

# Geraldine Amateur Swimming Club Constitution

# **Geraldine Amateur Swimming Club Constitution**

## **Part I – Objects & Powers**

### **1. Name**

1.1 The name of the club is Geraldine Amateur Swimming Club, commonly known as Geraldine Swimming Club thereafter known as the GASC, and it is affiliated to Swim Canterbury West Coast thereafter known as SCWC.

1.2 The Headquarters of the GASC shall be at the Geraldine Domain Pool, Cox Street, Geraldine or such place as determined by the Committee from time to time.

### **Status**

1.3 The GASC is:

- a. Re-applying for Charitable Entity under the Charities Act 2005
- b. bound by and must observe the rules and decision of Federation Internationale de Natation thereafter known as FINA; and bound by, and must observe the rules and decisions of Swimming New Zealand thereafter known as SNZ.
- c. to be a member of SCWC and is bound by, and must observe the rules and decisions of the Regional Association in which it is located – SCWC

### **2. Objects**

**The Object of the GASC shall be:**

- a. To promote, foster encourage swimming and associated aquatic sports and disciplines;
- b. To arrange for instruction and coaching in swimming and associated aquatic sports and disciplines;
- c. To promote, organise and/or conduct competitions, carnivals, tournaments and entertainments both related to swimming and associated aquatic sports and disciplines. (In the latter case for the purpose of furthering, extending, assisting, sports and disciplines or individuals or affiliated clubs and or other members);
- d. To affiliate with SCWC and SNZ and to do all acts matters and things incidental thereto;
- e. To promote attitudes and behaviours conducive to good conduct in a manner that upholds the principles of fair play and is free from doping;

- f. Liaise and co-operate with SNZ and other member clubs of SNZ to promote, develop, and deliver Swimming;
- g. Promote the health and safety of all participants in Swimming;
  
- h. Ensure compliance by the GASC with SCWC, SNZ and FINA's rules at all levels of swimming and competition.

### **3. Powers & Responsibilities**

#### **3.1 Powers:**

The GASC has the power, subject to this Constitution and SCWC and SNZ Constitution, to do the following:

- a. Make, alter, rescind and enforce this Constitution, and any rules, regulations, policies and procedures for the governance, management and operation of the GASC. Any Regulations made shall hold good until the next ensuing Annual General Meeting or Special General Meeting of members, when it must be confirmed or lapse.
  
- b. determine, raise and receive money by subscriptions, donations, fees, levies, entry or usage charges, sponsorship, government funding, community and/or trust funding, or otherwise;
  
- c. sell, lease, mortgage, charge or otherwise dispose of any property of the GASC and grant such rights and privileges over such property as it considers appropriate;
  
- d. purchase, lease, hire or otherwise acquire, hold, manage, maintain, insure, sell or otherwise deal with property, equipment, and other rights, privileges and licences;
  
- e. determine its membership including disciplining, withdrawing, suspending or terminating Members;
  
- f. award, grant, or otherwise honour achievements in, and service (including Life Membership) to the GASC;
  
- g. Delegate any or all of the powers of the GASC to any sub-committee or any person, committee or sub-committees (the composition of which is not limited to Members) and for that purpose shall carry out duties assigned to it by its order of reference. No decision of a subcommittee shall be binding until it has been ratified by the Committee (or Members in General Meeting) unless its order or reference specifically authorises it in that behalf;

- h. publish information to promote the GASC by any media (such as newsletters, articles, brochures, and the internet) provided such publication is done in accordance with any applicable SNZ Regulations;
- i. Determine, implement and enforce disciplinary, disputes and appeal procedures including making decisions, conducting hearing and imposing sanctions and penalties in accordance with the SCWC and SNZ Constitution, and the Regulations;

### **3.2 Responsibilities:**

The GASC is responsible for promoting, developing, enhancing and protecting Swimming primarily in the Geraldine Region and at other locations as determined by the GASC, and in particular for:

- a. implementing SCWC & SNZ's systems and standards for the consistent and efficient management and administration of Swimming including but not exclusive to providing accurate Data and payment of monies to the Regional Association and SNZ;
- b. appointing delegates to attend SCWC General Meetings in accordance with the SCWC Constitution;
- c. applying its property and capacity in pursuit of the Objects of SNZ and the GASC;
- d. abide by all rules, regulations, lawful requests or directions made by SNZ including any SNZ Member Protection Policy or Code of Conduct.

## **Part II – Membership**

### **4. Members**

**4.1 GASC Members:** The GASC shall have as its Members such individuals as the Committee considers appropriate provided that the membership is consistent with the SNZ Constitution and Regulations. For the purposes of this Constitution, the types of Members of the GASC are as set out below:

- a. **Junior Swimmer:** A member aged 17 years and under at the beginning of the GASC's financial year and who has been accepted as a Member by the GASC in accordance with Rule 5-see below.  
Voting rights – parent/guardian to have one (1) vote per child;
- b. **Senior Swimmer:** A member aged 18 years and above at the beginning of the GASC's financial year and who has been accepted as a Member by the GASC in accordance with Rule 5. Voting rights – one (1) vote per member;

- c. **Adult Members:** assumed to be the Parent/Guardian or Caregiver of any swimmer who will have voting rights– as in 4.1.a Parents or Legal Guardians of Junior Swimmers may stand for election to the Committee;
- d. **Coaches:** A person who is a coach, Assistant Coach or Head Coach of the GASC. Voting rights – one (1) vote per coach;
- e. **Officials:** A person registered as an official with SCWC and/or SNZ and who has been accepted as a Member by the GASC in accordance with Rule 5; Voting rights – one (1) vote per member;
- f. **Life Member:** a Life Member is a person who has been granted life membership of the GASC in recognition and appreciation of long term service to the GASC. Upon acceptance of their life membership they no longer have voting rights.  
Nominations for life membership may be made to the Committee by any Member for a person who has extended outstanding and exceptional service to the GASC, including;
  - (a) Length of service,
  - (b) Consistency of initiative beyond the ordinary and normal,
  - (c) Quality of service over and above the routine service to the GASC,
  - (d) The conferring of benefits on the sport and/or the GASC beyond those accrued by normal performance.

All nominations will be considered by the Committee and if approved be submitted to a Committee meeting for endorsement.

The GASC shall maintain a list of all Life Members of the GASC and ensure that their details are included in the Register.

- g. **Honorary or Associate Members:** The GASC may elect Honorary or Associate Membership under prescribed Regulations. They may not take part in any competition under the rules of the; Voting Rights – nil.
- h. **Patron:**
  - a. The Patron/ess shall hold office for one (1) year until the conclusion of the relevant AGM
  - b. The Patron/ess shall be elected by the Members at the Annual General Meeting
  - c. There shall be no more than two (2) Patrons/ess' at any one time.

#### **4.2 Changes in Membership Status:**

The relevant category of membership for a Member may change during the year. If this occurs, the Member agrees to pay any additional fee(s) to cover such change.

### **5. Becoming a Member**

### **5.1 Membership Applications:**

Any person wishing to apply to be a Member of the GASC must:

- a. complete the application for membership as prescribed by the GASC; and
- b. pay any applicable membership fees of the GASC.

### **5.2 Process:**

On receipt of an application for membership, the Committee (or such other person(s) as designated by the Committee) shall determine if the application is to be accepted, and if accepted shall determine the category of membership for that Member in accordance with any applicable Regulations, and any policies or guidelines of the GASC.

### **5.3 Duration of Membership:**

Subject to Rule 6 (Membership Fees & Other Fees) and Rule 8 (Resignation, Suspension, and Termination of Membership) the duration of membership of:

- a. Junior Swimmer, Senior Swimmer, Adult Members, Coaches, Officials, Affiliate and Associate Members is annual commencing on the 1<sup>st</sup> July or date of joining in each year and concluding on 30<sup>th</sup> June (so that membership is always twelve (12) months or less); and
- b. Life Membership is granted for the lifetime of the Life Member.

### **5.4 Renewal of Membership:**

Membership of the GASC will be renewed annually upon payment of any applicable membership fees to the GASC and completing the process defined by the GASC and SNZ.

### **5.5 Transfers:**

Transfers of membership between clubs must be done in accordance with any applicable SCWC and SNZ Regulations or policies; and

- a. No member of the Club whose name appears on the membership list of the Club shall represent any other club unless a transfer of membership has been affected;
- b. Any member of a club desiring to transfer to the GASC shall, forward to the GASC Secretary a transfer form has been completed by the former club stating that he/she is not financially indebted to that club;
- c. Any transfer of membership shall be effective once signed by the transferring and receiving club/region;
- d. Any member under suspension, or awaiting a hearing for an offence capable of having a period of suspension imposed, is ineligible for transfer.

## **6. Membership Fees & Other Fees**

6.1 **Membership Fee:** The Committee shall determine:

- a. the Membership fee(s) and any other fees payable by each member;
- b. the Annual subscription shall be determined by Committee meeting prior to the commencement of the swimming season, once all levies and other payments due or payable or to become due and payable to the SCWC and/or SNZ are known;
- c. the annual subscription shall become due and payable within one month of a member's registration.

## **7. Member Obligations**

7.1 Members acknowledge and agree that:

- a. they shall comply with and observe this Constitution, the SCWC and SNZ Constitution, the Regulations, and any policies and procedures of the GASC, SCWC and SNZ, and any determination, resolution or decision which may be made or passed by the Committee.

7.2 In order to receive or continue to receive entitlements Members must meet all requirements of membership set out in this Constitution or as otherwise set by the Committee.

## **8. Resignation, Suspension & Termination of Membership**

8.1 A Member may have their membership ended by:

- a. Resignation under Rule 8.2; or
- b. Termination for Default in Fees under Rule 8.3 ; or
- c. Termination under Rule 8.4.

### **8.2. Resignation of Membership:**

A Member may resign from their membership of the GASC by giving notice in writing to the Committee (or such person(s) as designated by the Committee). Upon the expiration of the notice period, and provided that the Member has paid all arrears of membership fees and any other fees due and payable by the Member, the Member shall cease to be a Member

### **8.3 Termination for Default in Fees:**

A Member shall have his or her membership of the GASC terminated if any fees are due and outstanding to the GASC. Before such termination can occur the Committee must give the Member written notice specifying the payment(s) due and demanding payment by a due date, being not less than seven (7) Days from the date of the demand. If payment is not made by the due date, membership shall be suspended pending payment. If such suspension continues for more than ninety (90) Days, the Member shall have their membership automatically terminated on expiry of such a period.

8.4 In addition to Rule 8.3 (Termination for Default in Fees), a Member may have their membership of the GASC terminated if the Committee determines such action under Rule 9 (Discipline).

**8.5 Notice of any Termination**

Shall be sent to SCWC as soon as practical.

**9. Discipline**

9.1 **Discipline:** If the Committee considers that any Member has or may have:

- a. breached, failed, refused, or neglected to comply with a provision of this Constitution, the SCWC and/or SNZ Constitution, the Regulations, or any other resolution or determination of the Committee, or under any rules of FINA or (or in connection with) an Event; or
- b. acted in a manner unbecoming of a Member or prejudicial to the objects or the interests of the GASC, SCWC and/or SNZ and/or Swimming; or
- c. brought the GASC, SCWC and/or SNZ, or any other Member or Swimming into disrepute.

9.2 **Suspension:** When the Committee considers a Member has or may have engaged in one or more of the circumstances in Rules 9.1.a to 9.1.c, and it believes it is in the best interests of the GASC to do so, it may suspend the Member pending determination of the matter in accordance with Rule 10, Procedure, also noting that:

- a. No member shall be suspended without being given an adequate opportunity of being heard in defence. Notice of a proposal to suspend a member shall be given in writing setting forth explicitly the charge preferred and notifying the date, time and place of hearing.
- b. Suspension may be imposed by the Committee of the GASC for not more than one (1) month duration. Suspension for a longer period may be imposed only by a Special General Meeting thereafter known as SGM, of members being called for the purpose.
- c. Notice of suspension imposed shall be at once sent to the Hon. Secretary of the GASC and forwarded to SCWC.
- d. A person so suspended shall have a right of appeal to SCWC.

**9.3 Expulsion:**

Of a Member may be made only by a SGM of members of the GASC called for the purpose, and only if the votes in favour of expulsion shall constitute three-fourths (3/4) of the members present and entitled to vote at the meeting



Procedure:

Before any decision under Rule 9.1 is made, the Member concerned

- a. shall be given fourteen (14) Days written notice by the Committee of the proposed resolution to impose a sanction, including explicitly the charge and notifying the date, time and place of hearing; and
- b. will have the right to be present, make submissions, and be heard at the Committee meeting in which the proposed resolution is to be determined; and
- c. pending the hearing and determining of the charges the member may be summarily suspended by the Committee.

**10. Appeals:**

Any member of the GASC may appeal to the Committee against any decision of any Officer or subcommittee of the GASC.

Such appeal shall be in writing addressed to the Hon. Secretary of the GASC and shall set forth specifically the decision appealed against and the grounds for such appeal.

The Secretary shall arrange for the hearing and determination of the appeal by the Committee at the earliest convenient date. Both the person appealing and the official(s) appealed against shall have the right to appear before the committee prior to the determination of the Appeal.

There shall be no appeal on the question of fact.

## **Part III – Governance**

### **11. Committee**

#### **Role of the Committee:**

The Committee shall be responsible for determining strategies, policies, and financial arrangements of and for the GASC and managing the GASC.

#### **11.1 Composition of the Committee:**

The management of the affairs of the GASC shall be vested in a committee of a minimum of eight (8) elected positions, including the Head Coach and Learn to Swim Administrator or

designated representative. The Chairman and Treasurer will be appointed at the first meeting of the Board

### **11.2 Executive Committee:**

The Committee may appoint from amongst members and Executive Committee to transact the business of the GASC and generally to fulfil all the functions of the Committee between Committee meetings, but all decision of the Executive Committee must be ratified at the first ensuring meeting of the Committee or must lapse. The Executive Committee shall present to each meeting of the committee a report of its transactions in such form as the committee shall from time to time determine.

### **11.3 Sub Committees:**

The Committee shall when necessary appoint and may at any time appoint such sub-committees as it may consider necessary and shall prescribe the duties of such sub-committees, and may from time to time dissolve such sub committees and appoint others in their stead, or alter the personnel of such sub committees as the Committee may determine.

- a. In the appointment of any subcommittee the Committee shall not be restricted to choosing from its own Committee members.
- b. The Committee may delegate any or all of its powers to a subcommittee of members of the GASC.
- c. Sub committees may be appointed by a General Meeting of members of the GASC in the same manner as provided for the appointment of subcommittees by the Committee of the GASC.
- d. A subcommittee shall carry out the duties assigned to it by its order of reference and shall on the date mentioned in such order or in the absence of any date then as expeditiously as circumstance will permit, present its findings and recommendations to the Committee (or of the Members in General Meeting as the case may be) may grant such further time or dissolve the subcommittee as the Committee (or Members in General Meeting) shall determine.
- e. No decision of a subcommittee shall be binding until it has been ratified by the Committee (or Member in General Meeting as the case may be), nor shall any subcommittee, unless its order or reference specifically authorizes it in that behalf, have the right to transact any business in the name of the GASC.

## **12. Officers**

**Officers:** The Officers of the GASC shall be:

- a. President/Chairperson
- b. Vice President
- c. Hon. Secretary
- d. Hon. Treasurer

The President, Vice President, Hon. Secretary and Hon. Treasurer shall be ex officio members of the Committee. The term of office for each Office Bearer in the GASC shall be for a period of two (2) years.

Each Office Bearer shall be eligible for re-election or reappointment. The maximum number of years of service shall not exceed two (2) consecutive terms.

In addition, the member in General Meeting or the Committee may appoint such other officers as they shall determine, and shall prescribe the duties of such officers.

### **13. Election of Office and Committee:**

13.1 The Committee shall be elected by the Members present and entitled to vote at a General Meeting. Notice of the date on which nominations for Committee close shall be included in, or accompany, the notice of General Meeting.

A candidate for Committee or for Office in the GASC must be proposed by one of the GASC members and seconded by another. If the candidate is not present at the meeting, then the person proposing that candidate must produce satisfactory evidence to the Chairperson of the General Meeting that such candidate is willing to accept office.

Those nominees for the vacant positions which have the highest number of votes in favour will be declared elected.

If the number of nominees for a position on the Committee:

- a. is equal to the number of vacancies for that position, the person chairing the General Meeting shall declare the nominees elected; or
- b. is less than the number of vacancies for that position, further nominations may be received from the floor at the General Meeting and if no further nominations are received positions may be left vacant on the Committee; or
- c. is greater than the number of vacancies for that position, an election shall be conducted by secret ballot. Scrutineers for the conduct of the ballot shall be appointed by the Chairperson.

### **13.2 Vacancies:**

The Committee may appoint any financial member to fill any casual vacancy among its members or to fill any office of the GASC that may become vacant, and such appointment shall hold good until the next Annual General Meeting of the members

### **13.3 Co-option:**

The Committee may co-opt up to two (2) further people to attend Committee meetings and/or assist the Committee in the performance of its functions when the Committee deems necessary.

**13.4. Dispensation of Attendance:**

The Committee has power to grant dispensations of duration not exceeding a total of two (2) calendar months in any year from the operations of the Committee. In the event of a Dispensation not being granted, and the Committee member fails to attend three (3) consecutive meetings of the committee without cause to the satisfaction of the Committee having been shown shall forthwith cease to be a member of the Committee. Any such cessation of Committee membership shall not prevent the person from seeking nomination and re-election at a future AGM Meeting.

**13.5. Removal of Committee Member(s):**

The Members in an SGM called for this purpose may, by Special Resolution remove any Committee Member before the expiration of their term of office in accordance with the following process:

- a. upon the GASC receiving a request for a SGM for the purpose of removing a Committee Member, or the Committee as a whole, the GASC shall send the notice of the SGM to the Committee Member concerned, or the Committee (as the case may be), in addition to the Members of the GASC; and
- b. following notification under Rule 15.8 (Notice of SGM) and before voting on the resolution to remove a Committee Member or the Committee as a whole, the Committee Member, or the Committee as a whole (as the case may be) affected by the proposed resolution shall be given the opportunity prior to, and at, the SGM to make submissions in writing and/or verbally to the persons entitled to be present at the General Meeting about the proposed resolution.

**14. Committee Meetings:**

14.1 Committee meetings may be called at any time by the Chairman or two (2) Committee Members but generally the Committee shall meet at regular intervals agreed by the Committee Except to the extent specified in this Constitution, the Committee shall regulate its own procedure.

The accidental omission to give notice of a committee meeting to or the non-receipt of notice of a meeting by any person entitled to receive notice shall not invalidate the proceedings of that committee meeting,

**14.2. Quorum:**

The quorum necessary for the transaction of the business of the Committee shall be six (6) Committee Members.

**14.3. Voting:**

Each Committee Member shall have one (1) vote at committee meetings except the Chairman who shall have a casting vote in the event of a deadlock. Voting shall be by voices, or upon request of any Committee Member, by a show of hands or by a ballot. Proxy and postal voting is not permitted. A parent or guardian of a swimming member under the age of 18 years shall be entitled to vote at Annual General Meetings or at any Special or General Meeting. Swimming members over the age of 18 years shall be entitled to vote.

**14.4. Resolutions:**

The Committee may make a decision by resolution in lieu of a meeting or telephone conference, provided that:

- a. the proposed resolution is sent to every Committee Member; and
- b. a majority of the Committee Members sign or consent to the resolution and return their copies of the resolution to the Chairperson (or such other person as agreed by the (Committee) by mail, email, facsimile, or other forms of visible or other electronic communication. Any such resolution shall be valid as if it had been passed at a meeting of the Committee

**14.5 Expenses:**

The Committee may, by majority vote, pay honoraria and/or reimburse its Committee Members for their actual and reasonable expenses incurred in the conduct of the business of the GASC.

## **Part IV – General Meetings**

### **15. Meetings of Members**

**15.1 AGM:** The GASC must hold an Annual General Meeting thereafter known as AGM once every year prior to SCWC AGM and within 3 months of the end of the financial year at such time, date and place as the Committee determines.

**15.2 SGMs:** Any other General Meetings of the Members shall be Special General Meetings.

**15.3 Notice of AGM:**

Fourteen (14) days' notice of the meeting shall be given by the Hon. Secretary by notification in a local newspaper. The notice shall set out:

- a. the date, time and venue for the AGM; and
- b. the closing date(s) for nominations for any elections, proposed motions and other items of business to be submitted to the GASC.

**15.4 Notice of AGM Business:**

Not less than seven (7) Days before the date set for the AGM, any nominations for any elections, proposed motions, and other items of business must be received in writing to the GASC from Members.

**15.5 Business of AGM:**

The business shall be discussed at each AGM:

- a. to receive the Annual Report and Financial Statement
- b. to elect the Committee and Officers
- c. to consider motions of which notice has been given to the Hon. Secretary prior to commencement of the meeting proposing to alter this Constitution; and
- d. any other motions or matters, including general business, that have been properly submitted for consideration at the AGM.

**15.6 Agenda:**

An agenda containing the business to be discussed at an AGM (as set out in Rule 15.5) shall be sent to all Members no later than seven (7) Days before the date of the General Meeting.

**15.7. SGM:**

A SGM of members may be called at any time by:

- a. the Committee Members; or
- b. upon written and signed requisition from fifteen per cent (15%) or more of the Financial Members.

The written request for an SGM must state the purpose for which the SGM is requested including any proposed motion or motions. No business shall be transacted at any SGM other than that specified in the notice convening the meeting.

**15.8 Notice of SGM:**

The notice to members of a SGM shall be the same as that prescribed for the AGM.

- a. date, time and venue and/or the manner in which the meeting is to be held; and
- b. the proposed motion or motions that have been properly submitted for consideration.

**15.9 Minutes of the SGM:**

Minutes shall be kept of all SGMs and made available upon request to any Member.

**15.10 Errors:**

Any irregularity, error or omission in notices, agendas and relevant papers of AGM's or SGM's or the omission to give notice within the required time frame or the omission to give notice as specified in these Rules and any other error in the organisation of the meeting shall not invalidate the meeting nor prevent the meeting from considering the business of the meeting provided that:

- a. the Chairperson in his or her discretion determines that it is still appropriate for the meeting to proceed despite the irregularity, error or omission; and
- b. a motion to proceed is put to the meeting and carried by Special Resolution.

#### **15.11 Quorum:**

At all General and Special General Meetings of members of the GASC the quorum shall be a minimum of 6 committee members present. If after the expiration of such time as the Chairperson shall decide from the time appointed for the commencement of the meeting there is no quorum present, the Chairperson shall adjourn the meeting to a venue, date and time to be determined by the meeting. Notice of the new venue, date and time shall be given by the Hon. Secretary in the manner prescribed for notice of a General Meeting. If at the resumed meeting there is still no quorum present then those present shall constitute a quorum and shall be entitled to transact the business off the meeting.

#### **15.12 Chair:**

The Chairman of the Committee shall chair the General Meeting in accordance with Rule 14.3.

#### **15.13 Voting:**

Unless otherwise required by this Constitution:

- a. an Ordinary Resolution shall be sufficient to pass a resolution;
- b. every Junior and Senior Swimmer, and Official Member is entitled to one (1) vote. If a Member is under 18 years of age their parent or other legal guardian may exercise their vote on their behalf;
- c. Associate Members are not entitled to vote;
- d. voting shall generally be conducted by voices or by show of hands as determined by the chair unless a secret ballot is required under this Constitution or requested by the chair or a majority of the Members present at the meeting;
- e. on a show of hands, a declaration by the chair is conclusive evidence of the result, provided that the declaration reflects the show of hands;
- f. in the event of equality of votes at a General Meeting, the chair shall have an additional or casting vote;
- g. in the event that a secret ballot is called, two (2) Scrutineers shall be appointed at the General Meeting to count the votes; and
- h. proxy voting is permitted.

## **Part V - Miscellaneous**

### **16. Finances**

**16.1 Financial Year:** Unless SCWC shall otherwise direct the financial year of the GASC shall conclude on the 31 of March.

**16.2 GASC Funds:** The Committee is responsible for the receipt and banking of all monies received by the GASC. All funds of the GASC shall be paid to bank account(s) in the name of the GASC and the bank account(s) must be signed by two (2) of three (3) designated signatories determined as President, Treasurer and Secretary.

**16.3 Accounting Records:** The Committee must ensure correct accounting records are kept. The accounting records of the GASC must be kept at the office of the GASC or at such place as the Committee may determine and must be open to inspection by Members at such reasonable times agreed by the Committee.

**16.4 Audit:** The Committee will appoint an independent auditor to examine and audit the books and accounts of the GASC and report on these at the AGM and as otherwise required by the Committee.

**16.5** Any income, benefit, or advantage must be used to advance the charitable purposes of the group.

**16.6** No member of the group, or anyone associated with a member, is allowed to take part in, or influence any decision made by the group in respect of payments to, or on behalf of, the member or associated person of any income, benefit, or advantage

**16.7** Any payments made to a member of the group, or person associated with a member, must be for goods or services that advance the charitable purpose and must be reasonable and relative to payments that would be made between unrelated parties.

## **17. Annual Report**

**17.1** The Committee shall prepare an annual report for presentation to the AGM setting out a summary of the activities and major decisions of the Committee each year.

**17.2** The GASC shall provide to SCWC, prior to the AGM of SCWC, a copy of its relevant annual report and relevant audited financial statements prepared by a member of the Institute of Chartered Accountants of New Zealand or auditor appointed by the Committee, the names and addresses of its Delegate and the names and addresses and telephone numbers of its Officers and Committee Members.

## **18. Rules of Swimming**

The rules of SNZ shall be as set down and interpreted from time to time by the FINA and SNZ and must be observed by the GASC and all Members. All competitions held by the GASC shall be carried out in accordance with the SNZ Regulations and any other manuals, rules and policies issued by SNZ.



## **19. GASC Colours, Costumes & Uniforms**

19.1 **Colours:** GASC's colours shall be Red and Black as sanctioned by SCWC.

19.2 **Costumes & Uniforms:** The cut and style of swimming costumes and uniforms to be worn when undertaking Competitions and Events for the GASC shall be as directed by the Committee SNZ and FINA rules where applicable.

## **20. Alterations to Constitution**

20.1 Subject to Rule 21.2, this Constitution may only be altered, added to, or repealed by a Special Resolution at a General Meeting in accordance with this Constitution. Notice of an intention to alter this Constitution must be given by the Committee or any Member no later than seven (7) days prior to a General Meeting.

20.2 No alteration, addition to or revision of this Constitution shall be approved if it affects the not-for-profit objects, personal benefit prohibition, or the winding up rules of the GASC. This Rule must not be removed from this Constitution and must be included in any alteration, addition to, or revision of this Constitution.

## **21. Previous Rules**

21.1 Any by-laws, standing orders, regulations, or other rules of the GASC that were in force prior to the commencement of this Constitution shall, upon the commencement of this Constitution, be deemed to be revoked and superseded by this Constitution.

## **22. Winding Up**

22.1 GASC may be voluntarily liquidated, wound up, or dissolved if a Special Resolution is passed at a General Meeting of the GASC to do so and such resolution is confirmed by Special Resolution in a subsequent General Meeting called for that purpose and held not earlier than thirty (30) Days after the date on which the resolution was passed.

22.2 If upon the liquidation, winding up or dissolution of the GASC there remains after the satisfaction of all its debts and liabilities any property whatsoever, that property shall not be paid to or distributed among the Members of the GASC but shall be given or transferred to some other charitable organisation, or charitable status having objects similar to the objects of the GASC or SCWC.

## **23. Indemnity**

23.1 The GASC shall indemnify its Committee and employees against all damages, costs (including legal costs) for which any such person may be or becomes liable as a result of their acts and omissions in performing their functions connected with the GASC, except occurring as a result of their negligence or wilful misconduct.

## **24. Register of Members**

24.1 **Privacy:** The collection of any personal information for the Register of Members shall comply with the Privacy Act 1993. Any entry on the Register of Members shall be available for inspection by Members upon reasonable request and in compliance with the Privacy Act 1993.

24.2 **Changes:** All Members shall provide notice of any change to their name, address and other contact details to the GASC or update their details on the SNZ database within fourteen (14) Days of such change.

**Geraldine Amateur Swimming Club  
Constitution**

**Adopted at Special General Meeting on .....2017**

**Commencement Date ..... 2017**

**Amendments endorsed by:**

Signed.....

Name.....

Signed.....

Name.....

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