# Constitution and rules

# of

# The Muriwai Sports

# Fishing Club

# Incorporated

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# Constitution and Rules of the Muriwai Sports Fishing Club Incorporated

## 1. Name of the club

The name of the club is "Muriwai Sports Fishing Club Incorporated' hereinafter referred to as the Club

## 2. Objects of the Club

The objects for which the Club is established are:

a) The betterment and advancement of the sport of saltwater fishing and any sport incidental or complementary thereto;
b) To operate as a not for profit organisation with no funds, entitlements or otherwise to vest with any members;
c) The accumulation of reliable information which shall be available to visiting fishermen and members;
d) To promote safe practices for recreation and off shore game fishing;
e) To act in favour and support of any persons or body concerned in the protection of salt water shins or of sporting fishing grounds;
f) To accurately weigh and keep records of fish caught on rod and reel; and
g) Via a requirement for all financial members to fill in the fishing log book regardless of catch, to obtain an accurate history and record of salt water fishing by members.

## 3. Amending Objects

Provided that if by any reason of any alteration in the law relating to income tax it is at any time necessary to amend the objects of the Club in order to preserve the right to exemption from income tax of the kind referred to in sections CB (4) (1) (c), CW39 and CB (4) (1) (e) of the Income Tax Act, 1994 the objects of the Club shall thereupon be deemed to be amended to the extent necessary

## 4. Membership

The Club shall consist of member in the following categories;

a) Ordinary Members, who shall be persons who are bona fide anglers
b) Junior Members, who shall be persons who, in the opinion of the committee, are bona fide anglers, and who are under the age of sixteen at the commencement of the financial year

c) Honorary Members, who shall be persons who have rendered special or extraordinary service to the Club or to any community or who are visitors of distinction, who shall be appointment by the committee in its discretion for any period not exceeding one year
d) Life Members, who shall be persons who have rendered special extraordinary service to the Club and who shall be elected at the Annual General Meeting of the Club at the recommendation of the committee
e) Family members, to be Mother, Father and children under sixteen at the commencement of the financial year
f) Associate Members, who shall me persons other that bona fide anglers

Application for memberships may be made by paying the requisite subscription or by application to a member of the committee.

The period of membership shall be from the date of payment of the subscription, until the commencement of the following financial year or season of the Club and thereafter from the commencement of such financial year until the next.

The numbers of the Club shall be unlimited but the committee shall have the right to defer any application for membership should it see fit to do so for any cause whatsoever until the same is submitted to the next succeeding Annual General Meeting which the committee shall do.

Any member may cease to be a member by giving notice of his resignation in writing to the President, Secretary, or any other committee member, but such resignation shall be of no effect until accepted by the committee.

A General Meeting shall have the power to expel a member for conduct that is prejudicial to the interests of the Club either on its own initiative or on a recommendation of the committee

## 5. Annual Subscription

The Financial year and the Club's season shall commence of the 1st day of July in each year and terminate on the 30th day of June next following

The annual subscription of the Club shall be payable on the 1st day of July in each year and shall be such amount as from time to time be fixed at an Annual General Meeting

## 6. Meetings

An annual general meeting shall be held not later than the end of July each year at such place as the committee shall appoint and at least seven days clear days' notice forwarded to members at their last known address, advising the time, date and venue shall be given

A special general meeting may be called at any time of the resolution of the committee or on a members requisition stating the object of the meeting lodged with the Secretary and singed by not less than ten financial members. The notice to members calling the meeting shall state the business to be transacted and shall be limited to that mentioned in the members requisition or to that referred to in the committee resolution. At least seven days clear notice forwarded to members at their last known address, advising the time, date and venue shall be given.

Monthly general meeting (ordinary club nights) shall be held at the discretion of the committee, at times and locations to be appointed by the committee and on advice to members in whatever form the committee shall decide.

The matter to be dealt with at an Annual General Meeting shall be:

a) To receive apologies for absence;
b) To receive the presidents report;
c) To receive the financial statement for the ensuing year
d) To elect and/or appoint the Officers for the ensuing year;
e) To elect the required additional members of the committee;
f) To consider any general business including the election of new members if any pursuant to Rile 6.

The president shall preside at all general and committee meetings but in his absence the members shall elect their own chairman from among their number.

At all annual and special general meetings ten currently financial members personally present shall constitute a quorum.

At all committee meetings five members from the officers or committee of the Club personally present shall constitute a quorum.

At all meetings the committee shall ensure that minutes are kept.

## 7. Appointment of Officers

The officers if the Club shall be a president, a secretary and a treasurer, together with a committee of six members, all of who have to be re-elected at the Annual General Meeting. All officers of the Club shall be fully subscribed members at the time of their appointment.

Vacancies occurring within the committee shall be filled by the committee.

The committee shall have power to co-opt persons for any special purpose and to send a delegate or delegates to other similar Clubs or bodies or to any meetings or conferences in the interest of the Club or its aims or objects.

No committee member shall be liable for any loss of debt(s) incurred by the club nor attributable to that committee members own dishonest or the wilful commission or omission by that committee member of an act known by that committee member to be a breach of these rules or their fiduciary duty.

## 8. Voting at Meetings

Voting whenever required at any meeting of the Club shall be by way of a show of hands or as the president may direct.

At any meeting of the Club only current financial members shall be entitled to vote.

The results of all voting shall be recorded in the minutes of each applicable meeting.

## 9. Management of Affairs

Subject to the general control of the Club by resolution at an annual or special general meeting the management of its affairs shall be vested in the officers and committee members appointment as hereinbefore provided (throughout referred to as "the committee")

The committee member shall ensure that they are any management act within their fiduciary duty to ensure that the Club complies with it's stated not for profit purpose.

The funds held by the Club may be used for the purpose of payment of the costs and expenses of the Club as the committee determines proper and necessary, but at all times in accordance with the Club's not for profit objectives. All costs, expenses and asset purchase of the Club must be authorised by the majority of committee members present at the properly convened monthly general meeting. The committee shall ratify all expenses at the meeting following their payment.

Proper minutes and records of all matter, including a record of members and books of account shall be kept by the Secretary and Treasurer and present at each annual general meeting.

The minutes of any meeting signed by the chairman thereof or by the chairman of the next succeeding meeting shall be conclusive evidence of the transition recorded in such minutes.

## 10. Funds and Property

It shall be the duty of the treasurer to receive all funds paid to the club, which shall forthwith be paid by the treasurer into a separate account in the name of the Club in any bank as shall be directed by the committee.

The bank account of the Club shall be operated on and all cheques, promissory notes and bills of exchange drawn on behalf of the club shall be signed by any two of the following officers namely the president, secretary or treasurer.

The club shall have full power to rent or lease, hire purchase or otherwise acquire, sell or dispose of any interest in land or buildings or other personal property on such terms in all respects as the committee shall think fit.

The committee with the consent of an annual or special general meeting shall have full power to raise money by way of mortgage or by the issue of the debentures charged upon any or all of the property and assets of the club.

Any surplus funds may be invested at any savings bank on such terms and conditions as the committee shall think fit.

The common seal of the Club shall be kept in the custody of the secretary and shall not be affixed to any document except on the authority of a resolution of the committee and in the presence of the secretary and one other of the president or treasurer who shall affix their signatures to every document so sealed in the attestation of the fact that the seal was duly affixed.

**11. Conflict of Interest and Pecuniary Gain**

Any committee member who is or may be in any other capacity whatever interested or concerned directly or indirectly in any property or undertaking in which the Club is or may be in any way concerned with or involved, shall disclose the nature and extent of the committee members interest to the other committee member, and shall not take part in any deliberations of the committee member concerning any matter in which that committee member is or may be interested other than as a committee member of the Club.

**12. Alteration to Rules**

The rules of the Club may be adhered, added to, or rescinded by a resolution of the majority of financial members present and voting at an annual or special general meeting.

No committee member of person associated with a committee member of the club shall derive any income benefit or advantage from the Club where they can materially influence the payment of that income, benefit or advantage except where that income, benefit or advantage is derived as follows (*Clauses a) to c));

a) Any committee member may receive full reimbursement for all expenses properly incurred by that committee member in connection with the affairs of the Club;
b) The Club may pay reasonable remuneration to any officer or servant of the Club (whether a committee member or not) in return for services actually rendered to the club;
c) Any committee member may be paid professional, business or trade charges as rendered to the Club in the course of business at no greater rate than current market rates. The remaining committee members must approve all services provided by a committee member in this capacity and the committee members must ratify all invoices

**13. Club Boundaries, Weigh Ins, Pins and Trophies**

Club boundaries for the purpose of the annual surfcasting shall be from O'Neil's Beach to the Kaipara Lagoon Entrance. For all other surfcasting activing the Club boundaries shall be from O'Neil's Beach up to and inclusive of the Kaipara Harbour. For boat fishing activity there are no boundaries except that boats must be launches and retrieved from Muriwai Beach or within Kaipara Harbour. Boundaries for any specific competition run by the Club shall be as set for the rules of that competition.

To be eligible for club pins or trophies, fish must be weighed in the following manner:

a) On club scales by a current nominated club weigh master
b) On club scales witnessed by a committee member
c) On any other certified club scales provided the weigh slip in signed by that clubs current weigh master and a copy handed to our club recorder

No member may weigh their own fish.

In the event of a potential overlap in weight, the fish that was weighed on the more accurate scaled will be deemed the winner.

All fish must be weighed on scales for which a current certification of accuracy is available.

Disinterested witnesses to the catch should be used wherever possible.

**14. Liquidation**

In the event of the Club being wound up, and there remains after the satisfaction of all debts and liabilities any property whatsoever the same shall not be paid or distributed among the member of the club but shall be given or transferred to some association, society or club having objects similar to that of the Club to be determined by members of the Club at or before the time of liquidation

Signed as being the current, true and correct Constitution and Rules of the Muriwai Sports Fishing Club Incorporated

Date: 2 July 2019.

President's Signature

STANLEY PHILLIPS.
Print Name

Members Signature

Hannah Charleston.
Print Name

Members Signature

LEE ROTHERHALL
Print Name