

The Club may, at an Annual General Meeting, on the nomination of the Club Committee only, elect any person to Life Membership, such election to be on account of special service to the Club. A Life Member shall be entitled to attend and vote at all Annual General and Special General Meetings and shall have such other privileges as may be decided upon from time to time by the Club Committee.

RULE 18. SUSPENSION

- a. The Club Committee may suspend or admonish any member for a breach of these rules, or for any misconduct which, in the opinion of the Club Committee brings discredit on the Club and shall immediately report such suspension to the Parent Association.
- b. Any member suspended in terms of Rule 18.a., shall have the right of appeal against that suspension.

RULE 19. APPEALS

- a. Any appeal against a suspension by the Club Committee shall be in writing and shall be lodged with the Secretary of the Club within fourteen days of the receipt of notice of such suspension.
- b. Any appeal against a decision given by the Club Committee may be lodged by the member directly affected by the decision, provided that such appeal is in the hands of the Secretary of the Club within fourteen days of the receipt of the decision by the member appealing.
- c. Within fourteen days of the receipt of an appeal in accordance with Rule 19.b., the Club Committee shall adjudicate on such appeal.

RULE 20. SPECIAL COMMITTEES

- a. The Club may appoint Special Committees for the members, and define the scope of their activities, but such committees shall act under the direction of the Club Committee.
- b. The Club Committee may appoint in an advisory capacity to any committee any persons who are not members of the Club.

RULE 21. QUORUM

- a. The quorum for an Annual and Special General Meeting will be ten members.
- b. No business shall be transacted unless the requisite quorum is present within thirty minutes of the appointed time for the commencement of the meeting.
- c. If within thirty minutes of the time appointed for the commencement of the meeting a quorum is not present, the meeting if convened on requisition as provided in Rule 11.b., shall lapse, but in any other case it shall stand adjourned until seven days and if at such adjourned

meeting a quorum is not present those members who are present and entitled to vote shall be deemed to constitute a quorum and shall transact the business for which such meeting was called, and every resolution passed at such meeting shall be as effective and binding as if the quorum provided in Rule 21.a., had been present.

- d. The quorum for the Club Committee Meetings shall be fixed by such Committee provided that the number fixed shall be not less than one half of the members of such committee.

RULE 22. ADJOURNMENT

- a. Any meeting of the Club may be adjourned from time to time.

RULE 23. WITHDRAWAL FROM THE CLUB

A Member of the Club may withdraw or resign from the Club by notice in writing to the Secretary of the Club.

RULE 24. SEAL

- a. The Club shall have a Common Seal which shall be kept in the custody of the Secretary and shall not be affixed to any documents or Instruments except in pursuance of a resolution of the Club Committee.
- b. The affixing of any document or instrument by the Common Seal shall be witnessed by the Chairman or President and the Secretary and such document or instrument shall be signed by the aforesaid Officers.

RULE 25. REPRESENTATION

- a. A member shall not represent or purport to represent the Club without the consent of the Club Chairman and no less than two executive members.
- b. A member shall not be entitled to pledge the credit of the Club without the express authority of the Club Committee.

RULE 26. INTERPRETATION OF RULES

- a. Any difference of opinion as to the meaning of any of the Rules and by-laws in force or any question of interpretation or effect shall be decided by the Club Committee.
- b. Any such decision shall be recorded in the minutes of the Club Committee and shall be accepted in the true manner in which such Rules shall apply until otherwise interpreted by the subsequent Annual or Special Meeting.

RULE 27. ALTERATION OF RULES

- a. No addition, alteration or rescission of the Rules in force shall be effected except at the Annual General Meeting or a Special General Meeting convened for the purpose.

- b. Any proposed alteration to, addition to or rescission of the Rules shall be submitted in writing and be in the hands of the Secretary of the Club at least one calendar month before the date of the Annual General Meeting or in the case of a Special General Meeting shall be submitted with the requisition calling the meeting.
- c. Notice of such proposed addition to, alteration or rescission of the Rules shall be given to every member at least fourteen days prior to the meeting.
- d. No addition to, alteration or rescission of the Rules shall be valid until registered by the Incorporated Societies.

RULE 28. MATTERS NOT PROVIDED FOR IN THE RULES

In the event of any question or matter arising which is not provided for in these rules or any amendment thereto such question shall be determined by the Club Committee, whose decision shall be final and shall remain in force until confirmed or varied at an Annual General or Special General Meeting.

RULE 29. POWERS OF CLUB COMMITTEE

- a. The affairs of the Club and the control of its funds and investments shall be managed by the Club Committee.
- b. *The Club Committee shall carry out the direction of Annual General or Special General Meetings of the Club.*
- c. In addition to any other powers with which it may from time to time be invested the duties and powers of the Club Committee shall be:-
 - i. To promote, organize and administer the activities of the sport of softball in the area of administration, with harmony and mutual benefit to all listed under Objects of the Club.
 - ii. To make rules and conditions for the conduct of any activity conducted by the Club, provided such rules are not repugnant to the rules of the Parent Association.
 - iii. To make/and enforce by-laws, lay down principles and issue information for the guidance of members, provided such by-laws are not inconsistent with or repugnant to either the Incorporated Societies Act 1908 or the Constitution of the Parent Association.
 - iv. To confer and co-operate with any organization having for its object the welfare of members of the Club.
 - v. To co-operate with any Government Department or Institution whose duty it is to control, carry out or deal with any phase of any or all of the objects of the Club.
 - vi. To supply information of interest in any matters deemed to be for the better carrying out of the objects of the Club.
 - vii. To arrange for any team, official or representative to visit any Club, Association or place in New Zealand.
 - viii. To fill vacancies which may occur among the Officers, or Committee members.
 - ix. To appoint team coaches and managers.
 - x. To appoint such officials as deemed necessary.
 - xi. To appoint the Honorary Auditor and Honorary Solicitor.

- xii. To appoint special committees and determine the scope of their activities.
- xiii. To hold and allot trophies as it thinks fit and to frame any rules in connection therewith.
- xiv. To determine the colours of the Club.
- xv. To fix the honorarium of any Officer.
- xvi. At its discretion to grant permission for any team to compete in the name of the Club in any game or tournament held by any organization other than the Parent Association.
- xvii. To do all such other acts within the Objects of the Club as may be deemed necessary.

RULE 30. DUTIES OF OFFICERS

In addition to any other duties, which may from time to time be allocated to him:

a. The Chairman shall:

- (1) Supervise the business and affairs of the Club
- (2) Preside over all meetings of the Club and of the Club Committee.
- (3) Conduct and decide on the order of business and decide on points of order.
- (4) Keep order at such meetings and if necessary order the removal from a meeting of any person obstructing the business of the meeting or behaving in a disorderly manner, or of any person not entitled to be present.
- (5) Obey all such lawful instructions, and generally to do and perform such other lawful things and acts as may be necessary or desirable or required to be done by the Club or the Club Committee or these Rules.

b. The Secretary shall:

- (1) Convene all meetings of the Club and the Club Committee.
- (2) Be responsible for the whole of the clerical work of the Club and Committee and shall obey all lawful instruction and carry out all lawful things and acts as may be given or required to be done by Club or the Club Committee, or these rules or the President.
- (3) Take custody of the Common Seal and keep such books and records as the Club or Club Committee shall determine.
- (4) Prepare the Annual Report and keep a register of all the members.
- (5) Register club teams and playing members with the Parent Association.

c. The Treasurer:

- (1) Keep proper books of account and all other financial records of the Club, prepare and present as required an audited Financial, statement.

- (2) Report the state of the finances of the Club at the meetings of the Club Committee and generally advise on any matters relating to the financial operations of the Club.
- (3) Collect, receive and give a receipt for all moneys due to the Club and bank the same to the credit of the Club in the banking account authorized by the Club Committee.
- (4) Pay all accounts or advances as directed by the Club Committee by cheque signed by not less than two of the number of the persons authorized so to do by the Club Committee.
- (5) Obey all lawful instructions and carry out all lawful things and acts as may be given or required to be done by the Club or the Club Committee or these rules of the President.

RULE 31. EMERGENCY COMMITTEE

- a. The Emergency Committee shall comprise, the Chairman, Vice President and the Secretary who shall report their actions to the next meeting of the Club Committee for confirmation or other decision.
- b. The Emergency Committee meetings shall be convened by the Secretary in the manner, day and time as decided by the Chairman and on such occasions as is necessary in the immediate interests of the Club where the convening of an earlier or additional meeting of the Club Committee is considered at the time to be either unnecessary or impracticable.
- c. The Emergency Committee shall have and may exercise, in the intervening period before the next meeting of the Club Committee, all the powers as may be exercised by a meeting of the Club Committee with the proviso that all decisions and acts of the Emergency Committee shall be provisional only in effect until confirmed by the Club Committee.

RULE 32. BANKING

All funds of the Club shall be paid into the authorized Bank to the credit of the Club, and all accounts shall be paid by cheque or internet banking, signed by at least two persons authorized by the Club Committee.

RULE 33. External Qualified Accountant

The External Qualified Accountant shall be appointed by the Club Committee.

RULE 34. HONORARY SOLICITOR

The Honorary Solicitor shall be appointed by the Club Committee.

RULE 35. CONTINUATION OF OFFICERS

The elected Officers shall continue in office until the termination of the meeting at which the election of Officers takes place.

RULE 36. WINDING UP

If at any time the members of the Board decide that for any reason it is no longer practicable or desirable to carry out the purpose of the Club, the members of the Board may, by resolution, decide to wind up the Club and to vest the assets of such Club in such one or more Charitable bodies within New Zealand in such manner, upon such terms, and in such proportions as the board may decide, provided that no distribution shall be paid to the members and if the Club is then incorporated under the Charitable Trusts Act 2005, the assets shall be disposed of in accordance with the provisions of the Act.

RULE 37. PECUNIARY GAIN

No part of the funds of the Club is to be used or be available for private Pecuniary Profit of any member of the Club. Provided that nothing in this clause shall prevent the Club, through the Committee, from engaging any member to provide goods or services to the Club and from paying such member reasonable remuneration or reimbursement of such goods or services to meet the Objects of the Club.

RULE 38. INTERPRETATION

In these Rules unless inconsistent with the context words, imparting the singular number only include the plural number, and words imparting the masculine include the feminine, provided that if any question shall arise as to the meaning or interpretation of any of the Rules hereinbefore contained or hereafter made or any of the by-laws of the Club or any other matters affecting the Club the decision of the Club Committee shall be final.

This Constitution of the Auckland United Softball Incorporated has been upgraded and voted on at the Special General Meeting:

Dated this day 10th of August Year 2015

Signed:

Chairman



Secretary



Treasurer

