

**ATHLETICS OTAGO
(INC)**

Constitution and Rules

Ratified at a Special General Meeting 19 October 2015

INDEX TO ATHLETICS OTAGO (INC) CONSTITUTION

Alteration to Rules	RULE 27
Procedure and advisement	RULE 27 Clause a
Adoption	RULE 27 Clause c
Annual Meeting	RULE 7
Advisement	RULE 7 Clauses b c
Date Held	RULE 7 Clause a
Voting and speaking rights	RULE 12 Clauses a, b, c, d
Athletics Otago Officers	RULE 10
Election of Officers	RULE 7 Clause e(v), RULE 11
Duties of Officers	RULE 15
Athletics New Zealand Administration	RULE 28
Board	RULE 6
Casual Vacancy	RULE 6 Clause g
Chairperson	RULE 6 Clause i
Composition	RULE 6 Clause b
Election and appointment	RULE 6 Clause c, d, e
Quorum	RULE 6 Clause h
Role	RULE 6 Clause a
By-Laws	RULE 31
Procedure and advisement	RULE 31 Clause a
Adoption	RULE 31 Clause b
Cancellation and Postponements	RULE 18 Clause h
Clubs	
Address	RULE 16
Fees and levies	RULE 21
Colours of Athletics Otago	RULE 5
Committees	RULE 18
Common Seal	RULE 29
Executive Officer	RULE 17
Ex-Officio	RULE 18 Clause c
Investment of Funds	RULE 24
Life Membership	RULE 20
Nominations	RULE 20
Voting	RULE 20
Membership	RULE 3
Merit Awards	RULE 19
Minutes	RULE 14
Name	RULE 1
Objects	RULE 2
Power to Borrow	RULE 26
Power to Lend	RULE 25
Proxies	RULE 9, 18 Clause (f)
Quorum	RULE 13
Annual and Special Meetings	RULE 13 Clause a
Board	RULE 6 Clause h
Committees	RULE 13 Clause b
Registered Office	RULE 30
Role	RULE 4
Special Meetings	RULE 8
Speaking Rights	RULE 12
Trust Funds	RULE 22
Voting Rights	RULE 12
Winding Up	RULE 32

ATHLETICS OTAGO CONSTITUTION

RULE 1: NAME

The name of the organisation shall be "Athletics Otago Incorporated (The Otago Centre of Athletics New Zealand Incorporated)", hereinafter referred to as Athletics Otago.

RULE 2: OBJECTS

- (a) The objects of Athletics Otago shall be to foster, encourage and control Amateur Athletics in Otago, and in particular those objects set out in Clause 4 of the Constitution of Athletics New Zealand, insofar as those objects are applicable to Athletics Otago and the province of Otago.
- (b) The whole of the objects and rules of Athletics Otago shall be carried into effect in conformity with, and subject to, the provisions made in and by the Constitution and Regulations of Athletics New Zealand and any alterations or amendments thereof, hereafter constitutionally made, shall be applicable to the members of Athletics Otago.

RULE 3: MEMBERSHIP

All members of Clubs that are located in the Otago geographic region and affiliated to Athletics New Zealand are automatically members of Athletics Otago. Volunteers who are not affiliated to an athletics club but contribute to the sport of athletics are also deemed to be members of Athletics Otago.

RULE 4: ROLE

The role of the organisation is to:

- (a) Organise and control athletics meetings or competitions of any kind
- (b) Co-operate with, support or assist any other person, firm, body corporate or society in achieving the objects of the organisation
- (c) Acquire, collect and disseminate to Clubs any information which may be of interest or assistance to the Clubs
- (d) Employ staff and engage professional advisors as necessary to carry out the functions of the organisation; pay fees, expenses, salaries and other forms of remuneration for services rendered to the organisation
- (e) Enter into any contract or arrangement as, in the opinion of the Board, is conducive to the attainment of the objects of the organisation
- (f) Accept donations, endowments, bequests and gifts that are given for the purpose of achieving the objects of the organisation
- (g) Construct, purchase, acquire and maintain any building, works, property or assets which the Board may think necessary for the purpose of achieving the objects of the organisation
- (h) Carry out such other activities as are consistent with and conducive to the attainment of the objects of the organisation.

RULE 5: ATHLETICS OTAGO COLOURS

The official colours of Athletics Otago shall be royal blue, gold and black.

RULE 6: BOARD

- (a) The business and affairs of the organisation will be managed by or under the direction and supervision of a Board.

- (b) The Board will be comprised of seven members, being the President elected by delegates at each Annual Meeting of the organisation, four members elected by delegates at the Annual Meeting under Rule 7 and two co-opted members appointed by the Board.
- (c) The President will remain in office until the end of the following Annual Meeting and will be eligible for re-election.
- (d) Two elected members will retire at each Annual Meeting. At the first Annual Meeting following the adoption of these rules, the two elected Board members who polled lowest will retire, and at subsequent Annual Meetings the two longest serving elected members will retire. All will be eligible for re-election for a maximum of one further term of two years.
- (e) Appointed members will be appointed by the President and elected members, for a period of up to two years, and will be eligible for reappointment for a further year.
- (f) A Board member will be deemed to have vacated office if that member dies, is absent from two consecutive meetings of the Board without leave of absence granted by the Chairperson, has wilfully acted in a manner which is contrary to the organisation's objects or brings the organisation into disrepute, or resigns in writing to the Board.
- (g) The Board may appoint any person to fill a casual vacancy up until the following Annual Meeting.
- (h) The quorum for a meeting of the Board is four members. Decisions of the Board will be determined by a majority of votes, with the Chairperson having a casting vote in the event of a tie.
- (i) The Board will elect one of its number to preside as Chairperson of meetings of the Board at its first meeting following the Annual Meeting, and may from time to time replace the person so elected.
- (j) The Board will meet as determined by the Chairperson and at least every two months.

RULE 7: ANNUAL MEETING OF ATHLETICS OTAGO

- (a) The Annual Meeting of Athletics Otago shall be held not later than the month of May in each year.
- (b) Twenty-one days notice shall be given to all affiliated clubs and also to the Patron and all Life Members.
- (c) Each affiliated club will be entitled to two voting delegates at the Annual Meeting, the names of whom should be supplied to the Executive Officer prior to the start of the meeting. In addition, clubs will be entitled to one additional voting delegate for every 50 club members registered on the Athletics New Zealand database or fraction thereof, children included, with a maximum of three additional delegates for any one club.
- (d) Each voting delegate or proxy shall be entitled to one vote. The Patron and Life Members will also be entitled to one vote.
- (e) The business of each Annual Meeting will be to:
 - (i) receive and consider the annual reports of the Board, President and sub-committees
 - (ii) receive and adopt the financial statements (audited or reviewed) of the organisation for the last financial year
 - (iii) elect the President for the ensuing year
 - (iv) elect two Board members for a two year term
 - (v) elect Officers (as per Rule 10)
 - (vi) elect the Finance, Track and Field, Cross Country, and Masters committees
 - (vii) appoint an auditor for the ensuing year
 - (viii) elect Elite and Development Squad directors
 - (ix) set levels of reimbursement for elected officers
 - (x) consider any remits from clubs and determine what actions are appropriate in relation to the matters raised
 - (xi) consider any matter brought to the meeting by the Board and determine what action is appropriate
 - (xii) deal with any other business of which requisite notice has been given or which, in the opinion of the President, should be considered

- (f) Where a club or individual member wishes an Annual Meeting to consider an issue or proposal, a written remit detailing the issue or proposal must be delivered to the Executive Officer at least 30 days prior to the date of the meeting.

RULE 8: SPECIAL MEETINGS

Special meetings of Athletics Otago may be held at any time on the requisition of the President, or any three members of the Board, provided that twenty-one days notice shall be given to all affiliated clubs, Patron and Life Members.

RULE 9: PROXIES

Any club which is not able to appoint a voting delegate to which they are entitled may, in writing, appoint a proxy to attend any Annual Meeting or Special Meeting, and such proxy shall have the voting powers and all other rights of the delegate for whom they are proxy.

RULE 10: OFFICERS OF THE CENTRE

The Officers of Athletics Otago shall be elected at the Annual Meeting, and shall be:

1. Patron
2. President*
3. Vice Presidents (up to three)*
4. Treasurer*
5. Records Steward*
6. Publicity Officer*
7. Equipment and Property Steward*
8. Honorary Surveyors
9. Honorary Medical Advisers
10. Honorary Legal Adviser
11. Trophy Steward*
12. Honorary Physiotherapists
13. Uniform Steward*
14. Athletes Liaison Officers (up to three)*
15. Coaching Coordinator*
16. Regional Officials Coordinator (up to two)*
17. Liaison Officers with Dunedin City Council (two)*
18. Webmaster*

*duties of officers so marked are defined in Rule 15

Ancillary Officers will be elected by committees, subject to the approval of the Board, as follows:

1. Handicappers (i) Summer Track
(ii) Summer Field
(iii) Winter
2. Summer Selectors (3 people)
3. Winter Selectors (3 people)
4. Master's Selectors

RULE 11: ELECTION OF OFFICERS

- (a) Nominations for the positions of President, Vice Presidents, and Treasurer, signed by the proposer, seconder and nominee, must be received by the Executive Officer at least thirty (30) days before the date fixed for the Annual (or Special) Meeting. Twenty-one days (21) notice of the nominations shall be given to all clubs and also to the Patron and Life Members.
- (b) Should a vacancy occur in any of the Officers of Athletics Otago, it shall be filled at the next meeting of the Board.

- (c) At all Annual Meetings and Special Meetings the chair will be taken by the President, or in his/her absence, by a Vice President. In the event of the absence of all of the aforesaid officers, the delegates present shall appoint one of their number to act as Chair of the meeting.

RULE 12: VOTING AND SPEAKING RIGHTS

- (a) Each club delegate (or their proxy), the Patron and Life Members shall be entitled to speak and have one vote at Annual and Special meetings. Others present shall not take part in discussion without permission of the Chair first being obtained.
- (b) In the case of equality of votes, if the Chair's deliberative vote has been used, then the matter shall be decided by the Chair exercising a second casting vote.
- (c) All matters submitted for discussion shall be moved and seconded and decided by a majority of votes of members present and entitled to vote.
- (d) Resolutions put to the vote shall be decided by voices or a show of hands, provided however that if any member of the meeting requests that voting be by ballot or division, then the voting shall take place accordingly, as directed by the Chair. The result of the ballot or division shall be deemed the resolution of the meeting at which the ballot or division was demanded.

RULE 13: QUORUM

- (a) At all Annual Meetings and Special Meetings, fifteen shall form a quorum
- (b) At all meetings of standing committees, the majority of the membership (including ex-officio and co-opted members) of the committee shall form a quorum.

RULE 14: MINUTES

Minutes will be kept of all meetings. Minutes of Committee Meetings, Board Meetings, and of Annual and Special meetings, will be circulated to the Patron, Life Members, Standing Committee members and Secretaries of affiliated clubs.

RULE 15: DUTIES OF OFFICERS

- (a) President:
 - (i) Chair the Annual Meeting and any Special Meetings
 - (ii) Officiate at presentations of trophies and certificates
 - (iii) Act as the official representative and spokesperson of Athletics Otago
 - (iv) Act as a member of the Board of Athletics Otago
 - (v) Act as an ex-officio member of a standing committee
- (b) Vice President:
 - (i) Deputise for the President when required
 - (ii) Support the President in his/her duties
 - (iii) Act as an ex-officio member of a standing committee
- (c) Treasurer:
 - (i) Receive all monies due to Athletics Otago, pay all accounts owing and keep a clear and correct record of all transactions.
 - (ii) Present a statement of receipts and payments for the previous month, and of projected payments and receipts for the following month, to the Board each month, and gain approval for all payments.
 - (iii) Submit to the Annual Meeting of Athletics Otago a Statement of Financial Position and a Statement of Financial Performance duly audited or reviewed as determined by the Board.
 - (iv) Receive all monies and make all payments in accordance with the policies and procedures established by the Board of Athletics Otago.
 - (v) Prepare and file GST returns as and when required.
- (d) Records Steward:
 - (i) Keep a full and complete record of the results of all athletic events held under the control of Athletics Otago.

- (ii) Keep a full list of the Otago standards, records and best performances.
 - (iii) Submit all pending records to the Board for ratification.
 - (iv) Be responsible for the safe custody of all result cards and supplementary records.
- (e) Publicity Officer:
- Liaise with media representatives to ensure maximum and positive exposure for the sport and its members.
- (f) Equipment and Property Steward:
- (i) Be responsible for the safe custody of all equipment of Athletics Otago and for seeing that such equipment is in accordance with the specifications set out in the rules of Athletics New Zealand.
 - (ii) Report to the Board at its next meeting when any equipment is not up to standard and advise the Board from time to time of all new and replacement equipment required.
 - (iii) Keep a record of all equipment borrowed from Athletics Otago and obtain contact information and a deposit if deemed necessary for all such equipment.
 - (iv) See that all borrowed equipment is returned in the same condition in which it was obtained.
 - (v) Report to the Board any delay or failure to return equipment or property.
 - (vi) Keep a record of keyholders of equipment storage as directed by the Track and Field Committee
- (g) Trophy Steward:
- (i) Be responsible for the care of all Athletics Otago trophies and ensure that such trophies are present at the time and place stipulated for presentation to the next holder.
 - (ii) Have all trophies presented signed for, and see that they are returned in good order and condition.
 - (iii) Keep a record of all trophies with a full record of all engraving.
 - (iv) When directed by the Board, obtain a valuation of trophies so that full insurance cover can be obtained.
 - (v) Report to the Board the names of the winners of trophies, cups and their points as soon as convenient after competition has been concluded.
- (h) Uniform Steward:
- (i) Be responsible for the purchase, safe keeping and sale of Athletics Otago uniforms.
 - (ii) Forward all monies collected to the Executive Officer.
- (i) Athletes Liaison Officers:
- (i) Provide support to athletes in dealing with issues or problems that may arise from time to time
 - (ii) Act as an intermediary in raising such issues with appropriate bodies.
- (k) Coaching Coordinator:
- (i) Coordinate and promote training opportunities for coaches.
 - (ii) Work with Athletics New Zealand and existing coaches to identify and mentor up-and-coming coaches.
 - (iii) Maintain an up-to-date contact list for coaches.
 - (iv) Communicate with coaches about events, training, and rule changes.
- (l) Regional Officials Coordinator:
- (i) Coordinate and conduct officials training and assessments
 - (ii) Work with Athletics New Zealand and National Officials Committee with mentoring up-and-coming officials
 - (iii) Maintain an up-to-date contact list for officials
 - (iv) Communicate with officials about events, training, grading, rule changes
- (m) Liaison Officers With Dunedin City Council (DCC):
- (i) Organise and attend meetings with the appropriate officials of the DCC
 - (ii) Coordinate the collection of information about issues relating to the DCC from within the sport
 - (iii) Assist in the formulation of proposals for new facilities or services to be submitted to the DCC
- (n) Webmaster:
- (i) Ensure that the Athletics Otago website is maintained with current and relevant information

- (ii) Provide advice and assistance to members using the Athletics Otago website

RULE 16: ADDRESS OF CLUB SECRETARY

Every affiliated Club will supply the contact details of its Secretary to which all correspondence shall be forwarded. A Club must notify the Athletics Otago Executive Officer of any change thereof within fourteen days from the date of the change.

RULE 17: EXECUTIVE OFFICER

The Board will appoint an Executive Officer for such term and upon such conditions as it thinks fit. The Board will vest in the Executive Officer such powers, duties and authorities as it may from time to time determine, subject at all times to the control of the Board and these rules.

RULE 18: COMMITTEES

- (a) At the Annual Meeting of Athletics Otago, the following committees will be elected:
 - (i) Track and Field Committee – eight people
 - (ii) Cross Country Committee – eight people
 - (iii) Finance Committee – Treasurer and seven others
 - (iv) Masters' Committee
 - (v) Records Committee – Records Steward and two others.
 - (vi) Athletics Otago Elite and Development Squad Directors – five members, no more than two from any one club.
- (b) Each affiliated club can nominate at least one representative for each of the Track and Field, Cross Country and Finance Committees for election at the Annual Meeting.
- (c) The President and a Vice President will be ex-officio members of all committees.
- (d) All committees have power to co-opt extra members to meet a specific need, and must have the co-option confirmed at the next meeting of the Board.
- (e) All committees will appoint one of their members to act as chair at their first meeting following the Annual Meeting. The Executive Officer or appointed person will keep minutes of all meetings, a copy of which will be submitted to the Board at its next meeting.
- (f) It will be the duty of the committee chair to give seven days notice of a meeting except in cases of urgency. Proxies may not be appointed and any member absent from two consecutive committee meetings without leave granted by the committee chair will forfeit their place and the Board will fill the vacancy.
- (g) A Cancellations and Postponements sub-committee shall be comprised of the President, Chair of the Track and Field Committee and one other member of the Track and Field Committee in the summer, and the President, Chair of the Cross Country Committee and one other member of the Cross Country Committee in the winter season.

RULE 19: MERIT AWARDS

- (a) The Board of Athletics Otago may award to any person an Athletics Otago Merit Award subject to the following conditions:
 - (i) The person shall have demonstrated a sustained contribution to the sport as an Official, Administrator, Coach or athlete.
 - (ii) Eligibility for this merit award is ten years cumulative service to the sport.
 - (iii) The person shall be currently involved in the sport.
 - (iv) A Life Member of Athletics Otago will not be eligible for a Merit Award.
- (b) Nominations for Merit Awards (including a CV for the person nominated showing relevant information to determine eligibility) may be made by individuals or clubs on or before March 1st each year.

- (c) It will be the duty of the Executive Officer to notify all members of the Board, Patron, and Life Members of such nominations within seven days of the closing date, and to organise a postal secret ballot to decide the election or rejection of the nominations.
- (d) Such a ballot will be finalised by 31st March following the receipt of nomination.
- (e) At least three fourths of the Board, Patron and Life Members voting must vote in favour of the award.
- (f) The awards will be presented at the Annual Meeting of Athletics Otago. Recipients shall be presented with an Athletics Otago Merit Award Certificate and a badge of approved design.

RULE 20: LIFE MEMBERSHIP

Life membership may be conferred on any person for meritorious service to Athletics Otago at an Annual Meeting of Athletics Otago provided that:

- (a) The person has made a sustained (at least 15 years) contribution to the sport as an Official, Administrator, Coach and/or Athlete and has made a visible difference to the success or viability of the sport.
- (b) Nomination of such persons including their Curriculum Vitae will be made to the Executive Officer not later than 1st March in any year. It will be the duty of the Executive Officer to notify all members of the Board, Patron and Life Members of such nominations within seven days of the closing date.
- (c) The Executive Officer will organise a secret postal ballot to decide the election or rejection of the nominations.
- (d) Such a ballot will be finalised by 31st March following the receipt of nominations.
- (e) At least three fourths of the members of the Board, Patron and Life Members voting as provided for in Rule 12 must vote in favour of the election.
- (f) Each person elected to Life Membership will be presented with a badge suitably inscribed with the year of election to Life Membership.

RULE 21: FEES PAYABLE BY CLUBS

Each affiliated Club and its members shall pay to Athletics Otago:

- (a) race entry fees and gate fees for competitors as directed by the Board.
- (b) such levies as may be determined from time to time by the Board.

If individual members are indebted to Athletics Otago, they will not be eligible to be part of an Elite or Development Squad, represent Otago, take titles or have records ratified.

RULE 22: TRUST FUNDS

By a resolution passed by three fourths of the members at a General Meeting of which due notice has been given, Athletics Otago may establish a Trust Fund in respect of any specified monies or assets of Athletics Otago, and may from time to time add to such Trust Funds.

RULE 23: PERSONAL BENEFIT

No member of Athletics Otago (as defined in Rule 3) or any person associated with a member shall participate in or materially influence any decision made by Athletics Otago in respect of any payment to or on behalf of that member or associated person of any income, benefit or advantage whatsoever. Any such income paid shall be reasonable and relative to that which would be paid in an arms length transaction (being the open market value). The provisions and effect of this clause shall not be removed from this constitution, and shall be included and implied into any document replacing this constitution.

RULE 24: INVESTMENT OF FUNDS

The Board may from time to time invest any portion of the accumulated funds of Athletics Otago. This shall be done in the manner provided by Section 10 subsection (a) and (c) of the

Industrial and Provident Societies Act 1908, and any amendment thereof, and also upon mortgage of freehold or leasehold lands and to place money on deposit with any bank.

RULE 25: POWER TO LEND

- (a) The Board shall have the power to lend any Club any sum or sums of money out of the accumulated funds of Athletics Otago.
- (b) The loan shall be upon those terms and for that period and either with or without security as the Board shall in its absolute discretion determine.
- (c) The resolution authorising any such loan shall be required to be passed by five of the members of the Board and be ratified by a similar majority at a further meeting of the Board duly called for that purpose at least fourteen days after the passing of the resolution.

RULE 26: POWER TO BORROW

- (a) The Board may from time to time for the objects of Athletics Otago obtain advances or deposits of money from any person or persons or corporation, whether or not a member of Athletics Otago, and may receive or arrange for the purchase of securities or repayment of those advances, deposits or any money to Athletics Otago in any manner the Board may in its absolute discretion deem fit and in particular by issue of debentures or bonds or by mortgage or charge or lien upon a whole or any part of the property or assets of Athletics Otago whether present or future.
- (b) Nothing herein contained in this or any other rule shall be deemed to authorise Athletics Otago to carry on the business of banking.

RULE 27: ALTERATION TO RULES

- (a) Subject to clause 27(b), these rules may be added to, amended or repealed by resolution at any Annual Meeting of Athletics Otago or at any Special Meeting called for the purpose, provided that notice of such additions, amendments or alterations, together with the names of the proposer and seconder thereof shall be given to the Executive Officer at least thirty (30) days before the date fixed for such Annual or Special Meeting. The Executive Officer will notify all Clubs, Patron and Life Members at least twenty-one (21) days before the date of the meeting.
- (b) No addition to or alteration of the non-profit objects (Rule 2), personal benefit (Rule 23) or the winding-up (Rule 32) rules shall be approved without the prior approval of the Inland Revenue Department. The provisions and effect of this clause shall not be removed from this constitution, and shall be included and implied into any document replacing this constitution.
- (c) Any resolution adding to, amending or repealing any of these rules shall require the supporting vote of at least two thirds of the members present.

RULE 28: ATHLETICS NEW ZEALAND ADMINISTRATION RULES

Where not inconsistent with these rules and not provided for herein, the Administration Rules of Athletics New Zealand shall apply.

RULE 29: COMMON SEAL

The Common Seal of Athletics Otago shall be in the custody of the Executive Officer and shall be affixed to documents only by the direction of the Board and shall be attested by the signature of the President, or in his/her absence by the Board Chairperson.

RULE 30: REGISTERED OFFICE

The Registered Office of Athletics Otago shall be the Athletics Otago Room at 50 Logan Park Drive, Dunedin.

RULE 31: BY-LAWS

- (b) By-laws may be enacted amended or repealed by resolution at any Board meeting provided that notice of such proposed enactment, amendment or alteration together with the proposer and seconder thereof shall be given to the Executive Officer at least thirty (30) days before the date fixed for such meeting. The Executive Officer shall notify all members of the Board of such meeting at least twenty one (21) days before the date of the meeting.
- (c) Any resolution enacting, amending or repealing any by-law requires the supporting votes of a majority of members present at the meeting.

RULE 32: WINDING UP

If in the event of Athletics Otago being wound up or dissolved, there remains after the satisfaction and discharge of all its debts, liabilities and obligations, any property or assets whatsoever, these shall not be transferred or distributed to the members of Athletics Otago but shall be given or transferred to the Board of Athletics New Zealand.