

# **Whakatane Rowing Club (Incorporated)**

## **Rules**

1. The name of the Club shall be "The Whakatane Rowing Club (Incorporated)"
2. The Club shall be affiliated to the Bay of Plenty Rowing Association and the New Zealand Rowing Association.

### **3. Objectives**

The Objectives of the Club shall be:

- 3.1 The promotion, operation and administration of the sport of rowing for the benefits of its members and the community of Whakatane in accordance with the codes and rules of the New Zealand Rowing Association.
- 3.2 To carry out the duties assigned to Clubs affiliated to the Bay Of Plenty Rowing Association.
- 3.3 To encourage and arrange competition with affiliated Clubs for the benefit of its members.

### **4. Membership:**

Membership shall be open to any person submitting an application to the Executive Committee in the required form specified by the Executive Committee and shall be granted on acceptance by a 75 per cent vote of the Executive Committee. Membership shall run from the day of acceptance, and thereafter from the day following an Annual General Meeting, until the conclusion of the next Annual General Meeting, on the payment of the annual subscription determined in accordance with Clause 6 of these Rules.

### **5. Member Classification:**

Members may be classified as follows:

**Senior Rowing** – a member over the age of 19 years at 1<sup>st</sup> January in the current rowing season.

**Senior Rowing Non Competitive** - a member over the age of 19 years at 1<sup>st</sup> January of the current rowing season but who does not hold a New Zealand Rowing Association Competitors Licence.

**Senior Non Rowing** – a senior rower by age but who does not row.

**Junior Member** - a member under the age of 19 years at 1<sup>st</sup> January of the current rowing season.

**Club Coach** – a member who has been appointed by the Executive Committee as a club coach.

**Life Member** – a member elected as a Life Member in accordance with Clause 21 of these Rules.

**Coxswain** – a member who actively and exclusively participates as a Coxswain.

**Honorary Member** - A person elected by an Annual General Meeting of the Club in accordance with Clause 22 of these Rules.

**Associate Member** - A person elected to serve on the Club's Committee at an Annual General Meeting and who does not meet any of the above classifications.

#### 6. Subscriptions:

- 6.1 The annual subscription for each classification of member shall be determined at each Annual General Meeting in respect of the next 12 month period. Subscriptions shall be due immediately after the Annual General Meeting, and must be paid by no later than the 15th November in the year of the meeting. Members whose subscription remains unpaid on the 15<sup>th</sup> day of November shall have their names placed on the defaulters list on the Notice Board, and the Executive Committee, at its sole discretion, may bar them from using the Club's facilities.
- 6.2 Members joining after 15<sup>th</sup> day of January in any year may, subject to approval by the Executive Committee, be allowed a rebate of one-half of the annual subscription for the classification to which they are admitted, provided the subscription is paid before 31 January in that year.
- 6.3 Club Coaches, Associate and Honorary Members and Coxswains may, with the approval of the Executive Committee, be exempted from paying an annual subscription. No subscription is payable by Life Members.

#### 7. Resignation:

Membership will be deemed to have lapsed where a member's subscription has not been received by 15 December and not paid by the following 15 January. Where member has paid an annual subscription but resigns before 15

January that Member may, subject to approval by the Executive Committee, receive a rebate of one half of the relevant annual subscription.

**8. Officers:**

The officers of the club shall comprise a Patron, President, Vice President, Captain, Vice Captain, Secretary, Treasurer, and up to seven (7) Committee members; all to be elected by ballot at the Annual General Meeting. These officers constitute the Club's "Executive Committee". In the event of there being only one (1) candidate for any one office the election may be by show of hands unless a ballot be demanded.

**9. Management and Powers:**

9.1 The general management of the Club is the responsibility of the Club's Executive Committee.

9.2 The Executive Committee has the authority to spend the funds of the club and to incur such liabilities as it considers necessary for the successful running of the club and the achievement of its objectives, and to these ends may:

9.2.1 Purchase, lease, exchange, sell or otherwise acquire or dispose of any land or any interests therein or any property of any kind.

9.2.2 Borrow or raise money by the issue of bonds debentures bills of exchange promissory notes or other obligations or securities and give security by way of mortgage or charge upon all or any part of the property either real or personal of the Club.

9.2.3 Invest any funds belonging to the Club in any manner and apply all income and other receipts of the Club when and however derived solely towards the promotion of the objects of the Club.

9.2 The Executive Committee has the power to disqualify or suspend for Any term any crew or member who, after due inquiry, has been found have offended against the Rules or By-laws of the Club or of the New Zealand Rowing Association.

9.4 The Executive Committee has the power to decide all questions Arising out of the interpretation of Rules and all protests or disputes Within the Club and in case of misconduct either on the part of individual members or Club crews may after due enquiry impose any penalty they think appropriate. Offenders have a right of appeal to the Executive Committee. An appeal will not be considered unless it is in the hands of the Secretary of the Club within seven (7) days of the date on which the decision of the Executive Committee was conveyed to the Member or Members concerned.

10. **Sub-Committees:**

The Executive Committee may form such sub committees as it considers necessary to carry out the business of the club. Such sub-committees may recommend but shall not have the power to establish club policy or spend club funds unless specifically authorised to do so by the Executive Committee. The terms of reference and operational guidelines for these committees may be included in the By-laws of the Club established in accordance with Clause 16 of these Rules.

11. **Meetings:**

- 11.1 Meetings of the Executive Committee shall be convened by the Secretary as scheduled by the Executive Committee from time to time, or at the request of the president or in his/her absence the Vice President. More than half(50%) of the elected Executive Committee members shall constitute a quorum.
- 11.2 In the event of a member of the Executive Committee being absent from two (2) consecutive meetings without explanation, the committee shall have the power to terminate that member's appointment and appoint a replacement to serve until the conclusion of the year.

12. **General Meeting:**

- 12.1 The Annual General Meeting shall be held not later than the third week in September in each year. Seven (7) day's Notice of Meeting and the agenda for the Meeting shall be posted on the Notice Board in the Club-House and advertised in a newspaper circulating in Whakatane.
- 12.2 All General Meetings shall be held in the Club-House or at such other venue nominated by the Executive. Ten (10) members shall constitute a quorum. If a quorum is not present at the expiration of half- an-hour from the notified time for starting, the meeting shall be considered adjourned for one (1) week and thereafter from week to week until a quorum is present.
- 12.3 A Special General Meeting may be called by the Executive Committee, either on the decision of 75% of the members of the Committee, or at the request in writing of 60 % of the members of the Club. Notice of such meeting, outlining the business to be transacted shall be posted on the Notice Board and published in a newspaper circulating in Whakatane not less than seven (7) and not more than twenty one (21) days after the decision to call the meeting has been made or the request to call the meeting has been received by the

Executive Committee. No business shall be considered at any Special General Meeting except business of which notice has been given or matters arising out of such business.

- 12.4 The President and in his absence the Vice-President and in the absence of both of them such member as those present may elect shall preside at every General Meeting. The Chairperson having taken the chair shall retain his position during the meeting notwithstanding that the President or Vice-President or both may thereafter attend.
- 12.5 Except where otherwise provided voting shall be by show of hands, or, if requested by five (5) members present, by ballot. The chairperson shall have in case of an equality of votes a casting vote. Except as otherwise provided all questions shall be decided by a majority of members voting..
- 12.6 All resolutions passed at the General Meeting held in conformity with the Rules shall be conclusive and binding on all members whether present or not and whether or not notice of the meeting shall have actually been received by them.

**13. Payments:**

All payments by the Club shall be authorised by the Club's Executive Committee by minute, and shall be paid by cheque or electronic payment mechanism as may be approved by the Club's Executive. The Executive Committee shall at its first meeting each year authorise by minute the Treasurer, Secretary and one other member of the Committee as approved signatories for financial payments.

**14. Colours:**

The colours of the club shall be:

Black Shorts

White singlet with a 15 cm (6 inch) wide black hoop.

**15 Annual Accounts and Auditing**

- 15.1 The Club's accounts shall be prepared in accordance with standard accounting practice for an incorporated society and to meet the requirements of the Inland Revenue Department.
- 15.2 The Club's Annual Accounts shall not be required to be audited unless a formal request in writing by not less than three (3) financial members is received by the Executive Committee within two months of the

Club's Annual General Meeting.

**16. By-laws**

The Executive Committee may promulgate By-laws governing specific aspects of the Club's administration, including the formation of sub-committees of the Executive Committee, or for the utilisation of plant and equipment. Such By-laws shall be subject to and consistent with these Rules. They shall be posted on the Notice Board, and appended to the Rules, and shall be binding on all Club Members.

**17. Alteration of Rules and By-laws**

- 17.1 Notice of any proposed alteration or addition to this Constitution signed by the two members shall be submitted to the Secretary who shall place the proposal before the Executive Committee for consideration at its next meeting. The Executive Committee will then determine whether the proposal should go forward to the next Annual General Meeting, or whether a Special General Meeting should be convened to consider it, in which case it will proceed to call the meeting in accordance with Clause 12.3 of these Rules. Proposals to change the Rules shall require a majority of two thirds of those present and voting in person or by proxy at the General Meeting considering the proposal.
- 17.2 Changes to the By-laws of the Club may be made by the Executive Committee on its own initiative or on the consideration of proposals received in writing from two (2) members. Decisions to change the By-laws of the Club shall require the affirmative vote of 75 % of the Executive Committee and any By-laws thus changed shall be posted on the Club's Notice Board so as to draw attention to the change.

**18. Notices**

A notice board shall be fixed in a conspicuous position in the Club House and all notices posted thereon shall be considered official notices and shall be responded to accordingly.

**19. Expulsion of Members:**

The Executive Committee may for any cause which they regard as sufficient, including persistent infringement of the Club's Rules or By-laws, and by 75% majority vote require any member to resign from membership. If the member so required to resign declines to do so within fourteen (14) days of being given notice to do so, the Executive Committee may call a General Meeting of the Club in accordance with Clause 12.3 specifically to consider the proposal that the member be expelled. Any decision by the General Meeting to expel a member shall require a majority vote of two thirds of the

members present and voting in person or by proxy. Any members so expelled shall not be eligible for re-election and shall forfeit all rights to or claim upon the Club its property or funds.

**20. Club Representation**

No member shall represent the Club or contest for any competition or trophy in the name of the Club without the explicit or implicit approval of the Executive Committee.

**21. Life Members**

Life member shall be elected only at an Annual General Meeting; and shall be granted to recognise outstanding achievement in rowing, or distinguished service to the Club over a sustained period. Any member desirous of nominating another member for life membership shall give at least seven (7) day's notice writing to the Executive Committee stating the name of such member and the basis for the nomination. If a majority of the Executive Committee is in favour of such nomination then the nomination shall be placed before the Annual General Meeting for decision. Any decision to accord Life Membership to a member shall require the unanimous vote of the Annual General Meeting.

**22. Honorary Members**

Honorary Members shall be elected only at an Annual General Meeting, and shall be granted to recognise persons who though not associated with rowing or Members of the Club have given support to the Club and its Members in a tangible way. Any Member desirous of nominating a person as an Honorary Member shall give at least seven (7) day's notice in writing to the Executive Committee stating the name of the person and the basis for the nomination. If a majority of the Executive Committee is in favour of the nomination then it shall be placed before the Annual General Meeting for decision. Any decision to accord an Honorary Membership shall require a two thirds majority of those voting.

**23. The Common Seal**

The Common Seal of the Club shall be in the joint custody of the President and the Secretary and shall be affixed to documents requiring it pursuant to a resolution of the Executive in the presence of the President, Secretary and one (1) other member of the Executive such affixing to be attested by the signature of the three (3) persons in whose presence it is so affixed.

## **24. Winding Up**

- 24.1 Any motion for the voluntary winding up of the Club in accordance with the requirements of the Incorporated Societies Act 1998 shall be considered by an Annual General meeting or Special General Meeting of the Club and shall require a majority vote of those present and voting in person or by proxy to be carried. Such motion shall, subject to Clause 24.2, direct the manner in which the property and assets of the Club shall be disposed of on the winding up thereof, but such resolution shall require confirmation at a subsequent General Meeting called for that purpose and held not earlier than thirty (30) days after the date on which the resolution to be confirmed was passed. The notice of meeting seeking confirmation of the winding up and disposition resolution shall be filed with the Registrar of Incorporated Societies.
- 24.2 On dissolution of the Club by the Register in pursuance of the provisions of the Section 28 of The Incorporated Societies Act, 1998, the property and assets of the Club shall be handed over or paid to such other Rowing Clubs as shall then be in existence in the Bay of Plenty with preference given to the Eastern Bay of Plenty.

## **25. Matters Not Provided For:**

Matters unprovided for in these Rules shall be dealt with by the Executive Committee who shall take such decisions thereon as they consider appropriate and their decisions shall be final.

**THESE RULES** were approved and adopted by way of amendment to the Constitution registered on 20th August 1951 at a General meeting held in the Club House at Landing Road, Whakatane on the                      day of                      2006.

.....President  
(Thomas Reid)

.....Treasurer  
(Wendy Angell)

.....Executive Committee Member  
(Miles Mander)



## **BY-LAWS**

### **1. BOAT COMMITTEE**

- 1.1 The organisation of the Club's training and competitive activities together with the Club's boats and plant shall be carried out by a sub committee appointed by the Club's Executive Committee and known as the Boat Committee.
- 1.2 The Boat Committee will be made up of the Club Captain, Vice Captain, members actively involved in the coaching of rowers and rowers who may be appointed to the committee by the Executive Committee. The committee is to be chaired by the Club Captain or in his/her absence the Vice Captain.
- 1.3 The Boat Committee may have a working budget approved by the Club's Executive Committee under which it will operate.
- 1.4 The Boat Committee will develop and carry out procedures and processes involving the management of boats, the organisation of training and competitive activities for the benefit of the club's rowers.
- 1.5 Any policy the Boat Committee wishes to become a rule or policy of the Club shall be presented to and ratified by the Club's Executive Committee for consideration and presentation to the next Annual General Meeting.
- 1.6 Any unresolved issue arising from the Boat and Rowing Committee is to be referred to the Club Executive Committee whose decision will be final.

### **2. DUTIES AND FUNCTIONS OF OFFICERS**

#### **2.1 Secretary – The Secretary shall:**

- 2.1.1 Call meetings as requested by the President unless dates have been fixed by the Executive Committee on which to hold regular meetings.
- 2.1.2 Keep correct records of the proceeding and be responsible for the custody of papers belonging to the Club.
- 2.1.3 Conduct correspondence on behalf of the Club.
- 2.1.4 Keep a record of the attendance of each member of the Executive and in the case of the absence of any member's record against his name whether any explanation for such non-attendance was furnished
- 2.1.5 Annually compile and forward to the BOP and New Zealand Rowing Association the returns required under their rules.
- 2.1.6 Fulfil all other duties usually pertaining to the office of Secretary.

2.2 Treasurer – The Treasurer shall:

- 2.2.1 Prepare the Income and Expenditure Account and Balance Sheet.
- 2.2.2 Receive all the subscriptions and other monies payable to the Club and give receipts thereof and keep proper accounts thereof.
- 2.2.3 Place all monies to the credit of the club in a Bank to be named by the Executive.

**AMENDMENT TO WHAKATANE ROWING CLUB CONSITUTION**

**PASSED AGM HELD 14<sup>TH</sup> AUGUST, 2008 @ 7.30PM**

**AGM VOTING MOTION:**

A junior member may nominate one parent or caregiver to be an honorary member of the Club. Honorary members will need to be confirmed by the executive committee and ratified by the following AGM. Having been ratified by the AGM honorary members will have voting rights at that AGM.

Moved by Miles Mander/Seconded by Mark Print

**AMENDMENT TO WHAKATANE ROWING CLUB CONSITUTION**

**PASSED AGM HELD 28<sup>TH</sup> JULY, 2011 @ 7.30PM**

**MOTION 1:**

Motion to reduce the number of committee members by two.

Moved Steve Brine/Seconded Gary McAdams

CARRIED

**MOTION 2:**

Amend AGM voting rights for junior members to one vote per membership. If under 18yrs or age a nominated parent or caregiver can have the voting right. Members must be fully financial.

Moved Steve Brine/Seconded Gary McAdams

CARRIED