

**1956/84**

## THE ACCLIMATISATION SOCIETIES RULES NOTICE 1956

PURSUANT to the Wildlife Act 1953, the Minister of Internal Affairs hereby gives the following notice.

### NOTICE

1. This notice may be cited as the Acclimatisation Societies Rules Notice 1956.

2. The rules set out in the Schedule to this notice are hereby declared to be model forms of rules for acclimatisation societies, which, pursuant to section 29 (6) of the Wildlife Act 1953, may be adopted in whole or in part by any society.

### SCHEDULE

#### MODEL RULES FOR ACCLIMATISATION SOCIETIES

#### RULES OF

The [Name] Acclimatisation Society (*a society registered under the Wildlife Act 1953*).

#### NAME OF SOCIETY

1. The name of the society shall be "The [Name] Acclimatisation Society".

#### FUNCTIONS OF THE SOCIETY

2. The functions of the society shall be the functions, responsibilities, and obligations placed on every society by the Wildlife Act 1953 and Part II of the Fisheries Act 1908 and by any regulations under either of those Acts.

#### DISTRICT

3. The society shall exercise its powers and functions throughout the [Name] Acclimatisation District (hereinafter referred to as the district) having the boundaries described in the First Schedule hereto (as amended from time to time by Order in Council under section 24 of the Wildlife Act 1953) and throughout any other district the control of which may at any time be vested in the society under the said section 24.

SCHEDULE—*continued*

## MEMBERSHIP

4. (1) Membership of the society shall be divided into the following classes:

- (a) Life members:
- (b) Ordinary members.

(2) Life members of the society shall be those persons who, having been recommended by the Council, are elected as such at any general meeting of the society by reason of special services rendered to the society or in the interests of wildlife and fisheries. All nominations recommended by the Council shall be sent out with the notices calling the general meeting:

Provided that all members who are registered as life members of the society at the date of the adoption of these rules shall continue to be life members of the society.

- (3) Any person who has attained the age of sixteen years and who—
  - (a) Is the holder of a licence under the Wildlife Act 1953 to hunt or kill game in the district or a whole season licence under Part II of the Fisheries Act 1908 to fish for acclimatised fish in the district issued by the society during any financial year; and
  - (b) Makes written application to the Council of the society for membership—

shall be enrolled as an ordinary member of the society without payment of any other fee, and, subject to the provisions of rules 6 and 7 hereof, shall continue to be a member of the society during that financial year and, in the case of the holder of a licence to hunt or kill game, until the commencement of the open season in the next financial year in which there is an open season in the district for the species of game in respect of which the licence was issued, or, in the case of the holder of a licence to fish for acclimatised fish, until the 1st day of December in the next financial year in which there is an open season in the district for the species of fish in respect of which the licence was issued.

(4) No person shall be entitled to vote at meetings or in postal ballots of the society unless he is a member in accordance with the provisions of this rule or is appointed a member of the society under section 27 (1) of the Wildlife Act 1953.

5. A register of members shall be kept by the Secretary, and shall be conclusive as to the right to vote.

6. Only those persons who were members of the society on the 10th day of October immediately preceding the date appointed for the holding of the annual general meeting shall be entitled to vote at any postal ballot for the election of officers of the society, and for the purposes of every such ballot the register of members shall be closed as at the said 10th day of October:

Provided that persons becoming members of the society after that date shall, so long as they remain members, be entitled to attend and (except in the case of persons appointed under section 27 (2) of the Wildlife Act 1953) to vote at all meetings of the society.

7. A member shall cease to be a member of the society, if—

- (a) He resigns his membership by notice in writing to the Secretary;
- or
- (b) He ceases to be qualified as an ordinary member; or

SCHEDULE—*continued*

- (c) His licence to hunt or kill game or to fish has been revoked or he is for the time being debarred from obtaining any such licence. He shall not be entitled to regain membership until such time as he may validly be the holder of a licence of the type revoked or of the type which he was debarred from obtaining.

## COUNCIL

8. (1) The society shall be governed by a Council of ..... members, one of whom shall be elected President in accordance with subclause (3) of this rule. Those members shall be elected from and by the general membership, and shall not be eligible for election unless they have their permanent and principal or only place of residence within the district.

(2) [*Herein shall be set out the form of regional representation of the society, if such is required.*]

(3) The Council shall hold a meeting as soon as convenient after the holding of the annual general meeting to elect from among its number a President. The President shall, so long as he continues to be a member of the society, hold office for a term of ..... years. He shall be eligible for re-election subject to his term of office as councillor not having expired, or if that term of office has expired subject to his re-election as a councillor by ballot of the general membership. If for any reason the position of President becomes vacant, the Council may elect one of its number to be President for the unexpired term.

(4) The Council at its first meeting following the annual general meeting shall elect ..... Vice-Presidents. The Vice-Presidents shall retire as Vice-Presidents at the next annual general meeting held after their election, but shall be eligible for re-election.

(5) At each annual general meeting [*Here state number or proportion*] of the number of councillors who have been longest on the Council without being re-elected shall retire but shall be eligible for re-election. The vacancies thus created shall be filled by ballot as provided in rule 9 hereof.

(6) [*Only where there is regional representation.*] Vacancies on the Council caused by the retirement of members shall be filled from such members as will maintain the proportional or district representation as set out in subclause (2) of this rule.

(7) Where any member of the Council ceases to have his permanent and principal or only place of residence within the district, then, unless he sooner vacates his office, he shall cease to be a member of the Council as from the commencement of the next annual general meeting.

(8) In the event of any member of the Council dying, resigning, or vacating his office, the Council may appoint to the vacancy any member of the society who is available and eligible. Every such appointee shall hold office for the balance of the term of his predecessor.

(9) A member of the Council shall vacate his office if he has absented himself from three consecutive meetings of the Council without leave of absence having been granted by the Council.

(10) An elected member or a member appointed to fill a vacancy under subclause (8) of this rule shall vacate his office if he ceases to be a member of the society.

SCHEDULE—*continued*

## ELECTION OF COUNCIL

9. The election of members of the Council shall be by postal ballot conducted in the following manner:

- (a) Nominations for office shall be in writing signed by the proposer and seconder and containing the nominee's written acceptance, and all shall be members of the society. Nominations must be in the hands of the Secretary not less than twenty-eight clear days before the date of the annual general meeting:
- (b) Not less than fourteen clear days before the date of the annual general meeting the Secretary shall forward to each member a ballot paper containing the names of the nominees for office. The ballot paper shall contain clear instructions on how to vote and state that the voting papers are returnable to the Secretary on or before a specified date, which shall be fixed by the Council. The instructions on how to vote shall contain the following instruction: "Each member shall leave *uncancelled* the name of any candidate for whom he desires to vote and shall *strike out* the name of any candidate for whom he does not desire to vote. Each member shall vote for the full number of candidates required to fill all positions and any voting paper failing to comply shall be classified invalid":
- (c) Any ballot paper received by the Secretary after the specified date shall be en faced with the particulars of the date and time of receipt signed by the Secretary and shall be disregarded in counting the ballot, and may be destroyed at the expiration of one month after the date of the annual general meeting:
- (d) On receipt of the completed ballot papers (other than those received after the specified date) the Secretary shall hand them unopened to the scrutineers appointed by the Council and receive a receipt from them for the total number of ballot papers. The scrutineers shall then in the presence of each other count the ballot and deliver to the Secretary, immediately before the opening of the annual general meeting, a certificate signed by each of them declaring the result of the ballot, and shall at the same time hand over to the Secretary all the ballot papers under sealed cover. The ballot papers may be destroyed on the expiry of one month from the date of the annual general meeting:
- (e) The Chairman of the meeting shall, immediately following the adoption of the Annual Report and Balance Sheet, read out the names of the members successful in the ballot and declare them elected to the Council for the prescribed period of office.

10. If the number of nominations for the Council does not exceed the number required, the Chairman of the meeting shall, at the annual general meeting, declare those nominees duly elected, and, if there remain any vacancies on the Council, the members present at that meeting may elect from those members present sufficient numbers to fill the vacancy or vacancies.

11. (1) A representative of farming interests in the district may from time to time be appointed by the Council under the provisions of section 27 (1) of the Wildlife Act 1953, and shall be appointed for a term of one year and shall be eligible for reappointment. Only one such person shall be a member of the Council at any one time.

SCHEDULE—*continued*

(2) The members of the Council under section 27 (2) of the Wildlife Act 1953 may from time to time be appointed by the Council, and shall be appointed for a term of one year and shall be eligible for reappointment. Not more than three such persons shall be members of the Council at any one time.

## POWERS OF THE COUNCIL

12. (1) The general management of the property, affairs, and business of the society shall be conducted by the Council.

(2) The funds of the society shall be under the control of the Council and shall be applied by the Council in the furtherance of the objects of the society, and may, until required for any of the purposes of the society, be invested in such securities (being securities in which for the time being trust money may lawfully be invested under the provisions of the law in force in New Zealand) in such manner and for such periods as the Council may decide.

13. The Council may employ paid servants at such remuneration as it deems necessary, and may prescribe the duties to be performed by those servants.

14. The Council may delegate to a sub-committee or sub-committees of its members such of its powers (other than the power of general management of the affairs and finances of the society) as may be determined by the Council, and any such delegation may at any time at the pleasure of the Council be varied or cancelled. Every sub-committee shall report to the Council fully upon its activities.

15. The Council may make such procedural orders as it may deem necessary for the efficient management of the affairs and business of the Council, such orders not being inconsistent with these rules.

## MEETINGS

16. General meetings of the society other than the annual general meeting shall be called by the Council on fourteen clear days' notice being given in a daily newspaper circulating in the district. At such meetings papers and other communications of the society and reports prepared by the Council may be presented and discussions encouraged as may be of value in promoting the functions and objects of the society.

17. Notice of annual general meetings shall be given by posting the same in a pre-paid envelope to the last known address of a member fourteen clear days before the date of the meeting. The non-receipt of a notice by a member, or the accidental omission of the notice to any member, shall not invalidate the proceedings of the meeting.

18. The annual general meeting of the society shall be held during the month of November in each year, and the Council shall at that meeting report on the activities of the society during the last financial year and submit the Annual Report and Balance Sheet for consideration.

19. The President, the Council, or any twenty members of the society shall have the power to require a special meeting of members of the society to be held, and the Secretary shall, upon receiving instructions from the President or the Council, or upon a requisition signed by the twenty or more members as aforesaid, convene a special meeting of members to be held within twenty-one days after receipt by him of that instruction or requisition. The notice convening the meeting, which shall

SCHEDULE—*continued*

be advertised in a daily newspaper circulating in the district at least fourteen clear days before the date of the meeting, shall specify the subject or subjects to be considered at the meeting, and only those subjects shall be discussed.

20. At all meetings of the society or of the Council the President, or in his absence a Vice-President (to be chosen by the meeting if more than one are present) shall take the chair. If neither the President nor any Vice-President is present or willing to act, the meeting shall elect a Chairman. The Chairman shall have a deliberative vote and, in the case of an equality of votes, shall have a casting vote also.

21. At all meetings of the society the quorum shall be not less than ..... members.

22. (1) Subject to the provisions of rules 36, 40, and 41 (1) hereof, all questions before any meeting of the society or the Council shall be decided by a majority of the valid votes recorded thereon.

(2) All questions before any such meeting shall be decided by a show of hands:

Provided that any member present may require that a poll be taken on any question before the meeting, and in such a case the poll shall be taken in such manner as the Chairman of the meeting directs.

(3) A declaration by the Chairman of any meeting that a resolution has been carried or lost shall be conclusive evidence of that fact without proof of the number or proportion of the votes recorded for or against the resolution.

23. The Council shall meet not less frequently than once every three months, but at least six times every financial year, on dates and at times to be fixed by the Council, but the Secretary may call a special meeting of the Council to transact urgent business by any procedure previously agreed upon by the Council.

24. Not less than one-third of the members of the Council shall form a quorum and be capable of transacting the business of the Council. If at any meeting insufficient members are present within one hour of the appointed time of the meeting to form a quorum, the Secretary may adjourn the meeting until such time and place as he thinks fit, but in no case less than twenty-four hours from the time of adjournment, and if at the adjourned meeting a quorum is not present those present shall form a quorum.

25. Minutes shall be kept in books retained for that purpose of all meetings of the society and of the Council. The names of all members attending meetings of the Council shall be recorded and published in the annual report. At general meetings of the society the total number attending shall be recorded.

## AUDITOR

26. An auditor who is a member of the New Zealand Society of Accountants shall be elected and have his fee fixed at the annual general meeting each year. It is not necessary that the auditor be a member of the acclimatisation society, but he must not be a member of the Council of the society or hold other office in the society. If the office of auditor becomes vacant during the year, another auditor shall be appointed by the Council, to hold office until the next annual general meeting of the

SCHEDULE—*continued*

society. It shall be the auditor's duty to audit the books and accounts of the society at times fixed by the Council, but in any case before the annual general meeting.

## SEAL

27. (1) The Society shall have a Common Seal which shall be kept in the custody of the Secretary.

(2) The Common Seal of the society shall be affixed to any document requiring sealing by any two members of the Council duly authorised to do so by resolution of the Council and in the presence of the Secretary or of a third member of the Council.

## DUTIES OF SECRETARY

28. The Secretary or Secretary-Treasurer shall be appointed by the Council on such terms and on such remuneration as it shall from time to time decide. His duties shall be as laid down by the Council.

## CHANGES OF POLICY

29. No major change of policy shall be made by the Council except by resolution of the Council passed at a meeting held after at least twenty-one clear days' notice of motion to all members of the Council. The Chairman of the meeting shall rule what constitutes a major change of policy, and his ruling shall be final.

## MEMBERS' CONTRACTS

30. (1) No person shall be capable of being elected or appointed to be or of being a member of the Council if he is concerned or interested (otherwise than as a member of an incorporated company in which there are more than twenty members and of which he is not the general manager or the managing director, by whatever names they are called) in any contract made by the society if the payment made or to be made by or on behalf of the society in respect of any such contract or contracts exceeds ten pounds in the case of any contract or twenty-five pounds altogether in any financial year.

(2) If any person while holding office as a member of the Council becomes incapable of continuing to hold office under subclause (1) of this rule, his position as a member of the Council shall be thereby vacated, and the vacancy shall be deemed an extraordinary vacancy and shall be filled in the manner provided by these rules for filling extraordinary vacancies on the Council.

(3) Any person whose office as a member of the Council is vacated pursuant to subclause (2) of this rule shall be disqualified from being elected or appointed as a member of the Council until the next annual election of members of the Council.

(4) The foregoing provisions of this rule shall not apply in the case of any contract where the Council before entering into the same has resolved that they shall not apply on the ground that it is not practicable to procure the desired services or goods on reasonable or competitive terms under any contract otherwise than by contracting with the member, and provided also that the member has not voted on or taken part in the discussion of the matter relating to the contract.

### SCHEDULE—*continued*

31. A member of the Council shall not vote or take part in the discussion of any matter before the Council in which he has, directly or indirectly, any pecuniary interest.

[*Rules 32 to 39 hereof shall apply only to those societies which have sub-societies or clubs affiliated to the major society*].

#### AFFILIATION OF SUB-SOCIETIES

32. It being considered desirable for the preservation of fish and game, their increase, the prevention of illegal fishing and shooting, and of acclimatisation work generally that sub-societies and clubs should be formed in suitable country districts and affiliated with the society, every opportunity for such affiliation shall be afforded to already existing sub-societies or clubs and to such as may be formed in the future, whose objects are in accord with the society and who desire to co-operate with the society in any of its objects, especially in the discouraging or preventing of illicit shooting and fishing. The form of application for affiliation shall be in or to the effect of form 1 in the Second Schedule hereto.

#### FORM OF AFFILIATION

33. For the purpose of the application for affiliation, notice in writing shall be sent to the Secretary of the society, stating the name of the sub-society or club, giving a list of its members, the name of the Secretary and his address, accompanied by duplicate copies of the rules of the sub-society or club, and particulars of the proposed boundaries of the district or territory over which control is desired, as described in form 1 in the Second Schedule hereto.

#### CHARTERS

34. Upon approval by the Council of the society any such sub-society or club as aforesaid may be granted a Charter, in the form set out in form 2 in the Second Schedule hereto, evidencing that affiliation has been effected, and describing the area over which the sub-society or club shall have local control, subject to the Council's directions:

Provided that no such sub-society or club shall be entitled to affiliation, unless it shall already have ..... members (being holders of a last financial year's fishing or shooting whole season licence) who have applied for membership in writing to the Secretary of the major society and have attained the age of sixteen years. A duplicate copy of every charter issued shall be kept by the Secretary at the registered office of the society.

#### FEEs

35. Every sub-society or club shall pay a fee of 10s. per annum to the Secretary of the society for its charter of affiliation. Failure to pay the fee shall render the charter liable to be withdrawn by the Council.

#### REVOCATION OF CHARTER

36. The Council shall have power to cancel the charter of any sub-society or club, if—

- (a) In the opinion of a two-thirds majority of the Council the sub-society or club has ceased to function in an efficient manner in conformity with the intention expressed in rule 32 hereof; or
- (b) If the number of financial members falls below .....



SCHEDULE—*continued*

SETTLEMENT OF DISTRICT BOUNDARIES

37. In the event of an application for affiliation by a new sub-society or club that is within reasonable distance of already existing sub-societies or clubs and any consequent overlapping of territory, the area of jurisdiction shall be altered or adjusted in such manner as may be mutually agreed upon by the sub-societies or clubs concerned. Failing any such agreement, the Council of the society shall have power to adjudicate, and its decision shall be final.

DUTIES OF SUB-SOCIETIES OR CLUBS

38. The yearly balance sheets of all such affiliated sub-societies or clubs, together with the names of the officials thereof, as well as a report on the work of the past year and suggestions for the ensuing year's work, shall be submitted to the Council of the society for its approval or otherwise not later than the ..... day of September in each year.

39. It shall be part of the duties of all such affiliated sub-societies or clubs if required by the Council to supervise and take charge of the distribution of all such fish and game of whatever kind as may from time to time be sent to the charge of the sub-society or club by the Council of the society, and the sub-society or club shall be responsible for the due and proper supervision of this work, and shall report to the Council of the society on each operation.

DISSOLUTION OF SOCIETY

40. In the event of the necessity arising for the dissolution or winding-up of the society, the Secretary shall summon a special general meeting of the members in accordance with rule 16 hereof. The meeting so called shall have power (subject to the provisions of section 36 of the Wildlife Act 1953) to dissolve or wind-up the society, if the motion is carried by a three-fourths majority of the members present and voting.

ALTERATION OF RULES

41. (1) No new rule or alteration or revocation of any existing rule shall be made except at a special general meeting summoned for that purpose and constituted in accordance with these rules. The special general meeting may coincide with the annual general meeting. The new rule or alteration or revocation of any existing rule shall be valid only if carried by a two-thirds majority of the members present and voting and when approved by the Minister of Internal Affairs.

(2) The text of any proposed new or altered rule shall be included in the notice calling the special general meeting. If it is proposed that any existing rule should be revoked, the existing text of that rule shall be included in the notice calling the special general meeting.

REVOCATION

42. The rules of the society in force at the date of the adoption of these rules are hereby revoked.

FIRST SCHEDULE

BOUNDARIES OF [Name] ACCLIMATISATION DISTRICT

[Here set out description of boundaries sufficient to identify the same.]

SCHEDULE—*continued*

## SECOND SCHEDULE

## FORM 1

FORM OF APPLICATION ON THE PART OF A SUB-SOCIETY (*or* CLUB)  
DESIRING TO BECOME AFFILIATED WITH THE [Name] ACCLIMATISATION  
SOCIETY

To the Secretary,  
[Name] Acclimatisation Society.

Sir,

This sub-society (*or* club) called the ..... duly established at ..... in accordance with the rules, of which a copy is submitted herewith, desires to become affiliated with the [Name] Acclimatisation Society so as to form an integral portion thereof, and with the object of co-operating in the work of the society, as may from time to time be practicable.

Therefore as Secretary of the above sub-society (*or* club), which has a registered membership of ....., I hereby apply for a charter of affiliation in order that the above-mentioned sub-society (*or* club) may be enrolled as affiliated with the [Name] Acclimatisation Society in accordance with its rules in that behalf.

In the event of this application being granted, I undertake on behalf of the above sub-society (*or* club) that it will do all in its power for the conservation and increase of fish and game, and the promotion of the objects of the society in the territory described in my letter herewith.

IN WITNESS WHEREOF I append my signature this ..... day of ..... 19.....

## FORM 2

[Name] ACCLIMATISATION SOCIETY

## CHARTER OF AFFILIATION

To [*name of sub-society or club*].

The Council of the [Name] Acclimatisation Society having, in pursuance of rules 32 to 39 of the rules of the above society, approved of your application for affiliation, and having received the annual fee of 10s. for the year ending 31st day of August 19....., hereby grants to you this charter of affiliation, which shall remain in force so long as you continue in existence as a sub-society (*or* club) with the same objects as at present, and with a membership of not less than ....., and pay the annual fee of 10s. provided for in the said rules.

The area over which you have jurisdiction is as follows:

[*Description of Area*]

DATED AT ..... this ..... day of ..... 19.....

Dated at Wellington this 6th day of June 1956.

S. W. SMITH,  
Minister of Internal Affairs.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 14 June 1956.

These regulations are administered in the Department of Internal Affairs.