

**RULES OF  
CHRISTIAN BUDGETING NEW ZEALAND INCORPORATED**

# RULES OF

## CHRISTIAN BUDGETING NEW ZEALAND INCORPORATED

### 1. Name and Organisation

- 1.1 This organisation shall be known as **CHRISTIAN BUDGETING NEW ZEALAND INCORPORATED** (“the Society”).

### 2. Interpretation and Definitions

- 2.1 If at any time any matter shall arise which is not provided for in these Rules or in the interpretation of these Rules the same shall be determined where appropriate by the Executive whose decision shall be final. A substantial compliance with these Rules whether as to form, time, number or any other matter shall be in all cases good and sufficient and no regulation, resolution, decision, election, appointment, notice or other matter or thing shall be invalidated by reason only of a failure to substantially comply with these Rules.
- 2.2 “Service” means a Christian Budgeting service where the philosophy and management of the service is Christ-centered.
- 2.3 “Executive” means the Executive as appointed from time to time under clause 11.12.
- 2.4 The “Secretary / Administrator” means the Secretary / Administrator of the Society as appointed from time to time under Clause 14.1.
- 2.5 The “Treasurer,” means the Treasurer of the Society, appointed from time to time under Clause 14.1.
- 2.6 The “National Co-ordinator” means the National Co-ordinator appointed from time to time under Clause 14.9.
- 2.7 The “Accountant” means the Accountant as appointed from time to time under Clause 14.10.

Words which have a special meaning assigned to them in the Act have the same meaning in these Rules unless otherwise defined in these presents.

Words importing the singular number include the plural and the converse applies.

Words importing males include females.

Words importing corporations include persons.

### **3. Objects of Society**

The objects of the Society are:

- 3.1 To serve and support Christian budgeting Services, and their management, staff, and volunteers in fulfilling their roles as Christian budget advisors.
- 3.2 To serve and support Christian budget advisors working for secular services.
- 3.3 To provide sound theological teaching about the wise management of money and the dangers of “Consumerism” in local communities.
- 3.4 To encourage services to acknowledge and reflect the dual cultural heritage of New Zealand in recognition of the Treaty of Waitangi.
- 3.5 To facilitate the provision of resource material, advice, networking and fellowship and to assist persons or organizations establishing new services.
- 3.6 To assist and encourage professional development of Christian Budgeting at a national and regional level.
- 3.7 To research and collate relevant governmental policy statements or other social issues and where appropriate inform members and collate and represent their views.
- 3.8 To liaise with and approach (where necessary) government departments, local authorities, non-government agencies, the media and any other organisation on matters pertaining to Budgeting Services and affecting the above objects in any way.
- 3.9 To promote quality Christian Budgeting within local communities in New Zealand.
- 3.10 To do all such things as may be considered necessary for the attainment of the objects of the Society.

### **4. Powers of the Society**

- 4.1 In pursuance of the Society's objects, the Society may do the following:
  - 4.1.1 To provide, lease or otherwise hire and maintain premises for the use of the Society and to make the same available to other persons on whatsoever terms the Society may deem proper.

- 4.1.2 To purchase, sell, exchange, maintain, improve, lease, hire, mortgage, dispose of, manage, control, invest, reserve, or otherwise deal with and turn to account any real or personal property of the Society.
- 4.1.3 To borrow or raise money by such means and upon such conditions as the Society may deem proper.
- 4.1.4 To assist any charity or charitable purpose by such financial or other means as the Society may deem proper.
- 4.1.5 To appoint trustees of all or any of the funds or property of the Society and to vest such funds or property in such trustees.
- 4.1.6 To engage in prosecution, defend, and otherwise take any legal proceedings on behalf of the Society or any of its affiliated bodies and for that purpose to expend such moneys and employ such solicitors, counsel and other advisers as the Society may deem necessary.
- 4.1.7 To edit, print, publish, purchase and distribute magazines, posters, newspapers, books, pamphlets, and other literature.
- 4.1.8 To purchase or hire equipment to assist in the effective working of the Society.
- 4.1.9 To join with or affiliate with any person or other organisation having similar objects.
- 4.1.10 To apply for and acquire any licences or permits deemed necessary by the Society.
- 4.1.11 To open and operate trading and savings bank accounts.
- 4.1.12 To appoint and remove or suspend and pay such officers, clerks, servants or persons as required and to determine their duties and powers and fix their remuneration.

## **5. Application of Society Funds**

- 5.1 All funds obtained by the Society whether by way of subscription or otherwise shall be applied in New Zealand for the pursuance of the Objectives of the Society.

## **6. Financial Year**

- 6.1 Until otherwise resolved in a General Meeting the financial year of the Society shall commence on 01 July and end on 30 June of each year.

## **7. Annual Budget**

- 7.1 The Executive through the Treasurer shall present a budget for the following financial year at each Annual General Meeting for approval.

## **8. Membership**

- 8.1 Membership of the Society shall comprise:
- 8.1.1 Trust or other entities, incorporated or unincorporated that either own or operate local budgeting or financial services or have an interest in the same (“Corporate Membership”);
  - 8.1.2 Individual Christians who operate budgeting or financial services or who are Christians working in the field of Budgeting (“Individual Members”) or have an interest in the objects of this society;
  - 8.1.3 National or regional bodies that are involved, interested in or associated with Budget Services. (“Associate Members”)
  - 8.1.4 Corporate Members and Individual Members who;
    - (a) accept the Statement of Faith in Schedule 1 and the Objects in Clause 3.0; and
    - (b) have been accepted by the Society for membership.
- 8.2 Members shall pay a membership fee as set at any Annual General Meeting of the Society. The Society may make such other provision for obtaining funds, as it deems necessary by way of levies imposed on all members.
- 8.3 Life membership of the Society shall be made from time to time for members who have shown exceptional service over a long period of time. Life Membership is a status decided on by the Executive and accepted at the Annual General Meeting of the Society.
- 8.4 Each Corporate Member shall appoint a nominee to represent the member in all matters before the Society. The term of appointment of a nominee shall be at the nominating member’s discretion. If the nominee is also elected to the Executive the term of appointment of the nominee must be not less than the minimum term held by the person elected to the Executive. The name of the nominee and the term of his/her appointment must be advised in writing to the Secretary. If a nominee is unable to represent the Corporate Member in any matter relating to the Society the Corporate Member may nominate another person to be its representative subject to prior notification in writing to the Secretary advising of the name of that other person.

## **9. Admission to Membership**

- 9.1 Those seeking membership under Clause 8.1 must complete the application form and sign the statement of faith, and provide two referees, one of whom will be a minister, pastor or elder of a Christian church.
- 9.2 The membership application shall be circulated to the Executive by the Society's Secretary. The Executive is required to make the decision to approve or decline the nomination at the next meeting of the Executive. The Executive's decision in the matter will be final.
- 9.3 Any decision to approve membership under clause 9.2 shall require a majority vote in favour. The ballot on such a decision may be conducted by post, by electronic mail, by fax or by telephone conference call. The method and result will be recorded in the minutes of the Executive. The Secretary will notify the Executive's decision to the member in writing.
- 9.4 Where a nomination for a new person has also been endorsed by at least half of the current paid up membership then the Executive shall accept such nomination. A person shall not be admitted as a member if not approved.
- 9.5 On approval of the nomination, the Secretary shall notify the member in writing and enroll the applicant as a member of the Society for the appropriate membership category, once payment of the joining fee then currently in force and annual levy have been received. Where an organisation is elected as a member in the first half of the financial year, it shall pay the full annual levy applicable to the membership category. Where a new member is elected as a member in the second half of the financial year, it shall pay half the annual levy applicable to the membership category.

## **10. Termination of Membership**

- 10.1 Membership may be terminated in any of the following ways:
  - 10.1.1 Any member may resign his/her/its membership at any time on the giving of not less than four weeks notice to the Secretary in writing of its intention to resign. Such notice of resignation shall be deemed effective from the date specified in the notice. Fees and levies shall remain payable to such a date and the joining fee and annual levy are not refundable.
  - 10.1.2 Any failure to pay the annual levy within three months after the due date for payment will entitle the Executive to give notice of termination of membership, which will be effective from the date specified in the notice.

- 10.1.3 Any member who is adjudicated bankrupt or being a company or other body corporate is wound up or has a receiver or liquidator appointed or who makes a compromise with its creditors or who is convicted of a criminal offence may be expelled from membership at the discretion of the Executive.
- 10.2 Membership of any member may be terminated by a resolution of the Executive if such member has in the opinion of the Executive:
- 10.2.1 Ceased to be eligible for membership which, without limiting the quality of the foregoing, includes any refusal or failure to reaffirm the Statement of Faith and support of the Objects of Society.
- 10.2.2 Breached these rules or any rule adopted by the Society from time to time; or
- 10.2.3 Been guilty of conduct prejudicial to the Society and persisted in such conduct for more than 28 days after written notice from the Executive to desist from such conduct.
- 10.3 Any decision to terminate membership under Clauses 10.1.2 and 10.2 requires a 75% majority of the full Executive to vote in favour of the decision. The ballot on such a decision may be conducted by post or by fax or email and the result will be recorded in the minutes of the Executive. The Secretary will notify the Executive's decision to the member in writing.

## **11. Annual General Meetings**

- 11.1 There shall be an Annual General Meeting of the Society each calendar year. The meeting shall take place not later than 6 months after the end of the Society's financial year.
- 11.2 Notification in writing of such Annual General Meeting shall be given to all members not less than one (1) month before the date of the meeting by the Secretary/Administrator of the Society.
- 11.3 Annual General Meetings shall include such business as is considered by the Executive to be necessary but shall at all such meetings include a report from the Chairman of the Executive, a Treasurers report, any items of business requested by members in terms of clause 22.1 and appointment of the Society's Auditor.
- 11.4 A quorum for an Annual General Meeting shall require not less than twenty five (25%) of the membership and sixty percent (60%) of the executive to be present.
- 11.5 If no quorum is present, the meeting shall be adjourned to a date not less than fourteen (14) days or not more than twenty-eight (28) days thereafter.

11.6 Each Individual and Corporate member shall be entitled to vote at any meeting of the Society's Membership as follows:

11.6.1 Corporate Members with a client case load of sixty five (65) or more per annum shall have three (3) votes.

11.6.2 Corporate Members with a client case load of less than sixty five (65) per annum shall have two (2) votes.

11.6.3 Individual Members shall have one (1) vote.

No member whose fees to the Society are more than three (3) months in arrears may vote at any meeting of the Society.

11.7 Proxy votes shall be permitted where a member or his/her/its representative is unable to attend the Annual General Meeting. The member shall forward written notification of the name of the person who shall exercise the proxy vote/s to the Secretary/Administrator of the Society not less than one (1) week prior to the date of the meeting. A proxy vote shall not count for the purpose of assessing whether there is a quorum.

11.8 At any Annual General Meeting a resolution put to the vote of the meeting shall be decided by a show of voting cards, unless a poll is requested.

11.9 Unless a poll is requested, a declaration of the Chairperson that a resolution has been carried or lost shall be conclusive evidence of the fact without proof of the number or portion of the votes recorded in favour of or against the resolution.

11.10 If a poll is requested, it shall be taken in such a manner as the Chairperson directs and the result of the poll shall be deemed to be the decision of the meeting.

11.11 Where a casting vote is necessary, the Chairperson shall have the right to exercise such a vote.

11.12 At each Annual General Meeting the members of the Society shall elect persons to fill any vacancies in the Executive of the Society which shall comprise a minimum of six (6) and a maximum of ten (10) members.

11.13 Written nominations for appointment to the Executive shall be forwarded to the Secretary/Administrator not less than two (2) weeks prior to the date of the Annual General Meetings. All nominations shall also be signed by the nominee and seconder and shall be in such form, as the Secretary / Administrator shall from time to time require.

11.14 At least 60% of the Executive shall be made up of Corporate members.

11.15 At an Annual General meeting the voting percentage shall be not less than 60% of votes cast for election of Executive Members.

## **12. Special General Meetings**

12.1 Other full meetings of the Society shall be called Special General Meetings.

12.2 Special General Meetings shall be called by the Executive where it is considered necessary to discuss an issue of importance to all members of the Society or after the Annual General Meeting.

12.3 A Special General Meeting may also be requested by not less than twenty five (25) percent of members who shall forward a written request signed by each member to the Secretary / Administrator together with the reasons for such a request.

12.4 Notification in writing of the date of the Special General Meeting shall be given to all members not less than one (1) month prior to the date of such meeting and the meeting shall be concluded on that day.

12.5 The same rules that apply in respect of quorums, voting rights and procedures under clause 11.0 should also apply to Special General Meetings.

## **13. Membership of Executive**

13.1 Individual Members, or appointed representatives of Corporate Members under clause 8.4, may only be appointed to the Executive for a term of two (2) consecutive years. At the expiry of that time a member of the Executive must resign but shall be eligible for re-nomination.

13.2 The term of half the first Executive will only be one (1) year. At the expiry of that time half of the Executive must resign but shall be eligible for re-nomination.

13.3 A member of the Executive must stand down for at least one (1) year after the completion of two terms.

13.4 Likewise, office bearers voted on by the Executive on the first meeting following the Annual General Meeting, may hold office for a maximum of one (1) year and must resign their office at the expiry of that time. Office bearers shall be eligible for re-nomination.

13.5 Should any office bearer resign during the term of holding office the Executive shall appoint a person to that office at its own discretion, provided however that the office of Chairperson, Secretary / Administrator and Treasurer must be filled at all times.

- 13.6 Should any other member of the Executive resign during his or her term of membership the Executive may co-opt a replacement at its own discretion, but shall not be required to do so.
- 13.7 Where a vacancy occurs the Executive may co-opt a person to fill the vacancy until the expiry of the departing person's term.

#### **14. Duties and Powers of the Executive**

- 14.1 At the first meeting of the Executive following the Annual General Meeting the Executive shall elect from amongst its members three (3) office bearers who shall comprise a Chairperson, a Secretary / Administrator and a Treasurer.
- 14.2 With the exception of special resolutions passed at General Meetings of the Society the management of the property and the investments of the funds shall be conducted by the Executive.
- 14.3 The Executive may exercise any power vested in the Society and not required by these Rules to be exercised by the Society in a General Meeting.
- 14.4 The Executive shall have power to appoint and to instruct delegates or representatives to bodies with which the Society is affiliated or which have provision for representation of the Society at their meetings.
- 14.5 The Executive may appoint sub-committees or delegates to undertake specific tasks, and in so appointing, the Executive shall stipulate the scope and the powers of such committees.
- 14.6 The Executive shall prepare the Agenda for all Annual and Special General Meetings.
- 14.7 The Executive shall be responsible to the members to promote the aims and objectives of the Society and shall be responsible for the results of its activities.
- 14.8 The Executive, through its Chairperson shall make a full report on its work and activities to the members of the Society at the Annual General Meeting.
- 14.9 The Executive shall have the power to appoint a National Co-ordinator to manage the day-to-day and representative affairs of the Society.
- 14.10 The Executive shall have the power to appoint an Accountant to process the day-to-day financial requirements of the Society.

**15. Powers and Duties of Officers**

- 15.1 The Chairperson shall preside at all meetings of the Society and at all meetings of the Executive. The Chairperson may exercise a casting vote at Executive meetings, where that is necessary.
- 15.2 The Chairperson shall present to the Annual General Meeting a full report of the Executives' activities and business done during its year of office and of any matters of interest or importance to the Society which transpired during the period of the said report.
- 15.3 In the absence of the Chairperson the Executive will appoint a member of the Executive to carry out the full duties of the Chairperson.
- 15.4 The Secretary / Administrator shall be responsible for taking all minutes of Executive, Annual and Special General meetings and shall maintain and complete record books containing minutes of Executive, Annual and Special General meetings.
- 15.5 The Secretary / Administrator shall be responsible for processing all information relevant to the notification of Society meetings as per clause 11.
- 15.6 The Executive is entrusted with the funds of the Society. All monies received by the Society are to be oversighted and responsible for by the Treasurer who shall ensure those funds are deposited into the Society's bank account and issue a receipt of such funds.
- 15.7 The Treasurer shall provide a financial report to each meeting of the Executive and a yearly financial report to the Annual General Meeting.
- 15.8 The Treasurer shall provide such information to the Auditor of the Society as is requested from time to time and in particular will prepare the Annual Financial Statement of the Society.
- 15.9 The National Co-ordinator shall attend to all incoming and outgoing correspondence and is authorised to sign all outgoing correspondence on behalf of the Society, except where the Executive decides such correspondence shall be signed by another office bearer
- 15.10 The National Co-ordinator shall carry out such other tasks as are necessary for the functioning of the Society, including in particular the keeping of a register of members which shall record the full names and addresses of all members with the date on which they become a member and the category of their membership.
- 15.11 The National Co-ordinator shall carry out the day to day functions of the Society in regard to correspondence, banking and co-ordinating Society and member activities.
- 15.12 The National Co-ordinator may represent the Society at National committees where the presented view of the Society is important to

achieving the Society's Objectives. This may entail membership of other relevant committees. Keeping members informed of issues relevant and pertinent to the business of Christian Budgeting New Zealand.

Such membership is subject to Executive Committee minuted approval and should show due cognisance for representation to be a shared legacy.

- 15.13 The National Co-ordinator shall provide to each Executive meeting and the Annual General Meeting a summary of his/her work for the Society and meetings attended.
- 15.14 The National Co-ordinator will be compensated for costs subject to the attendance of the above duties and may receive an honorarium for his/her duties. Such compensation will be subject to clause 20.
- 15.15 The Accountant is to be responsible to the Treasurer for the day to day financial transacting of Society funds, the safe care and maintenance of Society bank deposit, withdrawal and cheque books and with the Treasurer prepare financial reports to the Executive.
- 15.16 Other members of the Executive shall carry out such duties as are delegated to them by the Chairperson.
- 15.17 The Society shall maintain as least one (1) account with a trustee or trading bank in a manner which provides the best stewardship of Society funds, the operation of which shall be through the joint signatures of any two of the signatures of the Chairperson, Treasurer, Secretary / Administrator or National Co-ordinator.

## **16. Executive Meetings**

- 16.1 A quorum of sixty (60) percent of Executive members, including at least two (2) office bearers is required for all meetings of the Executive.
- 16.2 Any member of the Society may with the approval of the Chairperson, attend, but not vote at, any meeting of the Executive.
- 16.3 Resolutions may be passed on the basis of a not less than sixty (60) percent majority of those present having the right to vote, voting in favour of the resolution.

## **17. Indemnity of Executive**

- 17.1 All members of the Executive shall be indemnified by the Society in respect of all duties carried out by the members on behalf of the Society.
- 17.2 This indemnity shall not apply to activities not approved either by the Executive or the members at an Annual or Special General Meeting.

**18. Auditor**

18.1 An Auditor who is a Chartered Accountant, shall be appointed each year at the Annual General Meeting to audit the Accounts of the Society. At the Annual General Meeting the members may decide upon an audit fee.

**19. No Remuneration**

19.1 The Executive, the members of the committees, the Chairman, the Vice Chairman and the Treasurer of the Society, as such, shall serve without remuneration, but the Executive may authorise the payment by the Society of the reasonable expense incurred by the Executive, the members of the committees and such officers in the performance of their duties, and it may fix such salaries as it may deem proper for the services of any Officer in paid employment with the Society, the Secretary / Administrator, and such other officers and employees, as it may deem necessary to appoint for the proper conduct of the business of the Society.

**20. No Personal Benefit**

20.1 Any profits made by the Society, or if the Society derives any income, benefit or advantage then such shall at all times be applied to the Society's objectives.

20.2 No member of the organisation or any person associated with a member shall make a private pecuniary gain arising out of the works or affairs of the Society, and shall not 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.

20.3 Any such income shall be reasonable and relative to that which would be paid in an arms length transaction (being open market value).

**21. Publicity**

21.1 Except where dealing with their own membership, no member (other than the Chairperson or a representative member authorised so to do by the Chairperson) will speak for and represent the views of the Society as a whole without first having obtained the approval of the Executive to do so.

**22. Proposals and Resolutions**

22.1 All members shall be entitled to present any resolutions to the Annual General Meeting or any Special General Meeting provided written notification of any such proposal or resolution is given to the Secretary / Administrator not less than two (2) weeks prior to the date of such Annual or Special General Meeting.

**23. Winding Up**

23.1 The Society may be liquidated voluntarily if the Society at a general meeting of its members called for that purpose passes a resolution with a simple majority of paid up members requiring the Society to be liquidated. The Executive shall give notice of the passing of such a resolution to the Registrar of Incorporated Societies.

23.2 If upon the liquidation or dissolution of the Society there remains, after the satisfaction of all costs, debts and liabilities, any property or assets, they shall not be paid to or distributed among the members of the Society but shall be given or transferred to some other charitable institution or institutions within New Zealand, having objects similar to the objects of the Society and on terms which shall prohibit the distribution of its or their income or property among its or their members to an extent at least as great as is imposed on the Society. Such institution or institutions shall be determined by the members of the Society at or before the time of dissolution or in default thereof by a judge of the High Court of New Zealand or in the absence of there being such an institution, then to such public charity or public charities as such judge may determine.

**24. Matters Not Provided For**

24.1 Questions arising but not provided for in these rules shall be decided by the Executive for the time being whose decisions shall be in force and effective until revoked or altered by a general meeting of Members.

**25. Common Seal**

25.1 The Common Seal of the Society shall be held by the Secretary / Administrator and shall be used only with the approval of the Executive.

25.2 The Common Seal shall not be fixed to a document, instrument, deed, writing, paper or any other things unless pursuant to a resolution of the Executive and in the presence of two (2) members of the Executive who shall sign the said document, instrument, deed, writing, paper or other thing as witnesses.

**26. Amendment to the Rules**

- 26.1 These rules may be amended by not less than a sixty (60) percent vote at any Annual or Special General Meeting of the Society provided that one (1) month's prior written notice of any proposed change to these Rules has been given to all members of the Society **PROVIDED FURTHER HOWEVER** no addition to or alteration of these rules shall be permitted either to anything clauses affecting the Objects of Society, No Personal Benefit, and Winding Up hereof or to remove the charitable status of the Society and any such proposed amendments shall require the final approval of the Inland Revenue.
- 26.2 Any members of the Society shall be entitled to propose an amendment to these Rules and shall do so by forwarding written notice of the proposed amendments to the Secretary / Administrator of the Society.
- 26.3 The provisions and effect of this clause shall not be removed from this document and shall be included and implied in any document replacing this document.

**SCHEDULE 1****STATEMENT OF FAITH**

We believe that -

- A There is one loving and holy God, existing eternally as Father, Son, and Holy Spirit.
- B It is by the plan and will of God that all things in creation exist. The reality, love and purpose of God for humanity are made known by God to people.
- C The Scriptures of the Old and the New Testaments are the inspired witness to God's revelation. God has given them to us through human agents for our instruction and guidance. They alone have full authority in all matters of faith and conduct.
- D Men and Women are created in the image of God and are given authority and responsibility to rule over creation for the praise and delight of their Maker
- E People through unbelief and disobedience have fallen into sin and brought judgment upon themselves. They are, therefore, separated from God and from the source meaning and purpose of life.
- F Jesus Christ, born of the virgin Mary, is both fully human and fully God. He came into this world to rescue us from sin and free us from every form of bondage. Christ's death in our place provides all we need to be forgiven and to find peace with God.
- G Jesus Christ rose from the grave in a complete triumph over sin, evil, and death. Those who repent of sin and place their faith in Christ share now in that victory and in the future will be raised to eternal life.
- H The Holy Spirit is given to believers to make the victory won by Christ's death and Resurrection real in believer's lives, to enable them to live as Christ's disciples and to empower them to share with others what God has done in Christ.
- I The Church is the community of God's people, over which Christ rules, and to which all believers belong. This universal Church finds its expression in local churches.
- J We look forward to the fulfillment of God's plan for our world in the return of our Lord Jesus Christ to judge all people and to establish justice in God's eternal kingdom.