

RULES OF

CADET CORPS ASSOCIATION OF NEW ZEALAND TRUST (INCORPORATED)

1. Constitution and Name

- 1.1 The CADET CORPS ASSOCIATION OF NEW ZEALAND TRUST ("the Association") is constituted by resolution dated the 28th day of March 2008 and in these Rules is hereinafter referred to under its abbreviated title of CCANZ or "the Association".

2. Objects

- 2.1 The primary objects of the Association are:

- a. to be the recognised national civilian support organisation for the Cadet Corps in accordance with the provisions of the Defence Act 1990 and the New Zealand Cadet Forces (NZCF) Charter of Support (hereinafter referred to as the Charter);
- b. to provide a clearly identifiable Association within which all organisations and individuals involved with the support of the New Zealand Cadet Corps can jointly contribute either locally or nationally to the growth and development of the Cadet Corps as a successful youth training organisation within the ambit of the New Zealand Cadet Forces.

- 2.2 Without detracting from the primary objects, the secondary objects of the Association are to:


- a. to promote and develop interest in the Cadet Corps;
- b. to support the Cadet Corps in furthering the aims of the New Zealand Cadet Forces;
- c. to provide support to Cadet Corps Units to ensure they can operate effectively, efficiently and safely;
- d. to develop an understanding and an interest within the cadet Corps in military matters and the New Zealand Army.

- 2.3 Notwithstanding any other provision, the Association shall not expend any money:

- a. other than to further purposes recognised by law; nor
- b. for the sole personal or individual benefit of any member.

3. Powers, Duties and Responsibilities

- 3.1 In addition to its statutory powers the Association may:

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- a. use such of its funds to pay the costs and expenses of furthering or carrying out its objects, and for that purpose may employ such people as may seem expedient; and
- b. exercise all the powers that a trustee might exercise; and
- c. invest in any investment in which a trustee might invest.

3.2 The principal duties and responsibilities of the Association are:

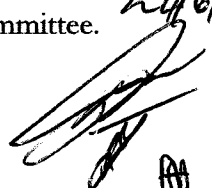
- a. to promote the Cadet Corps and develop public awareness of the Cadet Corps and its value as a youth organisation to New Zealand and the community;
- b. to assist in the organisation, administration, maintenance and development of the Cadet Corps and to consult with the Commandant of Cadets on policy issues relating to the Cadet Corps;
- c. to liaise with the Army Association or any Branch of the Association for the provision of, or alterations to, buildings, property and other assets owned or leased by CCANZ or any Branch of CCANZ for the use of the Cadet Corps on such terms and conditions as may be mutually agreed upon;
- d. where appropriate, to manage and maintain the buildings, property and other assets provided by CCANZ or any of its Branches under para 3.2(c) above;
- e. to raise the finance and hold the funds necessary for contributing to the aims of the Association;
- f. to maintain liaison with the Air Training Corps Association of New Zealand and the Sea Cadet Association of New Zealand on matters of mutual interest;
- g. to do all such things as a body corporate may generally do in furtherance of the objectives of the Association.

4. Structure and Organisation

- 4.1 The structure and organisation of CCANZ takes into account the distributed nature of the Cadet Corps Units around New Zealand.
- 4.2 The Association shall comprise a National Executive and Unit Branches and may be organised into Regional groupings if two or more Branches within a particular geographic area so agree.
- 4.3 Each Cadet Corps Unit will be supported by a CCANZ Unit Branch Committee.

5. Regional Committee

- 5.1 If a Regional grouping is formed, Units in that grouping will form a Regional Committee.

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5.2 Regional Committees may take two forms: those that are co-coordinating bodies for Units in the Region and do not hold any funds and those that do have funds.

5.3 Regional Committees that hold funds are to operate in accordance with the Constitution at Schedule II to this Constitution.

6. Obligations of Association Branch Support Committees for Units in accordance with the NZCF Charter with following changes

6.1 The Unit Branches of the recognised civilian support organisations and the Unit Support Committees are responsible for:

- a. assisting the Unit Commander with the preparation and support of the annual programme of local unit training activities which require community funding and support;
- b. approval and support of Cadet activities planned by the Unit Commander which are additional to New Zealand Defence Force (NZDF) provided training and activities;
- c. providing and administering funds for the Unit's local training, activities, equipment and clothing;
- d. assistance with the provision of Unit accommodation and accommodation maintenance;
- e. insurance of items of value owned by the Unit, excluding those weapons, uniforms and stores on loan from the NZDF;
- f. promotion of the Unit within the Region;
- g. assistance to the Unit Commander with the Cadet Force officer recruitment from within the community;
- h. liaison with the Unit Commander on budgetary matters which may affect the Unit operation;
- i. fostering links with other Cadet Units in conjunction with the Unit Commander;
- j. regular liaison with the local Branch of the RNZRSA and similar organisations;
- k. promotion of the participation of Cadets in community service;
- l. assistance to the Unit Commander in the supervision of Unit events to ensure the activities meet the aims and objectives of the NZCF;
- m. assistance to the Unit Commander with managing risks associated with Unit (NZCF) activities;

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- n. assisting Unit Commanders in their responsibilities for the recruitment and retention of Cadets including the publicity and public relations of the Unit and the Cadet Corps generally;
- o. promoting social and recreational activities for the benefit of Cadets;
- p. assisting in the provision of accommodation for visiting Cadets;
- q. providing support of Cadets selected for overseas visits or in attending camps, excursions, exercises or authorised cadet activities at National, Regional or inter-Unit level.

7. Branch Committee Membership


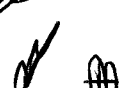
- 7.1 Membership of Unit Branches shall be open to parents or guardians of Cadets, former Cadets and any other person with an interest in the Cadet Corps.
- 7.2 No Officer shall be precluded from attending a Branch Committee meeting and the Unit Commander or nominee should attend all Branch Committee meetings.
- 7.3 Except as provided by Rule 8(b) no serving NZCF Officer with a Cadet Unit shall be eligible for election or appointment to a Unit Branch Committee while that person is a serving Officer with that Unit.

8. Branch Committee Structure

- 8.1 Each Unit Branch shall elect annually a Branch Committee comprising a Chairperson, Secretary, Treasurer and such other members as may be elected at the Annual General Meeting of the Branch. The Branch Committee may co-opt such persons as it considers necessary to replace any vacancies.
- 8.2 The Unit Commander of the Cadet Unit or his or her nominee shall be an ex officio member of the Branch Committee.
- 8.3 Each Branch Committee may include one Cadet representative elected by the Cadets of the Unit. Any such Cadet representative shall be a voting member but may not hold office in the Unit Branch Committee.

9. Branch Committee Operation

- 9.1 In addition to the powers, responsibilities and duties set out in Rule 6:
 - a. the Secretary of each Unit Branch Committee shall maintain a Minute Book in which all decisions made are to be recorded, especially those related to expenditure;
 - b. each Unit Branch shall conduct a banking account under the control of at least two signatories and disbursement of funds shall be determined by the Branch Committee;



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- c. a Unit Branch Committee shall have power to fix and determine annual Branch membership subscriptions;
- d. each Branch Committee shall notify the National Secretary of the names of the Chairperson, Treasurer and Secretary, of any changes as they occur and the membership strengths of their Unit Branch.

10. National Executive

10.1 The Management of the Association shall be vested in a National Executive Committee. The obligations of the National Executive in accordance with the Charter are:

- a. national promotion of the Cadet Corps;
- b. approval of Corps training and activities which complement the training programme provided by NZDF;
- c. sponsorship for funding purposes for the National Executive;
- d. support of inter-unit activities between Units and Corps;
- e. assistance in finding Unit accommodation and the provision of suitable training and activity equipment;
- f. informing HQ NZCF of any Association policies which affect their responsibilities under the Charter;
- g. regular consultation with the Commandant NZCF on NZDF policy issues affecting Cadet Force Units;
- h. liaison with other organisations which support Cadet Units or Corps;
- i. attendance of a representative at the annual Cadet Advisory Council (CAC) meeting to represent the views and issues of individual Corps national support organisations;
- j. provision of a representative one of the Cadet Advisory Council Standing Committee (CACSC);
- k. liaison with overseas Cadet organisations or Units for international Cadet exchanges;
- l. administration of national resources and assets acquired for the benefit of the Cadet Corps;
- m. in consultation with the Commandant, provision of a disputes resolution process for Unit Support Committees.

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11. Membership

11.1 The National Executive shall comprise:

- a. a President and Vice President to be elected at each Annual General Meeting of the Association
- b. the President of the Army Association Inc or his/her representative;
- c. a National Secretary;
- d. a Treasurer (but may be combined with the duties of Secretary);
- e. the National Executive may invite the following organisations or other organisations expressly interested in Cadet Corps Cadets to have a representative as an ex-officio member of the Executive: the Royal New Zealand Returned and Services Association;
- f. alternates may be appointed for the position specified in para (b) and such alternates shall be entitled to attend any meeting but may not vote if the principal office holder is also present.

12. Management

12.1 The National Executive:

- a. may appoint such sub-Committees consisting of Executive members and others as it considers necessary to conduct the business of the Association;
- b. may make honorary appointments to all Committees except that a person or firm may be employed or engaged as Secretary and/or Treasurer to the National Executive;
- c. shall appoint annually an auditor who shall be a member of the New Zealand Society of Accountants;
- d. shall have the power to determine conditions of membership of the Association;
- e. National Executive Committee will include three representatives from each of the three Cadet Regions.

13. Suspension or Expulsion of Members

13.1 The National Executive Committee may suspend or expel members of the National Executive and Branch Committees may suspend or expel members of their Committee if:

- a. they are convicted in a court of law;
- b. by their actions bring the organisation into disrepute; or

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- c. act in contravention of the Constitution of the Association.

14. Procedure for Suspension or Expulsion of National Executive or Branch Committee Members

- 14.1 All complaints about a National Executive or Branch Committee member shall be in writing addressed to the National Secretary or Branch Committee Secretary.
- 14.2 If the National Executive Committee or Branch Committee considers that there is sufficient substance in the complaint it will invite the member to attend a meeting of the National Executive Committee or Branch Committee to answer the complaint either orally or in writing. The member who is the subject of the complaint may be accompanied by counsel who may speak on behalf of the member, or by a support person.
- 14.3 The National Executive Committee or Branch Committee will give the member at least ten (10) working days written notice to the last known address of the member that notice will be delivered either by post or by courier. The notice will:
- a. clearly set out the nature and substance of the complaint in plain language sufficient to enable the member to offer an explanation of the member's alleged conduct; and
 - b. inform the member of the procedures and remedies open to the Executive or Committee.
- 14.4 After hearing the complaint and the member's explanation the National Executive Committee or Branch Committee may either:
- a. dismiss the complaint; or
 - b. uphold the complaint in which case it may:
 - i. censure the member; or
 - ii. suspend the member for such period as it considers appropriate;
 - iii. expel the member from the Association.

15. Appeals

- 15.1 Any Branch Committee member or National Executive member who has been censured, suspended or expelled pursuant to Rule 14.4(b) may within ten (10) working days give notice in writing to the Secretary of the National Executive Committee appealing from that decision.
- 15.2 The Secretary of the National Executive Committee shall convene a meeting of an Appeal Committee comprising three members of the Association nominated by the National Executive Committee and three members nominated by the appellant. The Committee shall be chaired by an independent person nominated by the President.

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16. Rules of Natural Justice Apply

16.1 In all proceedings pursuant to Rules 14 and 15 the rules of natural justice shall apply.

17. Capitation Fee

17.1 The National Executive shall have power to determine and levy a capitation fee to be payable by Unit Branches on such basis as may be recommended by the Executive to the CCANZ Annual Conference.

18. Administration

18.1 Communication between the National Executive and Unit branch Committees should normally be conducted through the office of the Association.

19.2 Unit Branch Committees may communicate directly with the Commandant of Cadets on matters of administration and maintenance of the Unit they support as laid down in the Cadet Force Manual.

18.3 Unit branch Committees shall meet as regularly as required but desirably not less than on a monthly basis.

18.4 The National Executive shall meet not less than twice per year. Additional meetings of the Executive may be called by the President or by a request in writing to the President by a Vice-President and one other member of the Executive.

19. General Meetings of the Association




19.1 A general meeting of the Association shall be held annually. The date and place of the General Meeting shall be notified by the Secretary of the National Executive by notice in writing not less than twenty-one (21) clear days before the date of the meeting.

19.2 Each Unit Branch Committee shall have the right to send two representatives to any general meeting of the Association and they shall have the right to speak. Other members of the Association including Branch members may attend a general meeting but they shall not have the right to speak or vote.

20. Special General Meetings of the Association or Branch

20.1 A special general meeting of the Association or Unit Branch Committee may be called in the following manner:

- a. Association: by the National Executive of its own volition, or a request in writing by six Unit Branches;
- b. Unit Branch Committee: by a request in writing of six members.

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21. Notice of Meetings

- 21.1 Seven (7) days notice shall be given of meetings of the National Executive not less than twenty-one (21) days notice in writing of a general meeting and fourteen (14) days notice of a special general meeting shall be given.

22. Voting at Meetings

- 22.1 Each Unit Branch shall be entitled to one vote at annual general or special general meetings of the Association.
- 22.2 Each member shall be entitled to one vote at National Executive or Unit Branch meetings.
- 22.3 Every question to be put to a meeting shall be decided on voices but if the Chairperson then decides, on a show of hands. If any member present and entitled to vote so requests, a ballot of those entitled to vote shall be held.
- 22.4 In the event of an equality of votes the Chairperson shall have the right to exercise a casting vote as well as a deliberative vote.

23. Election of Officers to the National Executive or Unit Branch Committee

- 23.1 Office bearers shall be elected by a show of hands or if necessary, by ballot by those present entitled to vote and shall take office at the conclusion of the meeting at which they are elected.

24. Alteration to Rule

- 24.1 These Rules may be amended or replaced by resolution of any general meeting of the Association passed by a two-thirds majority of those members present and voting.

25. Common Seal

- 25.1 The Common Seal of the Association shall be affixed by the President or his appointed deputy and the Secretary shall keep custody of the Common Seal.

26. Winding Up of a Unit

- 26.1 In the event of a Unit being placed in recess by the Commandant of the Cadet Forces or that the Branch Committee determines that the Unit should be placed in recess or be disbanded, the Chairperson of the Branch Committee shall immediately inform the National Executive. No other action is to be taken until the National Executive decision is advised. The National Executive will determine within fourteen (14) days whether it wishes that the Unit should continue or not. If it is not to continue then the Branch Committee shall:
- a. bank all monies and where possible collect all outstanding debts to the Unit Branch;

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- b. pay all outstanding accounts;
 - c. transfer the balance of the bank account to the Secretary of the Association together with a statement of accounts and the Unit Branch Minute Book;
 - d. the Secretary of the Association will vest the funds received in a "trust" and from that "trust" may pay any further accounts submitted. If insufficient funds are transferred to meet further accounts it will be a matter for decision of the National Executive as to the payment of these outstanding accounts;
 - e. any fixed assets of the Unit Branch shall be advised to the National Executive which shall arrange disposal as appropriate, or in accordance with any Trust or other instrument dealing with the disposal of those assets.
- 26.2 If the National Executive decides that the Unit shall continue the Chairperson of the Branch Committee will be informed and advised of the measures the National Executive intends to take.
- 26.3 Should for any reason the Branch Committee decide it is unable to continue, the Chairperson is to immediately inform the National Executive. The National Executive will appoint the Regional Vice-President or any other suitable person to assume the function of the Branch Committee until a new Committee can be formed. The Minute Books, financial instruments and accounts are to immediately be passed to that person. All items of Unit property in the possession of any Committee member are to also be immediately passed to that person.

27. Winding Up of the Association

- 27.1 The Association may be wound up under the provisions of the Incorporated Societies Act 1908.
- 27.2 If the Association is wound up, the surplus assets after payments of all debts, costs and liabilities shall be disposed of for such charitable purposes as may be determined in accordance with the Incorporated Societies act 1908 or by resolution, but no distribution may be made to any member.

28. Finance

- 28.1 The Treasurer or such other authorised person shall keep such books of account as may be necessary to provide a true record of the Association's financial position to each Committee meeting and present an annual statement of accounts (income and expenditure account and balance sheet) to the Annual General Meeting.
- 28.2 The National Executive shall maintain bank accounts in the name of the Association, and all cheques and withdrawal forms shall be signed by the Treasurer, Secretary or President and countersigned by some other person authorised by the National Executive.
- 28.3 All moneys received by the Association will be banked as soon as practicable after receipt.

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28.4 All accounts paid or for payment shall be submitted to the National Executive for approval of payment.

28.5 The Association's financial year shall commence on 1 January and end on 31 December of that year.

29. Control of Funds

29.1 None of the assets or income of or in connection with the Association's property shall at any time go or be distributed between or among or paid to any person who is an office holder of the Association or member or office holding of any Branch of the Association or associated persons or any of them, PROVIDED HOWEVER:

- a. that any such office holder or member or associated person may be paid out-of-pocket expenses incurred by them in connection with the administration of the Association's property;
- b. that the Association may pay to any person lending money to it, in accordance with Rules of the Association, interest at a reasonable rate of money so lent;
- c. that any person engaged in any profession, business or trade, shall be entitled to be paid all usual professional business and trade charges for business transacted, time expended and all acts by them or any employee or partner of theirs in connection with the Association.

29.1A a. Any income, benefit, or advantage must be used to advance the charitable purposes of the organisation


b. No member of the organisation, or anyone associated with a member, is allowed to take part in, or influence any decision made by the organisation in respect of payments to, or on behalf of, the member or associated person of any income or advantage

c. Any payments made to a member of the organisation, or person associated with a member, must be for goods or services that advance the charitable purposes and must be reasonable and relative to payments that would be made between unrelated parties.

29.2 The Treasurer shall have the power to receive all levies, fees, donations or other monies and lodge these in a bank or bank accounts approved by the National Executive and to pay out of the funds of the Association any expenditure which may be incurred and which has been approved by the National Executive.

30. Unit Branch Funds

30.1 Monies raised or collected by Unit Branches of their own volition and not by the direction of the National Executive shall be the property of that Unit Branch and may be applied in such a manner for the benefit of the Cadet Unit in general as the Unit Branch sees fit.

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31. Branch Annual Reports

31.1 Each Branch Unit shall prepare an annual report and audited or certified check of the statement of accounts, forwarding a copy to the Secretary or National Executive.

32. Property and Equipment


32.1 The rentals and/or conditions for the use of buildings, properties or equipment owned or leased by the Association or Branches of the Association and made available for Cadet Unit purposes shall be as agreed between the National Executive or Unit Branch and the owners, and may be reviewed every three (3) years or at such other intervals as may be mutually agreed bearing in mind the objectives of both organisations.


32.2 Alterations, extensions or major structural changes to buildings shall not be undertaken without the written approval of the owner of the buildings.


32.3 Equipment owned by CCANZ and allocated to Units shall not be transferred between Units without the consent of the National Executive.

33. Resolution of Disputes

33.1 Any dispute between a Unit and a Branch Committee of the Association shall be submitted to the Commandant for resolution in accordance with DFO7.

 Maj Gen (Retired) L Gardiner President

 Derek Nees Vice President

 Natasha Moir Secretary

Dated: *24 June 2022.*