

**NEW ZEALAND DANCESPORT ASSOCIATION AUCKLAND  
INCORPORATED**



**CONSTITUTION**

**1. Name and Address**

- 1.1 The name of the Association shall be New Zealand DanceSport Association Auckland Incorporated (hereafter called “the Association”).
- 1.2 The Association will operate as DanceSport Auckland.
- 1.3 The official address of the Association shall be PO Box 99-229, Newmarket Auckland or such address as agreed by the Committee. The registered office of the Association shall be the address of the Secretary.

**2. Interpretation**

- 2.1 Words importing a gender shall include both male and female.
- 2.2 Words denoting the singular number shall include the plural number and vice versa.

**3. Objects and Powers of the Association**

- 3.1 To further all aspects of DanceSport in New Zealand as a competitive sport, as an art and as a recreational activity.
- 3.2 To promote and to protect the individual and collective rights and privileges of dancers within the Association’s area.
- 3.3 To promote social well being between members and to support and/or promote any worthy cause that will integrate New Zealand dancers generally.
- 3.4 To promote and support closer liaison with all professionals and their official bodies.
- 3.5 To stimulate and maintain interest in DanceSport and to co-operate with other bodies and organisations in promoting DanceSport.
- 3.6 To publish and disseminate reports, literature and other information on DanceSport by means of education and publicity through all communications media for both DanceSport participants and the general community.
- 3.7 To raise or borrow or secure the payment of money in such manner and upon such security (if any) as the Association may think fit, and in particular upon the security of any mortgage or charge of all or any part of the Association’s property, assets and rights, both present and future.
- 3.8 To invest and deal with the moneys of the Association not immediately required in such a manner or as may from time to time be determined by the Committee.
- 3.9 To do all such other things as are incidental and conducive to the obtainment of the objects and the exercise of the powers of the Association.

**4. Membership:**

- 4.1 Membership shall be open to any person having an interest in DanceSport subject to Clause 6.
- 4.2 Members shall be classified as: -
- (a) Adult Members – sixteen (16) years of age and over as at January 1<sup>st</sup>
  - (b) Junior Members - under sixteen (16) years of age as at January 1<sup>st</sup>
  - (c) Life Members
  - (d) Honorary Members
  - (e) Associate Members
- 4.3 Life Membership may be conferred following election at an Annual General Meeting from nominations received by the Committee in recognition of outstanding services to the Association and/or to dancing generally.
- 4.4 The Association may grant an Honorary Membership for life, for a term, or to determine with an office or event.
- 4.5 An Honorary Member shall not be entitled to vote or to hold office within the Association.
- 4.6 Each new member upon joining and paying the appropriate subscription shall be issued with a membership card and a copy of this Constitution. Each year, upon paying the subscription for that year, he or she will receive a new membership card.
- 4.7 An Associate member shall be entitled to vote but may not hold the position of President or Vice President or Delegate within the association. This member will have full voting power once re-elected for all matters except for further re-elections.
- 4.8 All members shall agree to abide by the Rules of the Association.

**5. Annual Subscription:**

- 5.1 Each Member, with the exception of Life and/or Honorary Members, shall pay an annual subscription for his or her classification of membership as determined from time to time by the Committee.
- 5.2 The annual subscription shall fall due within two months of the Annual General Meeting.
- 5.3 Any member whose subscription remains unpaid at the time of the Annual General Meeting shall not be entitled to vote at that meeting.
- 5.4 Any member whose subscription remains unpaid for more than two (2) months shall not be eligible for any Association privileges or amenities and in addition shall forfeit all his or her voting rights until all outstanding dues are paid.

**6. Professionals**

- 6.1** DanceSport professionals may join the Association as Associate Members.
- 6.2** DanceSport professionals shall be classed as any person who: -
- (a)** Has been admitted to a professional DanceSport society.
  - (b)** Is, or has been actively engaged in the teaching of DanceSport except as otherwise provided by the New Zealand Dance and DanceSport Council Rules.
  - (c)** Performs, or has performed demonstrations of DanceSport for financial reward, except as otherwise provided by the New Zealand Dance and DanceSport Council Rules.
- 6.3** Rule 6 will not apply in the case of anyone who has been reinstated from professional status nor anyone who is granted an Honorary membership of the Association.

**7. Meetings**

- 7.1** Committee Meetings shall be convened on a regular basis as determined by the Committee.
- 3.2** The Quorum for a Committee Meeting shall be no less than 50% or four (4) members whichever is the greater.
- 7.3** The Annual General Meeting of the Association shall be held within sixty (60) days of the end of the financial year. This date to be determined by the Committee.
- 7.4** The Annual General Meeting shall receive the Annual Report, the Financial Statements and Auditor's Report, elect the Officers and Committee and conduct any other business of which notice has been received by the Secretary at least twenty one (21) days before the date of the meeting.
- 7.5** The Annual General Meeting shall appoint an Auditor for the Association. He shall, not later than sixty (60) days after the financial year-end, examine the accounts, vouchers and receipts and certify the Annual Statements of Account and Balance Sheet.
- 7.6** Annual General Meetings shall be called by circular or public notice at least fourteen (14) days before the date of the meeting, giving notice of business to be discussed.
- 7.7** At all General Meetings the chair shall be taken in the following sequence: - by the President, Vice-President, or by a member chosen at the meeting.
- 7.8** The quorum for an Annual General Meeting or a General Meeting shall be ten per cent (10%) of the total membership.
- 7.9** At Annual General Meetings only financial members from the current year may vote, and decisions shall be decided by a majority of votes. In the event of an equality of votes the motion will be deemed lost.

- 7.10** Voting shall be by a show of hands and or proxy except for the election of Committee Members and Officers, which shall be by ballot  
The following two forms of proxy voting for election of officers or items of business that are advertised prior to the meeting will be accepted:
- i) a member may nominate another member who is attending to vote on his/her behalf by signing a proxy approval form
  - ii) a member who is unable to attend a meeting may forward a proxy vote by post or e-mail to be received by the Secretary 48 hours prior to the meeting date

Proxy votes will only be accepted on the official NZDA Auckland Inc. proxy vote forms providing the member has indicated how they wish to vote. It is the member's responsibility to request a copy of the appropriate form from the Secretary and ensure it is forwarded to either the Secretary or the nominated member prior to the meeting.

- 7.11** The Secretary shall convene a Special General Meeting at a request, in writing, of no fewer than ten (10) financial members. Any such meeting must be called within twenty-one (21) days of receiving such notice and members are to be given seven (7) clear days notice of any such meeting. In the event of the Secretary failing to call such a meeting any other officer of the Association may do so.
- 7.12** Any notice of Special General Meeting shall state the business of that Meeting. No other business will be discussed.

## **8. The Committee**

- 8.1** The Committee (excluding the Officers) shall consist of no more than nine members, three of which can be associate members elected at an AGM.
- 8.2** The Officers of the Association shall consist of: –
- (a) President
  - (b) Vice President
  - (c) Secretary
  - (d) Treasurer
- 8.3** Positions of Secretary and Treasurer may be combined.
- 8.4** If a Committee member dies, resigns, becomes unfinancial, or is absent from three successive meetings (sickness or other just causes excepted), their office may be declared vacant. The Committee may appoint another member to the vacancy.

## **9. Powers Of The Committee**

- 9.1** The Committee shall manage the affairs and finances of the Association.
- 9.2** It shall advise members on proposed alterations, additions, or deletions to Rules and Regulations of the Association as it thinks expedient for the management or well-being of the Association and the furtherance of its objects.

- 9.3 The Committee shall administer all matters appertaining to the Association and to local DanceSport, within the Rules set down by this Association.
- 9.4 The Committee has the power to expel members of the Association in accordance with the provisions of Clause 16.
- 9.5 The Committee may engage, control or dismiss servants of the Association.
- 9.6 The Committee may enter into any engagement at law in the name of and on behalf of the Association for all or any of the purposes set out in these Rules.
- 9.7 The Committee may appoint, from its own members or otherwise, sub-Committees for special purposes, and to delegate such powers and duties, as the Committee shall determine.
- 9.8 Committee members must be financial members of the Association.

10. **Finance**

- 10.1 The financial year for the Association shall end on 30 September each year.
- 10.2 All funds shall be banked in the name of the Association at a registered bank or financial institution approved by members of the Committee.
- 10.3 All cheques must be signed jointly by any two of the President, Vice President, Secretary or Treasurer. No family members or persons in a personal or business relationship shall have joint signing rights.
- 10.4 The Committee has the power to expend the funds of the Association in accordance with the Rules and Objects of the Association.
- 10.5 The accounts of the Association shall be made up to the 30 September in each year. An audited Statement of Income and Expenditure and Balance Sheet shall be submitted at the Annual General Meeting.
- 10.6 Pecuniary Gain
  - a. Any organisation , benefit or advantage shall be applied to the charitable purpose of the organisation.
  - b. No individual member or associated person shall receive any form of private income, benefit or advantage from the operations.
  - c. No member of the organisation or any person associated with a member shall participate in or materially influence any decision made by the organisation in respect of the payment to or on behalf of that member or associated person of any income, benefit or advantage whatsoever.
  - d. Any such income paid shall be resonable and relative to that which would be paid in an arm's-length transaction (being the open market value).
  - e. The provisions and effect of the clause shall not be removed from this document and shall be included and implied in any document replacing this document.



**14. Rule Changes**

- 14.1 Constitutional Rule changes and changes made to Standing Orders may only be made at an Annual General Meeting or Special General Meeting.
- 14.2 Notice of proposed changes must be forwarded in writing to all members not less than fourteen (14) days prior to the meeting.
- 14.3 No addition to or alteration or rescission of the rules shall be approved if it affects the charitable objects, the personal benefit clause or the winding-up clause.

**15. Disputes**

- 15.1 Disputes between members of the Association shall be determined, in the first instance, at a meeting of the Committee.
- 15.2 The disputes procedure shall be:
  - (a) Each disputant shall produce particulars of the dispute in writing to the Association at its registered office.
  - (b) A copy of each set of such particulars shall be forwarded to the other disputant within seven (7) days of receipt.
  - (c) Both disputants shall be given at least seven (7) days written notice of the Committee meeting, sent by registered mail, to their last known address.
  - (d) Both disputants shall be summoned to the meeting to present their arguments either by attendance, submission, or representation.
- 15.3 A majority vote of two-thirds ( $2/3$ ) of all Committee members is required to determine the dispute in accordance with the tenor and the spirit of the Constitution
- 15.4 In the event that the Committee is unable to settle the dispute satisfactorily it shall be referred to a General Meeting of members for their decision. Again, both sides of the dispute shall be given a fair opportunity to put their case. The decision of the General Meeting shall be final.

**16. Suspension and / or Expulsion**

- 16.1 No member shall be suspended or expelled without:
  - 16.1.1 First being summoned before a meeting of the Committee to explain their conduct and to be given a fair opportunity to defend themselves either by attendance, submission, or representation.
  - 16.1.2 Being given at least seven days (7) written notice of the Committee meeting sent by registered mail to their last known address.
  - 16.1.3 A majority vote of two-thirds ( $2/3$ ) of Committee members is required for suspension or expulsion.

- 16.2** Any Member disregarding any rule or rules of the Association, or being guilty of conduct which in the opinion of the Committee is contrary to the interests of the Association and/or DanceSport generally, will be liable to suspension or expulsion on the decision of a two-thirds ( $\frac{2}{3}$ ) majority of the full Committee.
- 16.3** The Member concerned has the right to present a defence, either in person or in writing to the Committee before any decision is reached and in this regard the Member concerned shall be notified in writing of the Associations intention to suspend or expel the member not less than twenty-one (21) days prior to the meeting at which the matter is to be considered.
- 16.4** Where a member having been notified in accordance with this Rule and fails to attend the said meeting, the matter may be dealt with notwithstanding in absentia.
- 16.5** Notice of any suspension or expulsion will be sent to the Member concerned, in writing, by the Secretary within seven (7) days of the Committee Meeting at which the decision was reached.
- 16.6** The Member has the right of appeal against any suspension or expulsion to the next General Meeting of the Association, provided notice of the appeal is lodged with the Secretary, in writing, within thirty (30) days of the Committee Meeting at which the penalty was imposed.
- 16.7** A decision of the Association made in accordance with the provisions of this Rule shall be final and binding.

**Note:** *So long as the Association is a member-body of the New Zealand DanceSport Association, the Committee is empowered to receive and/or enquire into any complaints from that Association concerning any dancer in the Association's area, reply to or make recommendations concerning such complaints, and pass on to the dancer or dancers concerned any decision of the Association.*

**17. Common Seal**

The Common Seal of the Association shall remain in the custody of the Secretary and shall be used only at the direction of the Committee or at a General Meeting. Any two officers may witness the affixing of the Common Seal.

Signed by:

\_\_\_\_\_ **Mary-Frances Wells** (President)

\_\_\_\_\_ **Joanne Nicholson** (Secretary)

\_\_\_\_\_ **Mathew Nicholson** (Committee Member)

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