

# Constitution Puketoi Mountain Club 2025

## 1. Name

The name of the club shall be "The Puketoi Mountain Club Incorporated"

## 2. Interpretation

In the wording of this constitution the word "club" shall mean "The Puketoi Mountain Club Incorporated"; "committee" unless qualified to give a different meaning, shall mean "General Committee" as defined in Section 13; "member", unless qualified to give a different meaning, shall mean "member of the club".

## 3. Objects

- a. To encourage and facilitate alpine activities but always subject to (c) and (d)
- b. To encourage and facilitate such field interests as accord with object (a), such as botany, art, photography etc but always subject to (c) and (d).
- c. To preserve and protect the native flora and fauna and the natural scenic properties of the bush and the country generally.
- d. To encourage and facilitate social interaction between members.
- e. To build and maintain huts and lodges; and to cooperate with other clubs, organisations, the Government and Iwi.
- f. To invest funds, and to do such other acts as may reasonably accord with the above objects.

## 4. Membership

- a. Persons interested in the objects of the club shall be eligible for membership having completed a membership application and on the recommendation in writing of two members. The Committee must support the application by a two-thirds majority of those present, noting that the committee may require proof of interest in our objects as above i.e. alpine activities.
- b. Membership shall be subject to the clauses relating to payment of subscriptions and subject to the payment of an entrance fee (the amount to be set by the committee from time to time and may be qualified by provisions of Section 7).
- c. Notice shall be given or sent within 30 days advising such new member of the election
- d. A membership register will be kept and updated via the website and details held by the membership secretary.
- e. Notwithstanding the provisions of Section 4A the general committee may determine the basis on which people shall be admitted as members and removed as members of the club. The committee shall have absolute discretion in determining the rules and the administration of the rules and the waiving of the rules in cases in which the committee deem out of the ordinary. But in no case shall any waiver be considered as a precedent binding any subsequent general committee in their interpretation and administration of the rules. Only the general committee may hear and determine any appeal against a ruling made by them in respect of membership and any determination of the majority of the committee following an appeal shall be final and the applicant shall have no further rights of appeal.

## **5. Life Membership**

On a motion of which previous notice has been given to the committee or on the committee's recommendations, any person who has rendered special service to the club or to the furtherance of its objects may be elected to life membership by two-thirds of those present and voting at a general meeting of the club. Life membership shall have full privileges but shall be exempt from payment of the subscription.

## **6. Subscription**

- a. The subscription and entrance fee shall be determined by a general meeting from time to time.
- b. The due date for payment of the subscription (and entrance fee in the case of a new member) shall be the date upon which the notice is sent advising the member of their election. The due date in other cases shall be stated on the invoice.
- c. The committee may remit all or part of the subscription in the case of hardship, in the case of outstanding service to the club or in the case of absence from New Zealand for a period of more than six months. Members whose subscriptions are remitted for any of these reasons shall be deemed financial members.

## **7. Financial & Unfinancial Members**

- a. Members will only be considered "financial" if they have paid their invoices in full.
- b. Unfinancial members may not vote at general meetings except by the consent of a majority of the financial members present.
- c. Unfinancial members may not make a booking.
- d. The committee may at its discretion, charge a penalty and/or terminate the membership of an unfinancial member.

## **8 Resignation**

Any member may resign their membership by giving notice to the Secretary in writing to that effect.

## **9. Expulsion**

The committee may expel any member disobeying the rules of the club, or seriously disregarding the constitution, provided that before expelling the member the committee shall give the member an opportunity to appear before it and make such explanation as they may reasonably wish in their own defence.

## **10. Termination Of Membership If Unfinancial**

As provided in section 7 the committee may terminate the membership of any unfinancial member. It may do so without notice to the member.

## **11. Management**

Subject to anything elsewhere laid down in this constitution or to any instructions from a general meeting, the entire management of the club and of its property, including the control and investment of funds, shall rest in the hands of the General Committee. The committee shall from time to time appoint a minimum of two committee members as signatories, one of whom shall be the Treasurer to operate bank accounts on behalf of the club.

## **12. Rights Of Restriction**

The General Committee may limit the privileges of members for any reason.

## **13. General Committee**

- a. The General Committee shall consist of a President, Vice-President, Secretary and Treasurer and such other special officers and/or further committee members as may be elected at a general meeting or later appointed by the committee itself. One member may hold two or more offices.
- b. The Committee may appoint any member to fill any vacancy until the next general meeting.

## **14. Meetings Of General Committee**

A meeting of the General Committee may be called at any time by the President or Secretary and shall be called within 14 days of the receipt of a request by two members of the committee.

## **15. Annual General Meeting**

- a. The Annual General Meeting shall be held once in each financial year. The business shall be the election of officers and such other business as may properly be tabled at the meeting.
- b. Reports from the office holders will be presented at each AGM.
- c. Nomination for office shall be subject to such notice as the committee may require and shall be with the consent of the nominee. Outgoing officers, unless they decline, shall be deemed to be re-nominated. The outgoing President, unless they decline, shall be immediate Past President for the year.
- d. No person shall be nominated unless they have been duly elected a member of the club.
- e. Other businesses shall be subject to such notice of motion as the committee may require.

## **16. Extraordinary General Meetings**

The committee may at any time convene an extraordinary general meeting and shall do so within one calendar month of a request to the Secretary in writing, specifying the proposed business.

## **17. Notice Of Meeting**

- a. Notice of any meeting of the committee shall be given to each member of the committee at least 48 hours beforehand.
- b. Notice of general meetings shall be given to all members of the club at least seven days beforehand.
- c. "Given" for this purpose shall mean either posted by mail, or by electronic means, so that in the ordinary course of events delivery of the notice should be received at the appointed time.

## **18. Quorum**

- a. The quorum at a meeting of the General Committee shall be 50% of the committee.
- b. The quorum at a general meeting shall be three (3) percent of the financial members.

## **19. Method Of Voting**

- a. The method of voting at general meetings and committee meetings shall in all cases be at the discretion of the chairperson except as otherwise decided by a majority of those present.
- b. Except where otherwise laid down in this constitution, any motion shall be deemed carried by a bare majority vote.

## **20. Chairperson And Voting Against The Chair**

- a. The President shall be chairperson at all meetings if they are present. In the absence of the President a Vice-President shall take their place. Any member may demand a vote which shall thereupon be taken against any ruling of the chairperson. The decision of the meeting shall stand.
- b. The chairperson shall at all times have an ordinary and a casting vote.

## **21. Alteration Of The Constitution**

The constitution may be repealed, altered or added to by resolution at a general meeting. In this connection the committee may require and publish such notice or notices of motion as it may deem expedient provided no addition to or alteration of the pecuniary profit clause or the winding up clauses shall be approved without the Inland Revenue Department approval.

## **22. Duties Of Secretary & Treasurer**

The Secretary and Treasurer shall keep such records and books of account as may from time to time be required by the committee.

The Secretary will be deemed to be the contact person for purposes of the Incorporated Society.

## **23. Financial Year**

The financial year shall begin on the first day of April each year.

## **24. Statement**

A Statement of Income Expenditure and Balance Sheet, together with an Annual Report shall be prepared. Those documents shall be available to members at the Annual General Meeting.

## **25. Duties Of Members**

Except when it is not reasonably possible or where considerable service is already being rendered to the club, all members shall be expected to attend a work party and support the club at other club functions. The Committee will notify members of functions and work parties accordingly.

## **26. Contact Details Of Members**

Upon joining, each member must provide the Secretary with their contact details. It is the member's responsibility to keep these details up to date through their online personal profile. All notices sent to the latest contact detail will be considered as duly sent.

## **27. Discharging Of Liability**

The club shall not be responsible for acts of its members which may lead to death, disablement or injury and/or damage to or loss of property of members or others.

## **28. Disposal Of Property On Winding Up**

Upon the winding up of the club, its property and funds shall be disposed of as decided by a general meeting of members, which shall be convened (if not otherwise held) for the purpose or, failing any such resolution, the committee may act in the matter provided that the same shall not be paid or distributed amongst the members, but shall be given or transferred to some other body having objects similar to the objects of the club or for some other charitable purpose.

## **29. Power To Borrow**

The club shall have power to borrow money if the consent of 75% of a special general meeting called specifically for this purpose is obtained.

## **30. Pecuniary Advantage**

No member or person associated with a member shall derive any income, benefit or advantage from the club where they can materially influence the payment of income, benefit or advantage. No member of the Club or any person associated with a member shall derive any income, benefit, or advantage from the Club where they can materially influence the payment of that income, benefit, or advantage.

Any income, benefit, or advantage must be:

- (a) reasonable and relative to that which would be paid in an arm's length transaction (i.e., open market value); and
- (b) approved by the General Committee before payment is made.

The provisions and effect of this clause shall not be removed from this Constitution and shall be included and implied into any document replacing this Constitution.

## **31. Dispute Resolution Procedures**

### **Puketoi Dispute Resolution Procedure**

#### **1. Purpose**

The purpose of this dispute resolution procedure is to provide a clear and fair process for resolving any disputes that arise between members, and the club regarding issues related to alpine activities, facilities, or other club matters.

#### **2. Scope**

This procedure applies to all members, and visitors who are involved in club activities.

### 3. Principles

The procedure will be guided by the following principles:

- **Fairness:** All parties will be given an equal opportunity to present their case.
- **Confidentiality:** Disputes will be handled discreetly and in confidence, to protect the privacy of all parties involved.
- **Timeliness:** Disputes will be resolved as quickly as possible, with regular updates provided to the parties involved.
- **Impartiality:** Dispute resolution will be conducted by members of the committee.

### 4. Informal Resolution (Step 1)

In many cases, disputes can be resolved without the need for formal procedures. If you have a concern or conflict, we encourage the following informal approach:

- **Direct Communication:** We recommend that the parties involved attempt to resolve the issue by speaking directly with one another in a respectful and constructive manner.
- **Mediation:** If direct communication is unsuccessful, the involved parties may request assistance from a neutral mediator, such as a club committee member or another respected club member, who will help facilitate discussion and negotiation.

### 5. Formal Resolution (Step 2)

If informal resolution is not possible or effective, the following formal procedure will be followed:

1. **Submission of Complaint:** The aggrieved party must submit a written complaint to the Club Secretary or President. The complaint should include:
  - A clear description of the dispute or issue.
  - Any relevant details, including dates, times, and parties involved.
  - Efforts made to resolve the issue informally.
2. **Acknowledgement of Complaint:** The Club Secretary or President will acknowledge receipt of the complaint within 5 working days. They will outline the next steps and timeframes for resolving the issue.
3. **Investigation:** The club will appoint an impartial investigator to review the complaint. The investigator will:
  - Interview all parties involved.
  - Gather relevant evidence or documentation.
  - Consider any applicable club rules, policies, or code of conduct.
4. **Resolution Proposal:** After the investigation, the investigator will propose a resolution, which may include:
  - Mediation between the parties.
  - An official apology or explanation.
  - Corrective actions (e.g., changes to club policies, suspension, or other disciplinary actions).

5. **Decision:** The investigator will present their findings and resolution proposal to the Club President or Committee for final approval. The outcome will be communicated to all parties within 10 working days of the investigation's conclusion.
6. **Implementation:** If a resolution is reached, the club will implement the required actions and notify all relevant individuals or parties involved.

## **6. Appeal Process**

If either party is dissatisfied with the resolution, they may appeal the decision within 10 working days. The appeal should be submitted in writing to the Club President, who will:

- o Review the process to ensure it was followed correctly.
- o Consider any new evidence or relevant factors.
- o Make a final determination

## **8. Confidentiality and Record Keeping**

All complaints, investigations, and resolutions will be handled confidentially. Records will be kept securely by the Club Secretary, and will be made available only to those directly involved in the dispute resolution process or as required by law.