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# THE INVERCARGILL WORKINGMEN'S CLUB INCORPORATED

## NAME OF THE CLUB

1. The name of the Club is THE INVERCARGILL WORKINGMEN'S CLUB (Incorporated)

## INTERPRETATION

Sale and supply of alcohol to members and guests only.

No alcohol may be sold or supplied to any person for consumption on the premises (under the Club Licence), or consumption off the premises (under the off licence) unless that person is:

- (a) An authorised customer; or
- (b) Conditional to the licence being issued subject to a condition allowing alcohol to be sold or supplied to people of that kind, a person who is on the premises at the invitation of an authorised visitor who is also on the premises.

Terms used within these rules unless otherwise expressly stated are as follows:

"authorised customer" means a person who in relation to the Club premises

- (a) Is a member of the Club; or
- (b) Is on the premises at the invitation of, and accompanied by, a member of the Club; or
- (c) Is an authorised visitor.

"authorised visitor" in relation to Club premise means a member of some other club with which the Invercargill Workingmen's Club Inc. has an arrangement for reciprocal visiting rights for members.

"member" in relation to the Club means a person who

- (a) Has expressly agreed in writing to comply with the Club's rules; and
- (b) Is recognised as a member of the Club by those rules.

"Chartered Club" as defined in the Sale and Supply of Alcohol Act 2012.

"Club Noticeboards" means the official noticeboards placed at the Esk and Don Street entrances.

"Committee" means the governing body of the Club.

"Employee" means any person in the paid employment of the Club.

"General Meeting" means a meeting at which all financial members of the Club are entitled to be present. This also applies to Annual and Special General Meetings.

"Highest Office" means the elected positions within the Club deemed to be in this order: President, Vice-President, Committee, Trustees, Social Committee.

"Members" means persons who are currently financial members of the Club, and life members.

"Office" means those positions on the governing body of the Club or the Social Committee to which members are democratically elected.

"Officer" means an elected member of the governing body of the Club, or the Social Committee.

## **OBJECTS**

2. The objects of the Club are:
  - (a) To conduct, maintain and administer and from time to time to take steps for the renewal or replacement of the Charter issued to the Club under the provisions of the Sale and Supply of Alcohol Act 2012 and/or other statutory authorisation.
  - (b) To provide amenities and cultural activities and promote sports and generally to provide an atmosphere where the members may meet and enjoy fellowship with one another.

## **REGISTERED OFFICE**

3. The registered office of the Club shall be at the Club premises, 154 Esk Street, Invercargill or such other place as may from time to time be decided on by the committee. Notice of any change of registered office shall forthwith be given to the Registrar of Incorporated Societies.

## **CONSTITUTION**

4. The Club shall consist of a limited number of members to be fixed from time to time at a general meeting of members and shall be open to persons of not less than eighteen years of age (or at such lower age as may be authorised by the Sale and Supply of Alcohol Act 2012 and its amendments or acts or act passed in substitution thereof).

## **NOMINATION AND ADMISSION OF MEMBERS**

5. (a) Candidates for membership must complete the application form provided and such form shall be signed by two financial members who shall have been members for at least the preceding 12 months. Upon receipt of payment of subscription the applicant shall receive an "Interim Card" and shall have the rights of an Interim Membership:
  - i. Shall be able to use the IWMC premises,
  - ii. Shall be able to sign in one (1) person,
  - iii. Cannot attend an AGM or any special meeting of IWMC Members,
  - iv. Shall be subject to all Rules and By-Laws of IWMC. (Rule books are available upon request).
- (b) The completed form shall be delivered to the Club Manager or any committee member or employee of the Club.
- (c) (i) Election of candidates for membership shall be by majority decision of the committee.

- (ii) Applicants' names, addresses and occupations, and nominators' and seconders' names shall be exhibited on the Club noticeboards for at least 14 days prior to the date on which the committee is to meet to consider any such application. Any member who wishes to make any reasonable objection to any candidate becoming a member of the Club may before the date on which the committee is to meet to consider the application notify the committee of such objection and the reasons therefore and the committee shall take such objection into account. The final decision as to whether any applicant shall become a member of the Club shall be in the absolute discretion of the Committee.
- (d) Corporate Membership:  
Corporate membership may be sought and any such application may be approved by Committee, subject to the following:
- (i) Nomination fee and annual subscription be set by resolution of Committee.
  - (ii) No portion of the Corporate annual subscription is creditable to membership number.
  - (iii) No voting or reciprocal visiting rights are conferred on Corporate members.
  - (iv) Section membership is excluded.
  - (v) Four membership cards shall be provided for use of Management and/or staff of the Member organisation.
  - (vi) The bearer of an individual Corporate card is able to sign in invited guests.
  - (vii) The member organisation is entitled to one free room hire per year at the Corinthian Conventions Centre.
  - (viii) All functions held by member organisations at the Corinthian Conventions Centre shall attract Club bar prices.
  - (ix) Bearers of individual Corporate cards are entitled to use all general Club facilities.
  - (x) All other membership rights are conferred on Corporate members except that such members are not eligible to enter the Wheel of Fortune or the weekly Members' draw.
  - (xi) Corporate members and their staff are not exempt from disciplinary and by-law provisions of the Club rules.
- (e) Each candidate shall within seven days be notified in writing of the result of the ballot. The decision of the committee in respect of the election or rejection of a candidate shall be final and with no right of appeal. The nomination fee of a candidate who has been rejected shall be refunded in full.
- (f) Any candidate for membership whose membership is declined by the Committee is, from that date, prohibited from entering any part of the Club premises until such time as the Committee determines to uplift this prohibition.
- (g) No person who has been expelled from this Club or any other chartered club or who has resigned from a chartered club at the request of those entrusted with the government or control of that club shall be entitled to be or become a member of this Club.

- (h) A financial member of a Club affiliated to the Clubs New Zealand (Inc) who wishes to become a member of this Club shall not be required to pay a subscription when transferring membership to this Club.  
IWMC membership expires 30<sup>th</sup> April annually. The transferred member will then have to pay a subscription.
- (i) Life membership of IWMC may be awarded, by decision of the Committee, to members who have rendered outstanding service to the Invercargill Workingmen's Club Inc.
  - i) Nomination(s) for Life Membership shall be forwarded, in writing, to the Committee and signed by no less than two financial members of IWMC, accompanied by supporting history of the nominee
  - ii) All nominations shall be considered by the Committee. Should the Committee accept the nomination and grant interim approval, the nominee shall be notified accordingly and his/her acceptance of the proposed honour shall be obtained in writing
  - iii) Once acceptance (or otherwise) is obtained the Committee shall ratify Life Membership of the nominee at a subsequent meeting of the Committee. Any decision by the Committee to grant, or decline, Life Membership shall be considered final. Presentation of the Life Membership will be made at the next Annual General Meeting
  - iv) Life Members shall not be required to pay any annual subscription.
- (j) Every member on the payment of the annual subscription shall receive a current sticker for attachment to the membership card which the member must produce when required to do so by any officer or employee of the Club when on the Club premises.
- (k) A person who has been a financial member during the previous financial year is not eligible to join the Club part-way through the next financial year and have the subscription pro rata'd, but shall be liable for the full subscription, and, if applicable, the penalty for late payment of a subscription.
- (l) Where it has been agreed that another incorporated society merge with the Invercargill Workingmen's Club Incorporated then the Committee be empowered to accept the transfer of members from that other incorporated society.

## **YOUTH MEMBERS**

- 5A (i) Candidates for youth membership must be 10 years of age or more at the time of application, with access to all the Club's facilities subject to the following conditions:  
Those youth members between the ages of 10 and 15 years must be accompanied by a parent, guardian or caregiver who must be a member of a chartered club.

Until attaining the age of 18 years the following restrictions shall apply:

- (a) No voting rights at Club general meetings, or the election of office bearers, until they have attained 18 years of age or such other age as specified by the Electoral Act.
- (b) A subscription rate as suggested by the Committee

- (c) No right to hold office in the Club
  - (d) No right to nominate membership
  - (e) May invite any person as a visitor to the Club in accordance with Rule 9(a)(i-iv)
  - (f) Alcohol must not be purchased or consumed on Club premises except as in accordance with revisions of the Sale and Supply of Alcohol Act 2012.
  - (g) On reaching legal drinking age, members must relinquish youth membership and become full members
- (ii) Candidates for full membership must be at least the minimum legal age for drinking on licensed premises in force at the time of application.
- (iii) Each candidate for membership shall be nominated in writing, on a form provided for the purpose, by two financial members of the Club who are not under-age members.

### **ANNUAL SUBSCRIPTIONS AND LEVIES**

6. Annual subscriptions shall be fixed from time to time by the Club in general meeting.
- (a) Prior to the first day of April in each year the Club Manager shall notify by public notice all members other than life members that their subscriptions are due on or before the thirtieth day of April and any member allowing their subscription to remain unpaid after the thirty-first day of May in the same year may be struck off the roll of membership.
  - (b) A list of unfinancial members shall be placed on the noticeboard in the Club within the first fourteen days of May.
  - (c) Notwithstanding the above, the committee shall have a discretion to defer payment of subscription by reason of illness, accident or hardship of a member.
  - (d) If appropriate notice is given the Club may at any annual or special general meeting impose a levy to be paid by members in addition to the annual subscription and shall at the same time fix a date for payment and the committee shall have similar powers of striking-off or of suspension on non-payment as it has in relation to the annual subscription.
  - (e) In any instance where Clubs New Zealand raises the capitation fee for membership, the Committee be empowered to pass the increase on as part of the following year's subscription.

### **RESIGNATIONS**

7. Any member desiring to withdraw from the Club shall give notice in writing to the Club Manager of the intention to do so.



## VISITORS

8. The Committee may in special cases or special occasions admit visitors who are not members of affiliated clubs.
9. (a) Any member may invite any person as a visitor to the Club in accordance with the following conditions:
  - (i) All visitors shall sign the visitors' book and enter their name and address in the book on each occasion.
  - (ii) The member accompanying a visitor shall also sign the visitors' book and at all times will be responsible for the conduct of the visitor. Such visitor shall remain on the premises only so long as the host member remains on the premises.
  - (iii) Visitors shall be sold or supplied liquor for consumption on the premises only in accordance with the licences held by the Club.
  - (iv) Subject to no person becoming a frequent or regular visitor.
- (b) Members of the clubs affiliated to Clubs New Zealand and with whom the Club has entered into an agreement providing for reciprocal visiting rights need not be accompanied by a member and may enter and use the facilities of the Club in accordance with all of the following conditions:
  - (i) By producing sufficient evidence to an officer or employee of the Club to confirm membership of an affiliated club.
  - (ii) At all times obeying the Club's rules and by-laws.
  - (iii) Liquor is supplied for consumption on the premises only in accordance with the licences held by the Club.
  - (iv) Subject to no person becoming a frequent or regular visitor.
- (bb) An authorised visitor, being a person who enjoys reciprocal visiting rights to the Invercargill Workingmen's Club Inc., may invite any person to enter the Club premises as a guest, and be sold and supplied with alcohol, by signing the guest in the register, providing the authorised visitor shall at all times be responsible for the guest.
- (c) The committee may close all or any part of the Club's premises to the admission of visitors at any time it thinks fit.
- (d) Notwithstanding anything in Rule 9(a) or 9(b) above, the Committee may direct that any person (not being a member) be denied access to the Club for such period as the Committee deems appropriate, if the Committee considers that person has been guilty of conduct which, if they were a member, the Committee would commence disciplinary proceedings

## GOVERNMENT OF THE CLUB

10. (a) The management and control of the affairs of the Club shall be vested in a committee which shall consist of a President, Vice-President, the Immediate Past-President, 10 committee members and 3 trustees, **providing** that the office of Immediate Past-President shall be for a maximum of 12 months and thereafter following the election of a new President. Nominations for office must be in writing and signed by the nominee and the proposer and seconder who shall themselves be currently financial members of the Club and such nomination shall be delivered to the committee and posted on the

Club noticeboards by the Club Manager at least fourteen days prior to the Annual General Meeting **provided however** that in the event of any insufficiency of nominations being so posted further nominations for office limited to such positions for which there is an insufficiency may be received up to and at the Annual General Meeting in such year. In addition the trustees shall be ex-officio non-voting members of the committee whose election and duties are governed by Rule 14;

- (b) Candidates for the office of President, Vice-President, Trustees or committee shall have been members of the Club for at least twelve months previous to the nomination and no member shall be eligible for the office of President or Vice-President who has not at some time within the immediately preceding two years also served for at least one year on the committee.
- (c) No member or committee member who has been suspended by the committee for misconduct shall be eligible for office within two years from the date of the expiry of such suspension.
- (d) If by reason of the number of nominations no election shall be necessary for any or all positions on the committee, the nominees for those particular positions shall at the Annual General Meeting be declared re-elected and shall take office immediately.
- (e) If an election is necessary for any position or positions it shall be by secret ballot. Such ballot shall be conducted on the Club's premises beginning 30 minutes from the conclusion of the Annual General Meeting to 6.30pm of the same day. In that event a returning officer and such assistants, as shall be necessary, shall be appointed at the Annual General Meeting to conduct the ballot. For such ballot each voter shall be supplied with a voting paper containing the names of the candidates nominated for each such position and the number required to fill the position. A voter may vote for any number of candidates not exceeding the number required to fill the particular position.
- (f) The ballot shall be held in an area set apart for that purpose. No ballot paper shall be removed out of the area (except as provided for in (f)(i) and (ii)). No officer or candidate shall actively campaign or promote his/her nomination during the period the poll is open. Any officer or candidate offending proven to offend in this manner, shall be disqualified from office if elected.
  - (i) Any member living within the city boundary indisposed through illness may ask to record a sick vote by making application to the Returning Officer during the period that the poll is open. The Returning Officer shall personally attend upon the member with voting papers, which upon completion will be sealed in an envelope and placed in the locked container to be included in the count at the conclusion of the ballot.
  - (ii) Any member who will be absent during the poll, may make application to the Returning Officer to record an absentee vote. The completed voting papers shall be dealt with as in (f)(i) above.

- (g) The candidates up to the number of vacancies who shall receive most votes shall be declared elected and in the case of two or more candidates receiving an equal number of votes lots shall be drawn to decide the ballot.
- (h) The count can commence in a secure area up to three (3) hours prior to the closing of the ballot and the results shall be declared by the returning officer immediately upon completion of the count and shall be posted on the noticeboards. The successful nominees shall be deemed to be elected and to take office from that time.
- (i) Any candidate for office may appoint a scrutineer, such scrutineer to be a financial member of the Club.
- (j) All ballot papers shall be sealed and retained for fourteen days in safe custody by the Returning Officer.
- (k) Where any candidate has any reason to believe that the declaration of the number of votes received by any candidate at an election is incorrect that candidate may within seventy-two hours after such declaration is made, apply to the Returning Officer for a recount of the votes. The Returning Officer shall cause a recount of the votes to be made and shall post the result of the recount on the noticeboards.
- (l) No member shall hold more than one office at any one time. A candidate shall be eligible to stand for more than one office at the annual election of officers, but in the event of being elected to more than one office shall be deemed to have been elected only to the highest office.
- (m) Where a vacancy arises in the office of a Committee member and there is more than three months until the next election, the highest polling unsuccessful candidate at the election previous to the vacancy occurring shall automatically be elected to fill such vacancy. Any member elected or appointed after the date of the annual election shall hold office only until the next annual election for that position.
- (n) At all meetings of the committee six exclusive of the president shall be a quorum.
- (o) The committee shall hold a meeting once at least in each month for the transaction of ordinary business and shall have power to make by-laws and to alter or rescind them as occasion may require **provided always** that such by-laws are not inconsistent with these rules or the Incorporated Societies Act 1908. Such by-laws may be amended at any General Meeting or at any Special General Meeting of which notice, in accordance with these rules, of intention to so amend or rescind the by-law shall have been duly given. The President or Vice-President of their own volition **or** on receipt of a written requisition signed by not fewer than seven committee members shall call a special committee meeting of which at least twenty-four hours notice must be given.
- (p) The committee at any ordinary meeting shall have the power to transact all business within its jurisdiction, but it shall not be competent at any special meeting of the committee without the sanction of all members of the

committee present, to transact or entertain any business except that specified in the notice calling the special meeting.

- (q) The committee shall delegate the authority to appoint employees (apart from the Club Manager position) to the President (or in his absence the Vice-President) and Club Manager, who shall together define employees respective duties and conditions of employment, and have power to recommend employee dismissal.

A sub committee consisting of the President, Club Manager, Chair of Finance, one Trustee and one General Committee member shall have the authority delegated by the General Committee to authorise the following:

1. Fix the amount of employees remuneration, including changes and increases, determine bonus payments and any other non cash benefits.
2. Ratify any employee dismissal, or appointment
3. Annually consider wage increases, staff appraisals, job descriptions, adequate training programmes are in place

The quorum for meetings of this sub committee shall be five persons. The Trustee and General Committee member shall be appointed by the General Committee. Any sub committee member who is unable to attend a meeting shall appoint a General Committee member or Trustee to act on their behalf at any sub committee meeting.

- (r) A member of the committee shall vacate office if that member:
- (i) is absent from three consecutive meetings of the committee without leave of the committee
  - (ii) is declared bankrupt
  - (iii) by notice in writing to the committee resigns office
  - (iv) by notice in writing from the committee is called upon to resign for any reason which the committee deems expedient and that member does not resign.
  - (v) is suspended by the Committee or Disciplinary Appeal Committee.

## **DUTIES**

11. (a) Club Manager:

The Committee shall appoint a Club Manager who shall pay all outgoings on account of the Club, subject to the approval of the Committee and shall also be required to keep proper books of account of the receipts and expenditure of the Club, and shall prepare an annual balance sheet and statement of accounts showing the financial position of the Club. All monies received by the Club Manager on behalf of the Club shall be forthwith paid by the Club Manager into the Club's banking account. All cheques on such account shall be signed by any two of the President, Club Manager and nominated Committee member. The Club Manager shall keep such a register of members, minutes of proceedings of the Committee and of general meetings and other records of the Club as the Committee may from time to time direct and shall under the Committee's direction, attend to all correspondence and send out such notices as are provided for or directed by these rules. Minutes of monthly Committee meetings shall be available for perusal by

members if requested. The Club Manager shall carry out such other functions as shall from time to time be agreed and incorporated in a contract of employment negotiated between the Club Manager and the Committee.

(b) Auditor:

There shall be an auditor (who shall not be a member of the committee) appointed every three years at the general meeting. Such auditor shall audit the accounts and have power to call for the production of information on the affairs of the Club at any time. The auditor shall also conduct annual audit for the purposes of the gaming license. The committee shall have the power to fill any temporary vacancy in the office of auditor.

(c) Any person except the Club Manager accepting regular service in the Club may retain membership but shall forfeit all rights to hold honorary office, or participate in any Club business. Club employees, provided they are financial members of the Invercargill Workingmen's Club, may attend the Annual General Meeting.

### **GENERAL POWERS OF THE CLUB**

12. The Committee on behalf of the Club shall have the power:

(a) To purchase, take on lease, hire or otherwise acquire any real or personal property or rights or privileges which it may think necessary or convenient for the purpose of furthering the objects of the Club.

(b) To invest any monies not required for immediate use in such Government or Local Body securities or on bank deposit as may be deemed advisable with power from time to time to vary investments for others of a like nature and to lease or hire or enjoy the benefit of any property presently occupied whether real or personal of any kind or nature whatsoever which may conveniently be used in connection with the objects of the Club **provided that** nothing contained or implied in this rule shall allow the letting or leasing of any part of the premises of the Club.

(c) To do all such things as in the opinion of the Club may be incidental to the attainment of any of the previously mentioned objects or the exercise of any of the previously mentioned powers.

### **BORROWING MONEY**

13. The committee on behalf of the Club shall have power to borrow or raise or give security for money by the issue of or upon bonds, debentures, debenture stock, bills of exchange, promissory notes or other obligations or securities of the Club by mortgage or charge upon all or any part of the property of the Club or without security and upon terms as to priority or otherwise as the committee shall think fit.

## **CLUB TRUSTEES**

- 14 (a) There shall be three Club trustees. Such trustees shall hold office until the next following annual general meeting and shall be perpetually eligible for re-election. The trustees shall be nominated and elected at the same time and in the same manner as prescribed for the nomination and election to the general committee of the Club.
- (b) On the resignation or death of any trustee the committee shall appoint a replacement trustee who shall serve until the next Annual General Meeting.
- (c) The trustees shall be deemed to have all the powers of other members of the committee save for voting powers. They shall also have the additional powers given to them to act as the Disciplinary Appeal Committee of the Club, and shall have such further additional powers as may be vested in them by by-laws made from time to time for this purpose.
- (d) Any two of the three trustees shall have the power to requisition a special general meeting of the Club.

## **DISCIPLINARY COMMITTEE**

### **15.A**

- i) A Disciplinary Sub-Committee shall be formed at the first Committee meeting following each Annual General Meeting and shall be known as the Disciplinary Committee.
- ii) The Disciplinary Committee shall consist of five (5) elected members of Committee, one of whom shall be the President plus one alternative. The alternative shall replace any member of the committee who because of illness, conflict of interest or any reason is unable to attend a hearing.
- (iii) The disciplinary powers of the Club rules shall be vested upon the disciplinary Committee.
- (iv) The Disciplinary Committee shall have the right to obtain legal advice if deemed necessary.

## **DISCIPLINARY POWERS**

15. (a) If any member or guest of a member shall knowingly infringe any of the rules, by-laws or regulations of the Club, or if any member shall in the opinion of the Disciplinary Committee be guilty either in or out of the Club of objectionable or disorderly behaviour or conduct prejudicial to the interest of the Club, it shall be in the power of the Disciplinary Committee to suspend such member from membership of the Club for such period or periods as it may think fit. It shall further be within the power of the Disciplinary Committee in such cases to expel such member from membership.
- (i) Where any visitor to the Club has made any infringement as described in (a) above the Disciplinary Committee may order that that person shall be denied access to the Club premises for whatever period the Disciplinary Committee deems appropriate.

- (i) Where any member is subject to suspension, or has been expelled, the member is prohibited from entering any part of the Club premises, property, or extension thereof (e.g.hall or sporting venue being used for the time being for a Club activity or transport thereto) for the period of the suspension, or while the member remains subject to the order of the Disciplinary Committee expelling the member.
  - (ii) Provided that where any part of the Clubrooms is subject to hire for a specified occasion or event organised by any person, group of persons or organisation, and that event or occasion has no connection with the activities of the Invercargill Workingmen's Club, the denial of access to the visitor to Club premises, or the prohibition of a member from entering Club premises, shall not have any application in respect of that part of the Clubrooms that is subject to hire, unless the Disciplinary Committee has specifically ordered when determining the suspension, expelling or denial of access to a visitor, that the sentence does apply to the whole of the Clubrooms.
- (b) The Disciplinary Committee shall not suspend or expel a member under the foregoing provisions without first giving notice to such member of the time and place of the Disciplinary Committee meeting being called to consider such matter and the nature of the charge preferred against the member. This notice shall be served by way of registered mail, or in person by the Club Manager or his deputy, at the direction of the President together with the Vice-President. The notice shall also advise that before any decision is made on the said charge the member will be given the opportunity (if the member so desires) of giving orally or in writing any explanation or defence such member sees fit. The Disciplinary Committee shall be bound to take into account any such explanation so given. The Disciplinary Committee's decision shall be communicated to the member in writing and subject to paragraphs (e) to (i) below shall be binding and conclusive and effective as from the time of communication.
- (c) Notwithstanding the provisions of (a) and (b) if in the opinion of any individual committee member, or trustee, or the duty manager on the premises for the time being, any member shall be guilty on the Club's premises of drunken or disorderly or objectionable behaviour of such a nature as to be prejudicial to the interest of the Club, such committee member or trustee or employee shall be empowered to summarily eject such member from the Club's premises. Any committee member, trustee or employee acting in good faith under this provision is hereby fully indemnified by the Club in respect of such action.
- (d) In the event that a member is summarily ejected as in (c), the committee member, trustee or employee shall without delay bring this matter to the attention of the Committee and a meeting of the Disciplinary Committee shall be summoned at the first available opportunity, and in accordance with these rules, to consider the incident. The procedure as to the summoning of the offending member to the meeting the member's rights and the Disciplinary Committee's powers and duties shall be as previously provided in (a) and (b). Pending the Disciplinary Committee's decision, all rights of membership previously enjoyed by the offending member, including right of access to the Club premises, shall be absolutely suspended.

- (i) Any member who having been notified of a Disciplinary Committee meeting called under Rule 15(c) or 15(d) fails to be present at such a meeting or who neglects to notify the Disciplinary Committee of inability to attend shall be dealt with in the member's absence.
  - (ii) Where any member having failed to appear before a hearing of the Disciplinary Committee without advising the Disciplinary Committee of an inability to attend lodges an appeal against the decision of the Disciplinary Committee this appeal shall not be dealt with by the Disciplinary Appeal Committee but shall be referred back to the Disciplinary Committee for a rehearing and a subsequent right of appeal as set out in this rule shall be to the Disciplinary Appeal Committee after that rehearing. In the event of a member not attending such a rehearing without notifying the Disciplinary Committee of an inability to attend no further right of rehearing or appeal shall lie.
- (e) Any member or committee member aggrieved at a decision made by the Disciplinary Committee under provisions of these rules, shall have a right of appeal to the Disciplinary Appeal Committee.
- (f) The Disciplinary Appeal Committee shall consist of the three trustees **provided that** in the event that any particular trustee is unwilling or unable to deliberate on any particular appeal, the other trustees shall appoint some other person, other than a committee member to act on that trustee's behalf.
- (g) Written notice of appeal must be delivered to the Club Manager or the President or the Vice-President within seven days of the day of receipt of the committee's decision appealed against.
- (h) The Club Manager shall contact the members of the Disciplinary Appeal Committee as soon as reasonably possible after notice of appeal shall have been given and a hearing date and place shall be arranged and notified in writing to the member as soon as reasonably possible.
- (i) The committee shall place before the Disciplinary Appeal Committee the minutes of the meeting which dealt with the appellant. No member of the committee or officer of the Club apart from the President shall be in attendance at the hearing except as an appellant or a witness or at the request of the Disciplinary Appeal Committee. The appeal should be in the nature of a rehearing and any evidence relevant to the issue may be admitted. The decision of the Disciplinary Appeal Committee may reverse or amend the determination appealed from, and that decision shall be binding and conclusive and shall be communicated in writing to the member and the committee. A majority decision of the Disciplinary Appeal Committee shall be sufficient.

### **SOCIAL COMMITTEE AND SUB-COMMITTEES**

16. (a) There shall be a committee called the Social Committee which shall consist of twelve members and a treasurer elected at the same time and in the same manner as prescribed for the nomination and re-election of the committee of the Club. In addition to the elected members the social committee shall have as its chairman a member of the committee. The



social committee shall be responsible to the committee for arranging social functions and organising raffles and shall otherwise operate in a manner prescribed in by-laws made from time to time by the committee.

- (b) The committee may from time to time appoint sub-committees for any of the purposes of the Club subject to such conditions as the committee may think fit.

### **ANNUAL GENERAL MEETING**

- 17. An Annual General Meeting of the members shall be held in the Club during the month of June, at such time as the committee may from time to time decide, for transacting the general business of the Club and receiving from the President a report of the Club for the past year.
  - a) i) The President shall on behalf of the Committee present a report which, includes the Annual Statement of Accounts and Balance Sheet of the Club, made up to the 31st day of each year to the Annual General Meeting. The report, along with the Annual Statement of Accounts, shall be made available within the Clubrooms at least 14 days before the Annual General Meeting. The names of members who have been nominated for office shall also be displayed at the same time.
  - ii) The Annual Statement of Accounts and Balance Sheet be duly audited every three years.
  - b) Notice of the Annual General Meeting of members and elections shall be posted on the Club notice boards at least twenty eight days prior to the meeting, and advertised by such media as the Committee may from time to time resolve to use.
  - c) Notices of Motion shall be exhibited on the Club noticeboards for at least 21 clear days before the date of the meeting.

### **COMMITTEE MAY CALL SPECIAL GENERAL MEETING**

- 18. The Committee may at any time call a Special General Meeting, and shall be bound to convene a Special General Meeting on the requisition of ten percent of the number of financial ordinary members or any two of the trustees specifying the business for which it is to be held.

### **NOTICE OF SPECIAL MEETING TO BE GIVEN**

- 19. Notice of such Special General Meeting specifying the day and hour when, and the business for which it is to be held, shall be exhibited on the Club noticeboards and advertised in the local newspaper at least twenty-one clear days (excepting cases which by the rules are otherwise provided for) before the day appointed for holding the meeting.

## **BUSINESS AT SPECIAL MEETINGS**

20. It shall not be competent for any Special General Meeting to transact or to entertain any business, except such as shall be specified in the written notice convening the same, or as shall in the opinion of at least two-thirds of the members present directly arise.

## **ALTERATION OF RULES**

21. No new rule, nor alteration, nor suspension of a rule shall be made without the sanction of at least two-thirds of the members voting in person at a General or Special General Meeting, twenty ordinary members at least voting on each occasion; nor unless the proposed rule or alteration be exhibited on the Club noticeboards for twenty-one days immediately preceding the day of the meeting.

## **WINDING UP OF CLUB**

22. The Committee may or upon application in writing by not fewer than one-third of the total ordinary members of the Club signifying their desire that the Club should be dissolved, shall call a Special General Meeting to consider the possible winding up of the Club. Notice of that meeting and its purpose shall be posed on the Club noticeboards for at least three months immediately preceding the day of the meeting. At the meeting the votes of at least two-thirds of the ordinary members present at the meeting shall be necessary to carry the proposal for dissolution. The quorum at such meeting shall consist of not less than one-third of the ordinary members of the Club present in person.

## **DISPOSAL OF ASSETS ON WINDING UP**

23. In the event of dissolution the assets of the Club shall be realised and the net proceeds therefrom after payment of all the liabilities of the Club shall be dealt with in such a manner and proportions as a majority of the member present at the meeting referred to in Rule 22 shall decide, and in accordance with the provisions of the Incorporated Societies Act 1908.

## **RESOLUTIONS BINDING**

24. All resolutions passed at a meeting of the Club shall be conclusive and binding on all members of the Club, whether they shall be present at such meeting or not, provided that such meetings are held in conformity with these rules.

## **QUORUM AT GENERAL MEETINGS**

25. At every general meeting unless otherwise prescribed the quorum shall be fifty (50) financial members present in person.

## **POWER TO ADJOURN MEETINGS**

26. A majority of members present at meetings and committee meetings shall have the power to adjourn proceedings from time to time.

## **MODE OF VOTING**

27. At all meetings of members, and at all committee meetings (unless otherwise provided for in these rules), the mode of voting shall be by show of hands, or if required by five members, by ballot, and the chairman shall have an ordinary, and in any cases of equality, a casting vote, and all questions (except as may be otherwise provided for in these rules) shall be decided by a simple majority of the votes.

## **EXPELLED OR RETIRING MEMBERS NO CLAIM**

28. No expelled or retiring members shall have any claim on the committee or Club either individually or collectively or to any property of the Club.

## **DISPUTES**

29. Every dispute between a member and the Club or any officer of the Club or under these rules shall be decided by the committee and the decision so made shall be binding and conclusive on all parties without appeal.

## **SEAL**

30. The Club shall provide a common seal which shall be kept in the custody of the Club Manager for the time being or the Club's solicitor and shall not be fixed to any deed or document except by order of the committee. Every deed or document to which the common seal of the Club is required to be affixed shall be signed by the President and Club Manager and one other member of the committee.

Updated June 2018  
Updated July 2019

# INVERCARGILL WORKING MEN'S CLUB INC

## BY-LAWS

1. All refreshments must be paid for when ordered.
2. The Committee shall have authority to allocate to the President and to the Committee and Trustees such annual sum or sums as the committee shall deem fit for the entertainment expenses of the President and for the purchase of food and refreshments for Committee meetings and for such other occasion as the Committee shall deem fit.
3. Without the written approval of the Committee, no animals will be allowed inside the Club with the exception of an "assistance animal" under the control of their handler.  
Failure for members, and guests, to comply with this rule breaches the Human Rights Act 1993 and/or Dog Control Act 1996 and is subject to a disciplinary hearing.
4. The Club will not be responsible for damage to motor vehicles, bicycles or any personal property placed within Club premises.
5. Parking of motor vehicles is permitted only in the spaces marked, and only members of the Committee, President, Staff or Executive Officer may park in the parks marked as for their respective position. If a member finds on arrival in the park that no vacant spaces are available it will be his duty to remove his vehicle from the area. The parking space available is for those members desiring to use the Club, with the added proviso that the parking time is strictly limited to the period during which a member is on the premises. It is in the interest of all members using the car park that these by-laws be strictly observed, and any member failing to do so will be answerable to the Committee. Ignorance of these by-laws will be no excuse.
6. Members must wear reasonable dress at all times in accordance with the notices displayed in the Club.
7. Members comprising each sporting sub-section of the Club when travelling to and from sporting events shall appoint a team manager.
8. Members of the Committee shall at all times render every assistance to the Executive Officer and employees of the Club to maintain order and to prevent infringement of the rules or by-laws or the terms of any charter which may from time to time be granted.
9. No business cards or notices shall be posted or hung on the premises without the sanction of the Committee, nor shall any member give the address of the Club in an advertisement or conduct any business in the Club or use the Club address for business purposes.
10. No member shall give any gratuity to any employee of the Club.

11. Any member convicted of bookmaking or an indictable offence or committing an offence within or without the Club likely to prejudice the Club's charter shall thereby cease to be a member of the Club.
12. Drunkenness, swearing, obscene language and other disorderly conduct shall not be permitted in the Club's premises, and members persisting in offending may, after being cautioned by any officer of the Club or a Committee member render themselves liable to suspension or expulsion.
13. No raffle shall be allowed on the Club's premises or goods exhibited for that purpose except with the authority of the Committee.
14. No unlicensed or unlawful gambling or gaming shall be permitted in the Club.
15. No petition, except for the purpose of convening an Extraordinary General Meeting as provided for in Rule 18 shall be allowed to circulate or signatures sought on the premises of the Club.
16. No person shall provide his/her membership card to any other person for the purpose of that person gaining access to the Club premises.
17. No person shall use another person's membership card to gain access to Club premises.
18. The rules and by-laws shall apply equally to each and every member of the Club.

Amended 2000  
Amended 2016  
Amended 2017  
Amended 2018