

The Incorporated Societies Act 1908

Rules of the Cambridge Badminton Club [Incorporated]

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1. The name of the Society is THE CAMBRIDGE BADMINTON CLUB [INCORPORATED]
[hereinafter in these Rules referred to as the CLUB]

OBJECTS

2. The objects of the CLUB are:
 - a) To provide courts and facilities for the playing of badminton and such other sports or pastimes as the CLUB or the Committee may from time to time decide.
 - b) To affiliate with or become a member of any association controlling or promoting badminton.
 - c) To form and enter teams for competitive play.
 - d) To organise tournaments and ties.
 - e) Generally to foster and encourage the sport of badminton and promote the interest of the CLUB and its members in such activities.

MEMBERSHIP

3. The CLUB shall have the following classes of membership:
 - a) Full playing gentlemen members.
 - b) Full playing ladies members.
 - c) Junior members.

All persons who have attained the age of 16 years as of the 1st January in the year of the new playing season shall be eligible for full playing membership of the CLUB. Persons below the age of 16 years as at the 1st January in the year of the new playing season shall be eligible for Junior membership of the CLUB provided always that junior members shall not have the right to vote at any meeting of the CLUB or be elected to, or hold any office in the CLUB.

4. The CLUB in general meeting may from time to time fix the maximum number of members of the CLUB or remove any such restrictions previously imposed.
5. The first members of the CLUB shall be:
 - a) The signatories of these Rules.

- b) All persons who are at the date of incorporation of the CLUB, members of the unincorporated club known as the "Cambridge Badminton Club" and entered in the records thereof as members.
- 6. Every candidate for admission as a member of the CLUB [other than aforesaid] shall be proposed by one member and seconded by another and shall lodge with the Secretary an application in writing giving such details as the Secretary may require and signed by the applicant, proposer and seconder. Pending election and provided that the permitted membership for the time being is not filled any such applicant shall be entitled to all privileges of membership but shall not be entitled to stand for office or to vote at meetings. The application of any candidate for admission shall be submitted to the Committee at the first meeting thereof held after such application is made. Any such candidate may be elected to membership by a majority of the Committee and the Secretary shall make known to the candidate the decision of the Committee within seven days of the meeting. All candidates for admission shall come up for election in the order in which their applications shall have been received by the Secretary. Any candidate not elected by reason of the permitted membership for the time being, being filled shall be so informed by the Secretary and may at the candidate's option request that their application remain before the Committee when it shall be considered by the Committee in the order of its original receipt by the Secretary when next a vacancy or vacancies in membership occur.

SUBSCRIPTIONS

- 7. The annual subscription shall be such sum with such provision for rebate or penalty for payment by or after the due date for payment thereof in each season or by or after one month from notification of election as provided in clause 5 hereof as shall be fixed by the Annual General Meeting for the season then following in respect of each of the classes of membership specified in clause 3 hereof.
- 8. All annual subscriptions shall be due and payable on the 1st day of March in each year and in any case where a member has not paid a subscription on or before the 31st day of March in any year, the Committee may withdraw from that member all or any privileges of membership until the same has been paid.
- 9. The subscription for any member whose application for membership has been received after the 1st day of March in any year shall be due and payable within one month of the date of them being notified of their election as a member and where such member has not paid a subscription within one month of that date, the Committee may withdraw from them all or any privileges of membership until the same has been paid.
- 10. Any member whose application for membership has been received after the 1st August shall pay a subscription reduced by one half of that set at the preceding AGM.
- 11. The Committee may in its discretion in any special circumstances which it considers justify the same make such reduction or concession in subscriptions due from any member as it thinks fit.

RESIGNATIONS

12. Any member may resign their membership by giving to the Secretary notice in writing to that effect and paying all subscriptions and dues then owing.
13. If the subscription of any member shall not have been paid within three months of the same being due and payable, the Committee may at its discretion determine that such member shall be deemed to have tendered his resignation from the CLUB and may accept the same without releasing him from liability of any subscriptions or dues then owing.

EXPULSION

14. If at any time the Committee shall be of the opinion that the interests of the CLUB so require they may by letter invite any member to resign from the CLUB within a time specified in such letter. In default of that member's resignation the question of their expulsion shall be submitted to a special general meeting to be held within three weeks after the date specified in such letter as the date before which they shall have been invited to resign. The member whose expulsion is sought shall have notice of such meeting and of the grounds of which it is sought to expel them. At such meeting the member whose expulsion is under consideration shall be allowed to offer an explanation of their conduct verbally or in writing and if two-thirds of the members present shall vote for their expulsion he/she shall thereupon cease to be a member of the CLUB. If not less than three members present at such meeting so demand voting thereat shall be by ballot.
15. Any person on ceasing to be a member of the CLUB shall forfeit all right to and claim upon the CLUB, its property and funds.

OFFICERS AND MANAGEMENT

16. The officers of the CLUB shall be as follows:

Patron
President
Secretary
Treasurer
Club Captains

17. The management of the CLUB shall be deputed to a Committee consisting of the President, Secretary, Treasurer, Club Captains, and five Committee members.
18. The Committee shall have power to appoint any three of its members to act on behalf of the Committee as an Emergency Committee in any matters requiring decision by the Committee where there shall be insufficient time for the Committee to meet and consider the same or where the Emergency Committee shall in its discretion deem it necessary to act without reference to the Committee provided that all decisions of the Emergency Committee shall be brought up at the next succeeding Committee meeting for confirmation by the Committee.

19. The Committee may from time to time for any special purpose form sub-committees for the carrying out of duties of the Committee and may for that purpose co-opt as members of such sub-committees any members of the CLUB but all such sub-committees shall be under the control of and answerable to the Committee and shall comply with any special directions of the Committee and report to the Committee on their activities when called upon so to do.
20. All officers and Committee members shall retire at the Annual General Meeting of the CLUB but shall be eligible for re-election. At such meeting all candidates for office or membership of the Committee shall be proposed and seconded by members there present or by notice in writing signed by the proposer and seconder which shall be in the hands of the Secretary prior to the commencement of the meeting. Voting shall be by ballot and every member present shall be entitled to vote for as many candidates as there are vacancies. Those who shall receive most votes shall be declared elected. In the case of two or more candidates receiving equal numbers of votes, the President shall have a second or casting vote.
21. The Committee shall have power to appoint any member to fill any casual vacancy among the officers or on the Committee but the proceedings of the Committee shall not be invalidated in consequence of there being less than the prescribed number.
22. The Committee shall meet at least once a month during the season to examine the accounts and arrange the affairs of the CLUB and each officer and Committee member shall be notified of the time and place of each meeting. A quorum shall consist of five members present. Minutes shall be taken of all proceedings of the Committee and shall be open to inspection by any member of the CLUB on applying to the Secretary. Any Committee member who fails to attend for three consecutive meetings without tendering apologies shall be deemed to have resigned their position.
23. The President of the Committee shall be as provided for in clause 28 hereof relating to general meetings.
24. Any member of the Committee may by one month's notice in writing addressed to the Secretary resign from the Committee.

GENERAL MEETING

25. The Annual General Meeting of the Club shall be held in each year at a date not later than 31st March to be fixed by the Committee. The business of the meeting shall be:
 - a) To receive from the Committee reports, balance sheet and statement of accounts for the preceding financial year.
 - b) To elect officers and Committee members for the ensuing year and to appoint an auditor.

c) To decide on any resolution which may be duly submitted to the meeting.

d) Such other business as may be considered appropriate.

26. A Special General Meeting may be called at any time by the Committee and shall forthwith be called on the requisition signed by any ten members delivered to the Secretary stating the purposes for which the meeting is required.

27. Fourteen days notice of all general meetings shall be given to all members by written circular or advertisement in a newspaper circulating in the Cambridge area and such notice shall state the time and place of the meeting and the business to be transacted thereat.

28. At all general meetings of the CLUB, the President or in his absence a Vice President selected by the meeting or in the absence of President and Vice President any other member selected by the meeting shall preside as Chairperson. Every member present entitled to vote shall have one vote upon every motion and where there is an equality of votes, the Chairperson shall have a second or casting vote. Voting shall be by the voices provided that the Chairperson may and if so requested by any member shall call for a show of hands.

29. The quorum at all general meetings shall be fifteen members present and except as otherwise provided in these Rules a decision of the majority of those members present shall be binding on those absent or dissentient.

AUDITOR

30. At every Annual General Meeting there shall be appointed an auditor, provided however no audit of the annual financial statements shall be required unless an audit is requested by 5% of the members of the Club present at any properly convened meeting of the Society, or a decision is made to audit if five years have elapsed since the last audit.

FINANCIAL YEAR

31. The financial year of the CLUB shall end on the 30th day of September in each year up to which day the accounts of the CLUB shall be balanced.

VISITORS

32. Any member may, subject to the consent of a Committee member and to such restrictions as the Committee may from time to time or in any particular instance decide, introduce visitors to the CLUB's courts and such visitors shall be charged the current casual rate.

POWERS OF COMMITTEE

33. The Committee may from time to time or in any particular instance make such rules or give such directions as it deems fit regulating the use of the CLUB's courts, the games or matches to be played thereon, the dates and hours of play and the members to play at any

particular times or on any particular court or courts the dress of players and all other matters pertaining to the management of the CLUB's activities and every member shall be bound to abide by the directions of the Club Captains or in their absence any Committee member as to any of such matters.

34. The Committee shall have power to make arrangements for the selection and entry of teams in any interclub competition organised by the Waikato Badminton Association Incorporated or any like competition for holding matches, ties, tournaments or other competitions including the imposition of charges for entry to the same or for admission of spectators not being members and to reserve such courts as may be required on any such occasion as the Committee may deem fit and for the holding of social functions and the regulation of the same and the admission or invitation of members and guests and the charges to be made in respect thereof.

BY-LAWS

35. The Committee may from time to time make repeal and amend all such by-laws and regulations [not inconsistent with these Rules] as it shall deem expedient for the internal management and well being of the CLUB and all such by-laws and regulations shall be binding upon members until repealed by the Committee or set aside by a resolution of a general meeting.

AMENDMENT

36. These Rules may be added to, repealed or amended by the resolution of a general meeting provided that no such resolution shall be deemed to have been passed unless it be carried by a majority of at least two-thirds of the members voting thereon provided further that notice of any such resolution shall have been given to the Secretary in writing not less than three weeks before the date of such meeting and displayed on a noticeboard of the CLUB in a manner approved by the Secretary for a continuous period of three weeks prior to the meeting. No addition to or alteration or rescission of the Rules shall be approved if it affects the pecuniary profit clause or the winding up clause.

COMMON SEAL

37. The common seal of the CLUB shall be that appointed by the Committee who shall be responsible for the safe custody and control thereof.
38. Whenever the common seal is required to be affixed to any deed, document, writing or other instrument, the seal shall be affixed pursuant to a resolution of the Committee by the President and two other members of the Committee and the persons so affixing the seal shall at the same time subscribe their names thereto.

FINANCIAL

39. All moneys raised and all funds received by the CLUB or by members in the name of the CLUB by subscription or by other means shall be handed to the Secretary-Treasurer within seven days of receipt thereof for deposit in the CLUB's banking account. No debts shall be

incurred by the CLUB other than those authorised by the Committee. All accounts shall first be passed for payment by the Committee and shall be paid by cheque signed by not less than two members of the Committee authorised for that purpose. Any electronic banking payments must be paid by the treasurer and passed for payment by one other authorised person, or in the absence of the treasurer, paid and passed by two members of the Committee authorised for that purpose.

40. The Committee may from time to time invest and reinvest in such securities and upon such terms as it shall think fit the whole or any part of the funds of the CLUB which shall not be required for the immediate business of the CLUB.
41. If at any time a general meeting of the CLUB shall pass a resolution authorising the Committee to borrow money, the Committee shall thereupon be empowered to borrow for the purposes of the CLUB such sum or sums and at such rates of interest and upon such other terms as may be specified in such resolution and whether by the issue of bonds, debentures or otherwise on security of the CLUB's assets or otherwise as may be authorised. All members of the CLUB whether voting on such resolution or not and all persons becoming members of the CLUB after passing of such resolution shall be deemed to have assented to the same as if they had voted in favour of such resolution.
42. The CLUB may be wound up voluntarily if at a general meeting of its members a resolution is passed requiring the CLUB so to be wound up and that resolution is confirmed at a subsequent general meeting called together for that purpose and held not earlier than 30 days after the date on which the resolution so to be confirmed was passed and for this purpose the term 'resolution' has the meaning ascribed to it by Section 24 of the Incorporated Societies Act 1908.
43. a) The Society may be wound up or go into liquidation if at a General Meeting of the Society the members present pass by a simple majority a Resolution to do so, provided that the resolution is confirmed at a subsequent General Meeting called for that purpose as required by section 24 of the Incorporated Societies Act 1908, or any statutory enactment substituted for that Act.

b) In the event of the Society being wound up, or going into liquidation or being dissolved by the Registrar of Incorporated Societies, the surplus assets after payment of the Society's liabilities and the expenses of the liquidation or dissolution shall not be divided amongst members, but at a General Meeting of which notice has been given specifying the nature of the business to be transacted, a majority of the 75% of the members present at the meeting may resolve to transfer such assets to an incorporated society with similar objects as the Society, provided any such society's objects shall be exclusively charitable and carried out in New Zealand.

c) If the motion under clause 43B fails, disposition of the surplus funds shall be determined by a Judge of the High Court of New Zealand, or as the Registrar of Incorporated Societies

may direct.

44. No member or person associated with a member of the CLUB shall derive any income, benefit or advantage from the CLUB where they can materially influence the payment of the income, benefit or advantage except where that income, benefit or advantage is derived from:
- a) Professional services to the CLUB rendered in the course of business charged at no greater rate than the current market rates; or
 - b) Interest on money lent at no greater than current market rates.
45. Life members are to be appointed by a majority of members present at an Annual General Meeting.
46. Any member joining after the 31st of July is not eligible for Club Championships unless transferring from another club or association, or special circumstances will be left up to the discretion of the Committee.

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