

The New Zealand Masonry Trades Association
Incorporated Society Rules.



As at 13 October 2017

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1. Name

The name of the Incorporated Society shall be the New Zealand Masonry Trades Association.

2. Definitions

In these Rules, except where a different intention is stated the following definitions apply:

“Chief Executive” shall mean the Chief Executive of the Brick and Blocklayers Federation of New Zealand.

“Council” shall mean the collective group of nominated regional delegates.

“Employee member” shall mean a natural person who is either employed or the director (or similar position) of a company that is a ‘trade member’.

“Executive Officer” shall mean the individual that is engaged by the Chief Executive to oversee the operational aspects of the New Zealand Masonry Trades Association.

“Federation” shall mean the Incorporated Society of the Brick and Blocklayers Federation of New Zealand.

“Regions” shall mean the region that a trade member nominates as their primary region of operation as per Section 9(ii). Territorial and regional authority maps from Local Government New Zealand may be used to help define boundary borders.

“Regional Caretaker” shall mean an individual nominated by the Council under Section 12(i)(g) to act on the New Zealand Masonry Trades behalf in a region. This individual however has no voting rights.

“Regional Representative” shall mean an individual elected to represent their region as per section 12 of these rules.

“Trade member” shall mean a company that undertakes Masonry work as its primary trade.

“Travel Costs” shall mean all flights, accommodation and meals incurred by regional delegates or regional caretakers while attending the AGM.

3. Registered Office

The Registered office shall be at such place as the Council may from time to time determine.

4. Objects

The objects for which this Incorporated Society is established are as follows:

- a. To provide members with information on regulatory, industry or environmental changes that may affect them; and
- b. To identify or provide training that is relevant to members; and
- c. To identify and develop common resources that assist members run compliant and successful businesses; and
- d. To monitor member's performance and identify individual training needs; and
- e. To work with the Brick and Blocklayers Federation of New Zealand to report on industry performance for the purpose of identifying training needs or process solutions.

5. Alterations of the Rules

- a. These Rules may be altered, either wholly or in part, by either a resolution passed by a two-thirds majority of those present at a General Meeting; or voting via electronic means provided that:
 - i. 20 working days' written notice has been given to the Secretary of the intention to amend the Rules; and
 - ii. the Executive Officer has, as soon as practicably possible, forwarded the notice to all Members.
- b. A notice to alter the Rules must include:
 - i. A statement clearly identifying it as an Alteration of Rules notice; and
 - ii. The name(s) of the Member submitting the alteration; and
 - iii. The date and method the notice was served on the Secretary; and
 - iv. A statement advising of the purpose or benefit of proposed change.
- c. In accordance with the provisions of the Incorporated Societies Act 1908 any changes to the Rules must be filed with the Registrar of Incorporated Societies.

6. Common Seal

- i. The Common Seal of the Incorporated Society is a requirement as an Incorporated Society and the Executive Officer shall be responsible for the safe custody and control of it.
- ii. The Common Seal shall be affixed subject to any policy or by-law.

7. Membership

- i. Any company who undertakes masonry work as their primary business may apply to be a Trade member.

- ii. Any individual who is employed by a trade member shall be entitled to be registered as an Employee member.
- iii. All members shall be entered in the Register of Members.

i. Membership Termination

- i. Any member wishing to resign from the Incorporated Society shall give three months' notice in writing to the Secretary to that effect and shall pay all subscriptions and levies due up to the date their membership ends.
- ii. The Council may terminate a membership if:
 - a. Their subscription is six months or more in arrears; or
 - b. They have caused or undertaken any action or inaction that may bring the trade or the incorporated society into disrepute

8. Register of Members

- i. The Incorporated Society is required to hold the following information on its members:
 - a. Their company name; and
 - b. Their main contact person; and
 - c. Their service address; and
 - d. Their email address; and
 - e. A contact cell phone and/or landline number; and
 - f. A list of employees and their email and cellphone numbers (if appropriate);
- ii. Information contained in subsection ia, b, d and e for may be displayed on the Incorporated Societies and/or Brick and Blocklayers Federation (or similar organisations) website.
- iii. Members are required to confirm the information contained in subsection 1(i) yearly.
- iv. Members are required to notify the Incorporated Society of any change to the information held in subsection 1a within 10 working days of the information changing.
- v. The Incorporated Society may remove a Trade members' details from any website list described in subsection ii if any information is found to be incorrect or outdated.
- vi. The Incorporated Society has the right to use membership lists for promotional materials or communication with members.

9. Council Representatives

- i. Every second year, members shall elect one representative from each region as Regional representatives on the Council.
- ii. The Incorporated Societies regions shall be:
 - a. Northland; and
 - b. Auckland; and
 - c. Waikato; and
 - d. Bay of Plenty; and
 - e. Taranaki; and
 - f. Gisborne/Hawkes Bay; and
 - g. Manawatu; and
 - h. Kapiti/Horowhenua; and
 - i. Wellington; and
 - j. Tasman/Nelson/Marlborough; and
 - k. Canterbury; and
 - l. South Canterbury; and
 - m. Coastal Otago; and
 - n. Central Otago; and
 - o. Southland
- iii. The purpose of the Regional representative is to:
 - a. Provide regional feedback from member events; and
 - b. To act on behalf of the Incorporated Society in their region as required.
- iv. The purpose of the Council is to:
 - a. Vote on Rule changes; and
 - b. Provide input into the development of the Incorporated Societies strategic and business plan; and
 - c. To provide technical support and assistance to the Incorporated Society; and
 - d. To appoint representatives for the Brick and Blocklayers Federation Board;

10. Meetings

- i. Annual General Meeting
 - a. An Annual General Meeting (AGM) shall be held yearly in conjunction with the Brick and Blocklayers Federations AGM.
 - b. The Secretary shall give all members no less than 20 working days' notice of the AGM date.
 - c. The AGM shall be held for the following purposes:
 - i. To receive from the Secretary a report and balance sheet and statement of accounts for the preceding year.
 - ii. To consider and conduct such other business as may properly be brought forward.

- iii. To appoint council members to serve on the Brick and Blocklayers Federation Board
- d. The Incorporated Society will pay the travel costs of Council members attending the AGM.

11. Service of Notices

- i. A written notice will be served on a member at the last known email/and or postal address known to the Incorporated Society;
- ii. A written notice is deemed to have been served on a member:
 - a. Immediately if sent electronically including a fax; or
 - b. Within 3 working days if sent via post.

12. Voting

- i. Voting for Regional representatives shall be as follows:
 - a. The Executive Officer shall send to all members a request for Regional Representative nominations;
 - b. The Executive Officer shall provide a date that nominations must be received by;
 - c. Nominations must be made by at least three members including the individual being nominated;
 - d. Members will be advised of nominees in their region;
 - e. If there is more than one nominee, then voting is required;
 - f. The Executive Officer will conduct an electronic vote for each region and announce the successful candidate for each region.
 - g. In regions where there is no candidate nominated, the Council may appoint a caretaker from the Industry to act on the Incorporated Societies behalf when required.
- ii. Voting on Council matters shall be as follows:
 - a. Each Regional Representative is entitled to one vote on any Council matter being voted on;
 - b. 51% or greater of all persons voting constitute a quorum.
 - c. Voting may be either electronic or in person at a General Meeting.
 - d. If voting is tied, then the Chairperson shall have the casting vote;
 - e. All matters being voted on shall be recorded in minutes which shall be available to all members.
- iii. Voting on Brick and Blocklayers Federation rules shall be as follows:
 - a. The Executive officer shall forward to all members any rules remit received from the Federation as soon as it is available.
 - b. Each regional representative is entitled to one vote on the rules remit.
 - c. 51% or greater of all persons voting constitute a quorum.
 - d. The result from this vote shall be used to cast ALL votes for the Federations rule remit.

13. Subscriptions

- i. Trade member's annual fees will be \$500+GST per annum or part thereof.
- ii. The Executive Officer has the discretion to agree to regular monthly payment arrangements for subscriptions rather than the payment described in subsection iii.

14. Levies

- i. The council shall have the power to make a levy on members to meet financial emergencies arising out of carrying out legitimate and essential functions in accordance with the rules.
- ii. A levy cannot exceed 25 percent of the amount of annual subscription in any one financial year.

15. Role of the Executive Officer

The Executive officer is engaged by the Chief Executive and is responsible for the day to day operations of the Association. This includes:

- i. Assisting the Chief Executive in business and training programme planning;
- ii. Co-ordinating training meeting dates;
- iii. Managing the booking of venues;
- iv. Communicating with members;
- v. Assisting the Federation with technical queries;
- vi. Managing member registration;
- vii. Identifying and implementing membership benefit initiatives;

16. Role of the Secretary

The Secretary is engaged directly by the Council Chairperson and acts independently of the Executive Officer. Their purpose is:

- i. To oversee compliance of these Rules;
- ii. To receive and distribute correspondence on behalf of the Chairperson;
- iii. To assist with technical queries.

17. Funds and Property

- i. The funds, property and assets of the Incorporated Society shall be under the control of the Council who shall have full power to rent, lease, furnish and deal with buildings, land and other property as the council may see fit without reference to a General Meeting of members except in the case of the liquidation of the Incorporated Society.

- ii. All legacies, donations or gifts of money or other real or personal property unless given to the Incorporated Society for a specific purpose, shall be dealt with by the Council as they see fit for the general purposes of the Incorporated Society.
- iii. Any money may be invested by the Council in such manner as they determine from time to time.

18. Liquidation of Incorporated Society.

- i. The liquidation of the Incorporated Society must be in accordance with Section 24 of the Incorporated Societies Act 1908.