

HAWKES BAY ROWING CLUB INCORPORATED

Constitution

2012



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HAWKE'S BAY ROWING CLUB (INCORPORATED)

RULES

[As Amended at the 2012 Special General Meeting]

1. Name

The club shall be called "The Hawkes' Bay Rowing Club (Incorporated)".

2. Colours

The club colours shall be black and white. The rowing uniform shall consist of a black singlet with white sash from the left shoulder to the right hip, and black shorts.

3. Objects

The objects of the club shall be the encouragement of amateur rowing and the recreation of its members.

4. Office

The registered office of the club shall be at the boathouse at Farndon Road, Clive.

5. Membership

(a) Membership of the Club shall be open to persons of good character, who agree to abide by the Rules of the Club. Membership applications shall be submitted in writing each year, and will be considered by the Committee, who have the right to decline membership.

(b) Members of the Club shall comprise of the following classes

Senior – being all active rowers aged 19 years and over who are in training, and competing in club regattas, and Rowing New Zealand classification regattas

Junior – being all active rowers of age 18 or under who are in training, and competing in club regattas, Rowing New Zealand classification regattas and the New Zealand Secondary Schools Rowing Association regattas

(Determination of age - the age of the rower as at 31 December each calendar year shall determine the class of membership.)

Masters – being all active rowers not encompassed within the classes of Adult or

Junior membership

Supporters – being all persons not being active rowers who wish to maintain an interest in the Club but whom will not have access to any rowing skiffs/boats or associated rowing related equipment for any reason other than that of maintenance

Life – being those members elected in accordance with the provisions of Clause 5(c) All members except for Life Members will be required to pay an annual subscription as determined at the Annual General Meeting of the Club.

(c) Nominations for Life Membership for meritorious service to the Club shall be received in writing from any member or members and considered by the Executive Committee who will make a recommendation to the Committee. The full Committee will consider and vote on the recommendation. A unanimous vote in favour will result in the nomination[s] being referred to the next Annual General Meeting for final approval and acceptance.

(d) All members will be entitled to vote at all General Meetings subject to their subscription not being in arrears.

Termination of Membership

(e) Any member neglecting to or refusing to pay any monies owed to the club for whatever reason may have their membership suspended or may have their membership terminated following proper consideration by the Committee.

(f) Any member refusing to comply with the Rules, By-laws, or Policies of the Club in place from time to time, or having been found guilty of misconduct or having brought the name of the Club into disrepute, may have their membership reviewed by the Executive Committee, which after a proper hearing of the circumstances where the member affected has had the right of representation, may recommend their membership be suspended by the Committee or the member may be expelled from the Club at the Committee's determination.

(g) Any member terminating their membership prior to the end of the Financial year of the Club must pay all outstanding fees or monies owing.

6. Committee

(a) The Club shall be managed by an elected Committee. The Committee will include the Officers of the Club, who shall comprise the Executive Committee, and a minimum of three [3] and a maximum of five [5] elected members (only one[1] Junior member is to be eligible for election to the Committee).

(b) The Officers of the Club shall comprise –

President, Vice President, Secretary, Treasurer, Club Captain, and a Coaching Co-ordinator.

The Officers of the Club shall be nominated on an official Nomination Form, such nominations being moved and seconded by a mover and seconder both persons being current financial members of the Club, with the Nominee also being a current financial member of the club. Nominations shall be submitted to the Secretary to be received no less than two weeks prior to the date of the Annual General Meeting. Should no nomination be received for any position of Officer of the Club prior to the AGM then nominations may be called from the floor of the Annual General Meeting.

(c) The positions of elected members (three to five) for the Committee may be nominated in similar manner to those of the Officers of the Club.

7. Management

(a) The Committee shall meet in accordance with Clause 9(a) of these Rules but no less than once in each calendar month at a time and a place to suit the needs of the majority of the members of the Committee.

(b) The Committee will be required to have present a quorum of 50% +1 of the membership of the Committee before proceeding with consideration of any business of the Committee.

(c) The Committee shall appoint a Patron and an Auditor for the Club at its first meeting following the Annual General Meeting, should such appointments not have been made at the AGM.

8. General Meetings

(a) The Annual General Meeting of the Club shall be held no later than the 31st July each year, at which the Annual Report shall be read, Balance Sheet presented, the officers elected and other business carried out.

(b) Notice of intention of holding the Annual General Meeting shall be given to each member no less than fourteen (14) days prior to the date of holding the meeting.

(c) The Agenda for the Annual General Meeting shall be as follows: Reading and Confirmation of Minutes, Correspondence, Reading of Annual Report, Presentation of Balance Sheet, Election of Officers, and any other business.

(d) Voting may be either in person or by proxy, and be taken on the voices, by a show of hands, or by a poll, if called for. Proxy Votes must be witnessed and arranged through the Secretary.

(e) A Special General Meeting may be called by the Secretary on request of not less than six financial members, or by the direction of the Committee. Notice of the Special General

Meeting and the reason for calling the meeting shall be posted on the Club's Notice

Board and advertised in the newspaper at least seven days previously. No business shall be carried out at a Special General Meeting except that for which the meeting was called,

and business arising from that meeting.

(f) At the Annual General Meeting fifteen shall form a quorum, and ten at a Special General Meeting, and any meeting shall lapse if a quorum is not present within thirty minutes of the time set down for the start of the meeting.

9. Duties of Office Bearers

(a) The Committee comprising the President, Vice President, Secretary, Treasurer, Club

Captain and Coaching Coordinator, plus elected members shall hold meetings when required for the general supervision of the club. They will be responsible for keeping all insurable property insured against loss or damage by fire, make all purchases of boats and plant, and order any repairs that are necessary. They shall have the power to enter into agreements and contracts binding on the club, including Public Liability insurance.

(b) All vacancies in any office or in the Committee shall be filled by the Committee, with the appointment(s) in effect until the next Annual General Meeting.

(c) All officers or any member of the Committee absenting themselves from three consecutive meetings without sending in a satisfactory explanation to the Secretary shall be deemed to have resigned their place on the Committee. This shall then be filled in accordance with Clause 9(b).

(d) The Club Captain and the Coaching Coordinator shall have full control over the members and plant, always provided that such control is not in opposition to the decision of the Committee, and they shall be the referees of the Club. In the absence of either of these two persons any member of the Committee present shall have similar powers.

(e) The Secretary, or their deputy, shall attend each meeting of the Club and Committee, keep Minutes of the proceedings, read and file all communications and other papers, issue notices of meetings when ordered and conduct correspondence.

(f) The Treasurer shall be responsible for -

[i] Establishing an annual budget which will be subject to approval by the committee within two months of the Annual General Meeting

[ii] setting of regatta attendance fees applicable to rowers, and others, for regattas attended away from the Club

[iii] the collection and accountability for all fees, subscriptions and other charges levied against members and any others associated with the club in any way whatsoever

[iv] preparing a basic monthly financial report, for the committee's consideration and approval, which shall summarise the financial performance and position of the club

[v] ensuring that no Club funds be paid out other than on the authority of the Committee, or in exceptional circumstance on the authority of the Executive. Funds may be paid out by cheque or by direct transfer from the Club's bank account(s) subject to all payments being signed or authorised as appropriate by two of the Club's three signatories. The Treasurer shall always be a signatory to all financial transactions unless exceptional circumstances prevail.

[vi] having annual Statements of Financial Position and Financial Performance prepared by an Accountant in Public Practice as a Chartered Accountant and as registered with the NZ Institute of Chartered Accountants for presentation to and approval by the Annual General Meeting of members each year. A copy of the duly approved Financial Statements is to be lodged with the Registrar of Incorporated Societies each year by the Club.

[vii] appointing and overseeing any other person, being a member of the Committee or otherwise, to carry out any or all of the above functions, subject to the prior approval of the Committee. Such appointment will in no way take away from the overall duty of care and responsibilities bestowed on the Treasurer by this Clause.

(g) The President shall have full control over the Club's general activities, always provided that such control is not in opposition to the Committee. In the absence of the President the Committee shall assume responsibility of the President's duties.

10. Banking

(a) The Club's Bankers shall be appointed by the Committee as they see fit to benefit the Club, notifying all members on the Club's Notice Board, four weeks prior to the intended change

(b) No member shall derive any financial gain, except as a salaried officer, from the property or operation of the Club's monies. Donations won by members in connection with the competitive events, cannot be retained or accepted by the winning crew or member of the Club. "Financial gain" does not, however, include the winning of trophies or prizes, nor does it include donations, where such donation is handed or paid to the Club.

(c) Any payments made to members or associated persons shall be limited to that which is reasonable and relative to that which would be paid in arms length transaction to the end and intent that no person should receive pecuniary profit or gain from the organisation.

11. Crews

(a) The Committee shall appoint one or more selectors, who shall select crews to represent the Club in races and matches, and shall appoint coaches as necessary. The Committee will in no way influence initial selection but may provide a hearing panel to address complaints from rowers, coaches and selectors as they are received. The decision of the hearing panel shall be final.

(b) All money prizes won by crews representing the Club shall become the property of the Club.

12. Use of Plant

(a) No racing boats may be used by crews except by crews selected to practice for regattas and with the permission of the Coaching Coordinator or Club Captain.

(b) All members of the crew shall obey the orders of the stroke of the boat, except where they are under the control of the coach.

(c) A Rowing Log shall be kept in the boathouse to record the use of all boats for training, and any damage to boats shall be entered in the Log with an explanation of how the damage/loss occurred.

(d) On returning to the shed, the crew will be responsible for washing and wiping their boat and equipment dry, before returning it to the boathouse.

(e) A Notice Board shall be placed in a conspicuous position in the boathouse and all official notices placed on it by the Committee or coaching staff shall be read and obeyed.

13. Power of the Club

(a) The Club may hold, purchase, or take in lease, any land, and may sell, exchange, lease mortgage or build upon the same with power to alter and pull down buildings, rebuild, and do all such things as are incidental or conducive to the attainment of the objects of the Club. The income and property of the Club, from whatever source derived, shall be applied solely towards the promotion of the objects of the Club.

(b) No member shall make any purchase or commit to any expenditure of the Club without the permission of the Committee.

(c) The Club may from time to time borrow money for any of the purposes of the Club and may secure repayment of the same by mortgage or charge upon the whole or any part of the assets of the Club. The terms and conditions for such an action must be discussed and approved at a Committee meeting.

14. Subscriptions

(a) Prior to a member undertaking any rowing activity at the commencement of a new financial year that member will be required to pay as a deposit on their subscription for that year a sum equivalent to half (50%) of the appropriate subscription that applied to that class of membership in the year just concluded. Until this sum is paid the member will not be permitted access to or use of any of the Club's equipment. Should the Committee so determine then they may permit a member to enter into a monthly payment of a sum that would ensure that the member's subscription is fully paid by 15th of November of that year.

(b) Following the setting of subscriptions for the year at the AGM the rower will become liable for payment of the balance of their subscription which must be paid no later than 15th of November that year.

(c) Subscriptions not paid in full by 15th of November each year will be subject to a penalty payment of an amount to be determined by the Committee and notified to all members by 30th of September of each year. Such penalty payment may be no less than \$25 and no more than \$50.

(d) Members who join the Club after 15th of November are required to pay their subscriptions in full prior to having any access to any of the Clubs rowing equipment.

(e) Members who are not full financial members after 15th of November may not be permitted to represent the Club at Regattas.

(f) The names of the members of the Club who are in arrears with their subscription or who are indebted to the Club in any way shall be reported by the Treasurer to the Committee, who may direct the Coaching Co-ordinator or the Club Captain to refuse boats to such members, and who may suspend them from the privileges of membership. No such member shall be entitled to participate in a regatta, receive a prize, or to vote at any meetings, until all dues are paid.

15. Alteration of Rules

No Rules of the Club shall be repealed or altered, and no new Rule shall be adopted, except at an Annual or Special General Meeting. Any member wishing to propose any repeal, alteration, or addition to the Rules, shall give notice of such intention to the Secretary, who shall give at least one week's notice of the substance of such repeal, alteration, or addition, in the Notice convening the meeting providing however that no addition to, alteration of, or recession of the rules shall be approved if it purports to amend the objects (clause 3), pecuniary profit (clause 10(c)) and winding up provisions (clause 17) unless an alteration is required to retain amateur sports.

16. Common Seal

The Common Seal of the Club shall only be used by order of the Committee, and shall be affixed to all documents requiring it, in the presence of, and with the attestation of the President and Secretary.

17. Winding Up

(a) The Club may be wound up by resolution under Section 24 of the Incorporated Societies

Act 1908

(b) In the event of the winding up of the Club any surplus after payment of all liabilities shall be held in trust by the East Coast Rowing Association Incorporated to be used to foster and encourage amateur rowing in the areas of Napier and Hastings cities and the Hawke's Bay county. If after a period of ten years the Trustees considers it unlikely that amateur rowing will be re-established in the foreseeable future they may distribute the funds to other youth and recreational organisations in the Napier, Hastings and Hawke's Bay County areas.

18. Rulings

Any case not provided for in these Rules, or the by-laws, or any question arising from their interpretation, shall be decided by the Executive Committee of the Hawke's Bay Rowing Club.