

Constitution of the **Southern Dirt Bike Riders Club Incorporated**

1. Name

The name of the Club shall be the Southern Dirt Bike Riders Club Incorporated.

2. Objects

- i. To support and uphold the interests of Motorcycling in New Zealand and any body that is a duly constituted national organization with an efficient set of Rules and Regulations for the conduct of Motor Races.
- ii. To foster, encourage and develop the sport of motorcycling within the Southland District.
- iii. To organize, source sponsorship and run regular events.
- iv. To be able to share the funds raised by making donations to agreed organisations.
- v. To purchase or acquire and to maintain assets according to the wishes of the club.
- vi. Keep motocross riding safe and enjoyable.
- vii. To get back to the grass roots of motorcycle racing and fun events catering for all bikes and abilities.
- viii. To do all such things as in the opinion of the Committee would be in the interest of the Club in particular and Motorcycling in general.

3. Alteration to Constitution and Rules

This constitution and Rules may be altered, added to, or rescinded by the Club at an Annual General Meeting or at a Special General Meeting called especially for that purpose and of which 7 days notice of the proposed amendments have been given. A resolution altering, adding to, or rescinding the Constitution shall be passed by a majority of at least 3/5 of the members present and entitled to vote at an Annual General Meeting or a Special General Meeting.

No addition to, deletion from or alteration of the organisation's rules shall be made which would allow personal pecuniary profits to any individuals.

4. Application for Membership

Individuals or families may apply to become members of the Club by completing the approved application form, and submitting it to the Treasurer, along with payment of the annual membership subscription.

On receipt of an application for membership the Treasurer may either:

- i. Approve the application, or
- ii. Refer the application to the Committee.

An applicant will not become a member of the society until such time as either the Treasurer or the Committee has approved the application for membership and the annual membership fee is paid.

5. Life Member

Any person who has rendered eminent service to the Club may be honored as a Life Member of the Club at any Annual General Meeting, provided that such proposal to elect a person as a Life Member be carried by a 2/3 majority of the members present at such a meeting.

6. Finance

Annual subscription rates for each class of membership will be as determined at the Annual General Meeting (AGM) of the Club.

The annual subscription shall be due and payable on the 1st of November of each year

Any member allowing their membership fee to remain unpaid after the 1st of December in any year shall be struck off the role of members.

The finances of the Club shall be under the control of the Committee and the treasurer is to open and operate bank accounts as approved by the Committee.

The working and current expenses of the Club shall be paid from time to time by the Treasurer on the direction of the Committee. All payments made by the Club shall be signed by not less than two members of the Committee. All payments are to be made by cheque drawn on the bank account of the Club.

Personal Benefit:

As a not-for-profit organization, the officers and members may not receive any distributions of profit or income from it. This does not prevent officers or members:

- A) Receiving reimbursement of actual and reasonable expenses incurred, or
- B) Entering into any transactions with the organization for goods or services supplied to or from them, which are at arms length, relative to what would occur between unrelated parties.

Provided no officer or member is allowed to influence any such decision made by the organization in respect of payments or transactions between it and them, their direct family or any associated entity.

Authorisation of accounts. All accounts shall be presented to and passed for payment at a meeting of Committee provided that the delay in payment shall not incur any additional financial expense in terms of fees and penalties. All approvals shall be recorded in the minutes.

7. Resignations, Suspensions and Expulsions for Committee and Club members

- (a) A Committee or club member may resign from the committee or membership at any time by giving notice in writing to the Secretary of Club of their intention to do so.
- (b) Any Committee or club member who fails to observe the provisions of the Constitution or any Rule of the Club or who refuses to abide by any decisions of the Committee or Club or who misconducts themselves in the affairs of the club or whose actions are prejudicial to the interests of the club may be expelled or suspended from the committee or membership by resolution of the Committee passed by a majority of 2/3 of those present provided that no such resolution shall have been given to all members of the Committee and to the Club member or members concerned at least five days prior to the date of the meeting thereof. Such member whose expulsion or suspension is proposed shall have a right to appear before the Committee and be heard prior to the resolution being put.

- (c) Any Committee or Club member who has been expelled may not apply to be reinstated as a member for a period of six months after such expulsion, and the provisions of Rule 2 shall apply to such application.

8. Election of Officers and Committee

Those members present at the Annual General Meeting (AGM) of the Club shall elect the following Officers of the Committee:-

President
Vice President
Secretary
Treasurer
Events co-ordinator, Facebook & Newsletter Co-ordinator
Committee

9. Term of Office

All officers and Committee members elected by the Club at its Annual General Meeting shall serve the Club for one year.

An Officer position can be held by the same person for a maximum term of 3 years, (if re-elected at the AGM.) At which time they must stand down from their current officer position for a minimum of 1 year.

Officers can be elected to a different office position at any time as long as the term of office for each position does not exceed 3 years.

No two people from the same household or family group can hold Officer positions at the same time.

The Committee shall have the power to fill any vacancy which may occur during the year.

10. Annual General Meeting

(a) The annual General Meeting (AGM) shall be held in the month of October in any year.

(b) The purpose of the meeting shall be

- i. Election of officers
- ii. Receiving and considering a report by the President on the activities of the previous year.
- iii. Receiving the financial statement and balance sheet.
- iv. Considering any matters affecting the general business or activities of the Club or which come within its objects.

(c) The Annual General Meeting shall be convened by the Secretary and at least 14 days notice must be of such meeting by means of notice to all members specifying the place, day and hour of such meeting. The quorum for the AGM shall not be less than 8 members.

11. Special General Meetings

(a) A Special General Meeting shall be convened by the secretary on resolution of the Committee or on a written request of any three members of the Committee or at the request of not less than 20% Members of the Club, by notice in writing signed by the members and sent to the secretary, which shall specify the matters to be considered at such meeting.

(b) At least 48 hours notice must be given of a Special General Meeting and such notice shall specify the place, day and hour of such meeting and shall be given to all members.

12. Voting

At all meetings each individual committee member shall be entitled to one vote. The majority of all votes cast shall decide, in the event of equality of votes the President of the meeting shall have a second or casting vote.

Committee members may nominate another committee member to vote at a committee meeting on their behalf on an agenda item if the committee has been notified and the agenda item has been raised in advance of the meeting. This excludes the AGM and Special general meetings.

13. Powers and Duty of Committee

The committee have the following duties and powers:-

- a) To advance the object of the club as set out in the constitution.
- b) To consider applications for membership of the Club.
- c) To allocate the surplus funds to suitable organisations, causes etc.
- d) To manage and allocate duties amongst the Club Members.
- e) To refer any questions concerning the Club, whether a policy issue or an administrative issue or otherwise to a General Meeting of the Club for discussion, decision or action as deemed necessary.

14. Quorum for Committee Meetings

The quorum for Committee meetings shall consist of 6, 3 whom must be office bearers and 3 Committee members.

15. Authority to Act

- (a) The only body with the power to act by and on behalf of the Club shall be the Committee, or the Annual General Meeting, or a Special General Meeting acting by and through a resolution passed at such a meeting.
- (b) No member shall pledge the Club to any contract or undertake to pay any moneys or commit the Club to any view point or any act without having first been authorized to do so.

16. Contractual Agreements

All contractual agreements must be passed at a Committee meeting. The authority to sign on behalf of the Club must be approved and signed by any two of the President, Vice President, Secretary or Treasurer and or nominated committee members not residing at the same address.

17. Common Seal

- i. The Committee shall provide a common seal for the Society and may from time to time replace it with a new one.
- ii. The Secretary shall have custody of the common seal, which shall only be used by the authority of the Committee. Every document to which the common seal is affixed shall be signed by the President and countersigned by the secretary or a member of the Committee.

18. Publicity

No member, other than the President or a member nominated to do so by the President, shall purport to speak for and represent the views of the Club as a whole without first obtaining the approval of the Committee to do so.

19. Dissolution

The Club may be voluntarily wound up in accordance with section 24 of the Incorporated Societies Act 1908.

All club accounts and or liabilities are to be satisfied then any remaining assets and or funds are to be distributed as below.

On winding up or dissolution of the organization any surplus funds or assets shall not be paid or distributed to any members or individuals but shall be:

- A) Applied to a purpose in line with the clubs objects; or
- B) Given or transferred to another not-for profit sporting organization or a registered charity.

DATED this 9th October 2023