

RULES

OF THE

Heretaunga Club, Inc.

1. The Club shall be called the "HERETAUNGA CLUB INCORPORATED".

2. The registered office of the Club shall be at the Clubhouse, Hastings, or at such other place as the Committee may from time to time determine. Due notice of any change of office shall be given to the Registrar of Incorporated Societies by the Secretary.

3. The objects of the Club are:—

- (a) To maintain and conduct a Chartered Club for the convenience, comfort and social intercourse of members.
- (b) To purchase, take on lease, or in exchange, hire or otherwise acquire any real or personal property, and any rights, privileges or concessions which the Club may think necessary for the purpose of carrying on a Chartered Club and any real or personal property, rights privileges or concessions so purchased, leased or acquired to dispose of by sale, lease, exchange or otherwise.
- (c) To raise or borrow money or secure the repayment of any balance or purchase money in such manner on such terms as may seem expedient, and to secure the payment of any moneys raised or borrowed or otherwise owing by the Club by mortgage, charge or lien upon the whole or any part of the Club property or assets.
- (d) To build, construct, maintain, alter, pull down and remove and replace any buildings, offices or works necessary or convenient for the purpose of the Club.

4. The income and property of the Club from whatever source derived shall be applied solely towards the promotion of the Club, except that contributions may be made from the funds of the Club to such charitable purposes as the General Committee from time to time sees fit.

INVESTMENT OF SURPLUS FUNDS

5. The surplus funds of the Club (if any) may be invested in such securities as are approved by the General Committee. Deeds and other documents in connection with the investments shall be prepared by the Solicitor of the Club and certified by him as in order, and shall be taken in the name of the Club, and all dividends and interest arising out of such investments shall go to augment the funds of the Club.

The control, investment and disposition of the funds and property of the Club shall be vested in the General Committee provided that any real property shall not, nor shall any part thereof, be mortgaged, sold, substantially altered or added to or disposed of in any way without the sanction of a majority consisting of two-thirds of members present at a Special General meeting of the Club called for that purpose.

MEMBERSHIP

6. Membership of the Club shall consist of Ordinary and Life members and shall comprise:—

Males of the full age of twenty years or such lower age as may be authorised by the Sale of Liquor Act, 1962 and its amendments or any Acts or Act passed in substitution thereof.

The minimum number of members of the Club shall be fifty members and if at any time the membership of the Club shall be less than fifty members, the Club shall thereupon be wound up in accordance with the Rules and provisions of the Incorporated Societies Act, 1908.

The maximum number of members shall be decided from time to time by the General Committee, and shall not exceed at any time, any such maximum members as fixed by the Licensing Control Commission.

Members shall be entitled to rights and privileges as follows:—

Entry to the Club premises during such hours as may be defined by the General Committee, and the right to hold office in accordance with the Rules of the Club.

ELECTION OF MEMBERS

7. Each candidate for membership shall be nominated and seconded in writing on a form provided for the purpose by two financial members of the Club. The nomination form shall include the christian names, surname, age, residential address and occupation of the candidate and an undertaking that he will abide by the Rules of the Club. The candidate shall deposit, at the time of nomination, such sum as may be directed by the General Committee. The names of candidates shall be posted on the Club's notice board for three calendar months prior to election.

8. Any objection lodged during the period of posting shall be considered by the General Committee. Election shall be at the first meeting of the General Committee held after the expiration of the said period of three calendar months. The General Committee may admit to membership a candidate as vacancies occur in order of nominations received except that it may give priority to transferees from other Clubs and to sons of members of three years standing.

9. Candidates accepted for membership shall be posted on the notice board for at least one month after acceptance by the General Committee.

10. No member of less than one years standing may either propose or second for nomination any person for membership of the Club.

11. A member may nominate one candidate and second not more than two candidates in any one financial year of the Club.

12. If a candidate wishes to withdraw his application for membership at any time before it has been considered by the General Committee, he may do so and his nomination fee shall be returned in full.

TERMINATION OF MEMBERSHIP

13. Any member may resign his membership at any time by notifying his resignation in writing, to the General Committee, and thereupon he shall ipso facto, cease to be a member of the Club; but no such resignation shall relieve any member from the payment of any subscription or other money due or payable by him or from his proportion of any of the outstanding liabilities of the Club at the time of such resignation. The General Committee shall have the power at all times to reinstate or re-elect to membership any member who has ceased to be a member by resignation but not otherwise. Such reinstatement or re-election shall require the proposed member to pay an entrance fee of the difference between the fee which was payable at the date of his resignation and the fee payable at the date of his reinstatement.

ENTRANCE FEE AND SUBSCRIPTION

14. The Entrance fee and the annual Subscription shall be such sums as shall from time to time be determined by the members in annual general meeting. But at no time shall the entrance fee be less than the annual subscription.

15. Members elected in any quarter of the year other than the first quarter shall be charged one-fourth only of the Annual Subscription for each quarter until the expiry of the current financial year.

16. On the election of each new member, the Secretary shall notify the fact to him and at the same time supply him with a copy of the Rules and By-laws and advise him of the Annual Subscription, on payment of which within one month he shall be enrolled on the books of the Club, and become entitled to its privileges.

17. If a newly elected member does not pay his subscription within one month after his election his election shall be void at the discretion of the General Committee.

18. The Annual Subscription shall be deemed to be due on the 1st June in each year.

19. Any member whose subscription is unpaid by the 30th June in each year shall ipso facto cease to be a member of the Club. But this rule shall not apply to members for the time being absent from the Dominion.

20. No member retiring from the Club, or ceasing, from any cause to be a member, shall be entitled to, or have any claim upon any portion whatever of the property of the Club, or any estate or interest in the assets of the Club.

LIFE MEMBERSHIP

21. In recognition of outstanding or meritorious service to the Club any member of the Club of not less than fifteen years standing may at any general meeting be elected a life member of the Club on the recommendation of the General Committee and on the votes of two-thirds of the members present at such meeting. Any members so elected shall be entitled to all the privileges of membership without payment of any subscription but shall be subject to the Rules and By-laws of the Club in all respects.

MANAGEMENT

22. The general affairs of the Club shall be managed by a General Committee who shall be elected by ballot at the Annual General Meeting and shall hold office until the election of their successors.

23. The General Committee shall consist of the President, two Vice Presidents, Treasurer, the retiring President ex-officio for a period of one year and seven other members, six to form a quorum.

24. Nominations for the General Committee shall be made in writing on a form provided for the purpose and shall be deposited with the Secretary.

No member may propose or second any member for election to the General Committee until such member has been a financial member for at least one year.

25. Nominees for President and Vice-President shall have served on the General Committee for a term of not less than one year. AND Nominees for Treasurer and the General Committee shall have been financial members of the Club for not less than two years.

26. Employees of the Club shall not be eligible for nomination.

27. Nominations shall close at 6 p.m. on the 30th day preceding the Annual General Meeting. As nominations are received they shall be posted on the notice board together with the names of the proposer and seconder.

28. Voting papers shall be prepared on which shall be printed the names of all candidates for election to the offices of President, Vice-Presidents, Treasurer, and as members of the Committee.

These voting papers shall be available on the Club premises to members 14 days prior to closure of the ballot. Each member shall strike out from the voting paper the name of any candidate against whom he desires to vote. He shall leave uncanceled the name of any candidate for whom he desires to vote. (No vote shall be invalid or informal merely because the member has voted for less than the number of candidates required for the particular office.)

29. No member shall vote by proxy. Any member who desires to vote may send or deliver his voting paper in the form provided, **SEALED UP**, and enclosed in an envelope, to the Secretary of the Club; and attached to the same envelope must be another paper on which must be written the voting member's name in his own handwriting. The Secretary shall hand these signatures to the Scrutineers appointed for the purpose, and shall cause all such voting papers to be placed in the ballot box at 6 p.m. on the day preceding the Annual General Meeting.

30. At the close of the ballot, the Scrutineers shall open the voting papers, count the votes for and against each candidate and announce the result to the Chairman of the meeting. In the event of a tie for any position the Scrutineers shall decide the tie by lot.

31. In the event of a vacancy occurring on the General Committee, the remaining members shall elect a substitute for the unexpired term of office.

32. The General Committee shall hold meetings whenever called together by the Secretary or by the President, or either of the Vice-Presidents and at least forty-eight hours notice of the General Committee meetings shall be given to each member of the General Committee.

33. The President, or one of the Vice-Presidents, or in their absence, one of the members present shall take the chair at all General Committee meetings and the Chairman shall have a deliberate vote and a casting vote.

34. Any member of the General Committee absenting himself from three consecutive meetings without permission of the Committee will, at its option cease to be a member thereof, and the Committee may elect a substitute for his unexpired term of office.

35. The President, Vice-President, Treasurer and Committee-men shall hold office for twelve (12) months and shall be eligible for re-election.

TREASURER

36. (a) It will be the Treasurers duty to satisfy himself and the Committee that all monetary transactions have been carried out in accordance with the Rules of the Club.
- (b) To attend to any financial duties as may from time to time be fixed by the Committee.

AUDITOR

37. An Auditor who shall be a member of the New Zealand Society of Accountants shall be appointed by the Committee annually. He shall not hold any office in the Club. He shall have the right to attend any meeting of the Club at which the Club's financial affairs are under discussion. The audit fees shall be determined by the General Committee.

38. The Accounts of the Club shall be audited annually and a Balance Sheet shall be printed and a copy made available to each member at the Club 14 days prior to the Annual General Meeting.

MANAGER

39. The Committee may appoint a Manager who shall be responsible for the day to day maintenance, cleanliness and service of the Club; the engagement and dismissal of such employees as may be essential to provide adequate and efficient maintenance of the assets and control of the Club and such other duties as are delegated to him by the General Committee. His salary and remuneration shall be determined by the General Committee.

SECRETARY

40. There shall be at all times a Secretary of the Club whose name shall be from time to time notified by the General Committee to the Licensing Control Commission. The General Committee shall from time to time appoint and fix the remuneration of the Secretary who shall hold office at its pleasure. One person may hold both offices of the Secretary and Manager and the holder of either or both need not necessarily be a member of the Club. The duties of the Secretary shall be fixed from time to time by the General Committee but without deviating from the generality of the foregoing the Secretary's duties shall include the following:—

- (a) He shall not later than the 7th day of June in each year make application to the Licensing Control Commission on behalf of the General Committee for renewal of the Club's Charter in accordance with Regulation 22 of the Sale of Liquor Regulations 1963 or any regulation that may be substituted therefore.
- (b) He shall lodge with the aforesaid application—
 - (1) A copy of the Balance Sheet of the Club in respect of the last financial year certified as correct under his hand.

- (2) An application fee of such amount as shall from time to time be fixed by the Licensing Regulations.

- (c) Within fourteen (14) days after the coming into force of any amendment to or alteration in the Rules of the Club cause to be sent to the Licensing Control Commission a copy of every such amendment or alteration certified under his hand.

GENERAL AND SPECIAL MEETINGS

41. At all meetings of the Club, the President, or one of the Vice-Presidents or a member of the General Committee or in the event of their absence, some member to be elected by the meeting, shall be Chairman of the meeting. The Chairman shall have a deliberate as well as a casting vote at such meeting.

42. An Annual General Meeting of the Club shall be held during the month of August, with power of adjournment. At least 14 days notice of such Annual General Meeting stating the nature of the business to be brought before the meeting shall be given by:—

- (a) Posting on the Club notice board.
- (b) By advertisement in the public newspapers circulating in the district on at least two occasions.
- (c) An Agenda made available to members in the Club premises 14 days prior to the Annual General Meeting.

43. The business of the meeting shall be to elect officers for the year, to receive from the General Committee a report and a statement of the Receipts and Disbursements of the Club for the past year, and to discuss any other business of which due notice has been given.

44. A Special General Meeting of the Club may be called by the General Committee of its own motion and shall be called on the written request of 10% of the members of the Club. All Special General Meetings shall have the same powers as an Annual Meeting, provided that 21 days' notice of the

subject matter to be discussed at such meeting be posted in the Club and that 14 days' prior notice of such meeting be given in a public newspaper circulating in the district on at least two occasions.

45. Upon receipt of a motion by the required 10% of the members to hold a Special General Meeting the Committee will immediately give due notice thereof as required in these Rules.

46. No General Meeting shall be competent to transact business unless at least 10% of the members entitled to vote at an election be present and vote; and no proposition for altering or adding to or repealing the Rules, or dealing with the property of the Club shall be adopted without the sanction of a majority consisting of two-thirds of the members at the meeting.

47. All resolutions passed at any meeting of the Club shall be conclusive and binding on all members of the Club whether they shall be present at such meeting or not, provided that such meetings are held in conformity with the Rules.

48. The mode of voting shall be by show of hands; but if required by three members present, shall be by ballot. In all cases of voting the matter shall be decided by a majority, except in cases otherwise expressly provided for by these Rules.

49. At each Annual General Meeting at least three members shall be appointed as Scrutineers for the ensuing year. In the event of a vacancy occurring the General Committee shall have power to fill the vacancy and the person or persons so appointed shall hold office until the next Annual General Meeting when the vacancy or vacancies shall be filled by such meeting. Any Scrutineers may hold another office in addition to the office of Scrutineer. At every election at least two of the said Scrutineers shall act in conjunction with the Secretary to conduct the election.

BY-LAWS

50. The General Committee shall have power to make, alter or rescind By-laws of the Club not inconsistent with the Rules of the Club.

A copy of all alterations or additions to the By-laws shall be posted on the Club notice board.

Members have the right to object to all such additions or alterations to the General Committee within 14 days of the posting.

All objections received shall be considered by the General Committee who shall decide by a majority decision whether to uphold such objection.

Once objections have been considered, the By-law shall become final and binding until set aside.

SUB-COMMITTEES

51. Within fourteen days of the Annual General Meeting the General Committee shall meet in order to elect a House Committee, Sports Committee, and Social Committee.

The House Committee shall consist of three members of the General Committee and shall be empowered to make all urgent decisions concerning the management and general well being of the Club. All decisions so made by the house committee will be final and binding upon all members until such decisions are confirmed or rejected by the General Committee at their next monthly meeting.

Each member of the General Committee shall serve on either the Sports or Social Committee. Those sub-committees so formed may co-opt from members of the Club sufficient members to form a workable committee.

The General Committee shall be empowered to form such other sub-committees as may be required from time to time to assist with the efficient running of the Club.

A list of members of each sub-committee formed shall be posted on the main notice board of the Club.

VISITORS

52. (a) Any member may invite any person as a visitor to the Club. All visitors shall sign the Visitors Book

provided by the Committee and enter their name and address therein on such occasion. The member accompanying a visitor shall also sign the Visitors Book and will at all times be responsible for the conduct of the Visitor.

No such Visitor shall be sold or supplied liquor on the Club premises unless the Visitor is present on the invitation of a member and is in the company of a member and the liquor is supplied for consumption on the premises.

- (b) A member of an affiliated Club may be sold or supplied liquor on the Club premises provided he has on admission to the premises produced sufficient evidence to an officer of the Club or member of its staff that he is a member of an affiliated Club. Affiliated visitor shall sign the Visitors Book provided by the Committee for the purposes and shall enter their names and the name of their own Club therein.
- (c) No person shall become a regular or frequent visitor to the Club.

GENERAL

53. All moneys received on behalf of the Club shall be banked and all cheques shall be signed by any two of the President, Vice-Presidents, Treasurer or Secretary. All accounts shall be passed for payment by the General Committee and no liability shall be incurred by any officer of the Club without the consent of the General Committee.

54. The Common Seal of the Club shall have the name of the Club encircling it. It shall be kept in the custody of the Secretary and shall be affixed to any instrument or document by two members of the General Committee appointed for that purpose in the presence of the Secretary on the resolution of the General Committee and such two members of the said General Committee and the Secretary shall sign their names as witnesses.

55. Any member wilfully infringing the Rules or Regulations of the Club, or whose conduct in or out of the Club shall, in the opinion of the General Committee, be inconsistent with the

behaviour of a gentleman, or prejudicial to the interests of the Club, shall be subject to suspension or expulsion, as herein-after provided. Charges of this nature shall be considered by the General Committee who, if they consider such a course necessary, shall direct the Secretary to inform the member of the charge brought against him with a view to giving him an opportunity of explaining his conduct to the General Committee. The Secretary shall, within seven days after such member shall be notified of the charge brought against him, call a meeting of the General Committee for the purpose of allowing such member to explain his conduct. Should such member decline to appear or if he appears but fails to explain satisfactorily his conduct, the General Committee may be a three-fourth's majority of the members present, suspend or expel him or fine him a sum not exceeding Twenty (\$20) dollars for each offence.

56. All complaints shall be made to the Secretary in writing and signed by the member complaining. Any complaint shall be laid before the General Committee at its next meeting and an answer in writing shall be sent by the Secretary under its direction. The General Committee shall treat all such complaints as privileged. The member making the complaint shall not discuss the matter outside the Club.

57. Any notice required to be given by these Rules may be served by the Club upon any member, either personally or by sending it through the post addressed to such member at his last known place of business or residence and shall be deemed to have been served forty-eight hours after posting.

58. A Register of the members of the Club shall be kept. Such register shall contain the names, addresses and occupations of members and the date on which they became members.

59. There shall be delivered annually to the Registrar of Incorporated Societies, in such form, and at such time as he requires, a statement containing the following particulars:—

- (a) The Income and Expenditure of the Club during the Clubs last financial year.

(b) The Assets and Liabilities of the Club at the close of the said year.

(c) All mortgages, charges and securities of any description affecting any of the property of the Club at the close of the said year.

The said statement shall be accompanied by a certificate signed by an officer of the Club to the effect that the statement has been submitted to and approved by the members of the Club at a General Meeting. It shall be the duty of the Secretary to prepare such statement and after the same shall have been submitted to and approved by the members at a General Meeting, to forward the same with the necessary certificate to the Registrar of Incorporated Societies.

60. In addition to all other duties of the General Committee the General Committee shall:—

(a) Within twenty-one (21) days after any change in Secretaryship of the Club cause to be sent to the Licensing Control Commission notice in writing of the change and of the full name and address of the new Secretary.

(b) Where the Secretary of the Club will be absent for any period exceeding twenty-one (21) days or will be unable owing to illness or any other cause to carry out his usual duties for any such period as aforesaid, cause to be sent to the Licensing Control Commission notice in writing to that effect setting out in the notice the full name and address of the person appointed to carry out those duties in the meantime; and shall in like manner notify the Commission as to when the Secretary resumes his duties.

(c) At all times will faithfully comply with the Sale of Liquor Act 1962 and its amendments and all regulations from time to time made thereunder insofar as the said Act, amendments and regulations shall affect Chartered Clubs under the said Act.

61. All matters provided for in these rules shall, at all times, be dealt with in accordance with the following "Guiding Principles":—

(a) that it be accepted that the Club is established primarily for the benefit and convenience of its members,

(b) that the admission of non-members should at all times be subordinated to the comfort, well-being and satisfaction of the Clubs members.

(c) that the admission of visitors should always be regarded as a privilege of the members, granted to enable them to dispense periodic hospitality to their casual guests and not as a means of augmenting the revenue of the Club.

(d) that at all times the provisions of the Club's charter as laid down by the Licensing Control Commission are to be maintained and upheld.

WINDING UP

62. In the event of the winding up of the Club, the property of the Club shall be sold by public auction or in such other manner as a Special General Meeting called for the purpose shall decide and the net proceeds of such sale shall be devoted in the first place to the payment of the debts and liabilities of the Club and the balance, if any, shall be donated to such charities as the Special General Meeting shall decide.