

## CLUB CONSTITUTION

### 1. The Name of the Society

The name of this society is Hawkes Bay Mountain Bike Club Incorporated.

### 2. The Objects for which the Society is Established

The purpose of this society is to be a club that our members have an opportunity to contribute, learn, socialize, develop and advance their skills and involvement in the sport of mountain biking in line with their individual self supported goals. The club will provide the foundation for respect, safety and fairness in the promotion of mountain biking sport to balance members accomplishments and friendships whilst having fun in our endeavours. We recognise our responsibilities to our members, the community, to the mountain biking sport and the environment and the integrity of sponsors.

In addition, as a club we will seek to use our resources to make an ongoing benevolent contribution to the Hawkes Bay community through the development, promotion and support of mountain-biking facilities within the community.

### 3. The modes in which persons become Members

Membership is on an annual basis requiring renewal each year by completing the club's membership application form. Payments made with membership applications (either electronically or in cash) shall be deemed to be an agreement by the member to the membership rules of the club.

The application form advises personal details of health and medications to ensure the prospective individual is physically able to participate in mountain biking without compromising their safety. The form also discloses a next of kin contact details and releases the club from any liability for damage or loss of personal equipment.

### 4. Modes in which persons cease to be Members

- **Resignation**

Any member of the club wishing to leave it shall forward his resignation to the secretary prior to the Annual General Meeting of the club or membership will automatically lapse on the 1 September each year (two month lapse period).

- **Suspension**

Any member of the club shall be liable for suspension in the event of the club and/or affiliated club rules and regulations being violated or failing to comply with any lawful direction of the club committee and/or Affiliated Club officials. Suspension may be imposed for any time period, by decision of the Executive Officers.

- **Expulsion**

Membership can be revoked by a vote of the club management committee of the club, if the clubs rules are not complied with, (as detailed on the application forms), or if a member abuses any forest ban notified and sign posted by PAN PAC FORESTS Ltd due to logging operations and public safety.

If the club intends to consider suspending or expelling a member it will give the member an opportunity to be heard and will comply with the rules of natural justice in that regard

### 5. Appeals

Any member of the club may appeal against any decision of any officer or sub-committee of the club.

Such an appeal must be in writing to the Secretary of the club, clearly addressing the appeal decision and the grounds of the appeal.

The secretary shall arrange for the hearing and determination of the appeal by the Club Management Committee at the earliest convenient date. Both the person appealing and the officials appealed against shall have the right to appear before the committee prior to the determination of the appeal.

## **6. The Summoning and Holding of Meetings**

### **• General Committee Meetings**

Club Management Committee meetings are to be held monthly,. Committee meetings are controlled by the Club Chairman and follow a set agenda presented by the Secretary. Motions are tabled and accepted by majority agreement.

Committee meetings require a minimum of five Management Committee Members present.

Other meetings of the Club Management Committee may be called by the Secretary, Treasurer or Chairman at any time or on such dates as the committee determine.

At meetings of the Club Management Committee the general order of business shall be:

- Confirmation of minutes
- Apologies for absence
- Business arising from minutes
- Correspondence
- Financial Accounts
- Delegate Reports
- General Business
- Date of Next Meeting

### **• Annual General Meeting**

An annual general meeting is of members of the club and shall be held no later than August in each year. Seven days notice of the meeting shall be given by the secretary by advertisement to members via email..

The business of the annual general meeting shall be: -

- To report to members on activities of the prior financial year
- To table the annual report and financial accounts for acceptance by the members
- To elect Executive Officers
- To elect Management Committee Members
- To consider any motions of which notice has been given
- To transact any general business accepted by the Chairperson

The Chairman shall determine the order in which the business is transacted.

The quorum for the annual general meeting shall be at least 15 club members.

### **• Special General Meeting**

A special general meeting of members may be called at any time by any any member in writing, providing the request has the support of three other member. The request should setting out specifically the business for which the special general meeting is required. The Secretary shall take the necessary steps to convene the meeting, giving notice to members of the special general meeting.

At a special general meeting only the business set out in the notice convening the meeting shall be considered, providing that the meeting may, by unanimous vote, permit the consideration of additional business.

## **Voting**

At all meetings of the Club Management Committee and at all general meetings of members, voting shall be on the voices, where a vote is challenged, a show of hands shall be taken.

Minutes are documented by the Secretary for each meeting and tabled for confirmation at the next meeting to be accepted as a true and correct record of proceedings. Minutes to be signed and dated by the Secretary.

## **7. The Appointment of Club Management Committee Members**

The appointment of the club management committee is made annually at the annual general meeting. The management committee is comprised of a maximum of twelve and a minimum of four members, with only the Executive Officers required to be elected at the annual general meeting. (The remaining management committee to

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be confirmed at the following Club Committee Management meeting.) All Club Executive Officers are deemed to be members of the Club Management Committee.

## **8. Club Executive Officers**

The executive officers of the club are:

Chairman  
Treasurer  
Secretary

In addition the annual general meeting or the committee may appoint Club Management Committee members specific areas of delegation and oversight. .

## **9. Election of Officers/Committee**

No member who's subscription is in arrears or who is otherwise unfinancial may be elected to any office/committee in the club. This clause is subject to provision four above.

A candidate for office/committee in the club must be proposed by one member and seconded by another member. If the candidate nominated is not present at the meeting, then the person proposing him/her must produce evidence satisfactory that the candidate is willing to accept the appointment.

At any such meeting should a member be absent their duties should be delegated to another member through an election process, by the members present at such a meeting.

## **10. Duties of Executive Officers**

The duties of the Secretary shall be:

To attend and record all general meetings; to take minutes; submit correspondence and reply thereto according to the directions of the meeting; to keep a registrar of the members of the club and the addresses of the same; to keep all records and generally to perform all the clerical work required for the functioning of the Club Management Committee.

The duties of the Treasurer shall be:

To ensure the Club Management Committee sets a financial budget annually which details key areas of planned expenditure.

To keep for the club proper financial records for all transactions, provide regular financial updates at Management Committee meetings, and present annual accounts for the consideration of members at the Annual General Meeting.

To co-authorise all financial expenditure, with one of the other Executive Officers of the Club.

The duties of the Chairman shall be:

To preside over Management Committee Meetings and the Annual General Meeting. . If he/she should be absent, the meeting shall elect a Chairman. At all general meetings of members and at all meetings of the committee the Chairman shall have a deliberative vote and in the event of equality of voting a casting vote in addition.

The Chairman's ruling shall be final on any point of order.

## **11. The Control and Investment of the Funds of the Club**

The Management Committee shall agree an annual financial budget, and expenditure of club funds is to accord with items within the budget.

Dual authority is required on all financial expenditure transactions of the Club. The authority includes the Club Treasurer and one other Executive Officer (the Secretary, , or Chairperson). Where the Treasurer indicates she or he is unavailable to consider expenditure proposals then this financial delegation will reside with the Chairperson. For the avoidance of doubt, in such circumstances the Chairperson will require co-authorisation of the Secretary to make financial payments.

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Invoices and/or receipts are required for all items of expenditure.

The borrowing of funds shall only be accepted by resolution at the Annual General Meeting or Special Meeting.

## **12. Club Headquarters**

Club headquarters and the mailing address will be the address of the secretary at the time.

## **13. Common Seal**

The Society does not hold a common seal

The Society does have a 'Coy #' – 919069 with the Companies Office of New Zealand

## **14. Disposition of the Property of the Society if Liquidated**

If upon winding up or dissolution of the organisation there remains after the satisfaction of all its debts and liabilities any property it will be gifted or transferred to some other organisation or body with similar objects to the first organisation that also has an income tax exemption or for some other charitable purpose within New Zealand.

## **15. Subscription**

Subscriptions will be determined annually by the Club Management Committee..

The subscription shall become due and payable 1 July each year.

Any members who allow their subscription to lapse beyond two months, will cease to be a member of the club and withdrawn from any subscription claims by the club.

## **16. Financial Year**

The financial year of the club is 1 April to 31 March..

## **17. Regulations**

The members of the club in general meeting or the committee of the club at any time may make such regulations for the conduct of the club as they shall determine, but such regulations may not conflict with these Rules.

Regulations shall have full force as rules of the club.

All events shall be conducted by the rules of the club.

## **18. Alteration of Rules**

Neither these rules nor the regulations made shall be altered or repealed, nor any new rule or regulation be introduced except at the Annual General Meeting or a Special Meeting called by the members of the committee, where all members are invited. Notice of any proposed alteration, repeal or introduction of a new rule shall be given to each member at least seven days before the date of the meeting.

No alteration of the non-profit aims, personal benefits clause or winding up clause shall be approved without the approval of the Inland Revenue Department. And 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.

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**19. Pecuniary Gain**

Any income, benefit or advantage shall be applied to the objectives of the organisation. No member of the organisation or any person associated with a member shall participate in or materially influence any decision made by the organisation in respect of the payment to or on behalf of that member or associated person of any income, benefit, of advantage whatsoever.

Any such income shall be reasonable and relative to that which would be paid in an arms length transaction (being open market value).

This is the document marked "A" referred to in the annexed declaration of the  
Hawkes Bay Mountain Bike Club Incorporated, made at

NAPIER this 1st day of July 2015.

Signed:  Date: 1 / 07 / 2015

Name: CARL LARSEN Position: SECRETARY

Signed:  Date: 5 / 8 / 15

Name: SCOTT RICHARDSON Position: CHAIRMAN

Signed:  Date: 5 / 8 / 15

Name: Karreen Mathes Position: Treasurer