



Weymouth Cosmopolitan and Sports Club



WEYMOUTH COSMOPOLITAN & SPORTS CLUB INCORPORATED RULES 2012

Revised by: Andy Sharrem, Barry Elliot, Tom Young, Eric Lum, Emily Smith - 4/10/2011
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1. NAME

- 1.1 The name of the Club shall be the "Weymouth Cosmopolitan & Sports Club Incorporated" (hereinafter referred to as the "**Club**").

2. REGISTERED OFFICE

- 2.1 The registered office of the Club shall be at 151 Sykes Road, Manurewa, or such other place as the Executive Committee shall from time to time determine.

3. OBJECTS

- 3.1 The objects for which the Club is established are:
- (a) To conduct, administer and maintain a Chartered Club for members of the Club ("**Members**") and for such persons as are authorised from time to time in accordance with the terms of any charter granted to the Club.
 - (b) To provide amenities and cultural and social activities, to promote sports and generally to provide an atmosphere where the Members may meet and enjoy companionship with one another.

4. MEMBERSHIP

- 4.1 Membership of the Club shall consist of Ordinary, Life, Junior and Honorary Members and such other category of member as determined by the Executive Committee. Subject to rule 4.10, Members shall be males and females of legal drinking age.

Ordinary membership

- 4.2 Subject to rules 4.9 and 4.10, Members shall be entitled to rights and privileges as follows:
- (a) Entry to the Club premises during such hours as may be defined by the Executive Committee.
 - (b) The privilege of admission to any Chartered Club with which the Club is reciprocally associated.
 - (c) The right to hold office in accordance with these rules.
 - (d) An equal role in all business of the Club.
- 4.3 Annual subscriptions shall be determined by the Executive Committee.
- 4.4 The number of Members shall be unlimited. However, the Executive Committee shall have the right from time to time to decline further applications for membership. The Executive Committee shall lie before Members in General Meeting information on any limitations imposed under this rule.

Life membership

- 4.5 The Members in General Meeting, upon the recommendation of the Executive Committee or the motion of any Member of which notice has been duly given, shall have power to reward any member for special services rendered to the Club by electing him/her as a Life Member.
- 4.6 Life Members shall be exempt from subscriptions.
- 4.7 The number of Life Members shall not at any time be greater in number than one per centum of the membership of the Club.

Honorary membership

- 4.8 The Executive Committee may from time to time appoint persons of attainment or distinguished position Honorary Members for such period as the Executive Committee may from time to time determine.
- 4.9 Honorary Members shall be exempt from entrance fees and subscriptions and shall have no vote in the business of the Club or be entitled to hold office in accordance with these rules.

Junior membership

- 4.10 Junior Members must be 15 years of age or more at the time of application. Junior Members shall have access to all the Club's facilities, subject to the following conditions:
- (a) Until attaining the legal drinking age the following restrictions shall apply:
- (i) No vote in the business of the Club.
 - (ii) A subscription rate as determined by the Executive Committee.
 - (iii) No right to hold office in the Club.
 - (iv) No right to nominate membership.
 - (v) Only one guest, who must be 15 years or older, may be signed in on any one day.
 - (vi) Alcohol must not be purchased or consumed on Club premises.
- (b) On reaching the legal drinking age, at the discretion of the Executive Committee, Junior Members may elect to become full Members and have all the rights of full membership.

5. ADMISSION OF MEMBERS

- 5.1 Each candidate for membership shall be nominated in writing by two financial Members of at least twelve (12) months standing on the nomination form provided for the purpose. The nomination form shall include the forenames, surname, age and residential address of the candidate and an undertaking that he/she will abide by these rules and notify the Club of any change of address. The nomination form shall be provided to the Secretary/Manager. The candidate shall deposit, at the time of nomination, such sum as may be directed by the Executive Committee.

6. TERMINATION OF MEMBERSHIP

- 6.1 Members may resign their membership by letter to that effect addressed and delivered to the Secretary/Manager and paying all subscriptions owing at the date of such letter of resignation.
- 6.2 The Executive Committee may expel members who misconduct themselves, commit offences under these rules or have been convicted of a criminal offence. Members shall have the right to appear and be heard at any meeting considering their expulsion. Any Member expelled shall have the right of appeal under rule 31.3.
- 6.3 Members may be struck off the register of Members in accordance with rule 9.1.
- 6.4 Members who die shall cease to be Members.

7. MEMBERSHIP CARD

- 7.1 Every Member shall be required to carry his/her membership card or such other evidence of membership as determined by the Executive Committee and produce the same when required to do so by any member of the Executive Committee or staff when on Club premises.

8. SUBSCRIPTIONS

- 8.1 For Ordinary Members, Junior Members and other categories of Members specified by the Executive Committee the annual subscription shall be as fixed from time to time by the Executive Committee.
- 8.2 Life Members and Honorary Members shall not be liable for the payment of any subscription.
- 8.3 A senior citizen rate shall be set by the Executive Committee for those Members who are aged 60 years or more.

9. ARREARS

- 9.1 Any Member whose subscription or subscription instalment is due and remains unpaid for one month shall be struck off the register of Members.
- 9.2 The Executive Committee may upon payment of the unpaid subscription or subscription instalment referred to in rule 9.1 reinstate the relevant person to the register of Members. The Executive Committee may charge or fine on reinstatement of up to 50% of the unpaid amount.
- 9.3 A Member incapacitated through illness, accident or distress may, on evidence being given to the satisfaction of the Executive Committee, have his/her membership suspended by the Executive Committee.
- 9.4 The Executive Committee may, on written application by a Member, grant a leave of absence to any Member and charge such annual subscription, if any, as it thinks fit.
- 9.5 A subscribing Member shall not be a "financial" Member for the purpose of voting at General Meeting or nominating candidates for membership of the Club and membership of the Executive Committee unless his/her subscription is paid in full by the last day of

the financial year or such other day set by the Executive Committee for subscriptions to be paid.

- 9.6 The Executive Committee may allow subscriptions to be paid by instalments in accordance with guidelines set by the Executive Committee.

10. EXECUTIVE COMMITTEE

- 10.1 The general business, management and control of the Club shall be conducted by an Executive Committee comprising:

- (a) A President;
- (b) A Vice-President; and
- (c) such number of members set by the Annual General meeting not being less than six or greater than 20% of the club members.

- 10.2 The Executive Committee shall be deemed fully and properly constituted notwithstanding any extraordinary vacancies from time to time, provided that there are a sufficient number of members to form a quorum.

- 10.3 The Executive Committee shall be elected in the following manner:

- (a) Nominations for the Executive Committee shall be made in writing on a form provided for the purpose and shall be deposited with the Secretary/Manager at least fourteen (14) clear days prior to the Annual General Meeting. Subject to rule 9.5, nominees and their proposer and seconder shall, at the date of nomination, be financial Members. If not the nomination shall be void. Nominees shall sign a declaration stating that they have not been convicted of any criminal offence or dismissed from employment or from any other organisation for misappropriation of funds, goods or services. Nominees shall also provide a profile of past experience and authority for the Executive Committee to verify the profile. Any misstatements made by the nominee will be regarded as serious misconduct and the nominee may be subject to expulsion.
- (b) The election shall be by ballot over two days prior to the date of the AGM and continue until one hour after close of the AGM in accordance with guidelines set by the Executive Committee. The appeals committee chairperson shall supervise the count of ballot papers and the result shall be announced after completion of the count.
- (c) If the number of nominations does not exceed the number required to be elected, the nominees shall be elected without recourse to a ballot.

- 10.4 Any extraordinary vacancy on the Executive Committee shall be filled by the Executive Committee.

- 10.5 Employees of the Club shall not be eligible for nomination for the Executive Committee.

- 10.6 Any member elected or appointed shall hold office only until the next Annual General Meeting.

- 10.7 Members of the Executive Committee shall be eligible for re-election.

- 10.8 Any nominee for President or Vice President must have been a Member for at least three (3) years, and have served on the Executive Committee for at least one (1) year in the preceding five (5) years.
- 10.9 Subject to rule 9.5, any nominee for Executive Committee (excluding the President or Vice President) must have been a Member for at least two (2) years immediately prior to nomination.
- 10.10 A member of the Executive Committee shall vacate their office if he/she:
- (a) Is absent from three (3) consecutive meetings of the Executive Committee without leave of the Executive Committee.
 - (b) By notice in writing to the Executive Committee, resigns from office.
 - (c) By notice in writing from the Executive Committee, is called upon to resign for any reason which the Executive Committee deems expedient and they do not resign.
 - (d) Becomes bankrupt or is found to be of unsound mind.
 - (e) Subject to rule 6, ceases to be a Member.
 - (f) Is removed by Members in General Meeting.
- 10.11 A member of the Executive Committee must declare any interests (direct or indirect) they have in Club matters that affects, or may affect, the proper and impartial discharge of their function and such interests shall be recorded in a register of interests. The non-interested members of the Executive Committee shall determine whether the interested members can be present during any relevant discussions. The interested members shall not be permitted to vote on the matter in which they are interested.

11. PRESIDENT AND VICE-PRESIDENT

- 11.1 The President shall chair all meetings of the Club and the Executive Committee. In his/her absence the Vice-President shall chair the meetings and, failing both, the meetings shall elect a chairperson. The chairperson of any meeting shall have a deliberate and a casting vote.
- 11.2 The President and Vice-President shall be ex-officio members of all sub-committees.
- 11.3 The President and Vice-President shall have the right of entry upon the Club premises or buildings at any time.
- 11.4 The chairperson of any meeting of the Club and the Executive Committee shall have the power to suspend a Member from the privileges of the Club who shall, after having been duly warned, persist in creating a disturbance at any meeting or entertainment.

12. BOARD OF MANAGEMENT

- 12.1 Shall be comprised of Four (4) members as follows;
- (a) President (ex-officio)
 - (b) Three (3) other Board members who are either;

- (i) Financial members of the Club.
 - (ii) Or a person of outstanding business expertise within the local community.
- 12.2 The President and Vice President will carry out the selection of the remaining three (3) members assisted by a representative of Clubs New Zealand.
- 12.3 Each appointment to the Board shall be for a period of two years to start exactly two months from the date of the Annual General Meeting
- 12.4 At the end of each two-year period two board members shall retire but shall be eligible for re-appointment.
 - (a) The Board members to retire at the end of each two-year period will be the ones who have held office for the longest period provided that no Board member may serve for more than two years without presenting for re-appointment.
 - (b) In the event of equal time having been served, the Board members to retire (unless agreed amongst themselves) shall be decided by lot.
- 12.5 The duties of the Board shall be as follows:
 - (a) The board shall incorporate the office of Treasurer (subject to rule 13.1), and nominate a member from the board who does not hold any other office to represent the role of Treasurer.
 - (b) To invest in securities, other than properties approved by the Committee from time to time, providing that such invested funds are available on 30-day call.
 - (c) To administer the disposal of any Club property and monies, when required to do so by the Committee, or if the value of such assets or properties exceed \$5000 in value.
 - (d) To advise the Committee to accept or reject any major proposal the Committee may contemplate. A proposal is deemed to be major if its value is greater than \$10000 or if it is so determined by the Committee.
 - (e) In the event of dispute and/or dissatisfaction with the Committee, the Board shall call an Extraordinary General Meeting to discuss business.
- 12.6 Meetings of the Board
 - (a) The Board shall meet as frequently as is deemed necessary, but no less than 12 times per calendar year.
 - (b) The President shall be the Chairman of the Board of Management or the Vice President if the President is not available.
 - (c) All meetings shall be minuted and such minutes to be recorded and circulated to members of the Executive Committee, once approved.
 - (d) The Board shall have the power to hold all or part of a meeting 'in committee' if matters are of a sufficiently sensitive matter.
 - (e) The Board shall have a quorum of three (3).

- (f) A simple majority vote may pass motions. The chairperson shall have a deliberate and a casting vote.
- (g) The Board may co-opt specialist advisers where particular expertise is not considered available amongst the members of the Board. Any such co-opted person shall have no voting rights.

12.7 Honoraria

- (a) Board members who are not Officers of the Club may be entitled to seek reimbursement of actual expenses, as well as receiving an honorarium for service provided. The amount of such honoraria shall be determined by motion of the Executive Committee.

12.8 Removal and replacement of Board members

- (a) Any Board member, who shall be absent from meetings of the Board for a period in excess of one month, may be asked to resign if so requested by a motion of the Board, subject to exceptional circumstances such as sickness, overseas travel, or family affairs.
- (b) Vacancies of the board shall be filled in accordance with rule 12.2.

13. TREASURER

- 13.1 The Executive Committee may appoint a Treasurer. The Treasurer shall ensure that the Secretary/Manager receipts and banks for the credit of the Club all moneys received by the Club and that payments are made on behalf of the Club and shall furnish the Executive Committee at each meeting with a detailed report of the previous month's receipts and payments.

14. SPORTING COUNCIL

14.1 The duties of the Sporting Council

- (a) To ensure the club remains at the forefront whilst supporting the sections in setting and achieving goals, and to assist in event organization.

- 14.2 The executive committee shall select the sporting council representatives and their number at the first executive committee meeting after the AGM.

- 14.3 The Sporting Council representatives shall be financial members of the club.

- 14.4 The executive committee shall fill vacancies on the sporting council.

15. AUDITOR

- 15.1 The Members at the Annual General Meeting shall appoint an Auditor. The Auditor shall be a member of the Institute of Chartered Accountants of New Zealand (ICANZ) and hold a current practising certificate or other form of certificate approved by ICANZ. The Auditor shall not hold any other office in the Club. The Auditor shall have the right to attend any meeting of the Club at which the Club's financial affairs are under discussion. The Executive Committee shall determine the audit fees.

- 15.2 The Auditor shall be deemed reappointed for the current financial year unless:

- (a) A resolution passed at the Annual General Meeting appoints a new auditor or provides expressly that the Auditor shall not be reappointed; or
- (b) The Auditor in writing gives notice of an unwillingness to be reappointed; or
- (c) The Auditor is ineligible for appointment in the current financial year; or
- (d) The Auditor ceases to act by reason of death or incapacity.

15.3 If it is proposed that a new auditor will be appointed at the Annual General Meeting, written notice of the proposal shall be given to the Auditor of at least 20 days before the Annual General Meeting. The Auditor shall be given an opportunity to make representations to Members at the Annual General Meeting and the Club will reimburse the Auditor's reasonable cost of doing so.

15.4 The Auditor shall have the power to call for the production of all books, papers, accounts and documents relating to the affairs of the Club. The accounts shall be audited by him/her and, if correct, certified in writing under his/her hand, before they are submitted to the Annual General Meeting.

16. MANAGER

16.1 The Executive Committee may appoint a Manager. The Manager shall be responsible for receipting and banking all incoming Club funds, maintaining control of all cheque forms and other methods of payment, ensuring payments are made on behalf of the Club and recording all such income and expenditure, for the day to day maintenance, cleanliness and service of the Club, for the engagement and dismissal of such employees as may be essential to provide adequate and efficient maintenance of the assets and control of the Club and for such other duties as are conducive to his/her office or as the Executive Committee shall consider appropriate. The President, the Vice-President, and the Treasurer shall determine his/her salary and remuneration.

17. SECRETARY

17.1 The Executive Committee shall appoint a Secretary. The Secretary shall keep a copy of these rules and any regulations and by-laws available for inspection and attend to the accounting and clerical duties of the Club, to taking minutes of meetings of the Executive Committee and General Meetings and generally to conforming to such regulations as shall from time to time be made by the Executive Committee. The Executive Committee shall determine his/Her salary and remuneration.

17.2 The Executive Committee may engage outside professional services for the performance of any of the above duties of the Secretary or Manager or combine the office of Secretary and Manager.

18. ANNUAL GENERAL MEETING

18.1 The Annual General Meeting of the Club shall be held not later than 30 June in each year at such time and place as shall be fixed by the Executive Committee. At least fourteen (14) days notice of the business to be brought before the meeting shall be given by notice posted on the Club notice board. A copy of the notice of meeting, annual report and the accounts shall be made available to each Member at least fourteen (14) days prior to the date of the Annual General Meeting.

19. EXTRAORDINARY GENERAL MEETING

- 19.1 The Executive Committee may, whenever it thinks fit, and shall, upon a requisition in writing by fifty (50) Members, convene an Extraordinary General Meeting. Any such requisition shall specify the purpose of the meeting shall be signed by the relevant Members and be deposited with the Secretary/Manager. If a meeting is convened upon a requisition, the meeting must be convened for the purpose specified in the requisition only. At least seven (7) clear days notice specifying the place and time of such Extraordinary General Meeting and the purpose for which it is held shall be given either by an advertisement in a public newspaper circulating within the district or by notice sent by post or personally served on each Member.

20. EXECUTIVE COMMITTEE MEETINGS

- 20.1 The Executive Committee shall meet regularly and at least once in each calendar month at a time and place to be determined by the Executive Committee.
- 20.2 The President, the Vice President or any five (5) members of the Executive Committee may cause a special meeting of the Executive Committee to be held at any time. The Secretary/Manager shall call such special meeting by giving to every member of the Executive Committee at least twenty-four (24) hours notice thereof in writing, specifying the time, place and business of the meeting.

21. CONDUCT OF GENERAL MEETINGS

- 21.1 At the Annual General Meeting the first business shall be the discussion and adoption of the annual report and the accounts of the Club. The adoption of the annual report and the accounts shall be moved and seconded. Any Member may without notice ask any question or move any resolution relating to the annual report or the accounts.
- 21.2 Any Member intending to move a resolution bearing upon the management of the Club during the past financial year or regarding any other matter must, unless the resolution relates to the annual report or the accounts, give notice of the motion to the Secretary/Manager twenty (20) days before the meeting and such notice of motion shall be forwarded to each Member with the notice of meeting.
- 21.3 The rules of debate shall be followed, each Member (except the mover) speaking only to each motion or amendment. The mover of any motion or substantial amendment shall be allowed five (5) minutes in which to introduce his/her proposition and then (10) minutes for a reply, or vice versa. Any other speaker will be allowed five (5) minutes. The chairperson shall decide whether any amendment proposed is a substantial amendment or not. If further discussions of any subject are desired, any Member may move that the meeting go into committee on that subject and such motion shall be immediately put and decided by a show of hands. In committee no member shall speak for more than five (5) minutes at a time. When in committee any Member may move that the General Meeting shall be resumed, and such motion shall be immediately put to and decided by a show of hands.
- 21.4 A General Meeting may be adjourned to any time not exceeding fourteen (14) days thereafter. In the event of there being no quorum within half an hour after the time fixed for a General Meeting, the meeting shall stand adjourned for not more than fourteen (14) days, the new date to be fixed by the Executive Committee who shall give at least three (3) days notice of the meeting by notice on the Club notice board. In the event of there being no quorum at the adjourned meeting the meeting shall lapse.

22. VOTING

- 22.1 At any General Meeting and Extraordinary General Meeting of members every member shall be entitled to be present and, to give one vote and no more upon every question, provided however, that in the case of equality of votes the Chairman of the meeting shall have a secondary or casting vote. Voting shall be on the voices in the first instance, provided however that the Chairman on his own volition may and on the application of three (3) members shall call for a show of hands. On a motion passed by a majority of those present the vote shall be taken by secret ballot.
- 22.2 At any meeting of the Executive Committee, the Disciplinary Committee and the Board of Appeal, each member has one vote and a resolution is passed if a majority of votes cast are in favour of it.

23. QUORUM

- 23.1 The quorum for:
- (a) A meeting of the Executive Committee and the Board of Appeal shall be not less than the number which would constitute a majority,
 - (b) A meeting of the Disciplinary Committee shall not be less than the number which would constitute a majority, including the Executive Committee representative, and
 - (c) A General Meeting shall be fifty (50) Members.

24. ACCOUNTS

- 24.1 The Executive Committee shall cause to be kept true accounts as follows:
- (a) All sums of money received and expended by the Club and the matters in respect of which such receipt and expenditure takes place shall be recorded.
 - (b) All assets, and liabilities of the Club, including any charges and securities of any description affecting any property of the Club, shall be recorded.
 - (c) The financial year of the Club shall begin on the 1st day of April in each year and shall expire on the 31st day of March of the following year.
 - (d) The books of account shall be kept at the registered office of the Club or such other place as the Executive Committee may determine and shall, subject to this rule, be open to inspection of Members at reasonable times. Members wishing to inspect the books of account must give written notice of their request, the information they are seeking and the reasons for their request. Members must sign a confidentiality agreement in respect of any sensitive information. The Executive Committee may refuse a request on the grounds that it will not be in the interests of the Club to disclose the information. Members may appeal a refusal in accordance with rule 31.3.
 - (e) All monies received shall forthwith be paid into a bank approved by the Executive Committee after being entered in the books of the Club as having been received. All payments shall be approved by the Executive Committee, and payment of all moneys on behalf of the Club shall be made by cheques

signed by any two of the Treasurer, the Manager/Secretary, the President and the Vice-President.

- (f) At every Annual General Meeting the Executive Committee shall present an audited statement of the income and expenditure and a balance sheet containing a summary of the assets and liabilities of the Club made up for the financial year. Every such statement and balance sheet shall be accompanied by a certified report from the auditors and a report from the Executive Committee as to the state of the Club.
- (g) The Club shall make returns required by section 23 of the Incorporated Societies Act 1908 or such other relevant statutory provision for the time being in force and shall otherwise comply with all statutory and regulatory reporting requirements.

25. SEAL

- 25.1 The Club shall have a common seal which shall be kept in the custody and control of the Secretary/Manager for the time being or the Club's solicitor. The seal may be affixed to a document pursuant to a resolution of the Executive Committee and in the presence of two members of the Executive Committee.

26. GENERAL POWERS

- 26.1 The Executive Committee shall have power:
 - (a) To take on lease, hire or otherwise acquire any real or personal property or rights or privileges necessary or convenient for the purpose of furthering the objects of the Club.
 - (b) To invest any moneys not required for immediate use in such Government or Local Body securities or on bank deposit, to vary investments for others of a like nature, and to lease or hire or enjoy the benefit of any property presently occupied whether real or personal of any kind or nature whatsoever, which may be necessary or convenient in connection with the objects of the Club.
 - (c) To make regulations and by-laws for the conduct of the Club and the discipline of Members.
 - (d) To regulate its own procedures and appoint sub-committees for special purposes, provided that such procedures are not inconsistent with these rules and that no decision of a sub-committee shall be binding unless adopted or sanctioned by the Executive Committee.
 - (e) To do all such other things as in the opinion of the Executive Committee may be incidental to the attainment of any of the foregoing objects or the exercise of any of the foregoing powers.

27. BORROWING MONEY

- 27.1 The Club shall have power to borrow or raise money by loan, overdraft or by the issue of bonds, debentures, debenture stock, bills of exchange, promissory notes or other obligations or securities on such terms as the Executive Committee thinks fit and to

mortgage, charge or give security upon all or any part of the property of the Club upon terms and as to priority or otherwise as the Executive Committee shall think fit.

28. CLUB HOURS

28.1 Club hours shall be determined by the Executive Committee.

29. VISITORS

29.1 Any Member may invite any person as a visitor to the Club. All visitors shall sign the visitor's book provided by the Executive Committee and enter their name and address therein on each such occasion. The Member accompanying the visitor shall also sign the visitors book and will at all times be responsible for the conduct of the visitor. Subject to rule 29.3, no such visitors 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 the Member and the liquor is supplied for consumption on the premises.

29.2 No person shall become a regular or frequent visitor (as determined by the Executive Committee) without taking steps to the satisfaction of the Executive Committee to become a Member.

29.3 Visitors who are Members of affiliated clubs may be sold or supplied liquor on the Club premises provided they have on admission to the premises produced sufficient evidence to an officer of the Club or member of staff that they are members of an affiliated club. Visitors who are members of affiliated clubs shall sign the visitors book provided by the Executive Committee and shall enter their names and the name of their own club therein. Visitors, who are members of an affiliated club, shall be allowed to sign in their spouse or guests at the discretion of the Executive Committee

29.4 The Executive Committee may grant exemptions to this rule from time to time.

30. OFFENCES

30.1 Members who have been convicted of any criminal offence after election to the Club may be liable to suspension from the Club but may be re-elected after a period of twelve (12) months from the date of his/her suspension provided that a three-fifths majority of the Executive Committee then in office, vote in favour of such re-election.

30.2 The Executive Committee may suspend or expel any Member who shall have been convicted of any criminal offence.

30.3 When it shall come to the knowledge of the Secretary/Manager that a Member has been convicted of a criminal offence, it shall be the duty of such officer to report the fact to the Executive Committee at or before their next meeting.

31. BOARD OF APPEAL

31.1 A Board of Appeal, consisting of five (5) members, shall be nominated and elected annually at the Annual General Meeting. The Board of Appeal shall hear and decide any appeal lodged by a Member or Members against any decision of the Executive Committee entailing suspension or expulsion or relating to a refusal of a request under rules 24.1(d) or 45.1.

- 31.2 The Board of Appeal shall be deemed fully and properly constituted notwithstanding any extraordinary vacancies from time to time, provided that there are a sufficient number of members to form a quorum exist.
- 31.3 Any Member being suspended or expelled or having a request refused and desiring to appeal must give notice in writing to the Secretary/Manager within seven (7) days of the date of such suspension or expulsion or such refusal stating the grounds of appealing.
- 31.4 The Secretary/Manager shall within a reasonable period of time of receipt of the notice referred to in rule 31.3 summon the members of the Board of Appeal who shall consider the case but shall not admit fresh evidence. The decision of the Board of Appeal shall be final. The Secretary/Manager, members of the Executive Committee and members of the Disciplinary Committee shall not be eligible for membership of the Board of Appeal.
- 31.5 A member of the Board of Appeal must declare any interests (direct or indirect) they have in the matters before them that affects, or may affect, the proper and impartial discharge of their function and such interests shall be recorded in a register of interests. The non-interested members of the Board of Appeal shall determine whether the interested members can be present during any relevant discussions. The interested members shall not be permitted to vote on the matter in which they are interested.
- 31.6 The Board of Appeal shall regulate its own procedure provided it is not inconsistent with these rules.

32. DISCIPLINARY COMMITTEE

- 32.1 There shall be a Disciplinary Committee of seven (7) members. Six (6) members shall be nominated and elected annually at the Annual General Meeting and one (1) member shall be appointed from the Executive Committee.
- 32.2 The Disciplinary Committee shall be deemed fully and properly constituted notwithstanding any extraordinary vacancies from time to time, provided that there are sufficient numbers of members to form a quorum.
- 32.3 The Disciplinary Committee shall hear any matter relating to expulsions, suspensions and re-hearings that shall be referred to it by the Executive Committee.
- 32.4 Any matter referred to the Disciplinary Committee must be done so in writing.
- 32.5 Members of the Disciplinary Committee shall not be eligible for membership of the Board of Appeal.
- 32.6 At any meeting of the Disciplinary Committee:
- (a) Any Member the subject of a meeting of the Disciplinary Committee shall have the right to appear and be heard.
 - (b) Any Member notified in writing to their last known address as per the Club records by the Disciplinary Committee and who fails to appear, shall have the meeting take place in their absence.
 - (c) Any Member appearing before a Disciplinary Committee for any reason, must table the evidence of his/her membership. The meeting may determine whether the evidence is returned to the Member or retained by the Disciplinary Committee.

- 32.7 The Disciplinary Committee's decision be binding by the Executive Committee with the exception of an appeals hearing or if the decision was illegal.
- 32.8 A member of the Disciplinary Committee must declare any interests (direct or indirect) they have in the matters before them that affects, or may affect, the proper and impartial discharge of their function and such interests shall be recorded in a register of interests. The non-interested members of the Disciplinary Committee shall determine whether the interested members can be present during any relevant discussions. The interested members shall not be permitted to vote on the matter in which they are interested.
- 32.9 The Disciplinary Committee shall regulate its own procedure provided it is not inconsistent with these rules.

33. CONDUCT AND COMPLAINTS

- 33.1 No intoxication, swearing, obscene language or other disorderly conduct shall be permitted on the Club premises and no Member shall make themselves obnoxious to any other Member.
- 33.2 No Member shall bring the Club into disrepute, nor shall he/she take part in any illegal activity on the Club premises.
- 33.3 No Member shall remove any property of the Club from the Club premises without the consent of the Executive Committee or wilfully break, tear or injure any of the Club's property.
- 33.4 The Club shall take no part in politics or religion.
- 33.5 No Member shall appoint the Club by advertisement or otherwise as a business medium or use the same for advertising purposes without the consent of the Executive Committee.
- 33.6 No payment or part payment to the Secretary/Manager or other staff member shall be made by way of commission or allowance upon or from the receipts of the Club for liquor sold or supplied.
- 33.7 Any Member laying a complaint or charge against any other Member or staff member for any wilful infringement of these rules shall do so in writing to the Secretary/Manager with his/her name signed to it and a copy of the complaint shall be supplied by the Secretary/Manager to the Member or staff member so charged.
- 33.8 If any Members misconduct themselves or violate these rules when on Club property, any member of the Executive Committee or the Manager, at the time, shall have absolute power to warn such person or to suspend or expel such person from the use of the Club's property until such matters may be considered by a meeting of the Executive Committee.

34. CLAIMS TO CLUB PROPERTY

- 34.1 No expelled, suspended, retiring or forfeiting Member shall have any claim upon the Executive Committee, the Disciplinary Committee, the Board of Appeal or the Club either collectively or individually or to any property of the Club.

35. DISPUTES

- 35.1 Subject to rule 29.1, every dispute between a Member or persons claiming through a Member under these rules and the Club or an officer of the Club shall be decided by the Executive Committee and the decision shall be binding and conclusive on all parties without appeal.

36. REGULATIONS AND BY-LAWS

- 36.1 The Executive Committee shall have power to make, revoke or amend regulations and by-laws dealing with all matters within the jurisdiction of the Club and not provided for in these rules.
- 36.2 Such regulations or by-laws shall not be inconsistent or repugnant to the provisions of the Incorporated Societies Act 1908 (and its amendments) or these rules.

37. INTERPRETATION

- 37.1 In the interpretation of these rules, the decision of the Executive Committee shall be final and binding.

38. REVISION OF RULES

- 38.1 These rules may be revised or amended by a resolution passed by a majority of the Members in any General Meeting of which notice specifying the intention to propose the resolution has been duly given according to these rules.

39. DISSOLUTION

- 39.1 In the event of the winding up of the Club or dissolution of the Club by the Registrar the Executive Committee is to administer the winding up or dissolution. After payment of all debts and liabilities and costs of winding up excess assets or funds realised shall be distributed to a charitable organisation or institution or to several charitable organisation or institutions or to an organisation similar to the Club having a compatible constitution and more particularly ensuring that there is no opportunity for division of that organisations assets or funds amongst the Members.
- 39.2 Notwithstanding the previous provision in these rules for the revision of these rules there shall be no power under these rules for this rule to be amended so as to affect the intent of this rule to prevent distribution of any Club funds to Members.

40. GENERAL

- 40.1 All matters provided for in these rules shall, at all times, be dealt with in accordance with the following "guiding principles":
- (a) That it be accepted that the Club is established primarily for the benefit and convenience of the Members.
 - (b) That the admission of non-Members should at all times be subordinated to the comfort, well-being and satisfaction of the Members.

- (c) That the admission of visitors should always be regarded as a privilege of the Members, granted to enable them to dispense periodic hospitality to their casual guests and not as a means of augmenting the revenue of the Club.
- (d) That at all times the provisions of the Club's charter as laid down by the Liquor Licensing Authority are to be maintained and upheld.

41. LIABILITY

- 41.1 No Member shall incur any liability for the Club for any reason whatsoever. The Executive Committee may take such actions it considers appropriate to protect any Member from such liability.

42. INDEMNITY AND INSURANCE

- 42.1 The Club shall indemnify any member of the Executive Committee, the Disciplinary Committee and the Board of Appeal or employee of the Club for any costs incurred by them in any proceedings that relate to any liability for any act or omission in their capacity as such member or employee. The level of indemnity cover is to be approved by Members at a General Meeting.
- 42.2 The Club may, with the prior approval of the Executive Committee, effect insurance for a member of Executive Committee, the Disciplinary Committee and the Board of Appeal or employee of the Club in respect of liability relating to matters referred above.

43. SECTIONS

- 43.1 Any group of Members wanting to form a section must apply in writing to the Executive Committee. The Executive Committee will have complete discretion as to the approval of the section, the administration of the section and any funds raised on its behalf. The Executive Committee may give its approval subject to such terms and conditions it thinks fit.

44. MERGER

- 44.1 The Club may merge with any other club subject to the approval of Members at a General Meeting and satisfaction of all regulatory requirements. Notice specifying the intention to propose such a resolution shall be given according to the rules.

45. INSPECTION OF DOCUMENTS

- 45.1 Documents relating to the Club shall, subject to this rule, be open for inspection. Members wishing to inspect documents prior to or after execution must give written notice of their request and the reasons for their request. Members must sign a confidentiality agreement in respect of any sensitive information. The Executive Committee may refuse a request on the grounds that it will not be in the interests of the Club to disclose the information. Members may appeal a refusal in accordance with rule 31.3.