

# CANTERBURY CANINE OBEDIENCE CLUB (INCORPORATED) CONSTITUTION

## NAME

1. The name of the Club is called "CANTERBURY CANINE OBEDIENCE CLUB INCORPORATED" (hereinafter called "the Club").

## OBJECTS

2. The club is a non-profit sporting body and the objects for which the club is established are to:
  - (i) Take over the assets effects and liabilities of the existing unregistered club heretofore known under the same name.
  - (ii) Abide by and comply with the rules for Dog Training, Agility, Canine Good Citizen, and Scentwork, or any future DogsNZ (previously the New Zealand Kennel Club (Incorporated)) recognized training activity, as set out in the Rules and Regulations of DogsNZ. c.f. Note (a)
  - (iii) Hold trials and tests for any of the above-mentioned DogsNZ recognized training activities. c.f. Note (a)
  - (iv) Provide instructions for members.
  - (v) Promote advancement of DogsNZ recognized dog training activities, to encourage and facilitate friendship and co-operation amongst members and promote awareness of DogsNZ recognized dog training activities, and companionship in the wider community.
  - (vi) Hold, purchase, acquire by gift, devise, bequest, otherwise take on or lease any property, real or personal in the name of the club which shall be deemed expedient for the purposes of the club; and to sell, exchange, mortgage, pledge, lease, hire out or grant any option over any such property; and to erect any buildings on any land included in such property with power to alter or pull down buildings, and to rebuild the same.
  - (vii) Use the funds of the club for, and to do all such things as are incidental, or conducive to the attainment of the above objects.

## REGISTERED OFFICE

3. (i) The registered office of the club shall be situated at the Clubhouse, Marylands Reserve, 19 Birmingham Drive, Christchurch, New Zealand, or such other place as shall from time to time be determined by the Committee.

- (ii) Notice of every change of place of the registered office shall be given to the Registrar, Incorporated Societies.

### **MEMBERSHIP**

- 4. The club shall consist of an unlimited number of persons as Honorary Life Members or Ordinary Members or Junior Members or Joint Members.
  - (i) New members will provide in writing his/her full name, residential address, breed of dog and whether such dog is registered with DogsNZ, and such other information as the committee may require.
  - (ii) The committee reserves the right to decline any application for membership and the decision of the committee shall be binding.
  - (iii) The membership shall consist of:
    - (a) Honorary Life Members – The Annual General Meeting may by resolution elect Honorary Life Members to the Club provided that the Committee has received at least 30 days prior notice from the proposer and seconder who shall both be financial members of the club and such nominees must be active financial members of the Club and provided that Committee has approved such nomination. Such Hon. Life Members shall be exempt from all subscriptions and enjoy full membership privileges.
    - (b) Ordinary Members – Any person may be proposed and seconded by two financial members of the Club. Membership shall commence from payment of the appropriate fee.
    - (c) Junior Membership – Any person under the age of sixteen (16) years may be proposed as a junior member and shall have the rights and privileges of an ordinary member except nominations of officers, voting, and any claims upon the property of the club. Upon attaining the age of sixteen years a junior member may become an ordinary member on payment of the difference between an ordinary and junior subscription.
    - (d) Joint Members - Any two or more of husband, wife, partner, children residing at the same address.

### **RESIGNATION OF MEMBERS**

- 5. Any member may resign his membership by giving to the secretary not less than one calendar month's written notice to that effect and paying his fees subscriptions levies and penalties theretofore due. All club property in his/her possession shall forthwith be returned to the secretary.

### **SUSPENSION OF MEMBER**

- 6. The committee shall have the power to suspend or expel from the club any member proved to their satisfaction to have been guilty of such misconduct as in the opinion of the committee merits expulsion or suspension. Notice of such

expulsion shall immediately be sent to such member by registered letter, or by email with receipt request. Such expulsion or suspension shall be subject to confirmation by a Special General Meeting of the club called for that purpose within one month of the date of such suspension or expulsion. Any member, who by dishonourable conduct or by breach of the Rules, is liable for suspension or expulsion, shall have the right with witnesses to appear at a Management Committee Meeting dealing with the matter prior to such expulsion or suspension being confirmed or otherwise and shall have the right of final appeal before a Special General Meeting and if thereupon two-thirds of the members voting present shall vote for their expulsion, they shall forthwith without releasing them from any antecedent liability to the Club cease to be a member.

The power to expel a member shall include a power to suspend or deprive of any benefits or privileges of membership any member for so long as the club shall think fit and the provisions of the next preceding clause hereof shall with necessary changes being made apply to proceedings for any such suspension or deprivation of benefits or privileges of membership.

### **ANNUAL SUBSCRIPTION**

7. Every member shall on or before the first day of January in every calendar year (in addition to admission charges for social meetings) pay to the club an annual subscription:
  - (i) The annual subscription for all classes of membership shall be determined by resolution at the Annual General Meeting.
  - (ii) To assist in the determination of fees at the Annual General Meeting the Committee shall forward a recommendation as to the level for the ensuing year.

### **LEVIES**

8. Every member shall in addition to all other monies payable by them forthwith pay the club all and every sum or sums of money not exceeding in any one case the amount of their annual subscription for the then current year which shall at any time and from time to time by resolution passed by a two-thirds majority of the financial members attending the general meeting be levied upon them as a member and which the club shall consider necessary or expedient for the purpose of furthering the interests of the club and its members.

### **PENALTIES**

9. Any member whose annual subscription or levy is in arrears and unpaid for the space of one calendar month from the due date thereof shall be deemed to be unfinancial and the committee by resolution may declare any member whose

entrance fee or annual subscription or levy is in arrear for the space of two calendar months no longer to be a member without releasing such member from liability. Reinstatement of any member shall be at the discretion of the Committee.

### **POWER TO REMIT DUES**

10. Notwithstanding the provisions of the preceding Rule 9, the Committee may on such grounds as it thinks fit remit either wholly or in part any fees subscriptions levies or penalties due to by any member or may grant time for payment thereof or of part thereof.

### **FINANCIAL YEAR**

11. The Club's financial year shall commence on the first day of January and end on the 31<sup>st</sup> day of December each year.

### **ANNUAL GENERAL METING**

12. The Annual General Meeting shall be held in the month of March in every year upon a date and at a time and place to be fixed by the Management Committee ; unless there is a local, or National emergency, or other situation which would make holding a meeting unlawful; in which case the AGM shall be postponed until the either the month following, or next possible date as selected by the management committee. Notice of the change will be made promptly to all members.

The agenda for the Annual General Meeting shall be as follows:

Confirmation of minutes of previous Annual General Meeting.

Adoption of Annual Report.

Adoption of Balance Sheet and statement of accounts for the preceding year.

Election of officers including members of committee.

Notices of motion.

General business.

### **SPECIAL GENERAL MEETING**

13. The President or any five (5) members of the Committee may and the Secretary shall, when required to do so by requisition signed by at least twenty-five financial members of the Club, and stating the object of the meeting, and the business to be dealt with thereat, call a Special General Meeting of the Club at which meeting only the business mentioned in the notice of requisition (if any) calling the meeting may be discussed.

## **ORDINARY GENERAL MEETING**

14. An ordinary general meeting shall be held at such times and places as the President or in his/her absence or inability, the management committee shall direct for the purposes of transacting the business of the club and deciding upon such resolutions as shall be duly submitted to the meeting.

## **NOTICE OF MEETINGS**

15. All meetings of members whether annual, special or otherwise shall be called by not less than fourteen days' notice by email, or by insertion in at least one major Christchurch newspaper or via social media.

## **PROCEDURE AT MEETINGS**

16. (i) At all general meetings the President and in his/her absence the Vice-President or any other duly elected chairman shall take the chair and every financial member present personally shall be entitled to one vote.  
(ii) Voting at general meetings shall be either by ballot or show of hands or voices as shall be decided at such meeting.  
(iii) The Chairman shall have a casting vote as well as a deliberate vote.

## **QUORUM**

17. The Quorum for General and Special meetings shall consist of 15 members personally present and for Committee meetings 6 members personally present.

## **OFFICERS OF CLUB**

18. The officers of the club shall consist of:
  - (i) A patron/s, president, a vice-president, a secretary, and/or a treasurer and six members of the committee.
  - (ii) The patron/s shall be elected at each annual general meeting without prior nomination and shall be eligible for re-election.
  - (iii) The president, vice-president, secretary and/or treasurer and members of the committee shall be elected at the annual general meeting and shall be eligible for re-election and their nominations shall be in writing on the club's official form signed by the candidate and nominated by two financial members and lodged in the hands of the secretary not less than seven days before such annual general meeting.
  - (iv) If the number of candidates nominated for any office does not exceed the number required those nominated shall be declared elected.

- (v) If more than the required number of candidates is nominated a ballot shall be held. Two scrutineers shall be appointed by a vote of the financial members present.
- (vi) If no nomination is received for any office the annual general meeting by a simple majority vote of those present and voting may fill such vacancy upon verbal nominations being received at that meeting with written consent from the candidate on the club's official form.
- (vii) The secretary of the club shall be subject to the control of the committee. They shall conduct the correspondence, and shall have the custody of the common seal, title deeds and other documents belonging to the club. They shall also keep a list of members with their addresses and notify them of all general and special general meetings and to furnish all returns required by any Statute.  
They, or another person must keep full and correct minutes of all committee and general meetings and shall produce that at all meetings.
- (viii) The treasurer shall receive all monies and his receipt shall be a sufficient discharge. They shall open a bank account for the club's monies, all operations thereon shall be signed by such one or more of the officers or members of the committee as the committee propose. They shall submit to the annual general meeting a balance sheet and statement of accounts for the preceding year. The balance sheet and accounts to be audited by a chartered accountant elected by members in general meeting.
- (ix) The offices of secretary and treasurer may be held by the same person.

### **COMMITTEE OF MANAGEMENT**

- 19. (i) The affairs of the club shall be conducted by a management committee consisting of the president, vice-president, the secretary and/or treasurer, and six members elected as hereinbefore provided who shall hold office (except in case of death resignation expulsion or suspension or alteration in the number as hereinafter appears) until election of successors to office.
- (ii) The persons at present holding the said office shall continue (except as aforesaid) to hold the same until election of successors.
- (iii) Any committee member or members absenting themselves from three consecutive meetings without written apology may be required by the committee to forfeit his or their seat.

### **DUTIES OF COMMITTEES**

- 20. (i) It shall be the duty of the committee generally to conduct the affairs of the Club.
- (ii) Meetings of the committee may be convened by letter or email or on a date or dates arranged at a prior meeting of the committee.
- (iii) The committee shall have full power to set up and disband any number of sub-committees of co-opted club members and to delegate to them or any of them any of its own powers authorities and/or duties. Terms of reference will be set by the committee.

## **Expressed officer duties**

1. Act in good faith and in the best interests of the society
2. Exercise powers for proper purposes only
3. Comply with the Act and the constitution
4. Exercise reasonable care and diligence
5. Not create a substantial risk of serious loss to creditors
6. Not incur an obligation the officer doesn't reasonably believe the society can perform
7. Disclose interests to the committee

## **VACANCIES ON COMMITTEE**

21. The committee shall have the power to appoint a member to fill any casual vacancy on the committee until the next Annual General Meeting and any member so appointed shall retire at the next Annual General Meeting together with the rest of the committee, but all or any of the retiring committee shall be eligible for re-election.

## **INSTRUCTORS**

22. (i) The committee shall from time-to-time call for nominations for the positions of Instructors. On selection, the candidates shall serve a probationary period of three months, under one other Instructor, after which it shall be at the discretion of the committee to so appoint for a further period.
- (ii) All instructors may be required to attend, each year, as appropriate, and arranged by the Senior Instructor two refresher courses under an approved instructor.
- iii) The committee shall after the Annual General Meeting and its first committee meeting call for nominations for the position of senior training instructor.

## **CONDUCT OF MEMBERS AT TRAINING CLASSES**

23. All members are expected to respect and obey the training orders of their respective instructors. Any member or members who on the complaint of an instructor and who are proved to be guilty on the evidence placed before the committee are liable to suspension from training classes for such period that the committee thinks fit subject to provisions of Rule 6.

## **ALTERATION OF RULES**

24. (i) These rules may be altered added to rescinded or otherwise amended by a resolution passed by a two-thirds majority of those voting at a general meeting of which fourteen days' notice has been given.
- (ii) Every such notice shall set forth the purpose of the proposed alteration addition rescission or other amendment.
- (iii) A copy of every such alteration addition rescission or amendment shall forthwith be delivered to the Registrar in accordance of the Act and DogsNZ.
- (iv) Notice of a proposed alteration or amendment in the rules of the constitution of the Club must be lodged with the Secretary at least twenty-eight (28) days before the date of the general meeting such notice to be in writing and must clearly define the proposed alteration or addition and bear the signature of the proposer and seconder.

### **BY-LAWS**

25. The Club shall have the power from time to time by resolution in general meeting to make amend or rescind by-laws not inconsistent with the Incorporated Societies Act 1908 or its amendments or with these rules for regulating and carrying on the objects and affairs of the club.

### **POWER TO BORROW**

26. The Club shall in addition to the other powers vested in it have a power to borrow or raise money from time to time by the issue of debentures (perpetual or redeemable) bonds mortgages bills notes receipts or any other security founded or based on all or any of the property and/or rights of the club or without any such security and upon such terms as to priority and otherwise as the club shall think fit but the powers of so borrowing or raising money shall not be exercised except pursuant to a resolution of the club passed by a majority in general meeting.

### **WINDING UP**

27. (i) The Club may be wound up by the vote of a majority of members personally present at a general meeting or in accordance with the provisions of the Incorporated Societies Act 1908.
- (ii) On a winding up any surplus funds or assets after payment of all the Clubs liabilities shall be handed over to or distributed amongst such body or bodies whose objects are same or when objects are similar or akin to the Club in such shares as the winding up meeting may direct or failing such direction in such manner as the Registrar of Incorporated Societies may decide.

## **COMMON SEAL**

28. The Club shall have a common seal which shall be kept in the custody of the secretary and shall only be affixed to documents at a meeting of the committee or in pursuance of a resolution of the committee and the affixing shall be attested by at least two members of the committee.

## **INTERPRETATION OF RULES**

29. The decision of the committee on the interpretation of these rules or on any matter or thing not contained in these rules but pertaining to the club its property or interests shall be conclusive and binding on all members until revoked at a general meeting.

## **DISPUTES RESOLUTION PROCESS**

30. (i) How complaint is made

1. A member or an officer may make a complaint by giving to the committee (or a complaints subcommittee) a notice in writing that —
  - a. states that the member or officer is starting a procedure for resolving a dispute in accordance with the society's constitution; and
  - b. sets out the allegation to which the dispute relates and whom the allegation is against; and
  - c. sets out any other information reasonably required by the society.
2. The society may make a complaint involving an allegation against a member or an officer by giving to the member or officer a notice in writing that —
  - a. states that the society is starting a procedure for resolving a dispute in accordance with the society's constitution; and
  - b. sets out the allegation to which the dispute relates.
3. The information given under subclause 1b. or 2b. must be enough to ensure that a person against whom an allegation is made is fairly advised of the allegation concerning them, with sufficient details given to enable them to prepare a response.
4. A complaint may be made in any other reasonable manner permitted by the society's constitution.

- (ii) Person who makes complaint has right to be heard

1. A member or an officer who makes a complaint has a right to be heard before the complaint is resolved or any outcome is determined.
2. If the society makes a complaint —

- a. the society has a right to be heard before the complaint is resolved or any outcome is determined; and
  - b. an officer may exercise that right on behalf of the society.
3. Without limiting the manner in which the member, officer, or society may be given the right to be heard, they must be taken to have been given the right if —
  - a. they have a reasonable opportunity to be heard in writing or at an oral hearing (if one is held); and
  - b. an oral hearing is held if the decision maker considers that an oral hearing is needed to ensure an adequate hearing; and
  - c. an oral hearing (if any) is held before the decision maker; and
  - d. the member's, officer's, or society's written statement or submissions (if any) are considered by the decision maker.

(iii) Person who is subject of complaint has right to be heard

1. This clause applies if a complaint involves an allegation that a member, an officer, or the society (the respondent) —
  - a. has engaged in misconduct; or
  - b. has breached, or is likely to breach, a duty under the society's constitution or bylaws or the Incorporated Societies Act 2022; or
  - c. has damaged the rights or interests of a member or the rights or interests of members generally.
2. The respondent has a right to be heard before the complaint is resolved or any outcome is determined.
3. If the respondent is the society, an officer may exercise the right on behalf of the society.
4. Without limiting the manner in which a respondent may be given a right to be heard, a respondent must be taken to have been given the right if —
  - a. the respondent is fairly advised of all allegations concerning the respondent, with sufficient details and time given to enable the respondent to prepare a response; and
  - b. the respondent has a reasonable opportunity to be heard in writing or at an oral hearing (if one is held); and
  - c. an oral hearing is held if the decision maker considers that an oral hearing is needed to ensure an adequate hearing; and
  - d. an oral hearing (if any) is held before the decision maker; and
  - e. the respondent's written statement or submissions (if any) are considered by the decision maker.

(iv) Investigating and determining dispute

1. The society must, as soon as is reasonably practicable after receiving or becoming aware of a complaint made in accordance with its constitution, ensure that the dispute is investigated and determined.
2. Disputes must be dealt with under the constitution in a fair, efficient, and effective manner.

(v) Society may decide not to proceed further with complaint

Despite the clause 'Investigating and determining dispute' above, the society may decide not to proceed further with a complaint if —

- a. the complaint is trivial; or
- b. the complaint does not appear to disclose or involve any allegation of the following kind:
  - i. that a member or an officer has engaged in material misconduct;
  - ii. that a member, an officer, or the society has materially breached, or is likely to materially breach, a duty under the society's constitution or bylaws or the Incorporated Societies Act 2022;
  - iii. that a member's rights or interests or members' rights or interests generally have been materially damaged;
- c. the complaint appears to be without foundation or there is no apparent evidence to support it; or
- d. the person who makes the complaint has an insignificant interest in the matter; or
- e. the conduct, incident, event, or issue giving rise to the complaint has already been investigated and dealt with under the constitution; or
- f. there has been an undue delay in making the complaint.

(vi) Society may refer complaint

1. The society may refer a complaint to —
  - a. a subcommittee or an external person to investigate and report; or
  - b. a subcommittee, an arbitral tribunal, or an external person to investigate and make a decision.
2. The society may, with the consent of all parties to a complaint, refer the complaint to any type of consensual dispute resolution (for example, mediation, facilitation, or a tikanga-based practice).

(vii) Decision makers

A person may not act as a decision maker in relation to a complaint if 2 or more members of the committee or a complaints subcommittee consider that there are reasonable grounds to believe that the person may not be —

- a. impartial; or
- b. able to consider the matter without a predetermined view."

**Note (a):** This includes all sub-codes included under the higher DogsNZ categories 'Obedience' and 'Agility' e.g. Obedience, Rally-Obedience, Canine Good Citizen, Working, Tracking, Scent Work, Utility and Companion Dog Trialing under 'Obedience', and Agility and Fly Agility under 'Agility'.

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### CONSTITUTION

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*Kirsty Boyd-Watson*  
*Zoy*  
*Wendy*

*Kirsty Boyd-Watson* President  
*Sula Lang* Vice President  
*Katelyn Edwards* Secretary

*7/14/24*  
*7/14/24*  
*07-04-24*