

RULES AND CONSTITUTION OF **THE CLASSIC & SPORTSCAR CLUB (NORTHLAND) INCORPORATED**

1. Name:

The Club shall be known as: The Classic & Sportscar Club (Northland) Incorporated.
(in this **Constitution** referred to as the '**Club**').

The **Club** is not and does not intend to be registered as a charitable entity under the Charities Act 2005.

2. Purposes:

(a) To promote a social organisation or club composed of persons owning a classic or sportscar or otherwise interested in automobiles.

(b) To arrange runs, tours, trials, rallies, gymkhanas, exhibitions, displays, social functions and general meetings, etc.

(c) To encourage and assist with the restoration or improvement of the members classic or sportscar.

(d) To promote safe driving practices

3. Definitions:

In this **Constitution**, unless the context requires otherwise, the following words and phrases have the following meanings:

'**Act**' means the Incorporated Societies Act 2022 or any Act which replaces it (including amendments to it from time to time), and any regulations made under the Act or under any Act which replaces it.

'**Annual General Meeting**' means a meeting of the **Members** of the **Club** held once per year, which among other things, will receive and consider reports on the **Club**'s activities and finances.

'**President**' means the **Officer** responsible for chairing **General Meetings** and committee meetings, and who provides leadership for the **Club**.

'**Vice President**' means the **Officer** elected or appointed to deputise in the absence of the **President**.

'**Secretary**' means the **Officer** responsible for the matters specifically noted in this **Constitution**.

'**Treasurer**' means the **Officer** responsible for the financial matters of the Club.

'**Committee**' means the **Club**'s governing body.

'**Constitution**' means the rules in this document.

'**General Meeting**' means either an **Annual General Meeting** or a **Special General Meeting** or an

'**Ordinary Meeting/Club night**' of the **Members** of the **Club**.

'**Interested Member**' means a **Member** who is interested in a matter for any of the reasons set out in section 62 of the **Act**.

'**Interests Register**' means the register of interests of **Officers**, kept under this **Constitution** and as required by section 73 of the **Act**.

'**Matter**' means—

1. the **Club**'s performance of its activities or exercise of its powers; or
2. an arrangement, agreement, or contract (a transaction) made or entered into, or proposed to be entered into, by the **Club**.

'**Member**' means a person who has consented to become a **Member** of the **Club** and has been properly admitted and is financial to the **Club** who has not ceased to be a **Member** of the **Club**.

'**Membership**' includes the **Member** and the **Members partner**.

'**Members Partner**' is deemed to be a full **Member**

'**Notice**' to **Members** includes any notice given by email, post, or courier.

'**Officer**' means a natural person who is a member of the **Committee**

'Register of Members' means the register of **Members** kept under this **Constitution** as required by section 79 of the **Act**.

'Special General Meeting' means a meeting of the **Members**, other than an **Annual General Meeting**, called for a specific purpose or purposes.

'Working Days' mean as defined in the Legislation Act 2019. Examples of days that are not **Working Days** include, but are not limited to, the following — a Saturday, a Sunday, Waitangi Day, Good Friday, Easter Monday, ANZAC Day, the Sovereign's birthday, Te Rā Aro ki a Matariki/Matariki Observance Day, and Labour Day.

4. Membership:

The membership shall comprise the following classes:

- (a) Ordinary Members: Those persons who have applied for membership of the Club. In addition, Partner and immediate family members under 18 years of age shall also be admitted.
- (b) Honorary Members: Those persons being members of any other motor clubs who are deemed to be worthy and are duly elected as Honorary members by the Committee of the Club. Honorary members shall be exempt from all fees and subscriptions and shall have no right to vote at any meeting of the Club.
- (c) Life Members: The Club may, at any Annual or Special General Meeting of which proper notice has been given, elect any member to be a Life Member of the club in honour of such members valued service to the Club.
Life Members shall be exempt from all fees and subscriptions and shall have the right to vote at any meeting of the club and shall be deemed ex-officio members of any committee meeting.

5. Officers:

- (a) The Officers of the Club
Shall be:
President, Vice President, Secretary, Treasurer and a minimum of 2 Committee members.
- (b) The office of Secretary and Treasurer may be combined in one person as the committee decides.
- (c) Retiring Officers shall be eligible for re-election. Should a vacancy occur in any office, the Committee may elect a member to fill such vacancy and such member shall hold office until the following Annual General Meeting.
- (d) The Officers of the Club shall retire annually and are eligible for re-election at each Annual General Meeting.
- (e) The duties of the committee shall be to administer the affairs of the Club and to furnish a report at each Annual General Meeting on the working and activities of the club during the preceding year.
The committee shall have the power to make by-laws and take disciplinary action as may be necessary to enforce them.
- (f) It shall be the duty of the Secretary to keep correct minutes of all meetings and to conduct all correspondence as directed by the committee.
- (g) It shall be the duty of the Treasurer to receive all monies due to the Club, to pay all debts

and maintain a complete register of members. To keep and maintain proper books of account, and to furnish to each Annual General Meeting Income and Expenditure Account and Balance Sheets kept in accordance with standard accounting practices and to generally control and supervise and be responsible for the funds and assets and finances of the Club.

- (h) All monies received by the Club shall be paid into a banking account kept at a bank approved by the committee from time to time and payment drawn on the Club Banking Account. The signatories shall be the President, the Treasurer and the Vice President authorised by any two of them.

6. Financial Year:

The financial year for the club shall commence on the first day of August in each year and shall end on the last day of July in the following year.

7. Meetings:

- (a) The Annual General Meeting shall be held in the month of August in each year. Special General and Ordinary/ Club Meetings at such time and places as the committee shall appoint.
A quorum of 15 members is required to hold an Annual or Special General Meeting.
- (b) The committee shall meet as required which may be at the monthly Ordinary Meeting/Club night or more often if required.
A quorum of 3 members is required to hold a Committee meeting.
- (c) Twenty one clear days notice shall be given of an Annual General Meeting or Special General Meeting and notice of any meeting may be given by either written information posted to members at their last known place of address or by email.
- (d) At all meetings of the Committee or the Club each member present shall have one ordinary vote which must be given personally. The President, in all cases of equal voting shall have a casting vote in addition to his ordinary vote. Every question submitted to a meeting shall be decided in the first instance on the voices and a declaration by the President that a resolution has been carried or lost on the voices and an entry in the Clubs minute book to that effect shall be conclusive evidence that such a resolution has been carried, or lost, as the case may be. If a resolution by voice is not decisive the President may call for a show of hands, or failing that, a secret ballot with all voting forms to be destroyed at the conclusion.

8. Subscriptions:

- (a) The subscription for all members other than Honorary or Life Members shall be such amount as decided at each years Annual General Meeting.
- (b) All subscriptions are payable in advance and shall be deemed to be due on the first day of the financial year. It shall be obligatory on each member to pay their subscription promptly whether or not they have received official notice.
- (c) Any member whose subscription shall remain unpaid for three calendar months is deemed to have resigned their membership.

9. Club Membership Badges and Rules:

- (a) Each financial member of the club shall be supplied with a membership badge showing the name of the holder.
- (b) A copy of the Club rules shall be forwarded by the Secretary to all current members of the Club and to all subsequent members on joining the Club.

10. Registered Office:

- (a) The Registered Office of the Club shall be situated at the secretary's residence.
- (b) The registered Office address of the club may be altered by the committee on the occasion of the Annual General Meeting when the newly elected Secretary is appointed.

11. Discipline:

- (a) **Dispute and Grievance Resolution**
Any dispute or grievance shall be made by a member giving notice in writing to the Committee setting out the allegations, the person/s against whom the claim is made and any information pertaining to the allegation.
The complaint must be treated as consistent with the rules of natural justice. The person/s against whom the allegation is made must be fairly advised of the allegation and must be given sufficient details to enable a response to be prepared and be given the right to be heard.
The right to be heard shall be upheld in cases where the complaint involves alleged misconduct, breach or likely breach under the Club's rules or those of the Incorporated Societies Act, or has damaged the rights or interests of a member/s generally.
After acceptance of the complaint in a reasonably practicable timeframe, the Committee shall determine if a member/s rights or interests have been materially damaged. After which an oral hearing shall be held at which all impacted parties shall be entitled to speak in both allegation and response and be encouraged to table written evidence.
Should the Committee consider it necessary and if 2 or more Committee members consider there are reasonable grounds for impartiality, with the consent of all parties, shall refer the complaint to a sub-committee, an independent person appointed or to any appropriate arbitral dispute resolution body as the decision maker. The Committee, or independent person shall consider the statements and submissions by investigating the complaint in a fair, efficient and effective manner. After the investigation, the Committee will present the determination to both complainant and respondent.
- (b) In the event of any member being, in the opinion of the Committee guilty of dangerous driving (defined as driving a motor vehicle that falls below the standard of a prudent and reasonable driver and puts other person or persons in danger and/or calls the club into disrepute) or guilty of conduct detrimental to the prestige of the Club that member may be disciplined by suspension or dismissal from the Club. Such member/s shall be notified in writing the charges made against them, such member/s shall be given seven days notice prior to a duly convened Committee Meeting and a full opportunity to be heard at such a meeting. Such notification shall indicate that the attendance of such member/s at the meeting is mandatory unless written indication of the reason for their inability to attend be presented to that meeting. Failure to comply with these terms may result in their case being determined in their absence.
For a member to be tried by the committee it must occur before a disciplinary panel of 3 Committee members and any decision must be unanimous.
If the meeting passes a resolution cancelling the expulsion of such a member, he/she shall be restored to the membership as from the date of expulsion.

12. Resignations:

- (a) Any member may resign their membership by delivering a written resignation to the Secretary. The Secretary shall report such resignation to the first ordinary meeting of the Committee and it shall be duly entered in the minutes of that meeting and the member resigning shall forfeit all rights and privileges accorded to club members. The member shall also forfeit all interests which he may hold in property of the Club.

13. Members Bound By Rules:

- (a) All members of the Club shall be held to consent to and be bound by all these rules.
- (b) The funds of the Club shall be used to promote the objects of the Club and any surplus funds shall be invested in such manner as shall be decided from time to time by the Committee.

14. Alteration of Rules:

- (a) No addition, alteration, amendment or revision of these rules shall be made except at an Annual General Meeting or at a Special General Meeting called for the purpose of so adding, amending or revising these rules.
All notices of such meetings shall state the purpose for which the meeting is called and shall include in full any details of the additions, alterations or amendments to be proposed. Twenty one clear days notice shall be given of such meetings called for the purpose of altering, adding to, amending or revising these rules and all such notices shall be given by the Secretary in writing to every member.
- (b) It shall be the responsibility of all members to amend copies of these rules held by them so as to bring them up to date and to include such additions, alterations or amendments.

15 Club Seal

- (a) The club shall have a common seal which the Secretary shall keep custody. This seal shall be affixed to any contract approved by the Committee and shall be countersigned by any two committee members.

16. Winding Up:

- (a) The Club shall not dissolve except by Special Resolution passed at an extraordinary Special General meeting of all current financial members. Such extraordinary Special General Meeting shall be called for by the full committee and all officers. Members shall be given twenty one clear days notice in writing of this extraordinary meeting calling attention to the purpose of this meeting.
- (b) Upon winding up of the Club all assets after payment of all liabilities, shall be disposed of by donation to one or more charitable organisations or non-profit making organisations. As decided by resolution at a Special General Meeting.