

TITIRANGI RETURNED AND SERVICES' ASSOCIATION
Incorporated

RULES

As at 1 June 2022

NAME

1

The name of the Association shall be :-

“The Titirangi Returned and Services’ Association Incorporated”

hereinafter referred to as “the local Association”.

DESCRIPTION

- 2 The local Association is a Society duly Registered and Incorporated under “The Incorporated Societies’ Act 1908”.

The local Association is :

- (a) non-sectarian, and
- (b) non-party political in that it does not, except by the submission of questions and the publication of answers thereto, influence or seek to influence the views of its members regarding any candidate for public office or any political or municipal party.

The local Association is an affiliated member of the Royal New Zealand Returned and Services’ Association Incorporated hereinafter referred to as “RNZRSA”.

INTERPRETATION

3 In these Rules :

- (a) The term “Returned Member” shall mean any person so defined in the First Schedule to the Rules of RNZRSA which is the First Schedule to these Rules.
- (b) The term “Service Member” shall mean any person so defined in the Second Schedule to the Rules of RNZRSA which is the Second Schedule to these Rules.
- (c) The term “Member” shall mean any person so defined in the Third Schedule to the Rules of RNZRSA which is the Third Schedule to these Rules.
- (d) The term “Financial Member” shall mean any Returned or Service, or Member of the local Association whose current subscription or dues are paid in accordance with these Rules.
- (e) The term “Junior Member” shall mean any person so defined in the Fourth Schedule to the Rules of RNZRSA which is the Fourth Schedule to these Rules.
- (f) The term “Serviceman” shall mean any member of any branch of Her Majesty’s Forces.
- (g) The term “Executive Committee” shall have the meaning ascribed to it in Rule 24.
- (h) The term “Sub-Committee” shall mean any such Sub-Committee duly constituted by the Executive Committee under the provisions of Rule 28(e) and Rule 28(f).
- (i) Words denoting the masculine gender shall be deemed to include the feminine gender.
- (j) Unless inconsistent with these Rules all references to the singular shall be deemed to include the plural and vice versa.
- (k) The term “Real Estate” shall mean all land and buildings owned by the local Association.

OBJECTS

- 4 The local Association is established with the express purpose of pursuing the aims and objects of RNZRSA as expressed hereunder.

The Objects for which the local Association is established are :

- (a) Loyally to uphold the sovereignty of New Zealand as a member of the Commonwealth of Nations and as a member of the United Nations.
- (b) To foster and maintain the welfare and security of New Zealand within the concept of the establishment and maintenance of international peace with honour.
- (c) To inculcate in the individual a sense of responsibility to his fellow citizens, his local community, and for the well-being of mankind.
- (d) To perpetuate the comradeship born of service and to promote the general well-being of servicemen and former servicemen and their respective dependants.
- (e) To promote, foster, and generally supervise branches of the local Association.
- (f) To pursue the resolutions of the National Council of RNZRSA.

POWERS

- 5 For the due attainment of its Objects the local Association shall have the following powers :
- (a) To diffuse information on all matters affecting servicemen and former servicemen, and to print, publish, issue or circulate such papers, periodical books, circulars and other literary undertakings as may seem conducive to any of its Objects.
 - (b) To affiliate with or accept affiliation from any society, body or local Association having similar Objects, or to join, co-operate with, or subscribe to or accept subscriptions from the funds of any such society, body or local Association for the purpose of better attaining or otherwise furthering the Objects and interests of the local Association.
 - (c) To undertake and execute any trusts which may seem to the local Association conducive to its Objects and to invest the funds of any such trusts in the manner authorised for trustees by the Trustees' Act 1956 or by any Act passed in amendment of or substitution for that Act and with all the powers given to trustees in relation to investment by that Act.
 - (d) To create and establish a Charitable Trust, pursuant to the Deed of Trust as set out in the Eighth Schedule of these Rules for the more expeditious administration of the funds of the local Association which are set aside for welfare purpose.
 - (e) To purchase, take on lease or in exchange, hire or otherwise acquire any real or personal property and any rights or privileges which the local Association may deem necessary or convenient for the purpose of any of the Objects.
 - (f) To lend money or make advances to any other local Association with or without security.
 - (g) To construct, maintain, alter, improve, enlarge, pull down, remove or replace, manage, carry on and control any buildings, or works which may seem to the local Association likely to advance the local Association's interests directly or indirectly.
 - (h) To sell, lease, exchange, bail, grant licenses in respect of or otherwise deal with or disposer of the local Association's undertakings or any part thereof, or any property or interest in any property rights, concessions or privileges belonging to the local Association either together or in portions upon such terms as the local Association may think fit.
 - (i) To establish, maintain and conduct licensed clubs and other clubs or similar institutions.
 - (j) To sponsor the formation of a Women's Section, the name of which shall be the "Women's Section to the Titirangi RSA", provided that the Rules of the Women's

Section shall conform to the Guidelines established by RNZRSA and approved by the local Association.

- (k) To prescribe By-laws as set out in the Sixth Schedule of these Rules for the operation of the Licence, not being inconsistent with these Rules, and the Licence Regulations (Seventh Schedule attached hereto). Such By-laws and Licence Regulations shall be as binding on all members as if they were part of these Rules.
- (l) To initiate, carry out and enforce disciplinary procedures as detailed in Rule 15 of these Rules.
- (m) To do such other things as in the opinion of the local Association may be incidental or conducive to the attainment of any of the foregoing Objects or the exercise of any of the foregoing Powers.

LOCAL ASSOCIATION MEMBERSHIP

6 The membership of the local Association shall consist of :

(a) **Returned Members**

Persons who are defined in Rule 3(a) of these Rules

(b) **Service Members**

Persons who are defined in Rule 3(b) of these Rules

(c) **Members**

Persons who are defined in Rule 3(c) of these Rules

(d) **Junior Members**

Persons who are defined in Rule 3(e) of these Rules

(e) **Life Members**

Any Returned, Service or Associate member who has, on the recommendation of the Executive Committee, been awarded Life Membership at a General Meeting of the local Association, in recognition of local service.

A Life Member shall be deemed to be a financial member of the local Association for all purposes without being required to pay an annual subscription.

(f) **Honorary Life Members**

Persons not being eligible for Returned or Service Membership who have rendered outstanding service to the local Association or to former servicemen, and have been duly elected at a General Meeting after consideration of a citation presented by the Executive Committee.

Honorary Life Members shall have the right to speak at General Meetings but not to exercise a vote.

(g) **Honorary Members**

Persons not being eligible for Returned, Service or Associate Membership who have rendered outstanding service to the local Association or to former servicemen, and have been duly elected at a General Meeting after consideration of a citation presented by the Executive Committee.

Honorary Members shall have the right to speak at General Meetings but not to exercise a vote, and shall be eligible for re-election from year to year.

(h) **Corporate Members**

Any Association, Club, or other incorporated body or business, approved by the Executive Committee.

A Corporate Member shall equate to three (3) members of the Association and at all times the annual membership fee payable by a Corporate Member shall be not less than three (3) times the fee payable by a Member.

A Corporate Member shall supply the Association with a list of Corporate Associates for the purposes of this membership. It shall at all times keep that list updated and will provide those persons with a method of identifying themselves to the Association, that is acceptable to the Association.

Those persons named or listed as “Corporate Associates” by “Corporate Members” and who are not otherwise members of the Association, shall be deemed to be members of, and subject to, the Rules of the Association, with the following provisos :-

- The rights of entry to the club premises is restricted to such times as the “Corporate Member” is using the premises for an agreed purpose.
- They shall at all times carry and provide on request the form of identification agreed by the “Corporate Member”.
- “Corporate Members” or “Corporate Associate” members shall not be entitled to hold office in the Association, or to have voting rights at meetings of the Association.

(i) **Family Member**

Persons who are identified in Rule 3(c) of these Rules.

**MODE OF ADMISSION
TO
RETURNED AND SERVICE MEMBERSHIP**

7

- (a) Any person wishing to enrol for membership under Rule 6(a) or Rule 6(b) shall complete and sign the appropriate form.
- (b) Upon proof that he is in possession of the necessary service credentials under these Rules, and is otherwise eligible, with the approval of the Executive Committee, he shall be enrolled as a member.

**MODE OF ADMISSION
TO
MEMBERSHIP**

8

Any person of good repute seeking admission as an "Member" shall be nominated and seconded for membership by two financial members. A person so nominated shall only be elected to membership provided he has paid the prescribed entrance fee and provide further that the Executive Committee wholly approve his application.

The decision of the Executive Committee shall be final.

In the event of membership being refused all monies paid by the applicant by way of application fee and subscription shall be refunded to him.

**MODE OF ADMISSION
TO
CORPORATE MEMBERSHIP**

9

Any Association, Club, other incorporated body or business wishing to apply for membership under Rule 6(h) shall apply in writing and supply a full list of all Corporate Associates to be covered by the Corporate Membership, and shall be nominated for membership by a financial member. Any organization so nominated shall only be elected to membership provided it has paid the prescribed fees and provided further that the election takes place by ballot of the Executive Committee.

The decision of the Executive Committee shall be final.

In the event of membership being refused all monies paid by the applicant by way of application fees or subscription shall be refunded.

**MODE OF MEMBERSHIP
TO
JUNIOR MEMBERSHIP**

10

Any person of good repute seeking membership as a “Junior Member” shall be nominated and seconded for membership by two financial members admitted under Rule 3(e) and/or Rule 3(b) and/or Rule 8. A person so nominated shall only be elected to membership provided he has paid the prescribed entrance fee and provided further that his election takes place by ballot of the Executive Committee after his name has been placed on the noticeboard for fourteen (14) days and objections have been duly called for.

The decision of the Executive Committee shall be final.

In the event of membership being refused all monies paid by the applicant by way of application fee and subscription shall be refunded to him.

WOMEN'S SECTION MEMBERS

11

Financial members of the Women's Section to the Titirangi RSA Incorporated who are not financial members under the provisions of Rules 6(a) or Rule 6(b) or Rule 6(c) shall be admitted as Members, subject to the following :

- (a) They may attend and speak at, but shall not have the right to vote or make up a quorum at, any General Meeting of the local Association.
- (b) They may not stand for, or nominate, or second, or vote for, any nominee for election to the Executive Committee of the local Association.

**MODE OF ADMISSION
TO
FAMILY MEMBERSHIP**

12

Any person of good repute seeking admission as a "Family Member" shall fill out the required application form. A person shall only be granted membership provided they have paid the prescribed entrance fee and provided further that their election takes place by ballot of the Executive Committee.

A Family Membership shall consist of a member with a partner and children under the age of eighteen (18) years. Such members shall be given two membership cards and both have full voting rights.

The decision of the Executive Committee shall be final.

In the event of membership being refused all monies paid by the applicant by way of application fee and subscription shall be refunded to them.

MODE OF TRANSFER OF MEMBERSHIP

13

- (a) The local Association shall admit to its own membership any member of another local Association who possesses the qualifications for membership as set out in Rules 6(a) or Rule 6(b) of these Rules. Such transfer shall be effected upon receipt of a certificate from the Secretary of that local Association that the member has paid subscription for the current year and recommending him for membership.
- (b) Transfer of membership of Members and/or Junior Members, to another local Association shall be at the discretion of that other local Association's Executive Committee, whose decision shall be final.
- (c) Notification of any such transfers shall be forwarded forthwith to the members of the former local Association.

**MODES OF
TERMINATION OF MEMBERSHIP**

14

(a) **Non-Payment of Subscription**

In the event of any member failing to pay his subscription within twenty-eight (28) days of the due date, shall be sent a notice requiring him to pay his subscription within one month after the date of the notice.

Subject thereto and failing payment of the subscription and any arrear within the said period of one (1) month the member's name shall be struck off the list of members and he shall cease to be a member, provided that the Executive Committee may at any time reinstate such member upon such terms as the Executive Committee in the exercise of its discretion may decide.

(b) **Resignation**

Any member may resign his membership by letter addressed to the Secretary of the local Association to that effect.

(a) **Expulsion**

Refer to Rule 15(b).

DISCIPLINARY ACTION

15

The Executive Committee shall have the power to call on any member for an explanation of any charges of misconduct, within the provisions of these Rules, laid against him by any member or for any other sufficient cause.

- (a) On receipt of a complaint (or complaints) of misconduct against any member, the Executive Committee shall (unless it considers such complaint to be vexatious or frivolous, or totally without foundation) :
 - (i) Notify the member in writing of the complaint, and give him such particulars of the complaint as are available.
 - (ii) Give the member a reasonable opportunity to provide an initial response or explanation in relation to the complaint, in writing or orally.
 - (iii) Having completed steps (i) and (ii) above, the Executive Committee shall make a decision :
 - As to whether the matter is vexatious, frivolous, or without foundation, and if not, that it should proceed to a formal hearing.
 - As to whether the matter is so serious that, if the complaint is proved, expulsion is a possible outcome, or
 - As to whether the matter is not so serious as to warrant expulsion but may warrant suspension, and
 - As to whether an interim suspension of the member is appropriate.

(b) **Expulsion**

1. Where the Executive Committee considers that the matter should proceed to a hearing, **and** that expulsion is a possible outcome if the complaint is proved, the Executive Committee shall :
 - (i) Convene a formal hearing of the Executive Committee to hear and consider the complaint.
 - (ii) Provide the member with reasonable notice, in writing, of the time and place of the hearing, and shall include :
 - Details of the complaint
 - Copies of all relevant documents or correspondence
 - Notification of the fact that expulsion is a possible outcome.
2. In convening and conducting the hearing, the Executive Committee shall follow the rules of natural justice, which requires that the member be given a full and fair opportunity to present his response to the complaint. If the member wishes to be represented at the hearing by a lawyer, the Executive Committee shall fully consider such request, and make a ruling as to whether legal representation shall be permitted.

3. If following the hearing, the Executive Committee considers that the complaint has been proven (on the balance of probabilities), the Executive Committee shall :
 - (i) Advise the member of its findings as o the complaint.
 - (ii) Give the member the opportunity to make representations as to penalty or outcome.
 - (iii) After steps (i) and (ii) have been completed, deliver its decision as to whether the member is expelled or suspended (or neither).
 - (iv) If expulsion is ordered, the member shall forthwith surrender his badge to the local Association for return to RNZRSA.

4. For clarity, it is recorded that :
 - (i) The Executive Committee has the power to expel or suspend, and in cases it deems appropriate, to impose an interim suspension prior to the hearing.
 - (ii) The Executive Committee is not obliged to impose suspension or expulsion, even if it finds the complaint(s) to have been proved.

(c) **Suspension of Membership**

Where the Executive Committee has received a complaint, but does not (in terms of Rule 15(a)(iii) consider the matter so serious that expulsion is a possible outcome :

- (i) The Executive Committee may (but is not obliged to) delegate its powers in relation to the hearing of the complaint to a Disciplinary Committee [which may be a standing committee, or a committee which the Executive Committee may appoint in relation to any specific complaint(s)].
- (ii) If so appointed, the Disciplinary Committee shall consist of a minimum of three (3) and a maximum of five (5) members of the Association (and not necessarily members of the Executive Committee, and
- (iii) The Disciplinary Committee shall follow all the procedural steps required of the Executive Committee as if acting under Rule 17(b) but **shall not** have the power to impose expulsion.
- (iv) Whether the matter is heard by the Executive Committee or by a Disciplinary Committee, either committee shall have the power to suspend the member for a period not exceeding twenty-four (24) months.

The member shall not be obliged to surrender his badge during any such period of suspension.

APPEALS AGAINST SUSPENSION OR EXPULSION

16

- (a) A member expelled, or suspended, for more than one (1) month shall have the right to appeal the decision to a tribunal of not less than three (3) nor more than five (5) persons to be appointed by the Executive Committee.

Members of the tribunal shall be members of the local Association but not of the Executive Committee and should if possible include at least one (1) member of the legal profession who is a member of the local Association.

Written Notice of Appeal shall be given to the Executive Committee of the local Association within one (1) month after the date of the decision expelling or suspending such member.

- (b) The tribunal shall have wide discretion to determine the procedure it will follow. In particular :
 - (i) It may decide to completely re-hear the evidence in the matter, or
 - (ii) It may decide the matter on the basis only of the record of the hearing of the Executive Committee or its appointed Disciplinary Committee. Should no record be available then the evidence shall be re-heard.
 - (iii) It may agree to hear, or consider, evidence in addition to that put forward at the Disciplinary Hearing, in whatever form it deems fit.
- (c) The tribunal may dismiss or allow the appeal or vary the decision.
- (d) The decision of the tribunal shall be final.

ANNUAL GENERAL MEETING

17

- (a) An Annual General Meeting of the local Association shall be held in the month of August in each year at such time and place as shall be fixed by the Executive Committee and the date shall be advertised at least forty-two (42) days in advance by insertion at least once in a newspaper circulating in the area of the local Association.
- (b) At least fourteen (14) days' notice of such Meeting, stating the nature of the business to be brought before the Meeting, shall be given to members either by post or by advertisement inserted at least once in a newspaper circulating in the area of the local Association.

EXTRAORDINARY GENERAL MEETING

18

- (a) All General Meetings other than Annual General Meetings shall be Extraordinary General Meetings. The Executive may, whenever it thinks fit, and shall upon request in writing by fifty (50) members, convene an Extraordinary General Meeting.

Any such requisition shall specify the objects of the meeting requisitioned, shall be signed by the members of the local Association making the same, and shall be deposited with the Secretary of the local Association. The meeting must be convened only for the purposes specified in the requisition. In case the Executive Committee, for fourteen (14) days after the receipt of such a requisition, fails to convene an Extraordinary General meeting to be held within twenty-one (21) days from the receipt of such a requisition the members making such a requisition or a majority of them, may themselves convene a meeting to be held not later than three (3) calendar months after the date of the requisition.

- (b) Seven (7) days' notice specifying the place, the day, and the hour of an Extraordinary General Meeting and the purpose for which it is to be held shall be given either by an advertisement in a newspaper circulating in the area of the local Association or by notice sent by post to each member.

**QUORUM AT ANY
GENERAL MEETING**

OR

EXTRAORDINARY GENERAL MEETING

19

- (a) The quorum for any General Meeting shall be fifty (50) members admitted under Rule 6(a) and/or Rule 6(b) and/or Rule 6(c).
- (b) No business shall be transacted at any meeting unless a quorum of such members is present.
- (c) If within half an hour from the time appointed for any meeting a quorum is not present at the meeting, if an Extraordinary General Meeting it shall be dissolved, in any other case it shall stand adjourned to the same day in the next week at the same time and place and the members present at the adjourned meeting may transact any business as if they constituted a full quorum.

Amendment : 14 August 2021 – AGM

Rule 19(a)

The quorum for any General Meeting shall be thirty (30) members admitted under Rule 6(a) and/or Rule 6(b) and/or Rule 6(c)

METHOD OF VOTING

20

- (a) Every question submitted to any general meeting of the local Association or to any meeting of the Executive Committee shall be decided in the first instance on the voices or by a show of hands. Subject to the provisions of the Fifth Schedule hereto, every member present shall be entitled to record one vote and no more upon every question. In the case of an equality of votes the Chairman shall, whether upon a vote being by a show of hands or by a ballot as hereinafter provided for, have a second or casting vote.
- (b) Unless a ballot is demanded by the Chairman or by at least three (3) members present, a declaration by the Chairman that a resolution has been carried or lost and an entry to that effect in the Minute Book shall be conclusive proof of the number of votes recorded in favour or against such resolution.
- (c) If a ballot is demanded it shall be taken in such a manner and at such time as the Chairman of the meeting may direct, and the result of the ballot shall be deemed to be a resolution of the meeting at which the ballot was demanded. A demand for a ballot may be withdrawn. The demand for a ballot shall not prevent a continuance of a meeting for the transaction of any business other than the question on which a ballot has been demanded.
- (d) Votes may only be given personally.

ADJOURNMENTS OF MEETINGS

21

The Chairman of any meeting may, with the consent of that meeting, adjourn the meeting from time to time and from place to place but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.

NOTICES OF MOTION

22

Any notice of motion must be in the hands of the Secretary at least twenty-one (21) days before the meeting at which the motion is intended to be moved.

***AGM 2021
Addition***

All Notices of Motion amended, moved, seconded and carried at an Annual General Meeting will come into effect immediately.

PATRON

23

At any Annual General Meeting the members may, on the recommendation of the Executive Committee, appoint a Patron of the local Association.

EXECUTIVE COMMITTEE

24

Financial members of the local Association admitted under Rules 6(a) and/or Rule 6(b) and/or Rule 6(c) shall be eligible for election to the Executive Committee.

The Executive Committee shall consist of a :

President
Vice President
Five (5) members of the local Association

all of whom shall be elected at the Annual General Meeting of the local Association and shall hold office until the conclusion of the next Annual General Meeting and shall be eligible for re-election from year to year.

*AGM - 7 November 2020
Amendment*

*Reduce Executive Committee to four (4) members of the local Association plus President and Vice President. It was passed that six (6) members of the local Association remain for this year to include a CLUB member making a total of five (5) members for 2020-2021.
As from 14 August 2021 AGM the Executive Committee will consist of the President, Vice President, four (4) members of the local Association and one CLUB Titirangi Ltd representative*

OFFICERS

25

- (a) The Officers of the local Association shall be :
 - The President
 - The Vice President
 - The Immediate Past President (if any) who shall hold office for a period of one (1) year only.
- (b) The President shall be the Chairman of the Executive Committee or, in his absence the Vice President.
- (c) Only members admitted under Rules 6(a) and/or Rule 6(b) and/or Rule 6(c) shall be eligible :
 - (i) For election as Officers of the local Association or to the Executive Committee of a local Association.
 - (ii) To vote for those standing for election as set out in (i) above.

**ELIGIBILITY FOR MEMBERSHIP
OF THE
EXECUTIVE COMMITTEE**

26

- (a) No person who is employed full-time (greater than twenty (20) hours per week) by the local Association shall be eligible for election as an Officer or other member of the Executive Committee.
- (b) No person who an undischarged bankrupt shall be eligible for election to the Executive Committee.
- (c) Any person standing for election to the Executive Committee shall, at the time of his nomination, disclose to the membership the existence of any criminal conviction for serious offence, in his past. "Serious" shall include, but is not necessarily limited to, any conviction for fraud, theft, assault, sexual offence, or any offence involving illegal drugs, drinking and driving or driving while disqualified, but shall not include traffic infringement matters, or offences that do not carry a possible term of imprisonment.

ELECTION OF THE EXECUTIVE COMMITTEE

27

Nominations for Officers and other members of the Executive Committee shall be called for by the Secretary at least twenty-one (21) days prior to the date of the Annual General Meeting and the final date for receipt of nominations shall be eight (8) days prior to the Annual General Meeting.

- (a) Each of the candidates for election, as :
 - (i) President and Vice President shall be financial members admitted under Rules 6(a) and/or Rule 6(b) and/or Rule 6(c) and shall be proposed and seconded by financial members admitted under Rules 6(a) and/or Rule 6(b) and/or Rule 6(c) on the form provided. Candidates so proposed shall have served a minimum of one (1) full term on the Executive Committee.
 - (ii) A member for the Committee, shall be financial members admitted under Rule 6(a) and/or Rule 6(b) and/or Rule 6(c) and shall be proposed and seconded by financial members admitted under Rule 6(a) and/or Rule 6(b) and/or Rule 6(c) on the form provided.
- (b) Financial members admitted under Rule 6(a) and/or Rule 6(b) and/or Rule 6(c) may vote for all positions as defined in Rule 25(a) of these Rules.

Prior to the date of the Annual General Meeting the Secretary shall have printed ballot papers bearing the surname and forenames of each candidate in alphabetical order. The ballot papers shall also contain details of the number of vacancies to be filled and instructions on the method of voting.

No other information is to appear on the ballot paper.

Prior to the ballot, the Executive Committee shall appoint at least two (2) Scrutineers to oversee the ballot, count, and record the votes for each candidate.

The ballot shall be held two days immediately preceding the Annual General Meeting and at the Annual General Meeting. The voting shall take place between the standard opening hour of the local Association's Office and 7.30pm on each of the two preceding days and from thirty (30) minutes prior to the Annual General Meeting, until the ballot is declared closed.

All completed ballot papers shall be placed unopened in a single, locked ballot box and kept secure until the closure of the ballot at the Annual General Meeting. The ballot box shall then be opened by, or in the presence of, the Scrutineers, and a count of the votes taken.

The Scrutineers shall give a written report to the Chairman of the Annual General Meeting, who shall announce the results of the election, including the number of votes cast in favour of each candidate, prior to close of business.

In the event of there being equality of votes for any vacancy the Chairman shall determine the result by lot among the candidates concerned.

Where the number of persons nominated is no greater than the number called for, those persons so nominated shall be declared duly elected and the Chairman shall call for nominations at the Annual General Meeting for persons to fill any remaining vacancies. In the event of nominations exceeding vacancies a ballot shall be conducted during the meeting.

POWERS OF THE EXECUTIVE COMMITTEE

28

- (a) The management and control of the local Association and its properties real and personal shall be vested in the Executive Committee.
- (b) The Executive Committee may appoint a Secretary-Manager of the local Association.
The Secretary-Manager may be a paid employee of the local Association and the Officers of the Executive Committee shall fix his remuneration and the period of his engagement and such other terms and conditions as the Officers shall think fit.
- (c) The Executive Committee shall also appoint such other staff as are deemed necessary for the efficient management of the local Association's affairs.
- (d) The Executive Committee may exercise all such powers and do all such acts and things as may be exercised or done by the local Association as are not hereby or by Statute expressly directed or required to be exercised or done by the local Association in General Meeting.
- (e) The Executive Committee may appoint such sub-committees as are necessary to carry out the business of the local Association.
- (f) The Executive Committee may delegate such of its power as it deems fit.

MEETINGS OF THE EXECUTIVE COMMITTEE

29

- (a) The Executive Committee shall meet at least once per calendar month at such place and time as the Executive Committee shall determine. At least three (3) clear days' notice in writing shall be given to each member of the Executive Committee.
- (b) The Chairman or any three (3) members of the Executive Committee may at any time convene a meeting of the Executive Committee upon giving three (3) days' notice to the members of the Executive Committee.

METHOD OF VOTING
AT
EXECUTIVE COMMITTEE MEETINGS

30

Voting at any meeting of the Executive Committee shall be in accordance with Rule 20 hereof.

QUORUM OF THE EXECUTIVE COMMITTEE

31

- (a) The quorum for any meeting of the Executive Committee shall be four (4) members.
- (b) No business shall be transacted at any meeting unless a quorum of members is present.
- (c) If within half an hour from the time appointed for any meeting, a quorum is not present at the meeting it shall stand adjourned to the same day in the next week at the same time and place and the members present at the adjourned meeting may transact any business as if they constituted a full quorum.

**VACATION OF - OR - REMOVAL
FROM OFFICE**

32

- (a) Any member of the Executive Committee shall vacate his office :
 - (i) If he is absent from three (3) consecutive meetings without leave of the Executive Committee.
 - (ii) During any period of bankruptcy, or he becomes of unsound mind.
 - (iii) If by notice in writing to the Secretary he resigns his office.
 - (iv) Becomes an employee of the local Association.

- (b)
 - (i) A member of the Executive Committee may be removed from office, by a resolution of a majority of the other members of the Committee, if he is, during any period in office, convicted of any serious offence. "Serious" shall include, but is not necessarily limited to, any conviction of fraud, theft, assault, sexual offence, or any offence involving illegal drugs, drinking and driving or driving while disqualified, but shall not include traffic infringement matters, or offences that do not carry a possible term of imprisonment.
 - (ii) Any member of the Executive Committee so convicted shall notify the Committee of such conviction, and shall stand aside whilst the Committee considers the matter. A reasonable opportunity to provide an explanation to the Committee shall be given him, before any decision to remove him from Office is made.

- (c) Any vacancies on the Executive Committee shall be filled by appointment by the Executive Committee and the appointee shall hold office until the conclusion of the next Annual General Meeting of the local Association.

- (d) Any member or members of the Executive Committee, or the Executive Committee in toto, may be removed from office by a resolution passed by not less than two-thirds (2/3) of valid votes cast at any General Meeting, of which proper notice and the purpose of the meeting was given, in accordance with these Rules.

- (e) Notwithstanding the provisions of Rule 21 to Rule 30 of these Rules, in the event that the Executive Committee is removed in toto, then at that same meeting members shall call for nominations, and shall elect an interim committee to conduct the affair of the local Association, pending fresh elections to be held within three (3) months or at the next Annual General Meeting, whichever event occurs first.

SUBSCRIPTIONS

33

- (a) The annual subscription for all members, except Junior Members, shall be such sum or sums as may be determined by the members in General Meeting from time to time, provided however that the annual subscription payable by members admitted under Rule 6(c) shall not be less than that payable by members admitted under Rule 6(a) and/or Rule 6(b).

The subscription payable by a “Corporate Member” admitted under Rule 6(h) of these Rules shall not be less than three (3) times that payable by members admitted under Rule 6(c).

- (b) Subscriptions shall be due and payable on the first day of January each year.
- (c) In the case of a newly elected member, the Executive Committee shall determine the subscription for the balance of the financial year.
- (d) The Executive Committee at its discretion shall have the power to remit subscriptions in whole or in part for any member or any particular class of member.
- (e) The Executive Committee at its discretion shall have full power to remit arrears of subscriptions.
- (f) No person, who for any causes whatsoever, ceases to be a member, shall have any claim upon the local Association for a refund of the whole or any part of any subscription paid by him to the local Association.
- (g) Only financial members shall be entitled to the privileges of membership.

AGM – 10 August 2019 – Notice of Motion

New current rates of annual subscriptions and classifications effective from 1 January 2020 :

Titirangi RSA Member 18-64 years

Titirangi RSA Member over 65 years

The CLUB Titirangi Member 18-64 years

The CLUB Titirangi Member over 65 years

AGM – 14 August 2021 – Notice of Motion

Refers to (b) above

All subscriptions increase by \$5 as from 1 January 2022, this increase to be ring-fenced for the building fund and this amount to be reviewed at each Annual General Meeting

ACCOUNTS

34

- (a) The Executive Committee shall keep true accounts :
- (i) of all sums of money received and expended by the local Association and of the matters in respect of which such receipts and expenditure takes place.
 - (ii) of all assets, credits and liabilities of the local Association including all mortgages, charges and securities of any description affecting any property of the local Association.
- (b) At least once a year the accounts of the local Association shall be audited.
- (c) The books of account shall be kept in the office of the local Association or at any other such place as the Executive Committee may determine, and they shall be open to the inspection of members of the local Association at such reasonable times and places as shall be determined by the Executive Committee. All monies received after being entered in the books of the local Association as being received shall be forthwith paid into a bank to be appointed by the Executive Committee.
- (d) All accounts shall be reported to the Executive Committee for confirmation of all routine payments and for authorisation of all other payments.
- (e) Payment of all monies shall be made by cheque signed by not less than two (2) of the following - the President, Vice President, Secretary-Manager (or in the absence of the Secretary-Manager, the Assistant Manager), provided that nothing in this Rule shall apply to payments under a petty cash imprest system operated pursuant to a resolution of the Executive Committee.
- (f) At every Annual General Meeting the Executive Committee shall present an Annual Report and an audited Balance Sheet and an Income and Expenditure Account made up to date and not more than four (4) months before that meeting, from the time the last preceding Balance Sheets were prepared, and in the case of the first Balance Sheet, from the date of the Incorporation of the local Association. Every such report shall be accompanied by a report from the Executive Committee on the state of the local Association.
- (g) A copy of the audited financial statements of the local Association, duly certified by the President and Secretary-Manager, shall be forwarded to the Chief Executive, RNZRSA before the expiry of four (4) calendar months from the end of the financial year of the local Association.
- (h) The local Association shall duly file the returns required by the Incorporated Societies' Act 1908 or by such other statutory provisions for the time being in force and shall comply with all the requirements of such statutes and any regulations thereunder.

AUDITOR

35

An Auditor, who shall preferably be a member of the Institute of Chartered Accountants of New Zealand, and who shall not be a member of the Executive Committee, shall be appointed at each Annual General Meeting of the local Association.

The retiring Auditor shall be eligible for re-appointment. In the case of any vacancy during the year the Executive Committee shall appoint an Auditor.

BORROWING MONEY

36

- (a) The Executive Committee shall have power, only if authorised by a resolution passed by not less than two-thirds (2/3) of valid votes cast at any General Meeting of the local Association, to borrow or raise money and secure payment of the same or to secure the payment of any money owing by the local Association, or the satisfaction or performance of any obligation or liability incurred or undertaken by the local Association, in such a manner as the local Association shall by resolution as aforesaid determine and in particular by the issue of debentures or by mortgage or charge or lien upon the whole or any part of the local Association's property (whether present or future), provided however that the authority of a General Meeting will not be required for the borrowing of amounts not exceeding at any one time the sum of \$200,000.00.
- (b) The Executive Committee may purchase, redeem or pay off any such security or securities.

CAPITATION

37

The local Association shall pay capitation to RNZRSA Incorporated in respect of all local Association and Members in accordance with RNZRSA Rules in force for the time being.

To be amended at a future AGM

To read :

The local Association shall pay capitation to RNZRSA Incorporated in respect of all Returned and Service Members in accordance with the RNZRSA Rules in force for the time being.

The local Association shall pay capitation to Clubs New Zealand Ltd in respect of all other Members

BADGES

38

Every Returned and Service Member of the local Association shall be supplied by the local Association with an official RNZRSA badge.

- (a) Every member admitted under Rule 6(c) shall be supplied by the local Association with an official badge designed by the RNZRSA.
- (b) Every member admitted under Rule 6(d) shall be supplied by the local Association with an official badge designed by the RNZRSA
- (c) All Returned, Service, Members and Junior Members' badges are, and remain, the property of RNZRSA.
- (d) Except as provided in this Rule, any member who ceases to be a member shall upon demand in writing from the Secretary-Manager the badge issued to him.
- (e) No member shall be required to surrender his badge where evidence is produced that has transferred his membership to another local Association.
- (f) At the discretion of the Executive Committee, a badge may be retained by the relations of a deceased member.
- (g) The Secretary-Manager or any member of the Executive Committee is expressly authorised to call upon the wearer of a badge issued under these Rules to produce evidence of his entitlement to wear the same.

AWARDS

39

- (a) At a General Meeting of the local Association, upon the recommendation of the Executive Committee, any Returned, Service or Member may be awarded Life Membership of the local Association, or any other such award, in recognition of local service.

A Life Member shall be deemed to be a financial member of the local Association for all purposes, without being required to pay an annual subscription.

- (b) Where an award is made in terms of paragraph (a) of this Rule the Executive Committee shall arrange for a details of the award to be endorsed on an appropriate certificate for issue to a member.

Any nomination to RNZRSA for a national award may be made at a General Meeting of the local Association, upon the recommendation of the Executive Committee.

ALTERATION OF RULES

40

- (a) The Rules of the local Association may be altered, added to or rescinded at any General Meeting of the local Association by Notice of Motion in accordance with Rule 22.
- (b) No additions to or rescission of Rule 48 (Liquidation) shall be made without the approval of the Inland Revenue Department being first had and obtained.
- (c) At least fourteen (14) days' notice of any proposed amendment to the Rules of the local Association shall be given to members, either by posting the same to each member or by at least one insertion in a newspaper circulating in the area of the local Association. The notice so given shall contain a copy of, or state briefly, the nature of the Notice of Motion to be moved at the General Meeting so called.
- (d) The local Association shall register any alteration of, or addition to, these Rules as is required by any statutory provisions for the time being in force.

CONDUCT OF MEETINGS OF THE LOCAL ASSOCIATION

41

The conduct of meetings of the local Association shall be in conformity with the Fifth Schedule hereto.

MINUTES

42

The Executive Committee shall record Minutes of all meetings to be duly entered in the book provided for that purpose.

CHANGE OF ADDRESS

43

Every member shall communicate to the Secretary-Manager any change of address and all notices posted to the last notified address shall be valid and deemed to have been given on the day following the posting.

BRANCHES

44

The Executive Committee of the local Association shall have the power to form and constitute Branches provided that the prior approval in writing of the Incorporation of any such Branch is first had and obtained from RNZRSA.

SALE OF LOCAL ASSOCIATION REAL ESTATE

45

Subject to the provisions of Rule 48(b) of these Rules the local Association may dispose of its Real Estate, in part or in total, by way of gift, sale or transfer, by a resolution in favour of such gift, sale or transfer, of not less than two-thirds (2/3) of valid votes returned, from a General Meeting or from a postal ballot, of financial members admitted under Rule 6(a) and/or Rule 6(b). The closing date for the receipt of ballot papers at the registered office of the local Association shall not be less than thirty (30) or more than sixty (60) days after the date on which the ballot papers were dispatched to members.

The result of the ballot shall be notified to members either at a General Meeting called for the purpose or by way of a notice inserted in a newspaper circulating in the area of the local Association.

WITHDRAWAL FROM MEMBERSHIP OF RNZRSA Inc

46

The local Association may withdraw from membership of RNZRSA by either :

- (a) A resolution in favour of such withdrawal of not less than two-thirds (2/3) of valid votes returned from a postal ballot of financial members admitted under Rule 6(a) and/or Rule 6(b). The closing date for the receipt of ballot papers at the registered office of the local Association shall not be less than thirty (30) or more than sixty (60) days after the date on which the ballot papers were dispatched to members.

The result of the ballot shall be notified to members either at a General Meeting called for the purpose or by way of a notice inserted in a newspaper circulating in the area of the local Association.

or by :

- (b) A simple majority of valid votes cast by financial members at a General Meeting in favour of placing the local Association in liquidation. Such resolution for liquidation and to appoint a liquidator must be confirmed by a further Extraordinary General Meeting to be held not earlier than thirty (30) days nor later than sixty (60) days after the date on which the resolution so to be confirmed was passed.
- (c) Withdrawal from membership under (a) or (b) above shall be subject to compliance with the following conditions :
 - (i) Fourteen (14) days' prior written notice shall be given to the Chief Executive of RNZRSA Incorporated of any Notice of Motion to withdraw from membership which has been given to members pursuant to these Rules.
 - (ii) Such notice shall be accompanied by payment in full of all capitation and other sums due by the local Association.
 - (iii) Such notices shall specify :
 - (a) The date from which it is intended that the withdrawal shall become effective.
 - (b) Whether the local Association intends voluntarily to be put into liquidation under Section 24 of the Incorporated Societies' Act 1908, or
 - (c) Whether the local Association intends to change its name with consequential Rule amendments under Section 21 of the Act.

- (d) Immediately after the motion to withdraw from membership has been adopted by the members in General Meeting the Chief Executive of RNZRSA shall be notified of the decision and supplied with the local Association's Certificate of Incorporation.

LIQUOR

47

- (a) Under the provisions of the Sale of Liquor Act 1989 or of any amendment or re-enactment thereof, liquor may be consumed on the local Association's premises only in terms of any licence or charter issued in terms of the Act, and in compliance with the provisions of the Act, and any amendments thereto and any regulations made thereunder.
- (b) Subject to the provisions of paragraph (a) of this Rule, the operation of the licence or charter shall at all times be conducted in accordance with the Licence Regulations set out in the Seventh Schedule of these Rules.

LIQUIDATION

48

Any decision that the affairs of the local Association be liquidated shall be governed by the following procedure :

- (a) Notice of Motion of the proposed liquidation and appointment of a liquidator must be given in accord with the Rules of the local Association and any such resolution for liquidation and to appoint a liquidator must be confirmed by a further Extraordinary General Meeting to be held not earlier than thirty (30) days nor later than sixty (60) days after the date on which the resolution so to be confirmed was passed.
- (b) If upon liquidation of the local Association there remains, after the satisfaction of all its liabilities, any property whatsoever, the same shall not be distributed among the members of the local Association but shall become vested in and transferred to RNZRSA or any local RSA on such conditions, providing such conditions are not inconsistent with the Aims and Objectives of RNZRSA, as shall be determined by a majority of the members admitted under Rule 6(a) and/or Rule b(b) of the local Association present in person at a General Meeting to be held according to the Rules of the local Association at or before the liquidation.

INDEMNITY

49

The Executive Committee, other Officers and Employees of the local Association shall be indemnified by the local Association against any personal liability incurred in or by reason of the discharge of their duties, except for liability arising by reason of :

- (a) their own fraudulent act or acts
- (b) their own recklessness, or
- (c) their own gross negligence or dereliction of duty

SEAL OF THE LOCAL ASSOCIATION

50

The local Association shall have a Common Seal which shall be in the custody and control of the Secretary-Manager for the time being and the documents to be executed by the local Association of whatsoever nature shall be executed with the following attestation clause :

“The Common Seal of the Titirangi Returned and Services’ Association Incorporated was here-unto affixed pursuant to a resolution of the Executive Committee in the presence of :

President

Vice President

Secretary-Manager

REGISTERED OFFICE

51

The local Association shall at all times have a registered office which shall be situated at the clubrooms of The Titirangi Returned and Services' Association Incorporated, 502 South Titirangi Road, Titirangi, Auckland 0642, or at such other place as may be determined from time to time by the Executive Committee.