



COMPANIES OFFICE
SOCIETIES AND TRUSTS ONLINE



1006391313

www.societies.govt.nz | 0508 SOCIETIES | 0508 762 438

Send completed forms to: Companies Office, Private Bag 92061, Victoria Street West, Auckland 1142 or processing@societies.govt.nz

Application to incorporate a society

Sections 7 and 21, Incorporated Societies Act 1908

2650333

NOTES | The society's name must end with the word **Incorporated**

The name cannot be the same as any other society, company or organisation. Check existing society and company names for free by doing a Register Search online at www.societies.govt.nz and www.companies.govt.nz

The Companies Office will endeavour to process your application form within three working days.

Except where specifically noted, the details you provide on this form (including details and signatures of the members and witnesses provided with this application) will be made publicly available on the Societies and Trusts Online website.

1. Name of society

~~Nepalese~~
Nepalese Literary Society / New Zealand

New Zealand

Nepalese Literary Society Incorporated

2. Address of registered office

This address must be a physical address and NOT a PO Box, Private Bag or Document Exchange address.

419A Mt.Albert Road, Mt.Albert

3. Addresses for communication

Postal address (this can be a PO Box address) to which communications from the Registrar may be sent. The Registrar may also contact the society by email. The email address you provide here will not be publicly available.

Postal address

419A Mt.Albert Road, Mt.Albert

Email address (optional)

PC# 3
07 SEP 2016

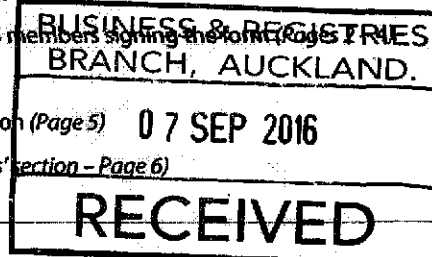
4. Annual General Meeting (AGM) month

The society's annual general meeting will usually be held in the month of:

Last month of January

5. Checklist before filing your application

- ☒ We have checked that the society's name is available by conducting a Register Search at www.societies.govt.nz and www.companies.govt.nz
- ☒ The application form has been signed by 15 members of the society (Pages 2-4)
- ☒ All the signatures have been witnessed by someone who isn't one of the 15 members signing the form (Page 5)
- ☒ A copy of the society's endorsed rules is attached to the application
- ☒ An officer of the society or a solicitor has completed the attached certification (Page 5)
- ☒ The fee of \$102.22 is included (Please complete the attached 'Payment details' section - Page 6)



6. Your contact details

Name and postal address

Mina Poudel
419A Mt.Albert Road, Mt.Albert

Email (optional)

Telephone

Application to incorporate a society (continued)

Page 2 of 6

Form IS1

Name of society

~~Nepalese Literary Society / New Zealand~~

Date

2016/08/08

~~Nepalese Literary Society Incorporated~~

We, the several persons whose names are subscribed hereto, being members of the above-mentioned society, hereby make application for the incorporation of the society under the foregoing rules, in accordance with the Incorporated Societies Act 1908.

7. Witnesses

☒ Tick here if there is only one witness to all 15 members' signatures. In this case the witness should only complete the first set of witness fields.

If there is more than one witness to the members' signatures, each witness should complete the appropriate witness fields.

8. Members 1-4 (Note: Details of other members are continued on the next page)

1 Name Pashupati Karmacharya Signature *P. Karmacharya*

Address 26 Dunbarton Dr, Ranui

2 Name Laxman Saiju Signature *L. Saiju*

Address 90 Metcalf Road, Ranui

3 Name Yagya Raj Pant Signature *Y. Raj Pant*

Address 1071A Dominion Rd, Mt. Roskill

4 Name Mina Poudel Signature *Mina Poudel*

Address 419A Mt. Albert Road Mt. Albert

Witnessed by

1 Name Shreedhar Basnet Signature *S. Basnet*

Address 227A Sturges Road, Henderson

2 Name Signature

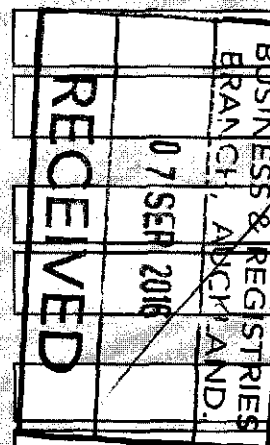
Address

3 Name Signature

Address

4 Name Signature

Address



Application to incorporate a society (continued)

Page 3 of 6

Form IS1

Name of society

~~Nepalese Society / New Zealand~~

~~Nepalese Literary Society Incorporated~~

Date

2016/08/08

We, the several persons whose names are subscribed hereto, being members of the above-mentioned society, hereby make application for the incorporation of the society under the foregoing rules, in accordance with the Incorporated Societies Act 1908.

8. Members 5-9 (Note: Details of other members are continued on the next page)

5 Name Sajana Thapa Signature

Address 51A Gray Avenues, Papatoetoe

6 Name Balaram Khanal Signature

Address 2/25A Verbana Rd, Birkdale

7 Name Pankaj Shrestha Signature

Address 5 Rathgar Road, Henderson

8 Name Padam Banjade Signature

Address 20 Castlederg Dr, Flat Bush

9 Name Babu Raja Maharjan Signature

Address 33 Milliken Ave, Mt.Roskill, Auckland

Witnessed by (to be completed if there is more than one witness)

5 Name Signature

Address

6 Name Signature

Address

7 Name Signature

Address

8 Name Signature

Address

9 Name Signature

Address

Application to incorporate a society (continued)

Name of society New Zealand

Name of society
Nepal Literary Society / New Zealand

2016/08/08

Nepalese Literary Society Incorporated, ...

We, the several persons whose names are subscribed hereto, being members of the above-mentioned society, hereby make application for the incorporation of the society under the forgoing rules, in accordance with the Incorporated Societies Act 1908.

8. Members 10-15

10 Name Udhab Adhikari (Uddhav Adhi) Signature [Signature]

Address 20A Ulster Road, Block House Bay

11 Name **Kamal Shrestha** Signature *[Signature]*

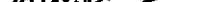
Address 1/167 Mokoia Rd, Birkenhead, North Shore

12 Name **Shreedhar Basnet** Signature *S. Basnet*

Address 227A Sturges Road, Henderson

13 Name Laxman Poudel Signature [Signature]

Address 419A Mt. Albert Road, Mt Albert

14.Name	Bedendra Adhikari	Signature	
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Address 68 KingDale Road, Henderson

15 Name Ami Karmacharya Signature [Signature]

Address 26 Dunbarton Dr, Ranui

Witnessed by (to be completed if there is more than one witness)

10 Name _____ Signature _____

Address _____

11 Name _____ Signature _____

Address	
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12 Name _____ Signature _____

Address	
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13 Name _____ Signature _____

Address	
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14 Name _____ Signature _____

Address	
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15 Name _____ Signature _____

Address	
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Application to incorporate a society (continued)

Page 5 of 6
Form IS1

Name of society

~~Nepal Literary Society / New Zealand~~

Nepalese Literary Society Incorporated

New Zealand

9. Certificate

The certificate must be completed by an officer of or solicitor for the society who should also sign the first page of the rules that are being submitted.

I certify that:

1. a majority of the members have consented to the application; and
2. the rules that are endorsed with the application are the rules of the society.

Name

Pashupati Karmacharya

Position

President

Signature

Date

2016/08/08

RULES CHECKLIST | What must be included in your rules?

Section 6, Incorporated Societies Act 1908 requires that a society's rules include the following:

The name of the society (ending with the word Incorporated)

The objects for which the society is established

How people become members of the society and cease being members of the society

How meetings of the society will be called and held and how voting will take place

How officers of the society will be appointed

Control and use of the common seal

How the society's funds will be controlled and invested

The powers (if any) that the society has to borrow money

How any property of the society will be distributed in the event of the society being wound up

How the rules of the society can be altered.

1. Name

The Nepalese Literary Society shall be referred as NLS or Society in short and shall be used thereafter.

2. Objectives

The objective of this NLS shall be to promote Nepalese literature in New Zealand. It will encourage new generation in the field of Nepalese literature.

- (1) Nepalese literature will cover all the languages spoken by the people of Nepal.
- (2) While promoting Nepalese literature it will encourage international relationship and languages other than Nepalese
- (3) It will arrange periodical workshop of Nepalese literature

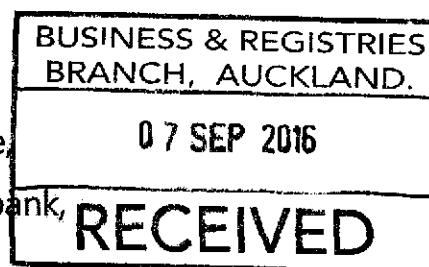
3. Membership

- (1) Any member of Nepalese descent can join this society by completing formalities, as decided by Executive Committee.

4. The Funds of the Association:

The Funds of the Association shall comprise of

- (1) Annual membership fee,
- (2) Grant,
- (3) Donations,
- (4) Amount received at its fund raising programme,
- (5) Any income including interest credited by the bank,
- (6) Any amount borrowed or loan received.



5. Management of the Funds

- (1) All donations, funds and materials received for the purposes of the Association shall be managed by the Treasurer under the supervision of the Executive Committee. The Executive Committee shall have the power to direct or approve the expenditure of the Association's funds in such manner as deemed appropriate in the interest of the Association.



New Zealand

The rules of
Nepalese Literary Society Inc.

- (2) The Executive Committee shall keep its funds in Bank account under the name of the Association. Two officials Treasurer and the President or any one member of the Executive Committee authorized by the Executive Committee shall operate account.

6 Executive Committee

The Executive Committee of the Society shall comprise of President, a Vice-Presidents, a General Secretary, a Secretary, a Treasurer and up to five Executive Members.

7 Tenure of Executive Committee

The tenure of Executive Committee shall be two years. Its term ends in the month of March immediately after new Executive Committee elected or Ad Hoc Committee formed.

8 Election of Executive Committee

- (1) The Executive Committee of the Society shall be elected every two years in the month of March by the General or Special General Meeting of the Association. In the circumstances where election could not be held to elect new Executive Committee the General or Special General Meeting shall comply with the Article 24(2).
- (2) Outgoing officials of the Executive Committee shall not be eligible for re-election to the same post for more than two consecutive terms.
- (3) Any casual vacancy occurring among the Officials of the Executive Committee may be provisionally filled by the Executive Committee and required to be endorsed by Annual General Meeting.

9 Election Committee

An Election Committee shall be formed for the election of new Executive Committee by the General or Special General Meeting. Election Committee will have a representation from Non Resident Nepali Association, New Zealand.

10 Duties of Officials of Executive Committee

- (1) **The President:** The President shall function as the Society's Chief Executive Officer and preside over the meetings of the Society; shall perform other duties as the Society may assign to the President. In

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the absence of the President the duties shall be performed by one of the Vice-Presidents whoever is senior on age basis.

- (2) **The General Secretary:** The General Secretary shall keep the records and conduct the correspondence of the Association and shall perform such other duties as may be assigned to him/her by the Association. In the absence of the National Co-ordinator the duties shall be performed by the Joint Co-ordinator.
- (3) **The Treasurer:** The Treasurer shall receive and shall have the custody of the Funds of the Association and shall invest and disburse them subject to the Rules and under the direction of the Society
- (4) The Officials of the Executive Committee shall also perform any duties elsewhere prescribed in Rules.

11 Organizational structure

- (1) The Society shall have nationwide committee at the top of the tier and two regional committees one in South and another in the North. All the committee from national level to branches will have at least one representation from Non Resident Nepali Association New Zealand to keep symbiotic relation with NRNA.
- (2) The regional committees will have branches all over the islands
- (3) The regional committee and branches shall assist in the matter of membership renewal, new membership motivation and other matters. Other roles and responsibilities of the Focal Person shall be prescribed by the Rules.

12 Election Procedures

The Executive Committee shall formulate Election Rules on the basis of universal election norm and table Election Rules to the General or Special General Meeting. The Election Rules shall be adopted by the majority of the General Members present and voting in the General or Special General Meeting and shall come into force from the date of adoption.

13 Special Committees

The Executive Committee may decide to establish Special Committees as it may, from time to time, deem desirable and may prescribe the duties and powers of such committees, including the power to take executive action; provided that no such special committee shall be empowered to undertake any of the functions hereby specifically entrusted to the Society.

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14 Meetings

- (1) The General Meeting of the Association normally shall be held annually in the month of January. The President shall have power to convene a Special General Meeting whenever he/she deem it advisable to do so; and he/she shall do so on being thereto requested in writing by twenty-five percent of total General Members of the Society. The President shall chair the General or Special General Meeting but in his/her absence the meeting shall be chaired by Vice-President or Senior member of the society.
- (2) The notice on the Special General Meeting shall be issued at least 4 weeks before the meeting. Any materials related to any major decisions requiring voting in the General or Special General Meeting shall be circulated at least two weeks prior to the meeting.

15 Proceedings of Meeting

The proceedings at the General or Special General Meeting shall include the following unless otherwise decided by the meetings:

- (1) Welcome address;
- (2) Reason for absence of any Officials of Executive Committee;
- (3) Minutes of the last General or Special General Meeting; and
- (4) Specific agenda items.
- (5) General Secretary to table the report
- (6) Treasurer to table financial report
- (7) Election of new Executive Committee

16 Expulsion

- (1) Any member ceases to be a member of the Society if he/she is expelled from the Society by the unanimous decision of the Executive Committee on the charge of violating its rules and on the ground of misconduct.
- (2) The Executive Committee shall not take any decision without giving him/her reasonable opportunity of being heard. The Executive Committee shall not discuss and decide in the matter of expulsion of any member if there is no conclusive evidence on the charge of violation of its Rules and of misconduct.

[Signature]

[Signature] ^{SB}

- (3) The Executive Committee shall table the expulsion issue(s) to the General or Special General Meeting. The General or Special General Meeting shall decide the expulsion issue(s) by the majority of two third General Members present and voting in General or Special General Meeting. Decision to expel shall come into force from the date of approval by the General or Special General Meeting.

17 Alterations

- (1) The Executive Committee shall propose any amendment, alteration, or rescission to the rules.
- (2) Any Article(s) of this rules may be rescinded or amended by a resolution adopted by the majority of the General Members present in General or Special General Meeting.
- (3) The General Secretary shall post the notice of intention to make amendment, alteration or rescission **at least four weeks before the meeting.**

18 Accounts

The Executive Committee of the Society shall comply with the **accounting and audit requirements** of the law of New Zealand relevant to the income/expenditure level of the Society, with regard to:

- (1) The keeping of accounting records of the Society;
- (2) The preparation of annual financial statements for the Society;
- (3) The auditing of the financial statement of the Society; and
- (4) The preparation of an annual report

19 Bank Account

The bank account in which the assets of the Society are deposited shall be operated by the Executive Committee in the name of the Society. All cheques or orders for the payment of money from such account shall be signed by two persons as specified in Article 5(2).

20 Personal Interests

No member of the Society shall:

- (1) Receive any benefit in cash or in kind from the Society except for reasonable expenses incurred in carrying out the duties of the Society or the events sponsored by the Society; or

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- (2) Have a personal interest in the supply of goods or services to the Society; or
- (3) Acquire or hold any personal interest in the property of the Society

21 Co-operation with Other Nepalese Organisations

The Society will co-ordinate with Non Resident Nepali Association in national and local levels. The Society will also seek support from all other Nepalese organisations working actively in different parts of New Zealand to achieve the objectives as stipulated in Article 2.

22 Patrons, Honorary Members and Advisers

The General or Special General Meeting may from time to time nominate people of high standing or those with a long outstanding record of contribution to the development of Nepal or any other person deemed deserving as Patrons, Honorary Members and Advisers of the Society. The decisions to nominate shall be decided by the majority of the General Members present and voting in the General or Special General Meeting

23 Meeting Attendance

- (1) The Officials of the International Nepalese Literary Society from different countries at the time of their visit to New Zealand shall be entitled to attend the Society's meeting but shall not have right to voting and contesting.
- (2) The President and General Secretary and any other officials of national committee shall be entitled to attend the meetings of the Regional Committee and Branches but without any voting rights. Regional Committee and Branch officials will also have right to attend meeting of National Committee but without voting rights.

24 Vote of No Confidence

- (1) Vote of no confidence against the Executive Committee may be proposed at the General or Special General Meeting by twenty-five percent of General Members present at the General or Special General Meeting. However, such motion will not be forwarded more than once in every year.

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- (2) The Executive Committee shall fall vacant upon approval of the no confidence motion by the majority of the General Members present at the General or Special General Meeting. The General or Special General Meeting shall then form a five or seven membered Ad Hoc Committee to run its daily administration and also form an Election Committee. The tenure of such an Ad Hoc Committee shall not exceed more than two months. However, the Ad Hoc Committee's tenure shall continue if the remaining tenure of the Executive Committee is less than six months.

25 Formulation of Rules

The Executive Committee shall formulate rules in the areas of necessary in order to run the Society's Meeting. The rules shall come into force from the date of approval by the majority of the General Members present and voting in the General or Special General Meeting.

26 Winding up or Dissolution

- (1) The Society may wind up voluntarily if two third of its General Members adopt a resolution to wind up at its General or Special General Meeting. Such adopted resolution requires to be ratified by the votes of two thirds of the General Members present in the General or Special General Meeting at a subsequent General or Special General Meeting called for that purpose and held not earlier than thirty days from the date on which the resolution to wind up was adopted.
- (2) The Registrar shall, subject to payment of any debts and liabilities of the Society, hand over all the property of the Society to the New Zealand Red Cross Society in the event of voluntary wind up or dissolution of the Society.

27 Logo

The Society shall have its own logo as approved by the General or Special General Meeting.

28 Office

The office will be established as per need and decision of Executive Committee in different levels.

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29 Common seal

- (1) The Executive committee shall provide a common seal for the society and may from time to time replace it with a new one.
- (2) The Secretary shall have custody of the common seal, which shall only be used by the authority of the committee. Every document to which the common seal is affixed shall be signed by the President and countersigned by the Secretary or a member of the Executive Committee.

S. Basyal -

P. M.