

## The Model Club Member

The Model Club member is one who, wishing to have their rights respected, respects those of others, and who understands they are a member, and not the proprietor. They recognise that they are not number one, but one of a number, and is prepared to abide by the rules that have been passed for the benefit of all. They have a feeling for those who do the hard work and is ready to reward with praise those who have contributed to their comfort and enjoyment. Also, they never try to degrade the bar staff by saying "they are only a servant", while the member is their master. They are courteous to all and, in short, a respectable member, and the more there are of them, the more the Club will flourish.

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# **RULES**

## **of the Richmond Working Men's Club and Mutual School of Arts**

### **1. (a) INTERPRETATION OF RULES**

Any question relating to the interpretation of Rules of the Club or any matter not provided for in the Rules shall be decided by the Committee.

"Act" means the Friendly Societies and Credit Unions Act 1982 and amendments thereof.

"Registrar" means the Registrar of Friendly Societies and Credit Unions, and where a Deputy Registrar of Friendly Societies and Credit Unions is lawfully acting, includes that Deputy Registrar.

"Committee" shall mean the Management Committee of the Club unless expressly stated otherwise.

"Member" shall mean a person who has been accepted by the Committee as a member.

"Officer" shall include the President, Vice-President, Trustees, Treasurer, General Manager and Members of the Management Committee.

### **(b) TITLE**

The Club shall be entitled the "Richmond Working Men's Club and Mutual School of Arts".

### **2. REGISTERED OFFICE**

The Office of the Club is at 75 London Street, Christchurch 8013. The Registrar shall be notified within fourteen days of any change in address of the Registered Office.

### **3. OBJECTS**

The objects of the Club shall be to provide social amenities and amusements as the Committee think fit and to further the interest of and to promote social intercourse, mutual helpfulness and mental and moral improvement amongst its Members.

### **4. CONSTITUTION OF MEMBERSHIP**

The Club shall consist of six classes of membership. Ordinary Members, Life/Merit Members, Junior Members, Married Couples, Temporary Members and Honorary Members.

### **5. ADMISSION OF MEMBERS**

(a) No person, with the exception of a person applying for junior membership pursuant to Rule 8a, shall be eligible for membership until that person has reached the age which is permitted by law in New Zealand for the consumption of alcohol on Licensed premises. Each candidate must be nominated on a form, kept for that purpose, by two Members who have been financial members for at least two years or by two current members of the Committee. The nominee shall then pay their subscription to the office which will then place them in the category of Prospective Member. 4

(b) The names of Prospective Members shall be posted on the Club Notice Board for at least seven clear days before election or rejection by the Committee. Any Prospective Member may be rejected by the Committee if he or she is known to be not a fit and proper person for full membership. If rejection does occur then the Prospective member shall be entitled to full reimbursement of subscriptions paid.

(c) No person shall be eligible for membership who is an expelled member from another Chartered Club or who has resigned their membership at the request of the Committee.

(d) A Prospective Member shall have the rights and privileges only of a visitor at the discretion of the Committee until he or she is accepted as a full member.

(e) Full membership shall date from the day on which the Prospective Member is accepted by the Committee. After acceptance the member shall be entitled to a copy of the Club Rules free of charge.

(f) Any further copies of the Rules to members or to any other person requesting the same shall be made available at cost as may be determined by the Committee from time to time; provided however that the amount shall not exceed the maximum fixed by Section 27 of the Act.

(g) In the event of the membership being declared closed there shall be established a Waiting List of those seeking membership and any future members shall be elected from the Waiting List in the order they appear on the list.

(h) Any person accepting membership shall be deemed to accept and shall abide by all the Rules and By-Laws of the Club.

### **6. FEES AND SUBSCRIPTIONS**

(a) All subscriptions shall be paid in advance to the General Manager or their appointee and shall be due and payable on the first day of April of each year.

(b) There shall be an entrance fee of such sum as shall from time to time be decided by the Committee.

### **7. LIFE MEMBERS**

(a) Life Members shall not be liable to pay any subscription.

(b) The Club in General Meeting, upon the recommendation of the Committee or any financial member may grant Merit Life Membership on a simple majority of members present and entitled to vote to any person for exceptional services rendered to or on behalf of the Club.

## **8. ORDINARY MEMBERS**

Ordinary Members shall pay the annual subscription in such sum as shall from time to time be fixed by the Committee. An Ordinary Member who has continued to be financial for 25 consecutive years shall be entitled to all the rights and privileges of Life Membership and shall be issued with a Life Membership Card. No member shall obtain their Life Membership upon payment of dues in advance.

### **8a. JUNIOR MEMBERS**

- (a) Junior Members may be admitted from age 13 years and over up to the age at which a person may legally drink on licensed premises unaccompanied.
- (b) Each candidate for Junior Membership shall be nominated in the manner set out in Rule 5 excepting that the nomination shall include the endorsement of a parent or legal guardian.
- (c) Junior Members shall pay an annual subscription as determined by the Committee from time to time.
- (d) Any Junior Member attaining the age at which a person may legally drink unaccompanied on licensed premises, must apply for ordinary membership in the manner set out in Rule 5.
- (e) Junior Members shall have the right to be admitted to such areas of the Club during such hours as determined by the Committee from time to time.
- (f) Junior Members shall have the right of admission to any Chartered Club with whom reciprocal visiting rights are established.
- (g) Junior Members shall have no right to nominate any person for membership of the Club or for election as an officer of the Club.
- (h) No Junior Member shall have the right to stand for election as an officer of the Club.
- (i) Junior Members shall have no voting rights within the Club.
- (j) Junior Members are not permitted to purchase or consume alcohol on the premises unless in accordance with the Sale of Liquor Act 1989 - as it defines the Sale of Liquor to minors who are accompanied by a parent, guardian or spouse over the age at which a person may legally drink unaccompanied on licensed premises.
- (k) If there is any conflict between the provisions of this Rule SA and any other Rule in the Club's constitution, then Rule 8a shall prevail.

## **9. HONORARY MEMBERS**

Honorary Members shall be entitled to the social privileges of the Club but shall not be entitled to take part in any meeting or election, or to hold any office in the Club. Honorary Member's tickets shall be issued only by the President and by the General Manager. Honorary Members shall not be liable to any entrance fee or subscriptions.

## **10. UNFINANCIAL MEMBERS**

- (a) Any member allowing their subscription to fall in arrears one month shall receive a postal reminder from the Club and if the subscription is not paid within fourteen days of this the Committee may instruct the General Manager to strike such unfinancial member's name from the register of members.
- (b) No member whose subscription is in arrears shall be entitled to take part in any meeting or election, neither shall they hold any office in the Club or be entitled to nominate or second any other member for office in the Club.

## **11. VISITORS**

- (a) The President, Vice-President, General Manager, two members of the Committee, Bar Manager, or Duty Manager shall have the power to issue visitors' tickets for the period of 24 hours. If the visitor wishes to stay longer, they must become a Temporary Member (rule 9a), Full Member (rule 8), or Married Couple Member (rule 8b).
- (b) Any financial member may introduce as a visitor any friend, subject to signing their name in the Visitors' Book. The Committee may in its discretion declare the Club closed to visitors on certain days, notice of such intention to be posted on the Club Notice Board at least two clear days before the closed day. No person shall be introduced as a visitor -
  - i) Who has been expelled or suspended from this or any other Chartered Club;
  - ii) Who has been refused membership for any reason during the past twelve months excepting through the membership being closed.

A member introducing any person as a visitor shall be responsible for the conduct of such visitor while on the Club premises.

- (c) A financial member of an affiliated Club shall be entitled to visit the Club as a visitor and shall produce on demand their current membership ticket or a letter of introduction from their Club.
- (d) No visitor to the Club shall be entitled to take part in any meeting or election of the Club. All visitors whether members of an affiliated Club or not shall at all times be bound by and conform to the Rules and By-Laws of the Club. Should any person habitually use the Club as a visitor the President, General Manager or two members of the Committee may request such person to discontinue their visits.

## **12. ANNUAL GENERAL MEETING**

(a) The Annual General Meeting of Members shall be held on the third Saturday of June in each year. Should the day set aside for the General Meeting fall on a public holiday then the Meeting shall be held on the following Saturday.

(b) The Club's annual income and expenditure account, including trading and other activities accounts, and balance sheet, as at 31st of March in each year, together with any associated reports thereon, shall be posted on the Club Notice Board seven days before the Annual General Meeting. All annual accounts and balance sheets shall be audited.

## **13. SPECIAL GENERAL MEETING**

The President shall call a Special General Meeting of members within seven days upon the written request of a majority of the Committee, or upon the written request of at least fifty financial members. Such requisitions shall state the purpose for which the meeting is being called.

At any Special General Meeting no business other than that for which the meeting has been called shall be discussed. Notice of any Special General Meeting shall be posted on the Club Notice Board for at least five clear days before such meeting is to be held.

## **14. CONDUCT OF GENERAL MEETING**

(a) At General Meetings of members, the adoption of the report, accounts and balance sheet having been moved and seconded, any member may without notice ask any question or move any resolution relating to the report, accounts and balance sheet.

(b) Any member desirous of moving a motion affecting a resolution passed by a previous General Meeting or a meeting of the Committee must give notice in writing to the General Manager at least 14 clear days prior to the date of the meeting at which such motion is to be moved. The General Manager shall post a copy of such motion on the Club Notice Board for at least seven clear days before the meeting. All resolutions to rescind a resolution passed at a previous General Meeting or a meeting of the Committee, shall be carried by a majority or 75% of the members present before having effect.

(c) At all General and Special Meetings fifty members shall form a quorum, if there is not a quorum after fifteen minutes of the advertised time the meeting shall lapse.

(d) The order of business at the General Meeting shall be:

- i) Apologies
- ii) Respect for Deceased Members
- iii) Minutes of Previous Meetings
- iv) President's Report
- v) Annual Accounts, Balance Sheet and Financial Reports
- vi) Appointment of Auditor
- vii) Allowances
- viii) Notices of Motion
- ix) General Business

## **15. MANAGEMENT COMMITTEE**

The Management of the Club shall be vested in a Committee consisting of the President, Vice-President, Treasurer, Three Trustees and Eight Committeemen. The General Manager shall be an ex-officio member without voting powers.

## **16. ELECTION OF OFFICERS AND COMMITTEE MEMBERS**

(a) The elections of officers and committee members shall be held on the same day as the Annual General Meeting. Voting will commence 15 minutes after the completion of the AGM, between the hours of 9.30am and 6.30pm.

(b) All candidates for office except that of General Manager must be nominated by 6pm on the day set aside for the closing of nominations. All nominations shall close twenty-one days before the date of the election. The nomination book shall open at 9.30am fourteen days before the closing of nominations.

(c) Nomination forms shall not be issued before the opening of the nomination book. Nomination forms signed by the nominee, proposer and seconder shall be lodged with the General Manager, who on receipt of same will enter the name of the nominee, proposer and seconder, in a nomination book kept for that purpose. The nomination book to be on display while nominations are open. The list of the nominations shall be posted on the Notice Board 48 hours after the closure of the nomination book and shall stay there until the Election takes place.

(d) Any candidate wishing to withdraw their nomination must notify the General Manager in writing. Details of withdrawn nominations shall be posted on the Club Notice Board together with the list of the candidates for election.

(e) Any candidate may offer themselves for election to any two positions of the Committee subject to Rule 19(a) and (b).8

## **17. CONDUCT OF ELECTION**

(a) The retiring Committee shall appoint a Returning Officer who shall have a casting vote in the event of any candidates receiving an equal number of votes. The General Manager shall act as a Deputy Returning Officer at all elections and shall be the officer responsible for the taking of absentee votes, in accordance with Rule 18. They shall also make all arrangements regarding ballot papers and any other matter for the proper conduct of the election.

(b) Should at any time the General Manager be unable to act as a Deputy Returning Officer, their duties as specified in this Rule and Rule 18 hereof shall be assumed by the Returning Officer with authority to delegate some or all of such duties to Deputy Returning Officers as they may appoint for that purpose.

(c) All contested elections shall be held by ballot in a room set aside for that purpose. No ballot papers shall be allowed to be taken out of the room and not more voters than the room will accommodate to record their votes shall be allowed in the room at one time.

(d) Notwithstanding anything contained to the contrary in Clause (c) of this rule, the General Manager as a Deputy Returning Officer shall be empowered to issue voting papers on election day to aged and infirm members who may cast their vote in a room set aside for that purpose without removing such papers from the room, the ballot papers to be placed in a locked ballot box.

(e) The voting shall be counted as soon as the election is closed, and the result notified immediately to members.

(f) The ballot papers shall be kept in a safe place by the General Manager for at least twenty-eight days. Any candidate shall have the right to request a recount of the votes. The candidate requesting such recount shall have the right to be present at such recount but shall take no part in same. Any application for a recount of votes must be made in writing to the General Manager and be delivered by either posting the same or by personal delivery to the General Manager's office within seven days of the election day.

(g) The Returning Officer shall appoint such additional persons as Deputy Returning Officers as are necessary for the counting of votes. The names of such persons to be lodged with the General Manager 48 hours prior to the Election. The Committee will set a fee for their services.

## **18. ABSENTEE VOTES**

(a) Any financial member who, finding themselves unable to attend to cast their vote on election day may, on application to the General Manager, make a declaration stating why they are unable to cast their vote on election day and the General Manager, if satisfied that the member is unable to attend on that day, shall hand the necessary ballot papers to the member who shall cast their vote without leaving the room and shall place in same an envelope and place in a locked ballot box. All absentee votes shall remain in a locked ballot box until election day and shall be counted with the votes recorded on election day. All absentee votes shall be endorsed by both the Returning Officer and the General Manager.

(b) Any financial member who finds they will be unable to attend to cast their vote on election day on account of illness, may apply to the General Manager as a Deputy Returning Officer for a vote as a sick member, and if the General Manager is satisfied that the member will be unable to attend on that day they shall personally hand the necessary ballot papers to the member who may cast their vote in their hospital or residence and shall place their vote in a sealed envelope and hand it to the General Manager. Votes cast by sick members shall then follow the same course as votes cast by absentee members. Voting by this method shall be restricted to members who reside in the Christchurch Metropolitan area.

(c) No absentee votes shall be allowed more than seven days prior to the election.

## **19. QUALIFICATIONS FOR OFFICE**

(a) Any candidate for the office of President or Trustee shall have been a member of the Committee for at least three years. Any candidate for the office of Vice-President or Treasurer shall have been a member of the Committee for at least two years. Any candidate for the office of Committeeman shall have been a financial member for at least two years.

(b) Any member of the Club who has been suspended for misconduct shall not be eligible to contest any election or hold any office until after twelve months from the expiry date of such suspension.

## **20. TERM OF OFFICE**

The President shall hold office for a term of 2 years and at the end of that period, retire from office but shall be eligible for re-election. The Vice-President, Treasurer and Committee shall hold office for twelve months. The Trustees shall hold office for a term of three years and at the end of that period retire from office but shall be eligible for re-election. The Committee shall elect a senior Trustee yearly. The elected candidates shall assume office as soon as the results of the election are announced and shall retire from office the following year at the time of the announcement of the newly elected Committee.

## **21. EXTRAORDINARY VACANCIES**

(a) Should any vacancy occur in the office of the President, the Vice-President shall assume the office of President for the remainder of the current term of office. Should any vacancy occur in the office of Vice-President, the Committee shall continue in office as if fully constituted.

(b) Any vacancy occurring in the office of Trustee shall not be filled until the next annual election, providing that at all times there must be two Trustees in office. Should there not be two Trustees in office, then a by-election shall be held to fill the positions. Notification of the appointment of a new Trustee shall be made to the Registrar in accordance with Section 28 (5) of the Act.

(c) Should any vacancy occur in the office of Treasurer a by-election shall be held to fill the position, excepting when the vacancy occurs within the last three months of the current term of office, in which case the Committee

shall appoint a responsible officer to carry out the duties of Treasurer for the remainder of the term.

(d) In the event of the position of Auditor becoming vacant during the year, the Committee shall have power to appoint an Auditor for the remainder of the financial year.

(e) Should any vacancy occur in the office of committeeman during the first six months of the current term of office the candidate who polled the highest number of votes after the last elected candidate at the previous election shall be invited to accept the vacancy. Should no candidate be available under this Clause then a 10 by-election shall be held. Should a vacancy occur in the office of Committeeman during the second six months of the term then the Committee shall continue in office as if fully constituted, providing that at all times there is a quorum.

(f) Should any by-election be necessary for any office, such by-election shall be held within twenty-eight days of such vacancy occurring. All by-elections shall be held in accordance with Rules 16, 17 and 18 of the Clauses thereof. All nominations shall be in accordance with Rule 19.

## **22. COMMITTEE MEETINGS**

(a) The Committee shall meet on the last Monday of each month at 6.30pm, or on a day nominated by the Committee at their discretion. Seven members shall form a quorum. In the event of there being no quorum present at 7.00pm then the meeting shall lapse. All meetings shall adjourn at 9.30pm unless previously concluded or the meeting unanimously agree to an extension of time. In the event of a meeting having lapsed it shall be competent for the Finance Committee to approve the current monthly expenditure.

(b) The order of Business at Committee meetings shall be

- i) Apologies
- ii) Respect for Deceased Members
- iii) Minutes of Previous Meetings
- iv) General Manager's Report
- v) Correspondence
- vi) Passing of Accounts
- vii) Reports of Sub Committees and President
- viii) Notices of Motion
- ix) General Business

## **23. POWERS AND DUTIES OF COMMITTEE**

(a) The President shall, on receipt of a written requisition signed by not less than five members of the Committee, call a special meeting of the Committee within three days of receiving such requisition. At least 48 hours' notice shall be given of the time fixed for any special meeting of the Committee. A notice on the Club Notice Board to be deemed sufficient notice.

(b) The Committee shall have power to suspend, expel or otherwise remove any member's name from the registrar of members upon proof that such member has been convicted in a Court of Law for any criminal offence or for any act of misconduct in or outside the Club. Any member against who such action is taken must be notified in writing at their last known address, and such member shall have the right of appeal. Notice of intention to appeal must be made in writing and shall be heard as set down in Rule 43.

(c) The Committee may order an inventory of stock together with furniture and fittings to be taken at any time upon giving notice to the Chairman of the House Committee, notwithstanding the foregoing the General Manager shall have power at all times to check stock.

(d) The Committee shall render the officers and staff every assistance to maintain order and to prevent any infringement of the Club Rules or of the law of New Zealand in their relation to the Club.

(e) The Committee shall at all times entertain any practical and useful suggestions from the members and officers, for the improvement of conditions, welfare or management of the Club. Any complaints or suggestions made to the Committee must be in writing.

(f) The Committee shall have the authority to make by-laws for the regulation and management of the Club. No by-law shall be inconsistent with the registered Rules of the Club or of the Act and amendments thereof, or of the Licensing Laws of New Zealand. Any by-law adopted by the Committee shall become effective immediately and will be posted on the Club Notice Board for at least twenty-eight days.

(g) The Committee shall cause fidelity bonds to be taken in a responsible guarantee society or insurance company in the names of all officers and employees who have the charge or control of Club monies. Only guaranteed officers and employees shall collect and/or pay out any monies of the Club.

(h) If the Committee resolves to impose a levy on the members of the Club, the imposition of that levy shall be ratified by a General or Special General Meeting of the Club in accordance with these Rules. At that meeting a Resolution will be proposed and seconded by members of the Committee resolving to impose a levy on the members of the Club. Such resolution shall be passed by 75% of the members present and entitled to vote at the meeting at which it is considered and at such meeting fifty financial members of the Club shall form a quorum.

(i) Any levy ratified at a General Meeting of the Club having the prior approval of the Committee shall have effect and the levy shall be deemed to be imposed at the passing of the resolution of the General or Special General Meeting.



- (j) The levy passed in accordance with the foregoing Rules shall be imposed on all members of the Club, whether Ordinary Members or Life Members provided however that the Committee shall be empowered to release or reduce from liability for the payment of a levy any member who, in the opinion of the Committee would suffer hardship by the payment of such levy.
- (k) If any member liable to pay such levy in accordance with the foregoing rules fails to pay such levy by the 31st March, following the imposition of such levy, such member shall automatically be suspended from membership of the Club.
- (l) Such levy may be paid by instalments as fixed by the Committee.

#### **24. PRESIDENT AND VICE-PRESIDENT**

- (a) The President shall preside over all meetings of the Committee and over all General and Special Meetings of members. In the absence of the President the Vice-President shall preside and shall assume the powers and duties of the President, and in the absence of both the meeting shall elect a Chairman.
- (b) The President, Vice-President or two members of the Committee shall have the right of entry to any part of the Club at any time. Any such entry after recognised closing hours shall only be made to suppress any irregularity which may be occurring.
- (c) The President, Vice-President or two members of the Committee shall have power to suspend any member for misconduct. Such suspension to be confirmed at the next meeting of the Committee.
- (d) At all meetings the Chairman shall be entitled to a casting vote as well as a deliberative vote.

#### **25. TRUSTEES**

- (a) There shall be three Trustees who shall be ex-officio members of the Committee and shall be entitled to take part in any meeting of the Committee and shall have power to move, second and vote on all matters before the Committee.
- (b) The Trustees shall hold in trust all the property of the Club and deposit with the Club Bankers or in some safe place all documents and securities of the Club. All investments and assets of the Club shall be held in joint names of the Trustees for the time being of the Club. They shall be available for the transaction of Club business when required. All cheques drawn on the Club shall be signed by one or more Trustees, and counter-signed by the President, Treasurer or General Manager. There must be three signatures on all cheques.

#### **26. TREASURER**

The Treasurer shall have access to all financial records of the Club, and if required shall make available all books and documents relating to the affairs of the Club. They shall attend meetings of the Finance Committee as Chairman and shall be authorised to co-sign any cheque or bill in accordance with Rule 25(b). They shall be a voting member of the Committee.

#### **27. AUDITOR**

One auditor who shall be an auditor under the Act shall be appointed at the Annual General Meeting of Members. They shall audit all books and necessary papers at least once each year. Any fees payable to the Auditor shall be passed at the Annual General Meeting of members. No officer of the Club shall be eligible for the position of Auditor. Subject to the provisions of Section 65 of the Act, the auditor for the preceding financial years shall be deemed to be reappointed for the current financial year.

#### **28. GENERAL MANAGER**

The General Manager shall be responsible to the President and Committee for the day-to-day management of the Club.

- (a) The General Manager shall be a salaried officer appointed by the Committee and shall hold office until the appointment is terminated by the Committee or General Manager by either giving the other three months' notice.
- (b) They shall be the Club's representative for the purpose of the Licensing Laws of New Zealand.
- (c) They shall be responsible for the preparation and payments of the wages of the staff.
- (d) The General Manager shall receive all monies of the Club when required and shall pay the same into the Bank to the credit of the Club. They shall keep clearly and correctly all books of the Club and shall place same before the Committee if required. They shall be responsible for the preparation of all Accounts and Balance Sheets and shall make available to the Auditor all books ready for audit when required.
- (e) They shall post in the Club a copy of the accounts and balance sheet and associated reports at least seven days before such balance sheet is to be presented to a meeting of members, as required under Rule 12.
- (f) The General Manager or their nominee shall have power to suspend or dismiss any employee of the Club.
- (g) The General Manager shall keep a register of members and shall be responsible for the collection of members subscriptions. The register shall show such other particulars as may from time to time be prescribed by the Registrar and the register shall be kept at the registered office of the Club and shall be open to inspection during the ordinary office hours by any member of the Club.
- (h) They shall record minutes of all meetings of the Committee and General and Special Meetings of members.
- (i) They shall conduct all correspondence of the Club and shall place relevant matters before the Committee.
- (j) They shall be the officer to represent the Club in any legal proceedings which may be taken by or against the Club, but shall do so on the advice of the Club's legal Advisor.
- (k) They shall forward to the Registrar the Annual Return of Income and Expenditure for the preceding year and ending 31st March and such other information as required pursuant to Section 70 of the Act.

(l) They shall supply gratuitously to or produce for the inspection of every member or person interested in the Club funds, on their application a copy of the last Annual Return and Balance Sheet or other document duly audited containing the same particulars as to the receipts and expenditure, funds and effects of the Club as are contained in the Annual Return.

(m) The General Manager shall also keep a copy of the last Annual Return with a copy of the Auditor's Report always exhibited in a conspicuous place in the Club.

(n) The General Manager shall have authority to exercise any vote of franchise on behalf of the Club and unless otherwise prohibited by the Rules to sign any documents. He shall produce all books in their possession if demanded by the Committee and shall generally conform to the wishes and instructions of the Committee.

(o) The General Manager shall place in a conspicuous place within the Club premises copies of the minutes of the Committee within seven days of their confirmation.

(p) The General Manager shall give the security guarantee of a recognised insurance company in such sum as the Committee may decide, the Club to pay the premium for such guarantee.

(q) The General Manager shall be deemed to be the Secretary of the Club for the purposes of the Act.

## **29. STAFF**

(a) The Bar Manager may be appointed by the General Manager subject to the approval of the Committee. He shall be responsible to the General Manager for the efficient management of the bar areas. He shall be responsible for the appointment of Bar Staff subject to the approval of the General Manager and in accordance with the terms of the Current Award.

(b) Any member accepting full time employment with the Club shall be entitled to retain membership rights but, during the period of such employment, shall not be entitled to hold any Office in the Club, nor participate in any Annual or Special General Meeting of the Club.

(c) No Steward shall discuss or criticise the Club management, neither shall he discuss with any member any matter which is under discussion or to be discussed at any meeting of the Club or at any Committee Meeting and he shall not endeavour to influence the result of any election in any manner whatsoever.

(d) The Bar Manager or their nominee shall be responsible for the proper conduct of the Stewards and their attention to duty. They shall keep a correct record of all goods received and issued. They shall assist the Committee when required.

(e) The Stewards shall carry out all the duties imposed on them by the Bar Manager or their nominee and shall assist to maintain order and observance of the Club Rules. They shall report any complaints or acts of misdemeanour to the Bar Manager.

(f) The Bar Manager and Stewards shall give the security guarantee of a recognised insurance company to such a sum as the Committee may decide, the Club to pay the premium of such guarantee.

(g) All staff shall be required to comply with the terms and conditions of employment as set down by the Committee.

## **30. LIBRARIAN**

The Librarian shall be appointed by the General Manager on such terms and at such remuneration as he may decide. The Librarian shall be responsible for the collection of Library subscriptions, records, of all books and maintain same in good repair and hand to the General Manager all receipts and invoices.

## **31. FORFEITURE OF OFFICE**

(a) Should any officer of the Club or Committeeman refuse to act, or become incapable of acting, or allow their subscription to become in arrears, or be suspended by the Committee for misconduct they shall forfeit their office.

(b) The Committee shall direct the General Manager to advise in writing any Committee Member who is absent from two consecutive regular monthly meetings that failure to attend the next regular monthly meeting will be deemed to be forfeiture of office.

(c) No Officer or Committee-member shall be granted leave of absence for a longer period than three calendar months.

### **32. SUB-COMMITTEES**

- (a) There shall be appointed at the first meeting of a newly elected Committee the following Sub-Committees:
- i) Finance
  - ii) House
  - iii) Entertainment
  - iv) Raffles

The Chairman of each Sub-Committee with the exception of the Finance Committee shall be appointed by the Committee and shall be the convenor of all meetings of their Committee.

- (b) There shall be an emergency Committee to consist of the President, Vice-President, the Chairman of each Sub-Committee, Trustees, Treasurer, and General Manager who shall have the power to act in any emergency which may arise. The President shall preside in accordance with Rule 24.

### **33. ALLOWANCES**

Current Entertainment Allowances shall be awarded to the President, Vice-President, and other responsible officers of the Club annually and any increases in these allowances shall be adjusted at the percentage increase awarded to Bar Staff at the conclusion of annual wage negotiations.

### **34. FINANCE COMMITTEE**

The Finance Committee shall consist of the Treasurer, as Chairman, and the Trustees who shall meet as required. They shall satisfy themselves that all accounts presented for payment are correct and due. They shall have the power to investigate any investments of the Club or any matter pertaining to the finances of the Club and report on same to the Committee.

### **35. HOUSE COMMITTEE**

- (a) The House Committee shall consist of three members of the Committee. They shall meet as may be necessary for the carrying out of their duties. They shall be responsible that all equipment, furniture and the premises generally are kept in a good state of repair and maintenance.

- (b) A complete inventory of all stock, furniture and fittings shall be taken on the last day of March and September each year and a copy of such inventory handed to the General Manager for record purposes. Members of the House Committee shall have access to the storeroom for stock taking purposes. The House Committee shall have power to add to its number any financial member not being a member of the Committee, any member so appointed shall not be entitled to any vote.

### **36. ENTERTAINMENT COMMITTEE**

- (a) The Entertainment Committee shall be run by the General Manager or Deputy, and others appointed by the Committee and General Manager. They shall be responsible for the arrangement and management of the social activities of the Club. The Entertainment Committee shall have power to add to its number any financial member not being a member of the Committee, any member so appointed shall not be entitled to vote.

- (b) The Entertainment Committee shall have control over social sections of the Club subject to the approval of the Committee. No social section shall enter into any account or purchase any goods without an order from the Entertainment Committee. The Chairman of the Entertainment Committee shall be responsible to the General Manager for all monies received.

### **38. RAFFLE COMMITTEE**

The Raffle Committee shall consist of three members of the Committee and shall have control over all raffles conducted on the Club premises subject to the approval of the Committee.

### **39. HOURS OF ADMISSION**

- (a) **Hours for Consumption of Liquor.** The Club shall be open on the hours from time to time determined by the Committee but always subject to the Licensing Laws of New Zealand.

- (b) **Social Rooms.** The Social Rooms of the Club shall be available when any such function or event is held in that particular room or venue and when the demand is required. The General Manager at their discretion, may extend these hours on special occasions. The normal trading hours are 9.00am to 11.00pm, Monday to Sunday.

### **40. CONTROL OF CLUB FACILITIES**

The Club's Social Rooms, Bars, Restaurants, Sporting Facilities, Buildings, Car Parks, Ancillary Buildings, Land, Sporting and Social equipment and any other equity purchased, donated to or owned by the Club shall be controlled by the Committee. No section of individual shall own or lay claim to any Club property unless specifically excluded by a separate legal agreement.

#### **41. OFFENCES**

(a) Any member who has been convicted in a Court of Law of a criminal offence shall be dealt with by the Committee in accordance with Rule 23(b).

(b) The Committee shall have the power to suspend or expel any member being intoxicated on the Club premises, or any member being abusive, disorderly or creating a disturbance or using any language which is insulting or in any manner which is liable to cause a breach of the peace or in the event of any member of the Club being guilty of behaviour unbecoming to the membership of the Club, or in the opinion of the Committee likely to bring the Club or any members into disrepute.

(c) No person shall remove any books, papers, articles of furniture, bottles, drinks or any other property of the Club without permission. Any person infringing this clause may be suspended at the discretion of the Committee and shall pay to the General Manager the value of any goods removed.

(d) Any person committing a breach of Clause (a), (b) or (c) of this Rule shall not be supplied with any refreshments and it shall be in the power of any Committee member or member of the staff to request such member or visitor leave the Club premises. Any person refusing to obey such request shall be reported to the Committee which may impose such penalty as it may think fit.

#### **42. DISPUTES**

If any dispute arises between a member or a person claiming through a member or under the Rules of the Club or an officer of the Club, such dispute shall be settled by the Committee pursuant to Rule 23(b) and subject to Rule 43 shall be binding and conclusive and shall decision shall not be restrainable by injunction or removable into any Court of Law and application for enforcement by the Committee may be made to any Court of Competent Jurisdiction.

#### **43. BOARD OF APPEAL**

(a) There shall be a Board of Appeal consisting of five members elected triennially by ballot, whose duty it shall be to hear and decide any appeal lodged by a member or members against any decision of the Committee entailing suspension or expulsion. No member of the Committee or officer of the Club shall be eligible for election to the Board of Appeal.

Any vacancy in the membership of the Board of Appeal occurring within the said period of three years shall be filled by the next highest polling unsuccessful candidate at the last election of members of the said Board, who agrees to accept the vacancy.

(b) Any member aggrieved by a suspension or expulsion decision of the Committee shall be entitled to appeal to the Board of Appeal and the decision of the Committee pursuant to Rule 23(b) shall be held in suspense until such appeal is heard by the Board of Appeal.

(c) Notice of intention shall be notified in writing to the General Manager within 48 hours of the Penalty being imposed and the Appeal must be heard within 14 clear days after receipt of such notice.

(d) Three members shall form a quorum of the Board of Appeal which shall appoint a Chairman from its number. The Board shall take necessary steps to see that proper Minutes are taken. The Board of Appeal shall make its own rules as to procedure. The decision of the Board of Appeal shall reverse, affirm or amend the determination appealed from and shall be in accordance with the opinion of the majority of the members present.

#### **44. INSPECTION OF BOOKS**

The books of the Club may be inspected by any member or person having an interest in the funds of the Club on giving three days written notice to the General Manager. No minutes shall be inspected until confirmed.

#### **45. PURCHASE OF LAND**

Subject to the approval of the Committee, the Trustees shall be empowered to purchase, lease or otherwise acquire any land or buildings in the name of the Trustees and may sell, lease or mortgage the same or erect buildings thereon with authority to alter or pull down buildings and to rebuild same, and no purchaser, assignee, mortgagee or tenant shall be bound to enquire as to the authority for any sale or lease or mortgage by the Trustees and the receipts of the Trustees shall be a discharge for all monies arising from or in connection with any sale, lease or mortgage.18

#### **46. INVESTMENT OF FUNDS**

Such funds as may not be required for working expenses, interest on mortgages or building funds may, with the consent of the Committee or a General Meeting of members be invested in the names of the Trustees in:

- (a) in any New Zealand Government Securities or any Securities guaranteed by the Crown;
- (b) in any investment authorised under the provisions, except subsection 1 (a) of Section 4 of the Trustee Act 1956.
- (c) in any land or thing authorised under the Act; provided however that before making investments the trustees shall have regard to the relevant provisions of the Act (including Sections 49 and 52) and also the relevant provisions of the Trustee Act 1956 (where applicable) and shall comply with all conditions relating to investments imposed by those Acts.

#### **47. INVESTIGATION OF AFFAIRS**

It shall be the right of two hundred members to apply to the Registrar in accordance with Section 89 of the Act for:

- (a) The appointment of one or more inspectors to examine the affairs of the Club and report thereon; or
- (b) The calling of a Special Meeting of the members of the Club; or
- (c) An investigation into the affairs of the Club with a view to the dissolution thereof.

#### **48. DISSOLUTION OF THE CLUB**

The Club may be dissolved by the consent of not less than 75% of the total number of members testifying by their signatures to an instruction of dissolution in the form prescribed under Section 94 of the Act. Any funds or property remaining after the settlement of just debts shall be handed over for such objects as may be set out in the instrument of dissolution.

#### **49. CLAIMS TO PROPERTY**

No expelled, retiring or forfeiting member shall have any claim upon the Committee of the Club either individually or collectively to any funds or property of the Club.

#### **50. ALTERATIONS TO RULES**

- (a) No alteration or addition shall be made to the Rules of the Club excepting at a General Meeting of members and no rule shall be annulled, amended or added to unless passed by Resolution of 75% majority of these members present and entitled to vote.
- (b) Any member proposing any alteration to the rules shall hand to the General Manager a copy of such intended alteration at least twenty eight days before the meeting of members and the General Manager shall post a copy of such alteration to the Rules on the Club Notice Board for at least twenty one days before the meeting of members.
- (c) No alteration or addition to the Rules shall have an effect until same has been registered under the Act. 19

#### **51. STANDING ORDERS**

- (a) Any member may give notice of motion by reading such notice to the meeting and handing a copy to the Chairman. Every motion shall unless otherwise decided by the meeting take precedence in relation to the order in which it and other notices of motion were given. If the mover of a motion or another member acting on their behalf is not present when such motion is called on for debate, the motion shall lapse. Any motion once moved and seconded may only be withdrawn with the consent of the meeting.
- (b) Any proposed amendment may be moved in the same manner as a motion and shall read either:
  - 1) To strike out words in the motion
  - 2) To add words to the motion

No amendment shall be accepted which is a direct negative to the motion. Should the amendment be carried, such amendment shall become the motion, however a further amendment may be moved providing that only one amendment shall be accepted at one time.

- (c) Any member desiring to speak on any matter shall rise in their place, but no member shall speak until called on by the Chairman. Unless with the consent of the meeting no member shall speak for more than three minutes on any matter excepting that the mover of a motion or substantial amendment shall be allowed an additional three minutes for reply.

(d) As soon as the mover of a motion has replied, the Chairman shall put the motion without further discussion. No matter shall be put to the vote which can be decided under the rules. All voting shall be by a show of hands excepting that a ballot or division shall be granted if requested by ten members.

(e) The Chairman shall decide all points of order providing that member may move at any time the Chairman's ruling be disagreed with. The Chairman shall then leave the chair and the meeting shall appoint a temporary Chairman. Only the mover of the motion and the challenged Chairman shall be allowed to speak. The temporary Chairman shall then put the question and declare the motion carried or lost as the case may be. The challenged Chairman shall then resume the chair and the matter under discussion shall be proceeded with in accordance with the ruling of the meeting.

(f) Notwithstanding anything contained to the contrary in any other rule or in any clause of this rule, any member may rise at any time and raise a point of order and with the permission of the meeting to make a personal explanation if they think they have been misrepresented.

## **52. FINANCE BOARD**

- (a) The financial policy of the Club shall be vested in the Finance Board. The Board shall consist of the President who shall hold office as Chairman of the Board ex-officio, the Vice-President, Trustees, Treasurer, two other members of the Committee, the General Manager and two other persons whether members of the Club or not as financial advisors.
- (b) With the exception of the President, Vice-President and Treasurer, the Member of the Financial Board shall be elected by the Committee and each member shall hold office during the pleasure of the Committee which shall review the personnel of the Board at its first meeting after the Annual General Meeting of the Club in each year.<sup>20</sup>
- (c) The Finance Board shall have power to investigate any matter connected -directly or indirectly with the financial affairs of the Club and for such purpose shall have access to all books, records or other documents relating to any matter being considered or likely to be considered by the Board.
- (d) The Board shall meet at such times being not less frequently than at quarterly intervals or as the Board thinks fit and shall conduct such meetings, make such enquiries and do such things as the Board considers necessary or desirable.
- (e) Each member of the Board with the exception of the General Manager shall have one vote on all matters on which a vote is taken, and in the event of equality of voting, the Chairman shall have a deliberative as well as a casting vote.
- (f) The General Manager shall keep minutes of all deliberations of the Board.
- (g) The Board shall advise the Committee on all matters touching directly or indirectly the financial affairs of the Club.
- (h) The Committee shall receive any decision made by the Finance Board and shall in its discretion accept and act upon any such decision. If the Committee is not prepared to accept and act upon any decision of the Finance Board, it shall not reject that decision but shall refer the decision to a Special General Meeting of the Club called for the purpose of ratifying that decision. At that meeting the decision of the Board under dispute shall be presented to the meeting by a representative of the Board for ratification by the meeting and the view of the committee shall be presented to the meeting by a member of the Committee selected for that purpose. The motion to ratify the decision will be debated at the meeting and before the motion is put to the meeting, the representative of the Board shall have the right of reply. If the motion to ratify the decision is passed by the meeting the decision shall be accepted and acted upon by the Committee. If the motion to ratify the decision is lost, then no further action shall be taken by the Committee on that decision.
- (i) At any meeting called to ratify any decision of the Finance Board any number of decisions may be considered at the same meeting.
- (j) The Committee shall be empowered to pay from the general funds of the Club such remuneration as it considers proper to each financial adviser in respect of each meeting they attend and for such time and effort spent by them on the affairs of the Board other than at Board Meetings.
- (k) A quorum of the Finance Board shall consist of five (5) including one of the financial advisors.

## **53. BY-LAWS**

1. The bar shall be open during the hours prescribed by law but may be closed on special occasions as the Committee may decide.
2. No member shall deface or damage any part of the Club property or commit any nuisance thereon.
3. No persons shall bring into the Club any intoxicating liquor for consumption on the premises, nor shall liquor be purchased in the Bottle Store for consumption on the Club's premises without prior approval of the Committee.
4. No voting card or paper purporting to influence or show or direct any member how to vote shall be allowed at any Club election.
5. No games or betting which would constitute a breach of the law shall be allowed on the Club premises.<sup>21</sup>
6. No person other than the General Manager or their appointee shall insert or cause to be inserted in any newspaper, television, radio, pamphlet, magazine or any media which has a public circulation, distribution or audience, any matter in connection with the Club, or affairs of the Club, or place any notice of any description on the Club notice board or anywhere in the Club.
7. No disorderly conduct, swearing, obscene language or unseemly noise shall be allowed on the Club premises and no audible conversation shall be allowed in the Club Library.
8. Members and visitors shall comply with all the rules and by-laws of the Club and any breach of same may render a member liable to suspension from all privileges of the Club.
9. Any member of the Committee who receives a net profit in excess of \$5,000 from one or a series of transactions with the Club in one financial year shall cease to be a member of the Committee.
10. The Committee may reserve the right of entry to the Club or any part of the Club to any member, affiliate member or visitor as may from time to time be determined.

#### **54. RECIPROCITY RULES**

(a) An ordinary or subscribing member of an affiliated Club shall be entitled to transfer to another affiliated Club. The member shall produce a transfer card or letter from the Secretary of their Club stating their full name, address, date of joining their Club and amount of subscriptions paid.

(b) A new member transferring from another Club shall pay an entrance fee on transferring to this Club. The subscriptions payable shall be those currently being charged.

(c) The transfer of affiliated members shall be accepted notwithstanding that the membership of the Club may be closed. No transfer of affiliated membership shall become effective until the member has been accepted by the Committee of this Club. They will be entitled to the use of the Club during the period of presentation of their transfer and consideration of same by the Committee.

(d) All affiliated members accepting transfer from another Club shall be deemed to accept and shall abide by all the Rules of this Club.

### **Original Charter issued in 1888 by the then Colonial Secretary**

WHEREAS a number of persons exceeding ten, who propose to establish a new Club at Christchurch to be known as the Richmond Working Men's Club have made application to me for a Provincial Charter under "The Licensing Act, 1981 ", and together with such application, have forwarded a copy of the rules proposed to be adopted by the said Club, and a list of officers and members thereof. AND WHEREAS I am satisfied that such application is bona fide, and that the said Club is a voluntary association of persons combined for promoting the common object of private social intercourse, convenience and comfort and providing their own liquors and not for the purpose of gain, within the meaning of the 229th section of the said Act; NOW, THEREFORE, I, the undersigned being the Colonial Secretary of the Colony of New Zealand, in pursuance and exercise of the power and authority vested in me by the said 229th section of the said Act, do by this Charter, hereby provisionally authorise the existence of the said Club for one year from the date hereof, subject however to the conditions in the said section particularly mentioned and set forth.

WITNESS my hand and seal, at Wellington, this eighteenth of December, 1888.

T. W. HISLOP, Colonial Secretary

## Confirmation of Original Charter 90/1017

WHEREAS the Secretary of the association known as The Richmond Working Men's Club which was granted a provisional charter under "The Licensing Act, 1881 ", has made application to me for a Charter under the said Act, and, together with such application has forwarded a copy of the rules of the said Club, a list of the officers and members, and a copy of the last balance sheet duly certified under the hand of the said Secretary; AND WHEREAS I am satisfied that the said Club is a voluntary association of persons combined for promoting the common object of private social intercourse, convenience and comfort and providing its own liquors, and not for the purpose of gain, within the meaning of the 229th section of the said Act; NOW, THEREFORE, I, the undersigned, being the Colonial Secretary of the Colony of New Zealand, in pursuance and exercise of the power and authority vested in me by the said 229th section of the said Act, do, by this Charter, hereby authorise the existence of the said Club, subject, however, to the conditions in the said section particularly mentioned and set forth.

WITNESS my hand and seal, at Wellington, this twenty-fourth day of April, 1890.

Colonial Secretary

(Sgd) W.R. Russell