

**The Constitution of  
CANTERBURY ASSOCIATION FOR GIFTED CHILDREN AND YOUTH**

1. **NAME**

The name of the Association will be "Canterbury Association for Gifted Children and Youth Incorporated" in this constitution called "the Association".

2. **DEFINITION**

In this constitution "Gifted" refers to any children or youth who have been assessed as intellectually gifted by a suitably qualified psychological professional or have satisfied the acceptance criteria of the Management Committee as defined in section 9.5.

3. **ISSUES OF MAORITANGA**

The Association is committed, in attaining its objectives, to respect the dual heritage of the partners of Te Tiriti o Waitangi (the Treaty of Waitangi).

4. **OBJECTS**

4.1 The objects of the Association will be to provide and operate an association of interested people to support and promote the interests of the gifted and their families/whanau in the Canterbury area. Specifically to:

- 4.1.1 Promote gifted people of all ages and cultures as having a unique contribution to make to society, provided their potential is realised.
- 4.1.2 Support and promote opportunities for the social and intellectual interaction for gifted people and their families/whanau.
- 4.1.3 Assist the education system to acknowledge, identify and provide for the special academic, social and emotional needs of the gifted.
- 4.1.4 Advocate to Government and Institutions, to promote the availability of appropriate resources, personnel and policies for the Gifted.
- 4.1.5 Develop expertise in the Association through membership, appropriate organisational structure, and provide access to relevant information.
- 4.1.6 Provide opportunities for families/whanau of Gifted Children and Youth to meet, discuss their mutual interests and concerns, and to consult specialists on education and other appropriate matters of mutual concern.

5. **ACTIVITIES LIMITED TO NEW ZEALAND**

The activities of the Association will be limited to New Zealand.

6. **MEMBERSHIP**

6.1 There will be three (3) categories of membership:

- 6.1.1 **Full Members:** Any person or Bodies Corporate who agree with the objects of the Association may, subject to the Management Committee's approval, become a full member of the Association by application in writing and upon payment of the membership subscription set from time to time by a General Meeting of the Association. The Management Committee may from time to time approve a reduced subscription as deemed appropriate.
- 6.1.2 **Discoverers' Club:** Membership shall be open to children and youth who have either been assessed as intellectually gifted by a psychological professional currently working in the field of giftedness, or satisfied the Acceptance Criteria of the Management Committee as defined in Section 9.5. Such members must also meet the requirements of full members as stated in 6.1.1.
- 6.1.3 **Life Members:** shall be such persons duly elected at an Annual General Meeting. Such a person will have given considerable service to the

Association over a period of some years. Election of a Life Member shall be by vote in the Special Business of an Annual General Meeting. A Life Member shall have all the rights of a full member but shall not be required to pay the Annual Subscription.

6.2 A Register of Members will be maintained by the Secretary in accordance with the Provisions of the Incorporated Societies Act.

6.3 Any person may resign membership by giving written notice to the Secretary.

6.4 If a member, as defined in Section 6.1, has not paid a current subscription, membership will cease three (3) months after a subscription has lapsed.

## 7. **COMPLAINTS PROCEDURES**

7.1 The procedure for dealing with a complaint will be as follows:

7.1.1 A complaint must be made in writing to the Secretary. Where a complaint is made against a member or members, they will be invited to make a written or oral submission to a meeting of the Management Committee.

7.1.2 The Management Committee will give the member at least twenty one (21) days Notice of the Meeting. The notice will sufficiently inform the member of the complaint so that the member can offer an explanation.

7.1.3 Following the meeting, the Management Committee shall make a decision and advise the parties concerned.

7.1.4 The Management Committee has the right to dismiss the complaint, set conditions on the continues membership of the member or members, or expel a member.

7.1.5 A member disciplined by the Association may within fourteen (14) days give written notice of appeal to the Secretary. The Secretary will then call a Special General Meeting to take place within twenty eight (28) days of receipt of the Notice of Appeal. The Special General Meeting after considering the matter will have the power to, uphold, amend, or rescind the decision.

## 8. **GENERAL MEETINGS**

The following rules pertain to both Annual and General Meetings.

8.1 The quorum for a General Meeting will be twelve (12) full members present in person.

8.2 At least twenty one (21) days written notification of each General Meeting will be given to financial members, at the current address for such members recorded in the Register of Members. It will be the responsibility of members to keep the Secretary of the Association informed of their current address and contact details.

8.3 Notification of a General Meeting will specify the time, date and place of the meeting, the Agenda and advise of any special business.

8.4 The meeting will be chaired by the current President of the Association, or in his/her absence the Vice President. In the absence of both the President and Vice President, the meeting will elect a chairperson for the meeting from among the members present.

8.5 All questions will, if possible, will be decided by consensus. However, where a consensus decision cannot be reached on a matter, the decision will be made by a majority vote.

8.6 Only current financial and Life members will be eligible to vote.

8.7 Voting will be by a show of hands or, if requested, by ballot.

8.8 If voting is tied, the Chair may exercise a second and casting vote.

### **ANNUAL GENERAL MEETING**

8.9 The Annual General Meeting will be held prior to 31 May.

8.10 The Annual General Meeting will carry out the following business:

8.10.1 Receive and record apologies.

8.10.2 Receive the Minutes of the previous Annual General Meeting and of any other Special General Meeting held since the last Annual General Meeting.

- 8.10.3 Receive the President's Report on the activities of the Association over the last year and other relevant matters.
- 8.10.4 Receive the Auditors Report, which shall include the Balance Sheet, Statement of Income and Expenditure for the past year.
- 8.10.5 Elect the Office Bearers and ordinary members of the Management Committee of the Association, as specified in the Management Committee clause in Section 11.1
- 8.10.6 Appoint the Auditor of the Association's accounts.
- 8.10.7 Special Business - any matters advised at the time of notification of the Annual General Meeting shall be discussed.
- 8.10.8 General Business - matters raised at this time shall be referred to the Management Committee.

#### **SPECIAL GENERAL MEETINGS**

- 8.11 Special General Meetings may be called by the Management Committee or by a written request made by not less than twelve (12) members and delivered to the Secretary. The meeting will be called within twenty one (21) days of the decision being made or the meeting being requested.
  - 8.11.1 A Special General Meeting will only consider business related to the reason for which it is called, as notified to the members. Notification of a Special General Meeting will specify the time, date, and venue of the meeting and the purpose for the Special General Meeting.
  - 8.11.2 Full information will be provided concerning any proposed amendments to the Constitution or any matter, which is the business of a Special General Meeting.

#### **9. THE MANAGEMENT COMMITTEE**

- 9.1 The Association's Management Committee will be composed of four (4) office bearers plus six (6) ordinary members. The office bearers shall be a President, Vice President, Treasurer and Secretary.
  - 9.1.1 Job descriptions are defined for each of the above non-office bearers' roles in the Strategic Plan. The Newsletter Editor's position includes remuneration.
  - 9.1.2 The Management Committee will have the power to fill any positions vacant, following the Annual General Meeting and to co-opt people from time to time, with relevant expertise, to help meet the objects of the Association.
  - 9.1.3 Nominations for elected positions on the Management Committee, including office bearers, must be by way of notice of nomination in writing, endorsed with the consent of the nominee and given to the Secretary not less than ten (10) days before the day fixed for the Annual General Meeting. If there are insufficient nominations to fill the vacant positions on the Management Committee, oral nominations may be received at the Annual General Meeting, provided that no member will be elected who has not consented to being nominated. Nominations shall include a seconder. Nominator, nominee and seconder shall all be current financial members.
- 9.2 The procedure for Management Committee meetings will be as follows:
  - 9.2.1 A quorum will be half of its members.
  - 9.2.2 If a member of the Management Committee, including an office bearer, does not attend three consecutive meetings without leave of absence, that member may, at the discretion of and on the decision of the Management Committee, be removed from the Management Committee.
  - 9.2.3 All questions will, if possible, be decided by consensus. However, where a consensus decision cannot be reached on a matter, the decision will be made by majority vote.
  - 9.2.4 Voting will be by show of hands or by ballot if requested.
  - 9.2.5 If the voting is tied, the Chair will have a second, casting vote.
  - 9.2.6 The President of the Association or, in his/her absence, the Vice president will chair each meeting. In the absence of both the President and the Vice President, the Management Committee will elect a person to chair the meeting from among its members.

- 9.3 The Management Committee will meet at least eight (8) times every year. All members of the Management Committee will be given at least seven (7) days notice of a meeting by the Secretary.
- 9.4 The Secretary will ensure that a minute book is maintained, excluding those minutes taken whilst in committee. The minute book is available to any member of the Association and it records, for each meeting of the Management Committee:
  - 9.4.1 The names of those present and apologies.
  - 9.4.2 All decisions that are required by this Constitution or by law to be made by the Management Committee.
  - 9.4.3 Any other matters discussed at the meeting.
  - 9.4.4 The Secretary shall keep a separate record of matters discussed whilst in committee. The Management Committee may decide to go into committee due to the confidential nature of business to be transacted.
- 9.5 A sub committee of the Management Committee shall assess applications for Discoverers' Club according to a set of acceptance criteria. Acceptance criteria shall be approved by a registered Psychologist or recognised gifted expert practicing in the field of giftedness.

**10. POWERS**

The Association will have the following powers:

- 10.1 To use its funds as the Management Committee thinks necessary or proper in payment of its costs and expenses, including the employment and dismissal of counsel, solicitors, agents, officers and staff, according to principles of good employment and the Labour Relations Act 2003 or any subsequent enactments.
- 10.2 To purchase, take on, lease or in exchange or hire or otherwise, acquire any real or personal property and any rights or privileges which the Management Committee thinks necessary or proper for the purpose of attaining the objects of the Association and to sell, exchange, let, bail or lease, with or without option of purchase or, in any other manner, dispose of such property, rights or privilege.
- 10.3 To invest surplus funds in any way permitted by law for the investment of charitable and incorporated society funds and upon such terms as the Management Committee thinks fit.
- 10.4 To borrow or raise money from time to time with or without security and upon such terms as to priority or otherwise as the Management Committee thinks fit.
- 10.5 To do all things as may from time to time appear necessary or desirable to the Management Committee to give effect to and attain the objects of the Association.

**11 POWER TO DELEGATE**

- 11.1 The Management Committee may from time to time appoint any Committee and may delegate any of its powers and duties to any such Committee or to any person. The Committee or person may without confirmation by the Management Committee exercise or perform the delegated powers or duties in the same way and with the same effect as the Management Committee could itself have done.
- 11.2 Any Committee or person to whom the Management Committee has delegated powers or duties will be bound by the charitable terms of the Association and any terms or conditions of the delegation set by the Management Committee.
- 11.3 The Management Committee will be able to revoke such delegation at will, and no such delegation will prevent the exercise of any power or the performance of any duty by the Management Committee.
- 11.4 It will not be necessary for any person who is appointed to be a member of any such Committee, or to whom such delegation is made, to be a member of the Management Committee.

**12. INCOME, BENEFIT OR ADVANTAGE TO BE APPLIED TO CHARITABLE PURPOSES**

- 12.1 Any income, benefit or advantage will be applied to the charitable purposes of the Association.
- 12.2 No member or person associated with a member of the Association will derive any income, benefit or advantage from the Association where they can materially influence the payment of the income, benefit or advantage except where that income, benefit or advantage is derived from:

- 12.2.1 Professional services to the Association rendered in the course of business at no greater rate than current market rates; or
- 12.2.2 Interest on money lent at no greater rate than current market rates.

#### **COMMON SEAL**

- 12.3 The common seal of The Association will be kept in the custody and control of the secretary.
- 12.4 When required, the common seal will be affixed to any document following a resolution of the Management Committee and will be signed by the President or Vice-President and one other person appointed by the Committee.

#### **13. FINANCIAL ARRANGEMENTS**

- 13.1 The financial year of the Association will be from 1 April to 31 March in the following year. Subscriptions shall be applicable for the above duration.
- 13.2 At the first meeting of the Management Committee following each Annual General Meeting, the Management Committee will decide by resolution the following:
  - 13.2.1 What bank accounts will operate for the ensuing year, including the purposes of and access to accounts.
  - 13.2.2 Who will be allowed to authorise the production of cheques and the names of cheque signatories.
  - 13.2.3 Policy concerning the investment of money by the Association, including what type of investment will be permitted.
- 13.3 The Management Committee will keep true and fair accounts of all money received and expended.
- 13.4 The Management Committee will, as soon as practicable after the end of the financial year of the Association, arrange for the accounts of the Association for that financial year to be audited by a Chartered Accountant appointed for that purpose. The audited accounts will be available to the public.

#### **14. ALTERATION OF THE CONSTITUTION**

The Constitution may be amended by a two-thirds majority at any General Meeting provided that no addition to or alteration of the objects clause (Section 4), the area of operation clause (Section 5), the pecuniary profit clause (Section 13) or the winding up clause (Section 15) will be approved without the prior consent of the Inland Revenue Department.

Notification of a proposed amendment to the Constitution shall be included in an special General Meeting Agenda.

#### **15. WINDING UP**

- 15.1 The Association may be wound up or dissolved in any way provided for in the Incorporated Societies Act 1908, or subsequent enactments.
- 15.2 If upon the winding up or dissolution of The Association there remains after the satisfaction of all its debts and liabilities any property whatsoever, the same shall not be paid to or distributed among the members of The Association but shall be given or transferred to some other charitable organisation or body having objects similar to the objects of The Association, or for some other charitable purpose, within New Zealand.