

Rules for a Residents Committee (and a Residents Association)

Sample 1

RESIDENTS' COMMITTEE RULES

(These rules provide a guide to operating a Residents Committee that is already established by some agreed procedures)

1. The members may meet for business and adjourn and otherwise regulate their meetings and proceedings as they think fit. The quorum for Residents' Committee business is 4.
2. Any Residents' Committee member may at any time convene a meeting of the Residents' Committee.
3. Unless the members agree in writing to a shorter period of notice, at least 7 days notice of a Residents' Committee meeting (excluding the day the notice is given) must be given to all members. The notice must state the date, time and place of the meeting and include an agenda.
4. The members may elect and fix the term of office of a chairperson of their meetings. If no chairperson is elected, or if the chairperson is not present at the time appointed for the meeting, the members present must elect one of their number to be chairperson of the meeting.
5. Questions arising at any meeting of members must be decided by a majority of votes. Each member has 1 vote and a determination by a majority of the members must for all purposes be deemed a determination of the Residents' Committee. In case of an equality of votes the chairperson has a second or casting vote.
6. The continuing members may, if there is a quorum, act despite any vacancy in their body.
7. A resolution in writing signed by at least four (4) members is as valid and effective as if it had been passed at a meeting of members duly convened and constituted. That resolution may consist of several documents in the same form each of which is signed by one or more members.
8. The Residents' Committee must keep proper minutes of its meetings, resolutions and proceedings. The minutes must be signed by the chairperson of the meeting or by the chairperson of the next meeting.
9. The Residents' Committee may appoint a secretary of the Residents' Committee for such term and on such conditions as the Residents' Committee thinks fit.
10. The Residents' Committee may delegate to a sub-committee any of its powers and duties as it thinks fit and at any time revoke that delegation.
11. A notice may be given to any member or the secretary either personally or by post to the member's address.

Sample 2

CONSTITUTION XXX VILLAGE RESIDENTS' ASSOCIATION

(This constitution provides for meetings of the residents as an association, one of whose tasks will be to elect the Residents Committee)

1. **TITLE:** The organisation shall be called the XXX Village Residents' Association, hereinafter referred to as the "Residents' Association".

2. AIMS AND OBJECTIVES:

- (a) To foster goodwill and fellowship within the XXX Village.
- (b) To liaise between Residents, the Village Manager and [The Operator] on matters relative to the good management, development and betterment of the Village.
- (c) To raise funds for the purchase of amenities that will benefit all Residents of the Village.
- (d) To organise social and other activities for the Residents.

3. ANNUAL GENERAL MEETINGS:

- (a) The Annual General Meeting of Residents shall be held within five (5) months after the end of each Financial Year at a date and time determined by the Residents' Committee.
- (b) Notice of the Annual General Meeting is to be delivered to each Resident's letterbox at least twenty-one (21) days prior to that meeting.
- (c) The quorum for all Annual General Meetings shall be 30% of the Residents of the Village.
- (d) The ordinary business of the Annual General Meeting shall be:
 - Confirmation of Minutes of previous year's Annual General Meeting.
 - Receiving the President's Report.
 - Presentation of audited Annual Financial Statements by the Treasurer.
 - Social Committee Convenor's Report
 - General Business
 - Election of Officers and Ordinary Members.
 - Election of Social Committee members.
 - Appoint an Auditor, who shall not be a member of the Committee.
- (e) Voting shall be by a show of hands and a simple majority shall decide motions other than where there may be specific requirements.
- (f) The Presiding Officer at any Annual General Meeting shall have a deliberative and, if required, a casting vote.

4. SPECIAL GENERAL MEETINGS:

- (a) A Special General Meeting may be called by the President, or in his/her absence, the Vice-President, or by the Residents' Committee at any time, for any stated purpose, by giving not less than seven (7) days written notice to all Residents.
- (b) On the written request from not less than twenty (20) Residents setting out full details of the matter for discussion, the President, or in his/her absence, the Vice President, shall call a Special General Meeting within twenty-one (21) days of the request being received.
- (c) The business at Special General Meetings shall be confined to the matter for which the meeting was convened.
- (d) The quorum for Special General Meetings shall be 30% of the Residents of the Village.
- (e) The Presiding Officer at a Special General Meeting shall have a deliberative and, if required, a casting vote.

5. RESIDENTS' COMMITTEE:

- (a) Membership of the Residents' Committee is open to all Residents of the Village.
- (b) The Residents' Committee shall consist of the following members: President, Vice-President, Secretary, Treasurer, and five (5) ordinary members. The President will be elected at the Annual General Meeting and all other office

bearers, being the Vice President, Secretary and Treasurer will be elected by the Committee and can hold more than one role.

- (c) The Residents' Committee shall have the power to appoint sub-committees to deal with specific matters, and to make guidelines as and when necessary, so long as they are not inconsistent with this Constitution.
- (d) The Social Committee shall be a sub-committee consisting of up to eight (8) members. Social Committee members will elect their own convenor and are empowered to raise funds in accordance with Clause 2. (c), (d).

6. ELECTIONS:

- (a) All positions on the Residents' Committee, and the Social Committee, shall be declared vacant at each Annual General Meeting. Members shall be elected for one year but may nominate for re-election.
- (b) All nominations shall be in writing on the prescribed form supplied by the Secretary and must be received by that officer at least seven (7) days before the Annual General Meeting. The nomination form shall be signed by a proposer, a seconder and the person nominated, all of whom shall be Residents of the Village.
- (c) The President shall appoint a Returning Officer, a person not seeking election.
- (d) Where nominations exceed the vacancies and an election is necessary, the vacant positions shall be filled by secret ballot.
- (e) If insufficient nominations are received, nominations from the floor may be accepted for the unfilled positions. If there are still insufficient nominations to fill positions the Residents' Committee shall have the authority to fill the vacancies.
- (f) A member of the Resident's Committee may be removed at any time by a resolution passed by a Residents' Meeting. A Notice of Motion must be given fourteen (14) days prior to the meeting.
- (g) Where a Committee position becomes vacant during the term of office, the Residents' Committee has the right to appoint another Resident at their discretion to fill the vacancy.
- (h) Elected Officers and Ordinary Members shall take office immediately following the declaration of the ballot and shall hold office until the next Annual General Meeting

7. RESIDENTS' COMMITTEE MEETINGS:

- (a) The Residents' Committee shall meet regularly at least ten (10) times a year and hold Special Meetings as necessary at a time and place determined by them.
- (b) A quorum of five (5) members must be present at all Residents' Committee Meetings.
- (c) The President, or in his/her absence the Vice-President, shall chair all meetings. If both are absent the meeting shall elect a Chairperson for the meeting.
- (d) A representative of the Village Management may be invited to attend meetings but without voting rights.

8. FINANCE:

- (a) All income shall be paid to the Treasurer and deposited into an authorised account in the name of the Residents' Committee.
- (b) The Treasurer shall make all authorised payments by cheque, to be signed by any two of four (4) signatories approved by the Residents' Committee.

- (c) The Treasurer shall present a financial statement of Receipts and Payments to the regular Residents' Committee Meetings.
- (e) An audited Income and Expenditure Account for twelve (12) months to end of the financial year shall be presented at the Annual General Meeting.

9. SECRETARY:

- (a) Shall keep accurate minutes in a Minute Book of business transacted at all Residents' Committee Meetings, Annual General Meetings and Special General Meetings.
- (b) Shall be responsible for keeping a record of names of residents present at Special General Meetings and Annual General Meetings.
- (c) Ensure that Residents receive a copy of all recorded Minutes.
- (d) Present to the Committee all correspondence and prepare replies as directed.

Note: *If the Residents Association is to be incorporated under the Associations Incorporation Act, further sections will need to be added to this constitution to comply with that Act.*