

CONSTITUTION
BALMORAL BADMINTON CLUB INCORPORATED

1. NAME:

The name of the Club shall be Balmoral Badminton Club Incorporated (“the Club”).

2. PURPOSES OF THE CLUB:

The purposes of the Club are:

- a) To promote and encourage the game of badminton.
- b) To provide affordable opportunities for players to enjoy the game of badminton.
- c) To do any such other lawful things that are incidental or conducive to the attainment of the above purposes.

3. POWERS:

In pursuit of the above Purposes, the Club shall have the following powers:

- a) To invest, control, and dispose of the funds of the Club as may be considered advisable for the advancement of the Club or the fulfilment of its objectives.
- b) To borrow or raise money, and give security for money required for the purposes of the Club by mortgage or charge on all or any of the property of the Club (with or without security), and upon such terms as to priority or otherwise as the Club shall think fit.

4. PLAYING SEASON:

The playing season of the Club shall commence and end upon such dates as the Committee shall determine. It is herein referred to as “the season”.

5. MEMBERSHIP:

i) Classification of Members:

The members shall (unless and until otherwise classified by resolution in general meeting) be classified as follows:

- a) Full Members: who have full playing rights at Club, Interclub, competitions and tournaments.
- b) Social Members: who have Club playing rights, but who may not participate in Interclub or other affiliated competitions and tournaments (unless specifically permitted).
- c) Student Full Members: who are engaged in full time tertiary or secondary education, with full playing rights at Club, Interclub, competitions and tournaments.
- d) Student Social Members: who are engaged in full time tertiary or secondary education, with Club playing rights, but who may not participate in Interclub or other affiliated competitions and tournaments (unless specifically permitted).
- e) Restricted Rights Members: who shall be members with such limited playing rights as the Committee shall from time to time define. These Members have no General Meeting rights.
- f) Life Members: who shall be members or ex-members of the Club, who shall have full playing and other rights as if they were Full Members, but who shall not be liable to payment of any subscriptions. Life Members shall be elected only for exceptional services to the Club, and can only be elected by the Club in General Meeting.

ii) Application for Membership:

- a) Each candidate for Membership of the Club shall be accepted as a Member (subject to 5 ii) b)) upon receipt of his/her completed membership application form by the Club Secretary, and payment of the first subscription.

b) The Club Secretary may decline the candidate's membership application if a majority of the current Committee Members object to the proposed membership.

iii) Ongoing Membership:

a) Membership will be renewed each year upon receipt of a completed membership application form by the Club Secretary, and payment of the current subscription.

b) The Club Secretary may decline the current Membership application if a majority of the current Committee Members object to the continuing membership.

iv) Resignation of Membership:

a) A Member may resign Membership at any time by giving written notice to the Secretary, but shall continue to be liable for any subscription or other monies owing and unpaid at the time of resignation.

6. VISITORS AND CASUAL PLAYERS:

a) Any person is entitled to participate in games organised on a Club day. However, the Committee, at its discretion, may limit the number of visits that visitors/casual players are entitled to play. Committee Members, at their discretion, may limit the number of visitor/casual players on a certain day.

b) Visitors/casual players shall pay a fee as determined at the Annual General Meeting.

7. JUNIOR SECTION:

a) The Club may choose to run a separate Junior Section.

b) The Junior Section is a separate section, but is still managed by the Club.

c) The leader of the Junior Section becomes a member of the Club Committee.

d) This Section will cover ages as determined from time to time.

e) Juniors shall pay a fee as determined at the Annual General Meeting.

f) Juniors have no voting rights.

g) If Affiliation to the ABA is required by the Junior, this will be at his/her cost. A separate fee class may be set for this.

8. SUBSCRIPTIONS AND FEES:

a) The subscriptions for a season shall be fixed by the Club at the Annual General Meeting.

b) Subscriptions for previous members shall be payable (unless and until the Club in General Meeting shall resolve otherwise) within three weeks of the date of setting the subscription.

c) Subscriptions for new members shall be payable (unless and until the Club in General Meeting shall resolve otherwise) within three weeks of the date of joining the Club.

d) Any member whose subscriptions remain unpaid at the end of five weeks after the date of setting the subscription (or, of joining in regards to new Members), shall be deemed to be unfinancial and the Committee may deprive such member of the privileges of the Club, or the playing of Interclub, or declare such Member to be no longer a Member of the Club. The Committee may reinstate the Member upon payment of outstanding subscriptions and monies and the current subscription.

e) Interclub fees for a season shall be fixed by the Club at the Annual General Meeting, with the proviso that this may be changed once ABA have advised the fees, if they have not already done so.

- f) Where a Member's Interclub/Competition fees remain unpaid for a length of time, the Committee may deprive such Member from the playing of further Interclub or Competitions, or declare such Member to be no longer a Member of the Club.
- g) Where a Members subscriptions or other monies remain outstanding after the above actions, further action may be taken by the Committee.
- h) Junior fees (see Section 7.) shall be fixed by the Club at the Annual General Meeting.
- i) Subscriptions and other Fees are non-refundable except in exceptional circumstances with the approval of the Committee.

9. GENERAL MEETINGS:

i) Annual General Meeting:

- a) The Annual General Meeting of the Club shall be held (unless and until the Club in General Meeting shall resolve otherwise) within the first four playing weeks of the opening of the season, at such time or place as the existing Committee shall determine.
- b) Seven days written notice of the time and place of such meetings, and the business to be transacted thereof, shall be given to financial members.
- c) The Meeting may be postponed, provided at least 2 days notice is given to Members.

ii) Special General Meetings:

a) Special General Meeting of the club may be called by:

- a) The Committee at any time
- b) A written request signed by ten financial Members and forwarded to the Secretary. The Meeting shall take place within four weeks of the Secretary receiving the request.
- b) The Secretary shall give at least seven days written notice of the time and place of such meeting, and the business to be transacted thereof.
- c) No business other than that arising out of the matters specified in the Notice of Meeting shall be transacted at such a meeting.
- d) The Meeting may be postponed, provided at least 2 days notice is given to Members.

iii) Notices:

In this Section (and in any other part of this document) where written notice is required – sending by email to the latest address provided by the Member is sufficient.

iv) Quorum:

At any Annual General or Special Meeting of the Club, the quorum (unless and until the Club in General Meeting shall resolve otherwise) will be ten financial Members. In the case of the Meetings (eg AGM) held before the season's subscriptions are set, financial members will be from the immediate previous season.

v) Voting:

- a) Only Members who are not in arrears with subscriptions will be able to vote.
- b) Only those Members who are personally present shall vote, and they shall each have one vote.
- c) Voting shall be by a show of hands, provided that where either the Chairman or five or more Members shall so require, it shall be by ballot.
- d) All resolutions at Meetings shall be decided by a majority of the votes (unless otherwise stated in these rules).

- e) The Chairman of the Meeting shall have a second or casting vote if required.

10. OFFICERS AND GENERAL COMMITTEE

i) Officers:

The Officers of the Club shall consist of:

- a) The President (who shall if he/she is present, be the Chairman of every General Meeting of the Club)
- b) The Vice President (if elected)
- c) The Secretary
- d) The Treasurer
- e) The Club Captain

ii) Committee:

The Committee will consist of (unless and until the Club in General Meeting shall resolve otherwise) at least 8 Members including the above Officers and the Junior Leader.

iii) Election:

- a) The above Officers and Committee Members shall be elected at the Annual General Meeting.
- b) Members elected to be President or Club Captain need to have been a Member of the Club and on the Committee, for at least one year prior.
- c) The above Officers and Committee Members shall remain in office until the next Annual General Meeting, when all shall retire but be eligible for re-election.
- d) The Committee shall have the power to fill a vacancy in the position of an Officer or a Member of the Committee as required (either unfilled at AGM or arising during the year).
- e) Any person so appointed under iii) d) shall hold office for the unexpired term of such office.

iv) Meetings:

- a) The Committee will meet as required to conduct the routine affairs of the Club on behalf of its Members.
- b) The Committee shall have the power to make such regulations or by-laws consistent with these Rules, as may be required for the proper management of the Club.
- c) At all meetings of the Committee the quorum (unless and until the Club in General Meeting shall resolve otherwise) shall be 50% of the Members of the Committee.
- d) Each Committee Member has one vote and voting will be by a show of hands unless otherwise required.
- e) The Chairman of the Meeting shall have a second or casting vote if required.

v) Indemnity:

The Officers and Committee Members of the Club, shall be indemnified by the Club from and against all losses and expenses incurred by them in or about the discharge of their respective duties, except such as happen from their own or his/her own respective wilful default.

11. SELECTORS:

- a) The Committee may appoint up to three selectors (of whom the Club Captain shall be one).

b) The Selectors would be responsible for selection and control of Interclub teams, and the organising of Club Championships and any other Club Tournaments as required, with the Club Captain having the final decision.

12. FINANCE:

i) Financial Year:

The Financial Year of the Club shall commence on the 1st day of January in each year, and end on the 31st day of December next following.

ii) Bank Accounts:

- a) The funds of the Club are to be lodged in a Trading or Savings bank account or investment account in the name of the Club, as the Committee may determine.
- b) Any cheque or withdrawal from the account is to be signed by two signatories.
- c) The signatories to the account will be the President, Treasurer and Secretary.
- d) All expenses should be ratified at a meeting of the Committee prior to payment, unless urgency is required, in which case the payment can be approved by the majority of the Committee via email. They must then subsequently report back to the Committee at the next Committee Meeting so that it can be recorded.

iii) Financial Accounts:

The Financial Accounts for each Year shall be presented to the Members at the Annual General Meeting each year.

iv) Audit:

The Financial Books of the Club are not to be audited by an external party, unless:

- a) Such a resolution is made and carried at the Annual General Meeting, or
- b) The Committee deem it necessary.

13. COMMON SEAL:

- a) The Common Seal of the Club shall be in the control and custody of the Secretary.
- b) The Common Seal shall only be used for the purpose of attaching it to such deeds or documents as the Committee shall from time to time determine and authorise.
- c) The Common Seal shall only be affixed in the presence of both the President and the Secretary.

14. DISCIPLINE AND CONDUCT:

i) Conduct:

- a) The Members of the Club need to conduct themselves in a manner that will maintain the good order, character and welfare of the Club. Members will play in a sporting manner that doesn't infringe on other Members or opponents enjoyment of the game.
- b) All Members should follow the Privacy Policy of the Club.

ii) Discipline:

- a) If a Member contravenes or appears to contravene Section 14. i), the Committee (or who they may delegate at the time) may discuss the matter with the people concerned.
- b) If not resolved, the Committee may remove the person from the list of Members of the Club.
- c) The Member has the right to appeal in terms of Section 9. ii).
- d) The Member will still be liable for any unpaid Subscriptions and fees.

15. WINDING UP:

- a) The Club may be wound up or dissolved in any of the ways provided in the Incorporated Societies Act 1908.
- b) In the event of a resolution being carried that the Club be wound up, or in the event of the Club being wound up by operation of law, the property of the Club shall, after paying all debts of the Club, be disposed of in such manner (subject to 15. c) as the majority of the Members at a Special General Meeting of the Club called for that purpose shall determine.
- c) Provided that the remaining assets are not able to be paid or distributed among the Members of the Club, but shall be given or transferred to some other charitable Institution, Society or Club having similar objects and purposes to the Club.

16. ALTERATIONS TO THE RULES:

- a) The Rules of the Club shall not be rescinded, altered, or added to, except by a resolution carried by 75% of the Members present at any Annual General or Special Meeting.
- b) At least seven days written notice must be given to Members detailing the proposed changes.

17. MATTERS NOT PROVIDED FOR:

- a) In the event of any question arising that is not provided for in these Rules, the question shall, subject to the provision of the Incorporated Societies Act 1908, be decided by the General Committee.
- b) Any decision made under this Rule shall not be deemed to set a precedent for future decisions.

ORIGINALLY INCORPORATED AT AUCKLAND – 19TH MARCH 1965

AMENDED BY ANNUAL GENERAL MEETING (in accordance with the Rules),
THIS 21ST Day of March 2010

Signed by:

Name: _____

Name: _____

Position: _____

Position: _____

Name: _____

Position: _____