



Auckland Blokart Club Inc.

AUCKLAND BLOKART CLUB INCORPORATED

CONSTITUTION

December 2006

1. Name

The name of the Incorporated Club is the Auckland Blokart Club Incorporated and otherwise referred to as “the Club”.

2. Objectives

- (a) To draw together individuals interested in the recreational and competitive use of the Blokart in Auckland and fostering good relations in the sport here in New Zealand and Internationally.
- (b) To organise events, competitions, prizes, and other activities and promote fun safe Blokart sailing.
- (c) To improve skills, competency, and confidence of Club members and participants in the sport of Blokart sailing.
- (d) To acquire venues for Blokart sailing & racing and to help provide bulk purchasing and sponsorship for its members and affiliated members.
- (e) To encourage the interaction of persons of all ages, genders, abilities, families and cultures.
- (f) To use the natural resources available without detrimental effects on the environment.

3. Membership

3.1 The Membership:

Application for membership shall be open to all the general public.

3.2 Admission to Membership:

Every application for membership shall be made on the prescribed form and shall be accompanied by an annual membership fee currently in force and be submitted to the Club committee. The committee may approve or decline admission in the interests of meeting the Club's constituted objectives and considering its available resources to meet current membership needs.

3.3 Termination of Membership:

Membership may be terminated in any of the following ways:

- (a) Any member may resign his or her membership at any time by notice in writing delivered personally or posted to the Secretary, and on such delivery he or she shall cease to be a member of the Club but no such resignation shall relieve the member from payment of any moneys then due by him or her to the Club.
- (b) Any member infringing any by-law or regulation or misconducting himself or herself shall be answerable to the committee who may at their discretion either fine such a member, any sum or may suspend such member, or may by a majority of not less than three, decide that such member be required to furnish to the committee within three days his or her resignation as a member of the Club, and that failing the receipt of such resignation he or she shall cease to be a member of the Club.
- (c) Any member who fails to pay his or her subscription and levies as required in paragraph 4.

4. Subscriptions

4.1 Annual Subscription:

The annual subscription shall be determined at the Annual General Meeting for each ensuing year.

4.2 Payment:

The annual subscription shall be payable in advance for the full year or part thereof, and thereafter within thirty days of the beginning of the next financial year.

4.3 Failure to Pay:

Any member failing to pay his or her subscription within one month from the commencement of the financial year from date payment was due, may be struck off the register of members by resolution of the committee.

4.4 Levies:

In addition to the annual subscriptions payable to the Club every individual member and provisional member of the Club is required to pay a levy to assist in funding any special project which the Club may agree to undertake on the recommendation of the committee.

4.5 Association Fees:

The Club may collect and pay on behalf of the members, their annual NZ association fees as set by the Blokart Association Inc at their Annual General Meeting.

5. Management

5.1 The Committee:

The affairs of the Club shall be managed by a committee comprising of the President, Vice President, Secretary, Treasurer and up to ten other members of the Club to be elected annually at the Annual General Meeting of members.

5.2 Eligibility and Nominations:

- (a) Any member other than a paid employee of the Club shall be eligible for election to the committee except that no member who, at the time of nomination, has been under any financial liability to the Club for a period of at least one month, shall be eligible for election.
- (b) Nominations for the committee shall be lodged with the Secretary at the Annual General Meeting.
- (c) Every returning member of the committee shall be eligible for re-election and be deemed to be nominated unless he or she has previously signified to the Secretary a desire not to seek re-election.
- (d) If in any year the number of members nominated for the committee is not more than fourteen, the persons so nominated shall, at the Annual General Meeting, be declared the elected members of the committee for the ensuing year.
- (e) If in any year the number of members nominated for the committee exceeds fourteen, the candidates to be elected to the committee shall be determined by a ballot at the Annual General Meeting.

5.3 Vacancies on Committee:

Any vacancy of the Officers of the Club occurring on the committee between one Annual General Meeting of the Club and the next may be filled by the committee. A person appointed to fill such vacancy shall retire at the next Annual General Meeting and be deemed to be renominated in terms of Paragraph 5.2(c).

5.4 Sub-Committees:

- (a) The committee may appoint sub-committees from among its members (or from among other members of the Club who are not members of the committee) and
 - (I) may fix the quorum.
 - (II) may delegate any of its powers to such sub-committees.
 - (III) may make rules for regulating the proceedings of the sub-committees.
- (b) The role of a sub-committee shall be to undertake special projects, eg, the organisation of competitions, on behalf of the committee to which it shall report.
- (c) The President shall be an ex-officio member of all sub-committees. A member of the committee shall be chairperson of a sub-committee.
- (d) Each sub-committee shall have the right to co-opt, as it thinks fit, such member or members of the Club to be members of such sub-committee. A co-opted member shall have the same rights as an ordinary member of a sub-committee.

6. Officers and their Elections

6.1 Officers:

The Officers of the Club shall comprise a President, a Vice President, Secretary and a Treasurer.

6.2 Election:

The President, Vice President, Secretary and Treasurer shall be elected annually at the Annual General Meeting from nominations (and a seconder) taken from any financial member of the Club. No person may hold the office of President for more than three years in succession.

7. The Committee

7.1 Meetings

- (a)** The committee shall meet at least monthly except that meetings need not be held in the months of January and December.
- (b)** The day and time of each monthly meeting shall be determined by the committee which may meet, adjourn and otherwise regulate its meeting as it thinks fit.
- (c)** At any meeting of the committee the President, if present, shall preside. In the absence of the President from any meeting the members present shall elect one of their number to chair the meeting.
- (d)** Each member of the committee present shall be entitled to exercise one vote. Questions arising at any meeting shall be decided by a majority of votes. The chairperson of the meeting shall have a deliberative vote and in the event of an equality of votes, a casting vote also.
- (e)** Five members personally present at the beginning of, and throughout the meeting shall form a quorum.
- (f)** Any committee member who fails to attend three consecutive meetings without good excuse shall be deemed to have resigned from the committee.

7.2 Powers of Committee

Without prejudice to the powers and responsibilities by the rules conferred the Rules, the committee:

- (a)** shall be responsible for the management of the affairs of the Club including the control and investment of the Clubs funds.
- (b)** may make by-laws and regulations for the internal conduct of the Club and engage such staff as may be necessary for the conduct of the Club.
- (c)** may make and give receipts, releases and other discharges for money payable to the Club and for the claims and demands of the Club.
- (d)** shall make provision for the opening and operation of such bank account or accounts as may be deemed necessary for the purposes of the Club.
- (e)** may invest and deal with any money of the Club upon such security and in such manner as it thinks fit and it may from time to time vary such investments.
- (f)** may borrow or otherwise raise money in such manner as it thinks fit and to secure repayment by the issue of debentures or by mortgages or charges upon the whole or part of the

property or assets of the Club (whether present or future) and to purchase, redeem or pay off any such securities.

- (g) shall keep minutes of all meetings of the committee and sub-committees and of all general meetings of members.
- (h) shall ensure that proper books of account are kept by the Treasurer who shall present a monthly financial statement to the committee and an annual statement of income and expenditure together with a balance sheet to the members at the Annual General Meeting.
- (i) shall exercise all the rights, powers and duties which under these Rules are required to be performed by the committee.

8. Meeting of Members (Annual General Meeting)

8.1 Business:

An Annual General Meeting of the members of the Club shall be held in the month of July each year. The business of the Annual General Meeting shall be to receive and consider:

- (a) The report of the committee on the affairs of the Club for the past financial year.
- (b) The accounts made up to the previous thirty-first day of March; such accounts to be completed and signed by Treasurer.
- (c) The election of a President, Vice President, Secretary and Treasurer in accordance with point 5.2 and 6.2.
- (d) The election of up to ten committee members in accordance with point. 5.2.

8.2 Motions and Special Meetings.

- (a) A member wishing to bring any motion before the Annual General Meeting shall give written notice to the Secretary of the Club on or before fourteen days preceding the date of the meeting and no motion shall come before the meeting unless notice thereof has been so given. No other business shall be considered unless the same is specified in the notice convening the meeting, except it be deemed a matter of extreme urgency by a majority of the members assembled or be expressly authorised by the Rules.
- (b) A special, or extraordinary, general meeting of members may be called by the committee at any time and shall be called at the written request of five per cent of the financial members of the Club. Such a meeting shall have the same powers as an Annual General Meeting.

8.3 Notice:

Notice of a general meeting shall be given to members in writing at least one month before the date of each meeting. Such notice shall specify the date, time and place of such meeting, the type of meeting and the business to be discussed at the meeting.

8.4 Procedure:

- (a) Fifteen members present personally at a general meeting of members shall form a quorum present at the start of, and throughout the meeting. A proxy vote may be accepted should a member be unable to attend the general meeting.
- (b) The President shall be chairperson of a general meeting. In the absence of the President the meeting shall elect a chairperson for that meeting.
- (c) All financial members who are of the age of 16 years and over are eligible to vote. In the event of a member being under 16 years of age, and being an individual without family membership, then that member is entitled to vote through their guardian or parent.
- (d) Voting shall be on the voices unless a show of hands or a poll is called for. The chairperson shall have a second or casting vote in addition to his or her deliberative vote.
- (e) Resolutions passed at any general meeting shall be conclusive and binding on all members of the Club whether present at the meeting or not.

9. Finance

9.1 Money on Account:

All money received on account of the Club shall be paid into the account of the Club with its bankers and shall be acknowledged by an officer or a paid employee of the Club.

9.2 Cheques:

All cheques drawn upon the bankers of the Club shall be signed in such manner and by such persons as the committee shall from time to time determine.

9.3 Endorsement:

Cheques or other negotiable instruments paid or payable to the Club's bankers for collection requiring the endorsement of the Club may be endorsed by such a person or persons as the committee shall from time to time appoint.

9.4 Account Books:

The Treasurer shall keep, or cause to be kept, a proper account of the income and expenditure of the Club, and of the matters in respect of which such income and expenditure arises and takes place respectively and of the property, credits and liabilities of the Club, and shall produce the account books, properly written up to an auditable standard.

9.5 Financial year:

The financial year of the Club shall be from the first day of April in one year to the thirty-first day of March in the next year.

9.6 Audit:

Every year the accounts of the Club shall be made up by the thirty-first day of May preceding the AGM. If required by majority vote of the members at the Annual General Meeting, an audit will be carried out.

9.7 Filing Requirements:

The Secretary shall file with the Register of Incorporated Societies within seven days after the Annual General Meeting, the financial statements required to be filed under Section 23 of the Incorporated Societies Act 1908

10. Alteration of Constitution

10.1 Alteration:

The constitution of the Club may be altered, added to or rescinded at any general meeting provided that notice in writing of the proposed alteration(s), addition(s) or rescission(s) is provided at least fourteen days prior to the meeting.

10.2 Filing Requirements:

The committee shall within seven days register any such alteration, addition or rescission with the Registrar of Incorporated Societies

11. Rules

11.1 Making Rules:

The committee shall have power to make alter or rescind rules not inconsistent with this Constitution for the conduct and behaviour of members or any other matter related to the affairs of the Club. Rules shall take effect and become binding on all members fourteen days after notice of the rules has been given in writing to all members, unless within that time written notice of objection signed by ten members is received by the Secretary, in which case such notice shall

be deemed to be a requisition for the purpose of convening a special general meeting of members pursuant to Rule 8.2(b).

11.2 Inspection:

A copy of the constitution and rules for the conduct of the Club shall always be open to inspection by members.

12. Execution of Documents

The Club shall execute any document pursuant to a resolution of the committee passed for that purpose by affixing the common seal in the presence of two members of the committee.

13. Winding Up

The Club may at any time be wound up by the resolution of a majority of the financial members present at any general meeting of the Club. Notice of the passing of such resolution shall be given by the committee to the Registrar of Incorporated Societies. In the event of such winding up the property of the Club shall, subject to the payment of its debts and liabilities and the costs and expenses of the winding up be transferred to any other organisation within New Zealand area having similar objectives to the Club for the general purposes of the Club. The society will comply with Section 24 of the Incorporated Societies Act 1908.

14. Indemnity

14.1 Indemnity:

The Officers and members of the committee and or auditor shall be indemnified by the Club for all losses and expenses incurred by them in or about the discharge of their respective duties except such as shall result from their own respective wilful default.

14.2 Limitation of Liability:

The Officers and members of the committee and or Auditor shall not be liable for the acts or defaults of any other member of the committee, Auditor, or other Officer, for any loss or expense happening to the Club, unless the same happens from his or her own wilful default.

15. Affiliation

The Club may be affiliated to another incorporated Club/Society or to an incorporated Association where the sharing of resources, facilities, and collective cover through numbers, are beneficial to the Club members.

16. Interpretation

The following words and expressions used in this constitution have the meanings set out below unless such meanings are excluded by or are repugnant to the context or subject matter, that is to say:

“The Club” shall mean the Auckland Blokart Club Incorporated.

“The President” shall mean the President for the time being of the Club and shall include an acting President.

“Month” shall mean calendar month.

Words importing only the singular number shall include the plural number and vice versa.

“The committee” shall mean the committee of the Club as elected in accordance with this constitution.

“In writing”, “printed” and “written” shall include handwriting, printing, facsimile, email and other modes of representing or reproducing words in a visible form.

Words importing persons shall include corporations.

Signatures

Signed

Name of Member

Graham Ingall

Position held in Society

President

Date

Signed

Name of Member

Barry Cole

Position held in Society

Vice President

Date

Signed

Name of Member

Nicholas Murray

Position held in Society

Secretary

Date