



# **Constitution of the Auckland University Ultimate Club**

*The name of the Club above shall be an Association within the Auckland University Student's Association and will hereinafter be referred to as an Association.*

## **1.0. OBJECTIVES OF THE ASSOCIATION**

The objectives of the Association are:

- a. To encourage the growth of the sport of Ultimate at the University of Auckland
- b. To provide local opportunities to play and run social events to the satisfaction of its members.
- c. To promote good fellowship amongst its members, members of other University Clubs, and members of the wider community.
- d. To facilitate and encourage the sending of teams to, and playing competitively at, local and national tournaments.

## **2.0. ATTAINING OBJECTIVES**

The Association shall be empowered to do all things necessary which are incidental to the attainment of the objects of the Association.

## **3.0. AFFILIATION**

The Club shall be affiliated to the Auckland University Students Association (AUSA), provided that the Club and its members abide by the Constitution.

The association shall affiliate annually through the registration process set out by AUSA. In the event that the association fails to affiliate the club shall remain in operation, but may no longer claim to be registered with AUSA or the University of Auckland.

## **4.0. PROPERTY OF THE ASSOCIATION**

The Association must apply all property and income of the association towards the promotion of the objects or purposes of the association. No part of that property or income is to be paid or otherwise distributed, directly or indirectly, to members of the Association, except in good faith in the promotion of those objects or purposes. Any such income shall be reasonable and relative to that which would be paid in an arm's length transaction (being open market in value).

## **5.0. POWERS OF THE ASSOCIATION**

- a. To acquire, hold, deal with, and dispose of any real or personal property;
- b. To open and operate bank accounts;
- c. To invest its money –
  - i. in any security in which trust moneys may be invested;
  - ii. or in any other manner authorised by the rules of the Association.
- d. To borrow money upon such terms and conditions as the Association thinks fit;
- e. To give such security for the discharge of liabilities incurred by the Association as the Association thinks fit;
- f. To appoint agents and employees to transact any business of the Association on its behalf for reward or otherwise;



- g. To build, construct, erect, maintain, alter and repair any premises building or other structure of any kind and to furnish equip and improve the same for use by the Association;
- h. Accept donations and gifts in accordance with the objects of the Association;
- i. Print and publish any information by any media including newsletters, newspapers, articles or leaflets for promotion of the Association;
- j. Provide gifts and prizes in accordance with the objects of the Association;
- k. Organise social events for Members and the promotion of the Association;
- l. To enter into any other contract the Association considers necessary or desirable;
- m. To hold trainings and trials as often as the executive deems necessary in order to uphold the objectives of the Association; and
- n. To promote, hold, manage, and conduct inter-club gatherings or conferences that it may deem desirable, either by itself or in collaboration with any other club, society, organisation, or association.

#### **6.0. MEMBERSHIP**

- a. Membership is a subscription based for the period of 1st January to the 31st of December of the respective year.
- b. Annual Membership is open to any person, student or non-student, upon payment of an annual fee. The value of this membership fee shall be determined by the Executive committee by the start of the membership period, but shall not exceed TWENTY (20) dollars.
- c. Honorary Life Membership:  
At a General Meeting the Association may elect any person to Honorary Life Membership of the Association. Life memberships carry with it all the privileges, benefits, and responsibilities of ordinary membership, excepting the requirement to pay the club membership fee.  
No individual may qualify to be nominated for a special membership unless they have been a member of the Association for at least THREE (3) years. The years need not be consecutive.
- d. At any time, the Association shall have no fewer than 10 student members, and at least 70% of its membership shall be current University of Auckland Students, or immediate graduates.
- e. Membership of this Association carries the additional requirement of adherence to the AUUC Code of Conduct.  
A full and further description of the Code of Conduct is to be available upon request.

#### **7.0. CESSATION OF MEMBERSHIP**

- a. All full year financial memberships shall lapse at the end of 31st December of that year.
- b. Any member may cease his/her membership by writing to the Secretary of the Association.
- c. A member may be expelled from the Association by the committee of the Association if s/he contravenes the rules of the Association provided that she/he has the right to appeal to the Clubs Support Committee (CSC)
- d. Cessation of membership does not relieve a member from liability incurred prior to him/her ceasing to be a member.

#### **8.0. OFFICERS AND COMMITTEE**

- a. Officer – Definition: Throughout the Association’s constitution, the terms “officer”, “executive officer”, and “executive” refer to any and all officers voted or appointed to sit on the Association’s administrative body.
- b. **Primary Executive Officers – Definition:**



At the Association's AGM, the following positions MUST be filled from the Association's individual members for the Association to be considered constitutionally operational:

- **President** - Represents the Association in external organisational circles.
- **Secretary** – Ensures records are kept and stored appropriately.
- **Treasurer** – Ensures the integrity of the society's financial state is appropriate with the Association's banking services, University and government agents.

**c. Auxiliary Executive Officers – Definition:**

Auxiliary officers are positions on the Association's administrative body, normally with specific roles, with equal voting and participation rights to the primary officers, but these positions are NOT counted toward forming a constitutionally operational executive.

The number and roles of auxiliary officers may change from year to year, as a General Meeting of members deems appropriate.

A list of auxiliary roles might include, but is not limited to:

- **Leagues Co-ordinator**
- **Tournaments Officer**
- **First Year Rep**
- **Funding and Events Officer**

A full description of these roles and their responsibilities is available upon request.

- d. The committee shall be comprised of no less than THREE (3) Office Holders and no more than NINE (9) members.
- e. The committee has full powers to deal with matters relating to the aims and objects of the Association, except where control d. The committee shall be comprised of no less than THREE (3) Office Holders and no more than NINE (9) members.
- f. The committee has full powers to deal with matters relating to the aims and objects of the Association, except where control is vested in a General Meeting as outlined in this Constitution.
- g. Committee members may be designated areas of responsibility by the committee as a whole.
- h. The committee may appoint additional committee members as the need arises.
- i. The committee may prepare rules on Association matters, and impose penalties for failure to comply with these rules. These rules and penalties shall be binding on members of the Association.
- j. Committee members may be designated areas of responsibility by the committee as a whole.
- k. The committee may appoint additional committee members as the need arises.
- l. The committee may prepare rules on Association matters, and impose penalties for failure to comply with these rules. These rules and penalties shall be binding on members of the Association.

## **9.0. COMMITTEE MEETINGS**

- a. The committee shall meet as it deems necessary. Any two members of the committee may call a meeting.
- b. In the absence of the Chairperson a member of the committee shall be appointed to Chair the meeting.



- c. The quorum for a committee meeting shall be one more than half the total number of committee members. Any business that is conducted at an inquorate meeting shall be null and void.
- d. Reasonable notice of all committee meetings shall be given to all members of the committee.
- e. The committee may grant any person the right to speak, but not to vote at a committee meeting.
- f. Minutes shall be kept as a true and accurate account of all committee and general meetings.
- g. An Executive member who is absent from THREE (3) consecutive meetings without apologies submitted to, and accepted by, the executive may be considered as having resigned.

#### **1. Election of Office Holders and Committee Members**

- a. Elections shall occur at the Annual General Meeting of the Association, or at a Special General Meeting called for that purpose.
- b. If a casual vacancy occurs on the committee, the committee may appoint a member of the Association to fill the vacancy until it is possible to hold an election at a General Meeting.
- c. The procedure for Elections at a General Meeting shall be as follows:
  - i. Every candidate shall be nominated and seconded at the meeting. Nominations may be received by the Secretary before the meeting; these are to be signed by the candidate, the nominator and the seconder.
  - ii. No person may be nominated for a position against his/her will.
  - iii. The voting-in of the executive must go in this order; The PRIMARY EXECUTIVE OFFICERS, as defined (and in order listed) in 8.0 B, then AUXILLARY EXECUTIVE OFFICERS, in any order.
  - iv. The candidate receiving the most votes shall be declared elected to the position. In the event of a tied vote a second ballot shall be held. If the votes are still equal, the Chairperson shall exercise a casting vote in addition to her/his deliberative vote.

#### **10.0. ANNUAL GENERAL MEETINGS**

- a. At a General Meeting of the Association any paid up member has the power of voting, moving and seconding.
- b. Every paid up member of the Association shall have one vote on any motion at a General Meeting, but only if they are present when the vote is taken. Should a paid member wish to vote for motions upon their prearranged absence, they may arrange to do so with the exec, given both the motion and the absences are announced for more than 2 weeks in advance.
- c. Only when there are TWO (2) or more candidates standing for the same position shall a secret ballot take place. In all other instances a vote shall be by a show of hands.
- d. The quorum for a General Meeting shall be one third members of the Association or TEN (10) members, whichever is lower, and any business transacted while the meeting is inquorate shall be null and void.

##### **1. Annual General Meetings**

- a. The AGM shall be held between the start of mid-semester break in semester 1 and no later than TWO (2) weeks following the end of mid-semester break in semester 1.
- b. The Secretary shall endeavour to notify all paid up members of the AGM at least 14 days before the meeting.



- c. The Secretary shall give the Associations Development Manager copies of the Minutes and reports from the AGM within 14 days after it.
- d. The Secretary shall present a written Annual report on the proceedings of the previous year to the AGM.
- e. The AGM shall receive an audited account of the previous year from the Treasurer along with his/her Annual Report.
- f. The AGM shall elect its Office holders and Committee members for the following year. Within 14 days, the University/AUSA must be notified of the new Executive by signing and handing in appropriate forms to the Clubs Managers.
- g. At an AGM a motion may be put verbally and resolved by the meeting, except where notice of motion is required by this Constitution (i.e. for a Constitutional amendment or to dissolve the Association).

## **2. Special General Meetings (SGM)**

- a. The committee may call an SGM at any time and for any purpose providing that FOURTEEN (14) days' notice of the meeting is given to all current association members.
- b. The committee shall call an SGM within 21 days of receiving a written request signed by no less than FIFTEEN (15) paid members of the Association. If the committee does not give notice of such a meeting within 14 days of receiving the request, the requisitioners may call the meeting.
- c. SGMs may only resolve matters of which the Association Secretary has been given 7 days' notice in writing. Amendments to these motions do not require such written notice.

## **3. Amendments to this Constitution**

- a. Any part of this Constitution may be amended (except clause 10.4) at any General Meeting and shall take effect immediately.
- b. No alteration, repeal or addition shall be made to the Constitution except at the Annual General Meeting, or General Meeting, called for that purpose and notice of all motions to alter, repeal or add to the Constitution shall be given to members FOURTEEN (14) days prior to the Annual General Meeting, or SEVEN (7) days prior to a General Meeting called for such purpose.
- c. The Secretary shall forward such notices of motion to each Management Committee member at least FOURTEEN (14) days prior to the Annual General Meeting or SEVEN (7) days prior to a General Meeting.
- d. Such motions, or any part thereof, shall be of no effect unless passed by a two-thirds (66%) majority of those present and entitled to a vote at the Annual General Meeting.

## **4. Interpretation of this Constitution**

In all respects this Constitution shall be subject to New Zealand Law, and shall be null and void in any area or interpretation that would conflict with this.

### **11.0. VOTING**

- a. Voting will be open in all cases at all levels, except for contested elections to the executive or unless decided to the contrary by those present at the meeting. It will comprise of a show of hands.
- b. Contested elections of officers will be resolved by a private polling of the attending members.



- c. Unless otherwise stated, every motion put to a vote is resolved by a simple majority (51%) vote cast by members.
- d. In the event of a tie, the motion is defeated.
- e. Postal or proxy votes will only be accepted in a referendum. Votes in-absentia are not considered appropriate for motions undergoing discussion at a General or Executive Meeting.
- f. Virtual Executive Voting:
  - i. Any officer may call for a vote of the executive via electronic network.
  - ii. A motion put to a virtual vote must also include a deadline at which polling ends.
  - iii. Virtual voting on motions or items worth less than TWO HUNDRED NZ DOLLARS (NZ\$200.00) inclusive of taxes, charges or sundry expenses, are actionable by the executive.
  - iv. A motion is passed if:
    - The majority of votes from the executive are in favour of the motion, AND;
    - More than half of the executive has voted by the polling deadline.

## **12.0. FINANCES**

- a. The funds and resources of the Association shall be controlled by the committee, subject to any controls placed upon them by a General Meeting.
- b. The committee shall appoint at least TWO (2) signatories, one of whom shall be the Treasurer. Any TWO (2) of these signatories may operate the bank accounts of the Association on the instructions of the committee.
- c. The Treasurer shall keep a true and accurate record of the funds and assets of the Association and shall prepare a financial report for auditing and presentation at the AGM.
- d. The Campus Life Accountant and/or Assistant Accountant shall at all times be permitted to inspect books, papers and accounts of the Association and the Assistant Accountant shall be deemed to be the auditor of the Association. However, the Association may elect another auditor at a General Meeting subject to the approval of the Campus Life Treasurer and/or Assistant Accountant.
- e. The Association shall not involve Campus Life in any monetary loss, and in the event of such a loss being sustained the Association shall reimburse Campus Life the full amount of the loss.
- f. The Association is aware that should the Association not meet its debts in the first instance, the signatories will be held personally liable (jointly and separately).
- g. Should the association cease to operate all association assets and monies shall be held in trust by Auckland Ultimate Incorporated until another Association is founded to replace it.

## **13.0. DISSOLUTION**

- a. The Association may be dissolved by a resolution passed by a two-thirds majority at a General Meeting of the Association provided that written notice of motion has been given.
- b. If a quorum cannot be obtained at 4 successive General Meetings, the Association will be deemed to be dissolved.