

# The Constitution of UCanDance Club Incorporated

## 1) NAME

- a) The name of the Club will be UCanDance Club Incorporated, in this Constitution called "the Club".

## 2) OBJECTS

- a) The objects of the Club will be:
  - i) To promote social dance at the University Of Canterbury.
  - ii) To organise activities as the committee sees fit.
  - iii) To foster a relaxed social atmosphere in which everyone feels welcome.
  - iv) To provide a unified and a consistent standard of dance instruction.
- b) The objectives of the Club shall derive from, and not be in conflict with the Aims, Objectives and Policies of the University of Canterbury Students' Association

## 3) PREVALENCE OF THE CONSTITUTION

- a) In the event of a conflict between any document, minutes of meetings or any other written material relevant to the Club, and this said Constitution, the **Constitution shall always prevail**. At all times, any conflicting documents, minutes of meetings or any other written material relevant to the Club shall be altered to bring it in line with this Constitution.

## 4) POWERS

- a) The Club will have the following powers:
  - i) To use its funds as the Executive Committee thinks necessary or proper in payment of its costs and expenses, including the employment and dismissal of counsel, solicitors, agents, Officers and staff, according to principles of good employment and the Employment Relations Act 2000 or any subsequent enactments.
  - ii) To purchase, take on, lease or in exchange or hire or otherwise, acquire any real or personal property and any rights or privileges which the Executive Committee thinks necessary or proper for the purpose of attaining the objects of the Club and to sell, exchange, let, bail or lease, with or without option of purchase or, in any other manner, dispose of such property, rights or privileges.
  - iii) To invest surplus funds in any way permitted by law for the investment of incorporated Club funds and upon such terms as the Executive Committee thinks fit.
  - iv) To borrow or raise money from time to time with or without security and upon such terms as to priority or otherwise as the Executive Committee thinks fit
  - v) To do all things as may from time to time be necessary or desirable to give effect to and attain the objects of the Club.

## 5) COMMON SEAL

- a) The Common Seal of the Club shall be kept in the custody and control of the Secretary.
- b) When required, the Common Seal will be affixed to any document following a resolution of the Club and will be signed by the Treasurer and one other person appointed by the Executive Committee.

## **6) MEMBERSHIP**

- a) All those persons who at the date of these rules being agreed to were members of the Club known as UCanDance Club are members of the Club.
- b) Any person who agrees with the objects of the Club may, subject to the Executive Committee's approval, become a member of the Club by application in writing and upon payment of the membership subscription set from time to time by a General Meeting of the Club.
- c) The Secretary shall maintain a register of members of the Club in accordance with the provisions of the Incorporated Societies Act 1908, and subsequent enactments.
- d) Any person may resign membership of the Club by giving oral or written notice to the Secretary. The Secretary will maintain a record of any resignation.
- e) Life membership can be granted on the basis of prolonged dedication and involvement to the club. A life member has to exhibit a commitment to the Club and have a good standing with the majority of the Club and Executive Committee. Life membership can be granted at a General Meeting and requires nomination by an Executive Committee member, followed by a majority vote. Life members do not have to pay for lessons or any membership fees.

## **7) EXPULSION OF MEMBERS**

- a) The procedure for the expulsion of members will be as follows:
  - i) Any person or organisation may make a complaint to the Executive Committee that the conduct of a member of the Club is or has been injurious to the character of the Club. Every such complaint will be in writing and addressed to the Secretary.
  - ii) If the Executive Committee considers that there is sufficient substance in the complaint, it may invite the member to attend a meeting of the Executive Committee and to offer a written and/or oral explanation of the member's conduct.
  - iii) The Executive Committee will give the member at least fourteen (14) days written notice of the meeting. The notice will:
    - (1) sufficiently inform the member of the complaint so that the member can offer an explanation of the member's conduct; and
    - (2) inform the member that if the Executive Committee is not satisfied with the member's explanation the Executive Committee may expel the member from the Club.
  - iv) If in the meeting, the Executive Committee decides to expel the member from the Club, that member will cease to be a member of the Club.
  - v) A member expelled by the Executive Committee may, within 10 days, give a written notice of appeal to the Secretary. The Secretary will then call a Special General Meeting to take place within 21 days of receipt of the notice of appeal. If that meeting passes a resolution rescinding the expulsion, the member will be reinstated immediately.

## **8) GENERAL MEETINGS**

- a) "General Meetings" refers to both Annual General Meetings and Special General Meetings, unless otherwise specified.
- b) The quorum for a General Meeting will be 15 members present in person.
- c) At least 14 days' written notification of each General Meeting will be given to members at the current address for such members recorded in the register of members. It will be the responsibility of members to keep the office of the Club informed of their contact details.

- d) Notification of a General Meeting will specify the time, date and place of the meeting. Notification will also describe in a general way all matters that will arise to be considered and specify what further and more detailed information on these matters is available from the Executive Committee. Full information will be provided concerning any proposed amendments to the Constitution or any matter that is the business of a Special General Meeting. Such information will be supplied to any member requesting it.
- e) The current President of the Club, or in her/his absence, his/her nominee, will chair the General Meeting. Should the President be absent and not have appointed a nominee, the members present shall elect a chairperson for the meeting from among those members present.
- f) All decisions will be decided by majority voting, except where otherwise stated.
- g) Voting will be by a show of hands unless members indicate an alternative preference. If any member requests a secret ballot a secret ballot will be held.
- h) If voting is tied, the chairperson will have a casting vote.
- i) If there is one nominee for a position as an Executive Committee member, the appointment of that nominee shall be by a majority vote of 66%.

## **9) ANNUAL GENERAL MEETINGS**

- a) The Annual General Meeting will be held within three months of the end of the financial year.
- b) The Annual General Meeting will carry out the following business:
  - i) Receive the minutes of the previous Annual General Meeting and of any other General Meeting held since the last Annual General Meeting;
  - ii) Receive the Executive Committee's report on the activities of the Club over the last year;
  - iii) Receive the balance sheet and statement of income and expenditure for the past year;
  - iv) Elect the Officers and Committee Members for the following year (see clause 12);
  - v) Appoint an auditor of the Club's accounts;
  - vi) The amendment of this said Constitution, if need be;
  - vii) The discussion of any other issues.

## **10) SPECIAL GENERAL MEETINGS**

- a) Special General Meetings may be called by the Executive Committee or by a written request made by at least 15 members and delivered to the Secretary. The meeting will be called within 10 days of the meeting being requested.
- b) A Special General Meeting will only consider business related to the reason for which it is called, as notified to the members ([see clause 8\(d\)](#)).

## **11) EXECUTIVE COMMITTEE MEETINGS**

- a) An Executive Committee Meeting is a meeting of the Executive Committee of the Club.
- b) An Executive Committee Meeting can be called at any time during the financial year and can be called by any member of the Executive Committee of the Club.
- c) All members of the Executive Committee will be given 7 days notice of the meeting by the Secretary in writing.
- d) During an Executive Committee Meeting, no decisions made shall be valid unless the decision is made by a quorum. A quorum for Executive Committee Meetings shall require the presence of either the President or the Vice President and sufficient

Executive Committee members so that the total number of Executive Committee members present (including the President or the Vice President or both, as the case may be) is at least fifty percent (50%) of the membership of the Executive Committee.

- e) The Executive Committee Meetings will carry out the following business:
  - i) Receive the minutes of the previous Executive Committee Meeting;
  - ii) The discussion of any other business.
- f) The process for determining who shall chair Executive Committee meetings, and for voting at Executive Committee Meetings shall be the same as that for General Meetings contained in [clauses 8 \(e\) through \(h\)](#).

## **12) THE EXECUTIVE COMMITTEE OF THE CLUB**

- a) The Executive Committee of the Club shall consist of up to nine (9) persons only.
- b) The Officers of the Club shall consist of four (4) persons only.
- c) The Committee Members of the Club shall consist of up to five (5) persons only.
- d) Executive Committee Members including the Officers shall hold office until the next AGM unless they resign or lose a vote of confidence (conducted in accordance with [clause 14 \(c\)](#)) at an Executive Committee Meeting.
- e) The Officers of the Club shall be:

### **i) President**

- a) **General Role:** It is the President's role to co-ordinate and negotiate activities within and outside the Club for the benefit of Club members. The President should be involved in the planning of future events particularly large events where the Club will require the financial backing of outsiders.
- b) **Power:** The President is the official guardian of the evolution of the Club within the stated objectives to ensure its continued existence. These roles require an amount of power. The President will be accountable for all of their actions but should be able to use their initiative to make on the spot decisions i.e. for setting dates of parties etc. The Committee should be informed within one week of the decision and have the power to veto this on-the-spot decision. A unanimous vote of the Executive Committee, not including the President, will be needed to veto the President's decision.

### **ii) Vice President**

- a) **General Role:** It is the Vice President's role to work in an assisting role to the President as well as acting in the role of the President (as stated above) in his/her absence. The Vice President shall have the same powers as the President when acting in the President's absence.
- b) **Care Taker Capacity:** In the event that the President resigns or loses a vote of no confidence, the Vice President shall be in a care taker capacity, until a new President is elected. If the Vice President is unavailable, then the care taker position falls to the Secretary and so on down the chain of Officers. The care taker position cannot be rejected. In the event that all Officers be unavailable, the responsibilities of the Club shall be administered by the remaining Committee Members. New Officers must be elected as soon as possible.

### **iii) Secretary**

- a) **General Role:** The Secretary's role is mainly an administrative one. The duties are as follows: to keep a record of all the club's activities; to maintain communications between club members and its committee; to deal with all

correspondence and ensure that the concerned parties are informed of any information pertaining to that correspondence; to ensure that routine decisions are carried out; to keep a log book of the Club's equipment; to keep contact details of people who wish to hire the Club's equipment and to keep maintenance of all club activities, including club minutes and agenda.

- b) After the conclusion of General Meetings and Executive Committee meetings, the Secretary is responsible for ensuring that the minutes of the particular meeting are typed out within 10 days for the Club's record.

#### iv) Treasurer

- a) **General Role:** The Treasurer shall collect and account for all class fees and other income and shall dispose of them as directed by the Committee. The Treasurer is required to keep a ledger showing all Club monies and transactions; the book is to be available at all meetings. This book and all other records are to be passed to the incoming Treasurer or to the Secretary in the event of the Treasurer's termination. All monies held above the float agreed by the Committee shall be deposited into the Club's bank account. The Treasurer shall keep a record of equipment or property purchased, the cost, and where it is kept. The Treasurer (along with the Secretary and President) shall keep copies of this constitution, which shall be available to members on application. The Treasurer shall present the Annual Report and Balance Sheet at the AGM and shall provide copies for affiliation and archival purposes to the Secretary.

#### f) Committee Members

- i. **Number of Committee Members:** There shall only be a total of **five (5)** Committee Members elected at an AGM.
- ii. **General Role:** Committee Members' role is generally an assisting one. They are to assist the Officers of the Club in the proper administration and running of the Club.
- iii. **Special Role - Social Officer:**  
One of the five Committee Members shall be elected by the Executive Committee as a Social Officer. The election of a Social Officer shall be made during the first Executive Committee Meeting of the Club. The Social Officer is in charge of organising social events of the Club. If there is one nominee for the position, the appointment of that nominee as the Social Officer shall be by a majority vote of 66% of the members of the Committee of the Club who are present. If there is more than one nominee for the position, then the nominee with the majority of votes of the members of the Committee of the Club who are present shall be elected for the position.

### 13) ELECTION OF THE EXECUTIVE COMMITTEE

- a) All elections for Officers and the Committee Members shall be by show of hands or secret ballot (if requested by a Member) during a General Meeting or Executive Committee Meeting.

### 14) TERMINATION OF THE EXECUTIVE COMMITTEE

- a) **General:** The termination of the Officers or the Committee Members of the Club is through resignation or through the loss of a no confidence vote.
- b) **Resignation:** Should an Officer or Committee Member of the Club wish to resign from their office, they may do so through a written letter to the President. He or she

must give the President one (1) month's notice. If it is the President who wishes to resign, his or her resignation must be in writing and given to the Vice-President.

**c) No Confidence Vote:**

1. Any Member of the Committee of the Club can be removed from their office by a successful motion of No Confidence.
2. An Executive Committee Meeting must be called.
3. The motion shall have a proposer and a seconder, who shall state why they have no confidence in the Member.
4. The Member who is the subject of the No Confidence Vote will then be given a chance to respond.
5. All those present at the Executive Committee Meeting will then vote on the motion.
6. The motion requires a 66% majority to pass.
7. If the motion is passed, the Member shall resign; if such a resignation has not been received by the Club President within 24 hours, the Member is deemed to have resigned. If the motion is not passed then the Member shall immediately resume all their duties.
8. The procedure for a Vote of No Confidence shall be explained by the President before the start of vote.

**15) ELECTION OF EXECUTIVE COMMITTEE MEMBERS IN THE EVENT OF TERMINATION**

- a) In the event that an Executive Committee member resigns or loses a vote of no confidence, a new member can be appointed to replace the former member. An Executive Committee Meeting must be called. If there is one nominee for the position, the appointment of that nominee as an Executive Committee member shall be by a majority vote of 66% of the members of the Executive Committee who are present. If there are more than one nominee for the position, then the nominee with the majority of votes of the members of the Executive Committee who are present shall be elected for the position.
- b) In the event that the President resigns or loses a vote of no confidence, a new President can be appointed to replace the former President. If the position of President becomes vacant more than 45 days before the next AGM, an SGM must be called. Otherwise, an SGM may be called at the discretion of the Executive Committee. If there is one nominee for the position at such an SGM, the appointment of that nominee as President shall be by a majority vote of 66% of the members of the Club who are present. If there are more than one nominee for the position, then the nominee with the majority of votes of the members of the Club who are present shall be elected President.

**16) AMENDMENTS TO THIS CONSTITUTION**

- a) The Committee of the Club shall have the power to carry out and enforce this said Constitution and from time to time make, amend or rescind by-laws as it deems fit. Amendments to the constitution can be passed by a 66% majority vote of all members of the Club present at a general Meeting.
- b) The Club Secretary shall notify the Secretary of the University of Canterbury Students' Association of any changes to the constitution within a week of these changes. Changes to the constitution must be consistent with the aims, objectives and policies of the UCSA.

## **17) MANAGEMENT**

- a) The Executive Committee of the Club as provided for in Clause 10 shall manage the internal affairs of the club, shall exercise supervision over the properties and members, shall purchase all materials required by the Club and pass accounts for payment. This shall be in keeping with the objects of the Club and the needs and interests of the members.
- b) Any member of the Executive Committee of the Club can call an Executive Meeting.
- c) The Executive Committee of the Club is able to rearrange, cancel, or impose changes to classes as it sees fit in order to maintain the popularity of the Club but less popular classes should be maintained if possible.

## **18) FUNDS AND CHARGES**

- a) The funds of the Club, from whatever source derived, shall be applied only towards the promotion of the objectives of the Club.
- b) The Club shall reimburse members of the Committee for legitimate and actual expenditure on behalf of the Club, which the Committee authorises.
- c) All moneys shall be received by the Treasurer, who shall deposit them in an account with the UCSA, or any other account, which the UCSA Executive may authorise the Club to use.
- d) There should be a balance in the Club bank account of \$100 as a minimum to carry over for the next financial year. The Executive Committee shall decide on the maximum balance before the end of the financial year.
- e) Funds over the maximum balance at the end of year shall be disposed of as additional expenditure on Club events or Club equipment.
- f) Attendees of Club events and classes may be charged an attendance fee.
- g) Charges for dance classes shall be set each year by the Executive Committee. The level of charges shall be set such that the end of year balance should be above the minimum set at the last General Meeting and below the maximum set by the Executive Committee. The Executive Committee has the power to adjust charges as it sees fit to achieve this objective.
- h) Student members shall be charged less than non-student members.
- i) The Club is solely responsible for all debts incurred in its name. Neither responsibility nor financial liability will be taken by the UCSA inc.

## **19) THE FINANCIAL YEAR**

- a) The financial year of the Club shall terminate on the last day of September each year.

## **20) DISCIPLINE**

- a) The disciplinary powers exercised by the Executive Committee shall be in any one or more of the following:
  - i) Reprimand.
  - ii) Restitution of cost of replacement or repair of Club gear or part thereof.
  - iii) Barring an individual from club activities as seen fit by the committee. Such action is subject to approval by UCSA executive.
- b) The Committee may discipline any attendee of Club events or user of Club property:
  - i) Who is responsible for damage, loss, or theft thereof
  - ii) Who brings discredit upon the Club
  - iii) Who incurs expenses in the Club's name

- c) The Committee shall exercise none of the foregoing disciplinary powers until the offender has been afforded the opportunity of appearing before, and being heard by the Executive Committee in an Executive Committee Meeting.
- d) Any member of the Executive Committee who the Executive Committee determines has a conflict of interest in a disciplinary case shall not attend any Executive Committee Meeting where the case is being heard and shall abstain from voting on such cases. They shall be informed about the outcomes of any such meeting.
- e) While the full Executive Committee is not required to attend such a meeting, it shall be scheduled to ensure the maximum possible attendance of members of the Executive Committee and the offender(s) within a 30 day period of the incident coming to the Club's attention.
- f) The Executive Committee may temporarily bar an individual from club activities while a disciplinary meeting is pending if there is a risk to the safety of any member of the Club. This period may begin no earlier than the member receiving notice of a disciplinary meeting, and end no later than five days after the disciplinary meeting takes place. In no case shall the period exceed 21 days.

**21) WINDING UP**

- a) In the event of the Club winding up, all property and assets shall be held in trust by the UCSA inc. for not less than 4 years and shall be given to a UCSA incorporated club with the same objective when such a club is formed. If, after 4 years, no similar UCSA Club is formed, the UCSA shall have the power to dispose of assets and properties as it sees fit. All profit from such disposal shall go towards the UCSA Club fund.

Club President's signature required for this constitution to be considered accurate as at:

Name: \_\_\_\_\_ Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Members of the Committee of the Club's Signatures

Name: \_\_\_\_\_ Date: \_\_\_\_\_ Signature: \_\_\_\_\_

