

CONSTITUTION  
OF THE  
HUTT VALLEY ANGLING CLUB INC



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**CONSTITUTION**  
**OF THE**  
**HUTT VALLEY ANGLING CLUB (Incorporated)**

**NAME**

- 1.0 This club shall be known as the HUTT VALLEY ANGLING CLUB (Incorporated) and shall be incorporated under the provisions of the Incorporated Societies Act 1908 and shall be referred to as the CLUB hereinafter.

**OBJECTS**

- 2.0 The objects for which the CLUB is established are:

- 2.1 Principle Object:

TO ESTABLISH, MAINTAIN AND CONDUCT A CLUB FOR THE ENCOURAGEMENT AND PROMOTION OF RECREATIONAL FRESHWATER ANGLING AND ALL ACTIVITIES PERTAINING THERETO.

- 2.2 Ancillary Object

In fulfilment of the Principle Object, to promote protect and enhance by all means possible the interests of Recreational Freshwater Anglers taking into account at all times that the resource must be preserved for the benefit of present and future generations.

**MEMBERSHIP**

- 3.0 The membership classes of the CLUB shall be:

a) SENIOR members who shall be adult persons committed to the Objects of the CLUB.

b) FAMILY memberships shall be defined as one (1) member of the same (immediate) family as the primary Club member, restricted to one (1) spouse and their children or grandchildren who must be under the age of 17 years at 31 May, of that year and shall be committed to the Objects of the CLUB.

c) JUNIOR members who shall be less than 17 years of age at the date subscriptions fall due for payment and who shall be committed to the Objects of the CLUB.

d) SUPERANNUITANT members shall be persons aged 65 years and above at the 31 May of that year and who shall be committed to the objects of the CLUB.

e) LIFE MEMBERSHIP may be granted to Club members who have rendered distinguished active service to the Club over a period of fifteen (15) or more years, in accordance with the following guidelines:

1. All nominations for Life Membership shall have a proposer and seconded and be accompanied by a written resume stating services rendered and supporting reasons for the nomination.

2. Nominations shall be submitted to the HVAC Management Committee at the AGM.
3. Any number of Nominations can be forwarded but only One (1) appointment may be made in any financial year.
4. The HVAC Management Committee will review nominations and where 80% or more of the committee are in favour, will place the selected (if any) nomination for Life Membership on the Agenda of the next AGM.
5. The Nomination will be voted on by secret ballot at the AGM and appointment made if passed by 80% of members attending.
6. The total number of concurrent Life Members shall not exceed 5% of current paid up Club membership numbers during the year the appointment is made.
7. No membership fees shall be payable by a Life Member.
8. A Life Member shall be entitled to retain all of the rights and privileges of an ordinary member.

#### MEMBERSHIP APPLICATIONS

- 4.0 Any person applying for membership of the CLUB shall make application on the appropriate form to the Secretary or the Treasurer of the CLUB. Such applications shall be pre-paid and will be deemed to be accepted unless declined by the Management Committee. The Committee shall not be bound to give reasons or grounds for refusal of any membership application.

#### RESIGNATION OF MEMBERS

- 5.0 Members wishing to tender their resignation may do so in writing to the Secretary. Resignation shall not absolve any member from any financial commitment or subscription due to the CLUB.

#### EXPULSION OF MEMBERS

- 6.0 A member may be expelled from the CLUB if:

a) He/she ceases to be qualified as a member by the non-payment of his/her annual subscription within the specified period, or if

b) He/she is guilty of a breach of any part of the Constitution of the CLUB (cessation of membership under this rule shall be at the discretion of the Management Committee), or if

c) He/she is convicted of an offence under the Fisheries Act or its Regulations (cessation of membership under this part of the Constitution is to be at the discretion of the Management Committee), or if

d) He/she is involved in any form of misconduct which, in the opinion of the Management Committee, would be harmful and/or detrimental to the CLUB's well being and reputation (cessation of membership under this part of the Constitution shall be at the discretion of the Management Committee).

- 6.1 Any person being expelled for any of the reasons above (excepting clause 6.0 a) shall have the right of appeal and may appear before the Management Committee, at its convenience, to make such statements and produce such witnesses as he/she may desire to support his/her case.

#### SUBSCRIPTIONS

- 7.0 Annual subscriptions shall be determined by resolution of the CLUB at each Annual General Meeting.

- 7.1 The due date for payment of subscriptions shall be the last day in August of each

year when members shall pay a full year's subscription.

- 7.2 New members joining the CLUB after the last day of November in each year shall pay a subscription that is pro-rated at 10% per month for each month remaining of the financial year, to a maximum of 50%, except as covered by Clause 7.3. The Management Committee has the right to waive all or part of the subscription amount if a full year subscription is paid for the following year.
- 7.3 New members joining the CLUB after the first day of April and before the last day of May in each year shall pay a full year's subscription and shall have that subscription payment credited to the following financial year.
- 7.4 Clause deleted September 2010
- 7.5 Clause deleted September 2010

#### FINANCIAL YEAR

8. The financial year of the CLUB shall commence on the first day of June in each year and shall end on the last day of May in the following Year.

#### OFFICE BEARERS

- 9.0 The Management Committee appointments shall be:
- a) President
  - b) Vice President
  - c) Immediate Past President (ex officio)
  - d) Secretary
  - e) Treasurer
  - f) Committee of a minimum of five (5) persons) or such number deemed appropriate by the Management Committee based on general membership numbers.
- 9.1 Non-Management Committee appointments shall be:
- a) Auditor or Reviewer
  - b) Newsletter Editor
  - c) Newsletter Publisher
- 9.2 The term of office bearers shall be one (1) year.
- 9.3 Retiring office bearers shall be eligible for re-election. It is preferred that the President does not serve for more than two (2) years consecutively.

#### ELECTION OF OFFICERS

- 10.0 For the purpose of election of officers at the AGM, voting shall be by a show of hands unless there are two or more nominations for a position, or if (2) or more current financial members present request voting by a secret ballot in which case voting shall be by a secret ballot. Ballot papers shall be handed to those members present and eligible to vote. The members present shall appoint two (2) scrutineers who shall collect and examine the voting papers and report the result to the Chairperson or the current Vice President if the vote is for the President's position and if the current President is the Chairperson of the AGM (refer Clause 21.2).
- 10.1 In the case of a tie in the voting, the Chairperson (or Vice President in the case of clause 10) shall have a casting vote in addition to his/her deliberative vote.

#### VACANCIES OF OFFICE

- 11.0 The Management Committee shall have the power to fill any vacancy which may

occur among the office bearers.

#### POWERS OF THE COMMITTEE

- 12.0 The Management Committee shall have the entire governance and management responsibility of the CLUB and control of its property and funds and is hereby empowered on behalf of the CLUB to execute and carry out all such matters and things which the CLUB is authorised by statutes or otherwise to arrange with the exception of borrowing funds in which case a resolution of an Annual General or Special General Meeting is required.
- 12.1 Clause deleted September 2010.
- 12.2 The Management Committee may appoint and dissolve subcommittees and may delegate to them such powers as they may think fit to prescribe. Sub-committees shall report to the Management Committee and their decisions shall be subject to confirmation by the Management Committee except in those cases where the sub-committee has been given the power to act.
- 12.3 The Management Committee shall control the finances of the CLUB and incur such liabilities on behalf of the CLUB in accordance with the approved Annual Budget. Notwithstanding the above the Management Committee may spend up to an additional 10% of the approved budget expenditure figure during the financial year. In respect to any proposed expenditure in excess of this sum the membership shall be notified by means of formal justification and approval sought from those members present at the monthly meeting immediately following notification.
- 12.4 The Management Committee may from time to time co-opt persons to assist them in the execution of their duties.
- 12.5 The Management Committee shall ensure funds to cover two years true and full operating expenses of the Club be kept in safe and secure investment at all times.
- 12.6 The management Committee shall develop a draft Annual Budget for guidance to the incoming Management Committee and present this draft Annual Budget at the Annual General Meeting for consideration and approval. If approval is not forthcoming, then the Chairman shall announce that the next Club meeting immediately following the AGM will be a Special General Meeting to review and approve a new budget put forward by the incoming Management Committee.

#### DUTIES OF THE PRESIDENT

- 13.0 The President shall be responsible for:
- a) Calling of and presiding over all Committee, General, Annual General and Special General Meetings and ensuring minutes of such meetings are a true and accurate record.
  - b) Performing other such duties that may from time to time pertain to his/her office.

#### DUTIES OF THE VICE PRESIDENT

- 14.0 The Vice President shall be responsible for:
- a) In the absence of the President he/she shall preside at meetings and perform the duties of that office.
  - b) Other duties allocated from time to time by the President.

#### DUTIES OF THE IMMEDIATE PAST PRESIDENT

- 15.0 The Immediate Past President shall be responsible for:

- a) Acting in an advisory capacity to the President and Management Committee.
- b) Other duties allocated from time to time by the President.

#### DUTIES OF THE SECRETARY

- 16.0 The Secretary shall be responsible for:
- a) The proper keeping of the Minute Book and inward and outward correspondence files.
  - b) The issue of notices of Committee, General, Annual General and Special General Meetings, producing agendas for all meetings, the keeping of minutes and conducting of all correspondence on behalf of the CLUB.
  - c) Holding the Constitution and the updating of approved changes in accordance with Clause 28.
  - d) Other duties allocated from time to time by the President.
- 16.1 On advice from the President the Secretary is to issue notice of meetings to the Committee and/or CLUB members depending on the type of meeting. The Secretary must be aware of the provisions in the Constitution and Rules relating to the following:
- a) The number of days notice required for the announcement of an Annual General or Special General Meetings.
  - b) The number of days notice required for Notices of Motion or Remits prior to the meeting at which they are to be discussed.
  - c) The number of persons required for a quorum.
  - d) Those members eligible to vote.
- 16.2 To enable the CLUB to maintain an up to date record of all of its members, as required by Section 22 of the Incorporated Societies Act 1908, the Secretary shall in conjunction with the Treasurer ensure a register of CLUB members is kept. Additions and deletions are to be actioned promptly.
- 16.3 Minutes taken at an AGM are to be tabled at the next meeting of the Club Committee and will be checked and amended if necessary to give a correct record of the proceedings.

#### DUTIES OF THE TREASURER

- 17.0 The Treasurer shall be responsible for
- a) The proper keeping of receipt books, cheque and deposit books, cash book and investment account records.
  - b) The regular submission of all accounts for the Committee's authority for payment and subsequent prompt payment.
  - c) The safe custody, receipt and proper disbursement of all CLUB monies in accordance with the Committee's wishes and their expeditious banking in authorised bank accounts.
  - d) The investment of CLUB funds as directed by the Management Committee.
  - e) The preparation of six monthly (unaudited) and annual (audited or reviewed) Financial Statements.
  - f) Other duties allocated from time to time by the President.

#### GENERAL MEETINGS

- 18.0 General Meetings of the CLUB shall be held on a monthly basis or at such other times or intervals as may be decided by the Management Committee. Adequate prior notice of such meetings together with the program shall be given to the members.

#### COMMITTEE MEETINGS

- 19.0 Meetings of the Management Committee shall be held generally every month or as

determined by the President or at the written request of any two members of the Committee.

#### SPECIAL GENERAL MEETINGS

20.0 A Special General Meeting of the CLUB shall be held only on the direction of the Management Committee or on written request to the Secretary signed by no less than five (5) current financial members of the CLUB. Such a request must state the purpose for which the meeting is to be held. The meeting shall be held within thirty (30) days of the date on which the request was received. The Secretary shall advertise the date time place and object of such meeting not less than ten (10) days prior to the date set for the meeting.

#### ANNUAL GENERAL MEETINGS

21.0 The Annual General Meeting of the CLUB shall be held in June of each year at such time and place as determined by the Management Committee. Notice of such meeting shall be sent to each member not less than ten (10) days prior to the date set for the meeting.

21.1 Notices of Motion and Remits for consideration at an Annual General Meeting must be submitted in writing to the Secretary not less than twenty one (21) days prior to the date set for the meeting and shall be signed by not less than two (2) current financial members of the CLUB.

21.2 The President or in his/her absence the Vice President shall act as Chairperson. In the event of neither being present the meeting shall elect some other member of the Management Committee to preside.

21.3 Every question shall be decided by a simple majority. Voting shall be by show of hands unless two (2) or more current financial members present request a secret ballot in which case voting shall be by secret ballot. In the case of a tie the Chairperson shall have a casting vote in addition to his/her deliberative vote.

21.4 Recommendations to the in-coming Management Committee must be submitted in writing to the Secretary not less than twenty one (21) days prior to the date set for the meeting and shall be signed by not less than two (2) current Management Committee members of the CLUB.

21.5 The business at an Annual General Meeting shall consist of, but shall not be limited to, the following:

- a) Welcome to Members and Invited Guests
- b) Apologies
- c) Notification of items of General Business
- d) Minutes of the previous AGM
- e) President's Report
- f) Financial Report
- g) Subcommittee Reports (if applicable)
- h) Presentation of Trophies and Awards
- i) Election of Officers
- j) Appointment of Cheque Signatories
- k) Notices of Motion and/or Remits
- l) General Business

#### PROXIES

22.0 Any financial member may, in writing to the Secretary, appoint a proxy to attend any Annual General or Special General Meeting of the CLUB on his/her behalf. Such proxy shall be a current financial member of the CLUB.



- 22.1 Notices of appointment of proxies shall be in the hands of the Secretary before the commencement of the meeting at which they are to be used; otherwise the proxies shall not be entitled to vote.

#### QUORUM

- 23.0 The number of current financial members required to constitute a quorum shall be:

- a) Management Committee Meetings: - 50 % of elected members.
- b) Special General Meetings: - 25% of current membership.
- c) Annual General Meetings: - 25% of current membership.

- 23.1 In the event of a quorum not being present within fifteen (15) minutes of the appointed time for commencement of a meeting the President/Chairperson may adjourn the meeting to another time, or declare the meeting to have lapsed.

#### AUDIT OR REVIEW OF ACCOUNTS

- 24.0 The accounts of the CLUB shall be audited or reviewed annually by an auditor who shall be appointed each year at the Annual General Meeting who shall be a suitably qualified person and who shall not be a member of the Management Committee. The auditor or reviewer shall have the right to ask for and receive any information or explanation he/she may require to satisfy him/herself as to the correctness of the accounts.

#### INDEMNITY OF OFFICERS

- 25.0 All Officers of the CLUB shall be indemnified by the CLUB from all losses and expenses incurred by them in or about the discharge of their duties, except in attending General, Committee, Special General or Annual General Meetings, and such as may happen through their own wilful act, neglect or default.

#### REMUNERATION

- 26.0 There shall be no distribution, whether by way of money, property, or otherwise howsoever, to any member of the CLUB, save reasonable remuneration for services performed.

#### CHEQUE SIGNATORIES

- 27.0 All cheques drawn against the Club's bankers must bear the signature of the two (2) of the three (3) appointed signatories. The CLUB shall have not less than three (3) signatories appointed at each Annual General Meeting.

#### AMENDMENTS TO THE CONSTITUTION

- 28.0 This constitution may not be altered except by Notice of Motion at an Annual General Meeting or at a Special General Meeting convened in accordance with this Constitution. Any resolution to change the Constitution shall be carried by a majority consisting of two thirds of those members present and entitled to vote, provided that no amendment shall be permitted if it in any way affects the Tax Exempt status of the CLUB.

#### REGISTERED OFFICE

- 29.0 The registered office of the CLUB shall be the address of the current Secretary.

#### COMMON SEAL

- 30.0 Clause deleted September 2010

#### WINDING UP

- 31.0 The CLUB may be wound up if at any Annual General or Special General Meeting of it's members it passes a resolution for the purpose accordingly and that resolution is

confirmed at a subsequent Special General Meeting held not longer than thirty (30) days after the date of the passing of the resolution - (Subject to there being a quorum as specified in Clause 23). The resolution must be passed by a majority of two thirds of those present and eligible to vote at the Special General Meeting called for the purpose of winding up the CLUB.

- 31.1 Any monies or property of the CLUB that is remaining after all debts have been paid shall be liquidated and distributed fairly among selected kindred organisations, determined by the Management Committee.

#### INTERPRETATION OF CONSTITUTION

- 32.0 The decision of the Management Committee on the interpretation of the Constitution shall be binding on all members until, and if, revoked at an Annual General or Special General Meeting.

#### CASES NOT PROVIDED FOR

- 33.0 Any case occurring not provided for by the Constitution shall be referred to the Management Committee whose decision shall be final.

#### AMENDMENTS

- 34.0 The following amendments have been made to this constitution:

- a) AGM, September 1992 Constitution re-written and approved.
- b) AGM, June 1996 Financial year change approved.  
Constitution updated.
- c) Special General Meeting, May 1999 approved that Accounts could be audited or reviewed.
- d) AGM, 11 June 2001. New clauses 12.5 and 12.6 approved.
- e) AGM, 14 June 2004. Definition changed for Family membership and new class of Super annuitant member.
- f) Special General Meeting, 13 March 2006 approved Life Membership clause 3.0 e.
- g) AGM, 11 June 2007. New clause 16.3 approved.
- h) AGM, 08 June 2009. Clause 9.3 amended to allow a President to serve more than 2 years consecutively, if necessary, due to lack of candidates.
- i) AGM, 14 June 2010. Clause 12.6 amended replacing the words Management Plan with the word Budget.
- j) Special General Meeting, 13 September 2010, Clauses amended or deleted to update Constitution to reflect actual practices of the Club:  
Amended: Clauses: 4.0, 6.0b), 6.0 c), 6.0 d), 7.1, 7.2, 9.0, 9.1, 10.0, 10.1, 12.0, 12.2, 12.3, 12.6, 16.0, 17.0d), 18.0, 19.0, 20.0, 21.0, 21.2, 21.4, 23.0a, 27.0, 28.0, 31.0, 31.1, 32.0, 33.0.  
Clauses Deleted: 7.4, 7.5, 12.1, 30.0.