

RULES OF THE MOUNT HUTT SKI CLUB (INCORPORATED)

NAME

1. THE name of the Club shall be the "MOUNT HUTT SKI CLUB INCORPORATED"

INTERPRETATION

2. IN these rules, unless a contrary intention appears, "Club" means "Mount Hutt Ski Club Incorporated". "Committee" means the Committee for the time being, appointed under Rule 10 of these Rules. "Year" means the financial year of the Club which shall extend from the first day of December in any year, until the last day of November in the same year.

OBJECTS

3. THE objects of the Club shall be:

- (a) To promote and encourage the art of skiing generally.
- (b) To organise and control winter sport meetings and competitions.
- (c) To encourage walking, climbing and alpine sports in New Zealand.
- (d) To erect and extend huts, ski-tows and other apparatus and procure and provide equipment to facilitate the enjoyment of skiing and other alpine sports.
- (e) Promote social intercourse and good fellowship among mountaineers and skiers, mountain climbing and mountain exploration and foster a better knowledge of the mountains.
- (f) To act in co-operation with, or to participate in the work or purposes of any association, body or club, National Provincial or otherwise having for its objects the promotion or furtherance of skiing, mountaineering or other alpine sports in New Zealand or overseas.
- (g) To protect native flora and fauna and preserve the natural features and scenic beauty of the country.
- (h) To contract with, employ, or otherwise secure the services of any person or persons for the purpose of carrying out any of its objects.
- (i) To enter into any other contracts deemed necessary expedient for any of the purposes aforesaid.

- (j) To do such things as are incidental or conducive to the attainment of the above objects of any of them.
- (k) In construing the foregoing objects the construction of any clause shall not be limited or restricted by reference to any other clause.

MEMBERSHIP

4. THE Club shall consist of six classes of membership:

- (a) Senior membership:
Any member who is not one of the classes of member defined hereafter.
- (b) Junior membership:
Any candidate for membership under the age of 20 years may be elected as a junior member and shall become a senior member from the commencement of the year in which that member attains the age of 20 years.
- (c) Non active membership:
A senior or junior member having been a member for five years or under special circumstances at the Committee's discretion, and being able to satisfy the Committee that the member is neither participating in Winter Sports at Mt Hutt skifield nor using Club facilities may upon request, be transferred to non-active membership by special resolution of the Committee and on the resumption of winter sport activities at Mt Hutt or the use of Club facilities the member shall automatically be liable for the full subscription for the current year and be transferred back to that member's original membership status.
- (d) Honorary Membership:
The committee shall have power to elect by special resolution such persons as may be thought fit to be Honorary members of the Club. Honorary members shall be exempt from the payment of any entrance fee or subscription, but shall have no right to claim upon the property of the Club, and shall take no part in the business or management of it, and shall not propose or second, or take part in the election of any candidate and shall save as aforesaid be subject to the Rules and restrictions applicable to senior members PROVIDED HOWEVER that if any person already a member of the Club shall be elected to be an Honorary member that person shall retain the rights and privileges of the class of membership previously enjoyed by that member (including all voting, management, and nomination rights) but excepting the liability for payment of any further subscriptions.
- (e) Life Membership
 - (i) Any senior member who has been a senior member for 15 years consecutively immediately prior to application may, on written application to the Committee become a Life Member of the class of membership previously enjoyed by that member upon the payment of such a sum as may be fixed from time to time by the Club in General Meeting, and shall retain the rights and privileges of the class of membership previously enjoyed by that member.

- (ii) Any member who has become a life member by virtue of a life membership purchase scheme that the Club may operate at any time under such conditions as may be approved at a general meeting and each such scheme is to have its own title.
- (f) **Suspended Membership**
A senior, junior or non active member having been a member for five years may apply in special circumstances to the Committee to have their membership suspended and the Committee on being satisfied that special circumstances exist may grant suspension of membership for a set period or if no period is set then the continued suspension of membership shall be reviewable annually.
- (g) Every candidate for admission to senior or junior membership except those junior members becoming senior members by virtue of attaining the age of 20 years shall complete an official membership application form and forward the same to the secretary. Every candidate shall be proposed by a senior, honorary or life member having personal knowledge of that member and seconded by another senior, honorary or life member and shall be elected to membership by a special resolution of the Committee. Only an honorary member coming within the proviso of clause 4(d) shall be entitled to propose or second a candidate for admission.

MODES BY WHICH PERSONS MAY CEASE TO BE MEMBERS OF THE CLUB

5.

- (a) A member shall cease to be a member of the club on their death.
- (b) Any member may resign their membership by giving to the club notice in writing to that effect before the Annual General Meeting, but such notice shall not be accepted by the Committee until all arrears of subscriptions and the subscription for the current year, and any other moneys owing to the club shall have been paid.
- (c) Any member whose subscription is twelve months in arrears shall at the discretion of the Committee, cease to be a member of the Club but the Committee shall have power at its discretion to reinstate such member on payment of all arrears. The Committee may also in its discretion by special resolution take such legal or other action as it may deem advisable against any such member who is one or more years in arrears with any subscription or other moneys owing to the Club for the recovery of the dues as owing.
- (d) The Committee may expel from membership, any member wilfully disobeying any of these rules or guilty of any conduct rendering that member unfit in their opinion to be a member of the Club, provided that before expelling that member the Committee shall call upon that member for an explanation of their conduct, and shall hear what that member may wish to say in their defence.
- (e) Every person ceasing to be a member of the Club, whether by retirement, expulsion, or death, neglecting to pay the Annual Subscriptions or other moneys due, shall forfeit, ipso facto, all right to claim upon the Club, or its property, which that member would have by reason of their membership.

MEMBERSHIP ADMINISTRATION

6.

- (a) Junior, non active, suspended and those members who were not senior members at the time of election to honorary membership shall have no right to claims upon the property of the Club, shall take no part in the business or management of the Club, shall not be entitled to vote at general meetings, shall not propose or second or take any part in the election of any candidate, and shall save as aforesaid, be subject to the rules and restrictions applicable to senior members.
- (b) All matters relating to the election or transfer of members under these rules, or to any other matter dealing with membership within the power of the Committee, shall be required to be approved by special resolution of the Committee ie a resolution passed by a two-thirds majority of those present and voting at a Committee Meeting.
- (c) The election of any member of any class shall not be valid until the first annual subscription shall have been paid, together with entrance fee, if any.

GENERAL MEETINGS

7.

- (a) An Annual General Meeting for the Election of Officers Auditors and Committee for the ensuing year shall be held between February 1st and April 30th of each year.
- (b) The Committee shall have the power to call General Meetings at such other times as they see fit.
- (c) Not less than ten clear days' notice of the time and place of General Meetings and of the business to be transacted shall be given by posting the same to every member of the Club or otherwise notifying them. No business shall be transacted at such Meetings except that of which notice shall have been given as aforesaid and no resolution shall be declared carried there unless supported by a majority of the members present and vote thereon. Eight members qualified to vote personally present at a General Meeting shall constitute a quorum.

SPECIAL MEETINGS

8. A Special General Meeting may be called by direction of the Committee at any time or shall be called by the Secretary within fourteen days after the receipt of a requisition to that effect signed by not less than seven members of the Club specifying the subject to be discussed at such Meeting. Notice of any such Meeting, specifying the place, date and hour thereof and the matter to be discussed thereat, should be given to all members by the Secretary or shall otherwise be notified not less than ten clear days prior to the date fixed for the holding thereof and the provisions of clause 7 hereof as to the General Meetings shall approve to the Special General Meetings.

OFFICERS

9. THE Officers shall consist of a Patron, President, Immediate Past President, Vice President, Secretary, Treasurer, Club Captain and a Committee of not more than ten which together with the aforesaid officers other than the Patron is herein called "the Committee". There may be 1 or 2 of each of the aforesaid officers, as required, provided that between them they will only have one vote in respect of any motion or item of Club business at Committee meetings. The office of Secretary and Treasurer may be held by the same person. The Committee shall have power to co-opt up to two additional members to Committee. The Secretary and Treasurer need not be club members and may be paid officers.

ELECTION OF OFFICERS

10. _____

- (a) The Officers of the Club shall be elected at the Annual General Meeting and shall hold office until the next succeeding Annual General Meeting. They shall be eligible for re-election. Any two members of the Club entitled to vote at a General Meeting may, before or at the Annual Meeting in any year, propose candidates for any of the posts above mentioned, such candidates being themselves entitled to vote at General Meetings of the Club.
- (b) If at the Annual Meeting the number of candidates duly proposed does not exceed the number of vacancies the Chairman shall declare the candidates elected, otherwise the election shall be by ballot.
- (c) If such ballot for the election of Officers and/or Committee is required, then the election of each officer and of the Committee shall be by separate ballots. Voting papers shall be distributed to all members entitled to vote being present at the Meeting, and such members shall indicate their intention by striking out the names of candidates for whom they do not wish to vote. No member shall be entitled to more than one voting paper for himself, and one voting paper for voting by proxy. Any voting paper which does not provide for the required number of persons to fill any office or does not provide for the requisite number of Committee members shall be declared invalid.
- (d) At any Annual General Meeting of the Club two scrutineers shall be chosen from the senior members present, for such ballot by a show of hands of those entitled to vote and the ballot for each election shall be conducted by such scrutineer who shall certify in writing to the Chairman the results of the voting such scrutineers shall themselves be entitled to vote prior to conducting the ballot.
- (e) If any casual vacancy shall occur in any of the offices of the Club herein before referred to, the Committee shall have power to fill up such vacancy. The person chosen for this purpose shall hold office until the next Annual Meeting of the Club, whereupon that member shall retire, but may offer himself for re-election at such a Meeting.

MANAGEMENT OF CLUB

11.

- (a) The Committee as constituted by Rule 10 hereof shall have the entire management and control of the funds, affairs, concern and business of the Club and shall have power to do all things (subject to such limitations and restrictions as may be prescribed by these rules) as are necessary to carry out the objects of the Club.
- (b) The Committee shall have the power to make from time to time such regulations not being inconsistent with these rules, as they may deem to be necessary for the well-being of the club, and such Regulations shall be binding on every member until set aside by a General Meeting.
- (c) The Committee shall have the power to appoint an Editor or Editors, the Assistant Editor or Editors, to edit any journal authorised by the Club as the official organ of the Club.
- (d) The Committee may set up sub-Committees whether of members of the Club or not, wherever deemed expedient for the purpose of more effectually carrying out the objects of the Club.
- (e) Six members present at a meeting of the Committee shall form a quorum.
- (f) The President shall be the ex officio chairman of the club and of the Committee but in their absence the Vice-President shall be Chairman. In the absence at any meeting of the President and Vice-President some other member shall be elected as Chairman.
- (g) A Committee meeting shall be convened by the Secretary at any time upon the request of the President or upon the written request of three members of the Committee.

METHOD OF VOTING

12. ALL questions submitted to any meeting of the Club shall be decided by a simple majority (unless otherwise specified) to be determined on the voices but if any member present and entitled to vote so requests the Chairman shall call for a show of hands or a ballot. Prior to the holding of any such ballot two scrutineers shall be chosen by a show of hands from any of the members present. The ballot shall be conducted by such scrutineers who shall certify the results of the voting to the Chairman. At all meetings the Chairman shall have a deliberative and in the case of equality of votes a casting vote. Each member present at a meeting qualified to vote shall have one vote.

VOTING BY PROXY

13. VOTES may be given at any general meeting of members of the club by members entitled to vote either present or represented by proxies appointed in writing by the member making the appointment in such manner as may from time to time be prescribed by the Committee. No member shall be entitled to vote in respect of more than one proxy. All proxies shall be in the hands of the Secretary prior to the commencement of the meeting at which it is intended to vote in respect of such proxy.

ANNUAL SUBSCRIPTION, ENTRANCE FEE, ETC

14.

- (a) The Annual subscription, entrance fee, and fee for life membership shall be such sum as shall be fixed by resolution at an Annual General Meeting, for which not less than ten clear days' notice of motion shall have been given.
- (b) An annual subscription may also be fixed for families which for the purpose of these rules is defined as two adults who have or have had a common relationship either of marriage or akin to marriage and the children of each adult under the age of 20 years or an adult and that members children under the age of 20 years.
- (c) In the event of an Annual Meeting not fixing the annual subscription, entrance fee, or life membership, such subscription and fees shall remain at the rates applicable for the previous year.
- (d) Every senior, junior and non-active member shall be liable for that members subscription for the current year unless that member forwards a formal resignation in writing to the Club prior to a date for that year to be fixed by the Club at each Annual General Meeting.
- (e) No member of any class shall be entitled to attend, or if eligible, to vote at any General Meeting of the Club, unless all subscriptions are not in arrears and all other monies due to the Club shall have been paid.

DUTIES OF SECRETARY

15. THE Secretary shall keep and have the custody of a minute book containing the full and correct minutes of all meetings, and a Register showing names and addresses of members and the date on which they became members, all entries in which shall be kept properly up to date.

DUTIES OF TREASURER

16. THE Treasurer shall be responsible for such sums of money as shall from time to time be paid in and shall disburse all moneys for and on account of the Club, but shall not pay any bill exceeding \$30 without the consent of the Committee unless such an amount is part of a budget previously approved by the Committee. The Treasurer may invest the Club funds in such manner as the Committee shall direct and from time to time shall realise or dispose of such investments in accordance with such directions. The Treasurer shall also prepare a statement duly audited for presentation to the Annual General Meeting.

DUTIES OF MEMBERS

17.

- (a) All members shall assist in preserving and protecting the flora, stock, animal, and bird life, tracks, huts, fences, and generally all natural features in which they may be representing the Club, and in keeping clean and tidy the precincts of huts and camps in such localities whether the property of the Club or not, and shall report to the Secretary any damage done to or articles removed from such huts and camps and their equipment.
- (b) Every member shall notify any change of address, and every notice required by these rules to be given shall be deemed to have been given in sent to the address in the club books.

POWER TO HOLD PROPERTY

18. THE Committee shall have power to acquire real or personal property or any estate or interest therein either by way of purchase lease hire gift or otherwise and to hold or dispose of lease lend mortgage charge or deal with real and personal property or any estate or interest therein as the Committee deems expedient.

POWER TO BORROW

19. THE Committee shall have full power to raise and borrow money for any purpose of the Club either by overdraft at any bank or other financial institution or by issuing debentures unsecured or secured by charge on all or any part of the property for the time being of the Club or by any mortgage or charge on any such property on such terms as the Committee may think advisable and with or without giving security for the payment of same and interest thereon. The Club shall be authorised to receive moneys properties and securities and to receive bequests and to be made assignees of policies of life insurance in trust for the furtherance of the objects of the Club and the Committee shall have power to carry out the conditions of any such trusts. All such moneys and other moneys raised by the club for specific purposes shall be paid into special accounts in the Club's funds and finally to be drawn on or paid out after a resolution of the Committee has been passed to that effect. The Committee on behalf of the Club may indemnify any person who has entered into or accepted any liability on behalf of the Club at the request of the Committee.

INVESTMENT

20. ALL funds of the Club shall be paid into the Club Bank Account and any part thereof may, if the Committee so determine, be invested in manner provided by "The Trustee Act, 1956" or any Act amending or replacing the same or in any other investment authorised by a resolution of the Committee of the Club.

BANK ACCOUNT

21. A Bank account or accounts shall be kept at such Bank as the Committee may from time to time determine, such accounts to be operated on by any two of the following officers: President, Vice President, Secretary, Treasurer and Club Captain.

COMMON SEAL

22. THE Committee shall obtain a Common Seal for the Club, and such seal shall not be affixed to any instrument except in pursuance of a Resolution of the Committee of the Club, and in the presence of two members of the Committee for the time being, or one member of the Committee and the Secretary for the time being. The Seal shall be in the custody of the Secretary of the Club.

CLUB BADGES AND COLOURS

23. THE Committee may if it thinks fit make arrangements for securing Club Colours and a Club Badge, and all members of the Club shall be entitled to apply for and wear such colours and badge.

ALTERATION TO RULES

24. ALL or any of these rules may be added to altered or rescinded by a majority consisting of not less than two thirds of the members present and voting at a General or Special Meeting provided always that not less than ten clear days' notice of such resolution shall be given to members prior to such meeting in manner prescribed by these rules. Notice of motion for the addition alteration or rescission to or of all or any of these rules must be given to the Secretary signed by both the mover and seconder of the motion. Such notice must reach the Secretary or Honorary Secretary as the case may be at least 14 clear days before the date on which the meeting is to be held. Nothing in these rules shall prohibit the amendment of any proposal which has been specified in the notice PROVIDED THAT no addition to or alteration or rescission of the rules shall be approved if it affects the personal benefit clause or the winding up clause."

INTERPRETATION OF THE RULES

25. THE decision of the Committee on the interpretation of the rules, or any matter or thing not contained in these rules and which pertains to the Club, its property or interest shall be conclusive and binding on all members of the Club until revoked at a General Meeting.

AUDIT

26. THE Club shall at the Annual General Meeting appoint such person as it may think fit to audit the Club accounts for the current year and any vacancy occurring in such office during the year shall be filled by the Committee

WINDING UP OF THE CLUB

27. A bare majority of the members present at a Meeting convened for the purpose may (provided that all liabilities of the Club have been duly discharged) resolve that the Club be wound up as from the date to be flamed in such resolution and such resolution to be confirmed at a subsequent meeting called for the that purpose not earlier than thirty days after the passing of the resolution and may also direct the method of disposition of the funds and property of the Club after the Winding up thereof, PROVIDED THAT if upon the winding up or dissolution of the Club there remains after the satisfaction of all its debts and liabilities any property whatsoever the same shall not be paid to or distributed among the members of the Club but shall be given or transferred to some other charitable organisation or body having objects similar to the objects of the Club or for some other charitable purpose within New Zealand.”

PAYMENT TO MEMBERS

28.

- (a) No member of the Club nor any person associated with a member shall participate or materially influence any decision made by the Club in respect of the payment to or on behalf of that member or associated person of any income, benefit or advantage whatsoever.
- (b) Any such income paid shall be reasonable and relative to that which would be paid in an arms length transaction (being the open market value). The provisions and effect of this clause shall not be removed from this document and shall be included and implied into any document replacing this document