



## Club Constitution

As at 29<sup>th</sup> March 2009

### 1. **Name**

The name of the club shall be "Auckland Skydivers Incorporated" hereinafter referred to as "the club".

### 2. **Objects**

- a. To promote and encourage sport parachuting.
- b. To train and qualify members in skydiving, the performance of parachute descents, and in maintenance and use of parachuting equipment.
- c. To cooperate with any other organisation whose objects are totally or in part similar to those of this club for the benefit of both or either organisation.
- d. To do such lawful things as are incidental or conducive to the attainment or furtherance of all or any of the above objects.

### 3. **Members**

- a. Any person of good character may become a member of the club provided he has made application for membership in the prescribed form and such application has been approved by the committee. The committee in its discretion may decline to give approval for any reason it deems sufficient and without giving any reason.
- b. The membership of any person may be determined at any time by resolution of the committee. The person shall be given proper notice of the charge against him fourteen days prior to the hearing and given the opportunity to present his case to the committee,
- c. Any member may resign from the club on giving to the Secretary notice in writing of his intention so to do and on paying all subscriptions due at the time of giving of such notice.
- d. A register of members showing the names, addresses and occupations of members and the dates on which they became members shall be kept in the registered office of the club.
- e. The club membership will be made up from the following categories Student Member, Ordinary Member and Honorary Life Members, thereafter known as ordinary members.

### 4. **Subscriptions**

Every member shall before the 31st day of December in each year pay to the club an Annual Subscription of such amount as may be fixed by the club in General Meeting. Honorary life members shall be exempt from any annual subscription.

### 5. **Levy**

Every member shall in addition to all other monies payable by him, forthwith pay to the club every sum of money which may from time to time by resolution of the club in General Meeting be levied upon him as a member and which the club may consider necessary or expedient for the purpose of reimbursing the club for out of pocket expenditure.

### 6. **Penalty**

The committee may suspend membership of any member whose annual subscription or levy is in arrears and unpaid for the space of one calendar month from the due date. Such suspension will continue until the monies owed have been paid.

### 7. **Election of Committee**

- a. The affairs of the club shall be administered by a committee to be elected by the members at the first meeting of the club and at every Annual General Meeting thereafter.
- b. The committee shall consist of the following elected officers chosen from the general body of members of the club:
  - (1) A President
  - (2) A Secretary
  - (3) A Treasurer
  - (4) An Aircraft Officer

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- (5) One or more Committee members

That the minimum number of committee members be five and the maximum number of committee members be nine. The posts of Secretary and Treasurer may be combined at the discretion of the committee.

- c. The elected members shall hold office for one year, but on retiring shall be eligible for reelection.

### 8. Meetings of Committee

- a. The committee shall meet at such times and places as shall be from time to time determined by the President.
- b. At least seven days notice in writing shall be given to any committee member.
- c. Three committee members shall constitute a quorum.

### 9. Expulsion of Committee Members

Any member of the committee who shall absent himself without leave from three consecutive meetings of the committee shall ipso facto cease to be a member of the committee.

### 10. Powers of Committee

- a. To direct and manage the affairs of the club.
- b. To appoint members to fill any casual vacancy of the committee.
- c. To appoint, remove or suspend officials and to determine their powers and duties.
- d. To use the funds of the club as may be considered necessary or proper in payment of costs and expenses incurred in carrying out the objects of the club, including the employment of officers or agents and servants as may seem expedient.
- e. To purchase, take on lease or otherwise acquire or sell, lease or dispose of any interest in land buildings, furniture or other personal property and to erect, maintain, alter or repair any building or erection.
- f. To make, take and accept any gifts, transfer ex conveyance of property whether real or personal and whether subject to any special trust or not for one or more of the objects of the club.
- g. To undertake and execute any trusts or any agency or business which may seem directly or indirectly conducive to any of the objects of the club.
- h. To publish or promote the publication or circulation or sale of any books, pamphlets, periodicals and other printed matter relating to the objects or the club or any of them.

### 11. General Meetings

- a. An Annual General Meeting shall be held not later than March 31st each year. Members shall be given not less than twenty one days preliminary notice of the date of the meeting.
- b. Notices of motion for consideration by the Annual General Meeting shall be in the hands of the Secretary not less than fourteen days prior to the date of the Annual General Meeting and shall be circulated to all members seven clear days prior to the date of the Annual General Meeting.
- c. A General Meeting of the club shall be convened by the Secretary within fourteen days when directed by requisition of the President or any five members of the committee, or any twelve members of the club. Every requisition shall state the object for which such as meeting is required.
- d. Except in the case of emergency and of that the committee shall be the sole judge, at least seven days written notice shall be given of all General Meetings, and such notice shall state the purpose of the business to be transacted thereat, particulars of any notice of motion, as well as the place, day and hour of the meeting.
- e. A quorum for any General Meeting shall be twenty five percent of the financial ordinary members of the club personally present. The President shall be the Chairman and in his absence the Chairman shall be elected by the meeting.

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### 12. **Procedure**

- a. Meetings shall be conducted in accordance with the recognised rules of debate.
- b. Every question submitted to a meeting shall be decided in the first instance on the voices and in the case of a decision being in doubt, the Chairman may call for a show of hands. Every person entitled to vote shall have one vote except as provided in the next succeeding sub clause c.
- c. The Chairman at any meeting shall have a deliberative vote, and in the event of an equality of votes, shall have a casting vote.
- d. Minutes shall be kept of the proceedings of all meetings of the club, the committee and, where practicable, of any committee or sub committee.

### 13. **Finance**

- a. All monies received on account of the club shall be paid to its credit at the office of its bankers within a reasonable time of receipt.
- b. All accounts rendered to the club shall be approved by the committee before payment.
- c. All payments shall be made by cheque. Each cheque shall be signed by the Secretary/ Treasurer and countersigned by the President.
- d. A Statement of Income and Expenditure for the twelve months ending December 31st a Balance Sheet setting out Assets and Liabilities as at the date and a statement detailing any mortgages or securities affecting any property of the club shall be compiled by the Treasurer and circulated to members at least seven days prior to the Annual General Meeting.
- e. Immediately after such meeting these statements and balance sheets shall be forwarded by the Secretary to the Register of Incorporated Societies.

### 14. **Investment and Borrowing Powers**

- a. The committee may from time to time invest monies in such forms of investments as are authorised for investment of trust monies.
- b. The club may from time to time for the purpose of the club raise or borrow such sum or sums of money as it may think fit, necessary or expedient with or without security therefore and may secure the payment of such sums by mortgage or sub mortgages or any property real or personal belonging to the club or by bonds, debentures, mortgage debenture or other securities or by Bills of Exchanges, promissory notes or other negotiable instruments and such mortgages or other securities may contain such covenants, powers, conditions, agreements and obligations as it may think fit. Any such action must first be approved by members in General Meeting.

### 15. **Common Seal**

The Common Seal of the club shall be kept in the custody of the Secretary and shall not be affixed to any deed, instrument, contract, document or paper without the authority of the committee. The affixing of the Seal to any deed or instrument creating legal obligation upon the club shall be attested by the President, the Secretary and one other member of the committee.

### 16. **Alteration of Rules**

- a. The rules governing the club may be altered, added to or rescinded by a three fifths majority of those members present and voting at a General Meeting of which due notice has been given, such notice having included particulars of the proposed alterations, additions or rescissions.
- b. No addition to or alteration or recession of the rules shall be approved if it affects the non profit objects (aims), personal benefit clause or the dissolution clause.
- c. The provisions and effect of this clause shall not be removed from this document and shall be included and implied into any document replacing this document.

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- d. Any such alterations shall be submitted by the Secretary in duplicate to the Registrar of Incorporated Societies immediately after they have been approved and shall be accompanied by a statutory declaration that the alterations have been made in accordance with the rules of the club.

### 17. **Dissolution**

- a. The club shall be wound up if at a General Meeting of which due notice has been given a majority of those members personally present and voting pass a resolution to this effect and if such resolution is confirmed by a similar majority at a subsequent General Meeting called for that purpose and held not less than thirty days later, for which at least fourteen days notice has been given.
- b. If upon the winding up or dissolution of the club there remains after the satisfaction of all its debts and liabilities any property whatsoever the same shall not be paid to or distributed among the members of the club but shall be given or transferred to some other organisation or body having objects similar to the objects of the club, or to some other charitable organisation or purpose, within New Zealand.

### 18. **Personal Benefit**

- a. No member shall receive or obtain any pecuniary gain (except as a salaried officer) from the property or operations of the club.
- b. No member of the organisation or any person associated with a member shall participate in or materially influence any decision made by the organisation in respect of the payment to or on behalf of that member or associated person of any income, benefit, or advantage whatsoever.
- c. Any such income paid shall be reasonable and relative to that which would be paid in an arm's length transaction (being the open market value). The provisions and effect of this clause shall not be removed from this document, and shall be included and implied into any document replacing this document.

### 19. **Applicable laws**

- a. In the event of any questions as to the construction or application of any of these Rules the matter shall be decided by the committee, and the committee's decision shall be final.
- b. No member or group of members shall make any public or press statement purporting to be made by or on behalf of the club or any section thereof except by or with prior authority of the President of the club.