



**NATIONAL BEEKEEPERS' ASSOCIATION of NEW ZEALAND (INC.)**

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4 December 2002

Dear NBA Member

**NBA Special Meeting 19 December 2002**

1. Enclosed please find a copy of the Executives rule change proposals that are consequential to the restructuring remits proposed by the Executive for the NBA Special Meeting (blue paper).
2. Also enclosed is a brief question and answer sheet addressing some of the questions that have been asked about how Federated Farmers of New Zealand (Inc.) works and how an Industry Group would be resourced (red paper).
3. The final documents relate to an option for a stand-alone option for a beekeeping industry grouping as proposed by Russell Berry (white paper).

The Executive has decided to forward these as they come within the nature of the business to be discussed at the Special Meeting and it believes that it is in the interests of the Association that all proposals or options be canvassed at this time.

By circulating Mr Berry's proposal (and rule changes) to the membership the Executive is not ratifying or recommending the proposal. It is circulated as received without comment. The Executive has not sought advice as to the legal status of the proposal.

Yours faithfully

T J Leslie

Tim Leslie  
Executive Secretary

## **PROPOSED DRAFT RULE CHANGES** **(From the NBA Executive)**

The Executive is presenting to the membership 3 sets of possible rule changes which are consequential on the remits circulated with the notice of Special Meeting last week

- The first set of rule changes will be put to the membership at the Special Meeting if it decides that the Association should become a sector group of Federated Farmers (remit 1).
- The second and third sets of proposed rules will be put to the membership if the Special Meeting decides that the Association should remain as a voluntary stand-alone industry group (remit 2). The second set provides for no distinction between ordinary and commercial members. The third set continues with the category of commercial members who continue to have weighted voting rights.

### **1. SECTOR GROUP OF FEDERATED FARMERS**

#### **Explanation**

This set of rule changes has been prepared on the basis that the Special Meeting supports the proposal that the Association become a sector group of Federated Farmers, but retains its incorporated society status.

#### **Proposed Changes**

##### **Rule 2(a) and (b)**

Delete the section commencing “*Apiary levy...*” and ending with “*... any amendments or substitutions therefore*”.

Delete rule 2(b).

##### **Rule 5**

Delete Rule 5(a) and (b) and replace with the following:

##### **“5. Membership**

- (a) *Membership of the Apiary Industry Group is provided to members of Federated Farmers of New Zealand (Inc) who request it.*
- (b) *Membership is open to any individual or group who supports the objects of the Apiary Industry Group and who is associated with the production of honey, hive products or beekeeping and apiary industry suppliers and is a member of Federated Farmers.*
- (c) *All memberships except life members (Rule 7(a)) are valid until 31 December each calendar year and should be renewed annually to remain current.”*

##### **Rule 6**

Delete Rule 6(a) and (b) and replace with the following:

##### **“6. Categories of Membership**

- (a) *Except for life members (Rule 7(a)) categories of membership and subscription levels are those set by the Council of Federated Farmers from time to time.”*

##### **Rule 7**

Delete Rule 7(a) and (b) and replace with the following:

##### **“7. Life Members**

*a Any person who deserves recognition through distinguished service to the honey or beekeeping industry may be elected as a life member of the National Beekeepers Association of New Zealand (Inc). Nominations for life membership shall be made to the Executive, who shall consider the nomination and may recommend to an Annual Meeting that such person be so elected. A person may be elected a life member by majority vote at an Annual Meeting of the Association. A life member shall enjoy the rights and privileges of ordinary members, but shall pay no annual subscription.*

*Note: Life membership under this category applies to the National Beekeepers Association of New Zealand (Inc). Life members as defined above are not by reason of their life membership of the National Beekeepers Association of New Zealand (Inc), members of Federated Farmers of New Zealand (Inc) and are not eligible to the benefits of membership of Federated Farmers. To be eligible for such benefits the life member must be a subscribed member of Federated Farmers of New Zealand (Inc).”*

##### **Rule 8**

Delete (but refer to new Rule 7 above re life membership).

**Rule 9**

Delete.

**Rule 10**

Delete.

**Rule 11**

Rule 11 becomes rule 8

**Rule 12**

Delete Rule 12(c) and (d) and (e). Rule 12 becomes rule 9.

**Rule 13**

Delete Rule 13(a) and (b) and replace with the following:

*“13. The annual subscription to be paid by members shall be such sums as set by Federated Farmers Council from time to time.”*

Rule 13 becomes rule 10.

**Rule 14**

Rule 14 becomes rule 11

**Rule 15**

Rule 15 becomes rule 12

**Rule 16(e)**

After the words *“an ordinary member shall have one vote”*, delete the remainder of the sub-rule.

Rule 16 becomes rule 13.

**Rule 17**

Rule 17 becomes rule 14 and the numbering of rules 18 onwards change accordingly.

**Rule 26(c)**

After the words *“shall have one vote”* delete the remainder of the sub-rule.

**Rule 26(d)**

Delete and replace with:

*“(d) The Executive Secretary shall as soon as practicable at the commencement of each year send to all branches a list of the members confirming their voting entitlement.”*

Rule 26 becomes rule 23 and the numbering of subsequent rules changes accordingly.

## **2 STAND ALONE ASSOCIATION – NO CATEGORY OF COMMERCIAL MEMBERSHIP**

### **Explanation**

This set of rule changes has been prepared on the basis that the Association continues as a stand-alone Association, but that the category of Commercial membership no longer exists. All members (regardless of number of hives or apiaries) will have only one vote per member.

### **Proposed Changes**

**Rule 2(a)**

Delete the section commencing *“Apiary levy”* and ending with *“any amendments or substitutions therefore”*.

**Rule 5(a)**

Delete *“five”* and replace with *“four”*.

Delete rule 5(a)(ii).

**Rule 6(a)(i)**

Delete *“but who is not liable to pay an apiary levy”*.

**Rule 7**

Delete

**Rule 8(b)**

Delete the words *“if not already a commercial member”*.

**Rule 9(b)**

Delete the words *“rule 2(b)”* and replace with *“rule 2(a)”* and delete the words *“if not already a commercial member”*.

**Rule 12(c)**

Delete.

**Rule 13(b)**

Delete

**Rule 16(e)**

After the words “*an ordinary member shall have one vote*” delete the rest of the sub-rule.

**Rule 26(c)**

After the words “*shall have one vote*” delete the remainder of the sub-rule.

**Rule 26(d)**

Delete and replace with:

“(d) The Executive Secretary shall as soon as practicable at the commencement of each year send to all branches a list of the members confirming their voting entitlement.”

**3 STAND ALONE ASSOCIATION - RETAINING CATEGORY OF COMMERCIAL MEMBERSHIP**

**Explanation**

The third set of rules changes was provided by Russell Berry and retains the category of “Commercial members” who have weighted voting rights. For the purpose of the proposed changes, a commercial member is defined as a beekeeper who owns or controls more than 10 beehives and more than 3 apiary sites, and who pays the appropriate rate of subscription per apiary site (to be set). This means that the structure and voting rights after 31 December will essentially continue on the same basis as at present. However, the Executive will need to establish a membership fee/levy for commercial members.

**Proposed Changes**

**Rule 2(a)**

Delete the section commencing “*Apiary levy...*” and ending with “*... substitutions therefore*”.

**Rule 6(a)(i)**

Delete “*but who is not liable to pay an apiary levy*”.

**Rule 7(a)**

Delete and replace with:

“(a) *Commercial membership shall be open to any beekeeper who owns or controls more than 10 beehives and more than 3 apiary sites, and who pays the appropriate rate of subscription per apiary site*”.

**Rule 12(b)**

After “*an ordinary member*”, add “*or commercial member*”.

**Rule 12(c)**

Delete

**Rule 13(a)**

After “*ordinary members*”, add “*commercial members*”.

**Rule 13(b)**

Delete

**Rule 16(e)**

In both places that it occurs, delete “*levy*” and replace with “*subscription*”.

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**Some Questions that beekeepers have asked Executive and Federated Farmers and the Answers relating to the proposal to establish an Apiary Industry Group of Federated Farmers of NZ (Inc.)**

- Q 1** What does the "base fee" (subscription) allow for?  
**A** To effectively manage the affairs of the Industry Sector Group, including supporting administration, policy development and advocacy on the group's behalf.
- Q 2** Will the Sector Group get full secretarial and clerical support services?  
**A** Yes: The requirements of the group will be met in full. Administration Service Centres are located in Hamilton, Palmerston North and Dunedin.
- Q 3** What access will Beekeepers have to the administration?  
**A** Elected office holders will receive administration support to enable them to carry out their official duties. Individual members are supported through the free-phone 0800 FARMING
- Q 4** How in practice does the Sector Group work?  
**A** A democratic system of member driven issue identification in conjunction with a branch remit system escalating to the Sector Council, National Conference and/or the National Board. Specific sector policy issue development is supported by policy staff.
- Q 5** How does the industry progress its industrial issues other than by way of a similar remit process?  
**A** Members can drive their own issues through their branch and national elected representatives. This process is supported by the Federation's policy and administration team. The sector groups are not constrained in the manner in which they develop issues and/or policy.
- Q 6** If the NBA - Industry – became an Industrial Sector Group would it retain its Incorporated Society status?  
**A** The NBA could not join with the federation in its current form as a stand alone incorporated society. If beekeepers wanted an incorporated industry group this could be achieved by way of incorporation of a new entity, pending National Council approval, as a branch society of the federation. Obviously a branch society has rules which accord with the rules of the parent society which would not be the case presently with the NBA. The federation has a template branch constitution for the incorporation of branches. If incorporated, this entity could, subject to the Minister's and the NBA's approvals act as the agency for the PMS.
- Q 7** Funding of Branches. What capacity is there to provide financial support for branch activities?  
**A** Beekeepers will become part of the provincial structure of FFNZ (although NBA branches can stay as they are), which are funded @ \$25 per FTE. Provinces and branches will have very few costs as most activities are funded directly by the National FFNZ organisation. The \$25 payment to provinces is to provinces for provincial dissemination not to the industry groups per se. Payments to the industry groups are approved by the Council, as detailed in question 12.
- Q 8** What support would FFNZ give to facilitating funding etc of special projects such as R&D marketing, education  
**A** FFNZ would facilitate the development of programmes and applications to the Government's financial support mechanisms such as SSF, FoRST, Industry NZ etc.

- Q 9** Voting rights.  
What is the voting chain – branches – sector group – FF Council?
- A** Voting is governed by the voting rule in the Federated Farmers Constitution. This rule lays out minimum requirements. Outside these requirements industry groups are free to manage themselves as they see fit.
- Q 10** What provision can be made for domestic, ie recreational/hobbyist beekeepers?  
Subscription rates may be prohibitive.
- A** The Federation has a “small farmer” subscription rate. A small farmer is someone whose business does not generate a total living income.
- Q 11** Speciality Groups. What provision for speciality groups?
- A** Sub groups would make representations to the Industry Group who in turn would have support from the policy and administration staff.
- Q 12** Group funding issues. What is the process for a sector group to access funds?  
Does the group submit a “project based” budget on an annual basis – if so to whom?  
Would this be a function of the Group Manager in consultation with the Group Council?
- A** The sector group develops its own sector-specific budget, which is then included into the Federation’s consolidated budget and annual plan. This is ratified by the Federation’s National Council.
- Q 13** What are the advantages of an industry sector group as opposed to any other sort of membership of FFNZ? What does the Sector Group really mean?
- A** This means that the sector group has dedicated policy staff members working on, and becoming familiar with sector specific issues and a governing body dedicated to the bee industry.

## The Berry Option

The Secretary  
National Beekeepers Association Inc.  
P O Box 715  
Wellington

I wish to move the following motion at the Special Meeting to be held on 19 December 2002, or any postal poll called by the National Beekeepers Association.

“In respect of Remit Two put by the Executive (the stand-alone option):

1. That the current rules of the NBA be amended as set out in the attached statement of proposed rules for the NBA, and that the current branches of the NBA be replaced by Area Beekeepers Associations (ABA) established as incorporated societies, and operating under the attached statement of proposed rules for ABAs.
2. That, for both the restructured NBA and the new ABAs, the attached rules be adopted as inaugural rules, subject to the understanding that they may be open to amendment or correction at the first annual meetings of the NBA and ABAs in mid-2003.”

In the event that the meeting is unable to reach agreement or finality on the preceding resolutions, or any other remit that proposes major restructuring or realignment of the NBA, I wish to move the following alternative motion.

“That the Rules of the NBA be changed as set out in the attached document Proposed Changes to Rules Relating to Commercial Membership.”

Please ensure that this notice, and the enclosed cover letter, explanatory statement and rules are circulated in their entirety immediately to all members.

Russell Berry

Dear Beekeepers,

The NBA is on the verge of major change. The Special Meeting to be held in Wellington on 19 December will be making crucial decisions which may fundamentally affect the future of the NBA and the industry.

Remit 2 as put forward by the Executive is:

“That the National Beekeepers Association of New Zealand (Inc) restructures and becomes a stand-alone industry organisation.”

In practice, of course, we are already a stand-alone industry organisation. However, under the new voluntary status, if nothing much changes we will have a reduction in the membership to perhaps two thirds of those who normally attend meetings. **This really means we have to carry out some major changes to encourage beekeeper participation if we are to have a strong organisation.**

The attached explanatory paper and proposed rules present a new direction for the stand-alone option. I believe that this is the best way forward. I would ask that you study them carefully.

The reason that I believe that the proposed voluntary area associations will work is that:

- they will enable excellent, meaningful, user friendly communication in all areas
- they will give beekeepers a much greater sense of ownership and control of their organisation and its activities
- they will have natural expertise in certain areas because of personnel, location and specialised beekeeping in the area.
- it is easy to have face to face meetings when people come from the same area
- they will give people the exciting chance to concentrate their expertise on what they are good at

Whether you wish to support this or any of the other options, it is crucial that you attend your Branch meeting to cast your vote. Voting at the Special General Meeting will be by Branch delegates, so it is only by attending the Branch meeting that you can have your say.

I wish to thank the many beekeepers who have had input into these proposals. I have tried to take account of their views. The indications are that there is strong support for a structure along these lines.

Russell Berry  
2 December 2002

## **RESTRUCTURING OF THE NATIONAL BEEKEEPERS ASSOCIATION AN APPROACH FOR A “STAND-ALONE” OPTION**

### **INTRODUCTION**

Attached are proposed rules for a new structure. There are two sets of rules, one for regionally-based Area Beekeepers Associations (ABAs), and another for a National Beekeepers Association (NBA). In both cases, these are proposed to be incorporated societies.

### **MAIN CHANGES FROM THE EXISTING STRUCTURE.**

#### *Voluntary Membership*

Under the present rules, any beekeeper that has paid the levy required under the Commodity Levies (Bee Products) Order 1996 is automatically deemed to be a commercial member of the NBA. With the expiry of the compulsory levy, this will no longer happen, and membership will become voluntary for all classes of membership.

#### *Decentralisation*

The most fundamental change is that the ABAs would be independent “stand-alone” incorporated societies, not subsidiary branches of a central organisation. Subscriptions would be paid to the ABAs, not to the NBA, which would be funded by payments from the ABAs. A formula or basis for this payment to the NBA would be fixed by agreement each year. It might, for example, be around 20% of ABA income.

The principle is that the ABAs will be the main focus of activity, working for the interests of beekeepers in their area and nationally, using and capitalising on the skills in each area. They would take on some new roles compared with past branches, including some which sub-committees do now.

Any ABA could pay for research or carry out research itself. The ownership of the research or the intellectual property rights could then belong to that Association. This would give the membership of that particular Association the feeling of ownership.

### *Emphasis of ABA Activity*

The main emphasis of the new ABAs will be to generate enthusiasm and profit for beekeepers by:

- encouraging research
- acquiring information, sorting it into areas of interest and making it easily available at any time to ABA members via web pages
- controlling disease
- addressing inappropriate government actions
- lobbying Government on anything related to the good of beekeepers of New Zealand, making strong use of the public good and public benefit of beekeeping.

### *Active Seeking of Funding*

There are many areas of commercial beekeeping that need funding for research etc. It is appropriate for our new Associations to actively seek out these funding opportunities and set them out clearly for their members, so they can make use of them as required. They must be constantly be updated.

### *Relationship of ABAs and NBA*

The relationship between the new NBA and the ABAs will be significantly different from the current NBA/Branch relationship. In plain words, the NBA will be the servant of the ABAs, not the reverse. Funding for the NBA will come from the ABAs, and election of the three-person NBA Executive will be by a process of nomination and election through members of the ABAs. The NBA will not have individual members. The ABAs will be the members of the NBA, with voting rights based on the voting rights within each ABA.<sup>1</sup>

### *Role of NBA*

The primary role of the NBA will be in ensuring an effective two-way flow of information between the national and regional levels, and particularly with Government. It will assist and represent ABAs in making submissions to Government when appropriate. It will also have responsibility to arrange publication of the Journal and maintenance of the NAB website. It will be the management agency for the NPMS and allocate NPMS work to ABAs.

### *Role of ABAs*

As set out in Rule 2 of the ABA rules, primary responsibility for industry promotion, research, policy issues, lobbying etc will lie with the ABAs, with the NBA available to assist at the national level as described above.

The ABAs will primarily be industry organisations supporting the interests of the commercial beekeeping industry. The subscription and voting provisions in the rules reflect this.

### *Basis of Commercial Membership*

Up till now, commercial membership has been automatic on payment of the compulsory levy. The levy amount has been based on the numbers of apiaries. Under the new rules, it is proposed that commercial beekeepers who wish to join an ABA will pay subscriptions based on the numbers of full-time participants or staff in their business during the summer season. This is considered to be a fairer and more easily measurable basis than the current system.

An alternative is also provided which is more akin to the present levy structure.

In either alternative, commercial members will continue to have enhanced voting rights, based on their level of subscription or operations.

### *Annual Conferences*

Under the new rules, each ABA would have an Annual Meeting. The annual NBA conference would be replaced by an annual national seminar where the primary emphasis will be on education and information exchange.

Opportunity would be taken to convene the Annual Meeting of the NBA in conjunction with the seminar. The main purposes of this Annual Meeting would be for the NBA Executive to report to ABA members, to give guidance and direction to the NBA for the coming period, and to set the level of subscription to be paid by each member ABA for that year to the NBA. The basis for setting the subscription rate would be a matter for the Annual Meeting, but it is envisaged that it would be on a suitable proportionate basis, depending of the membership of each ABA..

### **OTHER ISSUES**

#### *Advantage of Incorporated Society Structure*

There are a number of advantages in an Incorporated Society over a company. There is some income which would be non-taxable. The members are not normally put at a financial risk, unless trading occurs. When someone leaves an Incorporated Society, one does not have the problem of determining the value of shares as one does in a company.

#### *Subscription Levels*

To allow for flexibility and changing needs over a long period, the rules do not set a specific rate of subscription for the ABAs.

The rules provide that a base rate subscription be set by the Annual Meeting each year, with the actual subscription levels payable by each member being set as a multiple of this base rate. As examples, if this base rate is set at \$80, a hobbyist beekeeper or associate member would pay \$80, a part-time commercial beekeeper would pay \$200, a one-person full-time commercial beekeeper would pay \$400, while a beekeeping business with 15 or more full-time participants would pay \$6000. Subscriptions at these levels would provide some AFB education and auditing and will put in place the structure to allow for the substantial reduction or elimination of a separate PMS hive levy. The subscription would pay for some disease control and other costs.

#### *Income and Expenditure*

The following represents an estimate of Income & Expenditure of an active ABA under these proposals

<b>Income</b>	<b>\$</b>	<b>Expenditure</b>	<b>\$</b>
Subs - 50 full-time equivalents @ \$400 each	20,000	Room Hire & Supplies	700
Income from trade activity	1,000	Share of NBA expenses	4,000
Income from Field Day	1,000	ABA consultancy Fees	4,000
Income from technical info	500	Secretary, Treasurer, Computer input	4,000
		AFB Education & Field Work	6,000
		Research & Development	3,000
<b>Total Income:</b>	<b>\$22,500</b>	<b>Total Expenditure:</b>	<b>\$21,700</b>

<sup>1</sup> There are precedents for structures of this type. For example, the Federated Mountain Clubs Inc has independent tramping and skiing clubs as its members, with their subscription and voting rights being based on member numbers.

<b>Credit Balance to Savings Account:</b>	<b>\$ 800</b>	
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An estimate of expenditure for the NBA is:

Chairperson's Honorarium	up to \$10,000
Chairperson's Expenses	up to \$10,000.
Clerical assistance for chairperson	up to \$10,000
Expenses for 2 Exec members	up to \$10,000
Total:	up to \$40,000

*Current Life Members*

Because the new NBA will not have individuals as members, it is not appropriate to provide for life membership of the NBA. The proposed rules provide for each ABA to elect life members from time to time. To recognise the status and national contribution of current life members of the NBA, the proposed ABA rules provide that they will be automatically deemed to be life members of the ABA area in which they live.

It is also envisaged that the NBA would be instructed by ABA delegates to ensure that all life members, current and new, are listed and profiled in the Journal at least once each year, and to grant complimentary Journal subscriptions to all life members.

*Website and Email*

Excellence in communication will be a primary need at all levels. It is envisaged that the maximum use will be made of communication facilities such as the NBA website, email and teleconferencing.

*Journal*

Unless it becomes completely stand alone, it would be funded by a separate small subscription for anybody who requires a Journal, ABA members or not.

*Specialty Goups*

Where the Rules of a specialty group specify that their members shall be members of an Area Beekeepers' Assoc, the specialty group would be encouraged to join and be treated as another ABA, but attracting no fees and no voting rights. Speciality groups would be encouraged to make offers to carry out certain projects, similar to ABAs.

**AMENDMENT OF RULES**

Every effort has been made to make these rules practicable, consistent and workable. However, I accept that, as with any new systems, they may have teething troubles.

Because of the need for urgent resolution of the current situation, I suggest that these proposed rules be adopted immediately as inaugural rules for the restructured NBA and the new ABAs, with the understanding that it will be possible to amend or correct them at the first Annual Meetings of the NBA and ABAs in mid-2003.

Russell Berry  
29 November 2002

**RULES OF THE  
(AREA NAME) AREA BEEKEEPERS  
ASSOCIATION INCORPORATED**

**NAME**

*The name of the society is the (-----) Area Beekeepers Association Incorporated ("the Association").*

**GEOGRAPHICAL AREA OF OPERATION**

This area of operation of the Association is (----define-----)

**OBJECTS**

*The objects of the Association are:*

- (a) To advance the welfare and profitability of the beekeeping industry in its area of operation.
- (b) To promote the economic and other interests of beekeepers in its area of operation.
- (c) To contribute to the welfare and profitability of the industry nationally.
- (d) To undertake, sponsor and encourage research related to the welfare of the beekeeping industry.
- (e) To promote the production and marketing of honey and other products which derive from beekeeping.
- (f) To collect and disseminate information likely to be of value to the beekeeping industry.
- (g) To facilitate and encourage communication and information exchange among beekeepers.
- (h) To undertake and facilitate effective communication with Government, other beekeepers associations and any other appropriate bodies.
- (i) To initiate, adopt and pursue policies designed to further in any way the interests of those engaged in the beekeeping industry, but in particular in its area of operation.

**POWERS**

*The powers of the Association are:*

- (a) To undertake and execute any trusts consistent with the objects of the Association.
- (b) To invest moneys of the Association in any trustee security.
- (c) To purchase or lease property, and to hold and manage such property.
- (d) To borrow money.
- (e) To lend and advance money or give credit to any person, organisation or company; and otherwise to assist any person or company.
- (f) To enter into contracts or other arrangements.
- (g) To do all such other things as may be incidental or conducive to the attainment of any of the objects of the Association or the exercise of any of these powers.
- (h) To determine the authorised signatories for the Association's bank accounts.

*Any of these powers may only be used for the purposes of achieving the objects listed above.*

*The Association's financial year will run from 1 January to 31 December of each year.*

**CATEGORIES OF MEMBERSHIP OF THE ASSOCIATION**

*There shall be five categories of membership, namely:*

- (a) Ordinary Members
- (b) Commercial Members
- (c) Life Members
- (d) Honorary Members

(e) Associate Members

*The categories of membership may be extended by the Association in general meeting on the recommendation of the executive. Removal of any category of membership may only be done by a change to these rules in accordance with the procedure set out in Rule 0.*

*Application for membership is to be made to the Secretary, who will refer the application to the Executive for approval. The Executive may not refuse membership to any person who meets the criteria of Rules 0 or 0.*

**ORDINARY MEMBERSHIP**

*Ordinary membership is open to:*

- (a) Any beekeeper in New Zealand who owns or controls fewer than 20 beehives and who pays the appropriate subscription.
- (b) Any other person or organisation with a demonstrated interest or involvement in beekeeping or an activity or enterprise associated with beekeeping, and who pays the appropriate subscription.

## **COMMERCIAL MEMBERSHIP**

*Any beekeeper who owns or controls 20 or more beehives within the Association's area of operation, and who pays the appropriate rate of subscription, shall be a Commercial Member.*

*Any beekeeper that owns or controls 20 or more beehives within the Association's area of operation, may not join as an Ordinary or Associate Member.*

*In the case of a partnership, only one commercial membership of this Association will be recognised, and will be exercisable by one partner whose name shall be notified to the Executive Secretary. Other partners and members or employees of companies that are commercial members may be ordinary members of the Association.*

## **LIFE MEMBERSHIP**

*On the recommendation of the Association's Executive, as a mark of esteem and in recognition of outstanding service to the New Zealand beekeeping industry, a person whether or not a member of the Association, may be elected a Life Member by a majority vote at an Annual Meeting of the Association.*

*A Life Member, if not already a commercial member, shall enjoy the rights and privileges of ordinary members but shall pay no annual subscription.*

*Any person who, at the date of incorporation of the Association, is a life member of the National Beekeepers Association, and is resident within the area of operation of this Association, shall be deemed to be a life member of this Association.*

## **HONORARY MEMBERSHIP**

*The Association's Executive may, as a mark of esteem and in recognition of services to the New Zealand Beekeeping Industry, elect a person whether or not a member of the Association, as an honorary member.*

*Subject to Rule 0 of these rules, an Honorary Member, if not already a commercial member, shall enjoy the rights and privileges of ordinary members, but shall not pay an annual subscription.*

## **ASSOCIATE MEMBERSHIP**

*The Association's Executive of its own accord may elect any specialist beekeeping organisation or allied organisation as an associate member.*

*Subject to Rule 0 of these Rules, an associate member shall enjoy the rights and privileges of an ordinary member.*

## **REPRESENTATIVES OF CORPORATIONS**

*Any corporation which is a member of the Association may by resolution of its directors or other governing body authorise one director, manager or employee thereof to act as its representative at meetings of members of the Association and that person shall be entitled to exercise on behalf of the corporation all its rights and privileges of membership; and shall also be entitled to hold office in the Association as if the authorised person were personally a member.*

## **TERMINATION AND RESTRICTION OF MEMBERSHIP RIGHTS**

*Should the Executive consider that a member is guilty of conduct prejudicial to the interests of the Association it may, after giving the member the opportunity of making oral or written submissions, resolve that the member shall not be eligible, for such time as the Executive shall fix, to participate in any meeting of the Association. The member shall be entitled within one month of the date of the resolution to have the matter referred to the arbitration of an independent person to be agreed upon by the parties. The decision of that person as to the member's guilt or as to the restriction imposed shall be binding on the member and the Association.*

*Any member shall cease to be a member if the member dies, resigns or ceases to be eligible for membership, or if the Executive resolves to remove the member from membership because the member's subscription is unpaid.*

*An Honorary member shall cease to be a member if the member dies, ceases to be eligible for membership, or if the Executive does not reelect that person at the final Executive meeting in any calendar year.*

*An associate member shall cease to be a member if the member dies, resigns or if the Executive resolves to remove the member from membership because the member's subscription is unpaid, or for any other reason.*

## **SUBSCRIPTIONS<sup>2</sup>**

*The base subscription rate to be paid by members, other than life members and honorary members, shall be as fixed by the Annual Meeting of the Association.*

*Ordinary members and associate members shall pay the base rate as fixed.*

*Life members and honorary members are not required to pay subscriptions.*

*17.4 Full-time commercial members shall pay a subscription that is five times the base rate. Commercial members who are not full-time beekeepers, shall pay 2.5 times the base rate. In addition, commercial members, or life members who are commercial beekeepers as defined in Rule 0, shall pay an amount equal to five times the base rate for each additional full-time participant in their beekeeping operation whose base of work is within the Association's area of operations, up to a maximum of 15 such full-time participants. For this purpose, a "full time participant" is defined as a person who has worked over 30 hours average per week in the beekeeping industry during a current or immediately previous November to March period.*

*17.5 Each year, the Association will pay a subscription to the National Beekeepers Association at the rate determined by the Annual Meeting of the National Beekeepers Association.*

## **VOTING RIGHTS**

*In any Annual General Meeting, Special General Meeting, postal poll or election of officers, each ordinary member and life member will have one vote. Commercial members, and life members who are commercial beekeepers as defined in 0, shall have five votes, and may also cast five votes for each extra full-time participant in accordance with Rule 0, up to a maximum of 25 additional votes.*

*Any member may leave a signed proxy vote with another member, authorising that member to vote in a particular manner on any issue.*

## **EXECUTIVE COMMITTEE**

*The Executive Committee shall consist of:*

- (a) President
- (b) Vice President
- (c) Secretary
- (d) Treasurer
- (e) Up to five other members.

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<sup>2</sup>

See also the attached alternative option for this part of the rules

19.2 One person may hold the posts of Secretary and Treasurer.

#### **ELECTION OF EXECUTIVE**

*Nominations shall be invited from members in writing by the outgoing Secretary.*

*Election shall be by a floor vote at the Annual Meeting.*

*For the purposes of the election, an ordinary member shall have one vote, and a commercial member may have multiple votes in accordance with Rule 0.*

*20.4 In the event of a casual vacancy for any position on the Executive, the remaining members may appoint another member of the Association, and that person shall hold office until the vacancy is filled at the next election.*

#### **OPERATION OF EXECUTIVE**

*The members of the Executive shall hold office for one year, commencing at the conclusion of the Annual Meeting immediately following their election, and shall at the expiration of their terms be eligible for re-election.*

*The Executive shall meet as and when directed by the President or on the request of four members of the Executive.*

*Four members shall constitute a quorum.*

*The President and Vice President shall be respectively Chairperson and Vice Chairperson of the Executive.*

*The Executive shall manage the business of the Association and shall have full power and authority to exercise all the powers and perform all the duties for which the Association has been established and to do all things necessary for the attainment of the objects of the Association, and to prescribe procedures for the conduct of postal ballots and postal polls.*

#### **SECRETARY**

*The Secretary shall carry out such responsibilities as the Executive may from time to time request, and in particular shall be responsible for:*

- (a) Keeping minutes of meetings.
- (b) Keeping of records of correspondence and other documents.
- (c) The preparation and dispatch of correspondence
- (d) The performance of any other appropriate general administrative duties relating to the functions of the Association.

*The Annual Meeting may authorise the payment of an appropriate honorarium to the Secretary.*

#### **TREASURER**

*The Treasurer shall be responsible for:*

- (a) The collection of all moneys due and payable to the Association
- (b) The keeping of books and accounts
- (c) Countersigning all cheques issued by the Association
- (d) Preparing financial statements as required together with the Annual Financial Report, Balance Sheet and Statement of Income and Expenditure.

*The Annual Meeting may authorise the payment of an appropriate honorarium to the Treasurer.*

#### **ANNUAL MEETING**

*The Executive shall convene an Annual Meeting of the members of the Association in May or June of each year.*

*The business to be conducted at the Annual Meeting shall be:*

- (a) To receive the President's report.
- (b) To receive the Annual Report of the Association.
- (c) To receive the audited Balance Sheet and Statement of Income and Expenditure
- (d) To receive the budget for the current financial year.
- (e) To fix the rate of annual subscriptions.
- (f) To receive recommendations or other business referred by the Executive, including Life Membership nominations
- (g) To appoint an Auditor
- (h) To consider any matter arising from the President's report, the Annual Report or any other report presented to the Annual Meeting.
- (i) To conduct any general business

*At the Annual Meeting, every question shall in the first instance be decided on the voices, but a show of hands or secret ballot may be demanded by any person entitled to vote, in which case the voting rights as provided in Rule 0 will apply.*

#### **SPECIAL GENERAL MEETINGS**

*A Special General Meeting of the Association shall be held at such time and place as the Executive may decide for the purpose of transacting any business other than that to be transacted only at the Annual Meeting.*

*The Executive shall convene a Special Meeting upon receipt of a request in writing by not less than 20% in number of the members of the Association stating the object of the meeting proposed to be called.*

*If the Executive fails to convene a Special Meeting within thirty-five days of the date of delivery of the request, the requesters may convene it themselves.*

*25.4 At a Special General Meeting, every question shall in the first instance be decided on the voices, but a show of hands or secret ballot may be demanded by any person entitled to vote, in which case the voting rights as provided in Rule 0 will apply.*

#### **QUORUM**

*The Quorum for an Annual Meeting or Special General Meeting shall be 7 members.*

#### **CONDUCT OF MEETINGS**

*The Annual Meeting and any Special General Meeting shall be summoned by 21 days' written notice to members stating the nature of the business intended to be conducted with the date, time and place of the proposed meeting. Notification by facsimile or email shall be considered to be written notification for this purpose.*

*The President, or in the President's absence the Vice-President, shall preside at all meetings of the Association.*

*The decision of the Chairperson in all matters of meeting procedure and conduct shall be final.*

*If a poll is requested, it shall be conducted in such a manner as the Chairperson decides.*

*At any meeting, the Chairperson shall have a single casting vote as well as any other vote or votes to which that person may be entitled as a member.*

*Any person who is not a member of the Association may be present by invitation of any member at any meeting of the Association, but unless invited by the Executive or the Chairperson, shall not be entitled to speak.*

#### **POSTAL POLL**

*The Executive may submit any matter of policy to the membership for voting by postal poll. On such a poll members shall have the same voting entitlement as under Rule 0.*

*All postal polls shall be conducted by the Secretary and the result thereof shall, as soon as practicable after the poll has been taken, be notified by the Executive Secretary in writing to the membership of the Association.*

*The result of a postal poll shall be binding on the Executive.*

#### **COMMON SEAL**

*The Association shall have a Common Seal, which shall be kept by the Secretary, and shall be affixed to such documents as are required to be completed under Seal. The Seal shall be affixed only pursuant to a specific or general resolution of the Executive, and in the presence of two members of the Executive and the Secretary.*

#### **ALTERATION TO RULES**

*These rules may only be altered by a postal poll in accordance with Rule 0.*

*30.2 If 20% or more of the current membership submit a specified proposal for an alteration to the rules, accompanied by an explanation of the reasons for the proposal, the Secretary shall conduct a postal poll on the proposal within 35 days.*

#### **WINDING UP**

*The Association shall be wound up upon the passing of a resolution to that effect passed at an Annual or Special General Meeting, the notice of which has included the proposal for winding up.*

*31.2 In the event of the Association being wound up, its funds and other property shall be disposed of to such charitable organisation or organisations concerned with the beekeeping industry as such Annual or Special General meeting shall determine.*

### **AN ALTERNATIVE FOR SUBSCRIPTIONS AND VOTING RIGHTS FOR COMMERCIAL MEMBERS**

#### **13. SUBSCRIPTIONS**

13.1 The annual subscriptions to be paid by ordinary members and associate members shall be as fixed by the Annual Meeting of the Association.

13.2 Commercial members, and life members who are commercial beekeepers as defined in Rule 7.1, will pay as their subscriptions an amount for each apiary site owned or controlled by the member within the Association's area of operation. The Annual General Meeting will fix the amount to be paid per apiary site in that year.

13.3 Life members and honorary members are not required to pay subscriptions.

13.4 Each year, the Association will pay a subscription to the National Beekeepers Association at the rate determined by the Annual Meeting of the National Beekeepers Association.

#### **14. VOTING RIGHTS**

14.1 *In any Annual General Meeting, Special General Meeting, postal poll or election of officers, each ordinary member and life member will have one vote. Commercial members, and life members who are commercial beekeepers as defined in Rule 7.1, shall have two votes for the first 10 apiaries owned or controlled by them within the Association's area of operations, and one vote for each further 10 apiaries owned or controlled by them within the Association's area of operations, up to a maximum of 25 votes.*

RULES OF THE  
NATIONAL BEEKEEPERS  
ASSOCIATION INCORPORATED

**NAME**

*The name of the society is the National Beekeepers Association of New Zealand Incorporated.*

**OBJECTS AND POWERS**

*The objects of the Association are:*

- (a) To facilitate an effective two-way flow of information between appropriate Government agencies and Area Beekeepers Associations.
- (b) To disseminate to Area Beekeepers Associations all relevant information from Government, including relevant proposed law changes.  
To assist and/or represent Area Beekeepers Associations in making submissions to Government on matters which relate to or which affect or may affect the beekeeping industry.
- (c) To appoint the Beekeeping Industry Trust trustees.
- (d) To be the management agency for the National Pest Management Strategy for American Foul Brood, and to allocate NPMS implementation work to Area Beekeepers Associations.
- (e) To arrange for publication of the NBA Journal and the maintenance of the NBA website.
- (f) With the consent of, or at the request of a majority of Area Beekeepers Associations that are members, to take any action required to protect or advance the beekeeping industry in New Zealand.

**MEMBERSHIP**

*Membership of the Association will be open to all Area Beekeepers Associations (ABAs) that are properly constituted as incorporated societies, which have 15 or more members (counting a corporate body as three members as provided by Section 31 of the Incorporated Societies Act), and which have paid the correct subscription fee as fixed under Rule 0.*

**CESSATION OF MEMBERSHIP**

*Any Area Beekeepers Association that does any of the following shall cease to be a member of the Association:*

- (a) Fails to pay the required subscription.
- (b) Goes into dissolution or liquidation.
- (c) Falls below the required membership numbers.
- (d) Ceases to be an incorporated society.
- (e) Resolves to relinquish its membership.

**ALTERATION OF RULES**

*These rules may only be altered by a majority vote conducted by a postal poll among members of all Area Beekeepers Associations that are subscribed members of the NBA.*

*For the purposes of any such poll, each ordinary member and life member of an ABA will have one vote. Commercial members of ABAs, including life members who pay ABA subscriptions as commercial members, shall have five votes, and may also cast five votes for each extra full-time participant in their beekeeping business, up to a maximum of 25 additional votes.*

*For this purpose, a "full time participant" is defined as a person who has worked over 30 hours average per week in the beekeeping industry during a current or immediately previous November to March period.*

**SUBSCRIPTIONS**

Each Area Beekeepers Association will pay an annual subscription at a rate to be fixed at the Annual Meeting of the NBA..

**EXECUTIVE**

*The Executive Committee will consist of three people who must each be a member of an Area Beekeepers Association. Of the three, at least one must be resident in the North Island and one in the South Island.*

*Nominations for the Executive will be sought in writing from all Area Beekeepers Associations in every year.*

*The election of the Executive will be by way of a postal poll among the members of all Area Beekeepers Associations, to be conducted in April of every year.*

*For the purposes of any such poll, the voting rights described in Rule 0 will apply.*

*The members of the Executive will hold office for three years, commencing on the first day of June following the postal poll, provided that, in the first term of office after adoption of these rules, one shall retire after one year and one after two years.*

**CHAIRPERSON**

*The Executive will choose a Chairperson from among its membership.*

*The Executive may authorise payment of an honorarium to the Chairperson of up to 25% of the total subscription income.*

**SECRETARIAL SUPPORT**

*The Executive may appoint a suitable person, who may or may not be a member of an Area Beekeepers Association, to provide secretarial, clerical and accounting support.*

*The Executive may pay an honorarium to the Secretary of up to 25% of the total subscription income.*

**ANNUAL MEETING**

*Each year, the Association will invite an Area Beekeepers Association to convene a National Beekeepers Seminar for the purpose of education and information exchange among beekeepers and other people and organisations allied to the beekeeping industry.*

*In conjunction with the National Beekeepers Seminar, the Association will convene an Annual Meeting which will be open to all members of Area Beekeepers Associations.*

*The business of the Annual Meeting will be:*

- (a) To present the Association's Annual Report.
- (b) To present the Annual Financial Report and Balance Sheet.
- (c) To discuss any general business.
- (d) To discuss and receive any recommendations or guidance for future action by the Executive.
- (e) To fix the rate of subscriptions to be paid by member ABAs.

*At the Annual Meeting, every question shall in the first instance be decided on the voices, but a show of hands or secret ballot may be demanded by any person entitled to vote, in which case, the voting rights described in Rule 0 will apply. Any member may leave a signed proxy vote with another member, authorising that member to vote in a particular manner on any issue.*

#### **SPECIAL GENERAL MEETINGS**

*A Special General Meeting shall be called if requested by the resolution of any three ABAs, provided that any such request must clearly specify the business to be discussed or transacted at the Special General Meeting.*

*If the Executive does not convene a Special General Meeting within 35 days of such a request being received, the Area Beekeepers Associations that made the request may convene the meeting.*

*Whether convened by the Executive or Area Beekeepers Associations, at least 21 days notice of the meeting will be given to all Area Beekeepers Associations, such notice to include specific details of the business to be discussed or transacted at the meeting.*

*At a Special General Meeting, every question shall in the first instance be decided on the voices, but a show of hands or secret ballot may be demanded by any person entitled to vote, in which case, the voting rights described in Rule 0 will apply.*

*Any member may leave a signed proxy vote with another member, authorising that member to vote in a particular manner on any issue.*

#### **FINANCE**

*The Association's financial year will run from 1 January until 31 December of each year.*

*The Executive may only commit the funds of the Association for purposes consistent with the objects and powers detailed in Rule 0*

#### **COMMON SEAL**

*The Association shall have a Common Seal, which shall be kept by the Secretary, and shall be affixed to such documents as are required to be completed under Seal. The Seal shall be affixed only pursuant to a specific or general resolution of the Executive, and in the presence of a member of the Executive and the Secretary.*

#### **WINDING UP**

*The Association shall be wound up upon the passing of a resolution to that effect passed at an Annual or Special General Meeting, the notice of which has included the proposal for winding up.*

*In the event of the Association being wound up, its funds and other property shall be distributed among the Area Beekeepers Associations that are financial members at the time.*

*The amount to be distributed to each Area Beekeepers Association will be proportional to the proportion of the total subscription which that Association has paid in the most recent financial year.*

### **NATIONAL BEEKEEPERS ASSOCIATION INCORPORATED PROPOSED CHANGES TO RULES RELATING TO COMMERCIAL MEMBERSHIP**

#### **EXPLANATION**

These proposals are put forward as a fallback position if the Special Meeting of 19 December 2002 is unable to reach agreement or finality on a major restructuring of the NBA. The Meeting could then resolve to approve these much more minor changes.

The effect of these changes would be to allow the NBA to continue essentially as at present, at least for an interim period, buying time to allow more major changes to be considered and debated.

Rule 7(a) provides that beekeepers who have paid compulsory levies under the requirements of the Commodity Levies (Bee Products) Order 1996 are automatically given status as Commercial Members. Rule 13 (b) provides that the annual subscription for commercial members is deemed to be fully satisfied by payment of the apiary levy due.

With the expiry of the Commodity Levies (Bee Products) Order 1996, Rule 7(a) becomes ineffective and meaningless. It is necessary to change the Rules to provide a replacement means for Commercial Members to remain part of the NBA and to meet their subscription obligations.

The NBA's legal advisor has indicated that the rules of the association can be amended to provide for a category of commercial membership of commercial membership which is not dependent on the existence of the Levy Order. The following proposed changes are designed to achieve this with minimum disruption to the current arrangements.

Russell Berry  
30 November 2002

#### **PROPOSED CHANGES**

##### **Rule 2(a):**

Delete the section commencing "Apiary Levy" and ending with "substitutions therefore".

##### **Rule 6(a)(i):**

Delete "but who is not liable to pay an apiary levy".

##### **Rule 7(a):**

Delete and replace with:

"Commercial membership shall be open to any beekeeper who owns or control more than 10 beehives and more than 3 apiary sites, and who pays the appropriate rate of subscription per apiary site."

##### **Rule 12(b):**

After "an ordinary member", add "or commercial member."

##### **Rule 12(c):**

Delete.

##### **Rule 13(a):**

After "ordinary members", add "commercial members".

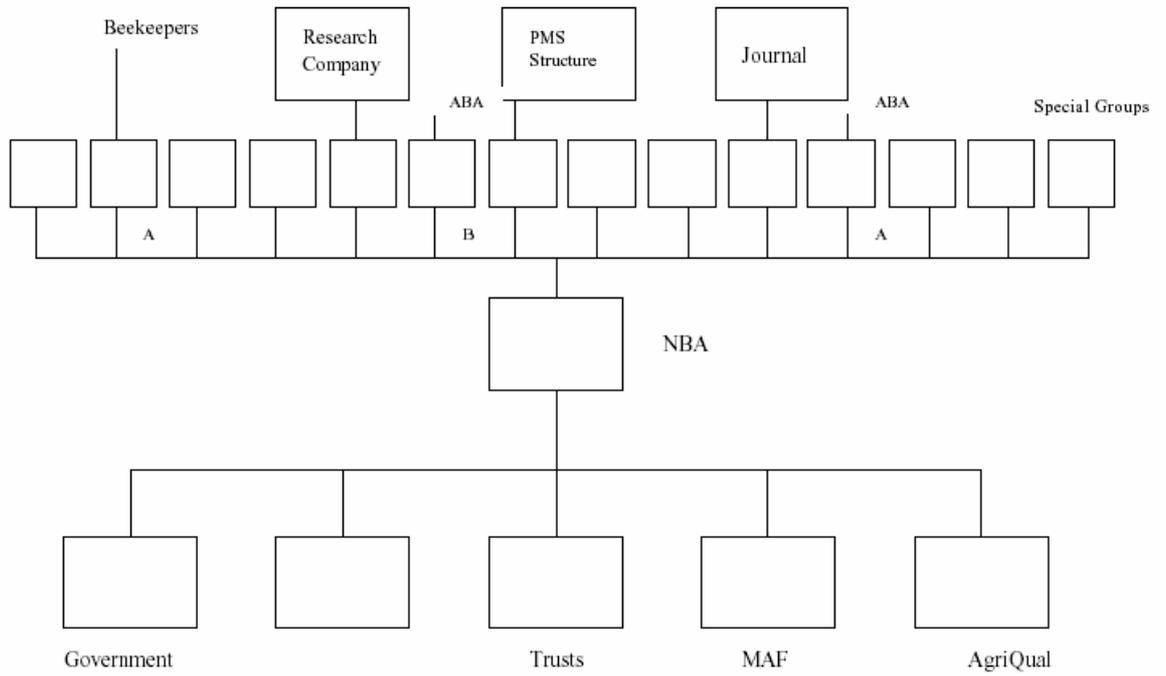
##### **Rule 13(b):**

Replace with: "

The annual subscription for commercial members will be by way of a fee per apiary site at a rate to be decided by the Executive from time to time.

##### **Rule 16(e):**

22. Diagram of Structure



In both places that it occurs, delete “levy” and replace with “subscription”.