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RULES

of the

**MARIST PRIMARY MT ALBERT PARENT TEACHERS and FRIENDS
ASSOCIATION INCORPORATED**

1 Name

The name of the society shall be the "Marist Primary Mt Albert Parents Teachers and Friends Association Incorporated"

2 Interpretation

In the interpretation of these Rules (unless the context requires a different construction)

"the Board" means the Board of Trustees of the School.

"care-giver" means a person who has a primary responsibility for the care, health and wellbeing of a Student

"The PTFA" means the "Marist Primary Mt Albert Parents Teachers and Friends Association Incorporated"

"The Executive Committee" means the Executive Committee for the time being of the PTFA constituted under Rule 18 of these Rules

"Parish" means the parish of St Mary's Mt Albert

"Parish Council" means the Parish Council of the Parish

"Prescribed" means as prescribed by the Executive Committee

"the Principal" means the Principal for the time being of the School

"the School" means Marist Primary School Mt Albert



"the School Charter" means the Charter of the School

"Student/s" means any child or children for the time being enrolled at the School

Words importing the singular number only include the plural number and vice versa

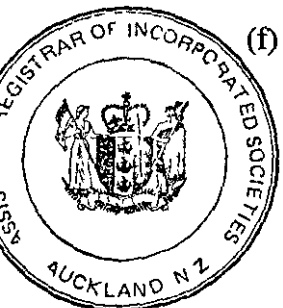
3 Registered Office

The registered office of the PTFA shall be at such place as the Executive Committee shall from time to time determine. Due notice of every change of the place of the registered office shall be given to the Registrar of Incorporated Societies

4 Objects

The PTFA is established for educational and charitable objects and purposes within New Zealand only. In particular the PTFA is established

- (a) To take over the effects and liabilities of the existing unincorporated Association known as the Marist Primary Mt Albert Parents Teachers and Friends Association and to promote and forward the purposes of the PTFA.
- (b) To assist the Board in meeting the goals and objectives of the School Charter within the resources and time available to the PTFA and in the manner provided in these rules by
 - supporting the importance of the Catholic Character of the School and the significant role the parents, guardians and caregivers of the Students have as the primary educators of their children in their faith education
 - making donations to the Board whose receipt shall be a sufficient discharge to the PTFA
- (c) To foster and encourage communication and liaison between the parents, guardians and care-givers of the Students and the teachers at the School
- (d) To arrange, promote and implement fund raising activities for the purposes set out in these rules
- (e) To provide appropriate emotional, spiritual and physical care and support to its members and to the Students
- (f) To increase awareness amongst its members that they and the School are an integral part of the Parish community and, as such, have an active role to play in that community.



- (g) To act in accordance with the mission of the School, which is
 - To live and teach Christ Jesus
 - To work in the spirit of Mary
 - To nurture and bring to wholeness the potential of each child in an environment permeated and animated by Catholic values "
- (h) To raise and employ funds for such educational or charitable purposes within New Zealand as authorised by these objects
- (i) To do all such things as are conducive or incidental to the attaining of the said objects or any of them

5 Membership

- (a) Any person who is
 - (i) a parent, guardian or care-giver of any Student, or
 - (ii) employed by the Board as a teacher or staff member at the School, or
 - (iii) a member of the Parish community, or
 - (iv) a friend or family member of any person in (i), (ii) or (iii),shall be deemed to be accepted as a member of the PTFA without further application if that person so wishes
- (b) Any person who ceases to qualify under the categories set out in subparagraphs 5(a)(i),(ii),(iii) or (iv) and shall cease to be a member of the PTFA
- (c) Application for membership by any person who does not qualify under subparagraph 5(a) shall be considered by the Executive Committee and each applicant shall be notified whether or not their application has been accepted

(d) There shall be no subscription payable

(e) *Any member may resign by notice in writing to the Executive Committee*

6 Financial Year

The financial year of the PTFA shall be from the 1st day of January to the 31st day of December in each year, or as may be determined by the Executive Committee from time to time



7 Annual Meeting

An Annual Meeting of the PTFA shall be held not later than the last day of March each year and at such meeting the following business shall be transacted

- (a) Receive and consider the Annual Report of the Executive Committee and any other duly constituted committee
- (b) Receive and consider the Annual Financial Statement from the Treasurer
- (c) The PTFA shall elect a minimum of six members to the Executive Committee who may be convenors of the standing committees, if any
- (d) If in any year the number of members nominated for the Executive Committee is less than seven, those nominated shall be deemed to be elected to the Executive Committee at the annual general meeting
- (e) The Chairperson may invite further nominations for the Executive Committee which if accepted by the nominee shall be deemed to be elected
- (f) The election of an honorary auditor and an honorary solicitor (if deemed necessary)
- (g) The consideration of such other business as may be accepted by permission of the majority of members present and with power to vote at such meeting

8 Election of Officers

No person shall be elected to office under Rule 16 hereof unless that person is present at the Meeting at which he or she is to be elected, or has previously signified in writing his or her willingness to accept appointment

9 Special Meetings

A Special Meeting of the PTFA may be held at any time which the Executive Committee may appoint. It shall also be competent for twenty members to sign a requisition to the Chairperson to convene a Special Meeting and on receipt of such requisition the Chairperson shall instruct the Secretary to call such a meeting within fourteen (14) days. The business to be dealt with at such meeting shall be limited to the matters stated in the requisition and/or notice of such meeting



10 Representation at Meetings

- (a) The Board shall be entitled to appoint one representative to attend at Meetings of the PTFA and shall advise the Secretary of the name in writing
- (b) The Parish Council shall be entitled to appoint one representative to attend at Meetings of the PTFA and shall advise the Secretary of the name in writing
- (c) Every such appointment or withdrawal thereof shall be in writing, signed on behalf of the Board or the Parish Council (as the case may be) by its Chairperson or its Secretary or Secretary/Treasurer, and be posted or delivered to the Secretary of the PTFA seven (7) days prior to such meeting

11 Financial Statement

Every year a financial statement shall be prepared showing all the receipts and expenditure of the PTFA since the preceding statement and a statement of the funds and effects and liabilities and assets of the PTFA and every such statement shall be signed by the Chairperson and Treasurer and certified by the Auditor and be laid before the Annual Meeting

12 Notice

Notices of all Annual and Special Meetings of the PTFA shall be deemed to be duly given if notified in the School newsletter not less than twenty one (21) days prior to the date of the meeting.

13 Quorum

The quorum at Annual, Special and General Meetings of the PTFA shall consist of at least fifteen members

14 The Chairperson

The Chairperson shall preside at all meetings of the PTFA and Executive Committee when present and shall be an ex-officio member of all Committees and shall have general and active management responsibilities and shall see that all orders and resolutions of the Executive Committee are carried into effect

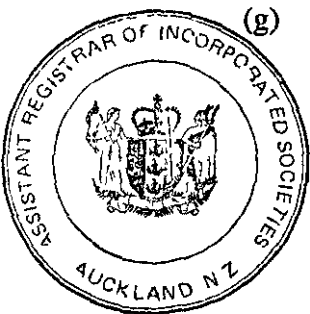


15 Voting at Annual, Special and General Meetings

- (a) The method of voting at all meetings of the PTFA shall be on the voices, show of hands or on demand by any member as hereinafter provided, by poll
- (b) Each member shall be entitled to vote at all meetings.
- (c) The Chairperson shall have at all meetings a deliberative vote; and he or she shall not have a casting vote No member shall be entitled to more than one vote
- (d) A declaration by the Chairperson of any meeting to the effect that any resolution submitted at such meeting has been carried or been carried by a particular majority, or lost, and an entry to that effect in the Minute Book of the PTFA shall be conclusive evidence of the fact without proof of the number of votes recorded in favour of or against the resolution

16 Executive Committee

- (a) The Executive Committee shall comprise a minimum of six people elected in accordance with Clause 7 including the Chairperson, Treasurer, and Secretary
- (b) The Principal shall be a member of the Executive Committee ex officio in addition to the minimum of six people specified in clause 16(a)
- (c) The Executive Committee shall meet at least bi-monthly, (excluding December and January) in each year and at such other times as the Chairperson shall require
- (d) A quorum for meetings of the Executive Committee shall not be less than four members of the Executive Committee for the time being
- (e) Each member of the Executive Committee shall have one vote at Executive Committee meetings and the Chairperson shall not have a second or casting vote in addition to a deliberative vote
- (f) The Executive Committee shall have power to fill any casual vacancy in its elected members and the person or persons so appointed shall retire at the next Annual Meeting of the PTFA, but shall be eligible for election
- (g) The Executive Committee shall at its first meeting following the Annual Meeting



- (i) Elect a Chairperson who shall hold office for a term of one year, but shall be eligible for re-election
- (ii) Elect the Secretary and the Treasurer
- (iii) Appoint people, with their consent, from the membership of the PTFA to the following roles
 - Community liaison coordinator/s
 - Fund raising coordinator/s
- (iv) Appoint, or confirm the appointment of convenors and members of each Standing Committee, if any

17 Tenure of Office of Executive Committee

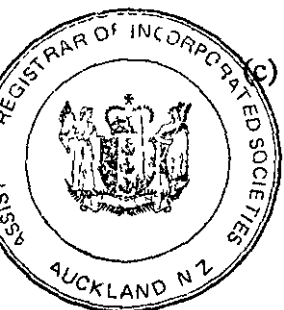
The tenure of office of all members of the Executive Committee shall terminate on the appointment of their successor. Any member of the Executive Committee being absent for three consecutive meetings without leave of absence shall, unless otherwise resolved by majority of the Executive Committee, cease to be a member of the Executive Committee.

18 Functions of the Executive Committee

Subject to the directions of the PTFA in Annual, Special or General Meetings and further subject to the directions and consent of the Board, the policy of the PTFA shall be determined and the management and control of its affairs shall be vested in the Executive Committee, which may exercise all powers and do all acts and things which may be exercised or done by the PTFA and which are not expressly directed or required to be exercised or done by it in Annual, Special and General Meetings. Without prejudice to the powers of the Executive Committee it is hereby expressly directed that the Executive Committee shall be entrusted with and may exercise and perform all or any of the following powers and duties subject to the directions and consent of the Board.

- (a) To purchase or acquire for the PTFA any personal property or any rights or privileges at such consideration or price and upon such terms and conditions as it thinks fit
- (b) To construct, alter and maintain buildings, fences, machinery and other works as it may consider necessary for the purposes of the PTFA

To enter into all negotiations, contracts and agreements in the name and on behalf of the PTFA as it may consider expedient for its purposes, provided



that such negotiations contracts and agreements are not in conflict with its objects or powers

- (d) To make provision for the signing or endorsing of cheques or other negotiable instruments on behalf of the PTFA and to open such accounts as the Executive Committee may think fit
- (e) To receive and give receipts and execute discharges for all gifts, legacies, bequests or other monies, and to execute any trusts created for any of the objects of the PTFA or for the purpose of furthering any of such objects
- (f) To invest the funds of the PTFA in such securities for the time being authorised by law for the investment of trust funds in New Zealand and from time to time vary any such investments
- (g) To exercise all rights, powers and duties which under these Rules are required to be performed by the Executive Committee
- (h) To engage, control and dismiss the PTFA's servants and paid officials and to exercise all such administrative power as may be necessary to effect its purposes
- (i) To co-opt from time to time persons with special expertise to serve on the Executive Committee or any Standing Committee upon such conditions as the Executive Committee may determine Their appointments shall be reviewed annually at the first Executive Committee Meeting following the Annual Meeting
- (j) To apply for such licences, permits and consents as may be necessary to enable the PTFA to carry out its objects

19 Standing Committees

- (a) The PTFA or the Executive Committee shall have the power to appoint such Standing Committees as it shall from time to time deem advisable and may delegate and assign to such Committees such powers, duties and responsibilities as the PTFA or Executive Committee shall think fit
- (b) Standing Committees shall meet and report as required to carry out their functions and shall be allocated sufficient funds to meet expenses by the Executive Committee
- (c) Standing Committees shall not expend any monies or incur any liabilities in excess of any budget approved by the Executive Committee without the prior approval of the Executive Committee



- (d) Each Standing Committee shall keep minutes of all meetings and forward the same to the Executive Committee.
- (e) The Executive Committee shall have power to fill any casual vacancies or make any further appointments to a Standing Committee from time to time

20 Other Committees

The PTFA or the Executive Committee shall have the power to appoint the Convenor and members of such other committees as it shall from time to time deem advisable and each such committee shall have such powers and duties as shall be fixed by said appointment. Each committee shall consist of such number of persons as shall be appointed from time to time by the Executive Committee. The members of each such committee shall serve at the pleasure of the PTFA or the Executive Committee.

21 Common Seal

The PTFA shall provide a Common Seal which shall be in the custody of the Secretary. The Seal shall not be affixed to any instrument except in pursuance of a resolution of the Executive Committee and/or PTFA and in the presence of two members of the Executive Committee or one member of the Executive Committee and the Secretary.

22 Secretary

- (a) The Secretary shall perform such duties and exercise such other functions as may be reasonably required by the Executive Committee from time to time.
- (b) The Secretary shall be appointed by and shall be directly responsible to the Executive Committee for the efficient functioning of the PTFA's administration in accordance with the directions of the Executive Committee as conveyed by the Chairperson.

23 Duties of Treasurer

The Treasurer shall have charge and custody of and be responsible for all funds and shall deposit such funds in the PTFA name in such banks, trust companies or other securities as may be selected by the Executive Committee and shall render a statement of the condition of the finances to the Executive Committee at all regular meetings and in shall perform such other duties as the Executive Committee may from time to time establish. All cheques shall be signed by the Treasurer and countersigned by the Secretary or the Chairperson. The Treasurer shall furnish returns as required by Section 23 of the Incorporated Societies Act 1908.



24 Alterations to Rules

JW Any alteration, amendment, ^{addition} or rescission of these Rules shall be made only by a resolution passed by a majority of representatives of members present and voting in the manner provided in Rule 17 at the Annual Meeting of the PTFA or at a Special Meeting called for that purpose. Notice of motion for alteration, amendment or rescission shall be given to the Secretary not less than one calendar month prior to the Annual or Special Meeting as the case may be. No alteration, addition or rescission of these Rules shall be made that in any way detracts from the charitable purpose of the PTFA and in particular there shall be no such alteration, addition or rescission of Rules 27 or 28. Any alteration, addition or rescission of these Rules shall forthwith be registered with the Registrar of Incorporated Societies.

25 General

If a dispute arises at any time in respect of a matter which is not provided for in these Rules or any doubt exists as to the interpretation of these Rules or any other matter shall arise pertaining to the PTFA, its property or interests, the same shall be determined by the Board whose decision shall be conclusive and binding on all members unless revoked at a Special Meeting held not later than the next following Annual Meeting.

26 Winding Up

The PTFA may be wound up in the manner prescribed by Section 24 of the Incorporated Societies Act 1908, and its amendments. Twenty one (21) days' notice of the required Meeting shall be called by advertisement inserted once in one or more public newspapers circulated within the Mt Albert area. Every member represented at the meetings shall on a show of hands and on a poll, have one vote. At such meetings a quorum shall consist of at least twenty. If within half an hour from the time appointed for such a meeting, a quorum is not present, the members present thereat may transact the business of ^{those} that meetings as if they constituted a quorum. *The first meeting shall be for the purpose of voting on the resolution for winding up and if passed a second meeting, not less than thirty days after the first, shall be called for the purpose of confirming the resolution.*

JW 27 Disposal of Surplus Funds

If, upon the winding up or dissolution of the PTFA, there remains after the satisfaction of all its liabilities, any property or monies, the same shall be paid to or distributed to the Board.

28 Private use of Funds

(a) No part of the PTFA's income or other funds is to be used or be available for the personal use of any member or any associated person of any member.



except in reasonable payment for services, or repayment of costs incurred on behalf of the PTFA and in such event subparagraph (b) shall apply

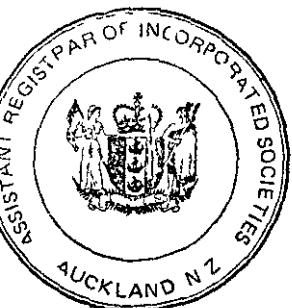
- (b) No member of the PTFA or any person associated with a member shall participate in or materially influence any decision made by the PTFA in respect of the payment to or on behalf of that member or associated person of any income, benefit, or advantage whatsoever. Any such income paid shall be reasonable and relative to that which would be paid in an arms length transaction (being the open market value). The provisions and effect of this clause shall not be removed from these Rules, and shall be included and implied into any Rules replacing these Rules

29 Indemnity

The members of the Executive Committee, Auditor and Secretary and other officers shall be indemnified by the PTFA for all losses and expenses incurred by them in or about the discharge of their respective duties except such as shall result from their own respective wilful default

30 Limitation of liability

No member of the Executive Committee, Auditor, Secretary or other officer shall be liable for the acts or defaults of any other member of the Executive Committee, Auditor, Secretary or other officer, or for any loss or expense happening to the PTFA, unless the same happens from his or her own wilful default



Incorporated at Auckland, this 27th
day of September, 1994
[Signature]
Auckland Registrar of Incorporated Societies

Declaration of consent to incorporation and to rules of society

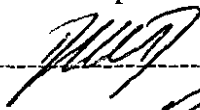
INCORPORATED SOCIETIES ACT 1908

Declaration by an Officer of a Society, or a Solicitor, that a Majority of
Members consent to Incorporation, and that the signed or sealed
Rules are the Rules of the Society

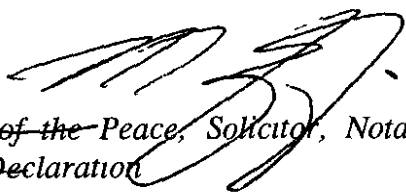
I, DAVID PETER WOOD of AUCKLAND, Firefighter do solemnly and sincerely declare
as follows

- 1 That I am the Chairperson of the Society and authorised to give this declaration
- 2 That a majority of the members of **MARIST PRIMARY MT ALBERT PARENT
TEACHERS and FRIENDS ASSOCIATION INCORPORATED**
has consented to the application for the incorporation of the said Society, and that
such consent has been obtained by a resolution passed at the annual general
meeting of the Society held on the 23rd day of ~~March~~ 1994
- 3 That the rules accompanying the application signed or sealed by the subscribers
are the rules of the Society

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



Declared at *Auckland* this *3rd* day of *May* 1994


~~A Justice of the Peace, Solicitor, Notary Public or other person authorised to take a
Statutory Declaration~~

Application for incorporation

APPLICATION FOR INCORPORATION

We, the fifteen persons whose signatures appear below, are members of
**MARIST PRIMARY MT ALBERT PARENT TEACHERS and FRIENDS
 ASSOCIATION INCORPORATED**

As members of the society we hereby apply for the incorporation of our society under the Rules of the Society as supplied with this application, in accordance with the Incorporated Societies Act 1908

Dated the 3rd day of July, 1994

<i>APPLICANT</i>			<i>WITNESS</i>
	<i>Signature</i>	<i>Address</i>	<i>Occupation</i>
1	<i>C.H. Allen</i>	<i>42 Walker Rd</i>	<i>Primary Sch teacher</i>
2	<i>[Signature]</i>	<i>62 Kitehawk Ave</i>	<i>Salesperson</i>
3	<i>[Signature]</i>	<i>21 Alexis Ave</i>	<i>Manager</i>
4	<i>[Signature]</i>	<i>77 Taylor Rd.</i>	<i>Engineer</i>
5	<i>[Signature]</i>	<i>[Address]</i>	<i>[Occupation]</i>

[Signature]
Notice
56 Kitehawk Ave
Mt Albert
Auckland

6 W. Hughes 445 SEAVIEW TEE MT ALBERT. Homemaker
Signature Address Occupation

7 J. Hyman 50 Kiteview Ave, Mt Albert, School Secretary
Signature Address Occupation

8 M. Moore 63 LLOYD AVE MT ALBERT INSURANCE SECRETARY
Signature Address Occupation

9 B. Baker 11 Allendale Rd Mt Albert Office Duties
Signature Address Occupation

10 A. Limas 45A Allendale Rd Mt Albert Homemaker
Signature Address Occupation

11 J. Johnson 30 Kenneth Ave Sandringham Homemaker
Signature Address Occupation

12 S.M. Bowler 34 ALLENDALE RD MT ALBERT AUDIOVISUALIST
Signature Address Occupation

13 [Signature] 1 Grant St Mt Albert Insurance Broker
Signature Address Occupation

14 [Signature] 3 Sandgrove Tce Mt Albert FIRE FIGHTER
Signature Address Occupation

15 D. Shumack 9 Willis St Mt Albert Medical Laboratory Technologist
Signature Address Occupation

K.D. Saunders 9 Francis Court Blockhouse Bay Teacher

(Collectors, 30
Kear, Wood
(Where is all registered)