

THESE RULES RESCIND ALL PREVIOUS RULES

**CONSTITUTION OF THE NORTH SHORE PLAYCENTRE ASSOCIATION AS
PASSED AT THE SPECIAL MEETING HELD ON THE 23rd OF JUNE 2009 .**

CONSTITUTION

1. **NAME**

The name of the Association shall be "THE NORTH SHORE PLAYCENTRE ASSOCIATION INCORPORATED".

2. **OBJECTS**

The objects of the Association shall be:-

- a) To work with nga whanau/families to provide quality learning experiences for young children.
- b) To assist nga matua/parents to provide a Playcentre, and maintain, equip and supervise it.
- c) To advise, assist, encourage and co-ordinate the activities of existing Playcentres.
- d) To develop public awareness of the Playcentre movement and to develop public conscience concerning the welfare of young children.
- e) To bring nga matua/parents the knowledge available of principles and methods of management and care of young children, and foster better matua/parent/child relationships.
- f) To seek to work in close co-operation with other organisations interested in the welfare of young children.
- g) To raise, receive, hold and administer funds in the form of subscriptions, donations, legacies and bequests; and funds arising from other sources for the benefit of the Association; and to acquire by purchase, lease or otherwise, real estate, buildings and rooms for carrying out the objects of the Association; and to hold, improve, lease, sell or otherwise dispose of the same; and to borrow monies with or without security and to give guarantees in the respect of the obligation of any Playcentre.

- h) To develop and foster experimental research activities in the fields of early childhood education and family and community living.
- i) Generally to do each and every act necessary and proper for the accomplishment of the foregoing objects.
- j) To acknowledge Te Tiriti o Waitangi as the founding document of Aotearoa and promote the use of Te Reo Maori, Tikanga Maori and bi-cultural practices.
- k) To pursue the above objects within the Dominion of New Zealand only.

3. **MEMBERS**

The members of the Association shall consist of:-

- a) **ORDINARY MEMBERS** who shall be nga matua/parents of children at a Playcentre and who have paid all subscriptions and fees fixed by their local Management Committee, and carried out commitments required of nga matua/parents in affiliated Playcentres.
- b) **ASSOCIATE MEMBERS** shall be persons interested in the work of the Association but who do not belong to any particular Playcentre. An Associate Member may resign at any time by notice in writing to the Secretary.
- c) **HONORARY LIFE MEMBERS** who may be elected by a majority of persons present and entitled to vote at any General Meeting of the Association, provided that at least thirty (30) days written notice to the Secretary of the Association shall be required of any notice of motion of the appointment of Honorary Life Members.
- d) **MEMBERS OF THE MANAGEMENT TEAM** who have been duly elected to represent the Association at an Annual General Meeting, but do not fall into the category of a, b or c.
- e) Any ordinary member of a Playcentre affiliated to the Association may resign his or her membership at any time by notice in writing to the Secretary, and on such delivery he or she shall cease to be a member of the Centre/Association but no such resignation shall relieve the member from payment of any monies then due by him or her to the Centre/Association.
- f) A member who fails to comply with the Association rules or policy or code of conduct may incur a period of suspension or dismissal by consensus of the Centre members, such suspension being subject to appeal to the Association Management Team.

- g) Any member failing to pay his or her subscription within three months from the commencement of the financial year may be expelled from the Centre/Association by resolution of the Committee.

4. **ASSOCIATION MANAGEMENT TEAM MEMBERS**

There shall be:-

- a) A President, a Secretary, a Treasurer, an Education Convenor and all Convenors of Sub Committees of the Management Team. Each position may be shared by two members.
- b) The immediate Past President (Ex officio).
- c) Co-opted members as provided in Rule 13.
- d) A Kaiwhakahaere Maori (Maori Convenor) to liaise with Maori within Playcentre. (This position to be appointed by Mahi Nga Tahi o Puawai, a group of Maori Representatives of Maori Whanau within the Association.)

5. **ELECTION OF OFFICERS**

- a) All positions of the Management Team of the Association as listed in 4a) shall be elected positions.
- b) Not more than two (2) nor less than one (1) calendar month before each Annual General Meeting the Secretary shall send nomination papers addressed to the Secretary of each Playcentre calling for nominations (of the elected positions of the Management Team of the Association) and specify a date not less than fourteen (14) days after the date of such notice on which nominations shall close. Any Playcentre and Management Team member shall have the right to nominate a candidate for the said position. Nominations shall be in writing, countersigned by the nominee and any nomination signed by the President and Secretary of a Playcentre or by two Management Team Members shall be a valid nomination.
- c) Nominations for elected positions may be called from the floor of the Annual General Meeting of the Association. Any Playcentre or Management Team member shall have the right to nominate a candidate. Nomination must be seconded and the nominee must agree to the nomination being put.

- d) In the event of there being only one nomination for a position the person nominated shall be elected. In the event of there being more than one nomination an election shall be held at the Annual General Meeting of the Association, every member eligible under Rule 22 shall have one vote.
 - e) The incoming Management Team Members shall take office at the close of the Annual General Meeting.
 - f) No person shall be eligible to be nominated for or to hold at the same time more than one of the positions of President and Secretary or Treasurer.
 - g) The maximum term of office for any one position of the Association as listed in 4a) shall be three (3) consecutive years.
6. The Management Team may appoint a Chairperson from among its members to conduct its meetings.
 7. The Management Team shall from time to time appoint such paid or voluntary officers of the Association as it sees fit for such terms as it sees fit.
 8. Mahi Nga Tahi o Puawai shall from time to time appoint a delegate to attend national level meetings.
 9. The Management Team shall appoint the Association's delegates to the Annual Conference of the New Zealand Playcentre Federation Inc.
 10. The Management Team shall from time to time appoint a National Executive Member to attend National Executive Meetings of the New Zealand Playcentre Federation Inc.
 11. The Management Team shall make such appointments as may be necessary to fill any extra-ordinary vacancy in the offices of President, Secretary or Treasurer.
 12. The quorum at a Management Team Meeting shall be four (4) or two-thirds of the Management Team members whichever is the greater.

13. **HONORARY OFFICERS**

The Honorary Officers of the Association shall consist of:-

1. One or more patrons as may from time to time be determined in general meeting.
2. An Honorary Solicitor and Honorary Auditor who shall be appointed at the Annual General Meeting of the Association.
3. The Auditor must hold qualifications recognised by the NZ Society of Accountants.

14. **ADDITIONAL OFFICERS**

The Management Team shall have power to co-opt such additional members as it shall think fit who shall hold office for so long as the members of the Management Team other than co-opted members shall think fit and in any event the appointment of each co-opted member shall lapse unless renewed at the first Management Team Meeting held after each Annual General Meeting. The Annual General Meeting may recommend members to be co-opted pursuant to this rule.

15. **MANAGEMENT TEAM DUTIES**

The duties of the Management Team shall be:-

- a) To meet at least bi-monthly to determine matters of policy.
- b) To conduct the business and further the objects of the Association with full power to act on behalf of and bind the Association.
- c) To maintain links with the Tangata Whenua of the local area and, through negotiation, actively promote the Association's commitment to honour Te Tiriti o Waitangi.
- d) To indicate the standards for the general conduct of Playcentres.
- e) To provide for the training and ongoing professional development of all employees and paid or voluntary officers of the Association.
- f) To support the Education Team to deliver the adult education programme to ensure group supervised sessions meet Ministry of Education requirements.

- g) To receive reports from all Convenors, subcommittees and employees as required.
- h) To deal with any complaints and special considerations and supply a final decision.
- i) To arrange for insurance cover on all property and equipment of the Association.
- j) To report to the Annual General Meeting of the Association.
- k) To safeguard equipment, literature, adult education, supervision and environment standards in Playcentres.
- l) To take steps to procure, receive and distribute to Playcentres funding from the Ministry of Education.
- m) To formulate remits for New Zealand Playcentre Federation Inc. Conferences and generally maintain relations with the New Zealand Playcentre Federation.
- n) The members of the Management Team and Sub Committees of the Association must continue their education and knowledge of Te Tiriti O Waitangi by attending annual professional development over and above training requirements.

16. The financial year of the Association shall be from the first day of September in every year to the last day of August of the following year.

17. **MEETINGS OF THE ASSOCIATION**

The Annual General Meeting of the Association shall be held every year not later than the 30th day of November when the following business shall be transacted:-

- a) The consideration of a report from the Association Management Team for the past financial year.
- b) The consideration of the audited annual balance sheet and/or statement of receipts and payments.
- c) The election of all positions of the Management Team of the Association as listed in 4a).
- d) The appointment of Honorary Officers for the ensuing year.

e) Such other business as may be accepted by the vote of two-thirds of the persons present at the meeting and entitled to vote.

18. A Special General Meeting may be called at any time by order of the Management Team or by requisition signed by at least 20 ordinary members of a centre or half the members of a centre whichever is the lesser. Such requisition to state the object thereof and to be in the hands of the Secretary not fewer than thirty (30) clear days before the date of such requisitioned meeting. If the Secretary neglects for thirty-seven (37) days to comply with the requisition the requisitioners may themselves validly call the meeting.

19. Fifteen (15) days' notice of an Annual or Special Meeting shall be given to the members by circular and such notice shall state the object and business of such meeting. For the purpose of this clause it shall be sufficient that the circular be addressed to the Secretaries of Playcentres and members of the Management Team.

20. The quorum for General Meetings of the Association shall be fifteen (15); which may include members of the Association Management Team and one delegate from each affiliated Playcentre. The quorum for Annual General Meetings and Special General Meetings shall be fifteen (15) members personally present and entitled to vote.

21. The Association may determine the number of general meetings to be held in any year.

22. **DECISION MAKING**

a) All meetings of the Management Team or any sub committee thereof and all general meetings of the Association shall use consensus decision making as its primary decision making process with the exception of the election of officers.

b) Where there is continuing strong opposition, and no consensus, the topic can be abandoned. Or
Where consensus does not produce a decision and a decision must be made because it is critical to the running of the organisation, the following formal process of voting can apply.

i) At meetings of the Management Team or any subcommittee thereof every member present shall have one vote.

ii) At General Meetings of the Association the following persons present shall have one vote each namely:-

- A) Members of the Association Management Team
 - B) Two delegates from each Playcentre providing up to (three) 3 sessions per week.
 - C) Three delegates from each Playcentre providing four (4) or more sessions per week.
- iii) At all meetings of the Management Team or any subcommittee thereof and at General Meetings of the Association the Chairperson shall have a deliberative and a casting vote.
 - iv) At all meetings of the Management Team or any subcommittee thereof and at general meetings of the Association the Chairperson's declaration that a resolution has been carried or lost on the voices shall be conclusive, provided that any member present and entitled to vote dissatisfied with the Chairperson's ruling may forthwith demand a show of hands and any two (2) members present and entitled to vote may demand a vote by ballot.

23. **FUNDS AND PROPERTY**

All funds and the property of the Association shall be administered by the Management Team in accordance with these rules except those contained in Clause 32 of the Constitution:

- a) All monies received on behalf of the Association shall be paid forthwith to the credit of the Association at its Registered Bank, being such bank as the Management Team shall from time to time appoint.
- b) Funds drawn by the Association shall be authorised by any two (2) of the Officers holding the positions of President, Secretary or Treasurer, the said two Officers not sharing the same position or being members of the same family.
- c) Legacies, endowments, contributions or other gifts of money or other real or personal property may be made to the Association generally or for the purpose of any specific object of the Association.

24. All receipts for money paid or for property transferred or conveyed to the Association shall be signed by the Treasurer and such receipts shall be an effectual discharge for the money or other property therein stated to have been received.

25. The Treasurer shall have power to receive and give receipts for all legacies, subscriptions, donations or other monies bequeathed made or given to the Association.
26. The Management Team shall make funding available for a representative from Mahi Nga Tahi o Puawai to attend national level meetings.

27. **PROHIBITION AGAINST PRIVATE PECUNIARY GAIN**

Any income, benefit, or advantage must be used to advance the charitable purposes of the Association or any affiliated Playcentre. No member of the Association or any affiliated Playcentre, or anyone associated with a member, is allowed to take part in, or influence any decision made by the Association or any affiliated Playcentre in respect of payments to, or on behalf of, the member or associated person of any income, benefit, or advantage. Any payments made to a member of the Association or any affiliated Playcentre, or person associated with a member, must be for goods or services that advance the charitable purpose and must be reasonable and relative to payments that would be made between unrelated parties.

28. **ASSOCIATION WINDING UP**

In the event of the winding up of the Association there remains after the satisfaction of all its debts and liabilities any property whatsoever, such property shall not be paid to or distributed amongst the members of the Association but shall be given to such other charitable organisation with New Zealand as shall be decided at a special meeting called for that purpose.

29. **SEAL**

The Association shall have a common seal which is to be retained in the custody of the Secretary. Every instrument to which the seal is affixed shall be signed by the Secretary and one other of the President or the Treasurer, the said two officers not sharing the same position.

30. **SUB COMMITTEES**

There shall be as Sub Committees of the Management Team an Education Sub Committee, and such other sub committee or sub committees as the Management Team thinks fit.

31. Each Sub Committee shall have such authority as the Management Team shall from time to time delegate to it and shall be responsible to the Management Team.
32. A Sub Committee which has delegated to it by the Management Team the power to receive and/or disburse monies the property of the Association shall account for such monies to the satisfaction of the Treasurer. The Management Team may on such terms and conditions as it thinks fit authorise any such sub committee:-
- a) to operate its own bank account and/or
 - b) to have its own books of account in which latter event it shall be the duty of such Sub Committee to deliver its books of account duly audited to the Treasurer within a reasonable time after the expiry of the financial year of the Association.

33. **SETTING UP A PLAYCENTRE**

In setting up a Playcentre there the two steps involved:-

- i) Playcentre affiliation, and
- ii) Recognition.

34. **PLAYCENTRE AFFILIATION**

A group of parents/nga matua may with the consent of the Management Team affiliate to the Association if it:-

- a) Obtains premises including an outdoor area satisfactory to the Association.
- b) Applies to the Ministry of Education, through the Association, for approval of these premises.
- c) Undertakes to have all new members enrol in the adult education programme.
- d) Undertakes to acquaint each parent/matua with the principles of a Playcentre as laid down from time to time by the Management Team.

35. **PLAYCENTRE RECOGNITION**

An affiliated Playcentre will be recognised by the Management Team when it:-

- a) Acquires equipment up to at least the minimum standard set by the Association.
- b) Applies to the Ministry of Education, through the Association, for approval of this equipment.
- c) Is prepared to operate in a manner consistent with the Association Constitution.
- d) Meets the criteria for licensing or certification of Early Childhood Education services as set down by the Ministry of Education.
- e) Meets the Minimum Standards as set down by the New Zealand Playcentre Federation Inc.

36. The parents/nga matua of children attending or about to attend a Playcentre shall co-operatively run the Playcentre and in particular shall be responsible for the organisation, finance, supervision and equipping of that Playcentre. All such parents/nga matua shall be required as a condition of membership to take an active part in such running.

37. A Playcentre shall:-

- a) Provide a minimum two and a half hour session. No Playcentre may open for more than three (3) hours at a session.
- b) Provide up to but not more than five (5) sessions each week for any one child.

38. The roll of a Playcentre session shall not be more than thirty (30) children. The Association recommends a maximum of twenty five (25). The maximum numbers shall be determined by the square meterage of the play area.

39. That the centre, once affiliated, can apply to become a licensed or certified Early Childhood Education service with the Ministry of Education.

40. **SPECIAL AFFILIATION AND RECOGNITION**

- a) Notwithstanding the provisions of the foregoing rules the Management Team shall have power to proceed with the Special Affiliation of any group it considers, after due deliberation, would benefit from such affiliation and wishes such affiliation and recognition.
- b) In all cases of Special Affiliation the Management Team shall have full authority over equipment standards and supervision standards of the group.

41. **PLAYCENTRE SUPERVISION**

- a) A Playcentre session shall provide at least one (1) adult for each five (5) children on the roll of that session.
- b) Centres must meet all requirements as set out in the Association's Supervision Plan.
- c) All adults must hold current Playcentre qualifications or be enrolled in the Playcentre Adult Education Programme.

42. Each Playcentre may nominate preferred candidates for a Paid Coordinator position in their centre. Final approval will be given by the Association Management Team.

43. **PLAYCENTRE OFFICERS**

- a) Each Playcentre may appoint a Patron and/or Honorary Vice Presidents annually who need not be parents/nga matua of a child attending Playcentre.
- b) Each Playcentre shall elect a President/s, Secretary/s and Treasurer/s annually. It may also elect Vice President/s. These persons shall be known as the Playcentre Officers.
- c) Each Playcentre shall elect annually from among the parents/nga matua of children attending or enrolled for attendance at the Playcentre, sub committees and such other positions as shall be necessary to run the Playcentre.

44. **PLAYCENTRE RESPONSIBILITIES**

- a) Each Playcentre shall be autonomous and responsible for its own welfare, subject only to the terms of these Rules.

b) Playcentre Attendance

- (i) That each child over 2 1/2 years old shall attend a minimum of two (2) sessions per week.

In exceptional circumstances special temporary dispensation can be obtained by consensus agreement of the centre concerned and to the satisfaction of the Association Management Team.

- (ii) That family mixed-aged group sessions are the basis of Playcentre. Children must attend a minimum of three (3) family sessions before attending an extended session.

In exceptional circumstances special temporary dispensation can be obtained (to attend a minimum of two (2) family sessions plus an extended session) by consensus agreement of the centre concerned and to the satisfaction of the Association Management Team.

- (iii) That children may not attend more than five half day sessions per week.

45. a) The Playcentre shall encourage free discussion between parents/nga matua and promote consensus decision making at all times including at all education, planning and centre general business meetings.
- b) A centre general business meeting shall be held in each calendar month from February to November inclusive.
- c) The quorum of a centre meeting will be nine (9) or two-thirds of the centre members whichever is the lesser.

46. **PLAYCENTRE RECORDS**

Each Playcentre shall keep the following records:-

- a) A completed enrolment form for each child signed by their parent/matua or guardian.
- b) A complete accurate roll of all the children at the Playcentre in attendance at each session. Each child shall be marked present for each session attended.
- c) A roster of duties for parents/nga matua on duty.
- d) A complete list of equipment.

- e) A list of the names and Playcentre training completed of all nga matua/parents at the centre.
 - f) An immunisation register.
 - g) Annual plan.
 - h) Annual budget.
47. a) Each Playcentre shall render accounts duly audited by an independent Auditor holding qualifications recognised by the N.Z. Society of Accountants, complete the official forms and deliver these to the Association Secretary/Treasurer not later than the 30th day of October in each year.
- b) All drawings on a centre bank account must be authorised by any two (2) of the Officers holding the positions of President, Secretary or Treasurer, the said two officers not sharing the same position or being members of the same family.
48. Each Playcentre may adopt its own rules within the framework of these rules.

49. **PLAYCENTRE RECESS AND WINDING UP**

In the event of a Playcentre being unable to continue in operation it may apply to the Management Team for permission to go into recess. A Playcentre shall neither go into recess nor wind up except with the written consent of the Management Team.

50. A Playcentre shall first go into recess, for a period of up to two (2) years, all assets and funds to be held in trust by the Management Team during that period.
51. When the Association Management Team approves the reformation of a Playcentre the funds and assets so held in trust shall become the property of and be administered by the Playcentre.
52. If, at the end of two (2) years, the Playcentre has not re-opened or a Committee re-formed, then the funds and assets so held in trust shall vest in the Association.

53. **ALTERATIONS IN RULES**

The Rules pertaining to the winding up of any member Playcentre or to the winding up of the Association cannot be amended, altered or added to in any way that will take away the status of the Association as a non-profit body. Any other Rules may be amended, altered or added to or rescinded at any annual or special meeting of the Association by resolution passed by not less than two-thirds of the delegates present and voting thereat. Thirty (30) clear days' notice of any proposed amendment, alteration, addition or revision shall be given in writing to the Association Secretary.

54. The Management Team shall have the power to determine any matter not provided for by these rules.

PRESIDENT
(Name)

SECRETARY
(Name)

TREASURER
(Name)