

Constitution of Wellington Mountain Bike Club

1. Name and Registered Office

- 1.1. The club shall be named Wellington Mountain Bike Club Incorporated ("the Club").
- 1.2. The registered office of the club shall be at the President's address or such address as the committee may from time to time determine.

2. Objects of the Club

- 2.1. To promote the sport and recreation of mountain bike riding.
- 2.2. To support and encourage the activities of any other Association or Club whose objects are similar to those of the Club.
- 2.3. To organise, promote and run mountain bike events, both competitive and social.
- 2.4. To advocate within the greater Wellington region, for land access for mountain bike riding.
- 2.5. To plan, construct and maintain tracks and associated structures within the greater Wellington region for mountain bike riding use.
- 2.6. To do all lawful things which may be deemed necessary, convenient or incidental to the attainment of the above objects.
- 2.7. To acquire by lease, purchase or otherwise any real or personal property and to enter into and carry out contracts and agreements for that purpose.
- 2.8. To sell or otherwise dispose of any property real or personal belonging to the Club and to surrender any lease held by it.
- 2.9. To affiliate with any other body or Society where such affiliation would promote the objects and interests of the Club.

3. Membership

- 3.1. Membership of the Club shall be divided into the following categories:
 - 3.1.1. Financial Members

The Committee shall from time to time determine the categories of Financial Members at its Annual General Meeting (AGM) or Special General Meeting. The Committee may restrict the number of Financial Members within each category should they so resolve.
 - 3.1.2. Family Memberships

This will consist of two persons under the age of sixteen years in age who will have full financial membership rights , all residing at the same address.
 - 3.1.3. Corporate Memberships

This may be complemented by the committee to organisations who have supported the club, financially or otherwise.

- 3.2. Any person or group may become a member of the Club upon application and completion of the prescribed form and payment of the applicable subscription fee.
- 3.3. The committee may grant complimentary memberships.
- 3.4. The committee may grant Life Membership to members in recognition of meritorious service to the club.
- 3.5. Subscription fees and the date on which they shall be payable shall be determined by the committee.
- 3.6. Any member of the club shall be permitted to attend a General Meeting of the club.

4. Subscriptions

- 4.1. The annual subscription shall be set by the Club at the Annual General Meeting. The subscription for members shall become payable immediately upon application for membership.
- 4.2. Any person desiring to become a Financial member, and any person, group of persons or corporate body desiring to become a Social or Family member shall apply on the form of application which shall be prescribed by the Committee from time to time. The application shall be accompanied by payment of the applicable subscription.
- 4.3. Acceptance of the application is a letter of acceptance and/or a current membership tag.
- 4.4. The membership year shall be from 1 July in each calendar year until 30 July in the following calendar year.
- 4.5. A person shall not become a Financial member, social member or Family member unless and until he or she has paid his or her subscription for the particular year, and such membership shall continue only until the last day of the then current membership year.
- 4.6. It is the responsibility of members to renew their annual membership prior to expiry.

5. Cessation of Membership

- 5.1. Members of the Club may cease to be members:
 - 5.1.1. Full, social or family membership of the Club shall automatically cease at the end of the membership year of the Club.
 - 5.1.2. By resigning in writing to the Committee.
 - 5.1.3. By a decision of the Committee in a case where the conduct of any member shall in the opinion of the Committee be injurious to the interests of the Club. The Committee shall be empowered to write to any such member advising him or her of their expulsion and of the reasons

for such expulsion. The member shall have the right of appeal against such expulsion and to appear in support of such appeal before a meeting of the Committee. Having heard such appeal the Committee may rescind or confirm their decision and in the case of confirmation the decision of the Committee shall be final. In such a case, the member is not entitled to a refund of any proportion or his or her subscription for that year. After a period of two years that person can reapply for membership to the Club.

6. Meetings

6.1. Annual General Meeting (AGM)

6.1.1. The Annual General Meeting will be held between the beginning of May and the end of June. All current members shall be given at least 21 days notice of this meeting.

6.1.2. The Annual General Meeting shall be conducted by the current President.

6.1.3. The current president shall present a report of the previous years activities. The current treasurer shall present a statement of the club accounts for the previous year up to the date of the AGM.

6.1.4. Only persons who are current members of the club at the date of the AGM shall be eligible to vote.

6.1.5. All decisions (subject to rules 7.1 and 7.2) shall be reached by a majority of eligible votes of all members present. All members shall be eligible for one vote and in the case of equality of votes, the President shall have the final vote in addition to his/her member vote.

6.1.6. A quorum for an AGM shall be 3 current officers, and 5 members.

6.2. Committee Meetings

6.2.1. Committee meetings shall be held throughout the year as required by the committee.

6.2.2. All committee members shall be given at least 10 days notice of his meeting.

6.2.3. Where a committee member cannot attend a meeting, and has given apologies of their absence, they can submit their views in writing to one of the officers to be expressed on their behalf.

6.2.4. A committee member absent without apology from three consecutive Committee meetings shall be deemed to have forfeited his or her position should the Committee so resolve.

6.2.5. All decisions reached shall be as per rule 6.1.5.

6.2.6. A quorum for a Committee meeting shall be 2 officers, and 2 committee members.

7. Amendment of this Constitution

- 7.1. The rules may be amended, added to, or rescinded by a two-thirds majority of members present at an Annual General Meeting or Special General Meeting where 14 days' notice of such amendment, addition or rescinding motion has been given to every financial member of the Club.
- 7.2. No addition to or alteration of the pecuniary profit clause (10.4) or the winding up clause (12.2) shall be approved without Inland Revenue Department's prior approval.

8. Appointment of Officers

- 8.1. The officers of the committee shall be elected at the AGM and shall include a President, a Secretary, a Treasurer and a number of ordinary committee members as seen fit by the current officers.
- 8.2. If a vacancy exists after the Annual General Meeting, the committee may appoint a member to fill this vacancy.
- 8.3. Current officers holding positions can be re-elected.
- 8.4. Nominations for each officers position shall be received after the announcement of the AGM and also from the attending members at the AGM.
- 8.5. Where more than one nomination exists for a position, a vote will be undertaken as per rules 6.1.4 and 6.1.5.

9. Common Seal

- 9.1. The Secretary shall have the custody of the Common Seal.
- 9.2. The Common Seal shall not be affixed to any document except pursuant to a resolution of the Committee.
- 9.3. Every document to which the seal is affixed must be signed by the Secretary and countersigned by the Chairperson or other member of the Committee appointed for that purpose.

10. Control and Use of Club Funds

- 10.1. The Club shall operate a bank account or accounts with any bank approved by the Committee. All cheques and withdrawal slips drawn on the Club account must be signed by any two of the following: the President; the Secretary; the Treasurer or a third officer appointed by the Committee.
- 10.2. All funds received by the club shall be paid into its bank account.
- 10.3. The financial year of the club shall be 1st July to 30th June.
- 10.4. No member or person associated with a member of the Club shall derive any income or financial benefit or advantage from the Club except where that income, benefit or advantage is derived from professional services to the Club authorised by the Committee and rendered in the course of business charged at no greater rate than current market rates.

11. Powers of the Club

11.1. The club shall not have the power to borrow money.

The Club will have the following powers:

- 11.2. To purchase, lease, hire or otherwise acquire any real or personal property.
- 11.3. To sell, let or otherwise dispose of any of its property.
- 11.4. To invest money in any manner and on any terms suitable to the Committee.
- 11.5. To enter into any arrangement or contract suitable to the Committee.
- 11.6. To receive and make grants and donations supporting mountain biking.
- 11.7. To do all things that in the opinion of the Committee will further the charitable objects of the Club.

12. Dissolution of the Club

- 12.1. The Club may be wound up in accordance with Section 24 of the Incorporated Societies Act 1908, that is by a resolution of the majority of the members at a General Meeting appointing a liquidator and provided that such resolution is confirmed at a subsequent General Meeting called for the purpose and held not earlier than 30 days after the date on which the resolution to be confirmed was passed.
- 12.2. If upon liquidation of the Club there remains, after satisfaction of all debts and liabilities, any property or funds the same shall be transferred to any other charitable society within New Zealand with objects similar to the Club, to be determined by the Committee at or before the time of winding up.

13. Interpretation

- 13.1. If at any time any matter shall arise which is not provided for in these Rules or in the interpretation of these Rules, the same shall be determined where appropriate by the Committee, whose decision shall be final.