

**@home NEW ZEALAND Incorporated**

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## **1. Title**

The Association shall be formally known as "At home NEW ZEALAND Incorporated", hereinafter referred to as the "Association".

The Association shall also be known by its common name "@home NEW ZEALAND".

## **2. Registered Office**

The registered office of the Association shall be at the address of the Secretary of the Association and any changes thereof shall be accordingly notified to the Registrar in the manner provided in the Incorporated Societies Act 1908.

## **3 Terminology**

### **3.1 Home-Hosting:**

For the purposes of this Constitution the terms "home hosting", "homestay", and "farmstay" are synonymous. This activity means the utilisation of a private property as a place of accommodation for visitors where hospitality is provided. It includes residences commonly referred to as Bed and Breakfast and the like.

### **3.2 Home hosting shall consist of the following activities:**

- (a) Personally greeting and farewelling guests.
- (b) Offering suitable complimentary light refreshments and making them available.
- (c) Providing breakfast, which must be included in the tariff.
- (d) Inviting guests to share the home and the facilities of the property and generally being involved with them during their stay.
- (e) Providing guests with the appropriate amount of privacy, company, and information.
- (f) Making guests feel welcome and "at home" as part of the host family.

## **4. Philosophy and Principles**

The principles upon which this non-profit organisation is based are those of mutual co-operation and the provision of assistance amongst members for the common good, whilst recognising that members operate in a competitive market place.

## **5. Objectives**

The objectives of the Association are:

- 5.1 To promote the highest standards of quality and service in the home hosting industry.
- 5.2 To develop and apply a standards-based assessment criteria.
- 5.3 To implement two-yearly assessments of members' properties.
- 5.4 To organise appropriate training, educational and promotional programmes for its members in order to maintain professional standards in the industry.
- 5.5 To pursue recognition of home hosting as an important sector of tourism.

- 5.6 To encourage the development and promotion of home hosting through tourism, including the promotion of its image and services.
- 5.7 To develop and encourage a positive spirit of co-operation with other industries in the tourism field.
- 5.8 To promote home hosting as the preferred accommodation for travellers in New Zealand.
- 5.9 To represent the home hosting industry and present a common stance on issues that affect members.
- 5.10 To create and maintain an internet website for the purpose of improving communications and information sharing among members and with the general public.
- 5.11 To publish a newsletter and promote the exchange of information among members.
- 5.12 To carry out research to achieve Association objectives, including the collection of statistics.
- 5.13 To protect and control the use of the Association logos and motifs.
- 5.14 To assist members in all matters directly related to home hosting.
- 5.15 To develop member benefits including commercial discounts and group purchasing schemes.
- 5.16 To actively encourage non-members to join the Association.

## **6. Powers**

The Association shall have the following powers:

- 6.1 To set standards, assess, and approve operators (and their premises) who seek membership or renewed membership of the Association.
- 6.2 To raise funds by subscription, grants, subsidy, commissions, loans or other means for any of the following purposes:
  - (a) To promote any of the objects of the Association.
  - (b) To purchase, build, lease or hire any property or real estate for the purposes of the Association.
- 6.3 To raise funds by private loan, private treaty, debenture, mortgage or other means and to offer appropriate security for such borrowing as may be required.
- 6.4 To raise funds from members, either by way of levy or fee, as resolved by the Association in General Meeting, for any purpose that furthers the interests of the Association.
- 6.5 To invest surplus funds acquired in the name of the Association for such periods and on such terms as it may determine.

- 6.6 To join or co-operate with other individuals and organisations for the purpose of achieving any of the objectives of the Association.
- 6.7 To do all things incidental to the achievement of the Association's objectives.
- 6.8 To employ staff and incur expenditure to assist in the administration of the Association.
- 6.9 To approve and maintain the design of an exclusive Association logo and mandate its use by individual members and regional groups of the Association.
- 6.10 To enter into commercial contracts with individuals or organisations for the purpose of administering the Association.

## **7. Membership**

### **7.1 Membership Criteria**

- (a) Membership is open to all New Zealand based individuals who provide personally home hosted bed and breakfast accommodation to paying guests.
- (b) Home hosting may be in the member's own residence or in a self-contained unit on the same property title or immediately adjacent thereto.
- (c) Home hosts may have up to a maximum of ten (10) paying guests at any one time on their property. All financial members as at 16 September 2002 are deemed to comply with this criterion.
- (d) Home hosts must be resident on the property.
- (e) Membership is obtained and retained by compliance with documented policies, standards and operational criteria.
- (f) Each homestay shall have a maximum of one membership (either individual or joint).

### **7.2 There shall be three classifications of membership called Full Membership, Associate membership, and Honorary Membership:**

- (a) Full membership of the Association shall be open to:
  - (i) New Zealand based individuals who are actively involved in the operation of personalised home hosted accommodation within New Zealand and who accept and comply with operational criteria established from time to time.
- (b) Associate membership shall be open to New Zealand based individuals who:
  - (i) have ceased home hosting and wish to retain their membership, or
  - (ii) are actively involved in the promotion of personalised home hosted accommodation within New Zealand.

- (c) Honorary membership may be granted by the Board to members who have performed signal service for the Association.

7.3 Temporary membership may be granted to applicants for either Full or Associate membership for a maximum period of twelve (12) months.

## **8. Membership Disclaimer**

The Association cannot be held liable for any loss, damage or claim against an individual member. The Association acts as facilitator on behalf of its members and has no authority to sign contracts on their behalf.

## **9. Privileges of Membership**

All members have the right to:

- 9.1 Attend General and Special General Meetings of the Association and to speak on any matter pertaining to the affairs of the Association.
- 9.2 Attend educational, promotional and social functions held by the Association, whether sponsored at the national, regional, or local level.
- 9.3 Receive official newsletters, notices and other information produced by or for the Association.
- 9.4 Access the Association internet website.
- 9.5 Become licensed users of the @home NEW ZEALAND logo.

## **10. Responsibilities of Membership**

All members are required to:

- 10.1 Foster the good name of the Association and the home hosting industry.
- 10.2 Maintain standards of operation and ethics in keeping with those expected both by guests and by the Association.
- 10.3 Comply with the requirements of this Constitution and any amendments thereto.
- 10.4 Comply with all policies, procedures, and Codes of Practice approved by the Board that relate to home hosting operations, including standards, premises, facilities, and personal conduct.
- 10.5 Have the capacity to accommodate no more than ten (10) guests at any one time.
- 10.6 Support other members of the Association, including the referral of would-be guests when unable to accommodate those persons.
- 10.7 Comply fully with Clause 3.2 to be able to utilise the Association's name and logo, including appending them to stationery, websites, and other advertising material.
- 10.8 Pay all fees and other sums due promptly.
- 10.9 Submit to the Secretary copies of any printed material containing the Association logo when requested to do so.

10.10 Return all property owned by the Association when their membership ceases, including items with the Association name or logo attached thereto.

10.11 Promote the Association by utilising the logo.

## **11. Cessation of Membership**

11.1 A member of the Association shall cease to be a member where:

- (a) The member resigns from the Association.
- (b) The member fails to pay the annual subscription fee and levies by 30 June each year.
- (c) The member is deemed by the Board to have failed to comply with any provision of the Constitution and Rules, or any approved standard, policy, or procedure that has been notified to members.
- (d) The member is deemed by the Board to have acted maliciously, vindictively, or unprofessionally towards another member of the Association or any person involved in tourism.
- (e) The Board considers that the member, or another person living at the home-hosting premises in question, has behaved in a manner that had the potential to bring the Association or the industry into disrepute.

11.2 Upon cessation of membership, all privileges conferred by the Association shall be immediately withdrawn. The refund of any fees or levies paid is at the discretion of the Board.

11.3 Where an individual ceases to be a member, all property belonging to the Association shall be returned immediately to the Secretary and may not be used by that member or any other person.

## **12. Management**

12.1 A Board of Directors (hereinafter referred to as the "Board") shall manage the affairs of the Association. The Board shall comprise six (6) members who shall be elected for a three-year term each at the Annual General Meeting by members who are present and entitled to vote, or alternatively by means of a proxy vote.

12.2 (a) Elections of Board members shall be held each year for the two (2) members who shall retire at the end of the Annual General Meeting three years after the Annual General Meeting at which they were elected. Retiring Board members are eligible for re-election.

(b) Immediately following the election of six (6) Board members at the 2006 Annual General Meeting it shall be determined voluntarily or by lot that two (2) members of the newly elected Board shall have their terms reduced to one year, and a further two (2) members shall have their terms reduced to two years, with each being eligible for re-election for a three-year term at the 2007 and 2008 Annual General Meetings.

- 12.3 The results of any election shall be published in the newsletter or otherwise brought to the notice of the membership.
- 12.4 The elected Board shall appoint the President and Vice President from within its membership.
- 12.5 The Board shall have the power to co-opt members onto the Board for the duration of its elected term. Co-opted members shall have the power to vote on all matters discussed by the Board.
- 12.6 The Board shall have the power to fill any vacancy that may arise.
- 12.7 Candidates for election to the Board must financial members and be nominated and seconded by financial members of the Association.
- 12.8 The Officers of the Association shall be the President, Vice President and Treasurer who shall have the power to act on behalf of the Board in cases of urgency.
- 12.9 The Board may appoint legal representation as it deems necessary for any purpose concerning the affairs of the Association.
- 12.10 The Board may appoint any person to manage or supervise the day to day affairs of the Association on such terms as it may determine.

### **13. Regional Groups**

- 13.1 The Board may recognise Regional Groups that are formed for the purpose of coordinating the activities of members in their region.
- 13.2 All members of newly formed groups must be members of the Association.
- 13.3 The Board may delegate functions to a Regional Group.
- 13.4 Administration of a Regional Group is at the discretion of group members but appropriate administrative and financial controls are required to be instituted.
- 13.5 Regional Groups may use the Association Logo as their Regional logo providing all their members are members of the Association. For that purpose the group may append their area name beneath the words "NEW ZEALAND" in the approved format.

### **14. Management Duties**

- 14.1 The President, or in his or her absence the Vice President, shall chair all general meetings of the Association and meetings of the Board.
- 14.2 Only the President or person appointed by the President for such purposes shall be responsible for presenting to the media matters affecting the Association.
- 14.3 The President shall report to the Association membership annually.
- 14.4 The Board shall meet as often as required to conduct the business of the Association. At least thirty (30) days notice of meetings shall be given except where an emergency arises when the President may provide a shorter notice of the meeting.

- 14.5 By invitation of the President, a non-elected person may attend a meeting of the Board for the purpose of speaking on a particular topic but shall have no voting rights.
- 14.6 A quorum for a meeting of the Board shall be the President or Vice-President and three (3) other elected members.
- 14.7 Resolutions of the Board shall be by majority vote and shall be recorded in full.
- 14.8 The Association shall record and retain records of all meetings of the Board. Minutes shall be circulated to Board members promptly after each meeting and shall be confirmed by resolution and endorsed by the President at the next meeting.
- 14.9 Financial members of the Association shall be entitled to receive copies of Board meeting minutes on request and these will be available preferably by email.
- 14.10 The Board may appoint permanent or temporary sub-committees that include non-elected members, to deal with specific issues.

**15. Honoraria**

- 15.1 Honoraria may be paid to elected members of the Board subject to the approval of members at the Annual General Meeting.

**16. Financial Management**

- 16.1 The financial year shall end on 31 March each year.
- 16.2 The Board shall approve all expenditure by the Association.
- 16.3 Bank accounts shall be operated in the name of the Association and their operation shall require the conjoint signatures of at least two Officers.
- 16.4 All funds received by the Association shall be banked regularly in such bank accounts as directed by the Board.
- 16.5 All payments made by the Association shall be by cheque drawn on that account, and all payments shall be ratified by the Board.
- 16.6 Authority to operate the bank account shall be vested in any two of three signatories who shall be the President, Vice President and Treasurer.
- 16.7 The Treasurer shall ensure proper and full books of account are maintained and are available for inspection by the Board as required.
- 16.8 Annual audited accounts shall be prepared setting out the financial position of the Association.

**17. General Meetings**

- 17.1 The Association shall hold an Annual General Meeting no later than 30 July each year.

- 17.2 Twenty-one (21) days written notice shall be given to all members prior to the Annual General Meeting being held, and shall include the President's Annual Report and Financial Report
- 17.3 At the Annual General Meeting the President's Annual Report and the Treasurer's Financial Report shall be presented for adoption.
- 17.4 Nominations for all elective positions must be formally notified to the Secretary no later than thirty-five (35) days prior to the General Meeting. Due notice of nominations received shall be given to all members not less than twenty-one (21) days prior to the said General Meeting.
- 17.5 Where insufficient nominations for elective positions are received beforehand, nominations may be accepted at the Annual General Meeting.
- 17.6 At General Meetings of the Association, members present may make recommendations to the Board as the meeting thinks fit.
- 17.7 A quorum for a General Meeting shall be five percent (5%) of the financial voting membership.
- 17.8 Membership fees for the following year shall be recommended by the Board and set by resolution at the Annual General Meeting.
- 17.9 An Auditor shall be appointed at each Annual General Meeting.
- 17.10 Remits and notices of motion for consideration at a General Meeting must be received by the Secretary no later than thirty (30) days prior to the meeting, and shall require the signatures of at least five (5) financial members to be accepted for inclusion in the agenda.

## **18. Special General Meetings**

- 18.1 The Board may convene a Special General Meeting provided not less than thirty (30) days' notice has been given to members of the Association specifying the nature of the business to be transacted at that meeting.
- 18.2 A Special General Meeting shall be convened where a request is made by at least ten percent (10%) of the financial membership and in such event notice shall be given to all members within thirty (30) days of that decision being made.

## **19. Voting Rights**

- 19.1 At Annual General and Special General Meetings of the Association voting shall in the first instance be by voice or a show of hands. A ballot shall be taken where the President so decides or when a request is made by any twenty-five (25) members personally present.
- 19.2 All voting, unless otherwise resolved shall be a by show of hands and by the counting of postal votes where appropriate.
- 19.3 Every Full membership, whether it is a joint or individual, shall be entitled to only one vote at any meeting of the Association. Resolutions shall be passed by a simple majority.
- 19.4 Where a vote is to be taken on any matter raised at a meeting of the Association, the President or where the President is absent the Vice President, shall have both a deliberative vote and a casting vote.

## **20. Postal Voting**

- 20.1 Full members who are not able to be present to vote on nominations for elective positions at a General or Special meeting of the Association may be permitted a postal vote.
- 20.2 Postal voting shall only be permitted for the purpose of electing members to the Board.

## **21. Proxy Voting**

- 21.1 Full members who are not able to be present to vote on any matter under consideration at a General or Special meeting of the Association may appoint another member who will be present at the meeting to act as their proxy.
- 21.2 Written notice of any such proxy must be in the hands of the Secretary before the commencement of the meeting.

## **22. Amendments to the Constitution**

- 22.1 Notice of any proposed amendment to the Constitution must be given in writing to the Secretary not less than sixty (60) days prior to a General Meeting or Special General Meeting called for that purpose.
- 22.2 Notice of any proposed amendment shall be circulated in writing to all members not less than twenty-one (21) days prior to the General or Special Meeting at which it will be considered.
- 22.3 To be adopted, any amendment shall require a two-thirds majority vote of members present.
- 22.4 Any amendment, repeal or addition so made shall take effect when adopted by the Association unless otherwise determined.
- 22.5 No amendment shall be permitted if it will affect the non-profit status of the Association.

## **23. Winding Up**

- 23.1 The Association in General Meeting may be wound-up by resolution passed by a simple majority of members present. The notice convening the meeting shall set out the proposal to wind-up the Association.
- 23.2 The resolution to wind-up the Association shall be confirmed at a subsequent General Meeting convened for that purpose no later than thirty (30) days after the date on which the resolution was passed.
- 23.3 The wind-up shall become effective when the resolution is confirmed.
- 23.4 Upon winding-up, all Association assets and property shall be disposed of to such charitable organisations as the Association shall decide, or if such assets cannot be disposed of in accordance with the Rules, then as the Registrar directs.