



ANALYSIS

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1959, No. 1—*Private*

An Act to provide for the amendment of the rules of societies which are members of the Royal New Zealand Society for the Health of Women and Children (Incorporated)

[7 August 1959]

WHEREAS the Royal New Zealand Society for the Health of Women and Children (Incorporated) (commonly known as “the Plunket Society” and hereinafter referred to as “the Dominion Society”) was duly incorporated under the Incorporated Societies Act 1908 on the ninth day of November, nineteen hundred and twenty: And whereas the membership of the Dominion Society consists of a number of incorporated societies (hereinafter referred to as “branch societies”) each registered with the name “Royal New Zealand Society for the Health of Women and Children [*Name of branch*] Branch (Incorporated)”: And whereas (apart from a distinguishing name) the rules of each branch society are the same as the rules of all other branch societies, and it has been the policy of the Dominion Society for many years past that the branch societies should have the same rules: And whereas rule thirty-one of the rules adopted by all branch societies is as follows, that is to say:

“31. These rules may be altered, added to, or rescinded by resolution carried by a majority of three-fifths of the members present and voting at any general meeting of the branch of which due notice has been given, provided that no such alteration, addition, or rescission shall be valid until it is first approved by a general conference other than an interim conference of the society and secondly registered.”:

And whereas it has proved impracticable to amend the rules of all branch societies at the one time by following the procedure provided in the said rule thirty-one, and the Dominion Society and the branch societies are desirous that the rules of the branch societies should be capable of amendment when the need arises by a resolution passed at a general conference of the Dominion Society and not by a resolution passed at a general meeting of each branch society, and that the said rule thirty-one and the rules of the Dominion Society be amended accordingly, and that the provisions of section twenty-one of the Incorporated Societies Act 1908 (which relates to alterations of the rules of incorporated societies) should be modified in their application to the Dominion Society and to the branch societies:

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1. Short Title—This Act may be cited as the Plunket Society Rules Act 1959.

2. Interpretation—In this Act, unless the context otherwise requires,—

“Alteration of rules” or any like expression includes addition to and rescission of rules:

“Branch society” means any incorporated society which at the commencement of this Act bears the name “Royal New Zealand Society for the Health of Women and Children [*Name of branch*] Branch (Incorporated)” and is a member of the Dominion Society; and includes, where appropriate, any such society hereafter incorporated which bears such a name and becomes a member of the Dominion Society:

“The Dominion Society” means the Royal New Zealand Society for the Health of Women and Children (Incorporated):

“Registrar” means the Registrar of Incorporated Societies; and includes, where appropriate, any Assistant Registrar of Incorporated Societies.

3. Amendment of rules of branch societies—The rules of each branch society, as at present registered, are hereby amended by rescinding rule thirty-one, and substituting, in each case, the following rule:

“31. Subject to section five of the Plunket Society Rules Act 1959, these rules may be altered, added to, or rescinded in the manner provided from time to time in the rules of the Dominion Society for the amendment of the rules of all branch societies save and except that the name of the branch may be altered to any other name with the prior approval of the Dominion Council by resolution carried by a majority of three-fifths of members present and voting at any general meeting of the branch.”

4. Amendment of rules of Dominion Society and branches—The rules of the Dominion Society are hereby amended by rescinding rule fifty, and substituting the following rule:

“50. Subject to section five of the Plunket Society Rules Act 1959, these rules, and the rules of all branch societies, may be altered, added to, or rescinded at a general, interim, or special conference by a resolution passed by a three-fifths majority of the votes recorded. At least sixty days’ notice of any proposal to alter the rules shall be given by the Dominion Council or a branch to the Dominion secretary and the Dominion secretary shall give at least thirty days’ notice to all branches of the proposed alteration. No such alteration, addition, or rescission shall be valid until registered.”

5. Formalities in respect of alteration of rules—Notwithstanding the provisions of subsection two of section twenty-one of the Incorporated Societies Act 1908, every alteration to the rules of the Dominion Society or to the rules of each branch society shall be in writing in duplicate and each copy shall be sealed with the common seal of the Dominion Society; and the documents so sealed shall be delivered to the Registrar accompanied by a statutory declaration made by a solicitor, a member of the Dominion Council (as defined in the rules of the Dominion Society), or the secretary of the Dominion Society, to the effect that the said alteration has been made in accordance with the rules of the Dominion Society and, where applicable, of the branch society.

6. Registration of new branch societies—Upon receiving an application for the incorporation of a society which upon incorporation will bear the name “Royal New Zealand Society for the Health of Women and Children [*Name of branch*] Branch (Incorporated)”, and provided the application is accompanied by a certificate under the hand of a member of the Dominion Council or the secretary of the Dominion Society to the effect that the new society is or will upon incorporation become a member of the Dominion Society, the Registrar shall register the same notwithstanding that the provision in the rules of the new society relating to the mode of alteration of its rules is in the same form as that contained in section three of this Act or one similar thereto and does not provide for the alteration of its rules by the new society itself if he is satisfied that all other requirements of the Incorporated Societies Act 1908 or any Act passed in substitution therefor have been observed.

7. Application of Incorporated Societies Act 1908—The Incorporated Societies Act 1908 and its amendments shall continue to apply to the Dominion Society and to the branch societies, except to the extent that their requirements are varied by the provisions of this Act.

8. Private Act—This Act is hereby declared to be a private Act.
