



DEPARTMENT OF JUSTICE

Commercial Affairs Division Wellington
 Private Bag Lambton Quay
 Telephone 721-709

Databank House
 175 The Terrace
 Wellington

6 April 1982

In reply, please quote

The Secretary
 Domiciliary Midwives Society
 of New Zealand
 2/55 Apu Crescent
 Lyall Bay
 WELLINGTON

Dear Madam

We have checked your society's rules and would advise that the following changes need to be made before registration can occur:

- i ✓ Rule 3 provides for the membership of individuals only in the society. However, Rule 4 implies that the membership will be made up of branch societies. Please amend either rule 3 or rule 4 to clarify the situation.
- ii ✓ Rule 3f does not provide sufficient information on why a membership can be suspended or terminated; how the decision to do this will be taken or by whom; and what rights of appeal or a hearing the member involved has.
- iii ✓ Rule 4 does not state who can attend meetings (eg. only delegates or delegates and observers, or members only etc.); how many delegates from each branch; who may vote and for delegates how many votes per branch.

Provision should also be made for an alternate Chairperson and a casting vote in the event of a tie.

Rule 4e is not clear. You should detail whether nominations are to be in writing, how much notice is required, whether voting is to occur at the annual general meeting and if postal voting can be used.

- iv Rule 5 must cover the procedure for authorising and making payments. You may also wish to include provisions for investing and borrowing money.
- v Rule 6c appears restrictive in that it does not allow amendments to be offered from the floor. Any changes of this part however are optional and 6c may be left as it is.
- vi Two requirements which have not been covered by your rules will need to be added. These are the control and use of the common seal and the disposition of the society's property in the event of winding up. Possible rules are: "The common seal of the society shall be kept in the custody of the secretary and shall, after a resolution of the committee in that behalf, be affixed to an instrument, deed or document in the presence of the Chairperson and the secretary who shall subscribe their names and offices thereto as witnesses."

"If, upon the winding up of the society pursuant to Section 24 of the Incorporated Societies Act 1908 there remains after the satisfaction of all its debts and liabilities any property it shall (be divided up between the members of the society who were fully paid up members at the time of winding up) or (be disposed of pursuant to a resolution made at the time of winding up to such other society club or association which the meeting feels is nearest in its objects to the purpose of this society.

An application to use the above name is at present being considered and you will be advised separately when approval has been granted.

Once the above points have been attended and name approval has been granted you should post or bring in to us the following:

- a application forms (Comm Aff 3) in duplicate
- b statutory declaration form (Comm Aff 4)
- c notice of registered office
- d name approval letter
- e rules in duplicate
- f \$20 fee

Should you have any further enquiries please contact
the writer on telephone 721-709 extension 835.

Yours faithfully

A handwritten signature in blue ink, appearing to read 'G L Roberts', written in a cursive style.

(G L Roberts)

for P T C Gallagher
Assistant Registrar of
Incorporated Societies

Enc.