

Constitution of the Hawke's Bay Motorcycle Club Incorporated

1. **Name:** The name of the Club shall be the "Hawke's Bay Motorcycle Club incorporated".
2. **Interpretation:** In these rules, unless a contrary intention appears "Club" means "the Hawke's Bay Motorcycle Club". "Committee" means the Committee for the time being appointed under rule 15 of the rules. "Year" means the financial year which shall extend from the first day of **April** in any year until the **Thirty First of March** in the succeeding year. Words importing the singular number shall include the plural, and vice versa.
3. **Objects:** The objects of the Club shall be as follows:
 - a. To promote the sport of Motorcycling, by conducting all types of events at which members and others may take part.
 - b. To promote fellowship among members.
 - c. To use the funds of the Club as may be considered necessary or proper in payment of costs or expenses or further in carrying out the objects of the Club including the employment of agents, officer's and servants as shall appear expedient.
 - d. To subscribe to, to become a member of, to affiliate with and/or cooperate with any society having objects similar to the Club.
 - e. To do such lawful acts and things as are incidental or conducive to the attainment of the above- mentioned Objects, or any of them, or any other Objects which the Club may from time to time establish.
4. **Club colours and badge:** The Club colours and badges shall be the colours and badge selected by the Committee from time to time.
5. **Membership:** Every person of good character who desires to become a member, shall complete the Membership Application Form. The treasurer shall send to each new member written notice of their membership upon payment of their annual subscription fee, making them a full member of the Club.
6. **Resignation:** Any member may resign **their** membership by giving to the Secretary notice in writing to that effect, but shall remain liable for all subscriptions due and owing at the date of such notice.
7. **Expulsion:** The committee may expel from membership any member wilfully disobeying any of these rules and the rules as set out in the MNZ Code of Conduct or any bylaws made by the Committee or guilty of any conduct rendering them unfit in their opinion to be a member of the Club. This shall be provided that before expelling them they be given an explanation of their conduct, and the Committee shall hear their defence.
8. **Members:** Members shall be of the following classes, namely;
 - a. **Active**
 - b. **Honorary**
 - c. **Life**
 - a. Active Members: All members of the Club apart from honorary and Life members as defined in (b) and (c) hereafter.

- b. **Honorary members:** in addition to the Executive Committee, here in after mentioned the following honorary officers will be elected at the Annual General meeting, but in the absence of their election at the said meeting the Executive Committee shall have the power to appoint them. The Honorary office members are Hon. Vice Presidents (not exceeding six in all), Hon. Auditor, Hon. Solicitor and Hon. Surgeon. Honorary members need not necessarily be financial members of the Club.
 - c. **Life Members:** On the recommendation of the Committee any person who has rendered special service to the Club, or to the furtherance of its Objects, may be elected a Life member at any General meeting of the Club, and shall thereafter be entitled to the privileges of active membership, without paying the annual subscription. A majority of those present and voting shall approve such an election. Notice of such recommendation of the Committee shall be given with the notice of the General meeting in terms of clause 21 hereof.
9. **Entrance fee and Annual Subscriptions:** The annual fee (if any) and annual subscription shall be prescribed by the Committee and may be varied from time to time.
10. **Payment of Subscriptions:** Annual Subscriptions shall be due and payable in advance of the first day of April in each year.
11. **Default in Payment of Subscription:** If any member shall fail to pay their annual subscription three calendar months after it has become due, notice in writing shall be sent to them requiring payment thereof. If such subscription has not been paid within one calendar month after posting of such notice then the member shall upon resolution of the Committee cease a member of the Club, but shall remain liable for the subscription due at that date, and if at any time they may be, at the discretion of the Committee and upon payment of all arrears, be readmitted to membership without payment of any entrance fee.
12. **Charges for Special Privileges:** The Committee may make a charge to members using Club property or privileges in respect of that user.
13. **The Committee:** The entire management of the Club and its property shall be deputed to an Executive Committee consisting of a President, Vice President, Club Captain, Vice Club Captain, Treasurer, Secretary, Race Secretary and eight Committee members.
14. **Executive Committee:** May have the power to add to the Committee at their discretion.
15. **Election:** Of all office bearers and Committee including honorary members shall take place at the Annual General meeting each year. Any financial members shall be entitled to nominate or be nominated. The Committee shall have the power to appoint any member to fill a vacancy on the Committee, and any officer so appointed shall hold office until the next annual general meeting.

16. **Meetings of the Committee:** A meeting of the Executive Committee may be called by the President or the Secretary, and shall be also called with seven days of the receipt by the Secretary of a requisition for such a meeting signed by three members of the Committee.
17. **Notice of the Committee:** Notice of any Committee meeting shall be given to every member of the Executive Committee by delivering to them at least 48 hours before the time appointed for the meeting, either a verbal or a written notice of the time and place thereof.
18. **Quorum:** At the meeting of the Executive Committee, five members shall constitute a quorum and the Chairperson shall have a deliberate and casting vote. The president, if present, shall be Chairperson if they are not present, the meeting shall appoint another Chairperson.
19. **Annual General Meeting:** The Annual General meeting shall be held on some day in June each year to be determined by the Executive Committee.
20. **Extraordinary General Meeting:** The Executive Committee may at any time and shall within 14 days of the requisition on writing of at least nine members (the requisition shall be set out in the form of a resolution the business proposed to be transacted at such a meeting) convene an Extraordinary General Meeting for a specific purpose of purposes.
21. **Notice of General Meeting:**
 - a. The Secretary shall, send to every member at their address in the Club books, at least seven days before any General meeting a notice stating time when and place where it will be held.
 - b. Notices of motions for consideration by any General Meeting of member shall be in the hands of the secretary from ordinary members not less than 21 days prior to the date of the General meeting and from the Executive Committee in sufficient time to allow requisite notice to be given.
22. **Procedure at General Meeting:** At all General Meetings the chair shall be taken by the President or if they are not present, by some other member chosen by the Executive Committee or if they shall fail to do so, then by the meeting. Every financial member shall have one vote, and in the case of equality votes, the Chairperson shall have a second or a casting vote. The quorum at a General Meeting shall be fifteen members. Voting shall be by voice but if any members present so desires the Chairperson shall call for a division, which shall be indicated by a show of hand, or, if the meeting so desires, by ballot. At all meetings the procedure to be adopted shall be in accordance with the recognised rules of debate, unless there shall be negative or amended by the rules of the Club.
23. **Alteration of Rules:** These rules may be added to, altered or rescinded with the sanction of two thirds of the members present and voting at a General Meeting. Notice of such meeting setting forth the proposed new rules or alteration of an existing rule shall be given at least seven days previously to every member of the Club.

24. **Duties of Secretary:** The Secretary shall keep and have the custody of –
 - a. A minute book containing full and correct Minutes of all meetings.
 - b. A register showing the names and addresses of members and the dates at which they became members.
 - c. The Common Seal of the Club.
 - d. The Secretary shall keep all entries in such books properly up to date.

25. **Duties of Treasurer:** The Duties of the Treasurer shall be –
 - a. To receive and account for all monies on behalf of the Club.
 - b. To keep such books of accounts as the Committee may from time to time determine.
 - c. To prepare such statements of the Clubs financial position as shall be required by the Incorporated Societies Act 1908.

26. **Bank Account:**
 - a. The Treasure shall open such bank accounts in the name if the Club as may be required.
 - b. All accounts shall be submitted to the Executive for examination and payment approved.
 - c. All payments should be made by cheque. Each cheque shall be signed by one member of the Executive Committee and countersigned by the Treasurer.

27. **Common Seal:** The Secretary shall keep in their possession the Common Seal of the Club, which shall be affixed to any documents required to be under seal only in pursuance of a resolution of the Committee in the presence of two members of the Committee.

28. **Financial Year:** The financial year of the Club shall end on the 31st March in each year; on which day the accounts shall be balanced.

29. **Auditor:** At the Annual General Meetings an annual resolution is made to not appoint an auditor for the current/future year. However an auditor who may or may not be a member of the committee may be elected at the Annual General Meetings if the members decide this is necessary.

30. **Duties of members:** It shall be the duty of all members to assists in carrying out the objects of the Club and in particular to assist in, any events that the Executive Committee may decide upon and to comply with these rules and any by-law's as made by the Committee in provision hereinafter contained.

31. Every member from time to time shall communicate to the Secretary their address, and all notices posted such address shall be considered as having been duly given.

32. **Investment:** All funds shall be paid into the Clubs bank account and part thereof may be invested in such manner as the Committee determine.

33. The Club shall have power to borrow money then to give security over the assets of the Club such in manner and upon such terms and conditions as may be decided by the Committee.

- Winding up:** “The club may be voluntarily wound up if the Club at a General meeting of its members passes a resolution requiring the Club so to be wound up and the

confirmed at a subsequent General meeting called together for the purpose and held no earlier than thirty days after the date on which the resolution so to be confirmed was passed.

On winding up the surplus assets of the club will be paid to:

34. An institution having objects similar to those of the Club and chosen by the Members or, by the committee, if the Members do not choose: or
35. If no appropriate institution can be found to a charity or charities in New Zealand chosen by the Members or, by the Board, if the Members do not choose.
36. Surplus assets may not be directly or indirectly distributed to members.
37. The Executive Committee shall have the power from time to time to make, alter, amend and repeal by laws for the management and regulation of the Club affairs provided that such by laws shall not be repugnant to the provision of these rules.

Incorporated in Napier, this 18th day of June 1951
and incorporating amendments made on the following dates:-

13 December 2005,
14 November 2006,
13 June 2008,
01 July 2011,
22 June 2012