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**RULES OF  
THE NEW ZEALAND PET CREMATORIUM ASSOCIATION (INCORPORATED)**

**1 NAME**

The name of the Association is “The New Zealand Pet Crematorium Association (Incorporated)”.

**2 OBJECT OF ASSOCIATION**

2.1 The object of the Association is to take such steps as are necessary to protect and foster the interests of members who are owner and/or operators of pet crematoriums including providing members with the support and services required to maintain a competitive edge over non-member firms.

**3 FUNCTIONS OF ASSOCIATION**

3.1 The functions of the Association are:

- (a) To promote quality, expertise, and integrity in the pet crematorium industry by its members in New Zealand;
- (b) To promote, control and regulate the pet cremation industry by its members in New Zealand;
- (c) To promote the training and education of persons practising, or intending to practise, the pet cremation profession in New Zealand;
- (d) Perform any other function that is conferred on it by these Rules;
- (e) To do anything which the Association may think is conducive or incidental to the attainment of the Association’s object.

**4 POWERS OF ASSOCIATION**

4.1 The Association has the rights, powers and privileges of a natural person.

4.2 Without limiting the generality of Rule 4.1 the Association shall have the power to borrow money and to mortgage or charge its assets and to issue debentures, debenture stock and other securities for any debt, liability or obligation of the Association.

4.3 The Association shall not exercise any of its rights, powers or privileges, except for the purpose of:

- (a) achieving its object; or
- (b) performing its functions.

## **5 CODE OF ETHICS AND CODE OF CONDUCT**

5.1 The Association shall have a Code of Ethics and a Code of Conduct that govern the professional conduct of its members and promote the highest ethical standards of Pet Cremation Services to the public in New Zealand.

5.2 The two Codes shall be prescribed by the Executive in consultation with the members. A copy of the proposed Code of Ethics is attached as Appendix A and a copy of the proposed Code of Conduct is attached as Appendix B to these Rules.

5.3 The Executive may at any time propose to the members an amendment to, or the revocation or the replacement of any Code and such change shall be approved by a simple majority of members present in person or by proxy at any General Meeting.

## **6 MEMBERSHIP**

6.1 The Association shall consist of members each being a firm as defined in Rule 24.

6.2 To obtain admission of membership, a proposed member shall complete and forward the prescribed form of application to the Executive, and shall demonstrate to the satisfaction of the Executive that the applicant:

- (a) meets all of the requirements for membership as set out in Rule 7.

6.3 An application for membership may be approved by the Executive when the Executive is satisfied that the applicant meets the criteria set down for admission to the Association.

## **7 MEMBERSHIP**

7.1 To obtain and retain membership a firm must meet, and at all times continue to meet, the following requirements:

- (a) be duly registered with a local authority as a Pet Crematorium.
- (b) be directly engaged in practice as a Pet Crematorium; and
- (c) have use of the facilities and use that facility as required by Rule 8.

## **8 FACILITIES REQUIRED BY MEMBERS**

8.1 The facility must hold and maintain current resource consents and permits, as prescribed by their local territorial authorities.

8.2 The facility should be operated at all times in compliance with the conditions set down in the consent and permit as prescribed in 8.1.

8.3 Where a facility is being used for other purposes in conjunction with the cremation of pets, all clients of the facility shall be made aware.

8.4 The cremator shall not be used for the destruction of any other matter at the same time/or in with pets whilst pets are being cremated.

8.5 The facility should have a minimum of a reception/office room, a viewing room/interview room and a cremator.

## **9 RESIGNATION**

Any member may resign from the Association by giving notice in writing to that effect to the Secretary and shall pay all subscriptions, levies, fees and other monies due to the date of such notice.

## **10 EXPULSION OF MEMBERS**

10.1 The Executive may, by resolution, expel any member whose conduct in its opinion renders it unfit to be a member of the Association, and such member shall cease to be a member of the Association as from the date named in such resolution.

- 10.2 Written notice of intention to move a resolution to expel a member under this Rule must be given to the Secretary at least one calendar month before the meeting of the Executive at which such resolution is to be moved. The Secretary shall inform the member concerned of the notice at least 21 days before the day of such a meeting, and the member concerned shall have the right to attend the said meeting and make representations personally or by counsel prior to the resolution being put.
- 10.3 Any member so expelled may, by notice in writing within 14 days of receiving advice by registered mail of the decision of the Executive, appeal against such decision.
- 10.4 Such appeal shall be heard and dealt with at the next Annual Conference or Special General Meeting of the Association, when the decision of the Executive shall be supported or defeated by a simple majority.
- 10.5 At such meeting the member concerned shall again be given the opportunity of making representations, and the Executive shall be given the opportunity of stating the reasons for the decision it has made.
- 10.6 The appellant and the Executive shall be entitled to be represented by legal counsel at the meeting and pending the determination of the appeal that appellant shall continue to be a member of the Association.
- 10.7 The Executive (and in the case of an appeal, the Annual Convention or a Special General Meeting) in any proceedings for expulsion may make such decision as it thinks fit as to the cost of such proceedings or appeal, and may order the member concerned to pay such costs. In such case any order as to costs shall continue a debt owed by the member to the Association.
- 10.8 Any member who is adjudicated bankrupt, or who is put into liquidation, or who compounds with its creditors shall thereupon cease to be a member of the Association.

## **11 ANNUAL CONVENTION**

- 11.1 The Annual Convention of the Association may be held at such place and on such date as the previous Annual Convention shall decide.

11.2 At the Annual Convention the following business may be transacted:

- (a) Receive and consider the Annual Report of the Secretary/Treasurer;
- (b) Receive and consider the Annual Financial Statements;
- (c) The election of a President, Secretary/Treasurer and additional member/s of the Executive;
- (d) The fixing, on the recommendation of the Executive, of the annual subscription;
- (e) The consideration of remits or notice of motion.

## **12 ELECTION OF OFFICERS**

12.1 The Executive shall comprise the President, Secretary/Treasurer and one other member all of whom shall be members.

- (a) One of the three members of the Executive (i.e. other than the President) shall retire each year by rotation, and at each Annual Convention one shall be elected to serve for a one year term. Nomination for such office shall be forwarded to the Secretary at least 7 days before the commencement of the Annual Convention. The retiring members are eligible for re-election provided they agree to accept nomination.

12.2. The office of President shall be subject to election annually, the present incumbents being eligible for reelection provided they agree to accept nomination. Nomination for such office shall be forwarded to the Secretary at least 7 days before the commencement of the Annual Convention.

12.3 Any person holding the office of President or Executive member shall cease to hold such office if the person:

- (a) is adjudged bankrupt or makes any arrangements or composition with his creditors.
- (b) becomes of unsound mind or becomes a protected person under the Protection of Personal and Property Rights Act 1988.
- (c) resigns his office by notice in writing to the Executive.
- (d) has for more than six calendar months been absent without permission of the Executive from meetings of the Executive held during that period.

- (e) is removed from office by resolution carried on the votes of more than 60% of the members voting either in person or by proxy at either the Annual Convention of the Association or at a General or Special meeting of the Association.

12.4 Any person holding the office of President or Executive member is subject to the status of the member firm whose appointed representative or delegate that person is, and shall cease to hold office:

- (a) temporarily whilst the member firm remains under suspension
- (b) permanently if the member firm is expelled.

12.5 The Executive shall have the power to appoint any person (being a representative of an Association member) to fill any vacancy in its own membership, such appointment to last until the next Annual Convention.

### **13 MEETINGS**

13.1 At any meeting, the President or in his absence the Secretary/Treasurer shall be Chairman, unless the meeting resolves that another person should be elected Chairman.

13.2 At all times the Association, the quorum shall be 20% of financial members or their delegates, but not including suspended members.

13.3. Special General Meetings of the Association may be called by the President or by the Executive, or shall be called by the Secretary on he/she being requested to do so by notice in writing signed by not less than 20% of financial members, but not including suspended members.

13.4 14 days' notice in writing of any Annual Convention or any Special General Meeting of the Association shall be given to all members. Notices calling meetings shall specify the nature of any policy matters to be transacted.

### **14 VOTING**

14.1 For the purposes of this Rule, "member" shall mean a financial member, but shall not include a suspended member. Each member shall have one vote only.

14.2 The chairman of any meeting shall have a casting vote.

14.3 At all meetings, voting shall be by voice. If the vote is unclear, a request for a show of hands may be made by any delegate. Alternatively a written poll may be demanded by any delegate.

14.4 All matters shall be decided by a majority of those present at the meeting in person or by proxy unless these Rules provide otherwise, except that a majority of members may decide before any vote is taken that any particular matter shall be referred to a postal ballot of all members, and in such case if the meeting so decides, the meeting shall decide and determine the time within which and the method by which such postal ballot shall be held.

## **15 FINANCE**

15.1 The financial year of the Association shall end on 30 June in each year, or on such other date as the Annual Convention may from time to time decide.

15.2 Subscriptions for members shall be fixed in accordance with Rule 16, but if during any year it appears to the Executive that the income of the Association will be insufficient to meet expenditure, the Executive shall have the power to require payment from members of such future levy as it may determine.

15.3 All monies received by the Association shall be paid into a bank account opened in the name of the Association, and from which authorised payments shall be made by cheques or authorities signed by one member of the Executive and the Secretary/Treasurer, or any other person duly appointed by the Executive for such purpose.

## **16 SUBSCRIPTIONS**

16.1 The Association at the Annual Convention shall on the recommendation of the Executive from time to time fix subscriptions payable by members of the Association, and such subscriptions shall be payable by 30 August following.

16.2 Every member on being admitted as a member of the Association shall pay such entrance fee as shall be decided from time to time by the Annual Convention.

16.3 If the subscription of a member remains unpaid at 30 December then:

- (a) that membership shall be cancelled, and that firm removed from the list of members;
- (b) the Secretary shall forthwith advise the affected member, and all other members, of such cancellation;
- (c) any such membership may be reinstated within 6 months of cancellation upon payment of the subscription plus payment on account of on-half of the current year's subscription and the current entry fee pursuant to Rule 16.2;
- (d) any firm which has not reinstated its membership within 6 months of cancellation must make any subsequent application for membership in accordance with Rule 5, and pay all amounts specified in Rule 16.3(c).

16.4 Notwithstanding the foregoing provisions, the Executive may at any time at its discretion reduce or waive any subscription and/or entry fee.

## **17 EXECUTIVE**

17.1 The affairs of the Association shall be managed by the Executive.

17.2 The Executive shall exercise all powers necessary to achieve the object and functions of the Association, and shall have full power to do all things which may be necessary or conducive to the attainment of such object and functions.

17.3 In particular, and without limiting the generality of the foregoing, the Executive shall have full power to:

- (a) make its own rules and procedures for the conduct of its meetings
- (b) fill any vacancy occurring in its membership
- (c) appoint sub-committees or to delegate all or any of its power to special committees, or to co-opt the services of such other persons as it may from time to time decide; such sub-committees, special committees and other co-opted persons to be subject in all things, even though given power to act by the Executive, to the control of the Executive.

17.4 The quorum for any meeting of the Executive shall be three.

## **18 DUTIES AND POWERS OF THE PRESIDENT**

18.1 It shall be the duty of the President:

- (a) To supervise the business and affairs of the Association.
- (b) To attend and preside over meetings of the Association, and to keep order thereat, to conduct the business and to decide on all points of order.
- (c) To obey all such lawful instructions, and to perform all such lawful things and acts as may be given or required to be done by any meeting.
- (d) To do and perform such lawful duties as may usually appertain to the office of President.
- (e) At all meetings if he is a delegate, to exercise a deliberate vote.
- (f) To decide the order of business, to put motions and to declare the result of voting.
- (g) To order the removal from a meeting of any person obstructing the business of a meeting or behaving in a disorderly manner or of any person not entitled to be present.
- (h) By resolution of the meeting or in the absence of a quorum, to adjourn a meeting or declare a meeting closed.
- (i) Generally to do and perform such other lawful things and acts as may be necessary or desirable to carry on the business of a meeting with order and regularity.
- (j) To be ex officio a member of every special committee or sub-committee of the Association.

## **19 SECRETARY/TREASURER**

19.1 The Secretary/Treasurer shall:

- (a) attend all meetings of the Association, and shall keep minutes of all proceedings.
- (b) keep a register of all members of the Association.
- (c) keep a Register Pet Crematoriums.
- (d) conduct all correspondence of the Association.
- (e) present an annual report to each Annual Convention of affairs and activities of the Association for the preceding year.
- (f) prepare or be responsible for the preparation of a properly audited balance sheet to be presented at each Annual Convention.
- (g) generally to carry out such further duties as the Executive shall direct.
- (h) be responsible for the operation of the office of the Association.

19.2 The Executive may from time to time appoint an acting Secretary/Treasurer during the absence of the Secretary/Treasurer.

19.3 The Secretary/Treasurer may be suspended or removed from office by the Executive.

## **20 COMMON SEAL**

The Association shall have a common seal, which shall be kept at the registered office, and shall only be affixed to documents in the presence of the President and/or Secretary, or in the presence of two members of the Executive or one member of the Executive and the Secretary, or other person duly appointed by the Executive for such purpose.

## **21 REGISTERED OFFICE**

The registered office of the Association shall be situated at the same address as that of the appointed President's crematorium or at such other place as shall be decided from time to time by the Annual Convention.

## **22 ALTERATION OF THE RULES**

The Rules of the Association may be altered, added to or rescinded by a majority of not less than 75% of members present in person or by proxy at the Annual Convention or any Special General Meeting, providing the notice of such meeting specifies the nature of the amendment.

## **23 DISSOLUTION OF ASSOCIATION**

23.1 The Association may be put into liquidation if the Association at any Annual Convention or Special General Meeting of its members passes a resolution requiring the Association to be put into liquidation, and such resolution is confirmed at a subsequent Special General Meeting of the Association called for the purpose and held not earlier than 30 days after the date of the resolution so to be confirmed was passed.

23.2 If the Association shall be put into liquidation, the funds of the Association after payment of all debts properly incurred and chargeable against the Association shall be divided between all the members of the Association at the date of the decision to go into liquidation, in proportion to the total payments made to the Association by each such member during the past five complete financial years; or shall be disposed of in any other way as may be determined by 75% of the members present in person or by proxy and voting at the initial meeting at which it is decided to liquidate the Association.

## 24 DEFINITIONS

**Annual Convention** means the Annual General Meeting.

**Association** means The New Zealand Pet Crematorium Association (Inc).

**Code of Conduct** means the Code of Conduct specified in Rule 5.

**Code of Ethics** means the Code of Ethics specified in Rule 5.

**Financial Member** means a member who has, in accordance with Rule 19, paid all subscriptions set to date.

**Firm** means a company, corporation, partnership, sole proprietorship or any other trading entity.

**Incorporated Societies Act** means the Incorporated Societies Act 1908 or any replacement legislation.

**Member** means a full member firm.

**Office** means the registered office of the Association.

## **APPENDIX A**

### **CODE OF ETHICS**

Members of the New Zealand Pet Crematorium Association recognise the responsibilities entrusted to them in their relationships with:

- (a) the bereaved they serve
- (b) the public at large
- (c) the profession of which they are a part.

Specifically they have agreed:

1. To accept as a duty the maintenance of truth, accuracy, dignity and good taste.
2. To maintain in all matters the highest standard of business, professional and personal conduct.
3. To respect in all circumstances the confidentiality and trust placed in them by reason of their function and calling.
4. To preserve within the bounds of dignity, good taste, and practicality, the right of personal choice and decision-making for the families they serve, and due regard for the ethnic origin and spiritual beliefs of the deceased pets family.
5. To maintain competent personnel with facilities and equipment adequate to provide a comprehensive pet cremation service.
6. To provide accurate information concerning the range of services and merchandise available, the prices of the same, and the functions and responsibilities accepted on behalf of their clients.

## **APPENDIX B**

### **CODE OF CONDUCT**

Minimum standard of service offered by a member of the New Zealand Pet Crematorium (Inc) Association.

1. In dealings with a client, member firms will do everything in their power to ensure a standard of conduct beyond reproach or criticism.
2. No gratuity in cash or kind will be made to solicit business, and no one should cause or allow any action within a member firm which by deliberate promotion or other means would be calculated to attract business unfairly.
3. All pet remains will be dealt with to ensure an acceptable and safe standard of hygiene.
4. Members' advertisements will be dignified and in good taste.
5. Confidentiality will be preserved at all times and furthermore the details and/or circumstances regarding the deceased pet will not be divulged.
6. In the best interests of everyone, members will be loyal to the Association, its aims and objectives; be active in its work, make every effort to assist the development and progress of the profession, and willingly share within the Association the benefits of their experience, and conduct their business so as to avoid controversies.
7. The cremator shall not be used for the destruction of any other matter at the same time/or in with pets whilst pets are being cremated.
8. When a member is charged with unethical practices, or actions prejudicial to the good reputation of the association, that member will place all pertinent facts before the executive of the Association or its subcommittee in writing for investigation and decision.