

DRAFT CONSTITUTION and RULES

1.0 NAME:

The name of the Club is Waikato / Bay of Plenty Endurance Club hereinafter referred to as the "Club"

The Club is affiliated to ESNZ Endurance, a discipline of Equestrian Sports NZ.

2.0 OBJECTS:

The objects of the Club are:-

- 2.1 To encourage, organise and promote all categories of equestrian endurance and competitive trail events and such other sports or activities as relevant to the Club.
- 2.2 To promote the highest ideals of sportsmanship and horsemanship by encouraging the self-discipline that successful endurance and trail riding demands.
- 2.3 To endeavour to hold FEI sanctioned events.
- 2.4 To ensure the welfare of the horse is paramount in and out of competition.

3.0 ATTAINING OBJECTS

The Club shall be empowered to do all things necessary which are incidental to and necessary for the attainment of the objects of the Club

4.0 MEMBERSHIP:

- 4.1 Application for membership of the Club shall be in writing signifying their consent and shall be in such a form as the Management Committee from time to time prescribe.
- 4.2 The Management Committee shall determine whether the application is successful or not.
- 4.3 Each person admitted to membership shall be;
 - 4.3.1 Bound by the Constitution and Rules of the Club
 - 4.3.2 Liable for such fees and subscriptions as may be fixed by the Club
 - 4.3.3 Entitled to all advantages and privileges of membership.
- 4.4 Membership Categories:
 - 4.4.1 FULL MEMBER
Any person who is a financial member of the Club is entitled to hold any office and enjoy the privileges of the Club.
 - 4.4.2 JUNIOR MEMBER
Any person under the age of 18 years may become a Junior Member. Junior Members shall have no voting rights nor be entitled to hold any office.
 - 4.4.3 LIFE MEMBER

Any member may nominate a person who has given outstanding service to the Club to the Management Committee for consideration for Life Membership. Any such nomination approved by the Management Committee must be carried by a two thirds majority of those members present, and eligible to vote, at an Annual General Meeting. A Life Member is entitled has the same rights as a Full Member.

4.4.4 FAMILY MEMBERSHIP

The makeup of a Family Membership is to be determined by the Club Committee. Individuals within a Family Membership are to have the same rights and privileges as other membership categories.

- 4.5 The Management Committee shall appoint a member of the Management Committee to maintain an up to date register of members of the Club. This register to include the full name, residential address and category of membership.

5.0 SUBSCRIPTIONS:

- 5.1 The amount of the annual subscription for the various classifications of membership, together with the amount of any additional fees payable, shall be fixed at the Annual General Meeting.
- 5.2 Subscriptions shall be due and payable by 1st August each year.

6.0 TERMINATION OF MEMBERSHIP

- 6.1 Any person's membership may be terminated by the following events;
- 6.1.1 Resignation
 - 6.1.2 Expulsion
 - 6.1.3 a Member's annual membership fee remains unpaid after four weeks falling due;
- 6.2 After having undertaken due inquiry, the Management Committee shall have the power to suspend or expel any member of the Club for:
- 6.2.1 any of the events in Item 6.1;
 - 6.2.2 false or inaccurate statements made in the member's application for membership of the Club,
 - 6.2.3 breach of any rule, regulation or by-law of the Club and
 - 6.2.4 any act detrimental to the Club.
- 6.3 Any member who is expelled, suspended or has their membership terminated, shall have the right to appeal against their suspension or expulsion by presenting their case to a General Meeting called for such purpose, and the decision of the General Meeting shall be final.

7.0 MANAGEMENT COMMITTEE

- 7.1 Management of the Club shall be vested in the Management Committee elected by the members at the Annual General Meeting and consisting of;
- 7.1.1 President
 - 7.1.2 Vice President
 - 7.1.3 Secretary
 - 7.1.4 Treasurer
 - 7.1.5 A minimum of two Committee Members

- 7.2 If the Club has less than 15 members the positions of Secretary and Treasurer on the Management Committee may be combined into one role.
- 7.3 A person shall cease to be a member of the Management Committee at the conclusion of the Annual General Meeting which follows his/her election and will be eligible for re-election.
- 7.4 A quorum of the Management Committee shall be half of its members plus one.
- 7.5 If the President or Vice President is unable to attend, then a chairperson nominated by the meeting shall chair that meeting.
- 7.6 A member of the management committee shall cease to be a member of the committee if that member:
- Is absent from three or more meetings without leave of absence.
 - Is found not to be a financial member.
 - Tenders their resignation as a member of the committee.

8.0 PROPERTY OF THE CLUB

The Club must apply all property and income of the club towards the promotion of the objects or purposes of the club.

9.0 PECUNIARY GAIN

No member of the Club or any person associated with a member of the Club shall receive any personal pecuniary gain from membership of the Club unless in the best interests of the Club and with consideration being given to the sport of endurance and trail riding and then only after having been approved at a meeting of the elected Management Committee of the Club and recorded in detail within the minutes of that committee meeting.

10.0 POWERS OF THE MANAGEMENT COMMITTEE

- 10.1 In addition to any other powers which may have been conferred by these rules, the Management Committee shall carry out the day-to-day running of the Club and shall have the power to:
- 10.1.1 Administer the finances, appoint bankers, and direct the opening of banking accounts for specific purposes and to transfer funds from one account to another, and to close any such account;
 - 10.1.2 Fix the manner in which such banking accounts shall be operated upon, providing the Management Committee passes all payments;
 - 10.1.3 Arrange insurance for club assets where they deem fit;
 - 10.1.4 Adjudicate on all matters brought before it which in any way affect the Club;
 - 10.1.5 Cause minutes to be made of all proceedings at meetings of the Committee and General Meetings of members;
 - 10.1.6 Make, amend and rescind rules;
 - 10.1.7 Have the power to form and appoint any sub committee/s as required for specific purposes;
 - 10.1.8 May at their discretion employ a person or persons to carry out certain duties required by the Club, at remunerations for such period of time, as may be deemed necessary;

- 10.1.9 Should a vacancy occur on the Management Committee during the season, the Management Committee shall appoint a successor until the next Annual General Meeting;
- 10.1.10 Appoint an officer/s or agent of the Management Committee to have custody of the Club's records, documents and securities.
- 10.1.11 Major transactions involving expenditure exceeding fifth percent (50%) of the Club's assets shall be approved by members at a general meeting.
- 10.1.12 Any borrowing of money in excess of a sum equivalent to thirty percent (30%) of the Club's assets must be approved by the members at a general meeting.

11.0 CONTROL OF CLUB FUNDS

- 11.1 All moneys belonging to the Club shall be banked at the bank of the Club and shall be expended in furtherance of the Club's objectives.
- 11.2 All withdrawals shall be made by the Treasurer and countersigned by one other member of the Committee appointed to be a signatory of the club bank accounts or as approved and documented by other committee members.
- 11.3 All accounts are to be approved by the Committee and duly recorded in the Minutes.
- 11.4 Any surplus funds may be invested in the name of the Club from time to time.
- 11.5 A copy thereof shall be supplied to any member on such terms and conditions as the Committee may from time to time determine following a written request for a copy.

12.0 REVIEWING OF ACCOUNTS

- 12.1 The Annual General Meeting shall elect or appoint an authorised Reviewer.
- 12.2 The Reviewer shall examine and review all the books and accounts of the Club annually, and have the power to call for all books, papers, accounts, receipts etc., of the Club and report thereon to the Annual General Meeting.

13.0 GENERAL MEETINGS:

- 13.1 Annual General Meeting
- 13.1.1 The Annual General Meeting of the Club shall be held within two months of the end of the club's financial year.
- 13.1.2 The Secretary shall give at least fourteen (14) days notice of the date of the Annual General Meeting, to members.
- 13.1.3 All financial members may attend the Annual General Meeting.
- 13.1.4 The agenda for an Annual General Meeting shall be;
- Opening of Meeting
 - Apologies
 - Confirmation of Minutes of previous Annual General Meeting
 - Presentation of Annual Report
 - Adoption of Annual Report
 - Presentation of Treasurer's statement
 - Election of New Executive and appointment of Auditor
 - Vote of thanks to outgoing Executive
 - Determination of Annual Membership Fee

- Notice/s of Motion
- General Business
- Closure

13.2 Special General Meetings

- 13.2.1 Special General Meetings may be called by the Management Committee or at the request of the President and Secretary or on the written request of ten (10) members of the Club.
- 13.2.2 The Secretary shall give at least seven (7) days notice, in writing, of the date of the Special General Meeting to the members. Notice of Special General Meetings shall set out clearly the business for which the meeting has been called. No other business shall be dealt with at that Special General Meeting.

14.0 QUORUM FOR GENERAL MEETINGS:

- 14.1.1 If the Club has more than 30 members the quorum shall be ten (10) members entitled to vote.
- 14.1.2 If the Club has 30 or fewer member the quorum shall be six (6) members entitled to vote.
- 14.1.3 If, at the end of 30 minutes after the time appointed for a general meeting a quorum is not present: if convened upon the requisition of members shall be dissolved. In any other case the general meeting shall stand adjourned to a week later and if at the adjourned general meeting a quorum is not present the members present shall be a quorum.

15.0 VOTING

- 15.1 Voting powers at the General Meetings
- 15.1.1 The President shall be entitled to a deliberate vote and, in the event of a tied vote; the President shall exercise a casting vote.
- 15.1.2 Each individual financial member present, and entitled to vote, shall have one (1) vote.
- 15.2 Voting powers at Management Committee Meetings;
- 15.2.1 The President shall be entitled to a deliberate vote, and, in the event of a tied vote, the President shall exercise a casting vote.
- 15.2.2 Each individual committee member present shall have one (1) vote.

16.0 FINANCE:

- 16.1 All funds of the Club shall be deposited into the Club's accounts at such bank or recognised financial institution as the Management Committee may determine.
- 16.2 All accounts due for payment by the Club shall be paid (by cheque or electronically) after having been passed for payment by the Management Committee Meeting and when immediate payment is necessary, account/s shall be paid and the action endorsed at the next Management Committee Meeting.
- 16.3 The Secretary shall not spend more than a set amount Petty Cash without the consent of the Management Committee, and shall keep a record of such expenditure in a Petty Cash Book.
- 16.4 A statement showing the financial position of the Club shall be tabled at each Management Committee Meeting by the Treasurer.

- 16.5 A statement of Income and Expenditure, Assets and Liabilities shall be submitted to the Annual General Meeting. The auditor's report shall be attached to such financial report.
- 16.6 The financial year of the Club shall commence on 1st June each year. The accounts, books and all financial records of the Club shall be audited each year.
- 16.7 The signatories to the Club's account/s will be the Treasurer and any one (1) from the following;
- President
 - Vice President
 - Secretary - except in the case of the Secretary/Treasurer being a combined role
- 16.8 All property and income of the Club will apply solely to the promotion of the objects of the Club and no part of that property or income shall be paid or otherwise distributed, directly, or indirectly, to members, except in good faith in the promotion of these objects.

17.0 ALTERATIONS TO THE CONSTITUTION:

- 17.1 No alteration, repeal or addition shall be made to the Constitution without prior approval from the ESNZ Endurance Board. If any alteration, repeal or addition is approved by the ESNZ Endurance Board then they can only be made at the Annual General Meeting, or Special General Meeting, called for that purpose and notice of all motions to alter, repeal or add to the Constitution shall be given to members fourteen (14) days prior to the Annual General Meeting, or seven (7) days prior to a Special General Meeting called for such purpose.
- 17.2 The Secretary shall forward such notices of motion to Club members at least fourteen (14) days prior to the Annual General Meeting or seven (7) days prior to a Special General Meeting.
- 17.3 Such motions, or any part thereof, shall be of no effect unless passed by a seventy five percent (75%) majority of those present and entitled to a vote at the Annual General Meeting or Special General Meeting, as the case may be.

18.0 DISSOLUTION

- 18.1 Should the club go into recess; the club's assets will be frozen for a period of up to three (3) years. A quorum of members (at the time the club went into recession) can agree to bring the club out of recession at any time during the three year period. If, after three years, the club is still in recession, the Club shall be wound up.
- 18.2 In the event of the Club being wound up surplus assets after payment of the Club's debts and liabilities and costs of the winding up shall
- a) Be used to benefit members of that club or
 - b) Be used to benefit members of other clubs affiliated to ESNZ Endurance

19.0 MATTERS NOT PROVIDED FOR

- 19.1 Any matters not provided for in these rules shall be determined by the Management Committee whose decision shall be final.

20.0 NOTICES

20.1 Any notice required to be given shall be in writing and may be served on a Member either personally or by posting it to the Member at the last address notified by the Member to the Club. Notices may also be delivered by email where a Member has consented to receiving notices by email.