

# Incorporated Society Statutory Declaration



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The Incorporated Societies Act 1908 (Sections 7 and 21)  
This form is available online at [www.societies.med.govt.nz](http://www.societies.med.govt.nz)

Use this form when submitting an application to incorporate a society OR when a society files an alteration to its rules.

Name of Society

North Harbour Indian Sports Club Incorporated

Society Number

1499566

I, Chan Dullabh (name of person making declaration)  
of 133C Great South Road, Greenlane, Auckland (residential address)

do solemnly and sincerely declare that:

1. I am a member of / ~~solicitor to~~ (delete one) the above society, and
2. The attached rules / ~~alteration to the rules~~ (delete one) comply with section 6 of the Incorporated Societies Act 1908 (see below for list of criteria), and  
~~Either (this option applies to applications to incorporate a society & delete if not applicable)~~
3. ~~The majority of members of the society consent to this application for incorporation~~  
~~Or (this option applies for alterations to existing rules of an incorporated society & delete if not applicable)~~
4. The alteration to the rules has been made in accordance with the rules of the society

And I make the 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 (place)

this 11<sup>th</sup> (day) name of society member / ~~solicitor~~ Chan Dullabh

day of MARCH (month) Signature of society member / ~~solicitor~~ C. Dullabh

20 2005 (year)

before me: [Signature]

**GARY RICHARD FROGGATT**  
Solicitor / ~~Justice of the Peace~~ person authorised to take a Statutory Declaration  
(delete as applicable)  
**AUCKLAND**  
**TRADE UNION OFFICER**

Note: Section 6 of the Incorporated Societies Act 1908 requires a society's rules to include the following:

- i The name of the society (ending with the word incorporated)
- i The objects for which the society is established
- i How people become members of the society and stop being members of the society
- i How meetings of the society will be called and held and how voting will take place
- i How officers of the society will be appointed
- i How the society's funds will be controlled and invested
- i The powers (if any) that the society has to borrow money
- i How any property of the society will be distributed in the event of the society being wound up, and
- i How the rules of the society can be altered.

Completed by

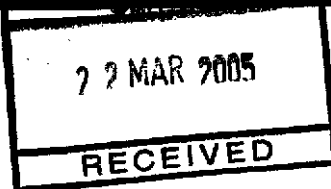
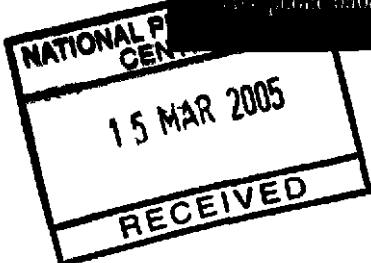
Name and postal address

Chan Dullabh  
P.O Box 34-130  
Birkenhead  
Auckland

Other det:

Post to

Registrar of Incorporated Societies  
Ministry of Economic Development  
Private Bag 92061  
Auckland Mail Centre 1020



22 MAR 2005

Rajiv Kant Ranehnd, member of the  
North Harbour Indian Sports  
Club Incorporated: Vice President  
*R. Ranehnd.*



Chan Dullabh, member of  
the North Harbour Indian Sports  
Club Incorporated: President.  
*C. Dullabh*

Aneel Rarji  
Member of the North Harbour  
Indian Sports Club Incorporated  
Executive Committee Member  
*Aneel Rarji*

# RULES OF NORTH HARBOUR INDIAN SPORTS CLUB INCORPORATED

## 1. NAME

The Club shall be called the **NORTH HARBOUR INDIAN SPORTS CLUB INCORPORATED**

(Hereinafter referred to as "the Club").

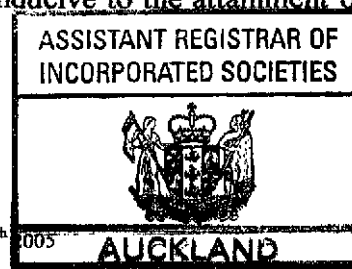
## 2. OBJECTS

The objects for which this club is established are:

- a) To serve as an associated amateur Sporting Body of the Auckland Indian Association.
- b) To be affiliated to N.Z. Indian Sports Association.
- c) To promote, enter, and maintain teams in the competitions held by the North Harbour Hockey Association or any other association as may be likely to forward the objects of this club.
- d) To hold/arrange for, and conduct community functions socials, and other entertainments.
- e) To subscribe to become a member of the co—operate with any other club whether incorporated or not whose objects are altogether or in part similar to those of this Club and to procure from the communicate of any such club such information as may be likely to forward the objects of this Club.
- f) To purchase, take on, or lease, or in exchange, or hire, or otherwise acquire any real or personal property and any rights or privileges which the Club shall think necessary or expedient for the purpose of attaining the objects of the Club or any of them or promoting the interests of the Club or its members and to sell, exchange, let, or lease, with or without option of purchase or in any other manner dispose of any such property, rights, or privileges as aforesaid.
- g) To do all such other lawful things as are incidental or conducive to the attainment of the above objects or any of them.



Rules of North Harbour Indian Sports Club Incorporated- March 6<sup>th</sup> 2005



### **3. MEMBERSHIP**

- a) Intending members shall be admitted to membership of the Club if an application for membership is made in writing on the approved Club application form and accepted by the Executive Committee.
- b) For a period of Twelve Months from the due date any member may cease to be a member of the Club:
  - (i) By voluntary resignation in writing addressed to the Secretary.
  - (ii) By expulsion for misconduct, non-payment of subscriptions, or for any other reasons deemed by the Executive to be sufficient.

The power to expel shall be exercised by the Executive Committee but the person shall have the right of appeal to be a Special General Meeting.

### **4. ROLL BOOK**

- a) The name of every member and their private address shall be entered in a book to be kept by the General Secretary for the purpose to be called the Roll Book of Members.
- b) It shall be the duty of the General Secretary to produce the Roll Book at the Annual General Meeting or any Special General of the Club.
- c) The Roll Book shall be accepted to be a correct and complete list of the members of the Club.

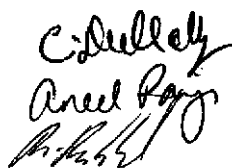
### **5. MEMBERSHIP**

Life members may be elected if they are proposed by the Executive Committee at any Annual General Meeting of the Club and elected by a majority vote of the members present. Life Membership shall only be awarded for long and outstanding service to the Club or to the game and no monetary payment or donation to the Club's funds shall be regarded as any consideration whatsoever. Life Members shall be entitled to the same privileges as members of the Executive Committee. The Club shall provide each Life Member with a suitable medallion or badge.

No greater than ten Life Members in addition to the Club's foundation members shall be granted Honourarium during any given period.

### **6. MEETINGS**

- a) A General Annual Meeting of the Club shall be held annually as fixed by the outgoing Executive Committee for the Office Bearers, and to receive the report of the outgoing Executive Committee, the Treasurer's Report and Balance Sheet and to transact any General Business of the Club. Not less than seven clear days written notice thereof shall be given to the members.
- b) Any special business may be considered at the Annual General Meeting provided that notice in writing thereof is given to the Secretary at least twenty—one days prior to the holding of such meeting.



- c) Special General Meetings of the Club may be convened by the direction of the President, Executive Committee, or on the requisition of ten members; such requisition to be in writing along with the names of the members who may be called upon to give evidence, and the requisition shall set forth the business for which the meeting is required, and be handed to the Secretary who shall by circular within seven days of receiving such requisition, call the meeting.
- d) At all General Meetings, the President, or in his/her absence a Vice—President shall preside, but should all these officers be absent there from, the Chair shall be taken by a member to be appointed by the members thereat.
- e) At all General Meetings, sixteen members shall form a quorum.
- f) The Executive Committee shall meet at such times as may be deemed necessary for the transaction of General Business. The Chairpersons or any three members of the Executive Committee shall have power at all times to instruct the Secretary to call a meeting. The Secretary shall call such meetings within seven days of receiving such instruction with at least seven days notice being given to members.
- g) Any notice shall be deemed to be duly served on a member if posted to their last known address by ordinary post.
- h) Minutes are to be recorded at all formal Club meetings including sub—committee meetings and should be available to any members upon request.

## **7. VOTING**

Only Financial members shall be eligible to vote. The mode of voting at all meetings shall be open voting, show of hands, or by ballot as the meeting shall deem most suitable. No person under the age of sixteen years shall be entitled to vote.

## **8. APPOINTMENT OF OFFICERS**

Officers of the Club shall be appointed at the Annual General Meeting as follows

1. Patron (optional)
2. Vice—patrons (not more than two in number) (optional)
3. President, who shall be elected for not more than three consecutive years and who shall be Chairperson of the Executive Committee
4. Vice—Presidents (not more than two) (optional)
5. Honorary Secretary
6. Honorary Treasurer
7. Club Captains (Men and Ladies) (optional)
8. Auditor
9. Honorary Solicitor (optional)
10. And enough general Executive Committee members to ensure that a minimum of nine members are elected. The Executive Committee may determine responsibilities of each committee member.

The Hon. Secretary and Hon. Treasurer may each have an assistant or there may be an assistant to both jointly. The Immediate Past President shall be an ex officio officer of the Club.

*C. Dullek*  
*Anel Raj*  
*R. P. P. P.*

Candidates for election as Officers of the Club and as members of the Committee must be members and shall be nominated or volunteer, and be seconded at the Annual General Meeting. If there is more than one candidate for any one office then a ballot shall be held as may be required. Each member so elected shall hold office until the next Annual General meeting or until he/she resigns the office or ceases to be a member, whichever is the earlier.

If any vacancy shall occur in the Committee the next general meeting of members shall appoint a member to fill the vacancy for the remaining term of office. Any member of the Committee absent from three consecutive meetings of the Committee without leave of absence shall thereupon cease to be a member of the Committee.

## **9. EXECUTIVE COMMITTEE**

a) The business of the Club shall be conducted by an Executive Committee consisting of a minimum of nine and not exceeding sixteen members who shall be elected at the Annual General Meeting and, subject to termination of Office or otherwise, shall remain in office until their successors are appointed at the Annual General Meeting next following their appointment.

The Hon. Secretary, Hon. Treasurer, Assistants to the Hon. Secretary and Hon. Treasurer if appointed and Club Captains shall be ex officio members included in the above mentioned number of members.

b) The Executive Committee shall elect its own Deputy Chairperson.

c) Retiring officers and other members of the Executive Committee shall be eligible for re election.

d) The Executive Committee shall have power to fill vacancies that may occur on the Executive Committee.

e) The Executive Committee shall have power to delegate any of its power to sub—committees, each of who shall not have fewer than three members.

f) The Executive Committee shall have power to co—opt any persons for such time and for such purposes as it thinks fit. No such co—opted persons shall have the right to vote.

g) The Executive Committee shall at its meetings, appoint team selectors and/or coaches in such numbers as it sees fit, such selectors and/or coaches to be responsible to the Executive Committee for the selection of all players.

h) The Executive Committee shall have power to make nominations for the selection of Captains of teams in all grades. This may be done at the discretion of the Executive Committee at the beginning of the season.

i) No members shall qualify for election as an Office Bearer unless:

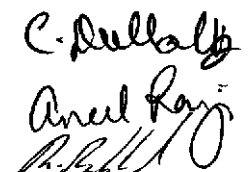
(i) they are present in person at the Annual General Meeting, or

(ii) they have sent written consent.

j) At all Executive Committee meetings, five form a quorum.

k) In the event of voting being even, the Chairperson shall have a casting vote.

l) The Executive Committee shall have power to make rules for administration of any clubroom facility.



## **10. SECRETARY**

The Honorary Secretary shall in person or by deputy attend each meeting of the Club or Executive Committee, keep minutes of the proceedings, read and file all communications and other papers, issue notices of meetings when directed, and conduct the correspondence of the Club. He/she shall keep a register of the names and addresses of all members of the Club.

## **11. TREASURER**

The Honorary Treasurer shall account for all dues, fines, and funds and shall disburse all monies of the Club under the authority of the Executive Committee, but no money shall be paid out except by cheque signed as hereinafter provided and authorised by a minute of the Executive Committee. The Honorary Treasurer shall produce at the Annual General Meeting, a Receipts and Payments Account, An Income and Expenditure Account, and a Balance Sheet duly audited. All accounts to be passed by the Executive Committee before payment.

The Honorary Treasurer shall be responsible for ensuring that the Club holds financial records for the preceding seven years, and shall ensure that the Club complies with taxation and financial requirements under the Incorporated Societies Act 1908 and any amendments.

## **12. BANKERS**

The accounts of the Club shall be kept at a Bank registered in New Zealand, as the Executive Committee shall from time to time decide. Accounts to be operated on by at least two members out of the President, Vice President, Honorary Secretary and Honorary Treasurer or those authorised by the Executive Committee for such purpose from time to time.

## **13. AUDITOR**

An Auditor shall be elected at the Annual General Meeting to audit the accounts of the Club and to certify the Balance Sheet and Statement of Accounts.

He/she shall be eligible for re-election each year.

## **14. CLUB CAPTAINS**

The Club Captains shall be responsible for all practices and the control of the same and shall be responsible for liaison between players and the Executive Committee.

*C. Dillaly*  
*Anil Raj*  
*P. Subho*

## **15. TEAM COACHES OR MANAGERS**

Team Coaches or Managers shall be appointed by the Executive Committee.

## **16. TEAM SELECTORS**

Team Selectors shall be elected by the Executive Committee in accordance with rule 9(g).

## **17. TEAM CAPTAINS**

Team Captains shall be appointed by the teams from nominations from the Executive Committee (where applicable) and such Captains shall be responsible for all things that pertain to getting their team on the field in correct attire and in proper time to start the game. He/she shall be responsible for the control of the team during play but in this connection shall have regard to any advice tendered by their coach or manager.

## **18. DELEGATES TO ASSOCIATIONS**

At the Annual General Meeting or Executive Committee Meeting there shall be appointed such numbers of delegates to the North Harbour Hockey Association, New Zealand Indians Sports Association and other associations as are permitted.

## **19. QUALIFICATION OF PLAYERS**

- a) No player may play for two different Clubs in the same sporting code, unless given special dispensation by the Executive Committee, but this rule shall not prevent members of school teams participating also in the Club grade competitions.
- b) No player previously registered with another club may transfer from that club to the Club without permission of the Executive Committee, but when satisfied that such transfer is reasonable and justified, the Executive Committee shall not arbitrarily withhold permission. All applications for transfers must be made in writing on special forms provided for that purpose.

## **20. SUBSCRIPTIONS**

- a) Members shall pay such subscriptions as may be from time to time decided by the Executive Committee.
- b) The subscriptions shall be due and payable at such times and in such instalments and in such manner as the Executive shall direct, and any member liable for the Annual Subscription and failing to pay the same after the due date shall be liable for a further late fee.

*C. Dulleb*  
*Anel Roji*  
*P. Smith*

c) The Executive Committee shall have power to remit the whole or any part of any subscription or allow time for payment thereof.

d) Any person failing to pay the subscription before the third playing day of the defined sporting code shall be debarred from playing and voting as such time as the subscription together with the late fee is paid unless extension of time to pay has been given in accordance with paragraph (c) above.

In such case, he/she will be entitled to vote within such extended time.

## **21. FINES**

The Executive Committee shall have power to levy fines against members who are in arrears with any fees or against members or teams guilty of any breach of these rules or of the regulations governing the Club's various activities.

## **22. RESPONSIBILITY OF MEMBERS**

a) Each member on joining the Club shall at their request, be provided with a copy of the Constitution of the Club and from time to time with any amendments made, and be bound thereby, and in case of any wilful infringement thereof by any member, such member shall be liable to be fined or to suspension or expulsion from the Club.

b) No members shall play or arrange matches against other Clubs while using Club identity or send teams on tour, or arrange any matches outside the grade competitions, without first obtaining permission from the Executive Committee. Such permission must be applied for in writing to the Honorary Secretary.

c) Every team shall provide players to control matches at such times and places as the Executive Committee may direct, such players to be members of such teams as the Executive Committee may nominate, or approved substitutes. In the event of such players or substitutes not being provided the Executive Committee may suspend or fine the member or team at fault.

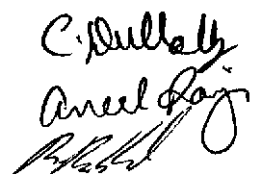
## **23. UNSEEMLY CONDUCT**

In the event of any unseemly conduct or language by a player or member of the Club during the progress of a match, or on any of the Clubs grounds, or of wilful infringement of these rules, the Executive Committee shall have power to inflict such punishment as it may deem necessary. Provided that no punishment may be inflicted until the member has been notified of:

(i) the offence with which the member is charged;

(ii) the time and place where the member will be given an opportunity to answer the charge.

The Executive Committee and the accused shall have power to summon witnesses to appear and give evidence at any such enquiry held by the Committee, or by any person or persons appointed by it, and in the event of such a failure or refusal to attend, the Executive Committee shall have the power to impose such penalty as the Committee considers necessary.





## **24. CLUB COLOURS**

The Club colours shall be White/Navy Blue. Strip design will be according to Executive Committee direction.

## **25. CLUB TROPHIES**

All Club Trophies shall always remain the property of the Club.

## **26. COMMON SEAL**

The Common Seal shall be in the custody of the Honorary Secretary and it shall be affixed only on the authority of a General Meeting or Executive Meeting in the presence of the Chairperson and any two other members of the Executive Committee.

## **27. CONTROL AND INVESTMENT OF FUNDS**

- a) All monies received by or on behalf of the Club shall be paid to the credit of the Club at such Bank or Banks as the General Meeting from time to time may appoint and all cheques or withdrawal slips drawn on the account shall be signed by any two of the President, the General Secretary and the Treasurer.
- b) The Committee may authorise the President and the General Secretary to spend up to a maximum of Five Hundred Dollars without reference to the Committee. All amounts so spend shall be reported to the next meeting of the Committee.
- c) The Club may from time to time invest and re—invest in such securities and upon such terms as it shall think fit the whole or any part of its funds which shall not be required for the immediate business of the Club.
- d) The Club in addition to the other powers vested in it have a power to borrow or raise money from time to time by the issue of debentures, bonds, mortgages or any other security founded or based on all or any of the property and/or rights of the Club or without any such security and upon such terms as to priority and otherwise as the Club shall think fit but the powers of so borrowing or raising money shall not be exercised except pursuant to a resolution of the Club passed in General Meeting.

## **28. POWER TO BORROW MONEY**

The Club shall have power to borrow money. The Executive Committee shall have power to borrow money but not in excess of one thousand dollars except by direction of a General Meeting.

*C. Dulka*  
*Anel Raji*  
*P. Subb*

## **29. PECUNIARY GAIN**

### a) Personal Benefits

No member shall derive any pecuniary gain, except as a salaried officer, from any property or operations of the Club. Members cannot retain prize money. Pecuniary gain does not include the winning of Trophies or Prizes, nor does it include prize money where such money is paid to the Club.

### b) Payments to members

No member of the Club or any person associated with a member shall participate in or materially influence any decision made by the organisation 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 shall be reasonable and relative to that which would be paid in an arm's length transaction (being the open market value).

## **30. WINDING UP OF THE CLUB**

The Club may be wound up voluntarily if the Club at a General Meeting of the Members, passes a resolution requiring the Club so to be wound up and a resolution is confirmed at a subsequent General Meeting called together for that purpose, and held not earlier than thirty days after the date on which the resolution so to be confirmed was passed.

If after the winding up of the Club, after the satisfaction of all debts and liabilities, there remains any assets whatsoever, the said assets shall not be paid or distributed amongst the members of the Club but shall be given to a nominated charitable cause/s (within the Auckland Indian Association, if approved) according to the suitability of the assets.

## **31. ALTERATION TO THE RULES**

a) No alteration, addition or rescission in these rules shall be made except by consent of the majority at a General Meeting. Notices of such proposed modification shall be given in writing to the Secretary at least twenty one days before the meeting at which it is intended to propose such modification. The proposed modification is to be stated in the notice convening the meeting. A two-third majority vote by the meeting will validate any rule change.

b) No addition to, or alteration or deletion of the amateur sports objects, Personal Benefit clause, Payments To Members clause or the Winding Up clause shall be made without the approval of the Inland Revenue Department (or its statutory successor in the approval of amateur sports promoters). 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.

## **32. INTERPRETATION**

Any case not provided for in these rules or any question arising as to their interpretation shall be decided by the Executive Committee.

*C. Dulkaly*  
*Aneel Dangi*  
*Sh. K. S. D.*

### **33. VALIDATION CLAUSE**

The rescission of the Rules which heretofore have been in force shall not effect anything done or purporting to have been done there under; and all resolutions adopted, liabilities incurred and all other acts, deeds, matters, things and appointments made, done or entered into by the Club or its officers or others on its behalf are hereby confirmed notwithstanding any irregularity or defect that may have existed in connection therewith under the rescinded Rules.

