

# Cashmere Club Rules

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## CASHMERE CLUB RULES

July 2019

### 1. TITLE:

The Club shall be entitled the CASHMERE CLUB Inc. hereinafter referred to as THE CLUB.

### 2. REGISTERED OFFICE:

The Office of the Club shall be at: 88 Hunter Terrace, Cashmere, Christchurch.

### 3. INTERPRETATION OF THE RULES:

- (a) Any question relating to the interpretation of the Rules of The Club shall be referred to the Board whose decision shall be final and binding. Providing that the Board shall refer any decision on interpretation made in accordance with this sub-section to The Club’s Solicitor upon a written request or its own determination and shall interpret the rule in accordance with Law and the advice received.
- (b) Any matter not provided for in the rules shall be decided by the Board, providing the matter is within the powers of the Board as defined in these rules.
- (c) Board shall mean the Cashmere Club Board.
- (d) Member shall mean a person who has been accepted by the Board as a member.
- (e) Officer shall include the President, any member of the Board, General Manager or any person that they may from time to time appoint.
- (f) Gender in the rules relates to both males and females. The term he\ she means he or she.

#### **4. OBJECTIVES OF THE CLUB:**

The Objectives of the Club shall be;

- (a) To provide social amenities and amusements and other means of recreation as members may see fit and to promote genial and social contact amongst the members.
- (b) To promote or assist in promoting any games or sports which may be legal in New Zealand.
- (c) To furnish the Club's property with such furniture, implements, machinery and conveniences as may be thought desirable with a view to the members enjoyment of the Club's Social amenities, amusements and other recreations.
- (d) To accumulate capital by means of yearly subscriptions or otherwise from members and also from borrowing money from members or other persons on such security and on such terms as may from time to time be arranged.
- (e) To establish, maintain and conduct a Club (of a non-political character) for the accommodation of members of the Club and their friends.
- (f) To provide a Club house and other conveniences for the use of the Cashmere Club Inc. and to furnish and maintain the same and to permit the same to be used by members of the said club, their visitors, members of other associated Clubs and the Public (who must at all times abide by Club rules), on such terms as shall be agreed on.
- (g) Manage the affairs of the Club and generally to do whatever may seem best calculated to promote the best interest of the Club, and engage in any other activities that may bring benefits to the members.
- (h) To apply for, renew and maintain any charter or licence within the Sale and Supply of Alcohol Act 2012 and its amendments which may be granted to the Club in pursuance of its amendments and to exercise any of the rights and powers granted or vested in the Club by virtue of any such Charter or Licence and from time to time be found necessary to hold such Charter or Licence.
- (i) At the direction of a General Meeting subscribe to, become a member of, and co-operate with any other association, whether incorporated or not, whose objects are altogether or in part similar to those of this Club.
- (j) To raise money by subscription and to grant rights and privileges to subscribers.
- (k) To construct, maintain and alter any Club or other buildings or works necessary to or convenient for the purpose of the Club.

#### **5. MEMBERSHIP:**

The membership of the Club shall be divided into the following categories, but each category of membership will have and maintain the rights, privileges and obligations of membership except as is expressly provided in these rules.

ORDINARY MEMBERS.

FULLY PAID MEMBERS.

ELECTED LIFE MEMBERS.

COUNTRY MEMBERS.

HONORARY MEMBERS.  
CONCESSIONARY MEMBERS.  
MARRIED MEMBERS.  
SENIOR MEMBERS.  
SOCIAL MEMBERS.  
JUNIOR MEMBERS.

## **6. ADMISSION OF MEMBERS:**

- (a) Membership shall be open to both men and women.
- (b) Candidates for membership (except for Junior Membership — see rule 7) must be of legal age for consuming/purchasing alcohol, as defined in the Sale and Supply of Alcohol Act 2012, or over at the time of the application.
- (c) The completed application form shall be delivered to the Manager, together with the amount of entrance fees, subscriptions and levies (if applicable) due by the new member.
- (d) Upon receipt of payment the Manager or delegate shall issue a Membership Card and the new member shall be entitled to all privileges of membership. The Membership Card shall remain the property of the Club at all times. Should the candidate not be granted membership, the Manager shall notify the candidate in writing and return the full amount of fees paid in accordance with these rules
- (e) Unless the Board shall otherwise determine, no person shall be eligible for membership who is; A prohibited person under the Sale and Supply of Alcohol Act 2012. and its amendments or under such other acts as the Board may from time to time decide. Or a person who has been convicted by a Court of Law for an offence under the Crimes Act, or who has been expelled from any other Club.
- (f) Membership shall date from the date on which the membership card has been issued or funds received.
- (g) Every person accepting membership of the Club shall be deemed by that acceptance, to abide by all the rules and by-laws of the Club and to pay all fees, subscriptions, levies and debentures made in accordance with the rules of the Club. Membership cards remain the property of the Club and must be surrendered on demand by the Board.

## **7. CLASSES OF MEMBERSHIP:**

### **ORDINARY MEMBERS:**

Members who do not qualify for any of the categories listed below shall be deemed to be Ordinary Members.

**FULLY PAID MEMBERS:**

Any ordinary member who has been granted the right to purchase Fully Paid Membership and has done so in accordance with the rules prevailing at the time. The number of Fully Paid Members shall be determined by the Club in General Meeting. Provided that no member shall be accepted as a Fully Paid Member if such acceptance would bring the total number of fully paid members to more than seventeen and one half (17.5 % ) per cent of the total membership of the Club at that particular time.

- (a) Fully paid members will cease to pay annual subscriptions upon acceptance and the period of abatement of annual subscription payment shall be determined by the Club in General Meeting.
- (b) Application for fully paid membership shall be accepted by the Board and accorded priority to those members who have been members of the Club for a longer period. Provided always that the Board at its discretion may refuse acceptance to any person and shall not be called upon to give any reason for such refusal.
- (c) On receipt of the acceptance notice the new fully paid member shall make payment of the full amount due and should the full amount due be unpaid for more than thirty (30) days, from the date of notification, the acceptance shall become null and void unless the new fully paid member has made a prior request to the General Manager in writing and the Board has extended the period of payment.
- (d) The proposing of any alteration to the number of fully paid members or the period of abatement of annual subscriptions will be displayed on the Club Notice board for not less than twenty one (21) days prior to the date of the General Meeting.
- (e) Any member having paid the full amount for the fully paid membership shall be deemed by that payment to have agreed to abrogate any further claims to the whole or part of that amount and the full period of abatement of Annual Subscriptions in force at the time shall be subsequently diminished.

**ELECTED LIFE MEMBER:**

The Club in General Meeting upon the recommendation of the Board may grant Life Membership to any member for meritorious and/or outstanding service to or on behalf of the Club for a period of not less than five (5) years. Provided always that no person shall be appointed if such appointment would bring the total number of Life Members at the time of such appointment to more than two (2) percent of the total number of ordinary members.

**COUNTRY MEMBERS:**

- (a) Applicants for Country Membership must comply with all the provisions for ordinary membership and in addition must reside at not less than twenty five (25) kilometres distant from the Club.
- (b) Any financial member who changes place of residence to one of not less than twenty five (25) kilometres from the Club shall be entitled to Country Membership.

**HONORARY MEMBERS:**

- (a) The Board may grant Honorary Membership to any person for any period of time not exceeding one year. Provided always that no other category of membership is appropriate for that person.
- (b) Any person accepting Honorary Membership is deemed by that acceptance to have agreed to abide by all the rules and by-laws of the Club.

**CONCESSIONARY MEMBERS:**

A member of a Club which has a Concessionary Membership agreement with the Cashmere Club shall, on production of evidence of current membership of that Club, be entitled to apply for membership at the agreed concession membership subscription as set annually under the Cashmere Club rules. (Rule No 8)

**MARRIED MEMBERS:**

Applicants for Married Membership must be either the Legally Married Partner, or a Legally Recognised Partner in an established relationship with a financial member. Evidence of continuing status of entitlement for Married Membership must be presented when applying for this class of membership and renewal of annual subscriptions.

Married Membership status is not available to Concessionary Members.

**SENIOR MEMBERS:**

Applicants for membership must show proof of entitlement being;

- (a) Ten (10) years continuous membership of the Club.
- (b) Reached the age of sixty (60) years.

**SOCIAL MEMBERS:**

- a) Each applicant for social membership shall complete the applicable application form.*
- b) Each applicant shall deposit, at the time of application, a subscription of such sum as designated by the Club.*

- c) *Social membership shall be valid for a period of one month from the day of joining.*
- d) *Social members shall automatically lose their Introductory Membership status;*
  - i. *At the conclusion of the one-month period from the date of joining; or*
  - ii. *Upon admission as an ordinary member, whichever is earlier.*
- e) *Social Membership cannot be extended and is not renewable.*

Social Members shall be entitled to all rights and privileges of ordinary members, but subject to the following restrictions.

- (1) They will have no voting rights at the Club's Elections or General Meetings.
- (2) They will have no rights to hold office.
- (3) They will have no rights to nominate membership of the Club.
- (4) They will not be eligible to participate in member promotions
- (5) They will not be able to sign in guests
- (6) May be subject to other restrictions as determined from time to time by the Board
- (7) Social Members shall have the privileges of admission to any Chartered Club, provided it is in accordance with that Club's Constitution, with whom this Club is reciprocally associated, upon production of any official reciprocity card.

**JUNIOR MEMBERS:**

- (a) Junior Members must be over the age of sixteen (16) and under the Legal Age for consuming/purchasing liquor as defined in the Sale and Supply of Alcohol Act 2012 at the time of application for Junior Membership. On reaching the Legal Age for consuming liquor, a Junior Member shall be required to become an Ordinary Member at the next renewal of membership.
- (b) Junior Members shall be entitled to all rights and privileges of ordinary members, but subject to the following restrictions.
  - (1) They will have no voting rights at the Club's Elections or General Meetings.
  - (2) They will have no rights to hold office.
  - (3) They will have no rights to nominate membership of the Club.



- (4) They shall have the rights to have one invited guest at any one time and they shall be deemed to be responsible for the behaviour of such guest while he/she is on the premises.
- (5) Until a Junior Member reach the Legal Age for consuming liquor as defined in the Sale and Supply of Alcohol Act 2012, they have no right to purchase liquor or to consume liquor on the premises.
- (6) Junior Members shall have the privileges of admission to any Chartered Club, provided it is in accordance with that Club's Constitution, with whom this Club is reciprocally associated, upon production of any official reciprocity card.

#### **EMPLOYEES:**

1. Members who are employees of the club are entitled to the rights and privileges of membership **excluding** those concerned with the selection, election and holding office within the club.
2. The Board and management reserve the right to introduce policies excluding employees who are also members of the club from participating in promotions and other activities within the club whilst on duty.

#### **8. SUBSCRIPTIONS AND LEVIES:**

- (a) All subscriptions and levies shall be paid in advance to the General Manager and shall be due and payable by the thirty first (31) of March of each year.
- (b) The Club at an Annual or Special General Meeting called for the purpose, may from time to time increase or reduce the membership fee or annual subscription as it sees fit.
- (c) The Club may, at any Annual or Special General Meeting called for the purpose, fix a levy payable by members, such levy to be for a specified purpose, and to be paid in conjunction with the Annual Subscriptions.

#### **EXEMPTIONS FROM LEVIES shall be;**

- (d) The Board is empowered to release wholly or partly from liability for the payment of a levy, or to defer payment on such further terms and conditions as it thinks fit, in respect of any member who has applied in writing, stating grounds for exemption, or any member who, applies for a levy exemption and in the opinion of the Finance Committee, would suffer hardship by having to pay such levy on the terms stipulated.
- (e) Any member who fails to pay the levy within two months of the same being due for payment (Refer rules 8-b and 8-c) and without establishing a class of hardship in Rule 8-d shall be deemed

to be an unfinancial member, subject to deletion from the membership of the Club, under Rule 9-(a).

#### **9. UNFINANCIAL MEMBERS AND RESIGNATIONS:**

- (a) At the expiration of thirty (30) days after due date for subscriptions and levies, any unfinancial members will be removed from the Club's register of members.
- (b) Notwithstanding anything contained to the contrary in clause 9-a of these rules, or any other rule, it shall be competent for any member to be granted leave of absence if away from the city or becoming incapacitated through illness, accident, or distress. While such leave is in force the members subscriptions shall not be considered unfinancial through non payment of subscription. Any member seeking such leave of absence may apply in writing to the General Manager within fourteen (14) days of subscription becoming due. Nothing in this clause shall be deemed to make a members attendance at the Club premises compulsory.
- (c) Any member wishing to resign from the Club shall give notice in writing to the General Manager of such desire and of the date from which the same is desired to take effect, but shall remain liable for all subscriptions owing to the date such resignation takes effect .

#### **10. VISITORS:**

- (a) Any member may invite any person as a visitor to the Club, subject to rules 9-(b) and 9-(c). All visitors shall sign the Visitors Book provided by the Board and enter their name and address therein on each such occasion. The member accompanying a visitor shall also sign the visitors book and will at all times be responsible for the conduct of the visitor. No such visitor shall be sold or supplied liquor on the Club premises unless the visitor is present on the invitation of a member and is in the company of a member and the liquor is supplied for consumption on the premises.
- (b) Any Junior Member may invite one guest on any one day who must be sixteen (16) years or older, or at the discretion of the General Manager or a Board Member. Any other guest may be permitted with prior approval of the General Manager or the Board.
- (c) A member of an Affiliated Club may be sold or supplied liquor on the Club premises provided the member has on admission produced sufficient evidence to an Officer of the Club or a member of the staff that they are a member of an affiliated Club.

No person shall be introduced as a visitor,

- (1) Who is a prohibited person.
- (2) Who is currently expelled or suspended from this or any other Club.
- (3) Who has been refused membership for any reason during the last twelve (12) months (excepting through membership being closed).

(4) Who is under the minimum age.

(5) Who is considered to be improperly dressed.

No visitor to the Club shall be entitled to take part in any election or meeting of the Club.

All visitors, whether a member of an affiliated Club or not, shall at all times be bound by and confirm to, the rules and by-laws of the Club. Should any person habitually use the Club as a visitor, the President, General Manager, or any two (2) Board Members may request such person to discontinue his or her visits or consider joining the Club as a full member.

## **11. MEETINGS:**

- (a) The Annual General Meeting shall be held as soon as practicable after the end of the Financial Year, but not later than the end of July of that year.
- (b) A Special General Meeting of the Club shall be called by the Chairman within ten (10) days upon the request of a majority of the Board, or upon the written request of at least fifty (50) financial members, or by the majority of the Trustees, such requisitions shall state the purpose of the meeting. The Chairman may also call a Special General Meeting on his own initiative. At any such Special General Meeting only that business published on the meeting agenda shall be open for discussion.

### **ORDER OF BUSINESS FOR SPECIAL GENERAL MEETINGS:**

- (a) Presentation of the Chairman's Report.
- (b) Presentation of Financial Statement if applicable.
- (c) Correspondence relating to the notified business of the Meeting. Notices of Motion.
- (d) General Business.

At all Special General Meetings no business shall be resolved that has not been clearly stated in the Notice of Meeting.

## **12. CONDUCT OF MEETINGS:**

- (a) At all Annual or Special General Meetings, fifty (50) members shall form a quorum. If there is not a quorum after thirty (30) minutes of the advertised time of the meeting then the meeting shall stand adjourned for seven (7) days. In the event of there again being no quorum the meeting shall lapse.
- (b) At all meetings only financial members (excluding employees) and Life Members shall be entitled to vote. The Chairperson shall decide upon a show of hands in the first instance, but five (5) members entitled to vote may request a ballot. In the case of equality, the Chairperson shall

have a casting vote in addition to a deliberative vote (which must be used to maintain the status quo).

- (c) Notice of the Annual General Meeting shall be posted for at least twenty one (21) days on the Club Notice Board and advertised in social media and Club Newsletters or E-newsletters on at least on two different days prior to the meeting
- (d) A copy of the Club's Financial Statements will be made available to any member fourteen (14) days prior to the Annual General Meeting, on application to the General Manager.
- (e) Any member eligible to vote may appoint another financial member to be her proxy at any General or the Annual General Meeting to vote on any notices of motion, provided such proxy is a appointed in writing and delivered to the General Manager no later than the day prior to the day of the meeting. No member shall exercise more than one appointment to act as a proxy.

**ORDER OF BUSINESS AT ANNUAL GENERAL MEETINGS:**

1. Apologies
  2. Minutes of the last Annual General meeting
  3. Minutes of the last Special Meeting if required
  4. Correspondence
  5. Notice of General Business
  6. Chairman's Report
  7. Finance Report
  8. Financial Statements and Balance Sheet
  9. Appointment of Auditor
  10. Appointment of Solicitor
  11. Introduction of Candidates
  12. Notice of Motion
  13. General Business
- (f) Notice of any Special General Meeting shall be posted on the Club's notice board for at least seven (7) clear days and advertised in the local daily papers on at least two (2) days immediately before the meeting is held.

- (g) At Annual or Special Meetings the adoption of the Report having been moved and seconded, any member may without notice ask any question or move any resolution relating to the report.
- (h) Any member (other than a Junior Member) desirous of moving a resolution relating to a motion passed by a previous Annual or Special Meeting or a meeting of the Board, or desiring to introduce a new item of business, must give notice in writing at least fourteen (14) clear days prior to the date of the meeting at which such resolution is to be moved. The General Manager shall post a copy of such resolution on the Club notice board for at least seven (7) clear days before the meeting. All resolutions to rescind a resolution passed at a previous Annual or Special Meeting or a meeting of the Board shall be carried by a majority of the members present before having effect.
- (i) Any candidates standing for election shall be introduced to the members present.

### **13. BOARD:**

- (a) The Board shall consist of the President, and up to four other members elected and two appointed, which one will be elected Chairman prior to the first Board meeting. At any Board meeting five members present shall form a quorum.
- (b) A panel will be set up comprising of the Chairman, President and an Independent person (not an officer or board member) to appoint the two appointed members of the Board.
- (c) All Board members shall be financial members of the club and their appointment to the Board will be for a two year term.
- (d) At the AGM two Board members shall retire from office and are eligible for re-election or appointment.
- (e) The Board shall:
  1. Be responsible for the management of the Club's affairs and shall have power to act for the proper and efficient operation of the Club and the general benefit, comfort and accommodation of its members.
  2. Have the power in the name of the Club to enter into any agreement or agreements it may think fit necessary in the management of the Club.
  3. Make a report to the Annual General Meeting on the performance of the Club generally
  4. At its earliest meeting appoint such sub-committees as considered necessary
  5. Have power to invest the funds of the Club in any of the investments authorised.
  6. The power & discretion to grant honorariums to any board member that fulfils one of these roles.
  7. Determine the level of authority for Board members.
- (f) Should any member of the Board be absent from three ordinary meetings without leave, that member shall thereupon cease to be a member of such board.
- (g) The Chairman shall be ex-officio a member of all committees

#### **13.1 SUB COMMITTEES:**

- (a) The Board shall when necessary appoint and may at any time appoint such sub-committees as it may consider necessary and shall prescribe the duties of such sub-committees and appoint others in their stead or alter personnel of such sub-committees as the Board may determine; In

the appointment of any sub-committee the Board shall not be restricted to choosing from members of the Board however all appointees must be financial members of the Club.

- (b) No decision of the sub-committee shall be binding until it has been ratified by the Board, nor shall any sub-committee, unless its terms of reference specifically authorises it in that behalf, have the right to transact any business in the name of the Club.
- (c) A sub-committee shall carry out the duties assigned to it by its order of reference and where applicable shall on the date mentioned in such order or in the absence of any date then as expeditiously as circumstances will permit, present its findings and recommendations to the Board.
- (d) Sub-committees may be appointed by a General Meeting of members of the Club in the same manner as provided for the appointment of sub-committees by the Board of the Club.
- (e) The Convener/Chairman of each sub-committee must be a duly elected member of the Board or member of the club in accordance with these Rules and shall have a casting vote on any sub-committee proceedings.

- **CHAIRMAN**

At all General Meetings of the Club and at all Board meetings at which he or she is present the Chairman shall preside. Should the Chairman be absent then the Deputy Chairman shall preside and should neither be present at the meeting the President shall preside.

At all General Meetings of members and at all meetings of the Board the Chairman shall have a deliberative vote and in the event of equality a casting vote in addition thereto. The Chairman's ruling shall be final on any point of order.

- **GENERAL MANAGER**

The General Manager shall conduct the correspondence and have the custody of documents belonging to the Club. The General Manager shall notify members of the Board of meetings in writing at least three clear days prior to any Board meeting. The General Manager or somebody else delegated shall keep full and correct minutes of all Board and General Meetings. The minutes of all meetings taken shall be made available to all members of the board.

#### **14. QUALIFICATIONS FOR OFFICE:**

- (a) Candidates for the office of President and Vice President shall be, and have been financial members of the Club for two (2) years.
- (b) Candidates for the position of Board Member shall be, and have been financial members of the Club for at least twelve (12) months.
- (c) Candidates for the position of Trustee shall have been a financial member of the club for at least twelve (12) months.
- (d) Candidates for the position of Disciplinary Board Member shall be, and have been a financial member of the Club for at least twelve (12) months.

## **15. CONDUCT OF ELECTIONS:**

- (a) The Election of Officers shall be held on the Friday and Saturday immediately following the Annual General Meeting.
- (b) The Board shall appoint a Returning Officer who shall have a casting vote in the event of any candidates receiving an equal number of votes. The casting vote shall be used to maintain the status quo (where applicable). He/she shall make all arrangements regarding the ballot papers and any other matter for the proper conduct of the election. He/she shall have power to appoint one or more deputy returning officers.
- (c) All contested elections shall be held by a properly constituted ballot system. No ballot papers shall be taken from polling booth except as provided for in rule sixteen, (16).
- (d) Scrutineers for the counting of the votes shall be appointed by the Returning Officer prior to the election. No candidate shall nominate any member as a Scrutineer. The voting shall be counted as soon as the election has closed and the results notified immediately to members present.
- (e) The ballot papers shall be kept in a safe place by the General Manager for at least twenty eight (28) days. Any candidate shall have the right to request a recount of the votes and be present at such recount, but shall take no part in the same. Any application for a recount of votes must be made in writing within fourteen (14) days of the election.
- (f) Within two weeks of polling day each candidate may provide, in support of their nomination, a photo and a statement (of no more than 120 words) about their background and experience.
  - i. this information shall be made available on the club noticeboard within the two weeks leading up to the election
  - ii. shall be available within the area of the polling booth on election day.

## **16. ABSENTEE VOTES:**

- (a) Any financial member (exception a Junior Member) who is unable to attend to cast a vote on election day may, on application to the General Manager, make a declaration stating the reason. The Returning Officer may then issue the necessary ballot paper to the member who shall cast a vote in the usual manner. No absentee votes shall be allowed more than fourteen (14) days prior to the elections.

## **17. ELECTION OF OFFICERS, BOARD, TRUSTEES AND DISCIPLINARY BOARD:**

- (a) All candidates for office must be nominated in writing by five (5) p.m. on the day set aside for the closing of nominations. All nominations shall close fourteen (14) days before the date of election.

- (b) In the event of a member accepting nomination for more than one office, the order of election shall be President, Trustee, Board Member. No member shall hold more than one office (Except as covered in Rule 29(e))
- (c) All nominations for office must be signed by the proposer, seconder and nominee. Any candidate wishing to withdraw the nomination must notify the General Manager in writing at least forty-eight (48) hours before the commencement of Elections. Withdrawn nominations shall be posted on the Club notice Board together with a list of candidates for election.
- (d) The Board shall determine the date for calling for nominates being not less than 28 days before the Annual General Meeting.

**18. TERM OF OFFICE:**

The President and Vice President shall hold office for three (3) years.

Board Members shall have a term of two (2) years at which time they shall retire. Each Board Member will then have the right to stand for a further two (2) year term and will participate in the election process at the AGM.

Disciplinary Committee Members shall hold office for twelve (12) months. The elected candidates shall assume office as soon as the results are announced on election night. The Trustees shall hold office for three (3) years. (Refer rule 42)

**19. EXTRAORDINARY VACANCIES:**

- (a) Where a vacancy exists in the office of President, the Vice President shall automatically be appointed to fill such vacancy.
- (b) Where a vacancy exists in the office of a Board member and there is more than three (3) months until the next election, the unsuccessful candidate for the office of Board Member who polled the highest number of votes at the election previous to the vacancy occurring shall automatically be elected to fill such position provided always and notwithstanding anything to the contrary hereinbefore in this rule contained where the members of the Board who are entitled to vote shall at any time during the term of office be less than two thirds of the total number required by these rules and there is more than three (3) months until the next election, then a Special General Meeting shall be called to elect a sufficient number to fill the vacancies in the Board until the ensuing Annual General Meeting.
- (c) Where such vacancy exists in the position of Auditor, such vacancy shall be filled by the Board, such appointment to stand until the next Club elections.
- (d) Should at any time the full Board resign, or a resolution be passed at a Special General Meeting requiring the full Board to resign, then the Trustees shall take control of the affairs of the Club. In such case the Trustees are required to call an election for a new Board in accordance with



Rule 15. Such election to be held within twenty eight (28) days of the Board's resignation or resolution as the case may be.

## **20. BOARD MEETINGS:**

- (a) The Board shall meet a minimum of once in each month. Five members (including the President) shall form a quorum. The General Manager shall be excluded in counting a quorum.
- (b) The order of business at Board meetings shall be;
  - (1) Minutes of the previous meeting.
  - (2) Correspondence
  - (3) Acceptance of financial reports.
  - (4) Reports of Boards.
  - (5) Health & Safety
  - (6) Notices on Motion
  - (7) General Business
  - (8) Notices of motion for future debate.

## **21. POWERS AND DUTIES OF BOARD:**

- (a) The Chairman shall have the right to call a Special Meeting whenever he/she feels there is sufficient reason to do so. The Chairman shall, on receipt of a written request signed by not less than five (5) members of the Board call a special meeting of the Board within seven (7) days of receiving such request. At least three (3) days' notice shall be given of the time fixed for any special meeting of the Board.
- (b) The Board (on the recommendation of the Disciplinary Board) shall have power to suspend, expel or otherwise remove any member's name from the register of members upon proof that such member has been convicted in a court of law for any criminal offence, or act of misconduct, inside or outside of the Club. Any member against whom such action is taken must be notified in writing at the last known address and such member shall have the right of appeal. Notice of intention to appeal must be made in writing and may be heard by the Appeal Board within seven (7) days.
- (c) The Board may order an inventory of stock together with furniture and fittings to be taken at any time upon giving notice to the General Manager.

- (d) The Board shall render the Officers and Staff every assistance to maintain order and to prevent any infringement of Club rules or the laws of New Zealand in their relation to the Club.
- (e) The Board shall at all times entertain any practical and useful suggestions from the members and Officers for the improvement of conditions, welfare and management of the Club. Any complaint to the Board must be in writing.
- (f) The Board shall have the authority to revoke, and amend by-laws for the regulation and management of the Club. No by-law shall be inconsistent with the registered rules of the Club or of the Incorporated Societies Act 1908 and amendments thereof or of the Licensing Laws of New Zealand. Any by-law adopted by the Board shall be posted on the Club Notice Board for at least twenty eight (28) days.
- (g) The Board shall cause Fidelity Bonds to be taken out with a responsible Guarantee Society or Insurance Company in the names of all Officers and Employees who have charge or control of Club Money. Only Guaranteed Officers and employees shall collect and/or pay out any of the money of the Club.
- (h) The General Manager shall have the power to let the Club Social Hall, Restaurant and or other Rooms and necessary conveniences attached thereto to any outside body on terms to be decided by the Board, provided always that Club functions shall have first preference.
- (i) The Board shall hold a meeting with representatives of the various activity groups in the Club at not less than three (3) monthly intervals.

## **22. CHAIRMAN AND DEPUTY CHAIRMAN**

- (a) The Chairman shall preside over all meetings of the Board and over all Annual General and Special General meetings of members. In the absence of the Chairman, the Deputy Chairman shall preside.
- (b) The Chairman, President, Manager, or two (2) members of the Board shall have the power to suspend any member for misconduct; such suspension to be notified to the Board as soon as possible.
- (c) At all meetings the Chairman shall be entitled to a casting vote in addition to a deliberative vote which shall be used to maintain the status quo.
- (d) Only the President, Chairman and the General Manager (or their nominee) shall be entitled to be paid expenses from Club funds to represent the Club at Annual Chartered Clubs Conferences within New Zealand. All reasonable costs of attendance, with the prior approval of the Finance Board, will be paid by the Club.

### **23. GENERAL MANAGER:**

The General Manager shall be appointed by the Board.

He/she shall;

- (a) Be deemed to be the Club's representative for the purpose of the Licensing Laws of New Zealand.
- (b) Keep the accounts of the Club and the Register of Members.
- (c) Ensure accurate minutes of all meetings are maintained and kept secure at all times.
- (d) Pay into the bank weekly to credit of the Club, all monies received from all sources.
- (e) Conduct all correspondence.
- (f) Promptly pay all accounts passed by the Finance Committee.
- (g) Prepare and forward all returns required by statute law.
- (h) Report to the Board all members subscriptions
- (i) Perform any other duties imposed by the rules and generally carry out the instructions of the Board.
- (j) On a request from a majority of the Trustees, hand over to the Chairperson of the Trustees on demand everything relating to the Club's affairs.
- (k) With the prior consent of the Board shall have power to suspend any employee for misconduct.

### **24. BANK.**

Accounts shall be opened in the Club's name in such Trading Bank and or Savings Bank as the Board may from time to time determine. All payments must be approved by two (2) of the following persons; The Chairman, The General Manager, One Trustee.

### **25. AUDITORS:**

One Auditor who shall be a Qualified Practising Chartered Accountant shall be appointed at the Annual General Meeting. He/she shall audit books and necessary papers at least once a year and at any other time as directed by the Board.

### **26. FORFEITURE OF OFFICE:**

The Board shall deem forfeited the seat of any member who; without special leave being granted and recorded in the minutes is absent from three (3) consecutive meetings of the Board and/or is suspended by the Board for any offence.

## **27. HOURS OF ADMISSION:**

- (a) The Social rooms of the Club shall be open on hours to be decided by the Board. The Duty Manager, in consultation with the Chairman or two (2) Board Members has discretion to extend or curtail such hours on special occasions.
- (b) The Club shall be open in accordance with the Licensing Laws of New Zealand.

## **28. OFFENCES:**

- (a) Any member who has been convicted by a Court of Law for a criminal offence shall cease to be a member of the Club at the discretion of the Disciplinary Committee.
- (b) The Disciplinary Committee shall have power to suspend or expel any member being intoxicated on the Club premises or any member being abusive, disorderly, or creating a disturbance or using language which is insulting, or acting in any manner which is liable to cause a breach of the peace, or under the influence of a drug (not being used medicinally). Any financial member may submit a report in writing to the General Manager or the Chairman of the Board in regard to any behaviour or actions that they consider to have been of an unsatisfactory nature.
- (c) Suspension by an Officer of the Club, Board Member, or General Manager shall mean total expulsion from the Club rooms and grounds from the time of the breach of these rules until such time as the matter has been dealt with in accordance with these rules.
- (d) No person shall remove any article being the property of the Club without the prior permission of the General Manager or Board Member. Any person infringing this clause may be expelled or suspended at the discretion of the Disciplinary Committee.
- (e) Any person committing a breach of these rules shall not be supplied with any refreshments and it shall be in the power of any two (2) Board members or members of the Staff to request such Club Member or Visitor to leave the Club premises. Any person refusing to obey such request shall be reported to the Disciplinary Committee who may impose such penalty as it thinks fit. Such member may call witnesses on his/her behalf.
- (f) No Business cards or notices shall be displayed on or in the Club rooms without the approval of the Board.
- (g) No member shall give the address of the Club in any business advertisement or use the Club address for business purposes or openly conduct any business transactions in the Club.
- (h) Any person called upon to appear before the Disciplinary Committee for any breach to this or any other rule of the Club shall be notified of the date and time and that a complaint has been lodged, by letter to his/her last known address.

- (i) Any member having been notified to attend and who fails to be present or who neglects to notify in writing such inability to comply with the Disciplinary Committee or Appeals Committee's request shall be dealt with in absentia and shall forfeit any right of appeal.
- (j) The result of the Disciplinary Committee's decision under this rule shall be conveyed to the member verbally and in writing and in the event of such decision being suspension or expulsion the Disciplinary Committee shall instruct that such penalty be placed on the Club notice board.
- (k) The General Manager shall instruct all members of the staff of such suspension or expulsion and any member under such penalty shall be debarred from using the Club amenities or taking part in any Club activities. Any member of the staff supplying liquor to any debarred member of the Club may be called before the Board.
- (l) Any Member who commits an offence of dishonesty affecting the Club may be prosecuted in a Court of Law, and if found guilty is required to reimburse any money or goods dishonestly obtained.
- (m) Any member who has been expelled from the Club for a period of twelve (12) months or more under these rules, and such expulsion has been upheld by the Appeals Board, may not automatically resume membership at the conclusion of the period of expulsion. He/she may reapply for membership in the usual manner, but the application shall be considered by the Board in accordance with Rule -6. Admission of Members. The Board may decline or defer membership as they see fit.

**29. DISCIPLINARY COMMITTEE AND APPEALS BOARD: DISCIPLINARY COMMITTEE:**

- (a) There shall be a Disciplinary Committee which shall consist of four (4) ordinary members plus a Chairperson.
- (b) At the Annual Club Elections nominations will be called for four (4) members who will form a Disciplinary Committee.
- (c) At the first meeting of the incoming Board after each election, the Board shall appoint one of the Trustees as Chairperson of the Disciplinary Committee. If at any time the Trustee is unavailable, one of the other two Trustees shall take the Chair.
- (d) The quorum for the Disciplinary Committee is the full committee (ie. 5,). In the event of serious illness, resignation or death of a member of the Disciplinary Committee including the Chairperson, during the year the Board shall forthwith appoint a replacement.
- (e) Neither the Chairman or General Manager shall be eligible for appointment to the Disciplinary Committee.
- (f) The Disciplinary Committee shall adjudicate on any reported complaint about a member within 14 days of receipt of the complaint.

### **30. APPEAL BOARD:**

- (a) There shall be an Appeals Board consisting of the Board less those on the Disciplinary Committee.
- (b) The Appeal Board shall regulate its own procedure for the hearing which shall be held in "Committee".
- (c) No member of the Disciplinary Committee shall be present during the Appeal Board discussions with respect to the suspension or expulsion of any member.  
Prior to an Appeals Board hearing, the Disciplinary Committee shall provide the Appeals Board with a written report back-grounding the complaint, the evidence given at the hearing and reason for the committee's decision.
- (d) Both the Appellant member and the Club may be represented by Counsel before the Appeals Board.
- (e) All appeals shall be heard by way of rehearing and evidence given by parties and witnesses shall be heard.
- (f) The Appeal Board may reverse, affirm, or vary the decision appealed against including the question of penalties and all appeal decisions shall be made in accordance with a majority of the Appeal Board with the Chairperson having a casting vote in addition to a deliberative vote which shall be used to maintain the status quo.
- (g) The decision of the Appeals Board shall be final and binding.

### **31. APPEALS PROCEDURE:**

- (a) On being suspended or expelled any member of the Club wishing to appeal, shall, within forty eight (48) hours of receipt of written notification of such suspension or expulsion, give notice in writing to the General Manager stating the grounds of appeal. The General Manager shall without delay summon the members of the Appeal Board and shall notify the appellant of the date and time of the hearing of his/her appeal. The General Manager shall be responsible for the notification of witnesses required to give evidence against the appellant before the Appeal Board.
- (b) The Disciplinary Committee shall forward details of the charge and evidence heard in the decision appealed against to the Appeal Board Chairperson prior to the hearing of the appeal.

### **32. INSPECTION OF BOOKS/MINUTES:**

- (a) The financial books of the Club may be inspected by any member having an interest in the funds of the Club, on giving three (3) days written notice to the General Manager.
- (b) The unconfirmed minutes of any Annual or Special General meeting may be inspected by any member at any time, provided adequate notice is given to the General Manager.

- (c) The minutes of Board meetings may be inspected by any Club member after the minutes have been confirmed as a true and correct record.

### **33. BORROWING:**

- (a) The Club, by resolution carried by a majority of 67% of the members present and voting at a General or Special Meeting may borrow or raise from any source whatsoever any sums of money and in such manner as is deemed necessary to carry out the objects of the Club. To give security for any such sums by way of mortgage of its real and/or personal property or by issue of Debentures, Debenture Stock Perpetual or otherwise (with or without Trustees for the debenture holders) or any other security and charged upon all or any of the Club's real assets and/or future assets for any of the foregoing securities, the Club shall execute all such documents as may be required to effectively secure all monies so raised.

### **34. SPECIAL EXPENDITURE:**

Any resolution of the committee involving the expenditure of an amount exceeding one hundred thousand (\$100,000) dollars on any Capital item must be submitted and approved by an Annual or Special General Meeting of members before having effect.

### **35. PURCHASE OF LAND:**

The Club on a decision of an Annual or Special General meeting of members may sell, purchase, lease, or otherwise acquire any land or buildings or erect and alter any buildings in the name of the Club and may sell, lease, mortgage or erect buildings thereon with authority to alter or demolish and to rebuild. No purchaser, assignee, mortgagee or tenant shall be bound to enquire as to the authority for any sale, lease, or mortgage by the Club and the receipt of the Club shall be a discharge for all monies arising from or in conjunction with any sale, lease or mortgage.

### **36. INVESTMENT OF FUNDS:**

Such funds as may not be required for working expenses, interest on mortgages, debentures or buildings and amenities fund may, with the consent of the Board, be invested in the name of the Club in:

- (a) Any Registered Trading Bank, or Trustee Savings Bank carrying on business in New Zealand.
- (b) Any debentures, bonds, or Treasury Bills issued by or on behalf of, or guaranteed by the Government of New Zealand and the authority of an Act of Parliament.
- (c) In the first mortgage, debenture or share purchase which for the time being is authorised by the Trustees Act from time to time and in force in New Zealand for the investment of Trust monies.

### **37. INVESTIGATION OF AFFAIRS:**

It shall be the right of not less than fifty (50) of the total number of financial members of the Club (other than Junior members) to apply to the appropriate authority for;

- (a) The appointment of one or more Inspectors to examine the affairs of the Club and to report thereon or;
- (b) The calling of a Special General Meeting of the members of the Club and/or; , (c)

An investigation into the affairs of the Club with a view to the dissolution thereof.

**38. DISSOLUTION OF THE CLUB:**

The Club may be dissolved by the form prescribed under the Incorporated Societies Act. 1908. 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, as long as no member benefits from any distribution either materially or financially, or receives any financial gain from such dissolution.

**39. CLAIMS TO PROPERTY:**

No expelled, retiring or forfeited member shall have any claim upon the Board, either individually or collectively to any funds or property of the Club.

**40. ALTERATION TO RULES:**

- (a) No alteration shall be made to the rules of the Club except at the Annual, or a Special General meeting called for the purpose. No rule shall be annulled, amended or added to unless passed by resolution of a majority of those members present and entitled to vote.
- (b) Any member proposing an alteration to the rules shall hand to the General Manager a copy of such intended alteration at least twenty eight (28) days before the meeting of members and the General Manager shall post a copy of such intended alteration on the Club notice board for at least twenty one (21) days before the meeting of members.

**41. COMMON SEAL:**

The Club shall have a Common Seal which shall be kept in the custody of the General Manager. Such seal shall only be affixed to documents at a meeting of the Board or in pursuance of a resolution of the Board, and the affirming of such seal shall be attended by at least two (2) members of the Board and one (1) Trustee.

**42. TRUSTEES:**

- (a) The Trustees (in conjunction with the Board are responsible for all financial affairs affecting the running of the Club, and with the consent of the majority of the Trustees may veto any expenditure decision that they consider detrimental to the Club.

In such cases, they shall be obliged to call a Special General Meeting to explain their concerns.

The Board shall be required to verify its actions at such meeting, and the decision of the members shall be final and binding.



- (b) There shall be three (3) Trustees who shall have served not less than one (1) of the last five (5) years on the Executive Committee. They shall be ex officio members of the Executive Committee and shall be available for the transaction of the Club business when required. They shall be at liberty to take part in any Committee proceedings, with power to vote only on financial matters. (Rules 13 and 14 refer)
- (c) If a Trustee refuses to act or becomes unfit to act, or is incapable of acting, the Board shall forthwith convene a Special General Meeting and such meeting may by resolution remove that Trustee. (Covered in Rule 42f)
- (d) Trustees shall be elected by ballot at the Annual Elections and shall hold office for not more than three (3) years, but shall be eligible for re-election. The Trustees shall retire Annually in rotation. If there is any doubt as to which Trustee should retire annually in rotation, then the lowest polling Trustee at the last election shall retire first and so on.
- (e) Where a Trustee position becomes vacant, through illness, death or resignation, an election shall be held, if the vacancy is three (3) months or longer from the annual elections.
- (f) If the above occurs within three (3) months remaining to the annual elections, the other two (2) remaining Trustees will carry out the duties until the annual elections. Should at any time all the Trustees resign, or a resolution is passed at a Special General Meeting requiring them to resign, the members in attendance at such meeting shall elect three (3) new Trustees who shall remain in office until the ensuing election. The resigning Trustees and present Board shall not be eligible for appointment under the provisions of this clause.
- (g) Immediately following the election the Trustees shall meet to elect a new Chairperson.
- (h) In accordance with Rule twenty four (24) one of the Trustees shall approve all payments after all documents have been presented, and they have the right to veto any payment they deem to not be in the best interest of the Club, refer rule 42-(a).
- (i) One of the Trustees shall be elected by the Board to be Chairperson of the Disciplinary Committee, refer to rule 29-(c).

#### **43. EMERGENCY BOARD:**

There shall be an Emergency Board comprising or the President, Vice President, General Manager, Chairperson and Trustee. Any three shall have the power to act in an emergency that may arise.

#### **44. FINANCE COMMITTEE:**

The Finance Committee shall consist of the three Trustees, President and Accountant. The Chairperson of the Trustees shall be the Chairperson of the Finance Committee. All members shall have voting rights. The Finance Committee shall meet once in each month prior to the monthly Board meeting.

#### **45. SUB COMMITTEES:**

Sub Committees shall be set up for various purposes as required. Each committee shall appoint its own chairperson who shall be the Convenor of all meetings of the committee. The President and General Manager shall be ex-officio members of all committees (except the Disciplinary Committee). All monies raised shall be paid to the General Manager and banked in the Club's account.

All sub-committees shall report to the Board on their activities. Any decision of the subcommittees must be placed before the Board as a recommendation and it shall be the Boards duty to adopt or reject such recommendation.

#### **46. HONORARIA:**

The Finance Committee may from time to time vote for a modest Honoraria to be paid to the President for purposes of hospitality to Club members and visiting Officers from other Clubs.

#### **47. PATRON:**

The Board, on the recommendation of the President, may appoint any person to be Patron of the Club. Such appointee shall be entitled to all the rights and privileges of membership. Being Patron does not preclude that person from holding another office in the Club.

#### **49. PROCEEDINGS AT GENERAL MEETINGS:**

- (1) At all General Meetings of the Club, the chair shall be taken by the Board chairman if present; failing him by the Deputy Chairman and failing them, by a member of the Board, or if no board member present, by the President.
- (2) Every question submitted to any General Meeting shall be decided on the voices or by a show of hands, unless there is a ballot demanded by not less than five members or the Chairman elects to hold a ballot.
- (3) If a ballot is demanded by five or more members entitled to vote, it shall be taken in such a manner and at such a time and place as the Chairman directs, and either at once or after an adjournment at that Meeting, and the results of the ballot shall be deemed to be the resolution of the Meeting at which the ballot was demanded.
- (4) A declaration by the Chairman that a resolution has been carried and an entry to that effect in the books of the proceedings of the Club shall be sufficient proof of the number or the proportion recorded in favor or against the resolution.
- (5) In the event of an equality of votes, either on show of hands or on a ballot, the Chairman shall be entitled to a casting vote in addition to the vote to which he may be entitled as a member. In exercising his casting vote, the Chairman shall vote in such a manner as to maintain the 'status quo'.
- (6) The demand for a ballot at a meeting shall not prevent the transaction of any business other than that on which the ballot has been demanded.

- (7) A every Meeting at which a vote by ballot is demanded or directed by the Chairman, the members present shall appoint not less than two of their number as scrutineers.
- (8) As soon as the voting papers have been examined and the result of the ballot ascertained by the scrutineers they shall advise the Chairman who will thereupon make known the result to the Meeting.
- (9) The voting papers shall be retained until a motion for their destruction has been proposed, seconded and carried by the Meeting.
- (10)The Scrutineers' report shall be conclusive as to the result of the ballot providing always that if there is an equality of votes, the Chairman shall exercise his casting vote in accordance with 3:5 (c).
- (11)At all General Meetings, the adoption of the report and/or financial statements having been moved and seconded, any member may without notice ask any question, relating to the report and/or financial statements.
- (12)All General Meetings shall proceed in accordance with standing orders except where these are in conflict with any of the provisions of this section.

**50. STANDING ORDERS:**

- (a) **Interpretation:** In these standing orders, unless inconsistent with the context- "Chairman" when used alone shall mean the Chairman of the Board and shall also include the Deputy Chairman or the President in the absence of the Chairman or Deputy Chairman.

The Chairman of any meeting of the Club or of any Committee shall have a deliberative vote and in case of equality of votes, shall have a casting vote also. In exercising his casting vote, the chairman shall vote in such a manner as to maintain the status quo.

The Chairman shall preside over all meetings of the Board and over all general and special general meetings of members. In the absence of the Chairman the Deputy Chairman shall preside and in the absence of both, the President.

- (b) **Application of Standing Orders:** These standing orders generally, so far as applicable shall extend to the proceedings of committees of the Club, but in Committee motion and amendments need not be seconded, and members may speak more than once to the same question at the discretion of the Chairman.
- (c) **Time Limit for Meetings:** Unless pursuant to a resolution of the meeting to that effect no meeting of the Club or of the Club in committee shall extend for transaction of business longer than four hours or in any case shall not extend beyond 11.30 p.m.

(d) **The Meeting In Committee:**

**Resolution.** The meeting shall go into committee on a resolution being carried to that effect.

**Chairman:** The member in the chair when the resolution to go into committee is passed shall be Chairman in Committee.

**Quorum:** The quorum shall be the same as-in a meeting.

**Seconding:** Motion and amendments in committee shall not require seconding.

**Speaking more than once:** in meeting in committee members may speak more than once to the same question, but not more than three times in all nor more than five minutes at any one time.

**Notice Not Required:** No previous notice of motion to go into committee shall be necessary, and any resolutions passed by the meeting in committee, shall be resolutions of the meeting subject to confirmation by the meeting in open meeting.

(e) **Adjournment of Meeting and of Debate:**

**Adjournment of Meeting:** Any meeting of the Club may be adjourned. If a quorum is not present within half an hour after the time appointed for any meeting the Members or Member, if there is only one present, or the Secretary-Manager if no Member is present, may adjourn such meeting to another day not later than seven days thereafter and notice of such adjourned meeting shall be given to each member by Notice on the Official Notice Board. In the event of there again being no quorum then such meeting shall lapse.

**Names of Members Present Recorded:** If a meeting is adjourned by reason of a quorum not being present within half an hour as aforesaid, the names of the members in attendance and the fact of the adjournment shall be recorded in the minutes and signed by the President.

**Moving Adjournment:** Any member may, during the debate on any question, move that the meeting adjourn to a time to be stated by him. If the time to which the meeting is desired to be adjourned is not stated, the adjournment shall be deemed to be the next meeting of the Club. If time is so stated the adjournment shall be to that time.

**Motion Adjournment:** A motion for adjournment may be made at any time but not so as to interrupt a member speaking. If such motion be a negative, no new motion to the same effect may be moved within a quarter of an hour thereafter.

**Adjournment not to Supersede Business:** The carrying of any motion to adjourn the meeting shall not be deemed to supersede the business then before the meeting or then remaining undisposed of, and such business shall be taken at the adjourned meeting first in order in the class of business to which it belongs.

**Adjournment of Debate:** Any member may during a debate move the adjournment of such debate to a time or date stated by him. If the Motion is carried the debate shall be resumed at the time or date stated, the mover of such adjournment being then entitled to preaudience, but members who have already spoken in the debate may not speak again.

**Adjournment Not to be Moved by Members who have Spoken:** A member who has already spoken in a debate may not move or second the adjournment of the meeting or debate. No discussion shall be allowed on a motion for adjournment either of the meeting or the debate.

## **51. NOTICES OF MOTION:**

**How Made:** Notices of motion shall be in writing signed by the Mover, stating the day proposed for bringing on such motion.

**Refusal:** The Manager may, under direction of the Chairman, refuse to accept any notice of motion containing offensive or unbecoming expressions.

**Moving Notices:** No Notice of Motion shall be proceeded with in the absence of the member who gave the notice thereof unless moved by some other member authorised in writing or by telegram by such first mentioned member to do so.

**Alteration of Motion:** With the consent of the meeting a notice of motion may be altered by the member who gave the notice.

**Lapse:** Notice of motion not moved on being called for by the Chairman shall lapse.

**Fresh Subjects:** No member shall make any motion initiating a subject except pursuant to a notice entered on the order paper, or by consent of the meeting given without a negative voice.

**Referring to Standing Committees:** Any notice of motion referring to any matter ordinarily dealt with by a standing Committee of the Club may be referred by the Meeting to the appropriate standing committee if the Meeting so decides.

### **Renewed Notices of Motion:**

- (1) When a motion of which notice has been given has been duly proposed and put to the Meeting and has been rejected by the Meeting no notice of any other motion, which in the opinion of the Chairman, is substantially the same in purport and effect as the rejected motion, shall be again entered upon the order paper for the space of six calendar months unless such notice on the first delivery thereof to the Manager shall be signed by not less than thirty (30) members of the Club.
- (2) When a motion duly proposed and put to the Meeting has been carried by the meeting no notice of any other motion which is in the opinion of the Chairman to the same effect shall be put again to the meeting while such original motion stands.

## 52. NOTICES AND AMENDMENTS:

**Withdrawal of Motion or Amendments:** A motion or amendment having been seconded and proposed from the chair for discussion cannot be withdrawn without the consent of the meeting given without a negative voice. A motion to which an amendment has been moved and seconded cannot be withdrawn until the amendment is first withdrawn or negatived.

**Signing:** The Chairman may require the mover of any motion or amendment to hand the same to him in writing signed by such mover.

### **Speaking to Amendment:**

- (1) The amendments having been seconded shall then be proposed from the chair for discussion as a new question, and every member other than the members who have moved and seconded it may speak thereto.
- (2) Any amendment proposed but not seconded shall not be entertained by the meeting nor entered in the minutes.

### **Speaking to Amendment:**

**When Amendment Received:** When a motion having been seconded has been proposed from the chair for discussion, an amendment may be received from any member who has not yet spoken to the original motion.

**Disposal of Amendment:** No other amendment shall be received until the first amendment is disposed of.

**Further Amendments:** If the amendment is negative another may be moved and seconded by any members of the meeting who have not spoken to the original question. The movers and seconders of previous amendments shall be regarded as having spoken to the original question.

**Relevancy:** Every proposed amendment must be relevant to the question it is intended to amend and no amendment which amounts to a direct negative shall be received.

### **Amendment Carried:**

- (1) When an amendment is carried it shall be put as a substantive motion and be capable of further amendment at the instance of any member, provided that:
  - A) Such further amendment must not be inconsistent with the amendment already agreed to by the meeting, and,
  - B) If the amendment which is carried shall, in the opinion of the Chairman, entirely dispose of the original question, no further amendment to the original motion shall be received.

- (2) When an amendment carried does not dispose of the original question, such question as thus amended shall then be proposed for discussion from the chair, shall become the business before the meeting and a further amendment may be moved and seconded by any members who have not yet spoken to the original question. Provided always that such further amendment shall not be inconsistent with the amendment already agreed to by the meeting.

**Procedure until Final Resolution:** The procedure provided for in the last preceding order shall be continued until a final resolution is adopted, subject to the rule that amendments may be moved and seconded only by members who have spoken to the original motion, or the original motion as amended, or who have not moved or seconded previous amendments, and to the limitation that no further amendment may be received that is inconsistent with any previous amendment agreed to by the Meeting.

**Same Member not to move Two Amendments:** Members moving or seconding amendments shall be regarded as speaking to the original question and may not, after the amendment has been disposed of, move or second any further amendment but may speak to amendments moved and seconded by other members and fully proposed for discussion by the Chair.

### **53. RULES OF DEBATE:**

**Reserving Speech:** A member may second a motion or amendment without speaking to it, reserving his address to a subsequent period of the debate.

**Mode of Address:** The Chairperson shall be referred to in debate as "Mr Chairman" or---Madam Chairman".

**Seconding:** Every motion or amendment moved in open Meeting must be seconded, and thereupon the Chairman shall state the question raised by such motion or amendment and propose such question to the meeting for discussion, and the meeting shall then be deemed to be in possession of such question.

**Irrelevant Matter:** In speaking to any motion or amendment, members shall confine their remarks strictly to such motion or amendment and shall not introduce irrelevant matter or indulge in tedious repetition. In this matter the Chairman's ruling shall be final.

**Taking down Words:** When any member objects to words used and desires them to be taken down the Meeting may so order them to be taken down, provided such objection be made at the time the words were used and not after any other members have spoken.

**Reading of Speech:** A member speaking to any question before the Meeting shall not read his speech, but may refresh his memory by reference to notes.

**Time Limit:** No member shall speak for more than 5 minutes at any time in any debate of the Meeting, except that a mover of a motion exercising his right of reply may speak for 10 minutes, but the

Chairman may at any time, and the mover of the motion may when introducing such a motion, speak for 15 minutes but no longer, provided that such respective time limits may be extended for a specified time by vote of the majority present.

**Questions to be Spoken to:** A member may, subject to these standing orders, speak to any question before the Meeting or upon a question or amendment to be proposed by himself, or upon a question of orders arising out of the debate but not otherwise.

**Personal Explanation:** Matters of a personal nature may be explained with the indulgence of the Meeting, although there is no question before the meeting, but may not be debated.

**Questions not Under Discussion:** Questions not under discussion may not be alluded to except by indulgence of the meeting or personal explanations under the last preceding order.

**Division of Questions:** The meeting or the Chairman may order a complicated question to be divided.

**Explanation of Speech:** Explanation in regard to some material part of his speech may be given by a member who has already spoken but he may not introduce new matter

**Question Stated:** Any members may require the question to be stated for his information at any time during the debate, but not so as to interrupt.

**Speaking Twice:** Except pursuant to orders and hereof, a member may not speak twice to a question except in explanation or reply.

**Right of Reply:** The mover of an original motion shall have the right of reply. After he has commenced his reply, or has intimated his wish to forego his right or having lost his right of reply, and the Chairman has intimated his intention to put the question, no other member of the Meeting shall speak on the question. It shall not be competent for any new matter to be introduced by the mover when speaking in reply, and he shall confine himself strictly to answering previous speakers.

The right of reply shall be governed by the following provisions:

- (a) If no amendment shall ensue upon the proposal of an original motion, the mover may reply at the conclusion of the discussion on his motion.
- (b) If there be an amendment, the mover of the original motion shall make his reply at the conclusion of the debate on such amendment, and this reply shall exhaust his right thereto as mover of an original motion. If the mover of a motion speaks to an amendment thereof he loses his right to reply. He may, however, take part in the discussion upon subsequent amendments as an ordinary member of the Meeting.

**Putting the Question:** Immediately prior to any division being taken, the Chairman shall again distinctly put to the meeting the question upon which the division, is to be taken.

**Question Put:** No member may speak to any question after it has been put and the voices given.



**Reflections on Resolutions:** No member shall cast reflection on any resolution of the meeting except on a motion to rescind the same.

#### **54. CONDUCT OF DEBATE:**

**Order:** Order shall be maintained by the Chairman, and any member who refuses to obey any order or ruling of the Chairman shall be held guilty of contempt, unless that order or ruling of the Chairman is held to be incorrect by immediate resolution.

**Chairman Rising:** Whenever the Chairman rises during a debate any member then speaking or offering to speak shall resume his seat and Members shall be silent so that the Chairman may be heard without interruption.

**Members to Speak in Places:** Any member desiring to speak shall rise in his place and address the Chairman, but no member shall speak until called on by the Chairman.

**Priority:** When two or more members rise to speak the Chairman shall name the member who has the right to speak first.

**Calling to Order:** A member called to order by the Chairman shall resume his seat, and should such member refuse to obey he may be directed by the Chairman to withdraw from the meeting, and on such direction he shall withdraw accordingly and shall not be permitted to return during the meeting unless and until a majority of the other members present shall so decide.

#### **Offensive Words:**

- (1) No member shall use offensive or unbecoming words in reference to the meeting to any bylaw or resolution of the Club.
- (2) No member shall use offensive words in reference to any other member of the Club, and no member shall impute improper motives to any other member of the Club.

**Objectionable Language:** Any member having used objectionable words and not explaining, retracting, or apologising to the satisfaction of the meeting may thereupon by resolution of the meeting be held guilty of contempt.

#### **Disorder:**

- (1) Any member making any disturbance or creating any disorder whilst any other member is debating or whilst any order or other matters is being read or stated and refusing when called upon by the Chairman to desist may thereupon by resolution of the meeting be held guilty of contempt.
- (2) Should the disorder continue, the Chairman in his absolute discretion shall have the right to leave the chair, and the meeting shall thereupon stand adjourned for 15 minutes. At the end of

that period the meeting shall resume and decide without debate the question whether the meeting shall be proceeded with or adjourned.

Contempt: Every member held guilty of contempt by reason of any of the standing orders, or any breach thereof shall be censured from the chair and may be removed from the meeting by resolution of the meeting. Every such contempt, censure, and removal shall be recorded in the minutes.

**Closure:**

- (1) It shall be competent for any member at the close of any speech on a question to which he has not spoken to move without debate that the question be now put and the motion, if seconded, shall be put forthwith.
- (2) Should the motion be carried the question or amendment under debate shall at once be put. If the motion is not carried the debate shall continue.
- (3) A second motion that the question be now put shall not be made within 15 minutes.

**Motion to proceed to Next Business:**

- (1) It shall be competent for any member at the close of any speech on a question to which he has not spoken to move without debate that the meeting proceed to the next business and if the motion be seconded it shall be put forthwith.
- (2) When a motion is carried that the meeting proceed to the next business the question under discussion shall be suspended. If the motion is not carried the debate shall continue.
- (3) A second motion that the meeting do proceed to the next business shall not be made within half an hour.

**55. POINTS OF ORDER:**

- (1) Any member may rise to "speak to a point of order" upon any breach of these standing orders suddenly arising, and the member previously speaking shall thereupon resume his seat.
- (2) No point of order shall be raised during a division except by permission of the Chairman.

**Breaches of Order:** Rising to express a difference of opinion or to contradict a speaker shall not be construed as rising to speak to a point of order" but the following shall be recognised as breaches of order:

- (a) Discussion of a question not before the meeting.
- (b) The use of offensive or unbecoming language.

- (c) The violation of any standing order of the Club;
- (d) Misrepresentation of any statement made by a member.

**Decision of Chairman:** The Chairman may give his decision on any point of order after the question has been submitted by the Member rising to a point of order, or he may first hear further argument thereon at his discretion.

## 56. MISCELLANEOUS

**Suspension of Standing Orders:** At any meeting of the Club without notice any one of these standing orders may be suspended. Provided always that such suspension shall not conflict with the provisions of any statute, or the Rules of the Club.

## 57. SECTIONS OR ADJUNCTS

1. A Section may be formed within the Club for sporting or special interest groups, subject to approval from the Board, such sections are bound by the Rules and by-laws of the Club at all times
2. All Sections must have a President or Chairman, Secretary and/or Treasurer and a committee of at least two section members to be duly elected at the Sections Annual General Meeting, dispensation for less than two section committee members may be granted at the discretion of the Board and the position of Secretary may be combined with the Treasurer.
3. All Sections must have a set of rules that is consistent with our Club Rules and must be approved by the Board and at their AGM or a Special General Meeting. If a section's set of rules is inconsistent with the rules of the Cashmere Club Inc the rules of the Cashmere Club Inc. will prevail.
4. All Sections rules must include the following
  - a) Quorum for AGM's and committee meetings
  - b) Number of Committee meetings to be held
  - c) Officers of the Section as per point 2.. Abov
5. All Sections will be required to provide annually prior to the Clubs AGM (June)
  - i. Copy of your Signatories/authorisations
  - ii. Minutes of your AGM
  - iii. Balance Sheet
  - iv. Asset list
  - v. Current Section member list

6. All Financial transactions are to be completed in accordance with the financial transactions policies of the Cashmere Club.

7. Sections shall use the Club's accounting services in the following manner:

i Sections must bank through the club's main bank account. The club must account for GST on all section transactions.

ii Sections will be allocated their own unique ledger number within the 'liabilities' section of the clubs accounting system

iii All deposits are to be issued receipts by the club staff, all requisitions for withdrawals (cash and/or cheque payments) are to be made on a prescribed form signed by the Section Treasurer and one other section official.

iv All transactions, which are subject to GST, shall be debited or credited to the appropriate ledger account and a document showing transactions and total of funds held provided to each section at the end of each month, or upon request.

v The total of all funds held on behalf of all sections shall be shown as a Current Liability in the Club's Financial Statements.

vi If a Section should cease trading, then the funds held by that section shall be transferred into the Club's main bank account. No individual may personally benefit from section monies at any time.

8. Section members agree that as a Section of the Cashmere Club you will assist the Club ensuring the Section abides by the legislative requirements pertaining to our Club License; as per the Sale and Supply of Alcohol Act 2012 and our Food License and Food Control Plan

9. The Committee of the Section shall not do, or omit to do, anything that is likely to prejudice or not be in the best interests of the club. Any contentious correspondence must come through the office prior to delivery.

10. Members of a Section involved in any activity of or related to the Section shall indemnify the Club and its representatives from any problem, direct or indirect loss or damage, claim or proceedings (including in negligence) caused or contributed to by that activity.

11. Office holders of sections are not Committee members or club officials by virtue of holding such office.

12. Officers of the Section and Committee members will abide by the Cashmere Club's Health and Safety Plan and safety for members and guests will be paramount
13. Officers/volunteers of the Section shall be aware of their responsibilities under the Health and Safety Act 2015
14. The Board shall have the authority to suspend or dissolve any Section it believes is acting inappropriately and to the detriment of the Cashmere Club.