



# **Athletics Canterbury**

## **Constitution**

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# RULES

## 1. NAME

The name of the Centre is Athletics Canterbury (Incorporated). Athletics Canterbury (Incorporated) is a Centre of Athletics New Zealand (Incorporated).

## 2. INTERPRETATION

(1) In these Rules, unless the context otherwise requires, the following words shall have the meanings ascribed to them hereunder:

"Athletics" means track and field, cross country running, road running, trail running, mountain running, and walking.

"The Centre" means Athletics Canterbury (Incorporated).

"Centre District" means the area within and over which the Centre for the time being exercises jurisdiction.

"Sub-Centre" means any group of clubs within the Centre, recognised as an administrative entity under the By-laws.

"Club" means a club within the Centre district affiliated to Athletics New Zealand.

"~~Executive~~" "**Board**" means ~~Executive~~ **the Board** of Athletics Canterbury as constituted in accordance with the Rules.

"Registered with the Centre" means registered with Athletics New Zealand by a club within the Centre District.

(2) These Rules shall be construed and applied according and subject to the Rules of Athletics New Zealand and nothing in these Rules shall be deemed to in any way alter, modify or annul anything contained in the Rules of Athletics New Zealand.

## 3. OBJECTS

As an Associate Member of Athletics New Zealand the objects of the Centre are:

- (1) To coordinate athletics within the Centre District in accordance with the rules and regulations of Athletics New Zealand.
- (2) To exercise all powers and to perform all duties vested in it by the said rules.
- (3) To encourage and further athletics generally.
- (4) To purchase, construct, lease, hire or otherwise acquire and hold sporting material buildings offices or rooms gymnasia and appurtenances land or any other property whatsoever real or personal or any easements rights there over and any other rights or privileges which may in the opinion of the ~~Executive~~ **Board** be requisite for the purpose of or conveniently used in connection with attaining any of the objects of the Centre or promoting the interests of the Centre or the member Clubs and sell exchange let on bail or lease or in any manner dispose of such property rights or privileges.

- (5) If in the opinion of the ~~Executive~~ **Board** it shall be expedient for any of the foregoing objects, to borrow money upon such terms and upon such security (if any) as the ~~Executive~~ **Board** shall in its sole discretion decide.

#### **4. DISTRICT**

- (1) The area within and over which the Centre shall exercise jurisdiction shall be defined by the boundaries of the Canterbury Regional Council and the Westland and Grey District Councils of the West Coast Regional Council, or such other areas as may from time to time be determined by Athletics New Zealand.
- (2) The headquarters of the Centre shall be in Christchurch City.

#### **5. COLOURS**

The colours of the Centre shall be red and black.

#### **6. CLUB MEMBERSHIP & ASSOCIATE MEMBERSHIP**

- (1) All members of Clubs in the Centre District affiliated to Athletics New Zealand are *ipso facto* members of the Centre.
- (2) All persons who may from time to time be delegates to the Centre or representatives on its ~~Executive~~ **Board** pursuant to these Rules are *ipso facto* members of the Centre.
- (3) Any person on ceasing to be a member of a club shall thereby (unless a member of the ~~Executive~~ **Board** or a Life Member of the Centre) cease to be a member of the Centre.
- (4) Any organisation which is not a club, but supports or promotes Athletics Canterbury and meets any other requirements, as specified in the Athletics Canterbury By-laws, may apply to the Board to become an Associate Member of the Centre.

#### **7. ANNUAL GENERAL MEETING**

The Annual General Meeting of the Centre shall be held in the month of July in every year, upon a date and at a time and place fixed by the ~~Executive~~ **Board** then in office, for the following purposes:

- (1) To receive from the ~~Executive~~ **Board**, and, if thought fit, to adopt a report, balance sheet and statement of accounts for the preceding financial year.
- (2) To receive, and if thought fit, to pass any remits which may be duly submitted to the meeting.
- (3) To elect an ~~Executive~~ **a Board** and other elected positions for the ensuing year.
- (4) To set Centre affiliation and registration fees.
- (5) To decide the notices of motion and remits to be forwarded for consideration to the Annual General Meeting of Athletics New Zealand.
- (6) To determine the policy of the Centre during the ensuing year.
- (7) To discuss and decide any questions falling within the objects of the Centre.

## **8. SPECIAL GENERAL MEETINGS**

The ~~President~~ **Chair** of the ~~Centre~~ **Board** may at any time for any purpose call a Special General Meeting of the Centre and shall do so forthwith upon a requisition in writing by not less than four members of the ~~Executive~~ **Board** or by not less than three clubs.

## **9. WHO MAY ATTEND**

Any person being a duly appointed officer or official of the Centre or of a Sub-Centre, or a member (whether a registered athlete or not) of a Club shall be entitled to attend and speak at any Annual or Special General Meeting of the Centre.

## **10. WHO MAY VOTE**

- (1) Save as hereinafter mentioned the duly appointed delegate or proxy of a delegate of a Club or of a Sub-Centre, and none others, shall be entitled to vote at any general meeting.
- (2) No person may be a delegate for more than one Club.
- (3) No person shall be a proxy for more than one delegate.
- (4) Voting at any general meeting shall be by voice, but the ~~President~~ **Chair** shall have power to call for a show of hands and the meeting may decide that voting on any one or more resolutions shall be by ballot.

## **11. DELEGATES**

- (1) Every Club shall be entitled to representation at any general meeting by a number of delegates in accordance with the number of its members being athletes registered with the Centre at the conclusion of the last registration year prior to that meeting or, if the club so elects, at the time of any such meeting, that is to say:
  - (2) For a Club having not more than twenty-five registered members - one delegate.
  - (3) For a Club having more than twenty-five but not more than fifty registered members - two delegates.
  - (4) For a Club having more than fifty registered members - three delegates.

## **12. REPRESENTATION OF SCHOOL SPORT CANTERBURY, CHILDREN'S ASSOCIATION AND MASTERS ASSOCIATION**

Notwithstanding anything in Rules 10 and 11 hereof, the Athletic Sub-Committee of School Sport Canterbury, the Canterbury Children's Athletic Association Inc and the Canterbury Masters Athletics Incorporated shall each be entitled to one delegate at any general meeting and who shall be entitled to vote. The Associations shall not be liable to pay affiliation fees.

## **13. SUB-CENTRES**

Every Sub-Centre shall have the right to appoint not more than three delegates as its representatives at any general meeting. In default of and until such appointment each Club under the control of the Sub Centre shall have the right to representation by its delegates at that meeting.

## **14. NOTICE OF GENERAL MEETING**

Fourteen clear days before a special general meeting and sixty-three clear days before an annual general meeting a notice thereof and of the business to be transacted thereat shall be sent to every member of the Board, every Club, every Sub-Centre and to the Associations entitled to delegates as in Rule 12.

## **15. REMITS AND DELEGATES**

Thirty-five clear days before the date fixed for an Annual General Meeting each Club, Sub-Centre and Association shall submit in writing to the Secretary of the Centre:

- (1) A list of remits intended to be brought forward by its delegates at such meeting and no remit which has not been so submitted, other than remits and notices of motion submitted by the ~~Executive~~ **Board** of the Centre, shall be discussed at such meeting.
- (2) Nominations for the positions named in Rule 22 and 28(1).
- (3) The names of the Club's, Sub-Centre's or Association's delegates. Each such delegate shall hold office until written notification of the appointment of a successor is received by the Secretary of the Centre.

## **16. PROXIES**

- (1) Notwithstanding anything contained in Rule 15, a delegate whose name has been duly submitted in accordance with the provisions thereof may by notice in writing delivered to the Secretary of the Centre before the time appointed for a general meeting and with

the consent of the Sub-Centre, Club or other body by whom he or she has been appointed, appoint a proxy, not being already a delegate, who shall have the same rights and powers of voting as the delegate would have had if personally present.

- (2) The proxy shall not have the right of election to office, which shall be retained by the delegate who, if willing to stand for office, shall so notify the meeting in writing.

## **17. NOTICE TO DELEGATES**

Twenty-one clear days before the date fixed for an annual general meeting the Secretary shall forward to every delegate named within the provisions of Rule 15 (3) hereof and to each Club, Sub-Centre and Association a notice of such meeting together with a copy of the annual report, balance sheet, statement of accounts, list of remits and a list of nominations submitted in accordance with the provisions of Rule 15 (1) and Rule 15 (2) hereof.

## **18. SERVICE OF NOTICES**

Every notice whether by these rules or otherwise required to be given to Clubs, Sub-Centres, Associations, individual members other persons or bodies shall be deemed to have been duly delivered to any such Club, Sub-Centre, Association, member or person or body in a prepaid envelope or by electronic means at the last known address or in the case of an individual addressed care of any Association, Sub-Centre or Club of which that individual is a member.

## **19. QUORUM**

- (1) At all general meetings of the Centre the quorum shall be more than one half of those persons entitled to attend and vote thereat.
- (2) At all general meetings of Track and Field delegates or Cross Country and Road delegates the quorum shall be one half of those persons entitled to attend and vote thereat.
- (3) When after 30 (thirty) minutes following the duly advertised time for the start of the meeting the number of those persons entitled to attend and vote thereat are fewer than the number required for a quorum the Chairman shall declare the meeting adjourned.
- (4) (a) The meeting shall be reconvened within 28 (twenty eight) days of the adjournment.  
(b) Fourteen clear days before the date fixed for the reconvening of the meeting the Secretary shall forward to every delegate named within the provisions of Rule 15 (3) hereof and to each Club, Sub-Centre and Association a notice of such reconvened meeting.  
(c) At the reconvened meeting the number of persons in attendance and entitled to vote thereat shall constitute a quorum.  
(d) Only business which had been duly advertised for the initial meeting shall be transacted.

## 20. CHAIRPERSON

At all general meetings the ~~President~~ **Chair** of the ~~Centre~~ **Board** or if absent, the ~~Vice President~~ **Deputy-Chair**, or a member of the ~~Executive~~ **Board** in that order of priority shall take the chair and every delegate or proxy for a delegate shall be entitled on every motion to one vote exercised in person and in the case of an equality of votes the Chairperson shall have a casting vote, whether or not the Chairperson was entitled to a deliberative vote.

## 21. APPOINTMENT OF ~~EXECUTIVE~~ **THE BOARD**

At every annual general meeting there shall be appointed ~~an Executive~~ **a Board** who shall hold office until the next annual general meeting or until sooner retirement or removal from office.

## 22. CONSTITUTION OF ~~EXECUTIVE~~ **THE BOARD**

The ~~Executive~~ **Board** shall consist of a Chair, and six committee members (or such other number as the Annual Meeting from time to time shall decide) one of whom shall be appointed ~~Vice President~~ **Deputy-Chair** as set in Rule 24 (3).

## 23. MODE OF APPOINTMENT

The members of the ~~Executive~~ **Board** shall be appointed in the following manner:

- (1) Those named in Rule 22 shall be elected at the Annual General Meeting by vote in accordance with Rule 10 hereof.
- (2) Nominations for all positions named in Rule 22 and 28(1) shall be called for in accordance with Rule 15 hereof. Should any position not be filled by the nominations so received, the Chairperson at the Annual General Meeting may call for further nominations to fill that position not already filled.

## 24. DUTIES AND POWERS OF ~~EXECUTIVE~~ **THE BOARD**

The ~~Executive~~ **Board** shall administer the affairs and business of the Centre subject however to the rules and regulations of Athletics New Zealand and to such directions as it may receive from the Centre in general meeting.

- (1) The ~~Executive~~ **Board** may by resolution of not less than two-thirds of its members present at any meeting enact, amend or repeal By-Laws not inconsistent with these Rules for the purpose of securing the objects of the Centre giving effect to the provisions of these Rules or of regulating in greater detail the matters herein provided for. Any resolution appearing in the minutes of the ~~Executive~~ **Board** and purporting to enact, amend or repeal any by-law shall be deemed to have been validly passed if such



minutes, purport to have been signed by the Chairperson of a subsequent meeting at which such minutes were confirmed.

- (2) The ~~Executive~~ **Board** may by resolution of not less than two-thirds of its members elect one of its members to the position of ~~Vice-President~~ **Deputy-Chair**.
- (3) On all questions before the ~~Executive~~ **Board**, the Chairperson and each other elected members present shall have a deliberative vote and in cases of equality the Chairperson shall have a casting vote.
- (4) The ~~Executive~~ **Board** shall annually appoint a person or persons to carry out the duties of Secretary and Treasurer and such other duties as the ~~Executive~~ **Board** from time to time may see fit under such terms and conditions the ~~Executive~~ **Board** may decide.
- (5) The ~~Executive~~ **Board** shall be responsible for the keeping of all records of the Centre, including the minutes of all general and ~~Executive~~ **Board** meetings, the receipts and disbursement of all moneys, the keeping of proper books of account and the preparation of the balance sheet and statement of accounts for the preceding financial year.
- (6) The ~~Executive~~ **Board** shall be responsible for the keeping of all records of the Centre, including the minutes of all general and ~~Executive~~ **Board** meetings, the receipts and disbursement of all moneys, the keeping of proper books of account and the preparation of the balance sheet and statement of accounts for the preceding financial year.

## **25. PROCEDURE OF BOARD**

- (1) Meetings of the ~~Executive~~ **Board** shall be called by the ~~President~~ **Chair** or by at least three members of the ~~Executive~~ **Board** at such times and places as they shall think fit.
- (2) At such meetings the ~~President~~ **Chair** or in their absence any duly elected Chairperson shall take the chair.
- (3) At such meetings voting on all questions shall be by voice or, if called for by any member, by show of hands.
- (4) At such meetings four elected members personally present or a maximum of two elected members absent, which ever shall constitute the fewer number present shall constitute a quorum.

## **26. VACANCIES**

The ~~Executive~~ **Board** shall have power to appoint any person to fill any casual vacancy in the office of ~~President~~ **Chair** or an elected member of the ~~Executive~~ **Board** until the next Annual General Meeting.

## **27. ABSENCE FROM MEETINGS**

If any elected member of the ~~Executive~~ **Board** shall fail to attend three consecutive meetings of the ~~Executive~~ **Board** duly called without accepted apology, then the office shall *ipso facto*

become vacant and shall be filled as provided in Rule 26.

## 28. OTHER ELECTED POSITIONS

- (1) In addition to the positions hereinbefore provided the Centre shall at each annual general meeting elect for the ensuing year:
  - An Auditor or reviewer as appropriate
  - An honorary Solicitor
- (2) The ~~Executive~~ **Board** shall have power to fill any casual vacancies in any of the positions specified in this Rule until the next Annual General Meeting.

## 29. LIFE MEMBERS

- (1) Any person may be elected a Life Member of the Centre who,
  - (a) has in the opinion of the ~~Executive~~ **Board** rendered to athletics generally, and to the Centre in particular, long and meritorious service, and
  - (b) is unanimously recommended by the ~~Executive~~ **Board** to the next general meeting for election as a Life Member and
  - (c) who, at that general meeting, is elected a Life Member by a 75% majority of those present, who are entitled to vote.
- (2) A Life Member shall be entitled to all the privileges and rights other than the right of voting held by delegates of Clubs and shall *ex officio* be entitled to wear the Centre blazer (**or equivalent**) as awarded under the By-Laws without being required to make application therefor.

## 30. SECTIONAL COMMITTEES

- (1) There shall be a Cross Country and Road Committee, constituted as hereinafter provided, which shall be charged subject to the general direction of the Centre, with the administration and control of all cross-country, road-racing (including walking), trail running and mountain running activities within the Centre District.
- (2) There shall be a Track and Field Committee, constituted as hereinafter provided, which shall be charged subject to the general direction of the Centre, with the administration and control of all track and field activities within the Centre District.
- (3) These Committees shall be elected at the annual meetings of delegates from Clubs participating in cross country, **trail, mountain running** and/or road racing, or track and field athletics, as provided for in Rule 31, and shall hold office until the next such annual meeting or until sooner retirement or removal from office. In addition, for each sectional committee, the ~~Executive~~ **Board** shall appoint one of its members to

represent the ~~Executive~~ Board on that committee.

### **31. SPECIAL MEETINGS AND DELEGATES**

- (1) The ~~President~~ Chair may at any time and shall on a resolution of the ~~Executive~~ Board or of the Cross Country and Road Committee or of the Track and Field Committee call a meeting of the delegates of any Club participating in cross country and/or road racing or track and field athletics, and the decisions of any such meeting shall be binding on the ~~Executive~~ Board, or the relevant Committee as the case may be.
- (2) Any such meeting of delegates shall be subject as nearly as possible to the rules affecting general meetings hereinbefore contained.
- (3) Such a meeting of delegates to the Cross Country and Road Committee shall be called annually in the months of October or November.
- (4) Such a meeting of delegates to the Track and Field Committee shall be called annually in the months of July or August.

### **32. FINANCIAL YEAR**

The financial year of the Centre shall be from the first day of April in each year to the thirty-first day of March next following.

### **33. CONTROL AND USE OF FUNDS**

- (1) All moneys received by or on behalf of the Centre shall forthwith be paid into its account with such bank as the Centre may from time to time determine.
- (2) All cheques and withdrawal receipts upon such account shall be signed on behalf of the Centre by the Treasurer or the Secretary-Treasurer as the case may be and by one of two members of the ~~Executive~~ Board so appointed by the ~~Executive~~ Board.
- (3) All online banking accounts to have three administrators. All online transactions to be authorised by two of the said administrators.
- (4) Any negotiable instrument paid to the credit of such account for the purpose of collection only may be signed on behalf of the Centre by any one of the persons hereinbefore empowered to sign cheques on behalf of the Centre or by the Treasurer or Secretary-Treasurer.
- (5) The working and current expenses of the Centre shall be paid from time to time by the Treasurer or the Secretary-Treasurer, as the case may be, at the direction of the ~~Executive~~ Board.
- (6) The Centre may from time to time invest and re-invest in securities authorised by law for the investment of trust funds the whole or any part of its moneys not required for the immediate business of the Centre.

### **34. SUSPENSION AND REMOVAL FROM OFFICE**

- (1) If in the opinion of the ~~Executive Board~~ **Executive Board** any member of the ~~Executive Board~~ **Executive Board** or other officer or official of the Centre shall have been guilty of a serious breach of these Rules or of Athletics New Zealand Rules, or shall have committed an act of gross misconduct of any kind, then the ~~Executive Board~~ **Executive Board** may forthwith remove such officer or official from office, or may call for resignation from that office within a specified time and in default of such resignation may then remove such officer or official from office.
- (2) The ~~Executive Board~~ **Executive Board** may, on cause shown, suspend for so long as it shall think fit any Sub-Centre, officer, official, Club or athlete for failure to comply with these Rules or Athletics New Zealand Rules or the By-Laws made in pursuance of these Rules or any part of them.
- (3) No persons or bodies shall be suspended or removed from office without being given the opportunity (if they so desire) to state their case before a meeting of the ~~Executive Board~~ **Executive Board**.
- (4) Any person or body suspended from office may appeal to the Board of Directors of Athletics New Zealand as provided for in the Rules of Athletics New Zealand.

### **35. ALTERATION OF RULES**

These Rules may be altered, added to or rescinded or otherwise amended by a resolution passed by a majority of not less than two-thirds of those present and entitled to vote at a general meeting of the Centre of which due notice has been given to Clubs and delegates in accordance with these rules such notice to set out in full the alteration, rescission or amendment proposed.

### **36. COMMON SEAL**

The Centre shall have a Common Seal which shall be kept in the custody of the Secretary and shall be used only by authority of a resolution of the ~~Executive Board~~ **Executive Board** in that behalf and every instrument to which the seal is affixed shall be signed by the ~~President Chair~~ or ~~Vice-President~~ **Deputy-Chair** and counter-signed by the Secretary or another member of the ~~Executive Board~~ **Executive Board**.

### **37. INDEMNITY**

- (1) All members of the ~~Executive Board~~ **Executive Board**, the Secretary, Treasurer or other officers or servants of the Centre shall be indemnified by the Centre from and against all losses claims demands actions suits or expenses brought against or incurred by them in or

about the discharge or their respective duties, except such as shall be brought about by their own wilful default, and no member of the ~~Executive~~ **Board** or officer or servant of the Centre shall be liable for any act or omission of any other member, officer or servant or for joining in any act or receipt or for any act of conformity or for any loss suffered by the Centre unless the same shall be due to his or her own wilful default.

- (2) For the purposes of this Rule any person acting as an official at any track and field meeting or cross-country or road race conducted by the Centre shall be deemed to be an officer of the Centre.

### **38. PECUNIARY PROFIT**

No member or person associated with a member of the Centre shall derive any income, benefit or advantage from the Centre where they can materially influence the payment of income, benefit or advantage, except where that income, benefit or advantage is derived from:

- (1) professional services to the Centre rendered in the course of business charged at no greater than the current market rates; or  
(2) interest on money lent at no greater rates than current market rates.

### **39. WINDING UP**

In the event of the Centre being wound up or dissolved all surplus assets after providing for payment of its liabilities and the expenses of winding up or dissolution shall not be distributed amongst the members but shall be transferred to Athletics New Zealand.

### ***DATE OF UPDATES***

|             |  |
|-------------|--|
| CONST.91A - | 06.07.99   |
| Updated     | 05.06.01   |
| Updated     | 17.07.01   |
| Updated     | 26.08.02   |
| Updated     | 17.11.03 (Rule 28 deleted & subsequent Rules renumbered)   |
| Updated     | 19.10.04 (Rule 14)   |
| Updated     | 29.07.05 (Rules 19 & 25)   |
| Updated     | 25.07.2018 (Rules 2, 3, 12, 18, 22, 24, 28, 30, 33 and 38)   |
| Updated     | 24.07.2019 (Change the word Executive to the Board,<br>President to Chair and Vice-President to Deputy Chair, Rules 6,<br>20, 29(2) & 30(3)) |