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Send completed forms to: Companies Office, Private Bag 92061, Victoria Street West, Auckland 1142 or processing@companiesoffice.govt.nz

Certificate — Alteration of rules

Section 21 Incorporated Societies Act 1908

Society name

The New Zealand Fire and Rescue Commanders Association Incorporated

Society number or NZBN

1045623

1. Does this rule change include a change to the society name?

☐ No ☒ Yes

If yes, what is the proposed society name?

The society's name must end with the word 'Incorporated'. The proposed name cannot be identical or deceptively similar to that of another body corporate (such as a company or another incorporated society). If the other organisation gives its consent to use the name, attach their written consent to this certificate as a supporting document.

The New Zealand Fire Emergency Commanders Association Incorporated

☐ We have checked that the proposed new name of the society is available.

Note — You can check that the name you've chosen is available to use by using the search options provided by the following Companies Office websites.

- › Search the Incorporated Societies Register
- › Search the Business Registers
- › Search the Companies Register

Read our online help guide on [choosing a name for your society](#) for links to these search options.

2. Attach a copy of the rule alteration

This can either be a complete copy of the updated rules with the alterations underlined or in bold type, or a copy of the particular rule(s) that were altered. See page 2 of this form for a checklist of what must be included in your rules.

☒ A copy of the rule alteration(s) is attached and has been signed by 3 members of the society.

Society name**Society number or NZBN**

Checklist — What must be included in your rules?

Section 6 of the Incorporated Societies Act 1908 requires that a society's rules 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.

3. Certificate

This certificate must be completed by an officer of, or an authorised agent for, the society who should also sign the first page of the alteration of rules you're submitting.

I certify that the alteration has been made in accordance with the rules of the society.

Signature**Date**

22 / 11 / 2019

Name

Desmond Irving - Secretary

Designation

Officer

or



Authorised agent (Accountant/Lawyer etc)



FECA Committee member

Your contact details

Name: Desmond Irving

Email address: Des.Irving@fireandemergency.nz

Telephone number: 027 275 2292

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Desmond Irving
P O. Box 7003
Nelson

NEW ZEALAND Fire and Emergency Commanders Association
INCORPORATED

1 NAME:

The name of the Association shall be the New Zealand Fire Emergency Commanders Association Incorporated.

2 OBJECTS:

The objects of the Association shall be to promote and protect the interests of members and to negotiate on behalf of members, all matters relating to salaries and conditions of employment.

3. MEMBERSHIP:

All executive officers who hold an operational command function, or who in the opinion of the Committee have the capability to hold an operational command function, and who are employed by the Fire and Emergency New Zealand (FENZ) are eligible to join. Including all Tier Four and Five managers who are approved by 75% of the committee.

4. ELECTION TO MEMBERSHIP:

Persons seeking to become members shall be proposed and seconded by financial members of the Association. Membership shall commence on election by the Committee and on payment of the initial subscription.

5. CESSATION OF MEMBERSHIP:

5.1 Any member whose subscription remains unpaid, twelve months after the due date shall, on resolution of the Committee, cease to be a member of the Society, save in exceptional circumstances. Reinstatement of membership shall be subject to such conditions as may be set by the Committee.

5.2 Resignations from the Association must be given to the Secretary, in writing and all subscriptions along with other dues must be paid to the end of the financial year following the date of resignation.

5.3 Expulsion of a member may be ordered by resolution of the Committee if such member is judged to have acted in a manner prejudicial to the Association or its activities, or if such member is in arrears of subscription or other dues, or if the member fails to notify a change of address. Expelled members shall be notified as soon as possible of their expulsion and the reason for that expulsion. In each case the member may appeal in writing to the President, explaining the conduct in question. Should the next meeting of the Committee uphold its original decision, the member may appeal to the next General or Annual General Meeting, where the opportunity will be provided for an explanation of the conduct. Reinstatement shall be made on a majority General Meeting vote, otherwise the expulsion shall be deemed

final.

6. SUBSCRIPTIONS:

- 6.1 The subscription shall be an amount as is from time to time determined by an Annual General Meeting.
- 6.2 Subscriptions shall become due on the date set by the Committee.
- 6.3 The Secretary shall send a personal account to all members, where possible at least one month before the due date, unless such subscriptions are paid by fortnightly or monthly deductions from wages.

7. COMMITTEE:


- 7.1 The management and control of the affairs of the Association shall be vested in the Committee, but subject to the provisions of the rules.
- 7.2 The Committee will consist of seven members, including the President, Secretary, and Treasurer who are members of the Association. Committee members will be proposed and seconded by financial members of the Association in the month of September each year. Where there is more than one nomination for a specific position, or more than four nominations for committee members, then a ballot of all members will be held. Each appointment shall be for one year, but there will be no limit on the number of times that a member can be re-elected to the committee.
- 7.3 The President shall be responsible to the Association and the committee to regulate general and committee meetings.
- 7.4 The Secretary shall be responsible to the committee for maintaining the Association records. The Secretary shall be the executive officer of the Association and the general representative of Association members.
- 7.5 The power to call a committee meeting shall rest with the President. The President shall be required to call a committee meeting within twenty-one days of being requested to do so by two committee members. Notice to the intention to hold a committee meeting shall be made to committee members at least seven days before the date set for the meeting.
- 7.6 The Secretary shall notify committee members whenever possible, especially those unable to be present at the meeting, of impending notices of motion and other business to be transacted, so that these members may be able to express an opinion or to vote by proxy.
- 7.7 Four committee members shall be a committee quorum. The chairperson of any committee meeting shall be the most senior member present. The order of seniority being firstly the President and secondly the Secretary.

7.8 Decisions of the committee shall be made by a simple majority of the votes of members present together with any proxies on a specific topic. In the event of an equal number of votes cast for or against any resolution or question, the chairperson shall have a casting vote as well as a deliberate vote. The mode of voting will be decided by the chairperson at the meeting. It shall be for the business of the Committee to be conducted by email or other electronic means.


7.9 In the event of any casual vacancy the committee may co-opt a member of the Association as a temporary replacement.

7.10 The Annual General Meeting date and venue shall be set by the committee.

8. FINANCE AND PROPERTY:

 8.1 The Association's funds shall be deposited in a bank account or trustee investment accounts on behalf of and in the name of the Society. The Secretary shall keep proper accounts of all monies due to or payable by the Society. The Associations accounts shall be reviewed as directed by the committee.

8.2 The books of accounts shall always be open to the inspection of any committee member. The funds of the Association may be vested in any securities authorized by law for the investment of trust funds. All payments shall require authorization by the committee and cheques shall be signed by the Secretary and one other member of the committee.

 8.3 The end of the financial year shall be June 30. The statement of income and expenditure and balance sheet shall be submitted to the Annual General Meeting for approval.

Levies. In the event of the income from subscription and other sources not being sufficient to meet expenditure of the Association, the committee shall be empowered to make a levy on all members of the Association, not exceeding one half of the annual subscription. If such a levy would be insufficient to meet the expenditure, a special general meeting shall be held to consider what steps should be taken.

8.5 The committee may adopt any additional means of raising finance that it deems fit.

8.6 In the event of dissolution of the Association, all assets shall be given or transferred to some other organisation or body with similar objectives that also has an income tax exemption or for some other charitable purpose within New Zealand

Reg Bange  29/01/19

Daryl Papad  29/01/19.

Daryl Tran  2/12/19

9. GENERAL MEETINGS:

- 9.1** The chairperson of any meeting shall be the most senior member present. The order of seniority being the President and the Secretary.
- 9.2** An Annual General Meeting shall be held in each year and shall be convened by the committee. The committee shall convene an extraordinary meeting within thirty days if it receives a signed petition from not less than twenty financial members of the Society.
- 9.3** A report from the committee shall be presented to the annual general meeting on the activities of the Association since the last annual report. An audited statement of income and expenditure and the balance sheet shall also be presented if it is available. Should the audited financial report not be available at the time of the annual general meeting, it is to be made available on request as soon as it is released by the Auditor.
- 9.4** Rule amendments, additions or deletions may be proposed at an annual general meeting. Notice of motion for such alterations, type written and signed by the mover and seconder, shall be in the hands of the secretary at least thirty days before the date set for the meeting. Copies of such notices of motion are to be sent to all members at least seven days before the date of the meeting. The Secretary may, at his discretion accept a notice of motion less than thirty days before that meeting, providing that copies of such motion can be sent to members at least seven days before the date of the meeting. Proposed amendments, additions or deletions agreed to by a simple majority at the annual general meeting shall be submitted to approval by vote of all financial members and they shall be adopted when approved by a two-thirds majority of all votes validly cast.
No addition to or alteration of the aims, personal benefit clause or the winding up clause shall be made which affect the non-profit body status.
The provisions and effect of this clause shall not be removed from this document and shall be included and implied into any document replacing this document.
- 9.5** Resolutions and remits type written and signed by the mover and seconder shall normally be in the hands of the secretary at least thirty days before the date set for the meeting. Copies of motion or remits shall be sent to all members at least seven days before the date of the meeting. The Secretary may, at his discretion accept a notice of motion less than thirty days before that meeting, providing that copies of such notices of motion or remits can be sent to members at least seven days before the date of the meeting.
- 9.6** Motions and remits may be accepted from the floor at the annual general meeting and voted upon.
- 9.7** Voting, questions or resolutions other than those dealing with alterations to the rules shall be decided by a simple majority taken by voice, show of hands or ballot as decided by the chairperson of the meeting. Any proxy votes lodged in accordance with these rules shall be taken into account in any

voting or ballot. Any two members have the right to demand a ballot on any question or resolution. The chairperson of the meeting may have a casting vote as well as a deliberate vote.

9.8 Postal notice of the intention to hold a general meeting must be sent to all financial members of the Association at least thirty days before the date set for the meeting. Accidental failure of any member to receive such notice shall not invalidate the holding of the meeting or the transaction of any business at that meeting. Notice of an extraordinary meeting shall be circulated in writing by the Secretary to all financial members not less than fourteen days before the date set for the meeting. Any decisions made at extraordinary meeting shall be ratified by postal ballot of all financial members.

9.9 A proxy shall be a financial member of the Association. The instrument appointing a proxy shall be in writing and signed by the appointer. Such instruments shall state the date of the meeting for which they are intended and shall be lodged with the Secretary before the meeting commences.

9.10 Each financial member shall be entitled to one vote, whether present at the meeting in person or represented by a proxy.

9.11 The quorum for a general meeting shall be ten percent of the financial members, but if this number cannot be achieved, the meeting may continue if the total members present together with notified proxies exceeds twenty percent of the membership.

10. PUBLIC PRONOUNCEMENTS: Statements purporting to be the corporate view of the Association shall be made only by the President, or the Secretary who shall have gained the prior permission of the President.

11. RESPONSIBILITY OF MEMBERS: Members are individually obliged to publicly support the Association's members, committee and agents. Expressions of dissent shall be restricted to confidential discussion between members or by confidential communication to the President or Secretary, or shall be raised at meetings.

12 INTERPRETATION OF THE RULES:

Should a dispute arise at any meeting, including committee meetings, as to the interpretation of any clause or article of the rules (including this one) the matter shall be referred to the chairperson for adjudication. If the matter should arise at a time other than a meeting, the problem shall be referred to the President.

13. COMMON SEAL:

The secretary shall have custody of the common seal. Its use in each case shall be by prior committee resolution, which shall specify two members of the committee who are to affix their signatures to the imprint of the common seal.