have been established by satisfactory evidence to the Committee that such member has knowingly and wilfully violated and pertinent rule of the Society All members are required to read the rules carefully. Failure to understand will not be accepted as an excuse.

15.2.1(b) The Committee of the society shall be entitled to constitute a Disciplinary Committee (D/Committee) which shall have the power to act in the name of the Committee in dealing with matters relating to disciplinary issues.

15.2.1(c) The Committee shall determine the gravity of any disciplinary issue. Where the d/committee determines that an infringement is a minor disciplinary issue, then subject to this rule, it shall be entitled to deal with the matter instantly. Where the d/committee determines that that the infringement is of a amore serious nature, it shall refer the matter to a formal defended hearing.

15.2.1(d) Where the d/committee determines that it is entitled to deal with a disciplinary issue instantly, and it believes the member is in breach of a rule, the d/committee shall determine an appropriate penalty for such breach and advise the member in writing of the fact that the d/committee believes that the member has breached a rule, and of the d/committee's proposed penalty for the breach ("notice")

15.2.1(e) Within 21 days of receipt of notice, the affected member may;

(i) accept the charge and accept any penalty, fine, censure, or suspension imposed by the d/committee,

(ii) advise the d/committee that he or she accepts liability in respect of the disciplinary issue, but make formal submissions in writing to the d/committee in respect of the penalties imposed,

(iii) advise the d/committee in writing that he or she does not accept liability in respect of the disciplinary issue and requests that the matter be referred to a defended hearing.

15.2.1(f) Any failure to respond to the notice within 21 days of receipt of the same will be deemed to be an acceptance of liability in respect of the disciplinary issue, and an acceptance of the penalty imposed by the d/committee.

15.2.1(g) Where a member makes a request for a disciplinary issue to be referred to a defended hearing and is found guilty as charged, in addition to any penalty imposed, the member will also be required to pay any hearing costs incurred including legal fees on a client/solicitor basis, judicial expenses, d/committee expenses and any disbursements incurred.

15.2.1(h) Where a member has been found not guilty of a charge at a defended hearing, the d/committee may in its sole discretion award costs to the member including legal fees and/or disbursements.

15.2.1(i) Where a member elects to either plead guilty to the disciplinary issue and accepts the penalty imposed by the d/committee, or elects to accept liability in respect of the disciplinary issue and make submissions in respect of any penalty imposed, any decision made by the d/committee in respect of the same shall be final and binding on all parties and

save for a question of law the member shall not be entitled to appeal either the issue or the penalty imposed by the d/committee.

15.2.1(j) Any fines or punishments assessed by the d/committee shall be final

## **16.0 Use of Money and Other Assets**

16.1 The Society may only Use Money and Other Assets if:

- (a) It is for a purpose of the Society;
- (b) It is not for the sole personal or individual benefit of any Member; and
- (c) That Use has been approved by either the Committee or by majority vote of the Society.

## **17.0 Joining Fees, Subscriptions and Levies**

17.1 If any Member does not pay a Subscription or levy by the date set by the Society, the Secretary will give written notice that, unless the arrears are paid by a nominated date, the Membership will be terminated. After that date, the Member shall (without being released from the obligation of payment of any sums due to the Society) have no Membership rights and shall not be entitled to participate in any Society activity.

## **18.0 Additional Powers**

18.1 The Society may:

- (a) Employ people for the purposes of the Society;
- (b) Exercise any power a trustee might exercise;
- (c) Invest in any investment that a trustee might invest in;
- (d) Borrow money and provide security for that if authorised by Majority vote at any Society Meeting.

## **19.0 Financial Year**

19.1 The financial year of the Society begins on 1st of April every year and ends on 31<sup>st</sup> March the following year.

## **20.0 Assurance on the Financial Statements**

20.1 The Society shall appoint an accountant to review the annual financial statements of the Society ("the Reviewer"). The Reviewer shall conduct an examination with the objective of providing a report that nothing has come to the Reviewer's attention to cause the Reviewer to believe that the financial information is not presented in accordance with the Society's accounting policies. The Reviewer must be a suitably qualified person, preferably a member of the New Zealand Institute of Chartered Accountants, and must not be a member of the Committee, or an employee of the Society. If the Society appoints a Reviewer who is unable to act for some reason, the Committee shall appoint another Reviewer as a replacement.

The Committee is responsible to provide the Reviewer with:

- (a) Access to all information of which the Committee is aware that is relevant to the preparation of the financial statements such as records, documentation and other matters
- (b) Additional information that the reviewer may request from the Committee for the purpose of the review; and
- (c) Reasonable access to persons within the Society from whom the reviewer determines it necessary to obtain evidence.

## **Conduct of meetings**

### **21.0 Society Meetings**

21.1 A Society Meeting is either an Annual General Meeting or a Special General Meeting.

21.2 The Annual General Meeting shall be held once every year no later than five months after the Society's balance date. The Committee shall determine when and where the Society shall meet within those dates.

21.3 Special General Meetings may be called by the Committee. The Committee must call a Special General Meeting if the Secretary receives a written request signed by at least 10% of the Members.

21.4 The Secretary shall:

- (a) Give all Members at least 14 days Written Notice of the business to be conducted at any Society Meeting
- (b) Additionally, the Secretary will provide, appropriate:
  - (i) A copy of the President's Report on the Society's operations and of the Annual Financial Statements as approved by the Committee,

(ii) A list of Nominees for the Committee, and information about those Nominees if it has been provided. (The Secretary must not provide Members with information exceeding one side of an A4 sheet of paper per Nominee)

(iii) Notice of any motions and the Committee's recommendations about those motions.

(iv) If the Secretary has sent a notice to all Members in good faith, the Meeting and its business will not be invalidated simply because one or more Members do not receive the notice.

21.5 All Members may attend and vote at Society Meetings.

21.6 No Society Meeting may be held unless at least 50% of eligible Members attend. (This will constitute a quorum.)

21.7 All Society Meetings shall be Chaired by the President. If the President is absent, the Society shall elect another Committee Member to Chair that meeting. Any person Chairing a Society Meeting has a casting vote.

21.8 On any given motion at a Society Meeting, the President shall in good faith determine whether to vote by:

- (a) Voices;
- (b) Show of hands; or
- (c) Secret ballot.

However, if any Member demands a secret ballot before a vote by voices or show of hands has begun, voting must be by secret ballot. If a secret ballot is held, the Chair/President will have a casting, that is, second vote.

Voting at an Annual General Meeting shall be on the following basis:

- (a) Each member shall have one vote
- (b) Associate members do not carry voting rights.

21.9 The business of an Annual General Meeting shall be:

- (a) Receiving any minutes of the previous Society's Meeting(s);
- (b) The President's report on the business of the Society;

- (c) The Treasurer's report on the finances of the Society, and the Annual Financial Statements;
- (d) Election of Committee Members;
- (e) Motions to be considered;
- (f) General business.

21.10 The President or his nominee shall adjourn the meeting if necessary.

21.11 Adjourned Meetings: If within half an hour after the time appointed for a meeting a quorum is not present the meeting, if convened upon requisition of members, shall be dissolved; in any other case it shall stand adjourned to a day, time and place determined by the Chair/President of the Society, and if at such adjourned meeting a quorum is not present the meeting shall be dissolved without further adjournments. The Chair/President may with the consent of any Society Meeting adjourn the same from time to time and from place to place but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.

## **22.0 Motions at Society Meetings**

22.1 Any Member may request that a motion be voted on ("Member's Motion") at a particular Society Meeting, by giving written notice to the Secretary at least 28 days before that meeting. The Member may also provide information in support of the motion ("Member's Information"). The Committee may in its absolute discretion decide whether or not the Society will vote on the motion. However, if the Member's Motion is signed by at least 50 % of eligible Members:

- (a) It must be voted on at the Society Meeting chosen by the Member; and
  - (b) The Secretary must give the Member's Information to all Members at least 14 days before the Society Meeting chosen by the Member; or
- If the Secretary fails to do this, the Member has the right to raise the motion at the following Society Meeting.

22.2 The Committee may also decide to put forward motions for the Society to vote on ("Committee Motions") which shall be suitably notified.

## **Common seal**

## **23.0 Common seal**

23.1 The Committee shall provide a common seal for the Society and may from time to time replace it with a new one.

23.2 The Secretary shall have custody of the common seal, which shall only be used by the authority of the Committee. Every document to which the common seal is affixed shall be signed by the President and countersigned by the Secretary or a member of the Committee

### **Signing of documents**

#### **24.0 Signing of Documents**

24.1 Documents should be signed by whomever is authorised by the Committee.

### **Altering the rules**

#### **25.0 Altering the Rules**

25.1 The Society may alter or replace these Rules at a Society Meeting by a resolution passed by a two-thirds majority of those Members present and voting.

25.2 Any proposed motion to amend or replace these Rules shall be signed by at least 10 % of eligible Members and given in writing to the Secretary at least 28 days before the Society Meeting at which the motion is to be considered, and accompanied by a written explanation of the reasons for the proposal.

25.3 At least 14 days before the General Meeting at which any Rule change is to be considered the Secretary shall give to all Members written notice of the proposed motion, the reasons for the proposal, and any recommendations the Committee has.

25.4 When a Rule change is approved by a General Meeting no Rule change shall take effect until the Secretary has filed the changes with the Registrar of Incorporated Societies.

### **Bylaws**

#### **26.0 Bylaws to govern the Society**

26.1 The Committee may from time-to-time make, alter or rescind bylaws for the general management of the society, so long as these are not repugnant to these rules or to the provisions of law. All such bylaws shall be binding on members of the Society. A copy of the bylaws for the time being, shall be available for inspection by any member on request to the Secretary.

### **Winding up**

#### **27.0 Winding up**

27.1 If the Society is wound up:

- (a) The Society's debts, costs and liabilities shall be paid;
- (b) Surplus Money and Other Assets of the Society may be disposed of:
  - (i) By resolution; or
  - (ii) According to the provisions in the Incorporated Societies Act 1908; but
- (c) No distribution may be made to any Member;
- (d) The surplus Money and Other Assets shall be distributed to New Zealand Search and Rescue]

## **Definitions**

### **28.0 Definitions and Miscellaneous matters**

28.1 In these Rules:

- (a) "Majority vote" means a vote made by more than half of the Members who are present at a Meeting and who are entitled to vote and voting at that Meeting upon a resolution put to that Meeting.
- (b) "Money or Other Assets" means any real or personal property or any interest therein, owned or controlled to any extent by the Society.
- (c) "Society Meeting" means any Annual General Meeting, or any Special General Meeting, but not a Committee Meeting.
- (d) "Use Money or Other Assets" means to use, handle, invest, transfer, give, apply, expend, dispose of, or in any other way deal with, Money or Other Assets.
- (e) "Written Notice" means communication by post, electronic means (including email, and website posting), or advertisement in periodicals, or a combination of these methods.
- (f) It is assumed that
  - (i) Where a masculine is used, the feminine is included
  - (ii) Where the singular is used, plural forms of the noun are also inferred
  - (iii) Headings are a matter of reference and not a part of the rules
- (g) Matters not covered in these rules shall be decided upon by the Committee.



