



# RULES OF WOOLSTON CLUB INCORPORATED

43 Hargood Street  
Woolston, Christchurch  
Web: [www.woolstonclub.co.nz](http://www.woolstonclub.co.nz)  
Facebook: [www.facebook.com/woolstonclubinc](https://www.facebook.com/woolstonclubinc)

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**THESE RULES AND BY-LAWS INCLUDING ALL REGISTERED AMENDMENTS TO DATE  
HAVE BEEN REPRINTED ON 1<sup>st</sup> September , 2022 .**

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**RULES OF THE  
WOOLSTON CLUB INCORPORATED**

**PREAMBLE**

The Woolston Working Men's Club Inc. was founded on Monday May 22, 1953 at a meeting in the Druids' Hall, Portman Street, Woolston.

The first building was opened on December 22, 1956.

The name of the Club was changed on May 18, 1997 to:

THE WOOLSTON CLUB INCORPORATED, incorporating The Woolston Working Men's Club Inc. trading under the title of WOOLSTON CLUB INC.

**1. TITLE**

The Club shall be entitled **THE WOOLSTON CLUB INCORPORATED**, hereafter referred to as the **Club**.

**2. REGISTERED OFFICE**

The office of the **Club** shall be at 43 Hargood Street, Woolston, Christchurch.

**3. DEFINITIONS**

**Act** means the Incorporated Societies Act, 1908 or the Sale & Supply Alcohol Act, 2012 as applicable, and any amendment or re-enactment of those Acts.

**Appendix** means attached hereto and forming part of these Rules.

**Board of Management** means the President and Vice President together with four (4) other elected members, to set policy and administer the **Club**. Referred to hereafter as the "Board".

To be implemented over a two (2) year period ie: Six (6) in 2020, then down to four (4) in 2021.

**Club** means and includes the Woolston Club Inc., its buildings and grounds.

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

**General Manager** means the Chief Executive who shall act as **Club** Secretary, employed by the Board or the duly authorised deputy or appointee. Hereafter referred to as "Manager".

**Member** means any member defined in Rule 8 and Appendix A.

**Office** means the Registered Office.

**Officer** means and includes the President, Vice-president, Board Members, the General Manager and a duly authorised deputy or appointee.

**Rules** means these Rules and amendments as registered.

**Seal** means the **Club** Common Seal.

**Special Meeting** means a meeting called to discuss a specific matter(s) in accordance with Rule 27.

**Staff** means all persons, other than the Manager, employed on either a full time or part time basis by and receiving remuneration from the **Club**.

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

**Suspension** means total exclusion for the period of suspension and cannot participate or represent the **Club** in any activity sporting or otherwise.

#### 4. **COLOURS**

The **Club** colours are blue and gold.

#### 5. **MONOGRAM**

The **Club** monogram is circular with blue base colour, embroidered yellow edging and other yellow embroidery as follows:

- stylised Port Hills surmounting the Heathcote River
- **WOOLSTON** between parallel lines representing the Railway
- five reducing parallel lines representing the estuary

- **CLUB INC.**
- A modified version is permitted to be used for advertising or promotional purposes

## 6. **OBJECTS OF THE CLUB**

The objects of the **Club** are to:

- maintain and conduct a **Club** of a non political character,
- provide social amenities, amusements and other means of recreation as members and the Board sees fit,
- promote genial and social contact amongst members and their guests,
- maintain a charter or licence within the Sale & Supply of Alcohol Act 2012,
- promote or facilitate promotion of any games or sports which are legal in New Zealand, if practical,
- furnish the **Club's** property with such furniture, conveniences, implements and machinery as are necessary for the enjoyment of members,
- accumulate capital to accomplish the above objectives by means of: subscription or otherwise from members,
- borrowing money from members or any other sources,

## 7. **INTERPRETATION OF RULES**

Any question, other than those pertaining to elections, relating to the interpretation of the Rules shall be decided by the Board whose decision shall be final and binding provided that such decision, upon a written request or of the Board's own determination, shall be referred to the **Club's** solicitor, and shall interpret the rule in accordance with law and the advice received.

Matters pertaining to elections shall be referred to the **Club's** legal adviser.

Any other matter, not provided for in the Rules, shall be decided by the Board.

## 8. **CATEGORIES OF MEMBERSHIP**

The **Club** membership shall consist of the following categories:

- A. Ordinary Members
  1. Husband and Wife Members
  2. Defacto relationship Members
- B. Elected Life Members
- C. Life Long Members
- D. Senior Members
- E. Staff Member (with no voting rights)
- F. Junior Members

G. Associate Membership by Affiliation

H. Corporate Membership by Affiliation

The criteria for each category is defined in Appendix A.

## 9. APPLICATION FOR AND ADMISSION TO MEMBERSHIP

### A. Eligibility

All Members, except Junior Members, must be of the legal age under the Sale and Supply of Alcohol Act 2012, its amendments or any acts passed in substitution.

Membership is open to both men and women.

### B. Non Eligibility

Any of the following criteria precludes application for membership:

- prohibited person under the Sale and Supply of Alcohol Act 2012,
- such other Acts as the Board may from time to time decide,
- expulsion from this **Club**,
- conviction by a Court of Law in the British Commonwealth for a criminal offence, (present members and traffic offences excepted).

### C. Procedure

*Each nominee for admission shall:*

- be proposed and seconded by two (2) persons, who are either current members of the **Club** in good standing with a minimum of two years **Club** membership, or a Manager.
- make application on the **Club** form which must be completed in full and in own handwriting.
- personally lodge the completed form at the office, together with the membership subscription.

*The Manager shall:*

- issue the applicant with a Probationary Club membership card, list of Club activities and contacts, a précis of those rules directly affecting members and a copy of the Clubs Dress Code. This **Club** Membership card will be eligible for accrual of loyalty points and any other reward.
- the holder of a Probationary **Club** membership card shall not be entitled to attend or vote at any Annual or Special meeting. If



membership is not confirmed the membership card shall be returned and all costs shall be deducted or adjusted.

***The Board shall:***

- Confirm or reject each nominee at its next monthly meeting
- Any nominee rejected shall have all deposited money less incurred costs refunded but shall not be given any reason for rejection.
- Any member of an affiliated club wishing to transfer to the **Woolston Club** shall notify the Manager of intent and deposit with him a sum equal to half the membership fee plus a sum equal to the current year's subscription divided by 12 and multiplied by the balance of months remaining in the **Club's** financial year. On completion of the paperwork between clubs, the Manager shall issue an ordinary member's card.
- Full Membership shall apply from the date the Board approves the membership. Annual subscriptions shall be paid no later than the thirty first 31<sup>st</sup> of August each year.
- Members shall notify the office in writing of any change of address.
- All Members must agree to accept and comply fully with the **Club** Rules and By-laws and agree that the Club may record, file and retrieve for Club administration purposes personal details such as: full name, address, email address, telephone and /or fax number and other information such as any involvement with the **Club** Judicial Panel and Appeal Board and affiliations with **Club** sub-sections. The Member acknowledges the right of access to any such information held by the **Club** in conformity with the Privacy Act 1993.

**D. Membership Cards**

All financial members will be issued with a membership card appropriate to their category of membership.

A Members Card may be in either a physical or digital format.

Membership cards must be produced on the request of any **Club** officer or the doorman.

Membership cards remain the property of the Woolston **Club** and shall be returned to the office upon resignation, dismissal, rejection or suspension of the member pending disciplinary action.

**10. SUBSCRIPTIONS AND MEMBERSHIP FEE**

Subscriptions are due and payable in advance.

Subscriptions, inclusive of the Clubs New Zealand's capitation fee and GST, are set at the Annual Meeting for the subsequent financial year.

The Board shall have the ability, for the purposes of promotion, marketing and membership drives, to adjust the subscription rate for strictly defined and limited periods.

A Board Member, if required to pay a subscription, shall be exempt from payment whilst serving in that capacity and shall, whilst exempt, have the full privileges of a financial member.

**11. UN-FINANCIAL MEMBERS AND RESIGNATION**

Any member whose subscription is not paid by the thirty first (31<sup>st</sup>) August shall be deemed un-financial. The members name shall be deleted from the Clubs register one (1) month after that date.

**12. INTEREST FREE DEBENTURES**

Prior to May 1986 these were issued to members on payment of a specified sum.

These Debentures, donated to the Club by the holders, entitle the donors to Life Long Membership of the **Club**, without any future payment of subscription or levy.

Income from the fund investments shall be utilised to cover the Clubs New Zealand capitation levy on the Life Long Members.

**13. LIFE MEMBERS**

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

- any financial member may submit a nomination for consideration by the Board,
- the nominee, if a member of the Board, shall not be present during any deliberations and voting on the nomination, by the Board,
- the affirmative vote of: three-fourths of the Board members present at the Board meeting. All deliberations are to be held "in committee."

- two-thirds of the members present at the Annual or Special meeting,
- notice of the nomination together with relevant details of the nominee are given with the notice of meeting,
- at no time shall the number of Life Members exceed more than one half of one per cent of the **Club** membership.

Life members shall:

- be presented with a **Club** Life Membership badge immediately after conferral of same by the members,
- not pay any subscription,
- be deemed to be financial members at all times.
- be presented with a Certificate and Membership Card as soon as possible after conferral,

The **Club** Life Membership badge, Certificate and Membership Card remain the property of the **Club** and shall be returned to the **Club** upon resignation, expulsion or suspension of the member, pending disciplinary action.

#### 14. **BOARD OF MANAGEMENT**

Management of the **Club** shall be vested in a Board which shall be deemed to be fully and properly constituted notwithstanding any extraordinary vacancies which may occur in it, or any defect in the number of members returned at any election, provided a quorum remains.

#### 15. **POWERS AND DUTIES OF THE BOARD**

*The Board may:*

- order the Manager at any time to take inventory of stock and/or furniture and fittings,

*The Board shall:*

- render every assistance to maintain order and prevent any infringement of the **Club** Rules and By-laws,
- consider any practical and useful suggestions from members for the improvement of conditions, welfare or management of the **Club**, such suggestions or complaints to be in writing,
- have authority to make, revoke or amend **Club** By-laws provided that no by-law shall be inconsistent with the **Club's** registered Rules, the Sale and Supply of Alcohol Act except as provided in Rule 31, clause w, and the Incorporated Societies Act. Any By-law made by the Board shall be posted, for a period of twenty-eight (28) days on the **Club** Notice Board.

- shall take out fidelity bonds, in a recognised and approved Guarantee Society or Insurance Company in the names of all officers and employees having charge, control or access to **Club** money. Only guaranteed officers and/or authorised employees shall receive and/or pay out **Club** monies.
- ensure the maintenance, renewal and continuation of the **Club's** Charter or licence in terms of the Sale and Supply of Alcohol Act and make such appointments as are necessary for this.
- determine the hours when the **Club** shall be open, subject always to the Sale and Supply of Alcohol Act.
- provide and maintain such facilities as are required to ensure the objects of the **Club** can be achieved.
- set entertainment and out-of-pocket expenses for the President and vice-President.
- appoint the Manager, set the terms, conditions and duties of such appointment and ensure that they are carried out,
- appoint a Returning Officer for the **Club** elections,
- ensure that all staff have an employment agreement and schedule of duties,
- at its discretion, subscribe to, become a member of, co-operate with any other association or club, whether incorporated or not, whose objects are altogether or in part similar to those of the **Club**, provided that the autonomy of the **Club** and the overall interests of the **Club's** members are preserved,
- ensure the maintenance of a file, known as the -"Woolston Club Record of Resolutions" - containing resolutions and decisions of the Board and resolutions passed at Annual or Special Meetings and having a lasting effect on the operations of the **Club**. This file shall, from time to time, be perused by the Board's Rules committee with a view to recommending any necessary changes or revisions.
- ensure the maintenance of the "Policy Manual" which sets out current policies.

A Board Member who disagrees with a board decision and wishes to express a dissent at the decision later, shall immediately state verbally - "I reserve the right to file a minority report". A Board Member who subsequently speaks out in breach of this Rule is deemed to be in contempt of the Board which shall deal with the matter as it sees fit.

## 16. **BOARD MEETINGS**

Board meetings shall normally be held each month , except that the board may , by majority resolution at the December meeting , waive the following January meeting , other board meetings may be as necessary provided the required notice is given .

***The President shall:***

- have discretionary power to call, at any time, a Special Meeting of the Board subject to the giving of at least two (2) clear days' notice of same,
- on the signed written requisition of at least three (3) members of the Board, call a Special Meeting of the Board within three (3) clear days of requisition receipt and giving at least two (2) clear days notice of the meeting,
- arrange for all Board members to be notified of any such meeting.

***The order of business shall be:***

- Apologies
- Minutes of previous meeting and matters arising
- Confirmation of minutes
- Correspondence and necessary actions
- Payment of Accounts
- Election of new members
- Reports – Finance
- Other
- Manager's
- General Business

***Board Members shall have*** available to them no later than the Friday preceding the monthly meeting, the:

- agenda,
- previous month's minutes,
- relevant correspondence.

***A quorum*** for the Board is four (4).

***The Manager shall*** no later than four (4) clear days of the meeting, display the confirmed minutes of the previous months meeting, on the Club Notice Board.

**17. SUB-COMMITTEES**

The Emergency Committee shall:

- consist of the President, Vice-President and one (1) other member from the Board. If a member is unavailable to act, the Manager shall request another Board Member to act in their stead.

- be empowered to conduct any **Club** business of an urgent nature, and to deal with any matter referred to it by the Board.
- report to the Board, any action taken.

The Board shall, at its own discretion, set up such other sub-committees as are deemed necessary.

The President-Elect shall, after consultation with the Vice-President-Elect, recommend to the Board the appointments for Chairperson and personnel for each sub-committee. The recommendations may include persons other than Board Members.

Chairpersons shall be appointed from Board Members.

The Judicial Panel and Appeal Boards are not sub-committees.

The President and Vice-President shall be ex-officio members of all sub-committees.

## **18. QUALIFICATIONS FOR OFFICE**

Candidates for office shall be financial members of the **Club**.

Candidates for the offices of President and Vice-President must have current continuous membership of a minimum of six (6) years.

Candidates for the office of Board Member, Judicial Panel and Appeal Board must have current continuous membership of a minimum of two (2) years.

No person can be a candidate for office (current office holders excepted), who is related to a staff member, ie: Husband, Wife, Mother, Father, Partner, Defacto Relationship and immediate family.

Any **Club** member suspended in accordance with these Rules for a longer period than twenty-nine (29) days is not eligible to be a candidate for any office as follows:

- Thirty (30) days to one (1) year - not eligible for two (2) years
- One (1) year or more - not eligible for five (5) years

The period of ineligibility is from the date of completion of the suspension

**19. PRESIDENT AND VICE-PRESIDENT**

The President shall:

- preside over all meetings of the Board,
- preside over the Annual and Special Meetings of the **Club**.
- be entitled to a casting vote which shall be exercised in favour of the status quo.
- advise the new Board after the elections that:
  - "The decisions taken in the Board Room and the discussions pertaining to them are to be kept in strictest confidence. Any Board Member in breach of this requirement is deemed to be in contempt of the Board which shall deal with the matter as it sees fit".
- in the absence of the President, the Vice-President shall act.
- in the absence of both the President and the Vice-President, the meeting shall elect a Chairperson.

**20. TERM OF OFFICE**

The President, Vice-President and Board Members shall hold office for two (2) years and are eligible for nomination for re-election.

Members of the Appeal Board and Judicial Panel shall hold office for one (1) year and are eligible for nomination for re-election.

Office holders remain in office until their successors are elected, except that elected Board Members assume office at the first meeting after the election.

No office may be held for more than two (2) years without an election.

The period for a person filling an extraordinary vacancy shall be the unexpired term of the person replaced.

An Officer desiring to resign shall submit a written resignation to the Board.

**21. FORFEITURE OF OFFICE**

A Board Member shall forfeit the office if:

- absent from three consecutive meetings without grant of special leave recorded in the minutes,

- suspended by the Judicial Panel for more than thirty (30) days.

## **22. EXTRAORDINARY VACANCIES**

Vacancies of office shall be filled by the Manager as soon as the vacancy occurs, as follows, and shall be recorded in the minutes of the next meeting:

- President by the Vice-President
- Vice-President by a nominated Board Member
- Board Member by the highest polling unsuccessful candidate at the previous election. If the candidate declines, then by the next, and so on until the vacancy is filled
- Judicial Panel - Elected Members - As for Board Member
- Appointed Members - By the Board
- Appeal Board - As for Board Member
- Auditor - By the Board. Appointed until the next Annual Meeting.

Where there are insufficient candidates to fill a vacancy of more than a three (3) month period, a special election shall be called within one (1) month of the vacancy occurring.

## **23. ELECTION OF OFFICERS, JUDICIAL PANEL AND APPEAL BOARD**

Election of Officers will be held directly after the closure of the Annual General Meeting.

Nominations for office shall:

- be on the prescribed form,
- be signed by the proposer, seconder and nominee,
- contain a resume of activities within the **Club**, and if desired a resume of educational, professional, employment and recreational activities outside the **Club**,
- close with the Returning Officer or his Deputy at 6.00 p.m. on the day specified, which shall be not less than seven (7) days before the date of the election,
- be displayed, together with the nominee's photograph, for perusal of members on the **Club** Notice Board. No other promotional publicity may be displayed in the **Club**.



A nominee may withdraw the nomination by notifying the Manager in writing at least two (2) clear days before nomination closing time. Withdrawn nominations shall be posted on the **Club** Notice Board.

A member may not be nominated for or hold more than one elective office.

## **24. CONDUCT OF ELECTIONS**

The appointed Returning Officer (RO) shall:

- be in sole charge of the election with the Manager acting as Deputy Returning Officer (DRO),
- conduct all contested elections by a properly constituted secret ballot system,
- direct the DRO on the arrangements necessary for the election,
- nominate Assistant Returning Officers (ARO) to the Annual Meeting for confirmation by the members,
- arrange for the counting of votes immediately after closure of the election and convey results, as quickly as possible, to members over the public address and posting on the **Club** Notice Board.
- arrange for the security, by the Manager, of all ballot papers for at least twenty eight (28) clear days after the election results are declared,
- arrange to conduct any recount requested in writing by an unsuccessful nominee within fourteen (14) days of the election,
- notify the unsuccessful nominee and any successful nominee likely to be affected by the recount, date, time and place so that they may attend, but not participate in, the recount as observers,
- ensure, before a ballot paper(s) is issued, that the person wishing to exercise a vote:
  - is eligible to vote,
  - is financial,
  - shows the current membership card,

The Deputy Returning Officer shall:

- be responsible for the taking of Absentee Votes defined hereunder,
- make arrangements for ballot papers and other matters for the conduct of the election, as directed by the Returning Officer.

No nominee for office may act as the RO, DRO or an ARO.

In the event of an equality of votes which result in one of the equals being elected to a position, the successful nominee will be decided by the Returning Officer by lot, with the equal nominees being given the right to be present.

## **25. ABSENTEE VOTES**

A financial member, unable to exercise a vote on election day, may on application to the Manager (DRO) when nominations have closed and not more than seven (7) days prior to election day, make a declaration giving reasons(s) for unavailability on election day. The Manager may then issue the voting paper(s) in the normal way.

A financial member hospitalised in the Christchurch area, may in like manner specified in the preceding clause, obtain a voting(s) paper on application, but must be received by the Manager by 6pm on the day before the election. The voting paper(s) will be delivered and witnessed by the RO, DRO or an ARO.

The Manager shall keep a written record of the names of members to whom Absentee Voting paper(s) are issued.

## **26. ANNUAL MEETING**

The Annual Meeting shall be:

- held as soon as possible after the audit of the **Club's** accounts, but no later than the last Saturday in June.
- held on the date, advertised on the **Club** Notice Board at least forty-two (42) days prior to the meeting,
- attended only by financial members.

A quorum is Fifty (50). If within 30 minutes from the time appointed for the meeting a quorum is not present at the meeting, it shall stand adjourned to the same day and time in the following week. The members present at the meeting the following week, regardless if a quorum is attained, may transact all business as if they constituted a full quorum.

The Chairperson shall:

- decide by a show of hands, but ten (10) or more members may request a ballot,
- have a casting vote in case of equality, to be exercised in favour of the status quo.

The order of business shall be:

- Apologies
- Minutes of previous Annual Meeting
- Minutes of Special Meeting
- Correspondence
- President's Report
- Statement of Accounts and Balance Sheet
- Approval of Audit Fee
- Appointment of Auditor
- Notices of Motion
- Election of Life Members
- Confirmation Of Assistant Returning Officers
- General Business

After the moving and seconding the adoption of the Annual Report, any member may, with or without notice, ask any question or move any resolution relating to the Annual Report.

This procedure also applies to the Statement of Accounts and Balance Sheet.

Any resolution seeking to rescind a resolution passed by a previous Annual or Special Meeting must be received in writing by the Manager at least fourteen (14) days prior to date of the meeting at which the resolution is to be moved. A resolution of this type requires a two-third majority vote to be effective.

A copy of the audited accounts for the previous financial year including the audit certificate shall be available at the office, to **Club** members on production of their current membership card, at least seven (7) days before the meeting, or posted to a member on request.

## **27. SPECIAL MEETING**

A Special Meeting shall be called by the President within ten (10) days:

- on the written request of at least fifty (50) **Club** members,
- on the written request of a majority of the Board.

The request shall state clearly the business for the meeting and no other business shall be discussed at the meeting.

A quorum is Fifty (50).

Notice of any Special Meeting and the business to be transacted shall be posted on the **Club** Notice Board and advertised in the Club Weekly Newsletter at least five (5) days before the meeting date.

Any resolution to rescind a resolution at a previous Special or Annual Meeting shall be dealt with in the same way as specified under Rule 26.

At least fifty (50) signatories to a request for a Special Meeting must be present or submit a written apology, acceptable to the Chairperson, or the meeting shall not proceed.

## **28. STAFF**

The Manager may employ and also dismiss staff subject to the approval of the President or such other group as the Board may designate.

Increments over and above any agreement or contract shall be recommended by the Finance Committee and ratified by the Board.

Staff duties shall be assigned by the Manager or his authorised deputy. Given instructions shall be adhered to at all times.

Staff shall not:

- discuss or criticise **Club** Management or Board Members with members,
- be eligible to hold any elective **Club** office,
- be related to elected Board members (excludes those current staff members related to current elected members), unless there is a specific requirement for that person's skills for the business and approved by the Board.

## **29. VISITORS**

A visitor to the club is defined as any person who is not a financial member of the **Club** or a financial member of an affiliated club. A visitor who is on the premises at the invitation of, and is accompanied by a member of the Club concerned shall not be permitted to purchase alcohol on the premises unless signed in by a member of the Club or by an affiliate member of another Club who has been granted reciprocal visiting rights for its members

A member who has signed in a visitor onto the premises at their invitation shall accept responsibility for the visitor's conduct as if it were their own, whilst the visitors are on the **Club's** premises

All visitors must comply with the **Club's** Rules and By-laws.

The Board may, subject to its giving two (2) clear days' notice of intent by posting on the Notice Board, declare the **Club** - "Closed to visitors and members of affiliated Clubs", on certain days.

No person may be introduced as a visitor, who:

- is a person prohibited under the Sale and Supply of Alcohol Act 2012,
- is under the legal purchase age, unless accompanied by a parent or legal guardian and they will be restricted to areas of the **Club** designated unrestricted.

Alcohol supplied to visitors shall be consumed on the **Club's** premises and shall be served in accordance with the **Club's** Alcohol License.

No visitor may:

- take part in any election or meeting of the **Club**.

Children admitted to the **Club** must remain with their parent(s) or legal guardian(s) at all times unless attending a children's function, except Junior members who are participating in or attending club sports.

### 30. JUDICIAL SYSTEM

The Judicial and Appeal Boards are the only bodies which may discipline Club Members .

A **Club** or Staff member wishing to charge a member with an offence or violation of the **Club** Rules shall;

- give the Manager, President or Vice President a written resume of alleged violation within three (3) clear days of the alleged violation.
- appear at the Judicial Hearing to give evidence if they wish to do so.

A Judicial Board , which shall:

- be elected and appointed annually in accordance with Rules 22, 23 and 24,
- consist of four (4) members, one (1) from the Board (appointed at the first meeting after the elections) and three (3) holding no other Club office.

- have a quorum of four (4),
- hold all deliberations "in committee", in the English language,
- hear and decide by a majority vote of its members, any disciplinary matter referred to it, within fourteen (14) working days, after receipt of same,
- record minutes by either electronic means or a competent stenographer,
- collectively sign the minutes after transcription,
- if thought fit impose a penalty in accordance with those set out under Rule 31.
- promptly communicate its decision to the Manager
- appoint a chairperson from its number

A Judicial Board Member :

- Shall have the right of standing down from a hearing for personal or conscience reasons , and shall inform the Chairperson who will ensure that this information is noted in the records of the case .
- Shall not participate in the hearing if personally involved in the case or related to the accused or complainant

The Manager shall:

- on receipt of a summary of an alleged violation arrange within seven (7) clear days, a hearing by the Judicial Board , notifying in writing by ordinary post, fax, email or hand delivery, as deemed appropriate, the Judicial Board , the accused, the complainant and any witnesses.
- in the event of non-availability of a Judicial Board member, arrange for a replacement, by a Board member, if available, or a member holding no other **Club** office.
- post for ten (10) days on the **Club** Notice Board, the Judicial Board decision

A Member disciplined by the Judicial Board , may:

- appeal the penalty in accordance with Rule 33.

### **31. OFFENCES AND PENALTIES**

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

Any **Club** Officer has the authority to take custody of a member's card.

An incident report, together with the uplifted membership card will be delivered to the Manager on the next working day after the incident.

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

- A. refuses to leave the **Club** when so directed by an Officer,
- B. refuses to produce or surrender the **Club** membership card,
- C. remains on **Club** premises after closing time, without specific authorization by a **Club** officer,
- D. is abusive to other members or visitors in the **Club**,
- E. acts in the **Club** in a manner which is liable to cause a breach of the peace,
- F. creates a disturbance in the **Club**,
- G. fights with or strikes anyone in the **Club**,
- H. uses blasphemous, insulting or obscene language in the **Club**,
- I. willfully damages **Club** property, whether under the influence of alcohol or drugs, or not,
- J. removes **Club** property unlawfully,
- K. uses drugs in the **Club**,
- L. steals from the **Club**. A member found guilty under this clause will not be readmitted to the Club until both the imposed sentence has been completed and full restitution has been made.
- M. brings discredit upon the **Club**, or endangers its Charter by word or action on or off the **Club's** premises,
- N. procures alcohol for a prohibited person or one who has been refused service by a staff member,
- O. illegally or without authority, parks or stops a motor vehicle in a designated parking or stopping place or other area for longer than one (1) minute,
- P. parks or stops in any access, egress or free-way or on dotted lines,
- Q. conducts raffles in the **Club** without sanction of the Board,
- R. in the opinion on a **Club** officer, is under or becomes under the influence of an excess of alcohol (intoxicated),
- S. removes any property of the **Club**, a member, a visitor or an employee, from its resting place,
- T. causes to be inserted in the newspapers, on television or radio, any matter in connection with the **Club** without authorization from the Board.
- U. brings a dog, other than a seeing eye dog, or any other animal into the **Club**.
- V. No Officer, Board or Staff Member, Member of the Club, Visitor or Guest

shall provide or facilitate the provision of any intoxicating alcohol to any person under the legal purchase age, on **Club** premises, except in the course of a private function and then only with the sanction of that person's parent(s), guardian(s) or care-giver(s) and also in accordance with the Sale and Supply of Alcohol Act 2012 and any amendments thereto.

Any such offence shall be referred to and be dealt with by the Judicial Board.

Mandatory penalties by the Judicial Board for the above offences are:

Clauses a,b,c,g,i,j,k,l,m, n and w. Suspension. Period set by the Judicial Panel.

Clauses d,e,f and h. Suspension or, in the case of a first offender, a suspended sentence. Period set by the Judicial Board.

Clause o One month automatic suspension.

Clauses p & q First Offence - Fine as set by Board, payable within seven (7) days.

DEFAULT One (1) month's suspension.

Second Offence - Two month's suspension.

Clauses r to v Discretion of the Judicial Board

Any other matters Discretion of the Judicial Board.

## 32. DISPUTES

Any dispute which arises, other than a disciplinary matter referred to the Judicial Board, between a **Club** member and:

- a Staff member,
- the Manager,
- any sub-section of the **Club**,
- any Board sub-committee,
- any other **Club** member

Any such dispute shall be settled by the Board or its designated sub-committee, as quickly as possible.

The decision of the Board or Appeal Board is final and binding and is not restrain-able by injunction or removable to any Court of Law except that the



Board may make application to any competent jurisdiction for its enforcement.

### **33. APPEAL BOARD**

There shall be a Board of Appeal which shall:

- consist of five (5) members, elected annually by ballot in accordance with Rules 22,23 and 24
- have a quorum of three (3)
- appoint a Chairperson from its number,
- hold all deliberations "in committee" and in the English language,
- not interfere with the Board of Management in the general affairs of the **Club** or the Judicial Panel,
- make its own rules of procedure,
- record minutes by either electronic means or a competent stenographer,
- hear and decide any appeal, within fifteen (15) clear days after receipt of same, from a member disciplined by the Judicial Board or the Board who has been suspended or expelled, and wishes to lodge a written Appeal against their decision.
- base its deliberations solely on the record of and evidence presented to the Judicial Board without admission of any new evidence,
- discuss only matters relating directly to the appeal,
- announce its decision in accordance with the majority vote of its members,
- affirm, reverse or amend the decision appealed against, but only within the parameters of Rule 31,
- convey its decision in writing, to the Manager,
- make to the Board for its consideration, any relevant recommendation arising from the appeal proceedings.

An appellant shall:

- within two (2) clear days of a suspension or an expulsion being imposed, lodge with the Manager, a written appeal,
- be entitled to see any material to be used in the appeal, such material being made available to an appellant at least four (4) working days prior to the hearing.
- meet the cost of an interpreter, if required.

The Manager shall:

- on receipt of an appeal, liaise with Appeal Board Chairperson to establish the appeal is to be heard, and then arrange and notify all parties involved,
- on request of the Appeal Board, supply all relevant minutes and documents in connection with the appeal, all of which remain the property of the **Club**,
- advise the appellant in writing of the Appeal Board's decision which is final and binding.
- place the result of the appeal on the **Club** Notice Board for a period of ten (10) days.

An Appeal Board Member:

- shall have the right of standing down from a hearing for personal or conscience reasons, and shall inform the Chair person who will ensure that this information is noted in the records of the case,
- shall not participate in the proceedings if personally involved in the case , related to the appellant , or a Judicial Board member of the case being appealed
- Relationship is defined in Rule 18 .

After an appeal has been lodged, the decision of the Board appealed against, is held in suspense until the appeal decision is announced, from which time any penalty becomes effective.

#### **34. BANK**

Monies, other than change funds, received by or on behalf of the **Club** shall normally be banked daily.

Authorised Board Member signatories shall be the President, Chairperson of Finance and one (1) other appointed from the Board.

Authorised Staff signatories shall be the Manager and two (2) others approved by the Board.

#### **35. AUDITOR**

The Auditor shall:

- be appointed at the Annual Meeting.
- not be an officer of the **Club**.

- be a practicing chartered accountant,
- audit the **Club** books at least once yearly,
- supply an audit certificate and report.

Fees payable to the Auditor shall be passed at the Annual Meeting.

### **36. BORROWING**

The **Club** may from time to time borrow or raise money from:

- any trading or other bank,
- financial institutions,
- members,
- any other source,

as the **Club** deems necessary to more effectively carry out any of its objects.

The **Club** may give security therefore, by way of:

- mortgage of its real and personal property,
- issue of debentures, debenture stock perpetual or otherwise, with or without trustees for the debenture holders,
- or any other security,
- charged upon all or any of the **Club's** real and personal property both present and future,
- executed by such documents as required to effectively secure all monies so raised.

### **37. INVESTMENT OF FUNDS**

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

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

### **38. LAND AND BUILDINGS**

The **Club** shall, at an Annual or Special Meeting approve expenditure exceeding \$150,000 or such expenditure as may be requested by the Board to be authorised, in the name of the **Club**, subject always to any necessary authority consents:

- the sale, purchase, lease or mortgage of any land or building(s),
- the erection, alteration or demolition of any buildings(s),

No purchaser, assignee, mortgagee or tenant shall be bound to enquire as to the authority for any sale, lease or mortgage by the **Club**. The **Club's** receipt shall be a discharge for all monies arising from or in such connection with any sale, lease or mortgage.

The **Club** may develop and turn to account any land acquired by or in which the **Club** is interested and, in particular, by laying out and preparing the same for building purposes, constructing, altering, demolishing, decorating, maintaining, fitting up and improving buildings and conveniences, and by planting, paving, draining, farming, cultivating, letting or building lease or building agreement.

#### **39. SPECIAL EXPENDITURE**

Any resolution of the Board involving the expenditure of an amount exceeding one hundred and fifty thousand dollars (\$150,000) on any purchase or restoration of any assets not included in Rule 38 must be first submitted and approved by an Annual or Special Meeting of the **Club** before having effect.

#### **40. FINANCIAL GRANTS**

The Board shall have authority to provide financial grants to:

- any worthy charity,
- any other organisation it deems worthy of assistance.

#### **41. INSPECTION OF MINUTES AND BOOKS**

Any financial member of the **Club**, or person having a vested interest in the **Club** funds may, on giving the Manager three (3) clear days' notice, inspect the **Club** books.

Minutes may only be inspected after they have been confirmed.

#### **42. INVESTIGATION OF CLUB AFFAIRS**

It shall be the right of not less than one (1) per cent of financial members of the **Club** to make application to the Board for the:

- appointment of one or more inspectors to examine the affairs of the **Club** and report thereon,
- calling of a Special Meeting of the **Club** members,
- investigation into the affairs of the **Club** with a view to the dissolution thereof.

**43. DISSOLUTION OF THE CLUB**

If at any time the **Club** in general assembly shall decide to wind-up its operations, and a resolution is passed by a simple majority at a subsequent meeting called not less than thirty (30) days later, for that purpose, then the accumulated funds shall be distributed as follows:

- in paying the costs of winding up,
- pro rata between the creditors of the **Club**,
- given or transferred to any charitable organisation or some institution or institutions having similar object to the **Club**, to be determined by the members of the **Club** at or before the time of winding up.

No member of the **Club** may participate in or benefit from any distribution of the **Club** assets.

**44. CLAIMS TO PROPERTY**

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

**45. COMMON SEAL**

The Common Seal of the **Club** shall:

- be under the custody of the Manager,
- only be affixed to documents after a Board resolution,
- be affixed in the presence of at least two (2) Board Members.

**46. SUB-SECTIONS**

These shall not be based on national, regional ethnic background, religious, fraternal or political preferences.

**Junior Members:** The Board may authorise a sub-section to have Junior Members who must become ordinary members of the **Club** on attaining the legal age as defined in the Act.

There are two Junior Member categories, viz:

1. Members of the **Club**, as defined in Appendix A, Clause g, and
2. Non members of the **Club** but members of a Sub-section which does not participate in Clubs New Zealand's Inter-Club competition between Clubs.

**Membership of Club:** All members of sub-sections, including junior members defined in preceding paragraph clause 1, must be financial members of the **Club**.

Sub-sections:

- are eligible to use the **Club** amenities and resources subject to the approval and/or directions of the Board,
- shall have a set of rules which must be approved by the Board,
- shall have all rule amendments approved by the Board before having effect,
- shall not incur debts in the **Club's** name unless authorised by the Board,
- shall provide the Manager promptly, with any requested information about membership, finances or operations,
- shall bank all monies and make all payments through the **Club** office,
- shall keep a proper set of accounts in a form approved by the Board,
- shall comply fully with all **Club** rules.
- shall at the beginning of each year submit a budget to the Manager for approval.

**Properties:** Assets and monies acquired or accumulated by a Sub-section shall remain the property of the Woolston Club Inc.

#### **47. ALTERATIONS TO RULES**

A rule may only be altered, revoked or added at an Annual or Special meeting of the **Club** members, and on a three-fourths majority vote.

Notice of Motion, together with the intended alteration, revocation or addition of any rule(s) shall be given to the Manager at least twenty-one (21) days before the meeting.

The Notice of Motion and the intended changes shall be posted on the **Club** Notice Board for twenty-one (21) days before the meeting.

#### **48. STANDING ORDERS**

A Member:

- may give notice of motion, except for alterations to Rules, by reading such notice to the Annual meeting and handing a copy to the Chairperson,

- desiring to speak, shall rise, and speak when called on by the Chairperson,
- shall not speak more than once to a motion or for more than five (5) minutes on a matter without the consent of the meeting, except that the mover of a motion may be granted an extra five (5) minutes for the right of reply,
- may rise at any time to a point of order,

#### Notices of Motion, and Motions:

- shall be taken in order given,
- shall lapse if the mover or member acting on behalf of the mover is not present when debate is called,
- after being moved and seconded, may only be withdrawn with the consent of the meeting,
- shall be put to the vote, without further discussion, as soon as the mover has replied,
- shall not be put to the vote if it can be decided under the Rules,

#### Amendments:

- shall read either:
- to strike out words in a motion, or
- to add words to a motion,
- shall not be accepted if a direct negative,
- if carried, become the motion, and may be further amended, but only one amendment shall be accepted at a time,

#### Points of Order:

- shall be decided by the Chairperson, except that a member may move at any time that, "The Chairperson's ruling be disagreed with",
- in which case the Chairperson shall leave the Chair and the meeting appoint a temporary Chairperson,
- only the mover of the motion and the challenged Chairperson may speak,
- after which the temporary Chairperson shall put the motion and declare it carried or lost as the case may be,
- the challenged Chairperson resumes the Chair and the matter under discussion
- proceeds in accordance with the meeting's ruling,

- notwithstanding anything contained to the contrary in this or any other Rule, a member may rise at any time and raise a point of order and with the permission of the meeting, make a personal explanation if that member considers the point of order has been misrepresented.

"No Confidence Vote":

- if passed by two-thirds (2/3) at a Annual or Special Meeting, the Board shall submit their written resignations to the Manager .
- the members at the meeting shall appoint a committee of three (3), excluding any member of the resigned Board, to direct the Manager in the conduct of the **Club's** affairs,
- the committee will dissolve on the assumption of office by the new Board
- the scheduled elections will be cancelled,
- new elections for the President, Vice-President, elected Board Members, Judicial Panel and Appeal Board will be held on the third Saturday after the passing of the "no confidence" vote,
- the Returning Officer appointed for the cancelled elections will officiate,
- the Rules governing elections will prevail. Successful candidates will assume office upon notification of election and shall have initial terms of office specified in Rule 20 and Appendix B, i.e. President two (2) years, Vice-President one (1) year, half the elected Board Members, selected by number of votes received, two (2) years and other Board Members one (1) year.

Voting:

- shall be by show of hands excepting that a ballot shall be held on the request of ten (10) members.



## **WOOLSTON CLUB INC. RULES**

### **APPENDIX A**

#### **MEMBERSHIP CATEGORIES AND LIABILITY FOR SUBSCRIPTION**

##### **A. ORDINARY MEMBER**

Members who do not qualify for any other category listed below.

Liable for annual membership subscription.

##### **B. HUSBAND & WIFE & DEFACTO RELATIONSHIP MEMBERS**

Husband and Wife's combined subscription shall be 6/5 of an Ordinary Members subscription rate.

Both shall pay a membership subscription when joining.

##### **C. ELECTED LIFE MEMBERS**

Members who have been elected as a Life Member of the **Club** in accordance with Rule 13.

Not liable for a membership subscription.

##### **D. LIFE LONG MEMBERS**

Life Long Members are members who held an Interest Free Debenture in the **Club** prior to May, 4, 1986 and have donated their debenture to the **Club**.

Not liable for a subscription.

##### **E. SENIOR MEMBERS**

Members having a current continuous membership of this **Club** of ten (10) years and who have attained a minimum age of **seventy (70) years**. They shall apply each year, no later than August 31 for their continuation of this category of membership. Any member failing to make application by due date will be regarded as being "unfinancial" and have their name deleted from the **Club** register

This category of membership is not available to any member who is or has been a Life Long Member of the **Club**.

Not liable for a subscription.

Members over **sixty five(65) years** of age (applicable from the financial year **of** their 65th birthday) shall pay 3/5 of the subscription rate annually, until they attain eligibility for full Senior status.

#### **F. JUNIOR MEMBERS**

Junior Members of a Sub-section which participates in Junior Inter-Club competition between Clubs affiliated to Clubs New Zealand.

Junior Members:

- are entitled to entry to the Club to participate in their Sub-sections practice, competition and inter-club events.
- are not entitled to any rights or privileges of **Club** membership,
- shall pay a **Club** annual subscription equal to twice the Clubs New Zealand annual capitation fee rounded up to the nearest dollar,
- may not sign-in a visitor(s) to the **Club**,
- may not go into any restricted area unless accompanied by an adult,
- may not purchase or consume any alcohol,
- shall obey all **Club** Rules,
- shall be a competing member of a Sub-section,
- shall be sponsored by a Sub-section.

#### **G. ASSOCIATE MEMBERS**

- are other Clubs with which the Woolston Club has an arrangement for reciprocal visiting rights for their members.
- associate Member Clubs shall expressly agree in writing that it's members shall comply at all times with the rules of the Woolston Club.
- In accordance with the Sale and Supply of Alcohol Act 2012, individual members who are current financial members of Associate Member Clubs shall be recognised as Authorised Visitors under the Woolston Club rules.
- Members included under an Associate Membership shall not have

the same rights and privileges as all other categories of members and shall be liable to pay a subscription as determined by the Board.

#### **H. CORPORATE MEMBERS**

- Are individuals who form part of a group/organisation who hold their regular meetings or activities at their Club, whereby the primary purpose of their membership would be to participate in the meeting/activities of their Club on the day or at the time specified.
- Members included under a Corporate Membership shall not have the same rights and privileges as all other categories of members and shall be liable to pay a subscription as determined by the Board.

#### **WOOLSTON CLUB INC. RULES**

The revised Rules and By-Laws of the WOOLSTON CLUB INC. were submitted to and approved at the Annual General Meeting of the **Club** on Saturday 9<sup>th</sup> July , 2022

Brent Logan

*President*

Fred Wilmot

*Vice President*

Steve Toms

*General Manager*

These Rules were registered by the Registrar of Incorporated Societies in September, 2022 .

## **WOOLSTON CLUB BY-LAWS**

1. Alcohol may be taken into the Club, only by authorised merchants in the normal course of their deliveries.

### **2. DRESS**

A reasonable standard of dress, acceptable to the Board and Management , is required at all times.

### **3. SEXUAL HARASSMENT**

The Club opposes sexual harassment as defined in the Human Rights Act 1993.

### **4. MEMBERSHIP CARDS**

A Membership Card confiscated from a member involved in a Judicial Hearing will be returned to a member as follows:

- after the period for lodging an appeal following a Judicial Hearing, has expired,
- after any lodged appeal has been heard by the Appeal Board and its decision has been promulgated,
- after completion of any period of suspension,
- whichever is applicable and is the latter.

### **5. RESTRICTED AREAS**

The Kellaway Bar and the passage way leading there to from the Main Foyer, the two Smoking Areas, the Gaming Area and the Sports Bar are restricted areas **"OUT OF BOUNDS"** to any person under the age of eighteen (18) years, except as provided hereunder.

An active Junior member of a Section accompanied by a Senior member of that Section may, whilst practising or participating in a competition, enter the billiard table area of the Kellaway Bar, or the Sports Bar to view the "big screen", provided that the Junior member has their Club membership card with them.

This restriction does not apply to either the Kellaway Bar or the Sports Bar in such instance as a funeral or if in the company of an adult.

## **6. SMOKE FREE POLICY**

1. All internal areas of the Woolston Club Inc. are “Smoke Free” including vaping and e-cigarettes.
2. “Smoke Free” signs are displayed at all entrances to Club buildings and may be displayed in other areas deemed appropriate by the Board.
3. Persons smoking when entering Club buildings are requested to desist and may be requested to do so by a Board or Staff Member and will be declined entry should they fail to comply with this request.
4. Any person who starts smoking whilst in any Club building will be approached by a Board or Staff member and requested to stop smoking immediately, if he / she wishes to remain in the building.  
Should a person refuse to either stop smoking or to leave the building, the matter will be referred to the Judicial procedure via the Board
5. Designated “Smoking Areas” will be allocated as required.
6. Ashtrays / Smokers’ boxes are provided in the “Smoking Areas”

## **7. SUPPLY OF ALCOHOL TO PERSONS UNDER LEGAL AGE**

No Officer, Board or Staff Member, Member of the club, Visitor or Guest shall provide or facilitate the provision of any intoxicating alcohol to any person under the legal drinking age, on Club premises, except in the course of a private function and then only with the sanction of that person’s parent(s), guardian(s) or care-giver(s) and also in accordance with the Sale of Alcohol Act 2012 and any amendments thereto.

## **8 . Board Vacancies after a General Election .**

If not, all board positions are able to be filled after a general election of officers, the board may appoint a financial member of the club to the board.  
The appointed member shall have the same rights as an elected board member.  
The appointed member will remain in office until the next general election of officers.