

HORNBY WORKING MEN'S CLUB AND MUTUAL SCHOOL OF ART INCORPORATED



RULE BOOK

CONSOLIDATED 19 MAY 2014

MONOGRAM

The Monogram is a crest having a banner top and bottom, flanked on each side by a green fern containing a central shield comprised of five insets.

The upper banner is edged in black and contains the word HORNBY in block letters coloured black on a gold background and the lower banner contains the words WORKING MENS CLUB in the same lettering and colours.

The central shield is edged in black and gold and has on the left upper corner on a blue background a stylised wheat sheaf depicting the agricultural nature of the area. On the upper right hand corner is a stylised lamb carcass coloured gold on a green background suspended from a rail symbolising the freezing industry. On the lower left corner is shown on a green background, a pair of tongs in black and a pair of meshing gears in red and green symbolising the industrial nature of the area. On the lower right are crossed mallets in black and a vintage style plough depicting farming in the area. In the centre in the appropriate colours is a symbolic red hut placed in a rural setting depicting the original club building.

Immediately below the shield and above the lower banner in black are the block letters MSA signifying Mutual School of Art which relates to all facets of sporting activities conducted by the Club Members.



The Monogram must not be used without the express permission of the Board.

Any reproduction of the Monogram for use on sporting gear etc. must not deviate from the basic shape or colours where applicable.

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RULES OF THE HORNBY WORKING MEN'S CLUB AND MUTUAL SCHOOL OF ART INCORPORATED

1. TITLE

- (a) The Club title shall be the HORNBY WORKING MEN'S CLUB AND MUTUAL SCHOOL of ART INCORPORATED., hereinafter referred to as the Club.
- (b) The Club's colours are black and gold.

2. REGISTERED OFFICE

The Registered Office of the Club shall be at 17 Carmen Road, Hornby, Christchurch.

3. DEFINITIONS

Act means the Incorporated Societies Act 1908 or the Sale of Liquor Act 1989, as applicable, and any amendment or re-enactment of those Acts

Board of Management means the President, Vice President and Treasurer, together with the ten (10) other elected Board Members, to set policy, manage and administer the Club on behalf of its members, referred to hereinafter as the 'Board'

Club Means and includes the Hornby Working Men's Club & MSA Inc., its buildings and grounds

Duty Manager means a Club Staff Member from time to time appointed to have control of the Club premises as required by the Sale of Liquor Act

Gender Words alluding to the masculine gender mean both the feminine and masculine genders and vice versa

General Manager (See rule 30)

Judicial Panel Is comprised of three (3) Trustees plus four (4) elected Members (see Rule eighteen 18) who will rule on infringements of Club Rules or such like

Member means any member defined in rule seven (7)

Office means the Registered Office

Officer means and includes the President, Vice-president, Treasurer and Board Members

Convenor means a Board member who has been appointed by the Board to take charge of a portfolio

Rules means these Rules and amendments as registered

Seal means the Club Common Seal as in Rule 5

Staff means all persons, other than the General Manager, (see rule 30) employed by and receiving remuneration from the Club (see rule 31).

Sub-section means a group of members with kindred interests, authorised by the Board, to be established within the framework of the Club.

Suspension/Expulsion means total exclusion for the period of the suspension or expulsion.

Trustee duly elected at the Club's Annual Elections. (See rule 17b & 18)

4. OBJECTS OF THE CLUB

The objects of the Club shall be:

- (a) To conduct, administer and maintain a Chartered Club for its members and for such persons as are authorised from time to time in accordance with the terms of any license granted to the Club
- (b) To provide amenities and cultural activities and promote sports and generally to provide an atmosphere where the members may meet and enjoy companionship with one another.
- (c) To accumulate capital by means of subscriptions or otherwise from members and also by borrowing money from members or any other persons on such terms as may from time to time be arranged.
- (d) To establish, maintain and conduct a Club (of a non-political character) for the accommodation of members and their friends.
- (e) To provide a Club House and other conveniences for the use of Members of the Club.
- (f) To apply for, renew and maintain any Charter or license within the meaning of the 'Sale of Liquor Act 1989' and its amendments and to exercise any of the rights and powers granted or vested in the Club by virtue of any such charter or license and from time to time appoint such persons as may from time to time be found necessary to hold such charter or license.
- (g) At the discretion of the Board to subscribe to, become a member of, and co-operate with any other association, whether incorporated or not, who's objects are altogether or in part similar to those of this Club.
- (h) To raise money by subscriptions and to grant rights and privileges to subscribers.
- (i) To construct, maintain and alter any Club and other buildings, or works, necessary or convenient for the purposes of the Club.
- (j) To develop and turn to account any land acquired by or in which the Club is interested, and in particular, by laying out and preparing the same for maintaining, fitting up and improving buildings and conveniences and by planting, paving, draining, farming, cultivating, letting of building or lease or building agreement.
- (k) To acquire such lands at such price and on such conditions as the Club shall think desirable for the purpose of the Club.

5. COMMON SEAL

The Club shall have a Common Seal which shall be kept in the custody of the General Manager and shall only be affixed to documents at a meeting of the Board or in pursuance of a resolution of the Board and at the affixing of such Seal at least two members of the Board shall be present.

6. INTERPRETATION OF RULES

Any question, other than those pertaining to elections, relating to the interpretation of the Rules shall be decided by the Board whose decision shall be final and binding. Matters pertaining to elections shall be referred to the Club's legal adviser. Any other matter, not

provided for in the Rules, shall be decided by the Board.

7. CATEGORIES OF MEMBERSHIP

The Club membership shall consist of the following categories:

- (a) **Elected Life Members** - members who have been elected as a Life Member of the Club in accordance with rule 11.
- (b) **Fifty Year Members** – members having current continuous membership of the Club for 50 years or more.
- (c) **Long Service Members** – members having achieved at least 20 years current continuous membership as a Standard or Senior member (or a combination of both categories)
- (d) **Senior Members** - members having a current continuous membership of this Club for one (1) year and who have attained a minimum age of sixty (60) years.
- (e) **Standard Members** - members who have attained the legal age to purchase alcohol and do not qualify as Senior Members.
- (f) **Junior Members** – Anyone 16 years of age or over that has not attained the legal age to purchase alcohol.
- (g) **Youth Members** – Anyone under the age of 16 years.

8. APPLICATION FOR AND ADMISSION TO MEMBERSHIP

(a) Eligibility

Any person must be of the legal age to purchase alcohol as legislated in New Zealand (unless applying for Junior or Youth memberships).

- (b) Junior Members are persons who have attained 16 years of age or over but have not yet attained the legal age to purchase alcohol and will be accepted only with the express written permission of their parent or legal guardian and are joining for the explicit purpose of playing sport.
- (c) Youth Members are persons under 16 years of age who have been accepted only with the express written permission of their parent or legal guardian for the explicit purpose of playing sport for sections approved by the Club in General Meeting.

The Board may at its own discretion set times when the Club Rooms will be open for Junior and Youth Members.

(d) Non Eligibility

Any of the following criteria precludes application for membership:

- i. Prohibited person under the Sale of Liquor Act.
 - ii. Such other Acts as the Board may from time to time decide.
 - iii. Expulsion from this Club.
 - iv. Expulsion or suspension from any other Club.
- (e) Procedure applies to categories 7 (c), (d) and (e), but excludes 7 (f) Youth Members
Each nominee for categories 7 (c), (d) and (e) Membership Admission shall:

- i. Make application on the approved application form which must be completed in full.
 - ii. Lodge completed form at the office, together with the joining fee and current year's subscription.
 - iii. Upon receipt of the application, the Office shall issue a membership card, rule book, list of Club activities and a list of contacts.
 - iv. Office shall also post the name of the applicant on the Club's notice board for a minimum period of fourteen (14) days.
 - v. Should any objection in writing be made, a vote will be taken at the following Board Meeting which will determine the objection.
 - vi. Should the application be declined, upon return of the membership card, a full refund of all monies paid will occur.
 - vii. Membership cards must be produced on the request of the Manager, any Club Officer or Staff Member on duty.
 - viii. Membership cards remain the property of the Club and shall be returned to the office upon resignation, expulsion or suspension of the member pending disciplinary action.
- (f) Procedure for 7 (f) Youth Members
- i. Make application on the approved application form which must be completed in full.
 - ii. Lodge completed form at the Office together with the Joining Fee, current year's subscription and Section current year's subscription.
 - iii. Upon receipt of the application the Club will issue a receipt and advise the date of the next Introductory Meeting at which the Applicant will be issued a Membership card, Rule Book, list of Club activities and list of contacts.
 - iv. Office shall also post the name of the applicant on the Club's notice board for a minimum period of fourteen (14) days.
 - v. Should any objection in writing be made, a vote will be taken at the following Board Meeting which will determine the objection.
 - vi. Should the application be declined, upon return of the membership card, a full refund of all monies paid will occur.
 - vii. Membership cards must be produced on the request of the Manager, any Club Officer or Staff Member on duty.
 - viii. Membership cards remain the property of the Club and shall be returned to the office upon resignation or suspension of the member pending disciplinary action.

9. SUBSCRIPTIONS AND MEMBERSHIP FEE

- (a) Subscriptions are due and payable annually in advance, by the first day of April each year.
- (b) A Membership Fee is payable upon joining the Club.
- (c) Subscriptions, which include any Clubs New Zealand Inc. capitation fee, and

Membership Fees, all inclusive of GST, are set at the Annual General Meeting or Special General Meeting called for that purpose.

10. UNFINANCIAL MEMBERS AND RESIGNATION

- (a) Any member allowing their subscription to fall in arrears shall have their name posted on the Notice Board for a least fourteen 14 days after which the Board shall have the power to instruct the Manager to strike their name from the Register of Members.
- (b) Subscription payment made after the end of the financial year shall be subject to a late payment surcharge as to be determined by the Board.
- (c) Notwithstanding anything contained to the contrary in any other Rule or in Clause (a) of this Rule it shall be competent for any member to be granted leave of absence if away from the city or becoming incapacitated through accident, illness or distress. While such leave of absence is in force the member's subscription may be suspended and they shall not be considered unfinancial through non-payment of their subscription. Any member seeking such leave of absence must apply in writing to the Manager within fourteen (14) days of their subscription becoming due.
- (d) No member whose subscription is in arrears shall be entitled to take part in any meeting, election or sporting event, neither shall they hold any office in the Club or be entitled to nominate or second any other member for office in the Club.
- (e) Any member wishing to resign from the Club shall give fourteen days' notice in writing to the Manager but shall remain liable for all subscriptions owing to the date such resignation shall take effect.

11. LIFE MEMBERS

Life Membership may, on the recommendation of the Board to an Annual or Special General meeting, be conferred on a member who has rendered meritorious service to or on behalf of the Club subject to the following:-

- (a) Any financial member may submit a nomination for consideration by the Board, one (1) month clear of the month set aside for the Annual General Meeting.
- (b) The nominee, if a member of the Board, shall not be present during any deliberations and voting on the nomination, by the Board.
- (c) The affirmative vote of:-
 - i. Three-fourths of the Board members present at the Board meeting.
 - ii. Two-thirds of the members present at the Annual or Special meeting,
 - iii. Voting is by ballot.
 - iv. Notice of the nomination together with relevant details of the nominee are given with the notice of meeting.
 - v. At no time shall the number of Life Members exceed more than ten (10).
- (d) Life members shall:
 - i. Be deemed to be financial members at all times.
 - ii. Be presented with a Club Life Membership badge, Certificate and Membership Card

as soon as possible after conferral.

12. VISITORS

- (a) The President, Vice-President, Treasurer and General Manager shall have the power to issue visitors tickets for a term of one month to any visitor.
- (b) A visitors book shall at all times be maintained and in every case shall contain the date of each visit by any visitor, the name and residential address of each visitor and name and membership number of the member introducing the visitor.
- (c) The Board may, subject to its giving two (2) clear days' notice of intent by posting on the Notice Board, declare the Club 'Closed to visitors and members of affiliated Clubs" on certain days.
- (d) No person may be introduced as a visitor, who:
 - i. Is a prohibited person under the Sale of Liquor Act,
 - ii. Has been expelled from this or any other Chartered Club. Subject to the above clause, any suspended Member may apply in writing to the Board for a Temporary Revocation of their suspension due to extenuating circumstances. The Boards decision in this matter will be final and binding.
 - iii. Has been refused membership for any reason during the past twelve (12) months.
- (e) Is under the legal drinking age, unless accompanied by a parent, guardian spouse or supervisor.
- (f) A member introducing any person as a visitor shall be responsible for the conduct of such visitor while on the Club premises. Visitors to the Club shall remain in the company of their host while on Club premises and leave before or at the same time as their host. All visitors must comply with the Club's rules and By-laws.
- (g) No visitor to the Club shall be entitled to take part in any election or meeting of the Club. All visitors whether members of an affiliated club or not, should at all times be bound by and conform to the rules and by-laws of the Club. Should any person habitually use the Club as a visitor, the President, Vice President, Treasurer, General Manager, or two (2) other members of the board, may request such person to discontinue his visits.

13. ANNUAL GENERAL MEETINGS

- (a) The notice of the Annual General Meeting shall be posted on the Club's Notice Board at least five (5) weeks prior to the Meeting.
- (b) Shall be held not later than the fourth Tuesday in May of each year.
- (c) Shall be attended only by financial members (excluding Junior and Youth Members) plus introduced Consultants.
- (d) At least fifty (50) financial members (excluding Junior and Youth Members) shall form a quorum. If there is not a quorum present after thirty (30) minutes of the advertised time of the meeting, then the meeting will stand adjourned for seven (7) days. In the event of there being again being no quorum, then such meeting shall lapse.
- (e) Any member desirous of amending or rescinding a resolution passed by a previous Annual

General Meeting, Special General Meeting, or meeting of the Board, must give notice in writing to the General Manager, at least twenty-eight (28) clear days prior to the date of the meeting at which such a notice of motion is to be presented. The General Manager shall post a copy of such notice of motion on the Club's notice board for at least seven (7) clear days before the meeting. A notice of motion to amend or rescind a resolution past at a previous Annual General Meeting, Special General Meeting or Meeting of the Board, shall be carried by a majority of two thirds of the Members present and or registered if applicable, before taking effect.

- (f) The order of business at the Annual General Meeting shall be:-
 - i. Apologies.
 - ii. Minutes of the Previous Meeting.
 - iii. President's Report
 - iv. Presentation of the Financial Statement.
 - v. Introduction of Returning Officer.
 - vi. Appointment of Scrutineers.
 - vii. Introduction of Candidates for Election of Officers.
 - viii. Notices of Motion.
 - ix. General Business.
- (g) Upon the adoption of the Report and Financial Statement having been moved and seconded, any Member may without notice, ask any question or move any resolution relating to the Report and Financial Statement.
- (h) Only Financial Members (excluding Junior and Youth Members) may be entitled to vote. The Chairman shall decide upon a show of hands in the first instance, but ten (10) or more members (excluding Junior and Youth Members) may demand a ballot. In the case of equality of votes, the Status Quo shall remain.

14. SPECIAL GENERAL MEETINGS

- (a) The President shall call a Special General Meeting of Members within seven (7) days upon the written request of the majority of the Board, or upon the written request of at least fifty (50) financial Members (excluding Junior and Youth Members).
- (b) Such requisitions shall state the purpose for which the meeting is being called. No business other than that for which the meeting has been called shall be discussed.
- (c) Notice of any Special General Meeting shall be posted on the Club's Notice Board for at least five (5) clear days before such meeting is to be held.
- (d) At least fifty (50) financial members (excluding Junior and Youth Members) shall form a quorum. If there is not a quorum present after thirty (30) minutes of the advertised time of the meeting, then the meeting will stand adjourned for seven (7) days. In the event of there again being no quorum, then such meeting shall lapse.
- (e) Only Financial Members (excluding Junior and Youth Members) may be entitled to vote. The Chairman shall decide upon a show of hands in the first instance, but ten (10) or more members (excluding Junior and Youth Members) may demand a ballot. In the case of equality of votes, the Status Quo shall remain.

15. STANDING ORDERS

- (a) Any Member may give Notice of Motion by reading such notice to the Meeting and handing a copy to the Chairman. Every motion shall take precedence in relation to the order in which it and other notice of motion were given. If the mover of a motion or other member acting on his behalf is not present when such motion is called on for debate, then the motion shall lapse. Any motion once moved and seconded may only be withdrawn with the consent of the meeting.
- (b) Any proposed amendment may be moved in the same manner as a motion and shall read either:-
 - i. To strike out words in a motion
 - ii. To add words in a motion.
- (c) No amendment shall be accepted which is a direct negative to the motion. Should the amendment be carried, such amendment shall become the motion, however a further amendment may be moved providing that only one amendment shall be accepted at one time.
- (d) Any member desiring to speak on any matter shall rise in his place, but no member shall speak until called on by the Chairman. Unless with the consent of the meeting, no member shall speak for more than five (5) minutes on any one matter, excepting that the mover of a motion or substantial amendment shall be allowed an additional five (5) minutes for a reply.
- (e) As soon as the mover of a motion has replied, the Chairman shall put the motion without further discussion. No matter shall be put to the vote which can be decided by the rules. All voting shall be by a show of hands, excepting that a ballot or division shall be granted if requested by ten (10) or more members.
- (f) The chairman shall decide all points of order, providing that a member may move at any time that the Chairman's ruling be disagreed with. The Chairman shall then leave the Chair and the meeting shall appoint a temporary chairman. Only the mover of the motion and the challenged chairman shall be allowed to speak. The Temporary Chairman shall then put the question and declare the Motion carried or lost as the case may be. The challenged chairman shall then resume the Chair and the matter under discussion shall be proceeded with in accordance with the ruling of the meeting. Notwithstanding anything contained to the contrary in any other rule or in any clause of this rule, any member may rise at any time and raise a point of order and with the permission of the meeting to make a personal explanation if he considers he has been misrepresented. The Board and/or the Club may from time to time pass, vary, and rescind such by-laws and rules as it or they shall see fit for the conduct of the Club's affairs and that of its servants.

16. ALTERATION TO RULES

- (a) No alteration or addition shall be made to the rules of the Club excepting at a General Meeting of the Members and no rules shall be annulled or amended unless passed by resolution of a three fourths majority of those members present and entitled to vote.
- (b) Any member proposing an alteration to the rules shall hand to the General Manager, a copy of such intended alteration at least twenty-eight (28) days before the Meeting of

Members, and the General Manager shall post a copy of such intended alteration on the Club Notice Board for at least twenty-one (21) days before the Meeting of Members.

17. BOARD OF MANAGEMENT

- (a) The management of the Club shall be vested in a Board consisting of the President, Vice-President, Treasurer and 10 Board Members. The Board shall be deemed to be fully and properly constituted, notwithstanding any extraordinary vacancies which may occur in it or any defect in the number of members returned at any election provided a quorum remains. The General Manager shall be an ex-officio member without voting power.
- (b) There shall be three (3) Trustees who shall be elected annually (as provided in rule 18) who shall inform themselves on all aspects of the Club activity involving finance and for such purpose the General Manager shall make available on reasonable request such records as may be required. They shall attend all meetings of the Board but, with the exception of judicial hearings, shall have no voting rights. Any aspect of Club finance which they consider prejudicial to the Club shall be brought to the notice of the Board who shall after due consideration convey to the Trustees their decision (if any). If this decision and (or) any action proposed is not sufficient to rectify or remedy the matter of concern, and the said matter is of sufficient serious nature (in the opinion of the Trustees) they may require the President to call a Special General Meeting of Members for the purpose of discussing the matter, the decision of such meeting shall be final and binding. They shall supply annually to the General Manager in time for inclusion in the Annual Report and Balance Sheet, a short comment on Club Finances, and if they deem it necessary bring to the notice of Members, any matter they consider desirable.

18. ELECTION OF OFFICERS, TRUSTEES, BOARD MEMBERS & JUDICIAL PANEL

- (a) Nominations for Officers, Trustees, Board Members and Judicial Panel shall open not less than twenty-eight (28) days prior to the elections.
- (b) All candidates for office must be nominated in writing by 6pm on the day set aside for the closing of nominations. All shall close fourteen (14) days before the date of election. The Nomination Book shall be open for Members inspection ten (10) clear days before the closing of nominations.
- (c) Candidates for Trustee and Judicial Panel shall not be eligible for plural nominations. All other candidates may stand for two or more offices but can only hold one (1) office.
- (d) All nominations for office must be on the prescribed form which will be made available seven (7) days prior to the opening of nominations and signed by the proposer, seconder and nominee. Any candidate wishing to withdraw his nomination must notify the General Manager or his representative, in writing, at least forty-eight (48) hours before the closing time of the nominations. A list of the withdrawn nominations along with the candidates for election shall be posted on the Club's Notice Board.
- (e) The election of Officers, Trustees, Board Members and Judicial Panel shall be held within fourteen (14) days after the Annual General Meeting.
- (f) No paid employee of the Club will be permitted to nominate or second any Candidate for election.
- (g) No Junior or Youth Member will be permitted to nominate or second any Candidate for

election.

19. QUALIFICATIONS FOR OFFICE

- (a) Candidates for office shall be financial members of the Club, but Junior and Youth Members are excluded.
- (b) Candidates for the office of President, Vice President and Treasurer must have been financial members of the Club for at least two (2) years and must have served for at least one (1) year as a member of the Board of Management before being eligible to hold office. Candidates for Board, Trustees and Judicial Panel must have been financial members of the Club for at least two (2) years before being eligible for office.
- (c) Any Member of the Club who has been suspended for misconduct shall not be eligible to contest any election or hold any office until after twelve (12) months from the expiry date of such suspension.
- (d) No Member shall be eligible for appointment for office while a paid employee of the Club or until twelve (12) months has elapsed from the cessation of such employment.

20. CONDUCT OF ELECTION

- (a) The retiring Board shall appoint a Returning Officer who shall have a casting vote in the event of any candidates receiving an equal number of votes. The General Manager shall act as Deputy Returning Officer at all elections and shall be officer responsible for the taking of absentee votes in accordance with Rule 21. He shall also make arrangements regarding ballot papers and any other matter for the proper conduct of the election.
- (b) The General Manager shall make a printout of financial members prior to the date set aside for the opening of nominations. This printout of membership will then be used on Election Day. Any new member joining after this printout date will not be eligible to vote in this election.
- (c) All contested elections shall be held by a properly constituted ballot system. The order in which the ballots shall be decided are President, Vice-President, Treasurer, Board, Trustees and Judicial Panel.
- (d) Scrutineers for the counting of votes shall be appointed by the General Meeting prior to the election. No candidate shall nominate any Member as a scrutineer nor shall any appointed scrutineer have nominated or seconded any candidate for election. Final counting of the votes shall be conducted as soon as the election is closed and the results notified as soon as possible to Members.
- (e) The ballot papers shall be kept in a safe place by the General Manager for at least twenty-eight (28) days. Any candidate shall have the right to request a recount of votes. The candidate requesting such a recount shall have the right to be present at such recount but shall take no part in same. Any application for a recount of votes must be made in writing within forty-eight (48) hours of the election result being announced.
- (f) The Returning Officer must complete the recount within forty-eight (48) hours of receiving the request.

21. ABSENTEE VOTES

Any eligible Member finding himself unable to cast his vote on the day set aside for the election may declare the reason in writing to the General Manager. The General Manager may then issue the ballot paper to the member who shall immediately cast his vote. The General Manager may make arrangements as he sees fit, for the delivery of Ballot Papers to Members unable to attend the Club through incapacitation due to injury or ill health. No absentee votes shall be allowed more than seven (7) days prior to the day set aside for the election.

22. TERM OF OFFICE

- (a) The President, Vice-President Treasurer, Board members Trustees and Judicial Panel shall hold office for twelve (12) months. The elected candidates shall assume office as soon as the results of the Election are announced.
- (b) Honoraria for the President, Vice-President and Treasurer. In the event of the Club desiring to pay Honoraria, the amount shall from time to time be fixed by the Board.
- (c) An Officer, Trustee, or Judicial Panel member desiring to resign shall submit a written resignation to the Board.

23. FORFEITURE OF OFFICE

The Board shall deem forfeited the seat of any member who, without special leave being granted and recorded in the minutes, absence from three consecutive monthly meetings.

24. EXTRAORDINARY VACANCIES

Where a vacancy occurs in the Office of President, the Vice-President shall automatically fill such vacancy. Where such a vacancy exists in the Office of Vice-President, the Board shall appoint one of their members to fill such vacancy. Where such vacancy exists in the Office of Board Members, Trustee or Judicial Panel, the highest polling unsuccessful candidate for that specific position at the previous election shall fill the position. If the candidate declines, then the next candidate until the Office is filled. Should there still be a vacancy, the Board will appoint a Member to such vacancy until the expiration of the present term. Where such a vacancy occurs in the Office of Treasurer, such vacancy shall be filled at a Special General Meeting of Members.

25. BOARD MEETINGS

- (a) The Board shall meet at least once in each month. Eight (8) Members shall form a quorum.

The order of business at Board Meetings shall be:-

- i. Apologies.
- ii. Minutes of the last previous meeting.
- iii. Correspondence.
- iv. Financial Statement.

- v. Manager's Report.
- vi. Reports of Sub-Committees.
- vii. General Business.

26. POWERS AND DUTIES OF THE BOARD

- (a) The President shall on receipt of a written requisition signed by not less than three Members of the Board, call a Special General Meeting of the Board within three (3) days of receiving such requisition. At least forty-eight (48) hours' notice shall be given of the time fixed for any special meeting of the Board. The General Manager shall take all reasonable steps to advise Board Members of such meeting.
- (b) The Board shall have the power to suspend, expel, or otherwise remove any members name from the Register of Members upon proof that such Member has been convicted in a Court of Law for any criminal offence. Any Member against whom such action is taken must be notified in writing.
- (c) The Board shall have the Power to request Members to appear before the Judicial Panel to answer any accusations of misconduct in or outside the Club.
- (d) The Board may order an inventory of stock together with furniture and fittings to be taken at any time upon giving notice to the General Manager.
- (e) The Board shall render the Officers and Staff every assistance to maintain order and to prevent any infringement of the Club Rules or the Law of New Zealand in relation to the Club.
- (f) The Board shall at all times entertain any practical and useful suggestions from the Members and Officers for the improvement of conditions, welfare or management of the Club. Any complaint made to the Club must be in writing.
- (g) The Board shall have authority to make, revoke and amend By-laws for the regulation of the Club. No By-laws shall be inconsistent with the registered Rules of the Club, or of the Incorporated Societies Act 1908 and amendments thereof, or of the Licensing Laws of New Zealand. Any by-laws adopted by the Board shall be posted on the Club Notice Board for at least twenty-eight (28) days before they can be acted upon.
- (h) The Board shall appoint a Club Minute Secretary who shall attend and make an accurate record of all the Minutes of Board, Annual General and Special General Meetings.
- (i) Ensure the maintenance, renewal and continuation of all licenses as required by law.
- (j) Determine the hours when the Club shall be open, subject always to the Sale of Liquor Act.
- (k) To provide and maintain such facilities as are required to ensure the objects of the Club can be achieved.
- (l) Appoint the General Manager, set the terms, conditions and duties of such appointment and ensure they are carried out.
- (m) Appoint a Returning Officer for the Club Elections.
- (n) At its discretion, subscribe to, become a member of, co-operate with any other association or club, whether incorporated or not, who's objects are altogether or in part, similar to those of the Club, provided that the autonomy of the Club and the

overall interests of the Members are preserved.

- (o) Record of Resolutions – containing Resolutions and decisions of the Board and resolutions passed at Annual or Special Meetings and having a lasting effect on the operations of the Club. The Board’s Rules Committee, with a view to recommending any necessary changes or revisions, shall from time to time, peruse this file.
- (p) Ensure the maintenance of the ‘Policy Manual’ which sets out current policies.
- (q) A Board Member who disagrees with a Board decision and wishes to express a dissent at the decision later, shall immediately state verbally “I reserve the right to file a minority report”. A Board Member who subsequently speaks out in breach of this rule is deemed to be in contempt of the Board which shall deal with the matter as it sees fit.

27. SUB-COMMITTEES

- (a) The Board shall at its own discretion, set up such sub-committees as are deemed necessary.
- (b) The President and General Manager shall be ex-officio members of all sub-committees without voting rights.

28. SUB-SECTIONS

- (a) Are eligible to use the Club amenities and resources subject to the approval and/or directions of the Board,
- (b) Shall have a set of rules which must be approved by the Board,
- (c) Shall have all rule amendments approved by the Board before having effect,
- (d) Shall not incur debts in the Club's name unless authorised by the Board,
- (e) Shall provide the Manager promptly, with any requested information about membership, finances or operations,
- (f) Shall bank all monies and make all payments through the Club office,
- (g) Shall keep a proper set of accounts in a form approved by the Board,
- (h) Shall comply fully with all Club rules
- (i) Shall notify the Club of any change of Section Officers

29. PRESIDENT, VICE-PRESIDENT AND TREASURER

The President shall:

- (a) Preside over all meetings of the Board
- (b) Preside over the Annual and Special General Meetings of the Club.
- (c) Advise the new Board after the elections that: “The decisions taken in the Board Room and the discussions pertaining to them are to be kept in strictest confidence. Any Board Member in breach of this requirement is deemed to be in contempt of the Board which shall deal with the matter as it sees fit”.
- (d) In the absence of the President, the Vice-President shall act on his behalf.

- (e) In the absence of both the President and the Vice-President, the meeting shall elect a Chairperson.
- (f) The Treasurer shall make himself fully conversant with all matters pertaining to Club finance and make recommendations to the Board as he sees fit.
- (g) The President, Vice-president and Treasurer shall from time to time fix the General Managers salary and allowances and advise the Board accordingly.

30. GENERAL MANAGER

He shall:

- (a) Keep the accounts of the Club and the register of members and Life Members.
- (b) Attend all meetings of the Board but will not be eligible to vote.
- (c) Pay into the Bank or be responsible for the payment into the Bank all monies of the Club except those monies required for the day to day running of the Club.
- (d) Conduct all correspondence.
- (e) Promptly pay all accounts approved for payment.
- (f) Prepare and forward all returns required by statute law.
- (g) Accept and issue a receipt for all fees and subscriptions and report when requested to the Board, all members in arrears.
- (h) Perform any other duties imposed by the Rules and generally carry out the instructions of the President.
- (i) Hand over to the President on demand everything in his possession relating to the Club's affairs.
- (j) Shall have the power to suspend any member or employee of the Club for misconduct. Such suspension to be reported as soon as practical to the Board.
- (k) Ensure the maintenance, renewal and continuation of the Club's license in terms of the Sale of Liquor Act and make such appointments as are necessary.
- (l) Ensure that all Staff have an Employment Agreement and Schedule of Duties.

31. STAFF

- (a) The General Manager with the approval of the Board shall appoint the Assistant Manager.
- (b) The Assistant Manager shall be responsible in the first instance to the General Manager and shall perform and/or delegate such duties as the General Manager may from time to time require for the running of the Club.
- (c) The Assistant Manager may sign cheques on behalf of the General Manager due to his absence on Annual Leave or due to illness.
- (d) The General Manager with the approval of the Board shall appoint the Chief Steward.
- (e) The Chief Steward shall be responsible in the first instance to the Assistant Manager and shall perform and/or delegate such duties as the Assistant Manager or in his absence the General Manager may from time to time require for the running of the Club.

- (f) Staff employed by the Club (excluding those on office duties) shall be responsible in the first instance to the Chief Steward or in his absence the Assistant Manager or General Manager.
- (g) Staff employed on Office Duties or Reception Duties shall be responsible in the first instance to the General Manager or in his absence the Assistant Manager or Chief Steward.
- (h) No paid Employee shall discuss or criticise the Club Management with the Members.
- (i) No paid employee shall be allowed to seek nomination for any Sub-Section Office or Committee or All Sports Office or Committee without prior written approval of the Board. Any request to the Board shall be in writing and the Board's decision shall be final and binding.

32. OFFENCES AND PENALTIES

Members, visitors and members of affiliated Clubs shall conduct themselves with decorum in the Club and its precincts so that they cause no offence to others. Any person who commits an offence under these rules must leave when so directed by the Duty Manager.

The Duty Manager has the authority to take custody of a Members card which must be delivered to the General Manager as soon as practicable. Any incident report shall be completed prior to the Duty Manager's completion of duty.

An offence is deemed to have been committed by anyone, who:

- (a) Has been convicted by a Court of Law of any criminal offence shall cease to be a member of the Club at the discretion of the Board. He shall under no circumstances be eligible to hold office or be a member of the Board until at least two (2) years have elapsed from the date of such conviction and then only at the discretion of the Board in office at the time.
- (b) Refuses to leave the Club when so directed by the Duty Manager.
- (c) Refuses to produce or surrender his Club membership card,
- (d) Remains on Club premises after closing time, without specific authorisation by the Club Duty Manager.
- (e) Is abusive to other members, staff or visitors in the Club,
- (f) Acts in the Club in a manner which is liable to cause a breach of the peace,
- (g) Creates a disturbance in the Club,
- (h) Fights with or strikes anyone in the Club,
- (i) Uses blasphemous, insulting or obscene language in the Club,
- (j) Wilfully damages Club property.
- (k) Uses illegal drugs on Club property.
- (l) Steals from the Club or removes Club property unlawfully,
- (m) Brings discredit upon the Club, or endangers any license by word or action on or off the Club's premises,
- (n) Procures liquor for a prohibited person or one who has been refused service by a staff member,

- (o) Conducts raffles in the Club without sanction of the Raffle Convenor.
- (p) Causes to be inserted in the newspapers, on television or radio, or electronic means any matter in connection with the Club without authorisation from the Board.
- (q) Brings a dog, other than a seeing eye dog, or any other animal into the Club, without the permission of the Duty Manager.
- (r) While being under the legal age to purchase alcohol, a member either purchases alcohol whilst on Club premises or consumes alcohol that has been supplied by someone other than their parent or legal guardian.
- (s) While being a Junior or Youth Member consumes alcoholic beverages at Clubs where reciprocal visiting rights are available.

Any Such offence shall be referred to the Board who may report the matter to the Judicial Panel for their deliberations.

33. DISPUTES

Any dispute that cannot be resolved amicably, which arises between a Club member and:

- (a) A Staff member.
- (b) The Manager.
- (c) Any sub-section of the Club.
- (d) Any Board sub-committee.
- (e) Any other Club member

shall be submitted in writing to the Board.

The President shall convene a meeting of the Board as soon as practicable but no later than seven (7) days after receiving such notice and shall notify all parties concerned who shall be entitled to appear before the Board and be heard by it and call witnesses. The decision of the Board shall be final and binding.

34. JUDICIAL PANEL

- (a) The Judicial Panel shall consist of seven (7) members. Three being the duly elected Trustees and the four other panel members elected annually under rule 18.
- (b) Their duties will be to deliberate on complaints received relating to the infringement of Club Rules by way of:-
 - i. A written complaint by a Member to the General Manager.
 - ii. A report from the Board relating to the infringement of Club Rules.
- (c) The Judicial Panel will have the power to suspend or expel any Member for any length of time it thinks fit
- (d) The Judicial Panel shall elect their own Chairperson immediately following the elections.
- (e) Five (5) members shall form a quorum.
- (f) The General Manager shall be ex-officio of the Judicial Panel. He may question any person appearing before the Judicial Panel or any witness.

- (g) The General Manager shall arrange for accurate minutes to be taken at the Judicial Panel hearing.

35. JUDICIAL MEETING

- (a) A Club or Staff member wishing to charge a member with an offence or violation of the Club Rules, shall give the General Manager a written resume of the alleged violation within three (3) clear days of the alleged violation.
- (b) On receipt of a written complaint, a disciplinary meeting of the Judicial Panel shall be called as soon as practicably possible to hear the complaint.
- (c) The complainant shall be advised in writing as to the time and place of the meeting and to bring any relevant witnesses to the meeting. The Accused shall be advised in writing the time and place, of the meeting and the substance of the complaint including copies of the written complaint. Should the Accused be uncooperative in attending such meeting, the meeting shall take place in their absence.
- (d) Conduct of Meeting:-
 - i. The Chairperson will request the Members card.
 - ii. The Chairperson will advise the Accused of the charge or charges brought against him and ask him to remain in the room to hear or question any witnesses.
 - iii. The Accused shall be given the opportunity to formally respond to the charges and make a brief statement as to the facts leading to the complaint.
 - iv. The Judicial Panel may call any witnesses to support the charge. Each witness shall give their evidence in the absence of all other witnesses.
- (e) Each Witness shall:
 - i. State their evidence.
 - ii. The Judicial Panel shall have the opportunity to question the witness.
 - iii. The Accused shall have the opportunity to question the witness.
 - iv. The Judicial Panel may question the witness in relation to any matters arising from the Accused's question.
 - v. The witness shall be dismissed.
- (f) The Accused shall then be given the opportunity to call evidence and introduce any witnesses.
- (g) Each witness shall:
 - i. State their evidence.
 - ii. The Accused shall have the opportunity to question the Witness.
 - iii. The Judicial Panel shall have the opportunity to question the Witness.
 - iv. The Accused may then question the Witness in relation to any matters arising from the Judicial Panel's questions.
 - v. The Witness shall be dismissed.
- (h) At the completion of the evidence the Accused shall be given the opportunity to make closing submissions.

- (i) The Accused shall then be asked to leave the meeting for the Judicial Panel to consider their decision.
- (j) The Judicial Panel shall notify the Accused in person of such decision and where necessary of the Right of Appeal under rule 36. This shall be confirmed in writing.
- (k) The General Manager shall file a report to the Board stating:-
 - i. The charge or charges against the Accused.
 - ii. The names of any witnesses who have given evidence before the Judicial Panel.
 - iii. The decision involving such suspension or any expulsion.

36. APPEALS

- (a) Any Member aggrieved by a suspension or expulsion decision of the Judicial Panel shall be entitled to a hearing before the Board and the decision of the Judicial Panel pursuant to Rule 35 shall remain until such appeal is heard by the Board.
- (b) Notice of intention to appeal shall be notified in writing to the General Manager within forty eight (48) hours of the penalty being imposed and the appeal must be heard within fourteen (14) clear days after receipt of such notice.
- (c) The General Manager shall be available to supply any information or particulars required by the Board.
- (d) The appeal shall be in the nature of a rehearing and the Board shall follow the appeals procedure as set out in Rule 37.
- (e) Eight (8) members shall form a quorum.

37. APPEALS PROCEDURE

- (a) The Appellant will be advised in writing as to the time and place of the meeting and to bring any relevant witnesses to the meeting.
- (b) Any witnesses to the complaint to the Judicial Panel Meeting will be advised in writing as to the time and place of the meeting.
- (c) Conduct of Meeting:
 - i. The Chairman will advise the appellant of the charge or charges and the decision appealed against.
 - ii. The appellant shall be given the opportunity to formally respond to the charges and make a brief opening statement detailing the grounds upon which the appeal is based.
 - iii. The Board shall then call in turn witnesses in support of the charge. Each witness shall give their evidence in the absence of all other witnesses.
- (d) Each Witness shall:
 - i. State their evidence.
 - ii. The Board shall have the opportunity to question the witness.
 - iii. The Appellant shall have the opportunity to question the witness.

- iv. The Board shall then have the opportunity to question the witness in relation to any matters arising out of the appellant's, questions.
 - v. The witness shall be dismissed.
- (e) The Appellant shall then be given the opportunity to call evidence and introduce witnesses.
- (f) Each Witness shall: -
- i. State their evidence.
 - ii. The appellant shall have the opportunity to question the witness.
 - iii. The Board shall then have the opportunity to question the witness.
 - iv. The appellant shall the have the opportunity to question the witness in relation to any matter arising out of the Boards questions.
 - v. The witness shall be dismissed.
- (g) At the completion of the evidence the appellant shall be given the opportunity to make submissions in relation to both the substance of the charge or charges and the penalty.
- (h) The appellant shall then be asked to leave the meeting for the Board to consider its decision.
- (i) The Board, once a decision has been made, advise the Appellant and the Judicial Panel of its decision immediately. Confirmation of the decision shall be advised to both parties, in writing, within seven (7) days of the hearing.
- (j) The decision shall state firstly whether the charge or charges have been found to be proven and if so the penalty agreed upon. The Board may give reasons for its decision. The decision shall further state whether the Board's decision is in the majority of its members or whether its members are equally divided in opinion in which case the decision appealed is deemed to be affirmed.

38. BANK

Banking accounts shall be opened in the name of the Club in such Trading Bank or Banks as the Board from time to time may determine. Cheques on behalf of the Club shall be signed by the General Manager, Treasurer and one (1) Trustee, except that the Assistant Manager may sign in place of the General Manager due to his absence through annual leave or ill health. The President may sign on behalf of the General Manager or Treasurer in their absence.

39. AUDITOR

One Auditor who shall be a qualified accountant shall be appointed by the Board. He shall audit the books and necessary papers at least twice a year. No officer of the Club shall be eligible for the position of Auditor.

40. BORROWING

The Club may from time to time to borrow or raise funds from any trading or other banks or financial institutions or from members or from any other source such sums of money in such

manner as the Club deems necessary to effectively or more effectively carry out any of the objects of the Club and in particular to give security therefore by way of mortgage of its real and personal property or the issue of debentures, debenture stock, perpetual or otherwise with or without trustees for the debenture holders or any other security and charged upon all or any of the Clubs real and personal property both present and future and for any of the above purposes the Club shall execute all such documents as may be required to more effectively secure all moneys so raised.

41. INVESTMENT OF FUNDS

Funds not required immediately, may be invested by the Board in the name of the Club in:

- (a) Any trading, trustee or savings bank registered in New Zealand,
- (b) Any debentures, bonds or treasury bills issued by or on behalf of or guaranteed by the government of New Zealand under the authority of any Act
- (c) Any investment authorised under the Trustee Act 1956 and its amendments.

42. LAND AND BUILDINGS

The sale, purchase, lease or mortgage of any land or buildings, or the demolition of any buildings, shall require Club approval at an Annual or Special General Meeting. The erection or alteration of any buildings shall only require Club approval at an Annual or Special General Meeting if such an action involves Special Expenditure (see Rule 43).

43. SPECIAL EXPENDITURE

Any resolution of the Board involving the expenditure, in one (1) calendar month, on special items not contained in the usual Trading Accounts for an amount exceeding one hundred thousand dollars (\$100,000) must first be approved by an Annual or Special General Meeting of the Club before having effect.

44. FINANCIAL GRANTS

The Board shall have authority to provide financial grants to:

- (a) Any worthy charity,
- (b) Any other organisation it deems worthy of assistance.
- (c) Any individual it deems worthy of assistance.

45. INSPECTION OF MINUTES AND BOOKS

Any financial member of the Club or person having a vested interest in the Club funds may, on giving the Manager three (3) clear days' notice, inspect the Club books. Minutes may only be inspected after they have been confirmed.

46. INVESTIGATION OF CLUB AFFAIRS

It shall be the right of not less than fifty (50) of the total number of financial members to

apply to the appropriate authority for:

- (a) The appointment of one or more inspectors to examine the affairs of the Club and report thereon or,
- (b) The calling of a special meeting of the members of the Club or,
- (c) An investigation into the affairs of the Club with a view to dissolution thereof.

47. CLAIMS TO PROPERTY

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

48. DISSOLUTION OF THE CLUB

The Club may be dissolved in the manner prescribed by the Incorporated Societies Act 1908.

In the event of the winding up of the Club the property both real and personal thereof shall be realised, and the proceeds applied first in payment of the debt and liabilities of the Club and any surplus, if any, shall not be paid or distributed among the members of the Club, but shall be given or transferred to any charitable organisation or some other institution or institutions having objects similar to the objects of the Club.

ALL SPORTS COMMITTEE RULES

1. NAME

The Committee shall be known as the **ALL SPORTS COMMITTEE**.

2. OBJECTIVES

- (a) To foster and support all sporting activity in the Hornby Working Men's Club.
- (b) To assist with, and co-ordinate sporting fixtures where required.
- (c) To maintain a liaison between all sub-sections and the Club's Board.
- (d) To raise funds by way of raffles and any other means approved by the Board. All the funds raised are to be lodged in an account vested with the Club which shall be known as the Hornby Working Men's Club All Sports Committee Fund.

3. COMPOSITION

Two representatives from each sub-section of the Club shall comprise the Committee; one (1) representative only will have voting power.

4. DISTRIBUTION OF FUNDS

- (a) In April each year the All Sports Committee shall pay a fixed sum to sub-sections as determined at the AGM.
- (b) Sub-sections will not be required to make individual application for this sum.
- (c) Sub-sections, under special circumstances, may make application for a special additional grant. If initially approved by the All Sports Committee, it is also subject to ratification by the Club's Board.
- (d) The maximum amount of grants to be approved by the Board annually.

5. COMPLIANCES

- (a) Sub-sections must comprise of not less than fifteen (15) members.
- (b) Rule 28 of the Clubs rules as shown below must be followed

28. SUB-SECTIONS

28/a. Are eligible to use the Club amenities and resources subject to the approval of and or directions of the Board,

28/b. Shall have a set of rules which must be approved by the Board,

28/c. Shall have all rule amendments approved by the Board before having effect,

28/d. Shall not incur debts in the Club's name unless authorised by he Board,

28/e. Shall provide the Manager promptly, with any requested information about membership, finances or operations,

28/f. Shall bank all monies and make all payments through the Club office,

28/g. Shall keep a proper set of accounts in a form approved by the Board,

28/h. *Shall comply fully with all Club rules*

A list of financial Section members along with their card number to be handed to the Office no later than one (1) month following the commencement of that sub-sections season. Any members joining after that time are to be advised to the Office in writing.

6. DUTIES

The Chairperson's responsibility at the end of every year is to set:-

- (a) All Sports Committee raffle roster for the following year.
- (b) Dates for All Sports Committee events for following year including Super Sports dates, and book the appropriate venues for the said dates.

7. MEETINGS

(Annual General Meetings)

- (a) The notice of the Annual General Meeting shall be posted on the All Sports Section Notice Board at least three (3) weeks prior to the meeting.
- (b) The Annual General Meeting to be held in April of each year.
- (c) All members of the Club shall be eligible to attend the Annual General Meeting but only members of a Sporting Section may vote.
- (d) At least 15 financial members shall form a quorum. If there is not a quorum present after fifteen (15) minutes of the advertised time of the meeting, then the meeting will stand adjourned for seven (7) days. In the event of there again being no quorum, then such meeting shall lapse.
- (e) The order of business at the Annual General Meeting shall be:-
 - i. Apologies
 - ii. Minutes of the last previous Annual General Meeting
 - iii. Chairpersons Report.
 - iv. Financial Statement.
 - v. Election of Chairperson, Vice Chairperson, Secretary and Treasurer.
 - vi. Notices of Motion.
 - vii. General Business.
- (f) Candidates for the office of Chairperson, Vice Chairperson, Secretary and Treasurer must have been financial members of the Club for at least two (2) years and must have served for at least one (1) year as an All Sports Delegate.

8. (General Meetings)

- (a) General meetings to be held on the first Monday of each month at 7pm, with the exception of the month of January where no meeting will be held. These dates are flexible and may be changed to suit any possible special conditions.

- (b) The quorum for General Meetings shall consist of twelve (12) members.
- (c) The order of business shall be
 - i. Apologies.
 - ii. Minutes of the last previous meeting.
 - iii. Correspondence.
 - iv. Financial Statement.
 - v. Reports from Delegates.
 - vi. General business.

9. GRANTS

All Sports Committee to receive a grant from the Club on 1st April every year. The All Sports Committee to receive an amount as decided by the Board. The remainder is to be divided equally between the recognised sub-sections.

10. SUB-SECTION FUND RAISING

- (a) Sub-sections are to be allocated a specific period each year in which to carry out their own fund raising within the club. Should the section give notice, in writing, to the All Sports Committee that they do not wish to avail themselves of the opportunity, the All Sports Committee may fund raise during this period or allocate to another section as it sees fit. Other Sub-sections are not to encroach on another Sub-sections period unless special dispensation has been granted by the Sub-section concerned and has been approved by the All Sports Committee.
- (b) During their specified period, sub-sections are required to conduct bar raffles on a Tuesday afternoon commencing no later than 5pm.
- (c) Any sub-section neglecting to conduct these raffles will be fined a sum as set by the All Sports Committee for each infringement.
- (d) If patronage is such that extra Tuesday afternoon raffles are required, these may be conducted by approval of the Club Duty Manager.
- (e) Any sub-section wishing to, may fund raise on a Sunday during their specified period, providing it does not interfere with other approved activities on the day upon application to the club management. Any sub-section not using this time may surrender their Sundays to another sub-section in accordance with Rule 10(a) above.
- (f) Extra raffles for special purposes may be conducted outside of a sub-section specified period, only by approval of the All Sports Committee and confirmed by the Club's Raffle Convenor.

11. BASIC RULES FOR ALL SPORTS COMMITTEE EVENTS

- (a) Draws must have half the sports for numbers of teams. Sometimes teams or sports may double up.
 - e.g. 12 teams = 6 sports

16 teams = 8 sports

13 teams = 6 sports + bye

15 teams = 7 sports + bye

- (b) The draw shall be conducted by three (3) members who will be appointed by the All Sports Committee at the same meeting that entries are received
- (c) Any sub-section entering teams in these events and then fails to appear forfeits their entry fee.
- (d) Where a default or bye occurs in the draw, the non-offending team shall be awarded 2½ points.

NOTES

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