

## **CONSTITUTION OF THE DRIFTERS ROCK 'N' ROLL CLUB INCORPORATED**

### **1. Club Name**

The name of the organisation shall be known as "The Drifters Rock 'N' Roll Club Incorporated" herein after referred to as the "Club".

### **2. Objectives:**

- a) To encourage and promote the enjoyment of Rock and Roll music, and the dance and to promote a high standard team work and friendship in all phases of the Club activities.
- b) To act where applicable in co-operation with other associations, committees, societies and/or institutions for the promotion of Rock 'N' Roll music and dancing.
- c) To acquire real and personal property for the aims of the club and to dispose of property no longer required.
- d) To maintain the Club as a community based organisation and to promote an awareness of the communities needs as and where the club deems fit.

### **3. Club Colours:**

- a) The colours of the club shall be decided at an Annual General Meeting or a Special General Meeting.
- b) While a member of the N.Z. Amateur Rock 'N' Roll Association that their approval be sort.
- c) The official colours of the club as registered with, and approved by the N.Z. Amateur Rock n Roll Association are Gold, Red and Black.
- d) Official club colours for shirts are: Gold or Red and Black with the official club logo or insignia printed or stitched on them.

### **4. Membership:**

- a) Any person is eligible for membership who undertakes to conform to the constitution, rules and by-laws (if any) of the club. Such membership to be approved, upon receipt of a signed membership application form, by the committee at the first available committee meeting.
- b) Membership to commence upon:
  - i) Committees approval, and
  - ii) Subsequent payment of the subscription by the applicant, and shall expire at the end of twelve months, or at the date of expulsion.

- c) Subscription: A sum to be decided at the Annual General Meeting.
- d) Honorary Life Members: Any member, who has given outstanding service to the club for a period of not less than 10 years, may on the motion of any members be nominated in writing no less than 14 days prior to the AGM for the inclusion on the AGM agenda, and having the votes of two-thirds majority of the members present, shall become an Honorary Life Member of the club. Honorary Life Members shall have the same rights and commitments/liabilities as ordinary members but shall not be required to pay the Annual Subscription.
- e) Honorary Members: Any person may be made an Honorary Member at an Annual General Meeting by the votes of two-thirds majority of the Members present and does not have to pay their next due annual Subscription.
- f) On becoming a Member, a membership card shall be issued. The member must present this card if requested. The card remains the property of the Club.
- g) The Club reserves the right to refuse membership by way of a Majority Vote of the Committee.

5. **Resignation from Membership:**

- a) A member shall cease to be a member having failed to pay their subscription by the end of the month due.
- b) A Member shall cease to be a member when by a majority vote of the committee a resignation is asked for.
- c) A member so resigning, or otherwise ceasing to be a member of the Club shall thereupon forfeit all rights to and claims upon the Club and its property and funds, but shall not be discharged or freed from any liabilities to the Club which may have been accrued by the member.
- d) Members can resign at any time by notifying the Secretary in writing. Such resignation will take effect from the committee meeting immediately after the resignation is received.

6. **Misconduct:**

If conduct of any Member is such as to endanger the character, good order, welfare or interest of the Club, it shall be in the power of the Executive Committee to conduct such a hearing or investigation as the Executive Committee deems warranted and to take the following action after that member has been heard if her or she so desires, after having been given reasonable written notice to:-

- a) Expel the Member; or
- b) Suspend the Member from taking part in the Club's activities for such a period as the Committee may specify; or
- c) Where the misconduct took place during an event or competition conducted by the Club, disqualify the Member from that event or competition as the case may be; or
- d) Reprimand the Member.

PROVIDED HOWEVER that at all times the Rules of natural justice will be adhered to. All notices shall be in writing and all decisions majority decisions.

**7. Financial Year:**

The Club's Financial Year shall run from 1<sup>st</sup> November until 31<sup>st</sup> October of the following year.

**8. Constitutional Interpretation:**

- a) The interpretation of this Constitution is the responsibility of the Committee.
- b) Constitutional Disputes: In the event of any unresolved disputes as to the Committee's interpretation of the Constitution the matter shall be referred to an independent arbiter for their resolution. The arbiter must be acceptable to all parties.

**9. New Rules and Alterations of Rules:**

- a) The Constitution may be altered only if a motion of the proposed alteration is sent in writing to the Secretary 21 days prior to the Annual General Meeting or Special General Meeting. And has been put at the meeting and carried by a majority of the total members present and entitled to vote. The Secretary shall give not less than ten days notice of such proposed alteration, rescission or addition.
- b) Alteration of the Rules must be implemented by remit as an Annual General Meeting and carried by a majority of the total members present and entitled to vote.
- c) The Secretary shall register any alteration to the Rules as required by the Incorporated Societies Act 1908.
- d) Any such alteration shall take effect when made and shall be notified to all members.
- e) No addition to or alteration of the Pecuniary Profit Clause shall be approved without the Inland Revenue Department's approval.

10. **Committee:**

- a) The Committee shall consist of:
  - President
  - Vice President
  - Secretary
  - Treasurer
  - Membership Officer
  - Properties Officer
  - Promotions/Advertising/Liaison Officer
  - Junior Representative
  - 3 Committee members
- b) The Committee may appoint sub-committees.
- c) A Committee member may resign from their position in writing to the committee, but can only seek re-election at the next AGM if resignation is for valid reason. Validity to be determined by committee at that time.
- d) Committee will provide a list of amended rules to all new/renewed membership, and that any changes of the Club rules can only be achieved by a majority vote at an AGM or Special Meeting of the Club.
- e) Any member of the Committee who is absent for three consecutive meetings without providing a satisfactory explanation to the Committee shall be deemed to have vacated their office. Any member who thus vacates their position shall not be eligible for co-option or re-election at the next General Meeting.
- f) Any Club Member may attend any meeting of the Committee but shall not have voting rights, and may not comment unless asked to do so by a Committee Member, except during General Business. The above excludes when the Committee is "IN COMMITTEE".
- g) The quorum of the Committee shall be not less than 51% of the total Committee members.
- h) A special committee meeting can be called only by notice given to the Secretary or President by a majority of the members of the committee or by the majority of the Executive Committee. Seven days notice must be given.
- i) The Committee has the power to co-opt members onto the Committee to temporarily fill vacancies until the next General Meeting.

11. **EXECUTIVE:**

- a) The Executive shall be empowered to attend to all urgent matters as required, and a report made to the next Committee meeting along with their minutes.

The Executive shall comprise of:

President

Vice President

Secretary

Treasurer

A quorum shall comprise of three of the above.

- b) The Common Seal of the Club is to be held by the Treasurer as directed by the Executive, and is to be used on all official documents.
- c) The Executive shall advise the appropriate authority of any change to the Constitution or of the registered office of the Club. The Executive shall decide where the registered office of the Club is to be established.
- d) The Common Seal shall not be used except by a resolution of the Committee and in the presence of three members of the same who shall attest the affixing of the seal.

**12. Duties and Liabilities of Committee Members:**

- a) President: This position involves keeping an adequate check on the Committee, to make sure they are doing their job, to ensure the smooth running of the club nights, and basically to run the club to the best of their ability. The President is authorised to sign cheques and endorse documents.
- b) Vice President: Assist the President and, if necessary, substitutes for the President. In the event of a resignation, retirement or removal of any Executive member of the committee the Vice President shall take that office until the position has been filled. Should the Vice President decline to take such an office, then the Vice President shall immediately relinquish the position of Vice President, The Vice President is authorised to sign cheques and endorse documents.
- c) Secretary: This position involves collating and retaining minutes of meetings held by the club. Clear mail, report any urgent mail to the President for immediate action, handling incoming and outgoing correspondence, and to fill the vacancy of any Committee member who resigns until such time as that vacancy has been filled. The Secretary is basically the President's right hand man. The Secretary is authorised to sign cheques and endorse documents.
- d) Treasurer: This position involves keeping an accurate record of income and expenditure, bank money, pay accounts, reconcile bank accounts, present true and accurate reports at all Committee meetings, calculate profit/loss for special events, i.e. hops etc and issue miscellaneous receipts. The Treasurer is authorised to sign cheques and endorse documents.

- e) Promotions/Advertising/Liaison Officer: This position involves promoting the club at all times in anyway possible i.e. with posters, word of mouth, leaflets etc. To look for sponsorship for the club, place advertisements in local newspapers, handle any radio advertising etc. To liaise with other clubs, organise club visitations, co-ordinate demos, organise out of town trips and initially be a front line person for the club.
- f) Membership Officer: This position involves keeping an accurate record of club members, being responsible for the joining up of members, keeping a check on expiry dates, up and coming birthdays, issuing receipts for club subscriptions, making sure the phone list is up to date.
- g) Property Officer: This position involves the looking after and keeping an accurate record of all club properties, including selling T-shirts, badges, etc. Placing of signs outside club venues, being responsible for lost property, and where possible to store club property.
- h) Three Committee Members: This involves people required to back up help other committee members when their work load becomes too great. To assist wherever possible with smooth running of the club.
- i) Junior Representative: This position involves being in charge and acting in the best interests of the junior members of the club and to liaise in all respects regarding the running and managing of junior club nights with the current committee.

**13. Annual General Meetings:**

- a) Fourteen days notice in writing will be given to all members for any Annual General Meeting, which shall be held as close as possible to November each year at a time and place selected by the Committee.
- b) Each standing Committee Member must stand down. Re-election shall be by majority vote.
- c) A Nomination can be given to the Secretary in writing prior to the Annual General Meeting or can be made verbally from the floor. For all positions a Nominator and a Secunder is required, with the Nominee's approval.
- d) If the person elected is unopposed a vote shall still be taken. If the majority of the members oppose that person in that position nominations will be taken.
- e) Two scrutineers will record the number of votes for and against each candidate. Where possible the scrutineers should be non-members.
- f) At the Clubs Annual General Meeting, voting shall be by a show of hands. (This form of voting to be used at all meetings) Members attending the meeting, having attained the age of 18 years shall be entitled to vote.

- g) The result of the election of officers shall be declared immediately.
- h) The quorum of the Annual General Meeting shall be the senior financial members present at the time the meeting is convened.
- i) There shall be no proxy votes. Proxy acceptance of nominations will be accepted only if in writing, and signed in a sealed envelope. There shall be no proxy nominations for Honorary Life Memberships.
- j) The Annual General Meeting shall approve the Committee's recommendation for the Club's Financial Auditor.

**14. Special General Meeting:**

The President or Secretary may be instructed to call a Special General Meeting by no less than five Committee Members or fifteen Club Members. There shall be at least fourteen days notice of the meeting given to financial members and the reason must be put in writing, in a sealed envelope to the Secretary or President on request of the meeting being held and shall be signed by the five Committee Members or fifteen Club Members. The quorum of the Special General Meeting shall be the senior financial members present at the time the meeting is convened.

**15. Accounts:**

- a) Moneys belonging to the Club shall be deposited in such bank or banks and under such conditions as the Executive Committee may decide, and by such officer as the Executive Committee may decide.

The Committee can elect to hold two separate accounts in the Club's name for Fundraising and reimbursement of expenses for;

- (1) Senior Nationals
- (2) Junior Nationals

Such funds in these separate account to be used for purposes of;

- (A) Collection and payment of National expenses on behalf of members.
  - (B) Reimbursement of expenses to members who have contributed to fund raising, and attending the respective Nationals. Reimbursement will be controlled through the Committee and minuted.
- b) The Executive Committee shall give directions as it considers desirable for payment of claims against the Club.
  - c) Cheques must be signed by the Treasurer and one other Executive Committee. If the Treasurer is unavailable then the cheques shall be signed by the Secretary and one other Executive Committee Member. If both the Treasurer and the Secretary are unavailable then the cheques shall be signed by the President and one other Executive Committee

Member. All cheques to be written by an Officer duly authorised by the Executive Committee.

- d) The Treasurer shall keep proper books of account, of all income and expenditure of the club, and issues receipts when requested for money received by the club. Prepare a financial report of the year's income and expenditure, Assets and Liabilities, and any fund raising accounts held, for presentation at the AGM.
- e) Sponsorship: All members proposing to arrange sponsorship under the clubs name shall in the first instance seek approval from the committee in writing. Such a proposal to contain all relevant details required by the committee and to be signed by the proposed sponsor.

**16. Dissolution / Winding up:**

- a. Members present at a meeting convened for the purpose may resolve that the Club be dissolved as from the date to be named in such resolution PROVIDED HOWEVER that any such resolution shall at all times comply with Section 24 of the Incorporated Societies Act 1908.
- b. In the event of such winding up, or dissolution of the club, there remains after the satisfaction of all debts and liabilities any property whatsoever, the same shall not be paid or distributed amongst the members, but distributed as follows:
  - (i) given or transferred to some other organisation or body within New Zealand, having objects similar to the objects of the club, or ;
  - (ii) to some other charitable organisation or purpose within New Zealand.

**17. Payments to Members (Pecuniary Profit)**

No members or person associated with a member of the organisation shall derive any income, benefit, or advantage from the organisation where they can materially influence the payment of the income, benefit or advantage.

Except where that income, benefit or advantage is derived from:

- a) Professional services to the organisation rendered in the business, charged at no greater rate than the current market rates, or,
- b) Interest on money lent at no greater than current market rates.