

RULES OF THE MOTUEKA GOLF CLUB INCORPORATED

(Incorporated under “The Incorporated Societies Act 1908”)

As revised and adopted by a General Meeting of the Club on 6th November 2023 in substitution for all previous Rules of the Club which are hereby revoked.

1. Name

The name of the Club shall be “The Motueka Golf Club Incorporated”.

2. Objects

The objects of the Club are to provide for the members a golf course and Club House and to supply them with all the things incidental to the playing of golf and its funds are to be applied to these purposes.

3. Classes of Membership

(a) **Full Member** – a person who pays a full subscription to the Motueka Golf Club shall be eligible for such membership. The Club shall be responsible for their fees, levies and handicap records. They shall have all the rights including the right to participate in the management of the Club or vote at meetings.

(a.i) **First Year Members** – for people who have not previously been an affiliated member of a golf club or are returning after an absence of seven years or more.

(a.ii) **First Year 9 Hole Members** - for people who have not previously been an affiliated member of a golf club or are returning after an absence of seven years or more.

(b) **Country Members** – any person who is a full member of another affiliated Golf Club shall be eligible for such membership. That Club shall be responsible for their fees, levies and handicap records. They shall have all the rights of full members except the right to participate in the management of the Club or vote at meetings. They are also not eligible to play in the club championships or represent the club, but can play in all club competitions with the exception of the Men's Haig Cup and Rowling Trophy and Ladies Williams, Cederman and Nilsen Plates, Vonnie Goodall, Moss, Francis Harris, Ross, Nilsen and Monahan Buttons Trophies, 9 hole championship, May Rowling Salver, LGU Medal, Hudson and Wilton Cups, Motueka Valley Tray, Anthe Cederman Rosebowl, Knockout Shield and Westrupp Salvors.

- (c) **Summer Members** as defined by New Zealand daylight time shall be admitted at the discretion of the Management Committee who shall determine their subscription for the duration of their membership. They shall have all the rights of full members except the right to participate in the management of the Club or vote at meetings. They are also not eligible to play in the club championships or represent the club, but can play in all club competitions with the exception of the Men's Haig Cup and Rowling Trophy and Ladies Williams, Cederman and Nilsen Plates, Vonnie Goodall, Moss, Francis Harris, Ross, Nilsen and Monahan Buttons Trophies, 9 hole championship, May Rowling Salver, LGU Medal, Hudson and Wilton Cups, Motueka Valley Tray, Anthe Cederman Rosebowl, Knockout Shield and Westrupp Salvors.
- (d) **Winter Members** as defined by New Zealand standard time shall be admitted at the discretion of the Management Committee who shall determine their subscription for the duration of their membership. They shall have all the rights of full members except the right to participate in the management of the Club or vote at meetings. They are also not eligible to play in the club championships or represent the club, but can play in all club competitions with the exception of the Men's Haig Cup and Rowling Trophy and Ladies Williams, Cederman and Nilsen Plates, Vonnie Goodall, Moss, Francis Harris, Ross, Nilsen and Monahan Buttons Trophies, 9 hole championship, May Rowling Salver, LGU Medal, Hudson and Wilton Cups, Motueka Valley Tray, Anthe Cederman Rosebowl, Knockout Shield and Westrupp Salvors.
- (e) **Junior Members** – boys and girls up to but not including the age of nineteen years at 31st December may be admitted by the Committee as Junior members. Junior Members, with handicaps, may have the right to enter Club competitions and tournaments. They shall have all the rights of full members except the right to participate in the management of the club or to vote at meetings.
- (f) **Mid Week Members** – shall have the use of the course on week days only. Other than being unable to play at the weekends they shall have the same rights as full members.

- (g) **Non Playing Members** – shall have the privilege of the Club House but shall not be entitled to play on the course.
- (h) **Life Members** - Any members, who in the opinion of the members has provided excellent service to the club, may be nominated as a Life member. Such written nominations for life membership must be received by the Secretary at least 60 days before the AGM. The management committee to review such nominations, and have the authority to either refuse or recommend the appointment of said member. Life members may only be elected by majority, of those entitled to vote at the AGM. A Life Member shall have all the privileges of a full playing member without payment of a further subscription for their lifetime.
- (i) **9 Hole Members** – Nine Hole members may play no more than 9 holes in any one round per day and shall have the use of the course and Club House. Other than unable to play 18 holes they shall have the same rights as full members

Visitors and guests

Green Fee players are welcomed on the course, at times determined by the Management Committee. Green Fee charges will be determined by the Management Committee from time to time. The charges are to be displayed in the Match Room and Club House and on the website. Once a Green Fee charge has been paid, the player is entitled to all club member benefits for that day (this includes access to the club bar). The only exception is entering into club trophies unless it is an open tournament.

4. Management

The only members who shall be entitled to vote at meetings or to take part in the management of the Club shall be full and 9 hole members and Mid week members.

5. Club Management

Elected Officers of the club and management committee shall consist of:

The Club President who chairs the Club Management Committee

The Club Vice President

The Club Captain and Vice Captain

The Ladies Club Captain

The Chairperson and Deputy Chairperson of the Match Committee

The Chairperson and Deputy Chairperson of the House Committee

Plus

One additional lady member appointed by the Ladies Committee (See Rule 32)

Elected Officers have voting rights at Management Meetings.

The Management Committee may co-opt club members to assist with duties

Non-Elected Officers of the management committee are:

The Club Secretary

The Club Treasurer

The Club Administrator

The Head Green Keeper

Non-Elected Officers do not have voting rights at Management Meetings.

All elected officers are nominated and elected by ballot at the Annual General Meeting of the club. Elected officers shall hold office until the one week after the Annual General meeting.

6. **Club Sub-Committees**

Sub-committees shall consist of:

A Match Committee with responsibility for organising and managing the regular golfing programme of the club as delegated by The Management Committee.

A House Committee with responsibility for managing the club house, bar and social activities of the club as delegated by The Management Committee.

Each committee may have up to 8 elected members in addition to the chairperson and vice chairperson.

These members are elected at the Annual General Meeting of the club by the members.

The sub-committees may co-opt club members to assist with duties

Procedure for Election of Officers

Nomination

Any two members of the club may nominate another member for any elected position in the club at, or prior to, The Annual General Meeting of the club, after confirming the nominated member's willingness to stand for office.

Election

If the number of nominations exceeds the number of vacancies on the committees then balloting lists of the nominated members will be prepared and members present at the AGM will vote for their preferred nominees up to, but not exceeding the number of vacancies. Voting for members in excess of the vacancies invalidates the voting paper.

In the event of candidates obtaining an equal number of votes, the appointment will be made by lot.

7. Secretary

The Secretary shall keep Minutes of the Club and of the Committee. He/she shall also conduct the correspondence and shall call all ordinary and special meetings of the Club. He/she shall carry out the instructions of the Committee which shall fix his/her remuneration.

8. Treasurer

All monies shall be paid to the Treasurer who shall keep correct accounts and books Showing the financial affairs of the Club and the particulars usually shown in books of the like nature and shall pay into such bank, as the Committee may from time to time direct, all monies he/she may receive. He/she shall submit a statement of the financial affairs of the Club to the Annual General Meeting, such statement having been previously examined and certified by the Club accountant. All payments out of funds of the Club shall be made by order of the Committee by cheques signed by the Secretary/Treasurer or Acting Secretary/Treasurer and any one member of the Committee authorised by the Committee for that purpose. The Financial Statement for the year ending 31st August to be circulated to members two weeks prior to the Annual General Meeting.

9. Management by Committee

The management and control of the affairs of the Club shall be vested in the Committee, which shall have all the powers of the Club not expressly required to be done or exercised by the Club in General Meeting. The Committee may make regulations with regard to the course, the Club House and all competitions. Such regulations shall be binding on every member of the Club. The Committee shall have the power to appoint sub-committees with such limited powers as the Committee thinks fit. The Committee shall have power to inflict fines in accordance with the Club's rules. The Secretary shall be the Convenor of the Committee. Without derogating from the general powers of the Committee, it is expressly Declared that it shall have the following powers:

- (a) To employ and dismiss servants
- (b) To make and carry out contracts in the name of the Club.
- (c) To purchase personal property and to lease or acquire for the Club any real property which the Club shall decide to purchase or lease, upon such terms or conditions as the Committee thinks fit, to give and execute mortgages over the lands purchased to secure the balance of the purchase money and to sell or let any land which the Club decides to sell or let, provided that no lands shall be purchased or sold except with the approval of and by resolution of the Club and to pay out, maintain and improve the course and

that there shall be no major alteration to the layout of the course unless voted so by a majority of financial members at a General Meeting of the Club.

- (d) To purchase, construct and maintain buildings, fences and works as it considers necessary and to enter into contracts in respect thereof.
- (e) To borrow or raise money upon mortgage of the real or personal property of the Club or any part or parts thereof or upon Debentures of the Club, and to issue such Debentures or Mortgage Debentures, charging the whole or part of the assets of the Club and to execute mortgages to secure such Debentures or Mortgage Debentures or to borrow from Bankers or other persons with or without liability.

10. Investment of Funds

The surplus funds of the Club may be invested by the Committee in such securities as are approved by it. Deeds and documents in connection with investments shall be in the name of the Club as an incorporated body and all dividends and interest arising out of such shall go to the funds of the Club.

11. Annual Meeting

The Annual General Meeting of the Club shall be held before the 30th of November each year. The meeting to be advertised 7 days in advance.

12. Special Meetings

A Special General Meeting may be called at any time by the Committee. A Special General Meeting must be called by the Secretary within 14 days after the receipt of a requisition signed by 10 full members. Of such a General Meeting (whether called by the Committee or on receipt of requisition) at least 7 days notice stating the business shall be given by advertisement in a newspaper circulated in the district or by notice posted in the Club House or by written notice to each member who is entitled to vote thereat.

13. Quorum

At any General Meeting 25 members shall constitute a quorum and at any Committee meeting 5 members. Any General Meeting at which there shall not be a quorum shall stand adjourned to such a date as determined by the members present.

14. Vacancies in Committees

In the event of a vacancy occurring in the elected members of the Committee or in the position of President, Vice President, Captain, Vice Captain, Ladies Club Captain, Secretary, Treasurer, Club Administrator or Auditor, whether occurring from death, resignation or otherwise, the remaining members of the Committee may fill such vacancy for the unexpired term of office.

15. New Members

The election of members shall be vested in the Committee. New Members sign an "Application for Membership" to join the club. The Management Committee reserves the right to approve new membership applications.

16. Annual Subscriptions

The annual subscription for the different classes of members shall be as laid down by the Club at a General Meeting, from time to time. Any person not previously a member joining the Club after the commencement of a subscription year shall be liable for a pro rata portion of the annual subscription. All annual subscriptions shall be for a year commencing on 1st April in each year and shall be due and payable on or before 1st April in the same year. Any member whose subscription is unpaid on 1st April shall cease to exercise any of the privileges of membership and his/her name may at the discretion of the Committee be erased from the list of members of the Club but may be replaced by the Committee on payment of all arrears. The subscription may be paid in instalments at the discretion of the Management Committee with the proviso that full payment must be made by 31st August of that year.

17. Non-payment of Initial Subscription

A candidate who shall fail to pay his/her subscription within one calendar month from the date of the Secretary's notice advising him/her of his/her being accepted as a member, shall thereby render his/her acceptance null and void unless he/her shall show sufficient cause for such delay to the satisfaction of the Committee.

18. Resignations

Any member wishing to withdraw from the Club must give intimation to the effect by letter addressed to the Secretary, and such intimation must be made previous to the 31st March otherwise he/she will be liable for a pro rata portion of the annual subscription for the year commencing on the 1st April of that year.

19. Disciplinary Procedure

The Management Committee shall appoint a Disciplinary Committee of five members, one of whom shall be the Club Captain who is designated as the Chairperson. The Disciplinary Committee shall have the power to remove, suspend or discipline the member. The quorum shall be three. Should for any reason three members are unable to attend a hearing, the Management Committee will appoint a replacement for that hearing. Any member of the Disciplinary Committee who has an interest in any matter before the Committee must declare that interest and be precluded from any participation in the hearing. The Management Committee may appoint a replacement.

Procedures

When a written complaint has been received by the Management Committee the Club Captain will:

- (a) Have the power to reprimand the member or warn the member for first offences or minor misdemeanours.
- or
- (b) Gather any other such evidence as deemed appropriate, and -
- (c) Not later than 14 days after receipt of the notification write to the offending member:
 - (1) Stating that a hearing of the Disciplinary Committee has been convened at a time and place set out in the letter being a time not earlier than seven (7) days after the date of the letter, to hear the charge, to consider whether it has been made out and if so to consider imposing a penalty in accordance with this policy.
 - (2) That the offending member is entitled to appear at the hearing and to present any relevant material orally or in writing, personally or by a representative in mitigation or excuse.

A decision of the Disciplinary Committee can be appealed by the member by writing to the Management Committee within 28 days of the decision being advised to the member. The Management Committee must convene a meeting not later than 14 days after receipt of the members notification to determine whether to confirm or revoke the Disciplinary Committee decision. Management committees decision is final.

20. Property

The property and effects and monies of the Club shall belong to the Club as an incorporated society.

21. Personal Benefits

21.1 Any income, benefit or advantage shall be applied to the purposes of the Club.

21.2 No individual member or associated person shall receive any form of private income, benefit or advantage from the operations.

21.3 No member of the Club or any person associated with a member shall participate in, or materially influence any decision made by the Club in respect of the payment to or on behalf of that member or associated person of any income, benefits or advantage whatsoever.

21.4 Any such income paid shall be reasonable and relative to that which would be paid to an arm's length transaction (being the open market value).

21.5 The provisions and effect of this clause shall not be replaced from this document and shall be included and implied in any document replacing this document.

22. Club House

The Club House shall be open to members and visitors every day during such hours as shall be fixed by the Committee.

23. Notices etc

No notices or placards of any description shall be exhibited on the walls of any of the rooms of the Club House without the authority of the Committee.

24. Competitions

All arrangements regarding competitions shall be made by the Committee, to which such disputes as may arise shall be referred, its decision being final.

25. Complaints

All complaints must be in writing to the Secretary in order that they may be submitted to the Committee and none need be attended to unless this form is complied with.

26. Altering Rules

No rule of the Club shall be repealed or altered and no new rule shall be made unless passed by a majority of two-thirds of the members present at a general meeting and unless seven days notice shall have been given of the intention to propose such repeal or alteration or new rule, by notice to that effect posted in the Club House.

27. Seal

The Club shall have a common seal which shall be kept in the custody of the Secretary and shall not be affixed to any instrument except in pursuance of a resolution of the Committee and in the presence of two members of the Committee for the time being.

28. Winding Up

22.1 The Club may be wound up under the provisions of the Incorporated Societies Act 2008.

22.2 If the Club is wound up, the surplus assets after payment of all debts, costs and liabilities shall be disposed of for such charitable or sporting purposes in Motueka or its surrounding districts as:

i) may be decided by the Club and recorded in the resolution to wind up

or

ii) as may be directed by the Court
but no distribution shall be made to any member.

29. Voting

The rule in regard to voting at General Meetings shall be as follows:

Each member present shall have one vote and the Chairperson shall have a casting vote as well as an original vote. On all matters excepting those referred to in Rule 5, Rule 6 and Rule 20, the voting shall be on voices, and a declaration by the Chairperson that a resolution has been carried on the voices and an entry in the Club's Minute Book to that effect shall be conclusive evidence that such a resolution has been carried, provided that any person who has voted on the resolution may demand a show of hands for a recent ballot, in which case the Chairperson shall declare the resolution to have been carried or not carried in accordance with the votes recorded.

30. Rules of Play

The rules of play shall be those of the Royal and Ancient Golf Club of St Andrews, except as varied by the local rules of the Club.

31. Club Colours – to be determined by Management as required.

32. Lady Members

Lady members may elect from their numbers a Vice Captain and a Committee of such number as the lady members in General Meeting shall decide. This Committee shall have the power to arrange competitions for ladies (both 18 hole and 9 hole members). The Ladies Committee shall appoint one of its members to attend the Management meeting with the Ladies Club Captain.