

# RAGLAN CLUB Inc. Constitution

2021

## Table of Contents

FOREWORD.....	3
1. NAME.....	3
2. REGISTERED OFFICE.....	3
3. OBJECTS .....	3
4. MEMBERSHIP .....	3
5. ADMISSION OF MEMBERS.....	4
6. TERMINATION OF MEMBERSHIP.....	5
7. SUBSCRIPTIONS.....	5
8. EXECUTIVE COMMITTEE OF MANAGEMENT .....	6
9. PRESIDENT AND VICE-PRESIDENT.....	7
10. TREASURER .....	8
11. SECRETARY .....	8
12. AUDITOR .....	8
13. MANAGER .....	9
14. EXECUTIVE COMMITTEE MEETINGS .....	9
15. ACCOUNTS - .....	10
16. ANNUAL GENERAL MEETING.....	10
17. SPECIAL GENERAL MEETING.....	12
18. VOTING .....	12
19. REVISION OF RULES.....	12
20. QUORUM .....	12
21. COMMON SEAL .....	12
22. GENERAL POWERS AND DUTIES OF THE EXECUTIVE.....	13
23. DISCIPLINARY ACTION FOR BEHAVIOUR.....	14
24. BOARD OF APPEAL .....	14
25. BORROWING MONEY .....	15
26. GUESTS AND VISITORS .....	15
27. CLAIMS TO CLUB PROPERTY .....	16
28. BY-LAWS.....	16
29. INTERPRETATION .....	16
30. DISSOLUTION OF THE CLUB.....	16
31. GENERAL .....	16

32.	ADJUNCTS .....	17
33.	PERSONAL BENEFIT .....	17
34.	HOUSE RULES .....	17
35.	HEALTH AND SAFETY .....	17
36.	CAR PARK .....	18
37.	RULES .....	18

# THE RAGLAN CLUB INCORPORATED

## CONSTITUTION (2021)

Under the incorporated Societies Act 1908 and subsequent changes

### FOREWORD

It should be appreciated that no code of rules governing our Club has yet achieved such perfection as to cope with every situation. Unusual incidents not definitely provided for in the rules or regulations occasionally occur. It is well therefore to remember that the rules and regulations have been framed in the belief that commonsense will prevail and that in the absence of any express rule or regulation such commonsense and flexibility will find a way to making our club more social and enjoyable for all members.

The Raglan Club Executive, members and staff must at all times comply with all New Zealand laws including the Sale and Supply of Alcohol Act 2012, the Health and Safety act, employment laws and any amendments made subsequent.

Note: An Officer of the Club refers to a member of the Executive, a member of staff or a person given authority by the Executive or Management of the Club.

### **1. NAME**

- 1.1. The name of the Club shall be the RAGLAN CLUB Incorporated, hereinafter referred to as 'the Club'.

### **2. REGISTERED OFFICE**

- 2.1. The registered office of the Club shall be at 22-24 Bow Street, Raglan or such other place as the Executive Committee shall from time to time appoint.

### **3. OBJECTS**

- 3.1. The objects for which the Club is established are:-
  - (a) To establish, maintain and conduct a chartered club of a non-religious, non-commercial or non-racial character and to promote the social, recreational, sporting, educational and cultural interest of the members of the club.
  - (b) To conduct, administer and maintain a Chartered Club for its members and for such persons as are authorised from time to time in accordance with the terms of any license granted to the Club.
  - (c) To provide amenities and cultural activities and promote sport and generally provide an atmosphere where the members may meet and enjoy companionship with one another.

### **4. MEMBERSHIP**

- 4.1. Membership of the club shall consist of Life, Ordinary, Seasonal, Corporate and Junior members who shall be persons of good repute and shall comply with the Sale and Supply of Alcohol Act 2012 and any amendments made subsequent.
- 4.2. Members shall be entitled to rights and privileges as follows:
  - (a) Entry to the Club premises during such hours as may be defined or approved by the Executive Committee.

- (b) The right to hold office in accordance with the Rules of the Club.
  - (c) An equal voice in all business of the Club.
  - (d) Corporate, Junior and Seasonal members will have no voice in any business of the Club and are without right to take part in meetings, elections or hold any office other than that of an adjunct.
- 4.3. Members who are employees of the Club are entitled to all the rights and privileges of membership. Those employees, who are Club members, are without right to hold any office in the Club and participation in any promotional draws will be with the approval of the Executive Committee .
- 4.4. The Club shall at all times be conducted on the basis that all members be treated as equal except as in paragraphs 4.2 and 4.3.

**5. ADMISSION OF MEMBERS**

- 5.1. Each candidate for membership shall complete the required form and pay the required fee. The names of candidates shall be posted on the Club's notice board for fourteen (14) days to allow members to object if they wish.
- 5.2. Any objection lodged during the period of posting shall be considered by the Executive Committee. Election shall be by ballot of the Executive Committee meeting held after the expiration of the said fourteen (14) days.
- 5.3. An interim hospitality card may be issued (which shall remain the property of the Club) to a nominee, provided the Executive have agreed to the issue of such a card. The card extends all privileges of the club except that they may not hold office, participate in any election or members draw, or participate in any interclub tournaments or introduce visitors.
- 5.4. Once the nominee is accepted by the Club or the Executive Committee, they shall be eligible to participate in any election or members draw, and in any club or interclub tournament and to introduce visitors.
- 5.5. Should the nominee be rejected by the Club or the Executive Committee, they shall be advised in writing, and their interim hospitality card cancelled from that date. Any unsuccessful candidate shall be ineligible for further proposal for membership for one year after the date of the Executive meeting at which his/her election was defeated. All fees paid will be returned to the nominee on return of their interim hospitality card.
- 5.6. The Club may grant Seasonal or Junior memberships, at the discretion of the Executive Committee, for a period of not less than 2 weeks. The candidate must deposit such sum as may be directed by the Executive Committee and complete a form for this purpose which includes forenames, surname, date of birth, address and an undertaking that they will abide by the Constitution, House Rules and the Bylaws of the Club.
- 5.7. Seasonal and Junior memberships shall take effect immediately on approval by the Club Manager. The names of the candidates shall be posted on the Club's notice board for at least 14 days. Any objection lodged during the period of posting shall be considered by the Executive Committee who will confirm or deny membership at their next meeting.
- 5.8. Seasonal membership will not be extended to people who have been barred or expelled from the Club. Seasonal members cannot hold office, participate in any election or members draw. They may join adjuncts and participate in any club or interclub tournaments and otherwise enjoy all the Clubs facilities as full members.
- 5.9. Junior members have no voice in any business of the Club and are without right to take part in meeting, election or hold any office other than that of an adjunct, participate in any

members draw, or introduce visitors. They may join adjuncts and participate in any club or interclub tournaments and otherwise enjoy all the Clubs facilities.

- 5.10. Life Membership, without payment of any fee or subscription, may be granted by the Club in General Meeting on the recommendation of the Executive, in recognition of meritorious services rendered. Notice of intention to recommend shall be posted on The Club's notice board for fourteen (14) clear days prior to the Annual General Meeting. The number of life members shall not at any time exceed two (2) percent of the total membership of the Club.
- 5.11. Corporate membership: In accordance with section 29 of the Incorporated Societies Act 1908 an association, club or other corporate body may apply to become a Corporate Member of the club. The name of the corporation shall be posted on the Club's notice board for at least 14 days. Any objection lodged during the period of posting shall be considered by the Executive Committee who will confirm or deny membership at their next meeting. Corporate membership fees shall be set by the Executive
- 5.12. Ex-members who reside within 25 kilometers of the Clubs premises may not be signed in as visitors, they may apply for Seasonal or Ordinary membership.
- 5.13. If for any reasons, the maximum permitted membership of the Club is limited and for this reason the number of new candidates which could be admitted is less than the number of nominations on hand, then the Executive shall decide which candidates are to be posted on the notice board from time to time.

## **6. TERMINATION OF MEMBERSHIP**

- 6.1. By Resignation.
  - (a) Members may resign their membership by letter addressed to the Executive Secretary of the Club to that effect and by paying all subscriptions owing at the date of such letter of resignation.
- 6.2. By Expulsion or Suspension.
  - (a) Members who misconduct themselves or commit offences under these Rules render themselves liable to expulsion on the majority decision of the Executive Committee. Members shall have the right to appear at and be heard at any meeting considering a complaint against them.
- 6.3. Appeal.
  - (a) Any member expelled shall have the right of appeal under Rule 24.
- 6.4. Trespass
  - (a) Any member trespassed from the Club will immediately have their membership terminated.

## **7. SUBSCRIPTIONS**

- 7.1. All subscriptions shall be paid yearly in advance. The annual subscription shall be the sum as from time to time determined by members in Annual General Meeting or at a General Meeting called for that purpose.
- 7.2. All annual fees shall be due on the first day of August.
- 7.3. A member shall become in arrears if his/her Subscription is not paid by the 31st August of that year.

- 7.4. If subscriptions are not paid by 31st August, the member is no longer a financial member and cannot use the club facilities. The member may immediately be re-instated on payment of due subscription by the 31st August the following year, after this date the member must re-apply for membership according to the procedure outlined in Rule 5.
- 7.5. New members admitted to the Club will pay the full Annual Subscription and other fees as from time to time set at each Annual General Meeting.
- 7.6. Seasonal and Junior subscription fees are set by the Executive Committee and are paid on application by the candidate.

## **8. EXECUTIVE COMMITTEE OF MANAGEMENT**

- 8.1. The general business and control of the Club shall be conducted by a Executive Committee comprising of:-
  - (a) A President.
  - (b) A Vice-President.
  - (c) An Executive Secretary.
  - (d) A Treasurer.
  - (e) Four (4) committee members. The elected committee may choose to second a further 2 committee members if required.
- 8.2. The Executive Committee shall be elected in the following manner:-
  - (a) Nomination forms are to be available to members at the Club, or by mail if requested, at least thirty (30) days prior to the Annual General Meeting.
  - (b) Nominations for the Executive Committee shall be made in writing on a form provided for the purpose and shall be deposited with the Manager at least seven (7) clear days prior to the Annual General Meeting.
  - (c) Completed nomination forms must be delivered to the Manager, who shall verify eligibility and post the form on the Club notice board with a photo of the intended candidate.
  - (d) The nominee's proposer and seconder, at the date of nomination, shall have been financial members of the Club for Twelve (12) months. If either is not, the nomination shall be void.
  - (e) Every candidate for the office of President, Vice-President, Secretary, Treasurer or Executive Committee member must have been an ordinary or life member of the Club for at least two (2) years prior to nomination for office
  - (f) Candidate for the position of President must have previously been elected as a member of the executive. They may be nominated for President while serving their first term.
  - (g) No nominations shall be taken from the floor at the Annual General Meeting, unless insufficient written nominations have been received to fill all vacancies. Then nominations from the floor will be accepted to fill the vacancies and if necessary a ballot shall be held.
  - (h) The Executive Committee shall appoint returning and other officers to make any preparations necessary for the proper conduct of elections. In the event of a tie, the returning officer shall determine the winner by either the toss of a coin or the drawing of a name from a hat.

- (i) The election of the Executive Committee shall be by ballot, unless the number nominated is the same as or less than the number required, in which case those nominated shall be declared elected.
- (j) Voting shall be conducted by secret ballot on the Club premises, during opening hours. Voting shall start after the close of the Annual General Meeting and finish at 5pm six (6) calendar days later.
- (k) The result of the election shall be posted on the Club notice board by the Secretary immediately on receipt of the returning officer's report.
- (l) Ballot papers shall be available at the Club during Club hours. Members requiring ballot papers shall have their name recorded in the register provided for the purpose and shall sign that they have received same. The completed form shall then be placed in the ballot box. All ballot papers are to be numbered in continuous sequence.
- (m) In the event of there being no or insufficient nomination/s for any Executive position or positions, the newly elected Executive may fill the position or positions, by appointment, at a later Executive meeting.
- (n) No person shall be eligible for membership of the Executive Committee for so long as they are:
  - i. a lessee, sub-lessee, licensee or sub-licensee of property owned or occupied by the Club or
  - ii. a shareholder or director of any body corporate coming within the descriptions set out in paragraph (i) of this Rule or
  - iii. a paid employee of the club or
  - iv. a Junior or Seasonal member.
- (o) Two board members (by ballot or resignation) must stand down each year, and if they wish may be re-nominated for the board at the AGM election
- (p) Members of the Executive Committee shall automatically vacate their office if they are absent from three (3) consecutive meetings of the Executive Committee without leave of the Executive Committee.

## **9. PRESIDENT AND VICE-PRESIDENT**

- 9.1. The President shall preside at all meetings of the club and the Executive Committee. In his/her absence the Vice-President shall preside and failing both, the meeting shall elect a Chairperson. The Executive Committee may elect a suitably experienced external Chairperson from Clubs NZ or elsewhere for the purposes of impartiality. The Chairperson of any meeting shall have a deliberative vote and in the event of equality of voting the Chairperson shall also have a casting vote.
- 9.2. The President, Vice-President, Executive member or external Chairperson of any meeting of the Club or of the Executive Committee shall have the power to temporarily suspend any member from the privileges of the Club who shall, after having been duly warned, persist in the creating of a disturbance at any meeting.
- 9.3. If a vacancy occurs in the office of President the Vice-President shall automatically fill such vacancy.
- 9.4. The President shall be ex-officio member of all sub-committees. The President shall have the right of entry upon the club premises or buildings at any time.

## **10. TREASURER**

10.1. The Treasurer has the following duties:

- (a) To ensure that all moneys received by the Manager are paid into the correct bank accounts to the credit of the Club.
- (b) To ensure that all financial duties, report preparation and control of the financial activities of the Club are accurate and in accordance with the direction of the Executive.
- (c) To implement such measures as are required to ensure the financial integrity of the Club.
- (d) To report to the Executive on financial trends or other matters which in the Treasurer's opinion, or in the opinion of other professional advice, should be raised, and to submit a statement of affairs duly passed by the Auditor of the Club at the Annual General Meeting.
- (e) If required by the Executive, to return all books, papers, documents and computer data in his/her possession being the property of, or pertaining to the operation of the Club, to the President upon receiving 3 days notice in writing.
- (f) The Treasurer, by the nature of his/her appointment may store books, papers, documents and computer data referred to above, outside of the Club's place of business. The Treasurer may use phone, fax or e-mail to access the Club's financial and management information.

## **11. SECRETARY**

11.1. The Executive Secretary has the following duties:

- (a) To conduct the correspondence of the Executive Committee.
- (b) To keep regular minutes of the proceedings of the Club, including any Annual General, Special General and Executive Meetings.
- (c) To display on the Club notice board confirmed minutes from Annual General, Special General and Executive Meetings.
- (d) To file changes to the Club constitution with the Registrar of Incorporated Societies, within six (6) weeks of the Annual General or Special General meeting.
- (e) Within 10 working days of the appointment of a new Club Secretary, the Club Secretary is to notify the change to the appropriate licensing committee.
- (f) To make available for perusal at the request of any financial member the minutes of any Annual General or Special General Meeting, provided such Minutes have been confirmed. The Executive Secretary may require seven (7) days written notice from a member making such a request.
- (g) To call all Annual General and Special General meetings.
- (h) To assist the Manager with secretarial duties as required.

## **12. AUDITOR**

12.1. An auditor who shall be a member of the Institute of Chartered Accountants Australia and New Zealand, or any subsequent body, shall be recommended by the Executive committee annually and appointed by the AGM. They shall not hold any other office in the Club. They 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 Executive Committee.

### **13. MANAGER**

- 13.1. The Club shall appoint a Manager who shall be directly responsible to the executive via the President, or in their absence, to the Vice-President. The President/Vice President shall conduct a yearly performance review with the Manager and shall determine remuneration, after due consultation with an independent agent if requested by the manager, and in line with the Managers employment contract and New Zealand employment law.
- 13.2. The Manager shall have the following duties:
- (a) To 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 an adequate and efficient maintenance of the assets and control of the Club and such other duties as are conducive to his/her office in accordance with the employment contract duly negotiated and signed.
  - (b) To keep a register of the members of the Club.
  - (c) To ensure the Club is compliant with all relevant legislation regarding gaming and alcohol.
  - (d) To conduct its correspondence and keep proper accounts and books showing the financial affairs of the Club.
  - (e) To receive all monies of the Club and pay into the Club's accounts with such banks as from time to time the Executive may direct, all monies received. All payments out of the finances of the Club shall be made by order of the Executive in such a way as may be directed by the Executive.
  - (f) If required by the Executive, to return all books, papers, documents and computer data in his/her possession being the property of, or pertaining to the operation of the Club, to the President on demand.
  - (g) The Manager by nature of his/her employment may store books, papers, documents and computer data, referred to above, outside of the Club's place of business.
  - (h) The Manager shall be an ex-officio member of the Executive and must attend meetings and may speak at such meetings but shall have no vote and shall not be counted in the quorum.

### **14. EXECUTIVE COMMITTEE MEETINGS**

- 14.1. The Executive Committee shall meet regularly (at least 12 meetings annually) at a time and place to be determined by the Executive Committee.
- 14.2. The Executive shall meet at any other time as decided by the President, providing due notice of at least two consecutive days of such special meeting has been given.
- 14.3. The President shall, upon receipt of a written requisition signed by not less than four members of the Executive call a special Executive meeting within three clear days of receiving such requisition, and a least two clear days notice shall be given.
- 14.4. Five (5) members of the Executive Committee shall constitute a quorum. The order of business shall be in accordance with standing orders unless the meeting by majority vote decides to alter it.
- 14.5. Any member of the Executive who shall deliberately absent themselves from three (3) consecutive meetings without sufficient or valid reason, shall be considered to have resigned from the Executive and his/her position may be filled by appointment made by

the remaining members of the Executive. Similar action by the Executive may be taken in the event of the death, expulsion or resignation of members of the Executive. Also, if an Executive member becomes of unsound mind or bankrupt, or he/she is convicted of an offence for which he/she shall or may serve a term of imprisonment and which, in the opinion of the Executive, is of such nature as to render such member an undesirable person to be a member of the Executive.

- 14.6. All business at Executive Committee meetings shall be conducted on the strict rules of debate.
- 14.7. To enable adjuncts to have access to the Executive, the Executive at the first ordinary meeting after the Annual General Meeting will allocate a member of the Executive as Liaison Officer to each adjunct and at each Executive meeting a report from every adjunct may be requested.

## **15. ACCOUNTS -**

- 15.1. The Executive Committee shall cause to be kept true accounts:
  - (a) Of all sums of money received and expended by the Club and the matters in respect of such receipt and expenditure takes place.
  - (b) Of all assets, credits and liabilities of the Club including any charges and securities of any description affecting any property of the Club.
  - (c) Club accounts shall be open to the inspection of an active member at reasonable times. All moneys received shall be forthwith paid into a bank approved by the Executive Committee
  - (d) All payments shall be reported to the Executive Committee for confirmation at the meeting next following pay-out, and all payment of money on behalf of the Club shall be made by order of the Executive in such a way as may be directed by the Executive.
  - (e) At every Annual General Meeting of the Club the Executive Committee shall present a statement of the income and expenditure and a balance sheet containing a summary of the assets and liabilities of the Club made up to the yearly date. Every such statement shall be accompanied by a report from the Executive Committee as to the state of the Club.
  - (f) The Club shall make returns required by Section 23 of the Incorporated Societies Act, 1908 or by such other statutory provision for the time being in force and shall comply with all the requirements of such Statute and other Regulations thereunder.

## **16. ANNUAL GENERAL MEETING**

- 16.1. The date of the Annual General Meeting (AGM) of the Club shall be determined by the Executive provided that the date shall be during a weekend in the month of July.
- 16.2. Any member intending to move a resolution to make alterations to the Club Constitution or regarding any other matter must give notice of his/her motion by handing such notice of motion to the Club Manager by the last day in May and such notice of motion shall be posted on the Club's notice board and website for at least twenty one (21) days before the meeting.
- 16.3. At least fourteen (14) days notice of the Annual General Meeting shall be given by a notice posted on the Club's notice board and the Clubs website.
- 16.4. At least seven (7) clear days prior to the date of the meeting a notice, stating the nature of

the business to be brought before the meeting, shall be posted on the Clubs Noticeboard and website. The notice is to be emailed to members, and copies are to be available from the Club Office.

- 16.5. The Scrutineers for these elections shall be elected by the Executive fourteen (14) days prior to the AGM. No Executive nominee shall be appointed as a scrutineer.
- 16.6. The normal rules of debate shall be followed, each member speaking once only to motion or amendment except the mover who may reply. The mover of any resolution or substantial amendment shall be allowed five (5) minutes in which to introduce his/her proposition and ten (10) minutes for reply, or vice versa, any other speaker will be allowed five (5) minutes.
- 16.7. The Chairperson shall decide whether any amendment proposed is a substantial amendment or not. If freer discussions of any subject is desired, any member may move that the meeting go into committee on that subject and such motion shall be immediately put and decided by a show of hands. In committee no member shall speak for more than five (5) minutes at a time. When in committee any member may move that the ordinary meeting shall be resumed, and such motion shall be immediately put and decided by a show of hands.
- 16.8. The statement of Accounts and Balance, having been duly audited, must be available to the members at least fourteen (14) days prior to the AGM. Any questions relating to the yearly financials should be submitted in writing to the Manager at least 7 days before the AGM to enable proper investigation. If questions raised at the AGM cannot be satisfactorily answered, a response will be provided after investigation at a later date.
- 16.9. The order of business at the Annual General meeting shall be:
  - (a) Approximate attendance numbers noted
  - (b) Life members acknowledged
  - (c) Apologies
  - (d) Election of scrutineers
  - (e) Minutes of previous AGM and/or Special General Meeting
  - (f) Matters arising
  - (g) Correspondence
  - (h) President's Report and matters arising
  - (i) Treasurers Report and matters arising
  - (j) Adoption of the financial report
  - (k) Election of Patron
  - (l) Subscriptions
  - (m) Club allowance
  - (n) Club Honoraria
  - (o) Appeals Board Nominations
  - (p) Confirmation of Returning Officers
  - (q) Life Memberships
  - (r) Appointment of Auditors
  - (s) Notice of Motion
  - (t) General Business
  - (u) Meet the nominees for the next Executive Committee positions
- 16.10. In the event of there being no quorum within half an hour after the time fixed for General Meeting, the meeting shall stand adjourned for not more than fourteen (14) days, the new date to be fixed by the Executive Committee who shall give at least three (3) days notice of the meeting by advertisement and notice on the notice board. In the event of there being

no quorum the meeting shall lapse.

**17. SPECIAL GENERAL MEETING**

- 17.1. A Special General Meeting may be called by direction of the Executive at any time, or shall be called by the Executive Secretary within fourteen (14) days of receipt of a requisition to that effect signed by not less than fifty (50) financial members of the Club specifying the resolutions to be proposed at the meeting. Unless specified in the requisition, the meeting must be held on a weekend within 30 days of receipt of the requisition. If after 14 days the Secretary has not called the meeting, the signatories to the requisition may direct the Club Manager to call the meeting.
- 17.2. Notices of the Special General Meeting, specifying the resolutions to be proposed there at, shall be posted on the Club's notice board and website. The notice is to be emailed to members and copies are to be available from the Club Office at least seven (7) clear days prior to the date fixed for holding the meeting.
- 17.3. No business shall be transacted at any such meeting except that of which notice shall have been given as aforesaid, but any proposed resolution, of which notice has been given may be amended by the meeting. The Chairperson shall decide whether any amendment proposed is a substantial amendment and if it shall be accepted.

**18. VOTING**

- 18.1. At any General Meeting and Special General Meeting of members every full ordinary or life member shall be entitled to be present and to give one vote, and no more, upon every question, provided however that in the case of equality of votes the Chairperson of the meeting shall have a second or casting vote.
- 18.2. Voting shall be on a show of hands in the first instance. Voting may be taken by secret ballot if called for by the chairperson, if a member requests a secret ballot, this shall be supported by a show of hands and support by twenty five (25) percent of members present before the secret ballot is taken.

**19. REVISION OF RULES**

- 19.1. The Rules of the Constitution may only be altered, added to and rescinded by a resolution passed by a simple majority of the members present at any General Meeting of which notice specifying the intention to propose the resolution has been duly given according to the Rules.
- 19.2. When a Rule change is approved by a General Meeting the Rule change shall take effect once the Secretary has filed the changes with the Registrar of Incorporated Societies and they are accepted and displayed on the Societies website.

**20. QUORUM**

- 20.1. The quorum for:
  - (a) a meeting of the Executive Committee shall be not less than five (5) of its members.
  - (b) a General Meeting of the Club shall be not less than Fifty (50) members.

**21. COMMON SEAL**

- 21.1. The Club shall have a Common Seal which shall be kept in the custody and the control of the Secretary and shall only be fixed to documents at a meeting of the Executive Committee or in pursuance of a resolution of the Executive Committee and the affixing of such seal shall be witnessed by at least two members of the Executive.

## **22. GENERAL POWERS AND DUTIES OF THE EXECUTIVE**

- 22.1. The Executive Committee shall have power:
- (a) To take on lease, hire or otherwise acquire any real or personal property or rights or privileges which the Club may think necessary or convenient for the purpose of furthering the objects of the Club.
  - (b) To purchase, construct and maintain buildings, Club premises and works as it considers necessary and to enter into contracts in respect thereof, provided that no expenditure in excess of an estimated fifty thousand dollars (\$50,000) shall be undertaken without the approval of a resolution of the Club at a General meeting of members.
  - (c) To lease or sell Club property provided that no lands of a greater value than three hundred dollars (\$300) shall be leased or sold without the approval of a resolution of the Club at a General Meeting of members.
  - (d) To make Regulations and By-laws for the conduct of the Club and the discipline required of members.
  - (e) To invest any moneys not required for immediate use in such Government or Local Body securities or on bank deposits as may be deemed advisable with power from time to time to vary investments for others of a like nature, and to lease or hire or enjoy the benefit of any property presently occupied whether real or personal of any kind or nature whatsoever which may be conveniently used in connection with the objects of the Club.
  - (f) To receive constructive suggestions or legitimate complaints from any member providing such suggestion is in writing to the Secretary.
  - (g) The Executive Committee shall have the power to suspend or expel from the membership any member of the club for misconduct (either within or outside the Clubs premises) or willful infringement of the Clubs rules, house rules or by-laws.
- 22.2. Attendance at Clubs NZ Annual General Meeting and Conferences: The Club will fund a maximum of three (3) members of the Executive as selected by the Executive, plus the Manager to attend.
- (b) The Club will pay full travel and accommodation (up to four star standard) and an out of pocket allowance as decided at each AGM, plus two days travel. All other members of the Club Executive pay their own expenses.
  - (c) An out of pocket allowance, to be reviewed once per year at the Raglan Club AGM, will be paid to Authorised Executive members.
  - (d) A full report of details and total expenses paid by the Raglan Club is to be posted on the notice board within seven (7) days following the closure of Clubs NZ AGM and/or Conference.
- 22.3. There shall be an Emergency Executive Committee to consist of the President, Vice-President and one member elected from the Executive Committee who shall have the power to act in any emergency that may arise. The powers of the Emergency Executive Committee are the same as those of the Executive Committee. In the event the whole Executive is dismissed by members at a Special General Meeting, the Emergency Executive Committee may consist of the Patron and Life Members.
- 22.4. Sub-committees may be set up for various business as required. The Chairperson of each Sub-committee shall be appointed by the Executive Committee and shall be convener of all

meetings of that committee. The President shall be ex-officio of all sub committees.

### **23. DISCIPLINARY ACTION FOR BEHAVIOUR**

- 23.1. If a member or visitor has a complaint against any member, visitor or staff member alleging misconduct, details of such complaint must be put in writing to the Executive within seven (7) days of the incident. The Manager shall arrange a meeting of the Executive to consider the matter.
- 23.2. The manager has the discretion to suspend any member for misconduct for a period up to 30 days. The member has the right to appeal this suspension and appear before the Executive Committee at a disciplinary hearing.
- 23.3. Suspension by an Executive Committee member or an Officer of the Club as outlined in these rules and by-laws, shall mean total exclusion from the Club's premises from the time of committal of the offence until such time as the matter has been dealt with by the Executive Committee. The member shall in all cases be given the right to appear before the Executive Committee.
- 23.4. If a complaint has been lodged, the complainant should also be notified of the time and place of the meeting and may choose to be present to address the meeting.
- 23.5. The member whose conduct is in question shall be notified verbally and confirmed in writing giving details of the offense or complaint, the time and place of the meeting and shall be requested to be present. The member on charge is to be made fully aware that they may bring a support person or advocate and may call witnesses in their defence. Witness statements may be presented verbally at the meeting or supplied in writing.
- 23.6. The member may put forward any explanation of defence they wish to make and the Executive Committee may then decide what disciplinary action is to be taken. If the member fails to attend the meeting the Executive Committee may proceed in their absence.
- 23.7. No member may be suspended under this rule unless a majority of the members of the Executive Committee meeting vote in favour of suspension, expulsion or reinstatement. Any member of the Executive Committee may call a ballot on the question of suspension or expulsion or reinstatement of a member.
- 23.8. The Executive shall decide what disciplinary action is to be taken, their decision shall be communicated to the member charged and confirmed in writing as soon as possible.
- 23.9. Any member being suspended or expelled and desiring to appeal must give notice in writing to the Manager within seven (7) days of the date of such suspension or expulsion stating the grounds for appealing.
- 23.10. Members may be issued a trespass notice if the Executive Committee or Management judge the offense committed by a member is of such a nature that the Club, members or staff will be put at risk by having the member return, or if the member refuses to leave when directed to. Trespassed members forfeit all rights to a hearing and appeal.
- 23.11. If a member is expelled or trespassed under these rules they shall cease to be a member of the Club.

### **24. BOARD OF APPEAL**

- 24.1. There shall be a Board of Appeal consisting of five members, three of whom shall be approved annually at the Annual General Meeting and two who shall be appointed by the Executive Committee at the first ordinary meeting after the Annual General Meeting. No member of the Executive shall be eligible for election to the Board of Appeal. A candidate

for the office of Board of Appeal must have been a member of the Club for at least five (5) years immediately prior to the nomination.

- 24.2. The Board of Appeal whose duty it shall be to hear and decide any appeal lodged by a member or members against any decision of the Executive Committee entailing suspension or expulsion, but excluding those trespassed.
- 24.3. If the Manager receives written notice from a member desiring to appeal their suspension or expulsion, they shall, within forty-eight (48) hours, notify the members of the Board of Appeal.
- 24.4. The Executive shall place before the Board of Appeal a report, in writing, stating the charge against the appellant, the names of the witnesses and the decision.
- 24.5. No member of the Executive shall be in attendance at the hearing except as an appellant, a witness or at the request of the Board of Appeal.
- 24.6. The Appeals board shall notify the appellant and convene the meeting within seven (7) days of the disciplinary meeting. The appeals board is responsible for notifying all witnesses.
- 24.7. The Board of Appeal shall re-hear the case but shall not admit fresh evidence, except where an application has been made to the Executive Committee for a re-hearing and has been refused. The decision of the Board of Appeal shall be final.

## **25. BORROWING MONEY**

- 25.1. The Executive Committee shall have power to borrow or raise or give security for money by the issue of Mortgages, bonds, debentures, debenture stock, bills of exchange, promissory notes or other obligations or securities of the Club by mortgage or charge upon all or any part of the property of the Club or without security and upon terms as to priority or otherwise as the committee shall think fit.

## **26. GUESTS AND VISITORS**

- 26.1. The Club, under its Club Licence or Off Licence, must ensure that alcohol is only sold or supplied to Members, Authorised Customers or Authorised Visitors for consumption on (Club Licence) or off (Off Licence) the Club's premises.
- 26.2. Authorised Visitor (heron referred to as a Visitor) who is a member of an affiliated club visting the Club:
  - (a) Is deemed to agree to abide by these Rules.
  - (b) Shall enter their name and address in the Club's signing in register each time they visit the Club.
- 26.3. Has the same rights as Members to be sold or supplied alcohol on or off Club premises, provided he/she has produced sufficient evidence to an officer of the Club or member of its staff that he/she is a member of an affiliated club.
- 26.4. Any Member, or Visitor, may invite any person as an Authorised Customer (heron referred to as a guest) to the Club in accordance with the following:
  - (a) The Clubs Licence provides for this.
  - (b) By entering Club premises, a guest agrees to abide by these rules.
  - (c) All guests shall enter their name and address in the Club's signing in register each time they visit the Club.
  - (d) The Member, or Visitor, accompanying a guest shall also sign the Club's signing in

register and will at all times be responsible for the conduct of the guest.

- (e) No guests shall be sold or supplied alcohol on Club premises unless the guest is present on the invitation of a Member, or Visitor, and is in the company of the Member, or Visitor, and the alcohol is supplied for consumption on the premises.

26.5. No member or Visitor shall introduce as a guest to the Clubs premises:

- (a) Any person who has been expelled from an Associated Club
- (b) Any member who has been suspended and whose suspension remains current
- (c) Any person who has been refused election as a member

26.6. On occasions when the Club has a special licence all will be welcome in the club, according to the special licence conditions, including ex-members but not including people who are trespassed or barred from the Club.

26.7. No person, whether a member of an affiliated club or otherwise, may become a regular or frequent visitor or guest.

26.8. Visitors or guests who reside within 25 kilometers of the Clubs premises may be signed in on 3 occasions after which they must join the club as a member if they wish to visit the Club again.

## **27. CLAIMS TO CLUB PROPERTY**

27.1. No expelled or retiring or forfeiting member shall have any claim upon the Executive Committee or the Club either collectively or individually or to any property of the Club.

## **28. BY-LAWS**

28.1. The Executive Committee shall have power to make Regulations and By-Laws dealing with all matters within the jurisdiction of the Club and not provided for in these Rules so long as such law comply with all New Zealand laws including employment law and the Health and Safety Laws.

28.2. Such Regulations or By-Laws shall not be inconsistent or repugnant to the provisions of the Incorporated Societies Act, 1908 and its amendments or of the Sale and Supply of Alcohol Act 2012 and its amendments or of these Rules.

28.3. The By-Laws are shown later in the Rule Book.

## **29. INTERPRETATION**

29.1. In the interpretation of these Rules, the decision of the Executive Committee shall be final and binding.

## **30. DISSOLUTION OF THE CLUB**

30.1. The Club may be voluntarily dissolved as provided by Section 24 of the Incorporated Societies Act, 1908 and its amendments. Any funds or property remaining after settlement of just debts shall be disposed of in accordance with the decision of the members meeting deciding upon a dissolution. Provided that no member of the Club at the dissolution shall personally be entitled to participate or benefit in any way in the distribution of such funds.

## **31. GENERAL**

31.1. 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 of a lesser priority than the comfort, well being and satisfaction of the Club's 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.
- (d) That at all times the provision of the Club's licence as laid down by the Liquor Licensing Authority is to be maintained and upheld.

### **32. ADJUNCTS**

- 32.1. The Executive Committee shall have power to make Regulations and By-Laws dealing with adjuncts within the jurisdiction of the Club and not provided for in these Rules so long as such laws comply with all New Zealand laws including employment law and the Health and Safety Laws
- 32.2. Such Regulations or By-Laws shall not be inconsistent or repugnant to the provisions of the Incorporated Societies Act, 1908 and its amendments or of these Rules
- 32.3. Adjunct By-Laws are shown later in the Rule Book.

### **33. PERSONAL BENEFIT**

- 33.1. Any income, benefit or advantage shall be applied to the objectives of the organisation. No member of the Club or any person associated with a member shall participate in or materially influence any decision made by the Club in respect of the payment to or on behalf of that member or associated person of any income, benefit or advantage whatsoever.
- 33.2. Any such income shall be reasonable and relative to that which would be paid in an arm's length transaction (being the open market value).
- 33.3. The provision and effect of this clause shall not be removed from this document and shall be included and implied in any document replacing this document.

### **34. HOUSE RULES**

- 34.1. The club shall be open during the hours prescribed by law and decided by the Executive Committee and may be closed on such special occasions as the Executive Committee may authorise.
- 34.2. The conditions of Extended Hour Permits or Special Licences shall be strictly adhered to at all times.
- 34.3. Any member or visitor whose refreshments have been stopped shall leave the premises immediately on request of the President, Vice-President, or any two (2) other executive members (acting together), or the Manager or those staff authorised to do so.
- 34.4. No alcoholic liquor shall be brought into the Club and any Off Sales purchased must be taken off the premises as soon as practical.
- 34.5. No member or visitor shall be admitted to the Club rooms or served with refreshment if improperly dressed.
- 34.6. No unlicensed or unlawful gambling or gaming shall be permitted in the Club.

### **35. HEALTH AND SAFETY**

- 35.1. The Club is committed to providing a healthy and safe environment for employees, members, Executive members, volunteers, visitors and contractors. To meet this

commitment we will comply with all relevant legislation, regulations, relevant standards, codes of practice and safe operating procedures. The Clubs Health and Safety Policy and procedures will be reviewed regularly and will reflect the Clubs commitment to continuous improvement.

**36. CAR PARK**

- 36.1. The Executive Committee shall be able to charge and administer a car park fee for daytime car parking.

**37. RULES**

- 37.1. No addition to or alteration of the aims, personal benefit clause or the winding up clause shall be made which affect the non profit deduction. The provisions and effect of this clause shall not be removed from this document and shall be included and implied into any document replacing this document.
- 37.2. The foregoing rules are hereby adopted as the Rules of the Club and the previous rules are accordingly repealed in full.