

RULES OF Wellington Access Broadcasting Society Incorporated

Amended October 2020, October 2017, October 2016, October 2014,
October 2013, October 2011, July 2011, March 2008 and July 2008

1.0 NAME

The name of the Society is Wellington Access Broadcasting Society Incorporated (the Society).

2.0 GOALS

- 2.1 To provide and make available broadcasting facilities for the community.
- 2.2 To ensure that the diversity of life in New Zealand/Aotearoa is fully reflected on radio and internet broadcast by the making and broadcasting of programmes on Wellington Access Radio which reflect and develop New Zealand identity and culture.
- 2.3 To ensure that a range of broadcasts is available to cater for the interests of minorities in the community and of women.
- 2.4 To make Access Radio programmes available to all those who feel they are not adequately served by the mainstream established media.
- 2.5 To encourage and facilitate the dissemination of information and the expression of ideas by groups and individuals within the community to a wider audience; to the benefit of the whole community and for the public good.
- 2.6 To encourage and enable groups and individuals to learn the necessary social, communication and organisational skills to advance the level of understanding of and tolerance for difference within the community.
- 2.7 To operate the Society to provide access programming services.
- 2.8 To seek continuing funding from New Zealand on Air and from other appropriate sources.
- 2.9 To represent Access programme makers in dealings with all other organisations and to facilitate communication between programme makers.
- 2.10 To enter into dialogue with and make submissions to Government Ministers, Government Departments in particular the Ministry for Culture and Heritage, New Zealand on Air and any other group on Access broadcasting and related matters.
- 2.11 To become affiliated with other groups and bodies, incorporated or not, which subscribe to objectives and goals similar to those of Wellington Access Radio.
- 2.12 To frequently evaluate goals in the light of achievements so as to maintain an organisation that strives to meet its objectives and not an organisation that simply preserves itself.
- 2.13 To protect the right of any group or individual to present a programme uncensored within the Broadcasting Act 1989 and other laws and within a recognised code of broadcasting practice.
- 2.14 An overriding principle of broadcasting participation in Wellington Access radio is a right to broadcast non-mainstream opinion, as allowed by enabling legislation and restricted only by New Zealand law and providing for the safety of all who participate in Wellington Access Radio and the Society activities.

3.0 OBJECTIVES

- 3.1 To offer an alternative to the existing media.
- 3.2 To demystify the broadcast media and to enable people to develop the skills of radio and media communication in a positive environment.
- 3.3 To maintain a high standard of programme content and presentation and to be innovative in radio programming.
- 3.4 To encourage people to be aware of the power of the broadcast media and how it can reinforce or change attitudes in society.
- 3.5 Not to discriminate on grounds of gender, age, race, sexual orientation or disability.
- 3.6 To support the presentation of points of view which may or may not be at variance with established views expressed through the existing media and established institutional thought.
- 3.7 To heighten awareness and appreciation of diversity in our community.
- 3.8 To foster and encourage involvement in community affairs and community activities.
- 3.9 To provide ethnic groups with the means of communicating in their own language through their representatives and/or other individuals.
- 3.10 To promote local performing and creative talent and to act as an outlet for cultural groups to express themselves to a wider audience.
- 3.11 To provide an outlet for alternative music not played on other stations.
- 3.12 To encourage children to produce their own programmes.
- 3.13 To cater for the needs of such groups as the unemployed, the elderly, the disabled, and the homebound and those with increasing amounts of leisure time.
- 3.14 To encourage schools and other educational organisations to participate in the making and presentation of programmes.
- 3.15 To enable the broadcast of educational programmes on subjects of social and political importance and interest to help facilitate the process of positive social and political change.
- 3.16 To build and maintain a strong and cohesive volunteer force to take active interest in the running and responsibilities of Wellington Access Radio.
- 3.17 To encourage active social contact among all groups and individuals involved in the Society.
- 3.18 To produce such publications as considered necessary to the community and members of the society.
- 3.19 To provide the opportunity for people of all religions and faiths to express their beliefs on air.

4.0 POWERS

- 4.1 To purchase, lease, hire or otherwise acquire any real or personal property.
- 4.2 To sell, let, mortgage or otherwise dispose of or deal with any of the property or assets of the Society.
- 4.3 To construct, maintain or alter any buildings or property.
- 4.4 To borrow, raise or invest money.
- 4.5 To enter into or terminate contracts of service or contracts for services.

- 4.6 To enter any contracts with Government, Local Authorities, Corporations or any other bodies to provide broadcasting services.
- 4.7 To do all such other activities which will further the objects of the Society.
- 4.8 No power shall be carried out in a manner that is inconsistent with the Treaty of Waitangi.

5.0 MEMBERSHIP

- 5.1 The following persons shall be eligible to be members of the Society:
 - 5.1.1 Users
Persons who are, or have been, involved in the production of programmes on Wellington Access Radio.
 - 5.1.2 Supporters
Persons involved with broadcasting issues who support the objects of the Society.
 - 5.1.3 Listeners
People who enjoy listening to Wellington Access Radio.
 - 5.1.4 Paid staff of Wellington Access Radio may not be members of the Society.
- 5.2 Application for membership shall be made to the Society.
- 5.3 The Society shall, subject to the payment of any membership fee, accept a membership application which shall be maintained in accordance with the Privacy Act 1993.
- 5.4 Membership of the Society shall be ratified at the next meeting of the Wellington Access Broadcasting Society Council (the Council) when the member's name and address shall be recorded in the Register of Members.
- 5.5 No Society member may be eligible to cast more than a single vote at an Annual or Special General Meeting, even when representing a programme making group.

6.0 MEMBERSHIP FEE

The Annual General Meeting shall confirm a membership fee from time to time. Such membership fee shall be payable on July 1 each year.

7.0 RIGHTS AND RESPONSIBILITIES OF MEMBERSHIP

- 7.1 On attaining membership, each member shall receive a copy of the Constitution of the Society.
- 7.2 Each member shall have one vote on any matter, except as hereinafter provided, regarding the Chairperson's casting vote, and voting in the Society Council.
- 7.3 Members shall have the right to make programmes and broadcast on Wellington Access Radio, provided that agreement has been reached with the

Manager of Wellington Access Radio and appropriate facilities charges have been paid.

7.4 Members shall receive regular newsletters advising them of the activities and progress of the Society.

7.5 Members who change their addresses shall give notice in writing to the Secretary of the Society.

8.0 TERMINATION OF MEMBERSHIP

8.1 Any member may resign his or her membership by submitting a written resignation to the Society.

8.2 If, in the opinion of the Council, any member has acted in a manner that is harmful to the Society that member may be expelled by a two-thirds majority of the full Council with proxy votes being allowed from any Council member unable to be present, provided that:

8.2.1 The Council notifies the member concerned of the proposed expulsion and the reasons for it.

8.2.2 The member concerned is given an opportunity to be heard by the Council considering the expulsion.

8.2.3 The expelled member has a right of appeal to a General Meeting of the Society within twenty one days of the Council decision. The Council shall call a

General Meeting to consider the appeal. A majority of 2/3 of members present shall be required to uphold any expulsion.

8.3 Any member who has failed to pay any annual membership fee three months after the date it is due shall cease to be a member.

9.0 GENERAL MEETINGS

9.1 General Meetings may be held from time to time as determined by the Society to consider any matters relevant to the Society.

9.2 At least twenty-one days notice of all Society General Meetings shall be given in writing to all members.

9.3 The notice shall state the time, date and place of the meeting.

10.0 ANNUAL GENERAL MEETINGS

10.1 An Annual General Meeting of the Society shall be held before 31 October each year.

10.2 Twenty-one days notice of the Annual General Meeting shall be given in writing to all members.

10.3 The notice shall state the time, date and place of the meeting.

10.4 The business of the Annual General Meeting shall include the following:

10.4.1 The presentation of the Annual Report, Financial Accounts, and the auditor or independent accounts reviewer report of the preceding year.

10.4.2 The appointment of an auditor or independent accounts reviewer for the ensuing year.

10.4.3 The election of no more than 12 Council members.

10.4.4 Consideration of remits submitted to the Council at least twenty one days prior to the Meeting.

10.4.5 To award Life Memberships of the Society as recognition of an exceptional contribution to Wellington Access Radio.

10.4.6 Any other business required to be considered under these rules or which the Annual General Meeting believes should be considered.

11.0 SPECIAL GENERAL MEETINGS

11.1 The Secretary, three Councillors, or no fewer than ten members may request a Special General Meeting.

11.2 Such a request shall state in writing the matters to be discussed and be signed by the person or persons calling the meeting.

11.3 The Council shall call a Special General Meeting within twenty-one days of receipt of a request.

11.4 A Special General Meeting may only vote on the specific item for which the meeting was called.

11.5 Twenty-one days notice of all Society Meetings shall be given in writing to all members.

11.6 The notice shall state the time, date and place of the meeting.

11.7 Notice for a Special General Meeting shall include the reason(s) for calling the Meeting.

12.0 PROCEDURE AND DECISION MAKING AT GENERAL AND SPECIAL MEETINGS

- 12.1 The quorum shall comprise 15 members.
- 12.2 All meetings shall be convened by a Chairperson.
- 12.3 Decision making at all Society meetings shall be by consensus but failing a consensus decisions shall, except as otherwise provided in these rules, be made by a simple majority of the members present.
- 12.4 Voting shall be by voices, show of hands or ballot.

13.0 ELECTION OF THE SOCIETY COUNCIL

- 13.1 Nominations for elected Council members shall be called for by the Secretary in a notice to all members, no later than six weeks before the AGM. Nominations shall be signed by the nominee who shall be a current financial member.
- 13.2 Nominations shall be closed 14 days after they have been called. The Secretary shall circulate the names of nominees to all members, together with a short biography of the nominees, within seven days of the close of nominations.
- 13.3 A secret ballot shall be conducted. Ballot papers shall be prepared and scrutineers appointed by the meeting.
- 13.4 The outcome shall be announced without voting numbers being divulged.
- 13.5 The voting papers shall be destroyed after the ballot is announced.
- 13.6 In the event of a tied vote(s), the meeting shall decide if a re-election is required.
- 13.7 Nominations for the Council may also be called from among members attending the AGM, with the leave of the majority of those attending, if elections result in fewer than 12 members of the Council.
- 13.8 The term of office of any member elected to the Council shall be two years and half the Council shall be elected at each Annual General Meeting.
- 13.9 Any Members elected to the Council by general vote shall take office at the close of the Annual General Meeting at which they were elected and shall hold office till the close of the Annual General Meeting two years thence.

14.0 WELLINGTON ACCESS BROADCASTING SOCIETY COUNCIL

- 14.1 The Council shall carry out the goals, objectives and powers of "The Society".
- 14.2 Council meetings shall be held at such time and place as shall be determined by the Council.
- 14.3. The Council shall be made up of the following people:
 - 14.3.1 Up to 12 members who shall be elected at the Society's Annual General Meeting
 - 14.3.2 Access staff may join the Council at its meetings and have full speaking rights. However, they will not be entitled to vote.
- 14.4 The members of the Council shall elect a Chairperson, Secretary Treasurer and other officers as decided by the Council.
- 14.5 The Council shall hear and consider appeals against any decision made by the Station Manager on complaints made about programmes or programme makers and shall provide rules to govern such a procedure.
- 14.6 This Society is empowered to co-opt up to two representatives who may not be Society

members onto the Council for a term of no more than two years to provide the Council with expertise and an independent perspective provided that the Council numbers do not exceed 12.

14.7 Council members additional to those elected at an AGM or from any co-option must be elected by a Special General Meeting convened for the purpose to serve through the subsequent AGM and until the AGM after that provided that at no time do the Council numbers exceed 12 .

14.8 The Council may appoint sub-committees to carry out any of its functions. The Chairperson of any such sub-committee shall be a member of the Council but other members may be chosen from the ranks of Society members.

14.9 Each Council Member shall have one vote, provided that no member shall vote on any matter which would constitute a conflict of interest.

14.10 Decision making will be by consensus but if a vote is required it shall be by simple majority of the elected Council members present.

14.11 Where it is not stated in these rules, the Council shall determine its own method of running its meetings.

14.12 The quorum for the Council shall be five elected members.

14.13 An elected Council member who is unable to attend an Access Council meeting may vote on a particular issue by proxy.

14.14 A council member who fails to attend three sequential meetings of the council and either does not provide an apology for non-attendance or does not have such an apology accepted by the council is deemed to have resigned.

14.15 Members of the Society shall be entitled to attend all Council meetings; however, they will not be entitled to vote

15.0 DUTIES AND POWERS OF THE SOCIETY COUNCIL

15.1 Without prejudice to the general powers conferred by these rules, the Council shall have the following powers:

15.1.1 To pay the costs, charges and to conduct the affairs of the Society.

15.2 To appoint as they may from time to time think fit, officers and servants for permanent, temporary or special services, to determine their duties and fix their salaries and emoluments and to require security in such instances and to such amounts as they may think fit, provided that no member or person associated with a member shall derive any income, benefit or advantage from the organisation where

they can materially influence the payment of the income, benefit or advantage except where that income be, or advantage is derived from;

i) professional service to the organisation rendered in the course of business and charged out at no greater rate than current market rates or

ii) the interest on money lent at no greater rate than the current market rate.

15.2.1 To make all staff appointments when they are agreed to by a majority of the Council.

15.2.2 To delegate any appointment to a subcommittee of the Council, so long as that subcommittee includes at least one independently appointed Council member if such a member is on the Council at the time.

15.2.3 To appoint staff, other than the Station Manager, only with the agreement of the Station Manager.

15.2.4 To suspend, remove or dismiss any such officers or servants at its discretion.

15.3 In addition to the powers and authorities expressly conferred and invested in the Council by these provisions, the Council may exercise all such powers and do all such acts and things as may be exercised by the Society in a General meeting, but subject nevertheless to the provisions of these rules and to any regulation from time to time made by the Society in General meeting, provided that no regulation so made shall invalidate any prior act of the Society Council which would have been valid if such regulation had not been passed.

15.4 The Society or Council may by resolution at a meeting make, amend or cancel by-laws which are not inconsistent with the rules of the Society and which do not alter the charitable and non-profit status of the Society.

16.0 CONTROL OF FUNDS

16.1 The Council shall keep proper books of account.

16.2 All funds received by or on behalf of the Society shall be paid into the Society's bank account.

16.3 All cheques and withdrawal slips drawn on the Society's account shall be signed by any two of the five persons designated by resolution of the Council.

16.4 Any income, benefit or advantage must be used to advance the charitable purposes of the Society.

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

16.6 Any payments made to a member of the Society, 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.

17.0 COMMON SEAL

17.1 The Common Seal of the Society shall be the responsibility of the Secretary of the Council.

17.2 When required, the Common Seal shall be affixed to any document following a resolution of the Council which will also appoint two Council members to sign the document to which the seal is affixed.

18.0 ALTERATION OF RULES

18.1 The rules of the Society may be added to, altered, or cancelled by a resolution of at least 75% of the members attending a General Meeting.

18.2 At least 21 days' notice of the proposed alteration, addition or cancellation must be sent to all members of the Council.

18.3 No addition, alteration or cancellation shall alter the charitable and non-profit status of the Society.

19.0 WINDING UP

Any property remaining after the winding up or dissolution of the Society and the settlement of all the Society's debts and liabilities that property must be given or transferred to other organisations that are charitable under New Zealand law and have purposes similar to the Society.