

CLUB RULES of the Hawkes Bay Amateur Radio Club Incorporated

NAME

1. The name of the Club is Hawkes Bay Amateur Radio Club Incorporated.

INTERPRETATION

2. In these Rules, if not inconsistent with the context, the following is an explanation of the words and abbreviations used:
 - “Act” means the Incorporated Societies Act 1908 and its subsequent amendments.
 - “Amateur Radio” has the same meaning as in the Constitution of The New Zealand Association of Radio Transmitters Incorporated.
 - “AREC” means Amateur Radio Emergency Communications as defined in the Constitution of NZART.
 - “Club” means Hawkes Bay Amateur Radio Club Incorporated.
 - “Committee” means the Club’s Executive Committee as defined in these Rules.
 - “Membership Area” means the Hastings/Havelock District and nearby parts of the Hawke’s Bay region.
 - “NZART” means the New Zealand Association of Radio Transmitters Incorporated.
 - “Registrar” means the Registrar of Incorporated Societies,

Words expressing the masculine gender include the feminine gender and vice versa.

AFFILIATION

3. The Club is a Branch of NZART with all the rights, privileges and obligations of a Branch provided for in the NZART Constitution.

OBJECTS

4. The Objects of the Club are:
 - (a) To further the aims and objects of NZART.
 - (b) To foster an interest in Amateur Radio and in the related technology of radio and electronics, particularly within the Membership Area.
 - (c) To establish and operate amateur transmitting and repeater stations under the Radiocommunications Regulations 2001, and to appoint one or more of the Club’s members to be the Trustees thereof.
 - (d) To cooperate with civic bodies in the operation of a Civil Defence Organisation and to provide communications when requested by the New Zealand Search and Rescue Council, or by other similar organisations,
 - (e) To afford members of the Club a means of social activity and mutual assistance in radio and related activities.
 - (f) To lease, rent, buy or sell property for the furtherance of Club activities.

- (g) To buy, hire or otherwise obtain furniture, fittings, equipment and other items for use in connection with the Club's activities.
- (h) To borrow monies for the acquisition of property and equipment to further the Club's objects, in the manner and upon security as the members may approve in general meeting.
- (i) To invest monies in the manner the Committee may from time to time determine.
- (j) To do all other things which in the opinion of the Club's members are not inconsistent with these objects.

MEMBERSHIP

5. The Club consists of the following classes of members:

- (a) Transmitting Members being the holders of a current amateur radio station licence, residing in the Membership Area who are members of the NZART.
- (b) Non-transmitting members who reside in the Membership Area but who do not hold a current radio station licence, have all membership rights except that they have no right to:
 - (i) vote on any resolution to amend these Rules,
 - (ii) vote on any matter affecting the rights and/or interests of transmitting members.
- (c) The Club may admit as Associates, holders of a current amateur radio station licence who are not members of NZART, or persons who reside outside the Membership Area (whether holders of an Amateur station licence or members of NZART, or not). Additionally any society or group having similar objects to those of the Club may affiliate as a body through Club membership. Neither of these classes has any right to vote at general meetings and may not hold any office in the Club.
- (d) Any two or more members residing permanently at the same address may be admitted jointly as Family members of the Club.
- (e) The Club may at any time in a general meeting upon the recommendation of the Committee, appoint Honorary Members (whether or not already members of the Club) who are to hold membership for one year from the date of appointment without payment of the current years subscription. Honorary Members are to be designated as "Transmitting" or "Non-transmitting" and have membership rights accordingly.
- (f) The Club has the right to refuse membership or associateship to any person and is not required to state reasons for any refusal to grant membership or affiliateship.

PATRON AND HONORARY LIFE MEMBERS

6. (a) The Club may at any time in a general meeting appoint a person of standing and good repute (who need not be a Member of the Club or of NZART) to be Patron of the Club. The office of the Patron is a post of honour, and carries no executive responsibility.
- (b) Honorary Life Members are persons who have made valuable and distinguished service to the Club over a lengthy period of time. They may be

appointed at any general meeting upon the written recommendation of the Committee. Honorary Life Members have rights consistent with the class of membership to which they would otherwise belong, but they are not liable to pay a subscription.

SUBSCRIPTIONS

7. (a) Every Member and Associate must pay to the Club a subscription as may from time to time be determined by the Annual General Meeting, The subscription rates so determined apply for the ensuing financial year.
- (b) The annual subscription falls due on and must be paid by the 31st day of January in each year. Any member whose subscription remains unpaid after the due date ceases to be a member of the club.
- (c) The subscription for Family Membership must not exceed one and a half times the subscription payable by an individual member.

CESSATION OF MEMBERSHIP

8. Membership or Associateship of the Club ceases upon any one of the following events:
 - (a) if having paid the current year's subscription, any person by notice in writing to the Secretary, resigns from membership or associateship.
 - (b) if a member or associate becomes unfinancial.
 - (c) if the member is expelled from the Club, as provided for in clause 9 (a) hereof.

CENSURE AND FORFEITURE OF MEMBERSHIP

9. (a) A Member or Associate may be censured or expelled from the Club by the Committee for acting contrary to the Rules, or for engaging in conduct likely to bring amateur radio or the Club into disrepute. Before any action or censure or expulsion, the Committee must follow the procedures for notification and enquiry set out in Schedule B of the NZART Constitution **or as near to as the circumstances permit.**
 - (b) No person who has resigned or been expelled from the Club has any right or claim upon any of the assets of the Club.

REGISTER OF MEMBERS

- 10.(a) The Club must keep a Register of its members containing their names, addresses, callsigns, and the dates at which they became members.
 - (b) A copy of the Register must be forwarded to the Registrar when required in accordance with the Act.

REGISTERED OFFICE

- 11.(a) The Club shall maintain a Registered Office to which all communications may be addressed.
 - (b) Any notice of change of the Registered Office address shall be given to the Registrar in accordance with the Act,

ALTERATION OF RULES

- 12.(a) Subject to the provisions of Clauses 12(b) and 12(c) hereof, these Rules or any of them may be altered, added to or rescinded by a resolution on that behalf passed by a majority of not less than two-thirds of the members as, being entitled so to do, vote in person, or signed written vote, at an Annual General Meeting or Special General Meeting of the Club, where notice specifying the intention to propose the resolution has been duly given.
- (c) Any Rule alterations are subject to Section 21 of the Act and immediately upon any alteration, addition or rescission of rule, the text of the alteration must be submitted to the NZART Council for approval and must then be presented to the Registrar for registration.

MEETINGS

- 13.(a) General Meetings of Club members must be held at times and places as are determined by the Committee and advised to members not less than seven days prior to each meeting. Publication in the NZART Callbook Branch Directory Section is sufficient advice of regular monthly meetings.
- (b) Notwithstanding the above, no annual general meeting may be held to be invalid for failure to give notice if it is held on the same readily determinable date in each year.
- (c) In lieu of Committee meetings, President may at the president's discretion conduct the business of the Club at general meetings, in which case all financial members present are entitled to vote.
14. An Annual General Meeting must be held in the month of November in each year and members must be given no fewer than seven days written notice of the time and place of the meeting. Publication of notice of meeting in the local newspaper and Club magazine are sufficient advice without further notice.
- 15 The business of the Annual General Meeting is be:
- (a) To receive the Annual Reports of Officers of the Club.
 - (b) To receive the audited statements of income, expenditure, assets and liabilities of the Club for the immediate past financial year.
 - (c) To elect the Officers and Committee Members, who hold office until the completion of the next Annual General Meeting.
 - (d) To set subscription rates for the ensuing financial year.
 - (e) To appoint an Auditor (who need not be a member of the Club) to carry out the duties defined in Clause 34 (b) hereto.
 - (f) To appoint Trustees, who must be Transmitting Members, for the Club callsign and for the Club's transmitting stations.
 - (g) To transact any other business that may have been set out in the notice of meeting.
 - (h) To appoint a Property Officer and a Club Contact Person, these posts may be filled by persons already elected as Club Officers or Committee members.

- 16 Special General Meetings of Club members may be convened at any time by the Committee and must be convened on the requisition of no fewer than five members of the Committee or no fewer than ten members of the Club, Members must be given no fewer than fourteen days prior written notice stating the time, place, and business to be transacted at the meeting together with the wording of any proposed motions to give effect to that business.
17. The Chair at all Club meetings, other than meetings of specially appointed subcommittees, is to be occupied by the Club President, or in his absence by the Vice-President, or in his absence also, by any financial Transmitting member elected by a majority of the financial members present.

QUORUM

18. No business is to be conducted at any meeting unless a quorum is present at the commencement of that business. The quorums are ;
- (i) At any general meeting, ten financial members.
 - (ii) At any Committee meeting, five Committee members.
 - (iii) For any subcommittee the quorum is to be set at the time of appointment of subcommittee members.

VOTING

- 19.(a) Voting at all meetings must be taken by voice, show of hands, or if requested, by secret ballot. When a ballot is required, the meeting must appoint two scrutineers, (who may or may not be members) to control the ballot, count the votes and report the result, the voting papers must be destroyed immediately after the result has been reported.
- (b) No member is eligible to vote at any meeting unless financial and each member (including each member of a family membership) may exercise one vote on each motion.
- (c). Subject to the exceptions stated in Clause 19(d) hereof, questions at meetings are to be decided by a simple majority of greater than one half of the financial members present and entitled to vote.
- (d) All questions at Special General Meetings, and any questions at Annual General Meetings concerning the alteration, addition to, or rescission of these Rules are to be decided by a majority of not less than two-thirds of the members present and entitled to vote.
- (e) The Chairman has both a deliberative and a casting vote at a general meeting on questions other than the election of Officers and Committee members and in secret ballots, where the Chairman has a deliberative vote only.
- (f) Members of NZART attached to the Club for voting purposes under the provisions of Paragraph, 7 (2) d of the NZART Constitution are entitled to vote on NZART business in accordance with the NZART constitution, not withstanding that they are not members of the Club.

OFFICERS

- 20.(a) The business of the Club is entrusted to an Executive Committee consisting of the following Officers and Committee members.
- (b) The Officers of the Club are the President, Vice-President, Secretary, Treasurer and an AREC Section Leader (provided that the Club has an AREC Section established under the NZART Rules), all of whom are elected at the Annual General Meeting and hold office until the conclusion of the ensuing Annual General Meeting.
- (c) In lieu of a Secretary and a Treasurer, the Club may elect one person as Secretary-Treasurer, in which case the number of Committee members allowed under sub-clause (d) hereof may be increased by one.
- (d) In addition there may not be more than four nor less than two Committee members elected at the Annual General Meeting.
- (e) Nomination for Officers and Committee may be made in writing prior to the Annual General Meeting but may also be made verbally at the meeting. Each nominee must have been a member of any branch of NZART for the previous year and must signify his/her acceptance of the nomination before any vote is taken.
- (f) Non-transmitting members are eligible for election to the Executive Committee provided that at least two thirds of the Committee are Transmitting members.
- (f) Where there is equality of voting on a ballot for the election of Officers or Committee the outcome of the ballot must then be determined by lot.

ABSENCE OF OFFICERS

- 21, Any Officer or Committee member who, without explanation, is absent from three consecutive meetings of the Committee automatically forfeits their position.

FILLING OF VACANCIES

22. Any casual vacancy in the position of any Officer may be filled at a General Meeting. Any casual vacancy in the number of Committee members may be filled by an appointment of the Committee and must be notified to members at the next meeting following that appointment.

INDEMNITY OF OFFICERS

23. No Officer of the Club is to be liable for the acts, receipts, neglects or defaults of any other Officer of the Club nor for any loss occasioned by error of judgement or oversight on his/her part, nor for any other loss, damage or misfortune which happens in the execution of the duties of office or in relation thereto, unless the same happened through their own wilful default or dishonesty.

COMMITTEE PROCEDURE

24. The management of the business of the Club is vested in the Committee, who may exercise all powers and do all things as the Club by its Rules or otherwise is authorised to do and are not hereby or by Statute directed or required to be done by the Club in General Meeting, but subject nevertheless to the provision of these Rules and any regulations not inconsistent with these Rules. Provided that no such regulations may invalidate any prior act of the Committee which would have been valid if those regulations had not been made.
- 25.(a) The Committee must meet regularly and may make, repeal and amend regulations as it considers necessary or convenient for the proper administration of the Club. All regulations, repeals and amendments are binding upon all members until otherwise determined by the Committee.
- (b) The President or any other Officer may call Committee meetings on such notice as may be deemed fit, and Committee meetings are to be called by the Secretary at the request of not less than two Committee members.
- (c) Questions arising at Committee meetings are decided by a majority of votes.
- (d) The Chairman of the Committee meeting and of any subcommittee has a deliberative vote and a casting vote.
26. Notwithstanding any vacancy in their number, the members of the Committee may continue to act, but if and for so long as their number is reduced below the number fixed for a Committee quorum the remaining members of the Committee may act only for the purpose of summoning a general meeting of the Club.

SUBCOMMITTEES

27. The Committee may delegate any of its powers to subcommittees consisting of member or members of the branch . Any such subcommittee must, in the exercise of the powers so delegated, conform to any regulations that may be imposed on it by the Committee and must report to the Committee. The President is an ex-officio member of all subcommittees.
28. All acts done by any meeting of the Committee or of a subcommittee or by any person acting as a member of the same shall, notwithstanding that it be afterwards discovered that there was some defect in the appointment of any member or person acting as aforesaid, or that they or any of them were disqualified, be as valid as if every affected person had been duly appointed and was qualified to be a member of the Committee or subcommittee.

SECRETARY

29. The Secretary must:
- (a) Keep a record of all proceedings of meetings and the attendance of Officers and members at such meetings.

- (b) Keep a register of members.
- (c) Notify members of all Annual and Special meetings, and Committee members of Committee meetings.
- (d) notify each person when elected of their election to an office.
- (e) Attend to all correspondence ensuring that it is brought to the attention of the Committee and dealt with accordingly.
- (f) Ensure that all Club records are kept in safe custody.
- (g) Ensure that the Club complies with all statutory and legal obligations.
- (h) Do all other duties in relation to the affairs of the Club as may be required from time to time by the Committee or by the Chairman of a meeting.

TREASURER

30. The Treasurer must:

- (a) Bank or cause to be banked in a banking institution appointed by the Committee as the Club's bankers in the name of the Club, all monies received, and ensure the investment of any funds surplus to immediate requirements at favourable interest rates.
- (b) Disburse the funds of the Club as may be determined by the Committee.
- (c) Keep the Club's records of Account and prepare the necessary financial accounts and statements.
- (d) Report to the Committee on the state of the Club's financial affairs as required.
- (e) Ensure that all cheques are signed or endorsed in the manner the Committee directs.
- (f) Do such other duties as the Committee may from time to time direct.

PAYMENT TO MEMBERS

31. No member is entitled to receive any free disbursement from the Club, whether by way of money, property or otherwise, except through:
- (a) Providing professional services to the Club rendered in the course of business charged at no greater rate than current market rates, or
 - (b) Receiving interest on money lent to the Club at no greater than current market rates.

FINANCIAL RECORDS AND STATEMENTS

32. (a) The Club must keep or Cause to be kept proper records of account in which must be recorded full, true and Complete accounts of the financial affairs, assets, liabilities and transactions of the Club.
- (b) At the close of each financial year, which shall end on the 30th day of September, and at other times the Committee may require, an income and expenditure account and a statement of assets and liabilities of the Club must be prepared and examined by the Auditor of the Club.
- c) The Club must deliver financial statements to the Registrar in the form and manner required by the Act.

SIGNING OF DOCUMENTS

33. The Society shall have a common seal. A document shall be Executed on behalf of the Society if :
- (a) The common seal is attached to the document ; and
 - (b) The document is witnessed by any one of the Chairperson, Secretary, or Treasurer, and countersigned by one other member of the committee.

AUDITOR

34. (a) An Auditor must be appointed at the Annual General Meeting as provided for in Clause 15 (e) of these Rules.
- (b) The Auditor must be supplied with a copy of the accounts and statements aforesaid, and it is the Auditors duty to thoroughly examine the same with the vouchers and financial records relating thereto and to report thereon.
- (c) If any casual vacancy occurs in the office of Auditor, the Committee must appoint a replacement Auditor who holds office until the next Annual General Meeting.

SOLICITOR

35. The Committee may appoint a Solicitor for the Club,

AREC

36. (a) The Club may establish a Section of the AREC in accordance with Paragraph 9.1 of the NZART Constitution.
- (b) The Club may, subject to the NZART constitution and the Rules for Amateur Radio Emergency Communications, make regulations relating to the operation of its Section of AREC and defining the relationship between the Section and the Club.
- (c) The accounts of any AREC Section so established must be included with Club accounts and audited accordingly.
- (d) The Section Leader of AREC must make annually to the Club, for the purposes of audit, an up to date inventory of all equipment held by AREC.

PROPERTY OFFICER

37. The Property Officer must keep an up to date register of all equipment and assets including the purchase cost of such items, and present an annual inventory for audit purposes.

CASES NOT PROVIDED FOR

38. (a) In the event of any question arising out of the interpretation of these Rules or in the event of a case arising for which no provision has been made in these Rules, that question may be settled by the Committee.
- (b) Any member who is dissatisfied with any determination of the Committee under this Clause may, within such time as the NZART Council will allow, appeal to that Council after giving both the Club's Secretary and the NZART Business Manager seven clear days notice of their intention to do

so. The decision of NZART Council saving the rights of any Court of competent jurisdiction, is final and binding on the Club and members.

NOTICES

39. (a) Every notice given to any member pursuant to any of these Rules is deemed to be sufficiently given to and served on them if posted or delivered to them at their address appearing in the Club's register of members. Any notice given or served by post is deemed to have been served 72 hours after a properly addressed notice was put in an official postal box.
- (b) Notices of general meetings are deemed to have been served to all members by publication as defined in Clauses 13 and 14 of these Rules.
- (C) The failure of by any Officer of the Club to give notice to any member as required by these Rules does not invalidate any meeting or proceeding provided that such failure was accidental or inadvertent.

WINDING UP

40. (a) The Club may be wound up voluntarily if a Special General Meeting of its members passes a resolution requiring the Club to be wound up and that resolution is confirmed at a subsequent Special General Meeting called for that purpose and held not earlier than thirty days after the resolution to be confirmed was passed.
- (b) If upon the winding up or dissolution of the Club there remains after the satisfaction of all costs debts and liabilities, any property or assets whatsoever, the same must not be paid to nor distributed among the members of the Club, but must be transferred to the NZART or to any Branch thereof, who shall hold all monies and assets in trust for use in the Hawkes Bay Amateur Radio Service, for the purposes of maintenance and support of those remaining area assets, eg. Repeaters etc. or as the members at the final Special Meeting shall determine.

These are the Rules of the Hawkes Bay Amateur Radio Club Incorporated.
Some times known as the Hastings / Havelock North branch 13 NZART.