

HAMILTON
WORKINGMEN'S CLUB INC.



CONSTITUTION



**HAMILTON WORKINGMEN'S CLUB
Inc.**

INDEX

Index	Rule No	Page No			
			Life Members	8	5
Absentee Voters	11	7	Manager	15	8
Accounts	22	11	Membership	4	3
Admission of Members	5	4	Name	1	3
Annual General Meeting	17	8	Objects	3	3
Auditor	14	8	Pecuniary Gain	36	15
Board of Appeal	27	13	President & Vice-President	12	8
Borrowing Money	25	12	Quorums	21	11
By-Laws	30	14	Registered Office	2	3
Claims to Club Property	28	14	Rules Revision	32	14
Committee meetings	19	10	Seal	23	11
Committee of Management	10	6	Secretary	16	8
Disputes	29	14	Subscriptions and Arrears	7	5
Dissolution	33	15	Termination of Membership	6	5
Extraordinary General meetings	18	9	Treasurer	13	8
General	34	15	Visitors	26	13
General Powers of Executive	24	11	Voting	20	10
Honorary Members	9	6			
House Rules	35	15	NOTE: Meetings Procedure Law and Practice by		
Interpretation	31	14	Horsley and Paul is the official Reference for all		
			meetings held by the Club		

THE HAMILTON WORKINGMEN'S CLUB

INCORPORATED

CONSTITUTION

Under the incorporated Societies Act 2022

Updated 29th June 2025

1. NAME

- 1.1. The name of the Club shall be the HAMILTON WORKINGMEN'S CLUB Incorporated, hereinafter referred to as "the Club".

2. REGISTERED OFFICE

- 2.1. The registered office of the Club shall be at 20 KING STREET, HAMILTON or such other place as the Executive Committee shall from time to time appoint.

3. OBJECTS

- 3.1. The objects for which the Club is established are:-
- (a) To conduct, administer and maintain a Club for its members and for such persons as are authorised from time to time in accordance with the terms of any licence granted to the Club.
 - (b) To provide amenities and cultural activities and promote sport and generally provide an atmosphere where the members may meet and enjoy companionship with one another.
 - (c) To provide facilities and support for persons who have served in the New Zealand armed forces, or any allied country, or part of the British Commonwealth or the United Nations.

4. MEMBERSHIP

- 4.1 Membership of the club shall consist of Life, Honorary, Senior Member (who has attained the age of 65, prior to the commencement of the Clubs Financial year) 60 + (who has attained the age of 60, prior to the commencement of the Clubs Financial year and has been a member, for more than five years) Ordinary, and Junior members who shall be persons of good repute and shall comprise:
- (a) Individuals who have attained the age authorised by the Sale and Supply of Alcohol Act 2012 and any amendments made subsequent.
 - (b) Individuals under the age authorised by the Sale and Supply of Alcohol Act 2012 and any amendments made subsequent.

- 4.2. Members shall be entitled to rights and privileges as follows:
 - (a) Entry to the Club premises during such hours as may be defined by the Executive Committee (see Rule 35.1).
 - (b) The right to hold office in accordance with the Rules of the Club,
 - (b.1) Junior members are without right to take part in meeting, election or hold any office other than that of an adjunct.
 - (c) an equal voice in all business of the Club.
 - (c.1) Junior members will have no voice in any business of the Club, other than that as a member of an Adjunct.
- 4.3. Members who are employees of the Club are entitled to all the rights and privileges of membership. Those employees duly installed as Club members are without right to take part in any meeting, election or hold any office.
- 4.4. The Club shall at all times be conducted on the basis that all members be treated as equal except as in paragraph 4.2, 4.3 or 9.1.

5. ADMISSION OF MEMBERS

- 5.1. Each candidate for membership shall complete a Membership Application form. The membership application form shall include the forenames, surname, date of birth, residential address and occupation of the candidate and an undertaking that they consent to membership and agree to abide by the Constitution and House Rules (See Rule 35) and the (Bylaws page 16), of the Club. The candidate shall deposit, at the time of nomination, such sum as may be directed by the Executive Committee. The names of candidates shall be posted on the Club's notice board for fourteen (14) days clear prior to election.
 - 5.2. Any objection lodged during the period of posting shall be considered by the Executive Committee. Election shall be by ballot of the Executive Committee meeting held after the expiration of the said fourteen (14) days.
 - 5.3. An interim hospitality card will be issued (which shall remain the property of the Club) to a nominee, provided the Executive have agreed to the issue of such a card. The card extends all privileges of the club except that they may not hold office, participate in any election or any club, interclub tournaments or introduce visitors.
 - 5.4. Should the nominee(s) be rejected by the Club or the Executive Committee, they shall be advised in writing, by registered mail, and their hospitality card cancelled from that date. All fees paid will be returned to the nominee(s).
 - 5.5. Members who wish to transfer to an affiliated Club may do so on application to the Executive Committee (in writing) providing they have been a financial member for a minimum for three (3) years.
 - 5.6. The Club will maintain an up-to-date register of members in accordance with the Incorporated Societies Act 2022.
 - 5.6.a The Register of Members will at all times be administered in accordance with the Privacy Act 2020 and the Clubs Privacy Policy.
 - 5.6.b The register will contain:
 - (a) the name of each member; and
 - (b) the last known contact details of each member; and
 - (c) the date on which each person became a member; and
 - (d) all other information prescribed by the regulations (if any).
 - 5.6.2 The Club will update its register of members as soon as practicable after becoming aware of changes to the information recorded on the register.)
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6. TERMINATION OF MEMBERSHIP

6.1. By Resignation.

Members may resign their membership by letter addressed to the Secretary of the Club to that effect and by paying all subscriptions owing at the date of such letter of resignation.

6.2. By expulsion or suspension.

Members who misconduct themselves or commit offences under these Rules render themselves liable to expulsion on the majority decision of the Executive Committee. Members shall have the right to appear at and be heard at any meeting considering a complaint against them.

6.3. Appeal.

Any member expelled shall have the right of appeal under Rule 27.

7. SUBSCRIPTIONS

7.1. All subscriptions shall be paid yearly in advance. The annual subscription shall be the sum as from time to time determined by members in Annual General Meeting or at a General Meeting called for that purpose.

7.2. The subscription year of the Club shall commence on the 31st day of March in each year and subscription shall be payable within one (1) calendar month of that date.

7.3. New members admitted to the Club will pay the full Annual Subscription and other fees as from time to time set at each Annual General Meeting regardless of the date of being admitted

7.4. A member whose subscription has not been paid after one week following the final due date for payment shall, for the time being, be deemed to have resigned from the Club and shall be suspended forthwith.

7.5. A member suspended as unfinancial must apply in writing (and enclosing due fees) to the committee for re-instatement as a full member of the Club. The decision of the Executive Committee shall be binding without right of redress or appeal.

7.6. A member incapacitated through illness, accident of distress or leaving for a lengthy period (over 6 months) may, on notice in writing given to the Secretary, have their subscription suspended or remitted for any full half year which he is absent.

8. LIFE MEMBERS

8.1. The Club may in General Meeting, upon recommendation of the Executive Committee or upon the motion of any member of which notice has been posted on the notice board at least Fourteen (14) days prior to the General Meeting and signed by the proposer, on a vote by ballot, reward any member for special services to the Club, by electing them a life member.

9. HONORARY MEMBERS

- 9.1. The Executive Committee may from time to time elect as Honorary members of the Club those persons who meet the following criteria. Those persons duly installed as Honorary members are without right to take part in any meeting, election or hold any office.
- (a) Overseas visitors who are in the country for a minimum period of 4 weeks and who are relations or friends of a financial member.
 - (b) Persons who hold Executive positions in Clubs not affiliated to Clubs New Zealand.
 - (c) Persons who have rendered a service to the Club without thought of reward or compensation.
- 9.2. The list of Honorary members shall be reviewed every 4 monthly period by the committee.

10. EXECUTIVE COMMITTEE OF MANAGEMENT

- 10.1. The general business, management and control of the Club shall be conducted by an Executive Committee comprising of:-
- (a) A President.
 - (b) A Vice-President.
 - (c) A Treasurer.
 - (d) Seven (7) committee members.
- 10.2. The Executive Committee shall be elected in the following manner:-
- (a) Nominations for the Executive Committee shall be made in writing on a form provided for the purpose and shall be deposited with the Secretary at least Seven (7) clear days prior to the Annual General Meeting. The nominee must comply with rule 10.2 (b) and their proposer and seconder, at the date of nomination shall have been financial members of the Club for Twelve (12) months. If any is not the nomination shall be void.
 - (b) Every candidate for the office of President, Vice-President, Treasurer or Executive Committee member must have been a member of the Club for at least Three (3) years prior to nomination for office.
 - (c) Candidate for the position of President must have served one (1) term of not less than Twelve (12) months as an Executive Committee member.
 - (d) If the number of candidates for any office does not exceed the number required to be elected the members nominated shall be declared after the Annual General Meeting.
 - (e) The Executive Committee shall appoint returning and other officers to make any preparations necessary for the proper conduct of elections. The returning officer shall exercise a casting vote at the declaration of the poll in case of a tie in the ballot
 - (f) Any candidate for election may appoint one scrutineer to act for him. Notice of any such appointment must be given by the candidate in writing to the Secretary before 10 am. on the day of the election. A scrutineer must be a financial member of the club.
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- (g) The result of the election shall be posted on the club notice board by the Secretary immediately on receipt of the returning officer's report.
- (h) Any candidate or his nominator/seconded may apply for a recount of recorded votes after the result of any election is posted provided that such application shall be lodged within 48 hours of the declaration of the poll and accompanied by a deposit of fifty dollars (\$50.00) as a guarantee of good faith. Such deposit shall be refunded should the Executive Committee consider the application a reasonable one.
- (i) The election shall be by secret ballot on the Club's premises. Voting will be between the hours of 11am and 7pm for three (3) days to be determined by the Executive Committee and to commence no later than seven days following the AGM.
- (j) Any extraordinary vacancy on the Executive Committee may be filled by the Executive Committee.
- (k) No person shall be eligible for membership of the Executive Committee for so long as they are:
 - (1) a lessee, sublessee, licensee or sublicensee of property owned or occupied by the club, or
 - (2) a shareholder or director of any body corporate coming within the descriptions set out in paragraph (1) of this Rule, or
 - (3) an employee of the club.
- (l) Any member elected or appointed after the date of the annual election shall hold office one year only until the next annual election.
- (m) The President, Vice-President, Treasurer and Executive Committee shall be eligible for re-election.
- (n) Members of the Executive Committee shall automatically vacate their office if they:-
 - (1). Are absent from Three (3) consecutive meetings of the Executive Committee without leave of the Executive Committee.
 - (2). By notice in writing from the Executive Committee if called upon to resign for any reason which the Executive Committee deems expedient and they do not resign.

11. ABSENTEE VOTERS

- 11.1. Financial members unable to attend to cast a vote during the election may, on application to the Secretary, make a declaration stating the reason for being unable to cast a vote.
 - 11.2. The Secretary shall then issue the necessary ballot paper(s) to the member who shall cast a vote by delivering it to the Returning Officer or to one of his (or her) deputies who will call on the member to make the declaration and to receive the members vote which shall be cast within three days preceding the date of the ballot.
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12. PRESIDENT AND VICE-PRESIDENT

- 12.1. The President shall preside at all meetings of the club and the Executive Committee. In his absence the Vice-President shall preside and failing both, the meeting shall elect a Chairman. The Chairman of any meeting shall have a deliberative vote and in event of equality of voting the Chairman shall also have a casting vote.
- 12.2. The President, Vice-President, Executive member chairman of any meeting of the Club and of the Executive Committee shall have the power to temporarily suspend a member from the privileges of the Club who shall, after having been duly warned, persist in the creating of disturbance at any meeting or entertainment.
- 12.3. The President shall be ex-officio member of all sub-committees. The President shall have the right of entry upon the club premises or buildings at any time.
- 12.4. The President shall be the contact person with whom the Registrar can contact when needed.

13. TREASURER

- 13.1. The Treasurer shall ensure that the Manager pays into the Bank for the credit of the Club, all moneys received and shall furnish the Executive Committee at each ordinary meeting with a detailed report of the previous month's receipts and payments.

14. AUDITOR

- 14.1. An auditor who shall be a member of the New Zealand Society of Accountants shall be appointed by the Executive committee annually. He (or she) shall not hold any other office in the Club. He or she shall have the right to attend any meeting of the Club at which the Club's financial affairs are under discussion. The audit fees shall be determined by the Executive Committee.

15. MANAGER

- 15.1. The Club may appoint a Manager who shall be responsible for the day to day maintenance, cleanliness and service of the Club, the engagement and dismissal of such employees as may be essential to provide an adequate and efficient maintenance of the assets and control of the Club and such other duties as are conducive to his (or her) office in accordance with the employment contract duly negotiated and signed.

16. SECRETARY

- 16.1. The Executive Committee shall appoint a Secretary whose duties shall be to attend to all clerical duties of the Club and any accounting functions on behalf of the Treasurer as directed by the Manager, to take minutes of Executive Committee and General Meetings and generally to conform to such regulations as shall from time to time be made by the Executive Committee and such other duties in accordance with employment contract duly negotiated and signed.
- 16.2. Nothing in this rule shall preclude the engaging of outside professional services in the performance of any of the above duties or from combining the office of Secretary with that of Manager.

17. ANNUAL GENERAL MEETING

- 17.1. The Annual General Meeting of the Club shall be held as soon as practicable upon the finalisation of the Club's annual accounts by the Club's Auditor, no later than 30th June.
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- 17.2. At least fourteen (14) days notice of such Annual General Meeting shall be posted on the Club notice board . At least (7) clear days notice prior to the date of the meeting, stating the nature of the business to be brought before the meeting shall be posted on the Club notice board and a copy of such notice shall be posted to each member.
- 17.3. The order of business at the Annual General meeting shall be:
- (a). Apologies
 - (b). Adoption of Report and Balance sheet
 - (c). Notice of items in General Business
(i.e. Members wishing to raise points in General Business give directions to the chair that they wish to speak. These are recorded by the Secretary).
 - (d). Minutes of previous AGM
 - (e). Matters arising
 - (f). President's Report
 - (g). Subscriptions
 - (h). Notice of Motion
 - (i). Confirmation of Returning Officers
 - (j). Election of Appeal Board
 - (k). Election of Patron
 - (l). General Business
- 17.4. At the Annual General Meeting following apologies the first business shall be the discussion and adoption of the Annual Report and Balance Sheet. The adoption of the Report and Balance Sheet having been moved and seconded, any member may without notice ask any question relative to the Report or Balance Sheet. The meeting will follow the order paper as set out in rule 17.3.
- 17.5. The normal rules of debate shall be followed, each member speaking once only to motion or amendment except the mover who may reply. The mover of any resolution or substantial amendment shall be allowed five (5) minutes in which to introduce his proposition and ten (10) minutes for reply, or vice versa, any other speaker will be allowed five (5) minutes. The Chairman shall decide whether any amendment proposed is a substantial amendment or not. If free discussions of any subject is desired, any member may move that the meeting go into committee on that subject and such motion shall be immediately put and decided by a show of hands. In committee no member shall speak for more than five (5) minutes at a time. When in committee any member may move that the ordinary meeting shall be resumed, and such motion shall be immediately put and decided by a show of hands. "In Committee" means that no minutes or record of debate is kept, and that the debate is confidential to those attending the meeting concerned and "Into Committee" has a corresponding meaning'.
- 17.6. Any General Meeting may be adjourned to any time not exceeding fourteen (14) days thereafter. In the event of there being no quorum within half an hour after the time fixed for General Meeting, the meeting shall stand adjourned for not more than fourteen (14) days, the new date to be fixed by the Executive Committee who shall give at least three (3) days notice of the meeting by advertisement and notice on the notice board. In the event of there being no quorum the meeting shall lapse.
- 17.7 Minutes are required to be kept for all meetings.

18. EXTRAORDINARY GENERAL MEETING

- 18.1. The Executive Committee may whenever deemed appropriate or upon requisition in writing by Ninety (90) members, convene an Extraordinary General Meeting. Any such requisition shall specify the objects of any meetings requisitioned and shall be signed by the members making the requisition and shall be deposited with the Secretary. The meeting must be convened for the
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purpose specified in the requisition and if convened otherwise than by the committee, for this purpose only. Seven (7) clear days notice specifying the place, the day and the hour of such Extraordinary General Meeting and the purpose for which it is held shall be given either by an advertisement in a public newspaper circulating in district or by notice sent by post or personally served on each member.

18.2. All signatories to a requisition for a Special General Meeting must be present at the meeting requested or submit an apology in writing that is acceptable to the Chairman, otherwise the meeting shall not proceed.

18.3 Minutes are required to be kept for all meetings.

19. EXECUTIVE COMMITTEE MEETINGS

19.1. The Executive Committee shall meet regularly (at least 12 meetings annually) at a time and place to be determined by the Executive Committee.

19.2. Six (6) members of the Executive Committee shall constitute a quorum. The order of business shall be in accordance with standing orders unless the meeting by majority vote decides to alter it.

19.3. The ordinary meeting of the Executive Committee shall be open to financial members of the Club, they shall take no part in the proceedings and shall retire if the meeting goes "into committee".

19.4. Standing orders for all Executive Committee meetings shall be as follows;

- (a) All business shall be conducted on the strict rules of debate.
- (b) All sub committees shall be set up at the first ordinary meeting of the Executive Committee in each year.
- (c) The order of business shall be as follows.
 - 1. Receipt and confirmation of minutes
 - 2. Consideration of business arising from minutes of last meeting.
 - 3. Inward and Outward correspondence
 - 4. Passing accounts for payment
 - 5. Notices of motion received in writing
 - 6. Manager's and Committee reports
 - 7. Consideration of requisition, suggestions and complaints
 - 8. Consideration of propositions for new membership
 - 9. Questions
 - 10. Consideration of new business

20. VOTING

20.1. At any General Meeting and Extraordinary General Meeting of members every member shall be entitled to be present and, to give one vote and no more upon every question, provided however that in the case of equality of votes the Chairman of the meeting shall have a second or casting vote. Voting shall be on the voices in the first instance, provided however that the chairman on his own volition may and on the application of three members shall call for a show of hands. On a motion passed by a majority of those present the vote shall be taken by secret ballot.

21. QUORUM

21.1. The quorum for:

- (a). a meeting of the Executive Committee shall be not less than six (6) of its members.
- (b). a General Meeting of the Club shall be not less than fifty (50) members.

22. ACCOUNTS

22.1. The Executive Committee shall cause to be kept true accounts:

- (a). Of all sums of money received and expended by the Club and the matters in respect of such receipt and expenditure takes place.
- (b). Of all assets, credits and liabilities of the Club including any charges and securities of any description affecting any property of the Club.
- (c). The financial year of the Club shall end on the Sunday closest to 31 March in each year, and the next financial year shall begin on the Monday immediately thereafter.
- (d). The books of account shall be kept at the office of the Club or such other place as the Executive Committee may determine and shall be open to the inspection of active member at reasonable times. All moneys received shall be forthwith paid into a bank approved by the Executive Committee after being entered in the books of the Club as having being received.
- (e). All payments shall be reported to the Executive Committee for confirmation at the meeting next following pay-out, and all payment of money on behalf of the Club shall be made by cheques, electronic payment or debit card authorised by any two of; the President, Secretary or Treasurer.
- (f). At every Annual General Meeting of the Club the Executive Committee shall present a statement of the income and expenditure and a balance sheet containing a summary of the assets and liabilities of the Club made up to the yearly date. Every such statement shall be accompanied by a report from the Executive Committee as to the state of the Club.
- (g). The Club shall make returns required by the relevant New Zealand legislation and comply with all the relevant requirements of those Acts.

23. SEAL

23.1. The Club shall have a Common Seal which shall be kept in the custody and the control of the Secretary and shall only be fixed to documents at a meeting of the Executive Committee or in pursuance of a resolution of the Executive Committee and the affixing of such seal shall be witnessed by at least two members of the Executive.

24. GENERAL POWERS AND DUTIES OF THE EXECUTIVE

24.1. The Executive Committee shall have power:

- (a). To take on lease, hire or otherwise acquire any real or personal property or rights or privileges which the Club may think necessary or convenient for the purpose of furthering the objects of the Club.
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- (b). To invest any moneys not required for immediate use in such Government or Local Body securities or on bank deposits as may be deemed advisable with power from time to time to vary investments for others of a like nature, and to lease or hire or enjoy the benefit of any property presently occupied whether real or personal of any kind or nature whatsoever which may be conveniently used in connection with the objects of the Club,
- (c). To make Regulations and By-laws for the conduct of the Club and the discipline required of members,
- (d). To receive constructive suggestions or legitimate complaints from any member providing such suggestion is in writing to the Secretary.
- (e). To do all such things as in the opinion of the Club may be incidental to the attainment of any of the foregoing objects or the exercise of any of the foregoing powers.
- (f). The Executive Committee shall have the power to suspend or expel from the membership any member of the club for misconduct (either within or outside the Clubs premises) for any wilful infringement of the Clubs rules or any by-laws, house rules made by the Executive Committee but before any member is suspended or expelled the member shall be notified by the Secretary of the date, time and place of the meeting of the committee at which his (or her) suspension or expulsion is to be considered. Such notice shall be deemed to be given if posted by registered post to the member's usual or last known address not less than five (5) clear days before the date of the committee meeting, or if no address be known, by posting in the Club's Notice Board for five (5) days before such meeting and it shall not be necessary to show that the member actually received such notice. The member shall be entitled to appear before such meeting of the Executive Committee and be informed of any complaint or charge against them. The member may put forward any explanation of defence they wish to make and the Executive Committee may then decide either to suspend or expel or reinstate the member. If the member fails to attend the meeting the Executive Committee upon proof of notices to the member as above provided may proceed in the member's absence. No member may be suspended under this rule unless a majority of the members of the Executive Committee meeting vote in favour of suspension, expulsion or reinstatement. Any member of the Executive Committee may call a ballot on the question of suspension or expulsion or reinstatement of a member. The above applies to all suspensions not covered by automatic suspensions as shown in the House Rules and offences in the By-laws. That the Executive Committee shall make sure that any member on charge is made fully aware that they may call witnesses in their defence, both verbally in the presence of another person, and in writing, at the time of the hearing.

24.2. There shall be an Emergency Executive Committee to consist of the President, Vice President and one member elected from the Executive Committee who shall have the power to act in any emergency that may arise. The powers of the Emergency Executive Committee are the same as those of the Executive Committee.

24.3. Sub committees may be set up for various business as required. The Chairman of each Sub committee shall be appointed by Executive Committee and shall be convenor of all meetings of that committee. The President shall be ex-officio of all sub committees.

25. BORROWING MONEY

25.1. The Executive Committee shall have power to borrow or raise or give security for money by the issue of Mortgages, bonds, debentures, debenture stock, bills of exchange, promissory notes or

other obligations or securities of the Club by mortgage or charge upon all or any part of the property of the Club or without security and upon terms as to priority or otherwise as the committee shall think fit.

- 25.2. Any resolution of the Executive Committee involving the expenditure of an amount exceeding Five Hundred Thousand Dollars (\$500,000) on any purchase or restoration of any assets must first be submitted and approved by an Annual General or a Special General Meeting of members before having effect.

26. VISITORS

- 26.1. Any member may invite any person as a visitor to the Club provided that person does not become a regular or frequent visitor. All visitors shall sign the Visitors Book provided by the Executive Committee and enter their name and address therein on each such occasion. The member accompanying a visitor shall also sign the Visitors book and will at all times be responsible for the conduct of the Visitor. No such visitors shall be sold or supplied liquor on the Club premises unless the visitor is present on the invitation of a member and is in the company of that member and the liquor is supplied for consumption on the premises.

- 26.2. The number of visitors allowed to be admitted by any member shall be restricted to a maximum of three (3), however on application to any member of the Executive Committee, or the General Manager or those staff duly authorised to do so, may be granted dispensation to invite a greater number than three (3) persons.

- 26.3. No person, be they a member of an affiliated Club or otherwise, shall become a regular or frequent visitor.

(NOTE) *Regular and frequent has been determined by the Executive Committee to constitute no more than three (3) visits per month.*

- 26.4. Members of affiliated Clubs may be sold or supplied liquor on the Club premises provided they have on admission to the premises produced sufficient evidence to an officer of the Club or member of its staff that they are members of an affiliated club. Affiliated visitors shall sign the Visitors Book provided by the Executive Committee for the purpose and shall enter their names and the name of their own club therein.

- 26.5. Visitors under 18 years of age may be admitted to the designated areas of the Club as defined by Executive Committee from time to time, provided they are accompanied by a legal Guardian, in accordance with the Sale and Supply of Alcohol Act 2012 and any amendments made subsequent.

27. BOARD OF APPEAL

- 27.1. There shall be a Board of Appeal consisting of five members, three of whom who shall be approved annually at the Annual General Meeting and two who shall be appointed by the Executive Committee. The Board of Appeal whose duty it shall be to hear and decide any appeal lodged by a member or members against any decision of the Executive Committee entailing suspension or expulsion.

- 27.2. Any member being suspended or expelled and desiring to appeal must give notice in writing to the Secretary within forty eight (48) hours of the date of such suspension or expulsion stating the grounds for appealing.

- 27.3. The Secretary shall within forty-eight (48) hours summon the members of the Board of Appeal who shall re-hear the case but shall not admit fresh evidence, except where an application has been made to the Executive Committee for a re-hearing and has been refused. The decision of the Board
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of Appeal shall be final. Officers and members of the Executive Committee shall not be eligible for membership of the Board of Appeal.

28. CLAIMS TO CLUB PROPERTY

28.1. No expelled or retiring or forfeiting member shall have any claim upon the Executive Committee or the Club either collectively or individually or to any property of the Club.

29. COMPLAINTS, DISPUTES AND APPEALS

29.1. Every dispute between a member or persons claiming through a member under these rules and the Club or an officer of the Club shall be decided by the Executive Committee and the decision shall be binding and conclusive on all parties without appeal.

29.2. All members of the Hamilton Workingmen's Club Incorporated will be covered by these rules and may be subject to penalties, sanctions or orders imposed by the Disciplinary Committee.

29.3. If the conduct of any member should be reported as objectionable, a member, guest, visitor, staff member or any member of the public making the complaint shall do so in writing to the Manager, as soon as practical and no later than one calendar month after the incident.

30. BY-LAWS

30.1. The Executive Committee shall have power to make Regulations and By-Laws dealing with all matters within the jurisdiction of the Club and not provided for in these Rules.

30.2. Such Regulations or By-Laws shall not be inconsistent or repugnant to the provisions of the Incorporated Societies Act, 2022 and its amendments or of these Rules.

30.3. The By-Laws are shown on pages 16/17 of the Rule Book.

31. INTERPRETATION

31.1. In the interpretation of these Rules, the decision of the Executive Committee shall be final and binding.

32. REVISION OF RULES

32.1. These Rules may be altered, added to and rescinded by a resolution passed by a three-fourths majority of the members for the time being entitled to be present and to vote at any General Meeting of which notice specifying the intention to propose the resolution has been duly given according to the Rules.

32.2. Any member proposing an alteration to the rules shall hand to the Secretary a copy of such intended alteration at least Twenty Eight (28) days before the meeting of members and the Secretary shall post a copy of such intended alteration on the Club notice board for at least Twenty One (21) days before the meeting of members.

32.3. Resolution in lieu of meeting: A written resolution may be passed via this method in accordance with Sections 89 to 92 of the Incorporated Societies Act 2022.

33. DISSOLUTION

33.1. The Club may be voluntarily dissolved as provided by section 5(3) and subpart 5 of Part 5 of the Incorporated Societies Act, 2022 and its amendments. Any funds or property remaining after settlement of just debts shall transferred to another not-for-profit association of in accordance with the decision of the members meeting deciding upon a dissolution. Provided that no member of the Club at the dissolution shall personally be entitled to participate or benefit in any way in the distribution of such funds. Rule 33 "Dissolution of the Club" shall not be altered without approval of the Inland Revenue.

34. GENERAL

34.1. All matters provided for in these Rules shall, at all times, be dealt with in accordance with the following "guiding principles".

- (a). That it be accepted that the Club is established primarily for the benefit and convenience of its members.
- (b). That the admission of non-members should at all times be of a lesser priority than the comfort, well being and satisfaction of the Club's members.
- (c). That the admission of visitors should always be regarded as a privilege of the members, granted to enable them to dispense periodic hospitality to their causal guests and not as a means of augmenting the revenue of the Club.
- (d). That at all times the provision of the Club's licence as laid down by the Liquor Licensing Authority is to be maintained and upheld.

35. HOUSE RULES

- 35.1. The club shall be open during the hours prescribed by law and decided by the Executive Committee and may be closed on such special occasions as the Executive Committee may authorise.
- 35.2. Any member or visitor whose refreshments have been stopped shall leave the premises immediately on request of the President, any member of the Executive Committee, or the Manager or those staff authorised to do so.
- 35.3. No liquor shall be removed from the Clubs premises.
- 35.4. No liquor can be brought into the Club's premises by a member or visitor.
- 35.5. No member or visitor shall be admitted to the Club rooms or served with refreshment if improperly dressed.

36. PECUNIARY GAIN:

- 36.1. No member of the Club or any person associated with a member shall participate in 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.
 - 36.2. Any such income paid shall be reasonable and relative to that which would be paid in an arm's length transaction (being the open market value)
 - 36.3. The provision and effect of this clause shall not be removed from this document and shall be included and implied in any document replacing this document.
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BY LAWS

1. Under rule 30 the committee may make By-Laws (not inconsistent with the Incorporated Societies Act 2022 and not inconsistent with Sale and Supply of Alcohol Act 2012 for the regulation and management of the Club or any part of its business.
 2. The following By-Laws have been adopted but do not form part of the Rules and may be added to, changed or deleted without reference to the Registrar of Incorporated Societies in accordance with Rule 24.1.(c).
 - (a). No member shall give any gratuity to any employee of the Club.
 - (b). Any member removing any article or articles from the Club's premises without authority, or wilfully damaging any of the Club's property, shall render himself liable to expulsion or suspension of any length imposed by the Executive Committee, plus restitution for damage or theft.
 - (c). Any member convicted of bookmaking or an indictable offence or committing an offence within or without the Club likely to prejudice the Club's licence shall automatically cease to be a member of the Club.
 - (d). Drunkenness, swearing, obscene language and other disorderly conduct shall not be permitted in the Club's premises and members persisting in offending may, after being cautioned by any officer of the Club or an Executive Committee member render themselves liable to suspension or expulsion.
 - (e). Suspension by an Executive Committee member or an officer of the Club shall mean total exclusion from the Club's premises from the time of committal of the offence until such time as the matter had been dealt with by the Executive Committee which may either cancel the suspension or confirm it for a determined period of time. The member shall in all cases be given the right to appear before the Executive Committee.
 - (f). If in the opinion of the Executive Committee a fine would be a more appropriate measure of discipline the Executive Committee may levy such as an alternative. In no case, however, shall the Executive Committee have the authority to levy a fine in excess of fifty dollars (\$50) for each offence. The payment of such fine does not automatically disqualify the member from any office held within the Club.
 - (1). Any disciplinary action taken will be entered in the minutes of the Executive Committee meeting together with the name of the member complained of.
 - (2). Any member convicted of any criminal offence may become liable for suspension or expulsion as decided by the Executive Committee of the day.
 - (g). No raffle shall be allowed on the Club's premises or goods exhibited for that purposes except with the authority of the Executive Committee.
 - (h). No unlicensed or unlawful gambling or gaming shall be permitted in the Club.
 - (i). No petition, except for the purpose of convening an Extraordinary General Meeting as provided for in Rule 18.1 shall be allowed to circulate or signatures sought on the premises of the Club.
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- (j). No business cards or notices shall be posted or hung on the premises without the sanction of the Executive Committee, nor shall any member give the address of the Club in an advertisement or conduct any business in the Club or use the Club address for business purposes.
- (k). Members of the Executive Committee shall at all times render every assistance to the officers and staff of the Club to maintain order and to prevent infringement of the Rules, Regulations or By-Laws or the terms of any licence which may from time to time be granted.
- (l). No dogs are allowed on Club premises except under exceptional circumstances as approved by the Executive Committee (ie Guide Dog).
- (m). The Rules, Regulations and By-Laws shall apply equally to each and every member of the Club.

3. DRESS CODE.

(a) Unacceptable at all times

- (1). Footwear: Gumboots, Heavy Hobnailed or working boots, bare feet.
- (2). Clothing: Swim shorts, vest, bare top, overalls.

(b) Acceptable

- (1). Social functions: A reasonable standard of dress is required.
- (2). Ordinary Club Hours: Apart from the unacceptable listed above, members are requested to wear a reasonable standard of dress at all times.

4. CLUB MEMBERSHIP CARDS/ACCESS.

Membership cards must be carried at all times while on club premises.

- a. Membership cards remain the property of the Hamilton Workingmen's Club and must be surrendered on request.
 - b. Lost or stolen cards must be reported immediately.
 - c. Membership cards are solely for the use of those members to whom they have been issued. Any person other than the entitled holder who may be in possession of a card, will be denied access to club premises and the card confiscated.
 - d. Members who are not in possession of a current membership card will have access denied to the club and will also be precluded from participating in club activities and business.
 - e. Any member who knowingly allows a non member to utilize their card may face disciplinary action.
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