

and

THE RULES OF THE NEW ZEALAND INDIAN SPORTS ASSOCIATION (INC)

1. DEFINITIONS

1.1 In these Rules except where a different intention appears:

“Act” means the Incorporated Societies Act 1908.

“Association” or “NZISA” means The New Zealand Indian Sports Association (Inc.).

“Member” means any Indian Sports Club or person as defined under Rule 3.2

“Committee” means the Executive Committee appointed under Rule 5.7

“Indian” means a person domiciled in New Zealand, descended from a national of the Republic of India and includes the children of such a person.

“Financial Year” means the twelve months from 1 July to 30 June.

“Regulation” means any procedure or decision passed at a Committee or General Meeting which is not already covered in these Rules.

1.2 The name of the Association is “The New Zealand Indian Sports Association (Incorporated)”, also known as “NZISA”.

1.3 The registered office of the Association shall be at such places as decided by the Committee.

1.4 Other documents referred to by these Rules and held by NZISA are :

- Membership Criteria and Guidelines [*i.e provisional affiliation, life/associate criteria and privileges; conduct of members/players*]
- Tournament, Challenge Trophies and Selection Rules [*i.e QBT, T&G, Cricket, U23, coaches, selectors*]
- Register of Members [*i.e contact details for each member defined in Rule 3.2*]
- Boundary Register [*i.e defined geographical area of each member club*]

2. OBJECTS

2.1 To foster a feeling of amity and good sportsmanship among the members by managing and promoting sporting activities such as inter-club games, representative fixtures and tournaments.

2.2 To enter into such relations with other groups or organisations as shall be deemed beneficial to the Association so that information of common interest may be exchanged and fraternal feelings fostered.

2.3 For the purpose of attaining the objects or promoting the interests of the Association, the Association may :

- (a) purchase, lease, exchange, hire or otherwise acquire, any assets, rights or privileges;

- (b) sell, exchange, let, lease or in any manner dispose of, any such assets, rights or privileges;
- (c) borrow or raise money as provided in Rule 8.3;
- (d) make loans as provided in Rule 8.3;
- (e) enter into covenants and guarantees as provided in Rule 8.3; and
- (f) enter into and promote sponsorship of Association activities

2.4 To take all such other actions as the Association may consider necessary in the interests of the members or in the attainment of the above objects.

3. MEMBERSHIP

3.1 Membership of the Association shall be open to all Indian Sports Clubs in New Zealand which are considered by the General Meeting to be eligible for membership as outlined in the document "Membership Criteria and Guidelines".

3.2 Membership Categories and Voting Rights

3.2.1 Major Club - is any member club with a roll of 125 or more members. Major clubs will be entitled to be represented at General Meetings by three delegates, and at Committee meetings by two delegates. Each delegate shall have one vote only.

3.2.2 Minor Club - is any member club with a roll of less than 125 members. Minor clubs will be entitled to be represented at General Meetings by two delegates, and at Committee meetings by one delegate. Each delegate shall have one vote only.

3.2.3 Provisional Club - is as defined in the document "Membership Criteria and Guidelines". Provisional clubs will be entitled to be represented at General Meetings by one delegate with one vote, and at Committee meetings by one delegate with no vote.

3.2.4 Life Members - at any AGM, the honour of Life Membership maybe conferred on any person who by reason of some outstanding service rendered to the Association , deserves recognition and meets the eligibility criteria as specified in the document "Membership Criteria and Guidelines".

Each nominee for Life Membership shall be proposed by any member club as a remit four months prior to the AGM with a resume of the nominee. The nomination is to be seconded by a second member club and then passed by a three-fourths majority of the Committee before being recommended to the AGM for final approval, where a three-fourths majority can approve the position of Life Member.

Upon election, the Life Member shall be entitled to attend General Meetings and have the same rights as those of a club delegate, including one vote. Life Members are entitled to attend Committee meetings but shall not be able to vote. They shall also be entitled to receive a Life Membership badge and benefits of membership as offered by the Association where NZISA are organising or controlling the event, free of charge.

Life Membership shall be restricted in number and is not to exceed more than six (6) life members at any one time, unless otherwise changed by resolution by three-fourths majority at an AGM having assessed the implications to voting power of member clubs.

3.2.5 Associate Members - at any AGM, the honour of Associate Membership maybe approved on any persons who have served the interests of the Association and meets the eligibility criteria as specified in the document "Membership Criteria and Guidelines".

Each nominee for Associate Membership shall be proposed by any member club as a remit four months prior to the AGM with a resume of the nominee. The nomination is to be seconded by a second member club and then passed by a three-fourths majority of the Committee before being recommended to the AGM for final approval, where a three-fourths majority can approve the position of Associate Member.

Associate Members will receive an Associate Membership badge and shall be entitled to receive complimentary privileges as decided by Committee where NZISA are organising or controlling the event. Associate Members can attend General Meetings with prior notice, but do not have any voting rights.

3.3 Affiliation Fees - each Financial Year, member clubs defined in 3.2.1, 3.2.2, 3.2.3 shall pay an annual affiliation fee as determined by the Committee. If the Secretary has not received payment of the fee at least 4 weeks prior to an AGM the club will be deemed non-financial resulting in the club not being able to participate in any of the Association activities and losing all voting rights. This fee may vary for major, minor and provisional member clubs if so decided by a General Meeting. Members defined in 3.2.4, 3.2.5 are not required to pay affiliation fees.

3.4 Late Payment - any member Club failing to make payment of any Association fee or levy and is six months or more in arrears shall not be entitled to have its delegates take part in any activities or proceedings or exercise any voting power at any meeting of the Association. Any penalties imposed for late payment will be regarded as part of these arrears. This action shall be taken only after the member has been reminded twice on its status regarding the late payment.

3.5 Conduct, Suspension, Resignation

3.5.1 If it is reported to the Association that the conduct of any member club is injurious to the character, standing and interest of the Association, a meeting of the Committee shall be summoned to inquire into the matter. The Secretary shall give prior notice of the meeting to the member club concerned and it shall be obligatory upon the member club so notified to appear before the Committee. If the Committee think that circumstances so warrant or require it is empowered to suspend such member club from participating in the activities of the Association.

The decision to suspend shall only be made if it is passed by at least three-fourths majority of the Committee present. If appropriate, the Committee may recommend that a General Meeting be called to consider termination of the member club. Any member club so suspended, terminated or expelled shall have the right to appeal to the next General Meeting of the Association. The decision of the GM shall be final.

3.5.2 The Committee shall have power to suspend membership of any member club whose payment of any Association fee or levy has been overdue for a period of twelve months. Such action shall only be taken after the member concerned has been sent two reminders for its overdue payment. After the twelve months, the Committee may recommend a General Meeting be called to consider termination of the member club.

3.5.3 A member club may resign at any time upon giving written notice to the Secretary. Any member club which has resigned or terminated as a member of the Association shall be required to pay all outstanding fees or debts.

3.5.4 Conduct and suspension of individuals of member clubs and/or players in NZISA events are to be governed by the processes outlined in the document named "Player Conduct Guidelines".

3.6 Register Of Members

3.6.1 The name of every member club and Life and Associate members and their contact address, phone numbers and personnel shall be entered into a register which is to be kept by the Secretary and is to be called a Register of Members (“Register”). The Register shall be accepted to be a correct and complete list of the members of the Association.

3.6.2 The Secretary shall produce the Register at any meeting of the Association.

3.6.3 It is obligatory for a member changing their contact details to notify the Secretary in writing. The Secretary shall then make the necessary alterations in the Register.

3.7 Boundaries - the boundary definition of each member club will be held by the Secretary in a “Boundary Register”. Any changes to the Boundary Register shall be passed by a three- fourths majority at a General Meeting.

4. PLAYERS

4.1 All players participating in NZISA events shall abide by the conditions and conduct outlined for such events in the document “Tournament and Selection Rules”, and such other rules that may be in force for that event.

4.2 Unless otherwise stated in the document “Tournament and Selection Rules”, all players participating in any NZISA events shall be of Indian descent.

5. COMMITTEES AND OFFICERS

5.1 Officers - The Officers of the Association shall be the President, Secretary and Treasurer. All nominees for Officers shall be an Indian member of a major club, minor club or a Life Member. All Officers shall be elected at the Annual General Meeting. If there is more than one nomination for any position, a secret ballot shall be conducted. Any retiring Officer shall be entitled to be nominated even if he or she is not a delegate of any member club. Each Officer is entitled to one vote.

In accordance with these Rules, the Officers are responsible for :

- (a) administering the day to day functions of the Association;
- (b) keeping proper financial and other records of the business of the Association;
- (c) notifying members of intended meetings and the business to be addressed at those meetings;
- (d) preparing and submitting an Annual Report on the affairs of the Association, and audited Financial Statements for the preceding year at an AGM;
- (e) file the audited and approved Financial Statements to the appropriate authority;
- (f) ensuring that any sub-committee operates within it’s terms of reference; and
- (g) arranging and negotiating sponsorships with interested parties for the furtherance of the Associations activities and objectives.

5.2 President – The President shall :

- (a) uphold the Constitution of the Association;
- (b) improve the activities and administration of the Association;
- (c) ensure all sub-committees function correctly; and
- (d) show the Association in the best possible light to the member, public and external parties.

5.3 Chair – The Chair shall :

- (a) open and preside over all meetings once a quorum is present; and
- (b) uphold the Constitution of the Association.

5.4 Secretary - The Secretary shall :

- (a) notify all member clubs and Life members in writing of all meetings of the Association - this includes the sending of notices and minutes of all meetings;
- (b) keep up-to-date records of membership, minutes of all meetings, correspondence and all other documents, relating to the affairs of the Association; and
- (c) ensure that all relevant records, correspondence and the Constitution are available at all meetings.

5.5 Treasurer - The Treasurer shall :

- (a) collect all fees and levies;
- (b) prepare the annual Financial Statements;
- (c) at each Committee meeting, report on all payments made and receipts received since the previous Committee meeting; and
- (d) keep true accounts of all money expended and received, with full records of the same.

5.6 Vacancies - The Committee shall have the right to fill any vacancies that may arise for any Officer vacancies during the year.

5.7 Executive Committee - There shall be an Executive Committee which shall consist of the Officers, and delegates from each member club as defined in 3.2.

The responsibilities of the delegates on the Committee shall be :

- (a) to assist the Officers in their responsibilities;
- (b) to assist at NZISA activities when requested;
- (c) to attend all meetings to discuss matters notified on the Agenda; and
- (d) to reasonably prepare for all meetings prior to the meeting date.

5.8 Sub-Committees - A General Meeting or the Committee may appoint such sub-committees for any purpose deemed necessary. The terms of reference of any such committee shall be clearly defined by a GM or the Committee in the form of a motion.

The duties of any such sub-committee shall be to:

- (a) submit a plan of action to the Committee for approval;
- (b) submit a budget to the Committee for approval before implementing any expenditure;
- (c) keep reasonable records of it's business, progress and recommendations;
- (d) regularly inform the Committee of it's progress and any alterations to its plan of action; and
- (e) seek the Committees or General Meetings consent for any recommendations unless the Committee or GM has already specified the powers of the sub-committee.

6. MEETINGS

Unless otherwise specified, the following Rules apply to the procedures for all Executive Committee and General Meetings of the Association.

6.1 Chair - At any meeting, the President shall “Chair” the meeting. In the absence of the President one of the Committee chosen by the meeting shall Chair. It shall be the duty of the Chair to keep proper

conduct of the meeting in accordance with these Rules. The Chair has the power to deal with unruly behaviour by any member or invited guests as he or she deems appropriate.

6.2 Notice Of Meeting - At least four weeks notice must be given in writing for all meetings, setting out the business to be transacted, and the date, time and venue. Supporting information for the business to be discussed shall also be sent. In the case of an AGM, the Annual Report and audited Financial Statements shall also be sent with the notice.

No business other than that specified on the notice shall be voted upon at the meeting. Any matter brought out in General Business may be discussed but not voted upon.

6.3 Procedures

6.3.1 Meetings are to be held regularly and typically two to four times annually, at such times and places as the President, or in the case of his or her absence or inability to act, the Secretary or the Committee, shall decide.

6.3.2 The Chair and one other Officer, or a majority of voting members present, may approve attendance and/or speaking rights to a non-member or guest at a meeting.

6.3.3 Each voting member or Officer present as defined in Rule 3.2 and 5.1 shall have one vote only, except the Chair who shall have a casting vote as well as a deliberate vote.

6.3.4 Any issue put to a meeting by the Chair shall be decided by a simple majority in a manner directed by the Chair. A secret ballot or a poll on any issue shall be taken if requested by the Chair or at least four voting members present.

6.4 Quorum

6.4.1 At any meeting of the Association, no business shall be transacted unless a quorum is present at the time the meeting begins. The quorum for all meetings of the Association shall be two Officers and four member clubs entitled to vote.

6.4.2 If within one hour from the appointed time of the meeting a quorum is not present, the meeting shall be adjourned, but not later than two hours from the appointed time and at the same place to conduct business on the agenda. Thereafter if a quorum is not present the meeting shall be cancelled.

6.5 Minutes - Minutes shall be recorded in English to be kept for the purpose of all proceedings, resolutions of General and Committee meetings of the Association, of appointments of all Officers and the members of the Committee and of all members attending meetings.

6.6 General Meetings

6.6.1 Annual General Meeting - The "AGM" shall be held within four months of the end of every Financial Year at a date, time and place to be fixed by the President or the Committee for the following purposes :

- (a) to confirm the minutes of the previous General Meeting;
- (b) to receive from the Officers, the Annual Report and audited Financial Statements for the preceding Financial Year;
- (c) to elect the Committee, and any Sub-Committees;
- (d) to appoint an Auditor, not necessarily a member of the Association, at such fees as appropriate - the Auditor must be a member of the N.Z Institute of Accountants and cannot be an existing Committee member;

- (e) to appoint any other ad-hoc positions the AGM may determine from time to time to carry out the requirements of the Association; and
- (f) to discuss and determine any other business specified on the notice of meeting.

6.6.2 Special General Meeting - The President and one other Officer, or the Committee may at any time, for any special purpose, call a "SGM". A SGM shall also be called upon a request in writing of any two member clubs stating the purpose for which the meeting is required. In such circumstances, a SGM must be held within two months of receipt of such request, unless a deferral is mutually agreed upon between the President and the requesting members clubs.

6.7 Sub-Committee Meetings

Each Sub-Committee shall appoint a Convenor unless a Convenor has previously been determined by a General Meeting or the Committee. It will be the duty of the Convenor to call and conduct Sub-Committee meetings in order to carry out its objectives within the terms of reference that the General Meeting or Committee may have given.

7. COMMON SEAL

7.1 The Common Seal shall be held by the Secretary and kept secure at all times.

7.2 Pursuant to a Resolution of a General Meeting or the Committee, the Common Seal of the Association shall be fixed to any document which requires the authorised signature of the Association.

7.3 The Common Seal shall be affixed by the President and Secretary who shall at the same time, sign the document to which the Seal is being affixed. If either the President and/or Secretary are unable to act, then an alternative person authorised by the Committee will act on this particular occasion.

8. FINANCE

8.1 General

8.1.1 The Committee has the authority to open, operate or close any bank accounts necessary for the day to day administration of the Association. The signatories for all bank accounts shall be any one of the President, Secretary or Treasurer.

8.1.2 The Committee may invest in fixed interest securities which are guaranteed by the New Zealand Government and/or any major banks registered in New Zealand or any of its subsidiaries.

8.1.3 The Committee shall have power to accept or reject any legacy, bequest or gift whether such legacy, bequest or gift is offered with or entails conditions.

8.2 Spending

8.2.1 The Committee may pay any expenses incurred within the normal day to day operations of the Association without reference to a General Meeting, but with reference to 8.2.2.

8.2.2 The General Meeting shall from time to time approve spending limits.

8.2.3 Any spending outside of the normal day to day operations of the Association but within an approved spending limit can only be made after a Resolution to do so has been passed by the Committee.

8.2.4 In the case of urgency, any two of the President, Secretary or Treasurer can authorise a pre-determined limit set by General Meeting from time to time.

8.3 Borrowing, Lending and Security

The powers of borrowing or raising money, lending money or entering into covenants or guarantees and the allotment of the required security, shall not be exercised except pursuant to a Resolution of the Association passed in a General Meeting by at least three-fourths of the voting members present.

9. RULES AND REGULATIONS

9.1 The Association may add, amend or delete any Regulations not inconsistent with these Rules, by Resolution in a Committee or General Meeting [Intention :- any matters not covered by these Rules may be dealt with by a Committee or General Meeting].

9.2 These Rules may be deleted, amended or added to, by a Resolution passed by a three-fourths majority of voting members present at a General Meeting.

9.3 Any notice of a meeting which conveys proposed changes to the Rules should highlight the purpose of those changes.

9.4 The Rules which have been in force to date shall be deemed rescinded from the date of Registration of these Rules, at which time these Rules will take effect.

9.5 Any changes to the Rules pursuant to Rule 9.2, shall be registered in accordance with requirements of the Act as soon as possible.

10. VALIDATION CLAUSE

The rescission of the old Rules will not affect the validity of actions undertaken in accordance with the old Rules. [Intention :- this rule means that any actions under the old (previous) rules are still valid notwithstanding that they may be inconsistent with the new (current) rules].

11. WINDING UP

11.1 The Association may be wound up voluntarily if a Resolution is passed at a General Meeting by three-fourths majority of the voting members present and is confirmed by a similar majority at a subsequent General Meeting called for that purpose and held at least four weeks later but not more than three months.

11.2 Any surplus assets remaining after the winding up or dissolution of the Association shall be transferred, in the following order of preference, to:

- (a) an Institution(s) with the same objects of the Association; or
- (b) an Institution(s) with similar objects to the Association; or
- (c) a public charity determined by a Judge of the High Court of New Zealand in accordance with Rule 11.3.

Any Institution(s) under (a) or (b) above shall not distribute its surplus assets on winding up or dissolution, to its members.

11.3 The selection of an Institution or public charity referred to in Rule 11.2 shall be determined by the members in a General Meeting, on or before winding up or dissolution. In default of such determination, a Judge of the High Court of New Zealand may select an Institution or public charity in accordance with these Rules.

12. INDEMNITY AND RESTITUTION

12.1 Every member of the Committee, Sub-Committee or an elected representative of the Association acting within his or her delegated authority, shall be indemnified by the Association, from any liability claim, if the action (the subject of the claim) was in accordance with these Rules.

12.2 Any person incurring a liability or debt on behalf of the Association, may be held personally liable if he or she was acting either outside his or her delegated authority, negligently or wilfully.