



Bucklands Beach Association Football Club Constitution

1.0 NAME:

The name of the Association/Club is Bucklands Beach Association Football Club Incorporated (hereinafter referred to as 'the Club').

2.0 REGISTERED OFFICE:

The registered office of the Club shall be situated at any place as shall from time to time be determined by the Executive.

3.0 OBJECTS:

The objects of the Club are:-

- 3.1** To form, coach, and provide facilities for an unlimited number of teams and to provide such teams with the equipment necessary to play Club Football PROVIDED ALWAYS that this clause shall not create any liability on the part of the club to provide such equipment.
- 3.2** To develop and protect the interest of Club Football generally.
- 3.3** To further the interests and welfare of the Club and Club members and to promote social activities for members of the Club.
- 3.4** To teach all players the rudiments of Club Football and sport in general so as to develop their sense of sportsmanship and fair play.

- 3.5** To buy or otherwise acquire, sell, improve, manage, develop, exchange, lease, let, take on lease, or rent, mortgage, charge, dispose of or otherwise deal with real and personal property of all kinds or any interest therein and to invest, deal with and turn into account all or part of the Club's property or rights as may be considered advisable for the carrying out of the objects in 3.1, 3.2, 3.3, 3.4 above.
- 3.6** To control all the assets effects and liabilities of the Club.
- 3.7** To borrow or raise or secure the payment of money in such manner as the Club shall think fit charged upon all or any of the Club's assets or property both present and future and to control invest or otherwise dispose of the funds and property of the Club.
- 3.8** Generally to do by all lawful means such acts, matters or things as may be incidental or conducive in the attainment of all or any of the objects hereinbefore stated.

4.0 ATTAINING OBJECTS

The Club shall be empowered to do all things necessary which are incidental to and necessary for the attainment of the objects of the Club.

5.0 PROPERTY OF THE CLUB

The Club must apply all property and income of the Club towards the promotion of the objects or purposes of the Club and no part of that property or income to be paid or otherwise distributed, directly or indirectly, to members of the Club, except in good faith in the promotion of those objects or purposes.

6.0 POWERS OF THE CLUB: (as conferred by Section 13 of the Act).

- 6.1** To form football teams to compete with other football teams in internal and external competitions.
- 6.2** To acquire, hold, deal with, and dispose of any real or personal property;
- 6.3** To open and operate bank accounts;
- 6.4** To invest its money –
- (i) In any security in which trust moneys may be invested; or
 - (ii) In any other manner authorised by the rules of the Club;

- 6.5 To borrow money upon such terms and conditions as the Club thinks fit;
- 6.6 To give such security for the discharge of liabilities incurred by the Club as the Club thinks fit;
- 6.7 To appoint agents and employees to transact any business of the Club on its behalf for reward or otherwise;
- 6.8 To build construct erect maintain alter and repair any premises building or other structure of any kind and to furnish equip and improve the same for use by the Club;
- 6.9 Accept donations and gifts in accordance with the objects of the Club;
- 6.10 Print and publish any information by any media including newsletters, newspapers, articles or leaflets for promotion of the Club;
- 6.11 Provide gifts and prizes in accordance with the objects of the Club;
- 6.12 Organise social events for Members and the promotion of the Club; and
- 6.13 To enter into any other contract the Club considers necessary or desirable.

7.0 MEMBERSHIP:

- 7.1 Application for membership shall be open to any person who wishes to further the interests of the Club.
- 7.2 Any person seeking membership shall make application to the Executive Committee, and the Executive Committee shall determine whether the application is successful or not.
- 7.3 Each person admitted to membership shall be;
 - 7.3.1 Bound by the Constitution of the Club.
 - 7.3.2 Become liable for such fees and subscriptions as may be fixed by the Club.
 - 7.3.3 Entitled to all advantages and privileges of membership.

7.4 Membership Categories:

7.4.1 ORDINARY MEMBER

Any person over the age of 18 who is a member of the Club is entitled to hold any office and enjoy the privileges of the Club. An ordinary member shall have full voting rights.

7.4.2 NON PLAYING MEMBER

Persons other than ordinary members who are interested in promoting the Club, but who do not wish to participate in the playing activities of the Club, may become a Social Member. A social member shall have no voting rights.

7.4.3 JUNIOR MEMBER

Any person under the age of 18 years will become a Junior Member. Junior Members shall have no voting rights nor be entitled to hold any office.

7.4.4 LIFE MEMBERSHIP

The Executive Committee may elect any member to life membership who has given outstanding service to the Club. A life member has the same rights as a Financial Member although the life member does not have to pay any subscription or levies payable by other Financial Members. Any member may nominate a person to the Executive Committee for consideration for Life Membership. A life member shall have full voting rights.

7.4.5 PATRON

The Club may, at its discretion, elect a patron/s or vice patron/s of the Club for such period as may be deemed necessary. Such patron/s or vice patron/s shall not be eligible to vote unless they are current members of the Club under another category of membership.

7.4.6 AFFILIATED CLUBS OR TEAMS

A club or team desirous of becoming an affiliated club or team must make application in accordance with the by-laws of the Club. Such application must be lodged with the Club Secretary on or before a date as determined by the Executive Committee of the Club. Affiliated clubs or teams shall have no voting rights.

7.4.7 FAMILY MEMBERSHIP

For these purposes, “*family*” consist of any one or more parents or any legal guardian(s) or guardian(s) in fact, plus one or more dependent children of such persons, “dependent” meaning in their full time care or substantially full time care, all of these factors as reasonably determined by the Executive Committee. Family membership is for the purposes of determining appropriate fees and levies and subject to clause 14.1.4 does not affect any individual member’s voting rights which are independent of family membership. Subject to clause 14.1.4 family membership does not entitle the members of that family to any additional vote.

7.5 The Executive Committee shall appoint a member of the Executive Committee to maintain an up to date register of members of the Club.

7.6 A member may inspect the records and documents of the Club.

8.0 SUBSCRIPTIONS:

8.1 Annual subscription shall be determined on an annual basis by the Executive Committee

8.2 You are not a member until your subscription is fully paid.

9.0 TERMINATION OF MEMBERSHIP

9.1 Any person’s membership may be terminated by the following events;

9.1.1 Resignation

9.1.2 Expulsion

9.2 The Executive Committee shall have the power to suspend or expel any member of the Club for:

9.2.1 A Member’s annual membership fee remains unpaid after one month falling due;

9.2.2 False or inaccurate statements made in the member’s application for membership of the Club,

9.2.3 A breach of any rule, regulation or policy of the Club and

9.2.4 By any act detrimental to the Club.

After having undertaken due inquiry;

9.3 Any member who is expelled, suspended or has their membership terminated, shall have the right to appeal against their suspension or expulsion by presenting their case to a General Meeting called for such purpose, and the decision of the General Meeting shall be final.

10.0 EXECUTIVE COMMITTEE

10.1 Management of the Club shall be vested in the Executive Committee elected by the members at the Annual General Meeting and consisting of;

10.1.1 Minimum of seven members including:

10.1.2 President

The duties of the President are:

- (a) To provide leadership to the Executive Committee and to the Club;
- (b) To conduct general meetings in accordance with their agendas and the rules and objects of the Club;
- (c) To ensure that members attending meetings have equal opportunities to be heard and have their points of view considered;
- (d) To ensure that every entitled member has an equal right to vote on any issue and thus help in the making of decisions; and
- (e) To submit a written report to the Executive Committee for presentation each year to the Annual General Meeting.
- (f) Advise the registrar of incorporated societies of any role change affecting the club or its operations.

10.1.3 Vice President

- (a) Carrying out the Presidents duties in his or her absence, with the acknowledgement of the Executive Committee as being capable and suitable to do so.
- (b) Providing support and assistance to the President in carrying out his or her responsibilities.

(c) Taking on specific responsibilities from the President.

(d) Being open to approaches, where appropriate, from other committee members about the work or judgement of the President. The Vice-President will then discuss any issues arising with the President.

10.1.4 Secretary

(a) In addition to being a member of the Executive Committee, the Secretary must attend to all correspondence and keep minutes of General Meetings and meetings of the Executive Committee and ensure that any sub-committee keeps minutes.

(b) The Secretary must keep a register of members of the Club, with addresses and other relevant details and in doing so comply with the provisions of the Privacy Act 1993.

(c) The Secretary must keep all records and generally perform all the clerical work of the Club. With the written approval of the Executive Committee these tasks may be delegated but the Secretary remains responsible for their performance.

(d) When the Secretary ceases to be the Secretary for any reason whatsoever the Secretary must immediately deliver to the Executive Committee all books, papers, documents and property in the Secretary's possession or control.

(e) The Executive Committee may from time to time issue and amend job descriptions for the Secretary and publish them to the Club.

(f) Any other duties as may be stipulated in the officer's role description.

10.1.5 Treasurer

(a) The Treasurer must receive all subscriptions and all other money payable to or receivable by the Club and must pay all accounts approved by the Executive Committee. The Executive Committee may delegate levels of payment to the Treasurer by written authority.

(b) The Treasurer must invest all funds of the Club in such a manner as directed by the Executive Committee.

(c) The Treasurer must keep the book of accounts of the Club in a form approved by the Executive Committee and must submit at each Annual General Meeting a balance sheet, income and expenditure account duly audited by the Auditor.

(d) When the Treasurer ceases to be the Treasurer for any reason, the Treasurer must immediately deliver to the Executive Committee all books, papers, documents and property in the Treasurer's possession or control.

(e) The Executive Committee may from time to time issue and amend job descriptions for the Treasurer and publish them to the Club.

(f) Any other duties as may be stipulated in the officer's role description.

10.1.6 Club Captain

The duties of the Club Captain shall be in conjunction with all grade conveners.

(a) To ensure that all teams under their supervision are equipped in a manner to bring credit to the Club;

(b) To attend to all players or team matters relating to their section of the Club and to ensure the welfare of all of those players or teams of players for the good of the Club;

(c) To attend to disciplinary matters that arise in respect to players, coaches or officials and to report to the Executive Committee any matter that requires the calling of a judicial hearing either by the Club or the governing football association;

(d) To ensure that all players are Financial Members of the Club in co-operation with the Financial Committee;

(e) To make available to Club coaches, managers and officials, team cards, results, requirements and other information as necessary for the coach, manager and official to effectively carry out their duties without undue cost or penalty to the Club or team;

(f) To report regularly (and as requested by the Executive Committee from time to time) on the preceding matters or any other matters relating to their responsibilities.

(g) The Executive Committee may from time to time issue and amend job descriptions for the Club Captain and all grade conveners.

10.1.7 Conveners

The Executive Committee will determine the number of conveners that will join the Executive Committee.

- 10.2** No person shall hold more than one position on the Executive Committee at any one time. A person shall cease to be a member of the Executive Committee at the conclusion of the Annual General Meeting which follows his/her election and he/she will be eligible for re-election.
- 10.3** No person who is a contracted player of the Club can be elected or remain as a member of the Executive Committee. Such a person can however be on a sub-committee or can be co-opted to a sub-committee.
- 10.4** No person shall be eligible to run for the Presidents role unless they have been a member of the club for two (2) or more consecutive years immediately prior to applying for the role.
- 10.5** A quorum of the Executive Committee shall be 51% or greater.
- 10.6** If the President and Vice President are unable to attend, then a chairperson nominated by the meeting shall chair that meeting.
- 10.7** A member of the Executive Committee may lose his or her seat on the committee for either of the following;
- Absence from three or more meetings without leave of absence.
 - Found not to be a financial member.
- 10.8** An employee of the club is entitled to be a member of the Executive Committee but should there be any conflicts of interest then that employee will not be entitled to a vote and may be asked to leave the meeting.
- 11.0 POWERS OF THE EXECUTIVE COMMITTEE**
- 11.1** The Executive Committee shall carry out the day-to-day running of the Club and shall have the power to:
- 11.1.1** Administer the finances, appoint bankers, and direct the opening of banking accounts for specific purposes and to transfer funds from one account to another, and to close any such account;
- 11.1.2** Fix the manner in which such banking accounts shall be operated upon, providing the Executive Committee passes all payments;
- 11.1.3** Fix fees and subscriptions payable by members and decide such levies, fines and charges as is deemed necessary and advisable, and to enforce payment thereof;

- 11.1.4 Adjudicate on all matters brought before it which in any way affect the Club.
- 11.1.5 Cause minutes to be made of all proceedings at meetings of the Committee and General Meetings of members;
- 11.1.6 To draw up enforce or amend any rules or bylaws that the executive committee feel are necessary to enable the affairs of the Club to be managed appropriately.
- 11.1.7 Have the power to form and appoint any sub committee/s as required for specific purposes. Said sub-committee's will have a defined role but may never have the authority to make binding decisions.
- 11.1.8 May at their discretion employ a person or persons to carry out certain duties required by the Club, at salaries or remunerations for such period of time, as may be deemed necessary.
- 11.1.9 Should a vacancy occur on the Executive Committee during the season, the Executive Committee shall appoint a successor until the next Annual General Meeting. The successor must be a member that has voting rights.
- 11.1.10 Appoint an officer/s or agent of the Executive Committee to have custody of the Club's records, documents and securities.

12.0 AUDITOR

- 12.1 The Annual General Meeting shall elect or appoint an Auditor or Auditors. The Auditor must be a qualified accountant.
- 12.2 The Auditor/s shall examine and audit all the books and accounts of the Club annually, and have the power to call for all books, papers, accounts, receipts etc., of the Club and report thereon to the Annual General Meeting.

13.0 GENERAL MEETINGS:

- 13.1 Annual General Meeting
 - 13.1.1 The Annual General Meeting of the Club must be held within four months of the end of the club's financial year.
 - 13.1.2 The Secretary shall give at least fourteen (30) days notice of the date of the Annual General Meeting, to members.
 - 13.1.3 All financial members may attend the Annual General Meeting.

13.1.4 The quorum at the Annual General Meeting shall be a minimum of twelve members. If, at the end of 30 minutes after the time appointed in the notice for the opening of the Meeting, there be no quorum the meeting shall stand and adjourn for one week. If at such meeting there is no quorum those members present shall be competent to discharge the business of the meeting.

The agenda for an Annual General Meeting shall be;

- a. Opening of Meeting
- b. Apologies
- c. Confirmation of Minutes of previous Annual General Meeting
- d. Presentation of Annual Report
- e. Adoption of Annual Report
- f. Presentation of Treasurer's statement
- g. Election of New Executive and appointment of Auditor
- h. Vote of thanks to outgoing Executive
- i. Notice/s of Motion
- j. Urgent general business
- k. Closure

13.2 General Meetings

13.2.1 General Meetings may be called by the Executive Committee or at the request of the President and Secretary or on the written request of five members of the Club.

13.2.2 The Secretary shall give at least seven (7) days notice, in writing, of the date of the General Meeting to the members. Notice of General Meetings shall set out clearly the business for which the meeting has been called. No other business shall be dealt with at that General Meeting.

14.0 VOTING

14.1 Voting powers at the Annual General Meeting and General Meetings:

14.1.1 The President shall be entitled to a deliberate vote and, in the event of a tied vote; the President shall exercise a casting vote.

14.1.2 Each individual financial member (with voting rights) present shall have one (1) vote.

14.1.3 Each individual committee member present shall have one (1) vote.

14.1.4 In respect to Junior Members, the parent, or legal guardian of whom a Junior Member is a dependent is entitled on every motion to one vote exercised in person but not by proxy. This Youth Member vote is however limited to one (1) vote per family, regardless of the number of Youth members in the family.

15.0 FINANCE:

15.1 All funds of the Club shall be deposited into the Clubs accounts at such bank or recognised financial institution as the Executive Committee may determine.

15.2 All accounts due by the Club shall be paid after having being passed for payment at the Executive Committee Meeting and when immediate payment is necessary, account/s shall be paid and the action endorsed at the next Executive Committee Meeting.

15.3 The Treasurer shall not spend more than a set amount Petty Cash without the consent of the Executive Committee, and shall keep a record of such expenditure in a Petty Cash Book.

15.4 A statement showing the financial position of the Club shall be tabled at each Executive Committee Meeting by the Treasurer.

15.5 A statement of Income and Expenditure, Assets and Liabilities shall be submitted to the Annual General Meeting. The auditor's report shall be attached to such financial report.

15.6 The financial year of the Club shall commence on 1st November each year. The accounts, books and all financial records of the Club shall be audited each year.

15.7 The signatories to the Club's account/s will be the Treasurer and any one (1) of the following;

- President
- Secretary

16.0 SALE OF LIQUOR

Liquor will be sold or supplied only in accordance with any licence held under the provision of the Sale of Liquor Act 1989 and will be supplied only to the members of the Club, New Zealand Football and FIFA as determined within the rules of New Zealand Football and FIFA whereby member, visitors and guests may be permitted service under these regulations.

17.0 COMMON SEAL

(A rubber stamp on which is engraved the Club's name)

The common seal of the Club shall be kept in the care of the Secretary. The seal shall not be used or affixed to any deed or document except pursuant to a resolution of the Management Committee and in the presence of at least the President and two members of the Committee, both of whom shall subscribe their names as witnesses.

18.0 ALTERATIONS TO THE CONSTITUTION AND RULINGS:

- 18.1** No alteration, repeal or addition shall be made to the Constitution except at the Annual General Meeting, or Special General Meeting, called for that purpose and notice of all motions to alter, repeal or add to the Constitution shall be given to members fourteen (14) days prior to the Annual General Meeting, or Special General Meeting.
- 18.2** The Secretary shall forward such notices of motion to each Executive Committee member at least fourteen (14) days prior to the Annual General Meeting or seven (7) days prior to a Special General Meeting.
- 18.3** Alterations to any rulings can be made only at Executive Committee Meetings provided notice of the proposed alteration/s has been duly notified to Committee Members.
- 18.4** Such motions, or any part thereof, shall be of no effect unless passed by a seventy five percent (75%) majority (Special Resolution) of those present and entitled to a vote at the Annual General Meeting, General Meeting or Executive Committee Meeting, as the case may be.
- 18.5** Within one month of the passing of a Special Resolution, the Secretary shall notify the Registrar of Incorporated societies of the amendment.
(In the case of a licensed club, the Director of Liquor Licensing must also be notified.)

19.0 DISSOLUTION

If, on the winding up of the Club, any property of the Club remains after satisfaction of the debts and liabilities of the Club and the costs, charges and expenses of that winding up, that property shall be distributed

- (a) Another incorporated association having objects similar to those of the Club; or

- (b) For charitable or benevolent purposes, which incorporated Club or purposes, as the case requires, shall be determined by resolution of the members at the AGM or Special General Meeting.
- (c) Current members of the club.

We confirm that the above amended rules were approved at the Special General Meeting of the club held on the 10th day of June 2013.

President

Secretary

Treasurer