

THE INCORPORATED SOCIETIES ACT 1908

THE RULES OF

042152

WAIKARE & DISTRICTS SPORTS CLUB INCORPORATED

DISTRICT REGISTRAR
COMMERCIAL AFFAIRS
NAPIER

1 THE name of the Association is WAIKARE & DISTRICTS SPORTS CLUB INCORPORATED.

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2 THE Registered Office of the Association shall be at the offices of Messrs Robinson, Toomey & Partners, Solicitors, 20 Vautier Street, Napier or such other places as the Association may from time to time determine by resolution in general meeting.

3 THE objects for which the Association is established are:

- (a) ~~To foster maintain and encourage such sports and games authorised by the Club in Waikare and surrounding Districts.~~
- (b) To provide and maintain for the use of its members grounds buildings clubrooms and other facilities necessary for the playing of such sports and games as are authorised.
- (c) To affiliate combine or co-operate with any other Society body or association whether incorporated or not having similar objects to those of the Association.
- (d) To make necessary regulations and bylaws for the Government control and the management of the Association generally.
- (e) To purchase lease hire or otherwise buy land buildings and other real or personal property which the Committee may from time to time deem necessary or expedient or useful in connection with any of the Club's undertakings and that either alone or in conjunction with any other Club person firm or corporation and to build erect alter or improve or contribute towards the costs of building erecting or improving any such buildings or other property as aforesaid.
- (f) To invest any of the Club's funds not immediately required for the purposes of the Club in such investments or assets as the Committee may from time to time decide.
- (g) To promote social activities and functions among the members

- of the Club either to raise funds or otherwise.
- (h) To cater for the refreshment of members.
 - (i) To receive moneys and to expend them in pursuance of the objects of the Club.
 - (j) To employ such professional services as may in the opinion of the Committee be expedient to or necessary for carrying out execution of any of the objects of the Club.
 - (k) To sell let or otherwise dispose of the whole or any portion of the real or personal property of the Club not for the time being required for the purposes or objects of the Club PROVIDED HOWEVER that all decisions under this clause shall be exercised by the Association at a Special General Meeting or Annual General Meeting.
 - (l) To do all such other matters and things as in the opinion of the Committee shall be conducive to the attainment of any of the foregoing objects or to the exercise of the foregoing powers.

MEMBERSHIP AND AFFILIATION

- 4(a) Any incorporated sporting group within the District encompassed by the Club's objects may be admitted to membership as hereinafter provided. *Alteration filed 24/10/95 see doc 9 CBJ.*
- (b) Any unincorporated Club may be admitted to membership as hereinafter provided and in the event of an unincorporated Club applying for a membership and being admitted the members of that Club shall be deemed to be members of the Association.
- (c) Election of Membership.
Applications from Clubs desirous of joining this Association must be made to the Secretary or Honorary Secretary in writing and will be considered at the next Management Committee meeting, and the Management Committee in its discretion may accept or refuse any application for affiliation provided that in the event of the Management Committee refusing an application then the Management Committee shall submit the application for the decision of the next General Meeting of the Association. Each Club so applying must furnish its full name and full particulars of its membership and a copy of its rules (if any) and such other information as the Management Committee may require.

(d) Resignations.

No member shall retire from the Association until he has paid his subscription and any arrears due, and shall give notice in writing to the Secretary or Honorary Secretary of his wish to resign. Such notice must be given fourteen (14) days prior to the Annual General Meeting or the member will be liable for the subscription for the ensuing year, provided that in all cases members shall be liable for all debts due to the Association at the date of the acceptance of the resignation.

(e) Suspension or Expulsion.

The Committee of Management may suspend or expel from membership any member or any member of any Club wilfully disobeying any of the rules bylaws or guilty of any conduct rendering him/her in its opinion unfit or unsuitable to be a member of the Association or deserving of suspension or expulsion provided that before suspending or expelling him/her he/she shall be given the opportunity to wait on the meeting to hear any accusations against him/her, ask questions, and give explanations and the meeting shall hear what he/she has to say by way of defence.

SUBSCRIPTIONS

- 5(a) ~~The Management Committee shall set and/or alter subscriptions each year at the first meeting of the Committee following the Annual General Meeting. SEE DOC. 7~~
- (b) ~~Subscriptions shall be due on the 1st day of April in each year except those of new members which shall be due on the date of their election and must be paid within one (1) calendar month of due date. SEE DOC 7~~
- (c) The Management Committee shall also decide what further fees including entrance fees and levies, if any, may be paid for any purposes covered by these Rules.
- (d) Clubs must within seven (7) days of a request being made supply to the Management Committee a full list of their membership.

ALTERATION TO RULES

- 6 THE Rules of the Association may be altered repealed or replaced by a resolution of a three-fifths majority of the

votes recorded by those present at any General Meeting. The notice calling it shall have specified the proposed alteration repeal or substitution but nothing in this rule shall prohibit the amendment at any General Meeting of any proposal which has been specified in the notice calling the meeting. Notice of any motion importing a change in the Rules shall be forwarded in writing to the Secretary not later than one (1) month before the date of the General Meeting, and twenty-one (21) days notice of such proposed alteration shall be given to all members.

GENERAL MEETING

7(a) Annual General Meeting.

The Management Committee shall arrange for the Annual General Meeting to be held annually at such time and place as the Association or Committee may determine but not later than ~~February 29th~~ ^{MARCH 31ST} in each year.

(b) The Management Committee may at any time and shall within fourteen (14) days after a requisition in writing signed by three (3) member Clubs or their delegates (which requisition shall set out the business proposed to be transacted at such meeting) convene a Special General Meeting for any purpose or purposes. At any meeting so called only the business set out in the notice shall be dealt with.

(c) Attendance at General Meetings.

The following shall be entitled to attend General Meetings.

- (i) The Patron and Officers of the Association.
- (ii) Members of the Management Committee.
- (iii) Any members of any Club affiliated to the Association.

(d) Voting at General Meetings.

Voting shall be by a show of hands but if any resolution is not passed unanimously then any member may demand a ballot in which case voting shall be as follows:

- (i) Any incorporated or unincorporated Club affiliated to the Association shall be entitled to two (2) votes PROVIDED HOWEVER that the Waikare Rugby Football Club (Inc) shall be entitled to such number of votes as the aggregate of all other votes of the affiliated Clubs in attendance at such meeting PROVIDED FURTHER

~~THAT such members present and entitled to vote may exercise the total number of votes to which the Club they represent is so entitled.~~

~~(ii) The Chairman of the meeting shall have a casting vote.~~

(e) Delegates.

~~That see Alteration doc. 9/8/11~~

No person shall be a delegate or representative for more than one Club. Clubs shall advise the Secretary prior to the Annual Meeting the names of the delegates representing such Club and if any delegate is unable to attend then the Club may appoint another person to act PROVIDED HOWEVER THAT such delegates who are in attendance at the Annual Meeting may exercise the total number of votes to which the Club they represent is so entitled.

(f) Procedure at General Meetings.

At all General Meetings the Chair will be taken by the President but if he is not present at the time when the meeting is due to start those present shall elect a Chairman from the meeting among the Officers (except the Honorary Secretary) and the Management Committee present and willing to act and if no Officer or member of the Management Committee is present then from among the members generally and the Chairman so elected shall remain in the Chair until the arrival of the President.

(g) The Quorum.

The Quorum at General Meeting shall be seven (7) persons present and representing at least three (3) affiliated Clubs.

(h) Notices.

Notices of any Special General Meeting and of the Annual General Meeting shall be sent by the Secretary by circular to all members not less than twenty-one (21) days prior to the date thereof. The Secretary shall also give not less than twenty-one (21) days notice to all affiliated Clubs of all business which it is proposed to lay before any meeting of the Association.

PATRON

8 A Patron may be elected at the Annual General Meeting and such an appointee shall have all the privileges of an Officer of the Association.

OFFICERS AND MANAGEMENT COMMITTEE

9(a) The Officers of the Association shall comprise:

President and Vice-President

Honorary Secretary

Honorary Treasurer

PROVIDED HOWEVER that the positions of Honorary Secretary and Honorary Treasurer may be combined.

- (b) Officers shall hold office until their successors are appointed.
- (c) Nominations for the offices of President, Vice-President Honorary Secretary, Honorary Treasurer (or Honorary Secretary-Treasurer) of the Association shall close with the Secretary fourteen (14) days prior to the Annual General Meeting. If for any reason whatsoever no nominations be received for all or any of the above Officers then in that event it shall be competent for the Annual General Meeting to fill any such officer for which no nominations have been received. The failure of the Secretary or any other officer of the Association to circulate nominations to Clubs shall not invalidate any nominations lodged with the Association prior to the Annual General Meeting.
- (d) Subject to the decisions of the Association in General Meeting the entire management and control of the Association's affairs and property both real and personal shall be in the hands of the Management Committee.
- (e) ~~The Management Committee shall consist of seven (7) members~~ elected as follows:

- (i) Four (4) members elected by the Waikare Rugby Football Club Incorporated.
- (ii) Two (2) members elected by the Waikare Squash Club.
- (iii) ~~One (1)~~ ^{TWO (2)} member elected by the District Badminton Club

PROVIDED ALWAYS that if at any time the number of members comprising the Management Committee is altered then and in such case the number of members to be elected by the Waikare Rugby Football Club Incorporated shall be altered so that the number to be elected by the Waikare Rugby Football Club Inc shall be one-half of the number of members or a majority of the number of members (should ~~the number of members be in total an uneven number~~).

- (f) Chairman of Management Committee.

~~The Management Committee shall elect from its number a Chairman who shall preside at all its meetings and he shall~~

SEE DOC. 7.

SEE DOC. 9.

SEE DOC. 7.

~~have only a casting vote.~~

(g) Management Committee Meetings.

The Management Committee shall meet at such times and places as it may from time to time decide and a meeting shall be called on the requisition of any two (2) of the Committee members. Any such meeting so requisitioned shall be called within seven (7) days of the receipt of such requisition.

(h) Quorum of Management Committee.

At any Management Committee meeting four (4) persons present shall constitute a quorum.

SEE REG 7
(i) ~~Any casual vacancy occurring in the Management Committee during the year may be filled by the Committee.~~

(j) All officers and all members of the Management Committee must be financial members of any affiliated Club.

POWERS AND DUTIES OF MANAGEMENT COMMITTEE

10 IN addition to its normal duties, the Management Committee shall have the following powers:

- (a) To make such regulations and bylaws as may be necessary for the administration of any of the Association's facilities.
- (b) To consider and adjudicate on any apparent infringement of the Rules of the Association.
- (c) To settle any question which may arise and which is not specifically provided for in these Rules.
- (d) To delegate any of its powers to a sub-committee or sub-committees.
- (e) To enquire into the conduct of any Club, Team or Player affiliated to the control of any member of the Association and to impose any penalty, including disqualification or fine (not exceeding fifty dollars (\$50) which the Committee may consider fit. Any such penalty shall at the discretion of the Committee be enforced and carried out by all members affiliated to the Association.
- (f) To summon witnesses to appear and give evidence at any enquiry held by the Committee or any person or persons appointed by it and in the event of failure or refusal to attend, to impose such penalty as the Committee may consider fit.

DISQUALIFICATION

- 11(a) Affiliated Clubs must advise the Association of the names of any members who are disqualified or suspended for any reason in accordance with their Rules.
- (b) Any member so disqualified shall not be entitled to the use of any facilities or property owned or operated by the Association.
- (c) Right of Appeal
Any Club, team, player or member aggrieved by any decision of or any penalty disqualification or fine imposed by the Management Committee shall have the right of appeal to a General Meeting of the Association which may be a two-thirds ($\frac{2}{3}$) majority thereof allow or disallow such appeal. Such appeal must be made within twenty-one (21) days after notification of the original decision. The right of appeal contained in this clause shall apply only to decisions of the Management Committee under clause 10(e) of these Rules.

FINANCE, ANNUAL REPORT AND AUDIT

- 12(a) The financial year of the Association shall be fixed by the Management Committee and may be altered from time to time as the Management Committee sees fit.
- (b) A report of the year's activities and an audited statement of receipts and payments shall be prepared by the Committee for presentation of the next Annual General Meeting.
- (c) An Honorary Auditor for the current year shall be appointed at every Annual General Meeting. The Management Committee may appoint the Honorary Auditor if the Annual Meeting omits to do so.
- (d) The Association shall have power to operate on any Bank account or accounts at the discretion of the Management Committee and any such accounts may be operated upon the cheques and other withdrawals signed and/or endorsed by any such person or persons as the Management Committee may from time to time decide provided that the Management Committee may in particular authorise one person to endorse cheques to be held to the credit of any Bank account of the Association PROVIDED HOWEVER that any item of expenditure (whether by single payment or by aggregate of instalments) in excess of ~~TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500)~~ must be approved by a Special General Meeting or Annual General Meeting.

Refer to
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- (e) All moneys due to the Association shall be paid to the Treasurer or Secretary/Treasurer who shall issue a receipt for such payments.
- (f) No moneys shall be paid out of the Association's account except in pursuance of special or general authority of the Management Committee or of the Annual General Meeting as the case may be.

COMMON SEAL

13 THE Management Committee shall provide a Common Seal for the Association and they shall have the power from time to time to destroy the same and substitute a new one in lieu thereof. The Common Seal shall be kept by the Secretary and shall be used only when directed by the Management Committee and for the purpose of executing documents shall be affixed in the presence of two (2) members of the Management Committee.

BORROWING POWERS

14 THE Association may at the discretion of the Management Committee raise or borrow money upon any mortgage or debentures or other security charging any of the real or personal property of the Association and may borrow any money either by Bank overdraft or otherwise without security at the discretion of and upon such terms as the Management Committee may from time to time decide PROVIDED HOWEVER that any borrowing in excess of TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00) must be approved by a Special General Meeting or Annual General Meeting.

WINDING UP

15 UPON winding up of the Association its assets (if any) shall be realised in such manner as the Management Committee may decide and after satisfaction of all debts and liabilities any surplus proceeds shall be distributed in such manner as determined by a General Meeting called for that purpose.