



**60s-UP MOVEMENT OF NEW ZEALAND INC.**

# **Constitution**

**June 2024**

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## RULES OF 60s Up MOVEMENT OF NEW ZEALAND INC

### RULE 1

#### **Name**

The name of the Organisation shall be “**60s-Up Movement of New Zealand Incorporated**”, hereinafter referred to as “the Movement”.

#### **Interpretations and Definition**

The decision of the National Executive of the Movement on the Interpretation of these Rules, and its direction and control on or concerning any matter or thing, whether contained in these Rules or not which pertains to the Movement, its assets, interests, or the duties, privileges or conduct of members shall be conclusive and binding on the Movement and its members, until revoked, altered or otherwise determined by a resolution of the Annual General Meeting or of a Special General Meeting, taken in accordance with these Rules.

The following terms used in these Rules will have the meanings ascribed herein under – words importing the masculine gender shall include the feminine and those importing the singular, include the plural.

#### **Membership**

Means a member of the Movement whose subscription is paid up to date, or not more than three months in arrears, and it is subject to these Rules and the Act.

#### **The Act**

Means the Incorporated Societies Act 2022 and its amendments.

### RULE 2

#### **Registered Office**

The Registered Office of the Movement shall be the residence of the National Secretary for the time being, or such other place as may be decided by the National Executive and notified to the Registrar of Incorporated Societies.

#### **Membership Roll**

Means a list or record of financial members of the Movement, including their surname, preferred first name, residential address and date of joining the Movement. The holding of the above information is a requirement of the Incorporated Societies Act 2022. This recorded list is to be held in security by the Privacy Officer.

### RULE 3

#### **Objectives**

The principal objective of the Movement shall be to foster within the general community, respect for older people and support for their needs and interests.

## **RULE 4                      Autonomy**

To maintain independence of policy and approach, the Movement will not affiliate with any political party, trade union, religious or other group which might inhibit membership or freedom of action of the Movement, although the Movement shall retain the right to co-operate with other organisations for particular purposes that may further its objectives.

## **RULE 5                      Membership**

- (a) Membership of the Movement shall be open to any person who supports the objectives of the Movement.
- (b) A person having been accepted as a member, shall remain a member of the Movement as long as they continue to pay the annual subscription, or are not more than three months in arrears and have not had their membership terminated by the Branch Committee or the National Executive within the provision of these rules, nor been deemed unsuitable to retain their membership by a majority vote of either of these Committees.
- (c) Applications shall be on the official form of the Movement accompanied by the annual subscription applicable at the time of joining and will commence from the time such application has been received and receipted.
- (d) Details of members enrolled by Branches will be transmitted to the Privacy Officer in such a manner as prescribed by the National Executive
- (e) The Privacy Officer will maintain a full roll of members of the Movement and make appropriate details available to Branches as required.
- (f) National Life membership of the Movement may be granted by the National Executive to any person in recognition of services given to the Movement in furthering its objectives. The consent of the recipient is required before the award is made. Such National Life Members will have full membership rights and privileges, but will not be required to pay any subscription to either the National Executive or any Branch.
- (g) Life Members in the 60s Up Movement must be affiliated to a Branch to be entitled to vote at an Annual General Meeting.
- (h) **Disputes** - Code of Conduct for 60s Up Movement of New Zealand (Inc)  
Members of the Movement will:
- act in accordance with the Rules of the 60s Up Movement of New Zealand Inc;
  - respect and uphold the objectives of the 60s Up Movement;
  - not participate in any conduct which may bring the Movement into disrepute;
  - conduct themselves honestly and with integrity;
  - communicate in an appropriate and transparent manner;
  - not make allegations which are improper, derogatory and not based on fact;
  - not participate in any conduct which may cause any reasonable personal offence and embarrassment;
  - not discriminate against any race and/or minority group;
  - treat others as you would wish to be treated.

(i) **Cessation of Membership**

Any Member may resign by giving written notice to the Branch Secretary or to the National Secretary.

Membership can be terminated in the following way.

If for any reason whatsoever, the Branch Committee is of the view that a Member is breaching the Rules or acting in a manner inconsistent with the purposes of the Movement, the Branch Committee may give written notice of this to the member.

The Branch Committee Notice Must

- 1 Explain how the member is breaching the Rules or acting in a manner inconsistent with the purposes of the Movement.
- 2 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 Members membership.
- 3 State that if, within 14 days of the Member receiving the Branch Committees Notice, the Branch Committee is not satisfied, the Branch Committee may in its absolute discretion immediately terminate the Members Membership.
- 4 State that if the Branch Committee terminates the Members Membership, the Member may appeal to the National Body Executive.
- 5 The National Body Executive after due consideration, shall then by majority vote decide whether to let the termination stand , or whether to reinstate the Member.
- 6 The National Body Executive decision will be final.

**RULE 6 Subscription**

- (a) A National Annual Subscription to be paid by members for the running of the Movement will be fixed on an annual basis at the Movement's Annual General Meeting in pursuance of a resolution passed in accordance with these rules.
- (b) Branches shall be permitted to set such additional fees to cover local Branch expenses as their Branch Committee deems fit.
- (c) The National annual subscription shall be due in respect of each member on 1st April of each year. New members joining after the 1st October shall pay only 50% of the annual subscription. This dispensation applies only to new members joining the Movement for the first time.
- (d) An individual member may subscribe to more than one Branch but will pay the National annual subscription to the Movement at the home Branch only.

## **RULE 7**

### **Organization Structure**

The Movement shall have a National Executive consisting of nine (9) elected Officers - National President, National Vice President, National Secretary, National Treasurer and five (5) Committee Members who shall be elected at the Annual General Meeting.

**Duties:** All Officers of the Association will:

- (a) Act in good faith and in the best interests of the Movement.
- (b) Exercise power for proper purposes only and comply with the Act and the Constitution.
- (c) Exercise reasonable care and diligence and not create a substantial risk of serious loss to members and not incur an obligation the officer doesn't reasonably believe the Society can perform.

**National President** – provides overall leadership of the Movement and be its spokesman. He/she will chair the National Annual General meetings, Special General Meetings and the National Executive meetings. He/she will also appoint from the Committee Members the Privacy Officer, or the Committee can co-opt a financial member from within the Branches to undertake this work, but have no voting rights as per Rule 8 (c).

**National Vice President** - in the absence of the President will chair meetings. He/she will assist the President in his/her duties.

**National Secretary** – will arrange meetings, prepare agendas, handle correspondence, keep and maintain all records and archives. File an Annual Return within six months of balance date with the Incorporated Societies and the Charities Commission.

**National Treasurer** – will receive and bank monies, maintain investment accounts and records. Prepare financial statements for the National Executive and the annual financial statements. Prepare and present to the National Executive an annual budget for approval. Undertake financial transactions with Branches. Prepare and issue payments and authorise expenditure.

**Privacy Officer** - will be responsible for the maintenance of the Master Roll in accordance with the requirements of the Incorporated Societies Act.

## **RULE 8**

### **National Executive**

- (a) The National Executive shall generally meet quarterly or as shall be deemed necessary and make a decision on any issues consistent with the Movement's objectives, or implement any decision taken by the Annual General or by a Special General Meeting.
- (b) At least five (5) members present shall constitute a quorum.
- (c) The National Executive may co-opt other Members of the Movement for specific purposes but such co-opted members will not have voting rights in the National Executive.
- (d) Paid staff may be employed from time to time for specific purposes by resolution of the National Executive.

- (e) National Executive may conduct a postal or electronic vote to seek the opinion of Branches on any matters arising between Annual General Meetings.
- (f) No member or person associated with a member of the organisation shall derive any income, benefit or advantage from the organisation where they can materially influence the payment of the income, benefit or advantage except where that income, benefit or advantage is derived from:
  - (i) Professional services to the organisation rendered in the course of business, charges at no greater rate than the current markets rates, or
  - (ii) Interest on money lent at no greater than current market rates.
- (g) Any member of the National Executive who:
  - (i) Resigns due to ill health or otherwise;
  - (ii) Absents themselves from two consecutive Meetings without first having sought approval from the National Executive shall cease to be a Member of the National Executive.
- (h) The National Executive may elect a Member to fill a vacant National Executive position who shall have full voting rights.
- (i) National Executive shall ensure that proper financials are compiled each year.
- (j) Sub-Committees may be appointed by the National Executive. Sub-Committees will investigate any subject or matter of concern on which they will report back to the body that established the Sub-Committee.
- (k) Sub-Committees may be given authority by the National Executive to co-opt members with appropriate special knowledge or experience to assist them with their deliberations.
- (l) The National Executive will state in writing the purpose for which the Sub-Committee is established.

## **RULE 9 Administration**

Administration of the Movement shall be vested in:

- (a) The National Annual General Meeting or Special General Meeting of financial Members of the Movement.

The National Annual General Meeting of members will be held in such month as may be resolved by the National Executive each year at such time and place as is determined by the National Executive or the purpose of transacting the following business (but will be held within six months of balance date).

- (i) Confirm the Minutes of the previous National Annual General Meeting and any such Special General Meeting held.
- (ii) Receive the report of the National President of the previous year.
- (iii) Receive the Statements of Financial Performance and Financial Position.
- (iv) Elect a National Executive of nine (9).
- (v) Remits tabled.
- (vi) Such other business as may arise.

- (b) The National Executive.
- (c) Branch Committee.

**RULE 10 Remits and Notices of Motion**

- (a) Remits from Branches, Regional Meetings, financial members and National Executive for the National Annual General meeting must be in the hands of the National Secretary not less than twelve (12) weeks prior to the date of the National Annual General Meeting. Such remits should be advised to the Branches at least six (6) weeks prior to the National Annual General meeting.
- (b) Notices of Motion from Branches, Regional Meetings, financial members and National Executive for the National Annual General meeting must be in the hands of the National Secretary not less than six (6) weeks prior to the date of the National Annual General Meeting. Such Notices of Motion should be advised to the Branches at least four (4) weeks prior to the National Annual General meeting.

**RULE 11 Quorum**

- (a) A quorum of the National Annual General Meeting shall be half ( $\frac{1}{2}$ ) the number entitled to vote.
- (b) A quorum for a Special General Meeting shall be twenty five (25) financial members.

**RULE 12 Special General Meeting**

A Special General Meeting may be convened by a resolution of the National Executive or by a requisition in writing by not less than fifty (50) members representative of at least three (3) Branches. Such resolution must state the business to be transacted at the meeting.

**RULE 13 Notification of Meetings**

Notice of the National Annual General Meeting and of Special General Meetings shall be given to all members by:

- (a) Issuing a notice to all Branches not less than six (6) weeks before the date of the meeting. Branches then to be responsible for the issuing the notice to individual members.
- (b) The notice of meeting must state the date, time and location of the meeting and resolution or business to be placed before the meeting.



**RULE 14                      Nomination Procedure**

- (a) Nominations for National Executive positions shall be made in writing on the appropriate form to reach the National Secretary not less than three (3) weeks before the scheduled date of the meeting at which the election is to be conducted and must bear the signed acceptance of the member nominated.
- (b) Branches be notified of all nominations two (2) weeks before the aforementioned meeting.
- (c) If sufficient nominations are not received by the date written nominations close to fill the vacancies occurring, nominations may be accepted from the floor with the consent of the nominee, in person or in writing.

**RULE 15                      Voting at Annual General Meetings and Special Meetings**

- (a) One representative from each Branch, all National Life Members and one representative of the National Executive will be entitled to exercise one vote by display of a voting card.
- (b) Any motion before a meeting of the Movement shall be determined by a show of voting cards and in the event of an equality of votes, the Chairman will have a casting vote. proxy votes may be used for voting on remits, notices of motion and election to Executive positions. Proxy votes cannot be used for voting on amendments.
- (c) Proxy votes should be conveyed to the National Secretary not later than one (1) week prior to the National General Meeting or Special General Meeting.

**RULE 16                      Branches**

- (a) A Branch may be formed in any locality where at least fifteen (15) interested persons decide that a Branch should be formed to further the objectives of the Movement. The procedure for forming Branches shall be laid down by the National Executive through the Branch Information Guide.
- (b) The name of the Branch will be decided by the National Executive following the recommendations of the Members resolving to form the Branch.
- (c) The Branch will be administered by a Committee who shall be responsible to the Branch membership and the National Executive for conducting the affairs of the Branch.
- (d) Each Branch shall hold an Annual General Meeting in April or May of each year, at which the following business will be transacted:
  - (i) Confirm the Minutes of the previous Annual General Meeting;
  - (ii) Receive the Branch President's Report;
  - (iii) Receive a financial report for the year;
  - (iv) Elect, if possible, a Branch President, Vice President, a Secretary (or Secretary/Treasurer), or Treasurer, with a Committee 3-5 Committee Members;
  - (v) Such other business as has been notified to members for discussion at this meeting.
- (e) Any vacancy in Officers or Committee arising between Annual General Meetings may be filled by the Committee and have full voting rights.

- (f) A notice of Annual General Meeting or Special General Meeting of the Branch will be given to all financial members by circular or advertisement in the press circulating in the territory of the Branch, so as to reach members not less than two (2) weeks before the date of the meeting, and will state the business to be transacted.
- (g) The Secretary of each Branch will send to the National Secretary before the 31st day of May each year one copy of the Branch Annual Report.
- (h) In all administrative matters, including the calling of meetings, election and meeting procedures, Branches will conduct their affairs in accordance with the procedures laid down in these rules.
- (i) A quorum for a Branch Committee Meeting shall be half the designated Committee plus one.
- (j) A quorum for a Branch Annual or Special General Meeting shall be not less than 20% of financial members, unless the total financial membership of the Branch is forty (40) or less, when a quorum will consist of not less than ten (10) financial members being present.
- (k) A Branch may adopt such rules for its own governance as are accepted by the Branch in an Annual or Special General Meeting, of which due notice has been given. Such rules will have no force or effect until they are approved by the National Executive.
- (l) All monies received by the Branch will be received in the name of and for the purpose of, promoting the aims of the Movement. Such monies will be deposited in a bank account maintained in the full name of the Movement.  

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and designating the Branch name below. The account shall be operated by at least two signatories that have been approved by the Committee.
- (m) Branches shall pay to the National Treasurer on a monthly basis, the National Annual Subscriptions received as determined at the previous National Annual General Meeting.
- (n) The Branch Treasurer will maintain books of accounting and present at each Committee meeting a statement of income and expenditure. At the close of each financial year ending 31st March, one copy of signed, financial statements that have been presented to and accepted by Branch members at the Branch Annual General Meeting, will be forwarded to the National Treasurer immediately after the Annual General Meeting has taken place.
- (o) In the event of a Branch ceasing to function or being wound up, all monies and properties held by the Branch shall be transferred to the National Executive to be used for establishing new Branches or re-establishing the Branch in recess.
- (p) Contracts between Branch Offices and/or members, with third parties cannot be entered into without the written consent of the National Executive under the Common Seal of the Movement.
- (q) It is the responsibility of the Secretary to keep the Branch Information Guide and Rules up to date with any additions or deletions found necessary from time to time.
- (r) Life Membership of a Branch may be granted by the Branch Committee to any person in recognition of service given to their Branch. The consent of the recipient is required before the award is made.

Life Members shall have full Membership Rights and Privileges and will be exempt from paying The Branch Subscription, with the Annual National Subscription (Levy) to the National Executive, being set by the National Annual General Meeting (AGM) for the running of the Movement, to be paid by either the Branch or the Member, at the Branch's discretion.

**RULE 17                      Branch Voting**

Voting at all Branch Meetings of the Movement shall be conducted in the following manner:

- (a) By a show of hands except election of officers which, where required, will be done by secret ballot.
- (b) If so requested by any five members, or if so decided by the member presiding over the meeting, by a ballot.
- (c) All resolutions will be carried by a simple majority of votes cast.
- (c) The member presiding over the meeting shall, in the event of an equality of votes, be entitled to the casting vote.

**RULE 18                      New Branches**

- (a) The National Executive shall decide upon the amount to be paid to a New Branch to assist with its financial expenses.
- (b) The subscriptions of up to sixty (60) members only enrolled during the first year of operation, will be retained in full by the Branch, thereafter part subscriptions, regardless of Branch Membership, will be paid to the National Treasurer as laid down by the Annual General Meeting of the Movement.
- (c) The National Executive may authorize grants to Branches for the payment of advertisements seeking recruitment of new Branch members.

**RULE 19                      Regional Meetings**

- (a) May be formed by two or more adjacent Branches that exist within a recognised area or region.
- (b) Each Branch in a Regional Meeting will elect one of its Members to be their delegate to the Regional Meeting.
- (c) Officers – Chairperson and Secretary to be appointed by the Regional Meeting or the host Branch.

- (d) Regional Meetings will be held as often as is felt necessary.
  - (i) To make recommendations to the National Executive concerning the progress and well-being of the Movement.
  - (ii) To pool and discuss ideas from individual Branches so that the quality of service of all Branches in their area is improved.
  - (iii) To assist (by invitation only) any Branch in the region which is having difficulty.
  - (iv) To discuss and forward Remits to the National Executive for discussion at the Annual General Meeting of the Movement.
- (e) Delegate's travel costs to attend a maximum of two (2) Regional meetings per year will be met by National Executive.

**RULE 20                      National Travel Fund**

- (a) National Executive
  - (i) The Fund will pay all travel and accommodation expenses incurred by any Official Delegate of the National Executive in the execution of their duties to the Movement.
  - (ii) When attending Regional and Executive Meetings the Fund will pay the mileage rate as determined from time to time by the National Executive.
  - (iii) When attending Annual General Meetings the Fund will pay a percentage of travel and accommodation costs.
- (b) Branch Delegates
  - (i) The Fund will pay the travel costs of Branch Delegates to attend Regional Meetings at the mileage rate determined from time to time by the National Executive.
  - (ii) When attending Annual General Meetings the Fund will pay a percentage of travel costs.
- (c) National Executives and Branch Delegates
  - (i) Fares and accommodation are to be purchased at the most economical cost and receipts forwarded to the National Treasurer for reimbursement.
  - (ii) Allocation of funds available will be at the discretion of the National Executive.
  - (iii) When more than one Delegate and/or Executive Member travel in the same vehicle to such meeting only ONE may claim travel expenses.

**RULE 21                      Common Seal**

(a)     The Seal of the Movement shall consist of the words -

**60s-Up Movement of New Zealand Incorporated**

enclosed in a circle and surrounding the words -

**The Common Seal of**

(b)     The National Secretary shall be responsible for the safe custody of the Common Seal.

(c)     The Seal shall be fixed to documents requiring the Seal in the presence of two members of the National Executive and pursuant to a resolution of the National Executive.

**RULE 22                      Pecuniary Profit**

Any income, benefit, or advantage must be used to advance the charitable purposes of the Movement.

**RULE 23                      Alteration to the Rules**

(a)     These Rules may not be added to, altered or rescinded, except by resolution passed at a National Annual General meeting or Special General Meeting pursuant to a Notice of Motion setting out the proposal to be taken at that meeting.

(b)     No addition to or alteration or rescission of the Rules shall be approved if it effects the Pecuniary Profit Clause or the Winding Up Clause.

**RULE 24                      Amalgamation of Branches**

(i)     Each branch wishing to amalgamate will notify the National Executive in the first instance, and hold a Special General Meeting, or at an Annual General Meeting, vote on amalgamating with another branch.

(ii)     A name for the amalgamated branches to be decided at the above meeting.

(iii)    Funds held by each branch would be joined into one account.

(iv)    Financial records up to the date of amalgamation to be forwarded to the National Treasurer, and names of new Officers, and committee members of the new branch be forwarded to the National Executive.

**RULE 25**

**Branches**

In the event of a Branch having internal problems, the President of the Branch concerned shall notify the National Executive before any action is taken by the Branch.

- (a) The National Executive will act as an independent body in an endeavour to bring about a solution to the problem.
- (b) After all avenues have been explored with no satisfactory outcome a date shall be set for a Special General Meeting of all Branch Members to vote by secret ballot.
- (c) The Branch goes into recess by majority vote.
- (d) The Branch is wound up with the National Executive being responsible for the disposal of the assets of the Branch.

**RULE 26**

**Winding Up**

- (a) The Movement may be wound up voluntarily if such a resolution is passed by a simple majority at two general meetings held at least thirty (30) days apart.
- (b) The surplus funds and assets of the Movement shall be disposed of equally between the St John Service of New Zealand and the New Zealand Fire Service, provided that no part of such funds and assets may be paid or handed over to any member of the Movement.
- (c) Such disposal of funds and assets of the Movement shall not be contrary to the Incorporated Societies Act of 2022.

Helen Marie Mitchell  
AMitchell  
National President  
28th June 2024



Pamela Marie Davis  
Davis  
National Secretary  
28<sup>th</sup> June 2024<sup>14</sup>