

It is proposed by the Executive Committee that the following alterations be made to the Constitution of the Hamilton Workingmen's Club, the original wording is bracketed in black with the proposed change bracketed in red, a full copy of the current constitution is available on our website [www.hwmc.co.nz](http://www.hwmc.co.nz) or on request from reception:

## CONSTITUTION

### Under the Incorporated Societies Act (2008) (2022)

(Note: To cover mixed membership a gender includes each other gender) – Removed

- 3.1. (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.)
- 4.1 (a) (Males and Females) (Individuals) who have attained the age authorised by the Sale and Supply of Alcohol Act 2012 and any amendments made subsequent.
- 4.1 (b) (Males and Females) (Individuals) under the age authorised by the Sale and Supply of Alcohol Act 2012 and any amendments made subsequent.
- (5.6 The Club will maintain an up-to-date register of members in accordance with the Incorporated Societies Act 2022.
  - 5.6.1 The Register of Members will at all times be administered in accordance with the Privacy Act 2020 and the Clubs Privacy Policy.
  - 5.6.2 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.)
- 10.2 (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 (commencing on the Saturday) (to be determined by the Executive Committee and to commence no later than seven days) following the AGM.
- (l) Any member elected or appointed after the date of the annual election shall hold office for (one year) only until the next annual election.
- (12.4 The President shall be the contact person with whom the Registrar can contact when needed.)
- 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'.)

(17.7 Minutes are required to be kept for all meetings.)

(18.3 Minutes are required to be kept for all meetings.)

22.1(g). The Club shall make returns required by (Section 23 of the Incorporated Societies Act, 1908 or by such other statutory provision for the time being in force and shall comply with all the requirements of such Statute and other Regulations thereunder) (the relevant New Zealand legislation and comply with all the relevant requirements of those Acts).

24.1. (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 (he or she) (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 (him (or her)) (them). (He or she) (The member) may put forward any explanation of defence (he or she) (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 (him (or her)) (the member) as above provided may proceed in (his (or her)) (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 (he or she) (they) may call witnesses in (his) (their) defence, both verbally in the presence of another person, and in writing, at the time of the hearing.

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 of Liquor act) (Sale and Supply of Alcohol Act 2012 and any amendments made subsequent).

**29. (DISPUTES) (COMPLAINTS, DISPUTES AND APPEALS)**

- 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.
- 30.2. Such Regulations or By-Laws shall not be inconsistent or repugnant to the provisions of the Incorporated Societies Act, (1908) (2022) and its amendments or of these Rules.
- 32.3 Resolution in lieu of meeting: A written resolution may be passed via this method in accordance with Sections 83 to 86 of the Incorporated Societies Act 2022.
- 33.1. The Club may be voluntarily dissolved as provided by (Section 24) (section 5(3) and subpart 5 of Part 5) of the Incorporated Societies Act, (1908) (2022) and its amendments. Any funds or property remaining after settlement of just debts shall (be disposed) (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.
- 35.3. No liquor shall be removed from the Clubs premises (except liquor purchased through the Off Sales counter. Liquor purchased from the Off sales counter must be removed immediately from the Club's premises). (Remove para 35.3)

#### BY LAWS

1. Under rule 30 the committee may make By-Laws (not inconsistent with the Incorporated Societies Act (1908) (2022) and not inconsistent with the (Sale of Liquor Act 1989) (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).)