



(A)

# WELLINGTON INDIAN SPORTS CLUB (INC.)

## RULES



48 Kemp St, Kilbirnie  
P.O Box 16-120  
Wellington  
ph (04) 387-8131

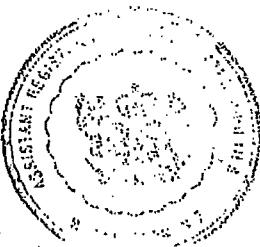
Common Seal :

WISC Signatories : Shaloo H. B. M. M.

Last Updated : 17/9/95 Version No. : 12 Registered On : 10/1/96

### TABLE OF CONTENTS

<u>RULE</u>	<u>SECTION</u>
1	Definitions
2	Objects
3	Membership
4	Players
5	Code of Conduct
6	Committees
7	Meetings
8	Common Seal
9	Auditor
10	Finance
11	Rules and Regulations
12	Validation Clause
13	Winding Up
14	Indemnity and Restitution



Other documents referred to by these Rules and held by the Secretary are : *Register of Members; Unit Title Agreement with W.I.A; Life Membership Guidelines; Honorary Membership Guidelines; Code of Conduct Guidelines; Executive Committee Job Descriptions.*

**IN THE MATTER of the Incorporated  
Societies Act 1908**

and

**IN THE MATTER of The Wellington  
Indian Sports Club  
(Incorporated)**

**THE RULES OF THE WELLINGTON INDIAN SPORTS CLUB (INCORPORATED)**

**1. DEFINITIONS**

1.1 In these Rules except where a different intention appears:

“Act” means the Incorporated Societies Act 1908.

“Club” means The Wellington Indian Sports Club (Incorporated).

“Committee” means the Executive Committee appointed under Rule 6.1.1.

“Indian” means a person domiciled in New Zealand, descended from a national of the Republic of India and includes the spouse or children of such a person.

“Registrar” means the Registrar under the Act.

“Unit Title Agreement” means an agreement dated 1 August 1994 between the Club and the Wellington Indian Association, which covers the ownership, use and certain financial matters concerning the Kenep Street complex.

“Wellington District” means the Southern part of the North Island lying south of and including Otaki and west of the Rimutaka ranges.

“Financial Year” means the twelve months from 1 January to 31 December.

“Regulation” means any procedure or decision passed at a Committee or General Meeting which is not already covered in these Rules.

1.2 The name of the Club is “The Wellington Indian Sports Club Incorporated”.

1.3 The registered office of the Club shall be situated at 48 Kemp Street, Kilbirnie, Wellington or at such other place as decided by the Committee.

**2. OBJECTS**

2.1 To manage, promote and foster sports, recreational and cultural activities amongst Indians resident in the Wellington District.

2.2 To become a member of and co-operate with other groups or organisations, whose objects are similar to those of the Club, in order to exchange any information which further promotes the objects of the Club.

2.3 To provide a link between the Club, the wider Indian Community in Wellington and in other parts of New Zealand and the world, so that information on matters of common interest may be exchanged and fraternal feelings fostered.

2.4 To promote the advancement of education, to assist in the relief of poverty and distress and generally to render charitable and benevolent assistance to any Indians, organisation, body or persons who may, in the opinion of the Club, be in need of or be benefited by such assistance.

- 2.5 To promote or oppose bills, legislation, by-laws or other measures affecting the interests of the Club.
- 2.6 For the purpose of attaining the objects or promoting the interests of the Club, the Club may:
  - (a) purchase, lease, exchange, hire or otherwise acquire, any assets, rights or privileges;
  - (b) sell, exchange, let, lease or in any manner dispose of, any such assets, rights or privileges;
  - (c) borrow or raise money as provided in Rule 10.3
- 2.7 To establish and maintain a meeting place for members of the Club.
- 2.8 To do all the things as are incidental or conducive to the attainment of the above objects.

### **3. MEMBERSHIP**

The Club has the categories of members defined in Rules 3.1 to 3.4.

#### **3.1 Ordinary Members:**

Any Indian seventeen years or over, shall be eligible to become an Ordinary Member of the Club and shall pay an Ordinary Membership fee as provided in Rule 3.5. Ordinary members shall have the right of:

- (a) Usage of the Club's facilities upon terms and conditions determined by the Committee from time to time;
- (b) The right to hold office in accordance with the Rules;
- (c) An equal vote and voice in all business and concerns of the Club in accordance with the Rules.

#### **3.2 Junior Members:**

Any Indian under the age of seventeen years shall be eligible to become a Junior Member of the Club and shall pay a Junior Membership fee as provided in Rule 3.5. Junior Members shall have the same rights as Ordinary Members except they cannot vote or hold office.

#### **3.3 Life Members:**

A Life Member and his or her spouse shall have all the rights and privileges of an Ordinary Member but shall not be required to pay any membership fee.

#### **3.4 Honorary Members:**

An Honorary Member shall have all the rights and privileges of an Ordinary Member, except the right to vote and hold office, but shall not be required to pay any membership fee.

#### **3.5 Membership Fees**

- 3.5.1 Each Financial Year, every member shall, within a time specified by the Committee, pay to the Club the applicable annual membership fee, as set periodically in any General Meeting.

3.5.2 A member refusing to pay the applicable membership fee within the time specified will be deemed to have resigned from the Club.

3.6 New Members

3.6.1 Any person may be accepted as a new member at the discretion of the Committee, upon application to the Secretary and the payment of the applicable fee.

3.6.2 Any unsuccessful applicant may resubmit the application for final consideration at the next General Meeting.

3.7 Selection of Life Members

3.7.1 The Club shall have power to confer Life Membership upon any member in recognition of outstanding services to the Club. Life Membership shall be conferred by a resolution passed by three fourths of the members present at a General Meeting of the Club.

3.7.2 Nominations for Life Membership may be made by any member or the Committee and shall be forwarded to the Secretary in the first instance. Any nominations by a member shall be seconded by another member.

3.7.3 Nominations for Life Membership shall be considered by a Life Membership Sub-Committee which shall make a recommendation to the Committee, in accordance with Life Membership Guidelines determined from time to time at a General Meeting.

3.8 Selection of Honorary Members

3.8.1 The Club shall have power to confer Honorary Membership of the Club upon any person in recognition of outstanding services. Honorary Membership shall be conferred by a resolution passed by three fourths of the members present at a General Meeting of the Club.

3.8.2 Nominations for Honorary Membership may be made by any member or the Committee, and shall be forwarded to the Secretary in the first instance. Any nominations by a member shall be seconded by another member.

3.8.3 Nominations for Honorary Membership shall be considered by an Honorary Membership Sub-Committee which shall make a recommendation to the Committee, in accordance with Honorary Membership Guidelines determined from time to time at a General Meeting.

3.9 Register Of Members

3.9.1 The name of every member and his or her private address shall be entered into a register which is to be kept by the Secretary and is to be called a Register of Members ("Register"). The Register shall be accepted to be a correct and complete list of the members of the Club.

3.9.2 It shall be the duty of the Secretary to produce the Register at any General Meeting of the Club.

3.9.3 A member changing his or her address shall notify the Secretary in writing. The Secretary shall then make the necessary alterations in the Register.

### **3.10 Resignation**

- 3.10.1 Any member may resign from the Club by giving written notice to the Secretary. Such resignation is effective on receipt of the notice by the Secretary.
- 3.10.2 Resignation from the Club shall not release that person from any outstanding liability to the Club.

### **4 PLAYERS**

- 4.1 Any person may play sports for the Club.
- 4.2 Any new player must be nominated by two existing members. Such nomination may be accepted at the discretion of the Committee.
- 4.3 Any unsuccessful applicant may resubmit the application for final consideration at the next General Meeting.
- 4.4 All Indian players shall be members of the Club.
- 4.5 All players shall pay their respective playing fees upon terms and conditions determined by the Committee.

### **5 CODE OF CONDUCT**

- 5.1 Any person has the right to inform the Committee of any conduct by a player or member, considered detrimental to the interests of the Club.
- 5.2 The Committee shall refer such matters to a Judicial Committee. The Judicial Committee shall consider the matter in accordance with Code of Conduct Guidelines as shall be determined from time to time by a General Meeting of the Club.
- 5.3 If a member or player is found guilty of unbecoming conduct, detrimental to the interests of the Club, the Judicial Committee shall direct the Committee on the action to be taken. Regardless of the action, the player or member shall not be released of any outstanding liability to the Club. Any member or player may request, in writing, a General Meeting to consider an appeal of that decision, within three months of the Judicial Committee's decision. The member or player shall be present at that meeting and may provide either a verbal or written explanation. If the member or player fails to attend the meeting, the Judicial Committee's decision will stand.

### **6 COMMITTEES**

#### **6.1 Executive Committee**

- 6.1.1 The Executive Committee shall consist of a President, three Vice Presidents, a Secretary, two Assistant Secretaries, a Treasurer, Gymnasium Manager, Club Captain, a Social Convenor and one representative from each sports code administered by the Club, each of whom shall be elected at the Annual General Meeting.

6.1.2 Any other Assistants to Committee members may be elected as required and as determined at the Annual General Meeting. Such Assistants may attend Committee meetings but do not have voting rights unless they are attending on behalf of a Committee member.

6.1.3 Candidates for the Committee and any Assistants must be Club members, resident in the Wellington District. They shall be nominated and seconded at the Annual General Meeting. If there is more than one candidate for any position, a ballot shall be held. Each elected member shall hold office until the next Annual General Meeting or until he or she resigns or ceases to be a member, whichever is the earlier. If any vacancy shall occur the Committee may either appoint a member to fill such vacancy for the unexpired term of office, or call a General Meeting to re-elect the position.

6.1.4 In accordance with these Rules, the Committee shall be responsible for:

- (a) administering the day to day functions of the Club;
- (b) keeping proper financial and other records of the business of the Club;
- (c) notifying members of intended meetings and the business to be addressed at those meetings;
- (d) preparing and submitting an Annual Report on the affairs of the Club, and audited Financial Statements for the preceding year at an Annual General Meeting; and
- (e) ensuring that any sub-committee or ad-hoc committee operates within it's terms of reference:

6.1.5 Each member of the Committee shall be responsible for duties as defined in his or her Job Description, which may be determined from time to time by the Committee or a General Meeting.

6.1.6 The responsibilities of the Assistants to the Committee shall be:

- (a) to assist their respective Committee member;
- (b) to assist the Committee at Club activities when requested; and
- (c) to attend Committee meetings in the absence of their respective Committee member.

## 6.2 Sub-Committees

6.2.1 A General Meeting or the Committee may appoint such sub-committees or ad-hoc committees for any purposes deemed necessary. The terms of reference of any such committee shall be clearly defined by a General Meeting or the Committee in the form of a motion.

6.2.2 The duties of any such committee shall be to:

- (a) submit a plan of action to the Committee for approval;
- (b) submit a budget to the Committee for approval before implementing any expenditure;
- (c) keep reasonable records of it's business, progress and recommendations;
- (d) regularly inform the Committee of it's progress and any alterations to its plan of action; and
- (e) seek the Committee's consent for any recommendations.

## 7 MEETINGS

### 7.1 General Meetings

7.1.1 The Annual General Meeting (AGM) shall be held within three months of the end of every Financial Year at a date, time and place to be fixed by the President or the Committee for the following purposes:

- to receive from the Committee the Annual Report and audited Financial Statements for the preceding Financial Year;
- to elect the Committee, Assistants and any Sub-Committees;
- to appoint an Auditor at such fees as appropriate;
- to appoint an Historian and any other ad-hoc positions the Club may determine from time to time to carry out the requirements of the Club [e.g. Hutt, BOT, NZISA]; and
- to discuss and determine any other business.

7.1.2 The President or the Committee may at any time, for any special purpose, call a Special General Meeting (SGM). A SGM shall also be called upon a request in writing of any 15 Ordinary and/or Life Members stating the purpose for which the meeting is required. In such circumstances, a SGM must be held within two months of receipt of such request, unless a deferral is mutually agreed upon between the Committee and the said members.

7.1.3 A quorum of 25 Ordinary and/or Life Members is required at any General Meeting.

7.1.4 Exclusive of the day of the meeting, a notice in writing of the meeting and the purpose or Agenda for the meeting shall be sent to every member at least 7 days before the AGM or 4 days before any SGM. In the case of an AGM, the Annual Report and audited Financial Statements shall also be sent with the notice.

7.1.5 No business other than that specified on the notice shall be voted upon at the meeting. Any matter brought out in General Business may be discussed but not voted upon.

7.1.6 Every notice required to be given to a member shall be deemed to have been delivered if posted to the address shown in the Register.

7.1.7 The President and in his or her absence, a Vice President, or in his or her absence a Committee member elected by the members, shall be the Chairperson of a General Meeting. It shall be the duty of the Chairperson to keep proper conduct of the meeting in accordance with these Rules. The Chairperson has the power to deal with unruly behaviour by any member or invited guests as he or she deems appropriate.

7.1.8 The Chairperson, or a majority of Ordinary and/or Life Members present, may approve speaking rights and/or attendance to a non-member at a General Meeting.

7.1.9 Unless otherwise stated in these Rules, any issue put to a General Meeting by the Chairperson shall be decided by a simple majority in a manner directed by the Chairperson. A secret ballot or a poll on any issue shall be taken if requested by at least 4 Ordinary and/or Life Members present.

7.1.10 Each Ordinary or Life Member present shall have one vote except the Chairperson, who shall have a casting vote as well as a deliberate vote.

## 7.2 Committee Meetings

- 7.2.1 The President or a Vice President shall be the Chairperson at a Committee meeting. Any Committee meeting shall not commence without a Chairperson.
- 7.2.2 It is the duty of the Chairperson to conduct the meeting and to rule on any matters in accordance with these Rules. The Chairperson also has the power to deal with any unruly behaviour as he or she deems appropriate.
- 7.2.3 A quorum of 10 Committee members are required at Committee meetings.
- 7.2.4 Meetings are to be held regularly and typically monthly, at such times and places as the President, or in the case of his or her absence or inability to act, the Secretary or a Vice President, shall appoint.
- 7.2.5 The Chairperson or Committee may permit guests attending meetings for specific purposes.
- 7.2.6 Any issue put to the meeting shall be determined by a simple majority in a manner directed by the Chairperson. Each Committee member shall have one vote except the Chairperson, who shall have a casting vote as well as a deliberate vote.

## 7.3 Sub-Committee Meetings

Each Sub-Committee or Ad-Hoc Committee shall appoint a Convenor unless a Convenor has previously been determined by a General Meeting or the Committee. It will be the duty of the Convenor to call and conduct Sub-Committee meetings in order to carry out its objectives within the terms of reference that the General Meeting or Committee may have given such committee.

## 8 COMMON SEAL

- 8.1 The Common Seal shall be held by the Secretary and kept secure at all times.
- 8.2 Pursuant to a Resolution of a General Meeting or the Committee, the Common Seal of the Club shall be fixed to any document which requires the authorised signature of the Club.
- 8.3 The Common Seal shall be affixed by the President, a Vice President and one other member of the Committee, who shall at the same time, sign the document to which the Seal is being affixed.
- 8.4 A "Seal Register" of all Sealed documents and the date of the relevant Resolution, is to be maintained by the Club and held by the Secretary. Each Resolution to affix the Common Seal shall be reported to the members in the next newsletter.

## 9 AUDITOR

- 9.1 The Auditor for the Club must be a qualified Chartered Accountant and cannot be an existing Committee member. Whenever a new Auditor is appointed an engagement letter is to be issued. An engagement letter shall set out the terms and conditions under which the Auditor will conduct his or her duties.

- 9.2 The audit of the Financial Statements shall be in accordance with Generally Accepted Auditing Standards as set from time to time by the New Zealand Society of Accountants.
- 9.3 Should the Auditor's position become vacant, the Committee shall appoint another Auditor to carry out the duties of an Auditor until the next AGM.
- 9.4 The Club shall indemnify any Club member, who acts in the position of Auditor in an unpaid capacity, from any liability resulting from the audit report, provided the audit is performed in accordance with the standard in Rule 9.2.

## 10 FINANCE

### 10.1 General

- 10.1.1 The Committee has the authority to open, operate or close any bank accounts necessary for the day to day administration of the Club.
- 10.1.2 The signatories for all bank accounts shall be any one of the President, Vice Presidents or Treasurer.
- 10.1.3 At each Committee meeting, the Treasurer shall report on all payments made and receipts received since the previous Committee meeting.
- 10.1.4 All monies received by or on behalf of the Club shall be paid to the credit of the appropriate Club bank account. All monies paid by or on behalf of the Club shall be drawn against the appropriate bank account.
- 10.1.5 The Committee must have regard for the financial aspects of the Unit Title Agreement while administering the Club monies.
- 10.1.6 Any charges for Club activities, facilities or gear shall be authorised by the Committee, or in the case of urgency, the approval of any two of the President, or Vice Presidents.
- 10.1.7 The Club may invest in fixed interest securities which are guaranteed by the New Zealand Government and/or any major banks registered in New Zealand or any of its subsidiaries.

### 10.2 Spending

- 10.2.1 The Committee may pay any expenses incurred within the normal day to day operations of the Club without reference to a General Meeting.
- 10.2.2 The General Meeting shall from time to time approve spending limits on:
  - (a) financial assistance e.g. coach/rep subsidies;
  - (b) general donations given in accordance with Rule 2.4 e.g. St John Ambulance; and
  - (c) any spending outside the normal day to day operations of the Club e.g. on a new computer.
- 10.2.3 Any spending outside of the normal day to day operations of the Club but within the approved spending limit can only be made after a Resolution to do so has been passed by the Committee.

### **10.3 Borrowing**

The powers of borrowing or raising money and the allotment of the required security, shall not be exercised except pursuant to a Resolution of the Club passed in a General Meeting by at least three fourths of the Ordinary and/or Life members present.

## **11 RULES AND REGULATIONS**

- 11.1** The Club may add, amend or delete any Regulations not inconsistent with these Rules, by Resolution in a Committee or General Meeting.
- 11.2** These Rules may be deleted, amended or added to, by a Resolution passed by a three fourths majority of Ordinary and/or Life members present at a General Meeting and confirmed at another General Meeting, to be held no earlier than fourteen days and within three months, by a three fourths majority of Ordinary and/or Life members present.
- 11.3** Any notice of a meeting which conveys proposed changes to the Rules should highlight the purpose of those changes.
- 11.4** The Rules which have been in force to date shall be deemed rescinded from the date of Registration of these Rules, at which time these Rules will take effect.
- 11.5** Any changes to the Rules pursuant to Rule 11.2, shall be registered in accordance with requirements of the Act as soon as possible.

## **12 VALIDATION CLAUSE**

The rescission of the old Rules will not affect the validity of actions undertaken in accordance with the old Rules. [Intention: This rule means that any actions under the old (previous) rules are still valid notwithstanding that they may be inconsistent with the new (current) rules].

## **13 WINDING UP**

- 13.1** The Club may be wound up voluntarily if a Resolution is passed at a General Meeting and is confirmed at a subsequent General Meeting called for that purpose and held at least thirty days later.
- 13.2** Any surplus assets remaining after the winding up or dissolution of the Club shall be transferred, in the following order of preference, to:
  - (a) an Institution with the same objects of the Club; or
  - (b) an Institution with similar objects to the Club; or
  - (c) a public charity determined by a Judge of the High Court of New Zealand in accordance with Rule 13.3.

Any Institution under (a) or (b) above shall not distribute it's surplus assets on winding up or dissolution, to it's members.

13.3 The selection of an Institution or public charity referred to in Rule 13.2 shall be determined by the members in a General Meeting, on or before winding up or dissolution of the Club. In default of such determination by the Club, a Judge of the High Court of New Zealand may select an Institution or public charity in accordance with these Rules.

**14 INDEMNITY AND RESTITUTION**

14.1 Every member of the Committee, Sub-Committee or an elected representative of the Club acting within his or her delegated authority, shall be indemnified by the Club, from any liability claim, if the action (the subject of the claim) was in accordance with these Rules.

14.2 Any person incurring a liability or debt on behalf of the Club, may be held personally liable if he or she was acting either outside his or her delegated authority, negligently or wilfully.