



Rules of the Porirua Club Incorporated

October 2023

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PORIRUA CLUB INCORPORATED RULES
APPROVED BY ANNUAL GENERAL MEETING SEPTEMBER 2023

1. NAME OF CLUB

- 1.1. The Name of the Club shall be "THE PORIRUA CLUB INCORPORATED"**

2. OBJECTS AND POWERS

2.1. The objects for which the Club is established shall be:-

- 2.1.1. To provide in the City of Porirua a Club for the use of members.
- 2.1.2. To promote the common object of social recreational activities provide for the members of the Club. Such as games, liquors, refreshments, and other social amenities, not for purpose of gain.
- 2.1.3. To acquire by lease, purchase or otherwise, land and premises at Porirua for the use of the Club and to take over or erect and maintain and manage the same.
- 2.1.4. To acquire, purchase, take on lease or exchange, sell, let, lend or otherwise deal with any land, building, chattels and other real and personal property and any rights or interest therein as may be thought necessary or convenient for the promotion of any of the Club's objects.
- 2.1.5. To acquire from Crown, any government department, statutory commission or corporation, or any municipal or other authority or any institution, person or persons any charter, authority, right, privilege, license, concession or contract which may be thought desirable for promoting any of the Club's objects and to make any arrangements for renewal or amendment of the same.
- 2.1.6. To apply any surplus funds not needed for the immediate purpose of the Club or for contingencies if the Committee so decided to such public or philanthropic purposes as may be deemed deserving.
- 2.1.7. To do all other such things as in the opinion of the Club may be incidental or conducive to the attainment of its objects.

3. MEMBERSHIP

- 3.1. On Acceptance as a member (all classes), the member acknowledges their acceptance of all Club policies, By-laws, and constitutions.**
- 3.2. A member of the New Zealand Parliament and the Mayor of the City of Porirua shall be granted the privileges of the Club.**
- 3.3. Classes of Membership: The members of the club be divided into the following classes:**
 - 3.3.1. Ordinary;
 - 3.3.2. Junior;
 - 3.3.3. Life;

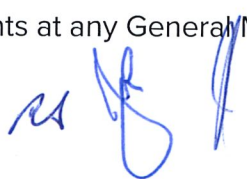


3.4. Ordinary Membership: Individuals of at least the legal purchasing age may apply to become Ordinary Members of the club in accordance with the following rules:

- 3.4.1. Each applicant for Ordinary Membership shall complete the applicable application form.
- 3.4.2. Each applicant shall deposit, at the time of application, a subscription of such sum as agreed at the Annual General Meeting.
- 3.4.3. An application for ordinary membership is deemed to be a declaration that the applicant consents to membership, acknowledges that their information will be entered into the Register of Members and agrees to be bound by this constitution, by-laws and policies.
- 3.4.4. Subject to the foregoing Ordinary Members shall be entitled to;
 - a. Enjoy the facilities of the club during times that the club is open.
 - b. Enter any club with whom reciprocal visiting arrangements are in place, provided it is in accordance with that club's rules; and
 - c. Hold office in accordance with this constitution and have an equal voice in all business of the club.
- 3.4.5. The Committee reserve the right to revoke Ordinary Membership within 90 days of application if the Ordinary Member is found to have provided false information or is deemed to have breached the club's constitution. In the event that Ordinary Membership is revoked;
 - a. The member shall be informed in writing of the decision; and
 - b. The subscription fee will be refunded in full.

3.5. Junior Membership:

- 3.5.1. Notwithstanding any other rules, the following rules set out provisions applying specifically to Junior Members. For the avoidance of doubt, where there is a conflict or ambiguity between these rules and any other rule in this constitution, then this rule relating to Junior Members shall prevail. Subject to the provision contained in these rules, all rules shall apply to Junior Members in the same way as they do to Ordinary Members.
 - a. Individuals aged under the legal purchasing age and older than 10 years, may apply to become junior members of the club in accordance with the procedure for Ordinary Membership set out in Rule 3.3, providing their parent or Guardian is also a member of the Club and approves of the application.
 - b. On reaching the legal purchasing age, Junior Members are eligible to apply for Ordinary Membership
 - c. Members shall automatically lose their Junior Membership Status:
 - i. One month after reaching the legal purchasing age; or
 - ii. Upon admission as an Ordinary Member, whichever is earlier.
 - d. A Junior Member's rights are restricted by the following:
 - i. No voting rights at any General Meeting



- ii. No right to hold office or be a member of the Executive Committee
- iii. No right to participate in any alcohol promotions, accept alcohol as prize in any club activity, purchase alcohol or accept alcohol from any member except their parent or legal guardian.
- e. A Junior Member may have the right of admission to an Affiliated Club with which the club has reciprocal rights (it is essential to check with each club first to ensure they allow Junior Members into their club – especially if a Junior member is wishing to enter a Clubs New Zealand Sports Tournament)

3.6. Life Membership Life Membership may be granted to any member for meritorious service rendered to or on behalf of the club, providing Life Members do not exceed 1% of the total of the Clubs Membership and is in accordance with the following:

- 3.6.1. The Committee may elect to recommend a member for Life Membership
- 3.6.2. A Financial Member may propose, and another Financial Member may second a member for Life Membership in writing, and that nomination shall be forwarded to the committee, no later than one calendar month before the Clubs Annual General Meeting.
- 3.6.3. No nomination for Life Membership shall be put to the Annual General Meeting unless it has the majority support of the committee.
- 3.6.4. The Committee shall post notice of its intention to recommend a Life Member on the club's noticeboard for fourteen (14) clear days prior to the Annual General Meeting in any year.
- 3.6.5. The club may elect a member recommended by the Committee to Life Membership by a majority of at least Three fourths (3/4) of the votes cast by those who are eligible to do so at the Annual General Meeting
- 3.6.6. Life Members are eligible to vote, hold office and enjoy all the rights and privileges of membership.
- 3.6.7. Life members shall not be charged an annual subscription but shall be deemed to be Financial Members.

4. REGISTER OF MEMBERS

- 4.1. The Club will maintain a register of members in accordance with the Incorporated Societies Act 2022.
- 4.2. The Register of Members will at all times be administered in accordance with the Privacy Act 2020 and the Clubs Privacy Policy.
- 4.3. The Club will update the register of members as soon as practicable after becoming aware of changes to the information recorded on the register.
- 4.4. Subject to certain grounds for refusal set out in the Privacy Act 2020, members have the right to access the information held about them within the register of members and to request a correction at any time.

5. RESIGNATION

- 5.1. Members wishing to resign their membership must do so in writing to the Secretary of the Club via email, post or hand delivery.
- 5.2. A resignation will not become effective until all subscriptions, levies or other payments owing at the date the resignation is received, are paid.
- 5.3. No such resignation shall relieve any Member from payment of any subscription, levy, or other payment due or payable at the time of resignation.
- 5.4. No subscriptions, levies or other payments already received by the club as at the date of resignation shall be refunded to the resigning member on resignation.
- 5.5. On the death of a member, membership rights and privileges will cease and are not transferable.

6. VISITORS - AUTHORISED CUSTOMERS, AUTHORISED VISITORS AND GUESTS

6.1. Authorised Customers

- 6.1.1. Any member of the Porirua Club can invite and accompany a guest/visitor(s) (Authorised Customer) to the club.
- 6.1.2. Any member introducing a guest/visitor(s) is responsible for the good conduct of that guest/visitor whilst on the club premises.
- 6.1.3. Any guest/visitor who wishes to be sold or supplied alcohol must first complete the appropriate authorised customer requirements.
- 6.1.4. Any Guest/visitor(s) may only be sold or supplied alcohol for consumption on the premises while accompanied by a member of the club.

6.2. Any Guest/visitor(s) will lose all rights or privileges to purchase or consume alcohol if they remain in the club if/when the sponsoring member vacates the club premises.

6.3. Authorised Visitors

- 6.3.1. Any affiliated member (Authorised Visitor) wishing to be sold or supplied alcohol for consumption on the premises must be able to produce valid proof of membership to an affiliated club/association to club staff at the point of service.
- 6.3.2. Any affiliated member introducing a guest/visitor(s) is responsible for the good conduct of that guest/visitor whilst on club premises. The guest/visitor will lose all rights or privileges to purchase or consume alcohol if they remain in the club if/when the sponsoring Authorised Visitor vacates the club premises.
- 6.4. Any guest/visitor of a member of either the Porirua Club or affiliated clubs, that wishes to be sold or supplied alcohol must first complete the appropriate authorised customer and/or authorised visitor requirements required by the club.
- 6.5. Authorised Customers, Authorised Visitors and their guests are bound by the rules of this club whilst they are on the club premises.
- 6.6. The Duty Manager shall have the power to refuse privileges for any intending guest/



visitor or revoke privileges without any reason being supplied, this includes the right of the Duty Manager to refuse entry to the club premises or removal of a guest/visitor from the club premises.

6.7. Definitions - for the purposes of this Rule 6:

- 6.7.1. "club" has the same meaning as defined for the time being in section 5 of the Sale and Supply of Alcohol Act 2012 or any amendment or replacement thereof.
- 6.7.2. "member", "authorised customer" and "authorised visitor" have the same meanings given to them for the time being in section 60 Sale and Supply of Alcohol Act 2012 or any amendment or replacement thereof.
- 6.7.3. "affiliated member" means the same as "authorised visitor" and includes:
 - a. A member of any other club which is a member of Clubs New Zealand Incorporated through whom the Club has arrangements for reciprocal visiting rights for members, irrespective of whether the other club has an alcohol licence or a permanent charter or not; and
 - b. A member of any other club with which the club has an arrangement for reciprocal visiting rights for members, irrespective of whether the other club has an alcohol licence or a permanent charter or not.
- 6.7.4. In this Rule 6, words in the singular (such as guest/visitor) include the plural.

7. COMMITTEE

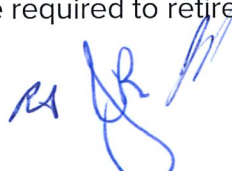
- 7.1. The General Business of the Club shall be administered by a Committee consisting of a President and two Vice-Presidents (who shall be the officers of the Club) and four Committee members.
- 7.2. At each Annual General Meeting the officers and 50 percent of the committee members shall retire and an election in the manner hereinafter provided shall be held to fill the vacancies so created.
- 7.3. The committee members to retire shall be chosen from those longest in office and as between two or more who have been in office for the same period determination shall be by lot. The length of time a member shall have been in office shall date from their last election.
- 7.4. All officers and committee members retiring under this clause shall be eligible for re-election.

7.5. Quorum and Voting

- 7.5.1. A quorum for meetings of the Committee shall be four members present. The Chairman whether he be the President of the Club or some other member of the Committee elected for the purpose by the members present at such meeting shall have a deliberative as well as a casting vote.

7.6. Committee Vacancies

- 7.6.1. Vacancies occurring in the membership of the Committee shall be filled by the Committee by appointment of some member who would at the date of appointment be eligible for election as a Committee member but any member so appointed shall be required to retire at the next election of the Committee and



shall be eligible for re-election.

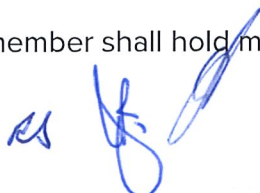
7.7. Absentees

- 7.7.1. Any member of the Committee absent from three consecutive meetings without leave of absence shall cease to be a member of the Committee.

7.8. Elections

- 7.8.1. Election to the Office of Committee shall be conducted as follows:-

- a. The election of President, Vice President and the Committee shall open at the conclusion of the Annual General Meeting, and close at the end of business three (3) days later. A ballot box shall be provided during the above mentioned times for voting.
- b. Each candidate for President, Vice President and the Committee must be a financial member and be duly proposed and seconded by two financial members of the Club (who shall have been members for the preceding twelve months) and such proposals duly signed shall be lodged with the Secretary-Manager. No member of the Club who is in receipt of a salary or wage from the Club shall be eligible for election to the Committee.
- c. All nominations for positions as listed in 7.8.1 b will open no less than 21 days before closing of nominations.
- d. All nominations for positions as listed in 7.8.1 b must be on the prescribed form which must be complied with in full, signed by the proposer, the seconder, and the candidate may include photo, and resume.
 - i. The nominations shall be displayed simultaneously on the Club's Notice Board after closing date.
 - ii. Any candidate wishing to withdraw their nomination must notify the Secretary-Manager in writing, prior to the day of the election and this candidate's name, photo, and resume shall be removed from the display board prior to voting.
- e. All Candidates for positions as listed in 7.8.1 b must be nominated in writing by 5 pm on the day set aside for the closing of nominations. All nominations shall close twenty eight (28) days before the date of Annual General Meeting.
- f. A member may be nominated as a candidate for more than one (1) Office for which there is a vacancy.
- g. Should the number of candidates for the positions as described in 7.8.1 b, exceed the number of vacancies to be filled, the election shall take place by secret voting upon ballot papers which shall be prepared by the Secretary/Manager and on which shall be printed or written in alphabetical order the names of the candidates for each Office.
 - i. Voting papers can be obtained from the Returning Officer / Deputy during hours of opening as prescribed by The Committee.
 - ii. The instructions relating to the completion of the voting papers will be contained therein.
 - iii. No member shall hold more than one (1) Office..



- h. The Committee shall appoint a Returning Officer and not less than two (2) Scrutineers.
- i. If a member is already a member of the Committee and is not required to retire at an Annual General Meeting by virtue of rule 6.1 and stands for and is elected to the Office of President or Vice President, the Returning Officer shall declare that member to be elected to such Office in the order of President or Vice President. That member shall forthwith vacate the Office of Committee member and thereupon the Returning Officer shall declare to be elected to that Office of Committee member the unsuccessful candidate who received the highest number of votes next after any candidate or candidates declared to be elected.
- j. The Returning Officer and Scrutineers shall, in the event of any candidates receiving an equal number of votes, determine by lot which candidate shall be elected. They shall make arrangements regarding ballot papers and any other matter for the conduct of a properly constituted ballot system.
- k. The votes shall be counted after closing on the next business day after the closing of the election. At the conclusion of the counting process, the result will be displayed on the Club notice board by the Returning Officer. All of the ballot papers shall be kept in a safe place by the Secretary/Manager for at least twenty-eight (28) days before being destroyed. Any Candidate shall have the right to request a recount of the votes. Any application for a recount of the votes must be made in writing to the Secretary/Manager within forty-eight (48) hours of the result being displayed on the Club Notice Board.

7.9. Absentee (Special) Votes

- 7.9.1. Any eligible Member, who is unable to attend to cast a vote during the period of the election may vote via an absentee (special) vote obtainable from the Returning Officer. No absentee (special) votes shall be allowed more than ten (10) days prior to the first day of the election. All absentee (special) votes shall be returned to the Returning Officer before 5:00pm on the day prior to the first day of the elections.

7.10. Sub-Committees

- 7.10.1. The Committee shall have the power to appoint sub-committees
- 7.10.2. to exercise the functions of the Committee subject to any special or general directions given by the Committee on appointment of such sub-committee. The Committee shall appoint a Membership Committee to deal with applications for Membership and report to the Committee thereon. The Committee shall appoint a Disciplinary
- 7.10.3. Committee to deal with all matters provided for in Rules 7.11.6, 23.0 and 24.0 and to report to the Committee thereon.
- 7.10.4. At all sub-committee meetings a bare majority of the members of such sub-committee shall form a quorum. The Chairman of any
- 7.10.5. sub-committee shall have a deliberative as well as a casting vote.

7.11. Committee's Powers and Duties



- 7.11.1. The Committee shall meet regularly at least 10 (ten) times a year.
- 7.11.2. The President may of his own motion, or, on receipt of a requisition signed by not less than four (4) Committee Members, shall call a Special Meeting of the Committee.
- 7.11.3. The Committee shall have the power to make regulations, not inconsistent with the Rules, for the management of its affairs as a Committee.
- 7.11.4. The Committee shall have power to make by-laws (not inconsistent with the Rules of The Incorporated Societies Act, 1908) for the regulation and management of the Club or any part of its business. All such by-laws shall be submitted to the next ensuing General Meeting for approval.
- 7.11.5. The Committee shall have power to approve Rules governing the conduct and administration of all adjuncts in the Club established in accordance with the Rules and by-laws of the Club, including all outdoor sports, indoor bowls, table tennis, etc.
- 7.11.6. The Committee shall have power to discipline any member for misconduct at any Club function organised in accordance with these rules in such manner as if the offence had occurred in the Club's premises.
- 7.11.7. The Committee shall have the power after such enquiry, if any, as it sees fit to make to impose a fine or suspend or expel any member for misconduct or conduct prejudicial to the peace and harmony of the Club or willful infringement of the Rules or by-laws, but the member must be immediately informed of the Committee's decision.
- 7.11.8. Any member fined, suspended or expelled from the Club may appeal against the Committee's decision upon a requisition delivered to the Secretary-Manager within 28 days after the date on which the decision of the Committee is given to such member. The President will thereupon appoint an independent mediator to adjudicate the matter in dispute. The decision of such adjudicator shall be final.
- 7.11.9. The Committee shall at all times entertain complaints in connection with the Club and suggestions for the improvement of the Club, made in writing to the Secretary-Manager and properly authenticated by members.
- 7.11.10. The Committee is responsible for ensuring an inventory of all assets is maintained.
- 7.11.11. The books of the Club shall be balanced on the 31st May in each year, and a balance sheet and profit and loss account shall be prepared showing the financial position of the Club at that date (Trading Account and Membership Subscriptions Account shall be shown as two separate items). Such balance sheet and profit and loss account shall be audited by the Auditor or Auditors of the Club.
- 7.11.12. At each Annual General Meeting the committee shall produce a printed report of the proceedings of the Club for the past year, and an audited balance sheet showing the financial position of the Club in the current year ending at 31st May. A copy of the Club's current Financial Statement and Annual report will be made available to any Member, fourteen (14) days prior to the Annual General Meeting, upon application to the Secretary-Manager or on the Club web site www.poriruaclub.co.nz. A copy of the same shall be posted on the Club Notice Board fourteen (14) clear days prior to the date of the Annual General Meeting where it



shall remain for at least thirty (30) days.

7.11.13. The Committee shall provide suitable notice boards for the posting of notices as required by these Rules and any by-laws.

7.11.14. The Committee may rescind the membership of any member or prospective member that has or receives a criminal conviction carrying a penalty of imprisonment or brings the Club into disrepute.

7.12. Investment of Funds

7.12.1. The Committee shall control the funds of the Club and may from time to time invest and reinvest in such securities and upon such terms as it considers fit any part of its funds not required at any time for the business of the Club.

7.12.2. The Committee shall by duly recorded resolution decide which of its members are to be empowered to operate banking and/or investment accounts opened in the name of the Club.

7.13. Borrowing Powers

7.13.1. The Club shall have power from time to time to borrow money from any Bank or from any other body, person or persons whether by ordinary or secured loan or by overdraft or in the form of debentures at such rate of interest and subject to such terms and conditions generally as the Committee shall think fit and by giving security over any property real or personal now or hereafter belonging to the Club for the payment of such monies and the interest thereof as the Committee shall in all things think fit.

a. That the Committee must obtain permission from any general meeting in respect of all new borrowings exceeding 10% of the net assets as shown in the last balance sheet.

b. In relation to any insurance excess, this rule will not apply.

8. MEETINGS OF MEMBERS

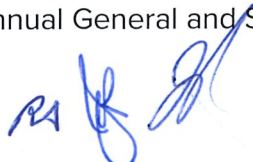
8.1. Annual General Meetings

8.1.1. The Annual General Meeting of the Club shall be held within four months after the end of the Club's financial year. Notice of the Annual General Meeting shall be displayed for at least twenty-one (21) days on the Club notice board and or advertised in a local daily newspaper. It shall be the duty of such Annual General Meeting to consider nominations for Life Membership of which notice has been given in accordance with rule 3.6 and to consider the Annual Statement of Accounts of the Club and Balance Sheet of the Club duly audited as hereinbefore provided.

8.1.2. The President of the Club shall take the chair at all General Meetings whether annual or special and in the absence of the President the chair shall be taken by such member of the Committee as shall be chosen for the purpose by the members present at the meeting. In the event of the absence from the meeting of all office bearers and members of the Committee the meeting shall elect any financial member of its choice to take the chair for the particular meeting.

8.2. Quorum

8.2.1. The quorum for all Annual General and Special General Meetings shall be not less



than 5% or 100 financial members of the Club, whichever is the lower. If a quorum be not present at the expiration of half one hour from the notified commencement time of the Annual General Meeting such meeting shall stand adjourned for one week to the same time and place, and thereafter from week to week until a quorum is attained. If a quorum is not then present after half one hour of the notified time of commencement of a Special General Meeting such meeting shall stand adjourned for one week at the same time and place. If a quorum is then not present within half one hour of notified time of the reconvened meeting the meeting shall lapse.

8.3. Special General Meetings

- 8.3.1. The Committee shall have power at any time to convene a Special General Meeting of members or upon receiving a requisition requesting same signed by 50 or more financial members (excluding Visiting or Junior Members). Notice of any Special Meeting shall be displayed on the Club Notice Board for at least fourteen (14) clear days and on the Porirua Club Web Site or advertised in a local newspaper stating the reason for the meeting.

8.4. Voting at General Meetings

- 8.4.1. At all General Meetings whether Annual or Special voting shall be by show of Membership Cards. In the first instance the Chairman having a deliberate as well as a casting vote and the declaration by the Chairman that the resolution has been carried or lost shall be conclusive unless a poll be demanded by any member entitled to vote, in which case the votes shall be counted by three Scrutineers to be appointed by the meeting.

8.5. Majorities

- 8.5.1. All votes shall be cast by members in person and shall not be cast by a proxy for any member and save as by these Rules specifically provided or any requirements of law all questions put to the vote shall be decided by a simple majority of members present and voting.

9. SECRETARY MANAGER

- 9.1. The Committee shall appoint a Secretary-Manager and shall determine any salary payable to them, the period of the engagement and such other terms and conditions of their employment as it shall see fit.
- 9.2. The Secretary-Manager or in their absence the duty Manager shall have the power to immediately suspend any member for breach of these Rules or by-laws of the Club until the next ordinary meeting the Committee is held or a special meeting of the Committee is called to consider the matter.

10. STAFF

- 10.1. All employees of the Club shall be appointed by and be under the control of the Secretary-Manager or their deputy.
- 10.2. No Member shall reprimand an employee. All complaints about the conduct of employees shall be made in writing to the Secretary- Manager or President.



- 10.3. No Member shall induce or attempt to induce any employee to leave the services of the Club.

11. INDEMNITY

- 11.1. Save as expressly provided by law membership of the Club or of the Committee shall not of itself impose on any Member liability in respect of any contract, debt, or other obligation made or incurred by the Club.

12. AUDITOR

- 12.1. The Committee shall engage an Auditor, and the Auditor shall audit the Club accounts at least once a year, unless otherwise requested by The Committee. The Auditor shall be a member of the Society of Chartered Accountants Australia and New Zealand.
- 12.2. The Auditors position is to be appointed at the next Annual General Meeting.
- 12.3. If the Auditor's position becomes vacant The Committee has the power to appoint a replacement which must be ratified at the next Annual General Meeting.
- 12.4. The Auditor shall not be eligible to hold any other office in the Club.

13. INSPECTION OF BOOKS

- 13.1. The minutes of the Monthly Executive Meetings, subject to the provisions of 13.2. shall be posted on the Club Notice Board immediately after confirmation at a subsequent meeting.
- 13.2. No minutes of the Monthly Executive Meetings to be posted on the Club Notice Board will contain any reference to matters discussed "in committee".

14. CLUB HOURS

- 14.1. The Club premises shall be open at such times as the Committee may from time to time decide

15. COMMON SEAL

- 15.1. The Common Seal of the Club shall be such as is approved and adopted by the Committee and shall be in the custody of the Secretary-Manager and kept at the Club's premises.
- 15.2. The Common Seal shall be affixed to documents executed by the Club pursuant to a resolution of the Committee in the presence of at least two members of the Committee.

16. POLITICS

- 16.1. The Club shall take no part in politics.

17. USE OF PREMISES



- 17.1. No member shall appoint or use the premises of the Club by advertisement or otherwise as a place of business or for the purpose of meeting applicants for employment without the prior approval of the Secretary/Manager who shall have determined that the proposed use is for the benefit of the Members of the Club

18. PROPERTY RIGHTS

- 18.1. No person shall have any share or interest in the real or personal property of the Club except as mortgagee or as tenant for any part of the property of the Club not for the time being used for the purpose or business of the Club.

19. WINDING UP

- 19.1. Provided that all the liabilities of the Club have been duly discharged, the Club may be wound up voluntarily if the Club at a General Meeting of its members passes a resolution requiring the Club so to be wound up, and such resolution is confirmed at a subsequent General Meeting called for that purpose and held not earlier than thirty (30) days after the day on which the resolution so to be confirmed was passed.
- 19.2. In the event of the winding up or dissolution of the Club the property of the Club shall be realised and after payment of all liabilities of the Club the surplus (if any) shall be paid to or distributed among such Societies, Institutions, Clubs or Bodies of a public philanthropic or charitable nature or shall be used for the assistance or promotion of such public amenities or such charitable or philanthropic objects or be paid to or distributed among such societies or Institutions having objects similar in whole or in part to those of this Club and in such shares or amounts as the members shall by resolution at such confirming General Meeting determine.

20. AMENDMENT OF RULES

- 20.1. The Rules of the Club may be altered, added to or rescinded at any General Meeting of the Club of which due notice has been given by two financial members, or on the recommendation of the Committee, not less than twenty-one (21) days before the date of such meeting, provided that notice of intention to propose the alteration, addition to or rescission of any Rule shall set forth the general tenor of the alteration, addition or rescission to be put before the meeting. Any proposed alteration, addition or rescission may be approved by a simple majority of members present and voting on the resolution and it shall then be the duty of the Secretary-Manager to take the necessary steps to register the Amendment under the Incorporated Societies Act.

21. MATTERS NOT PROVIDED FOR

- 21.1. Matters not provided for in the foregoing Rules shall be dealt with by the Committee who shall adjudicate thereon as the Committee shall think fit and the Committee's decision

22. INTERPRETATIONS AND DEFINITIONS

22.1. Definitions In the interpretations of these Rules:

22.1.1. "Act" means the Incorporated Societies Act 1908.

22.1.2. "Club" means the Porirua Club (Incorporated).



- 22.1.3. "Affiliated Club" means another Club which has been affiliated to this Club by a decision of the Committee or Club's New Zealand.
- 22.1.4. "Meritorious Service" means something that has value or that is deserving of praise or reward, and has added value over time.
- 22.1.5. "Notice Board" includes on the Club website or in one or more media platforms that are accessible by persons residing within the Membership area.
- 22.1.6. "Secretary or Manager" means General Manager or such title as is determined by The Committee and includes any acting appointed Manager appointed by The Committee.
- 22.1.7. "The Committee or Executive Committee" means one (1) President, two (2) Vice President's, four (4) Committee members

22.2. Interpretations

- 22.2.1. In the interpretations of these Rules, unless inconsistent with the context, the following terms shall have the following meanings
- a. Headings are inserted for convenience:
 - b. The singular includes the plural and vice versa:
 - c. One gender includes the other genders
 - d. If the Act changes in a way then a Rule must be deemed to be amended in the same manner as the change in the Act so that these Rules do not contravene or become inconsistent with the Act.
 - e. **Counting of days notice**
Counting of days notice being before or after doesn't include the actual date; example date of notice being 1st June, 7 days after means:
Day 1 2 3 4 5 6 7

23. EXPULSION, SUSPENSION, CONSEQUENCES OF MISCONDUCT AND BREACH OF RULES

- 23.1. A member shall be liable to be expelled or suspended from the Club or subjected to such lesser penalty as may be determined by the Committee, if the member:
- 23.1.1. removes any property of the Club; or
 - 23.1.2. willfully or recklessly damages any property of the Club; or
 - 23.1.3. refuses to replace or make good damage to any property of the Club; or
 - 23.1.4. persists in drunkenness, swearing, obscene language and other disorderly conduct on the premises of the Club,
 - 23.1.5. uses or threatens violence to any person; or
 - 23.1.6. contravenes any expulsion order or agreement that is in force which restricts such member from participating in gambling activities; or
 - 23.1.7. persists in creating a disturbance at any Club meeting or other Club event; or



- 23.1.8. breaches the Rules of the Club; or
- 23.1.9. commits an offence which in the opinion of the Committee is likely to contravene any legislation under which the Club operates or
- 23.1.10. in the opinion of the Committee brings the Club into disrepute.
- 23.1.11. If a written complaint concerning a member received from another club which is hosting such member, disciplinary action if justified, may be taken against such member by the Committee of the Club.

24. SUSPENSION, EXPULSION PROCEDURE

- 24.1. The Secretary/Manager, or in his absence the Duty Manager, may suspend a member for any breach of Rule 23.
- 24.2. A suspended member shall forthwith be excluded from the premises and activities of the Club until such a time as the matter is dealt with by the Committee.
- 24.3. Within 72 hours from the time of suspension a written report outlining the circumstances shall be given by the Secretary/Manager of the Club to the President or in the absence of the President one of the Vice-Presidents who as soon as practicable following receipt of such report shall call a meeting of the Disciplinary Committee to consider the report.
- 24.4. The Secretary/Manager on instructions from the Disciplinary Committee shall give the member concerned at least 7 days written notice of the intended meeting informing the member of:
 - 24.4.1. the nature of the matter that has been referred to it; and how the matter will be heard; and
 - 24.4.2. the right to appear and be heard at the meeting; and
 - 24.4.3. the procedure to be followed at the meeting
- 24.5. After the member concerned has been heard and if the Disciplinary Committee finds the suspension or matter referred to it to be justified, it shall furnish a report on the matter to the Committee which may determine to:
 - 24.5.1. Expel such member; or
 - 24.5.2. Suspend such member for a finite period or until a particular event; or
 - 24.5.3. Impose restrictions as to the access by such member to the premises and facilities of the Club for a finite period; or
 - 24.5.4. Reprimand such member in such a manner it considers appropriate.
 - 24.5.5. The committee shall record its determination in writing and require the Secretary/Manager to enter such determination in the Records of the Club.
 - 24.5.6. The Member disciplined as aforesaid shall have the
 - 24.5.7. right to appeal such determination in accordance with Rule 7.11.8 of these Rules.
 - 24.5.8. Subscriptions, levies or other payments already received by the Club as at the date of expulsion may be refunded at the discretion of the Club Committee.



25. ADMINISTRATION OF ADJUNCTS

- 25.1. Subject to the approval of the Club Committee, Club members may establish adjuncts for the purpose of social, recreational or sporting purposes. Such adjuncts shall be bound by the Rules and By-laws of the Club.
- 25.2. The objectives, committee structure, proposed fees/funding methods and rules are to be supplied to the Club Committee for approval. Details of membership and office holders are to be supplied to the Secretary/Manager. Established adjuncts in conformity with the intent of this rule shall seek similar approval before changing their existing role or purpose.
- 25.3. Financial accounts are to be operated as sub-accounts of the Club. The financial year of all adjuncts shall be the same as the Club financial year and a proper financial statement is to be furnished to the Secretary/Manager. All accounts will be subject to audit. All monies received by the adjuncts shall be banked into the Porirua Club Social Club Account.

John Alexander
Richard Alexander
John Rowe
R. Alexander
G.S.K.

V. R.
Vice-President
President.

