

Papatoetoe Cosmopolitan Club Inc.



Club Constitution

*Founded 1964
Revised Aug 2020*

Contents

| <u>Rule</u> | <u>Page</u> |
|--|-------------|
| 1. NAME | 2 |
| 2. DEFINITIONS AND INTERPRETATION | 2 |
| 3. REGISTERED OFFICE | 4 |
| 4. OBJECTS | 4 |
| 5. POWERS | 4 |
| 6. MEMBERSHIP | 5 |
| 7. SUBSCRIPTIONS..... | 9 |
| 8. RESIGNATION | 9 |
| 9. IMMEDIATE SUSPENSION | 10 |
| 10. EXPULSION AND SUSPENSION | 10 |
| 11. PROPERTY | 12 |
| 12. COMMITTEE OF MANAGEMENT | 12 |
| 13. PRESIDENT AND VICE-PRESIDENT | 15 |
| 14. FINANCE COMMITTEE..... | 16 |
| 15. AUDITOR | 16 |
| 16. SECRETARY | 16 |
| 17. MANAGER | 16 |
| 18. ANNUAL GENERAL MEETING | 17 |
| 19. EXTRAORDINARY GENERAL MEETING..... | 17 |
| 20. CONDUCT OF GENERAL MEETINGS..... | 18 |
| 21. COMMITTEE MEETINGS | 19 |
| 22. ACCOUNTS | 20 |
| 23. ADJUNCTS | 21 |
| 24. SEAL..... | 21 |
| 25. GUESTS AND VISITORS | 22 |
| 26. OFFENCES..... | 22 |
| 27. BOARD OF APPEAL | 24 |
| 28. DISPUTES..... | 23 |
| 29. INTERPRETATION | 23 |
| 30. REVISION OF REGULATIONS..... | 23 |
| 31. DISSOLUTION AND/OR LIQUIDATION | 23 |
| 32. GENERAL | 24 |
| 33. INDEMNITY FOR OFFICE HOLDERS..... | 24 |
| 34. AMALGAMATION/MERGER | 25 |
| APPENDIX 1. BY – LAWS..... | 26 |
| APPENDIX 2. NOTICES AND SIGNS | 27 |

RULES OF PAPATOETOE COSMOPOLITAN CLUB INCORPORATED

1. NAME

1.1 The name of the Club shall be **PAPATOETOE COSMOPOLITAN CLUB INCORPORATED**.

2. DEFINITIONS AND INTERPRETATION

2.1 **Definitions:** In these Rules, unless the context requires otherwise:

"**Adjunct**" means an adjunct or section of the Club formed for sporting and special interest groups within the Club.

"**Annual Subscription**" is the amount payable annually by members in accordance with Rule 7.

"**Association**" means Clubs New Zealand Incorporated.

"**Auditor**" means the Club's auditor pursuant to Rule 14.

"**By-laws**" means the processes (rules) that are adopted at the time of formation of the Club or at a later date, that do not form part of the Regulations and may be added or changed or rescinded by the Members of the Club or by a majority vote at an Executive Committee without reference to the Registrar of Incorporated Societies/Friendly Societies pursuant to Rule 5.1(i), as amended from time to time.

"**Chairman**" means the person who is chairman of a Meeting pursuant to Rule 22.1 {or Rule 21.1 if there are no Trustees}.

"**Club**" means **PAPATOETOE COSMOPOLITAN CLUB**.

"**Committee**" means the Club's committee of management as set out in Rule 12.

"**Committee Meeting**" means a meeting of the Committee.

"**Committee Member**" means one of the people comprising the Committee set out in Rule 12.1 and elected pursuant to Rule 12.3.

"**Constitution**" means a set of fundamental principles (rules made up of regulations and by-laws) established to form and govern the Club. These principles together make up, i.e. constitute, what the Club is. When these principles are written down into a single or set of legal documents, these documents may be said to comprise a written constitution.

"**Corporate Affiliate**" mean individuals that are employed by the Corporate Member, or members of the Corporate Member.

"**Corporate Member**" means any association, club or other incorporated body approved for membership by the committee pursuant to Rule 6.5.

"**Financial Member**" means an Ordinary Member, Senior, Junior Member or a Life Member or Corporate Member with no outstanding subscription or other payment to the Club overdue.

"**Finance Committee**" means President, Vice president, Secretary/Manager and a Club member selected by the Executive Committee.

"**Financial Statements**" means the Club's balance sheet and statement of accounts made up to the last day of the Year.

"**General Meeting**" means an Annual General Meeting or Extraordinary General Meeting of the Club.

"**In Committee**" means that no minutes or record of debate is kept, and that the debate is confidential to those attending the meeting concerned and "Into Committee" has a corresponding meaning.

"**Junior Member**" means a person elected to junior membership of the Club pursuant to Rules 6.3 and 6.6.

"**Legal Purchasing Age**" means the age at which a person may be sold or supplied with liquor under the Sale of Liquor Act 1989.

"**Life Member**" means a person elected to life membership of the Club pursuant to Rules 6.4 and 6.6.

"**Meeting**" means a General Meeting or a Committee Meeting.

"**Member**" means any Ordinary, Senior, Junior, Corporate or Life Member of the Club as set out in Rule 6.

"**Month**" means calendar month.

"**Ordinary Member**" means a person elected to ordinary membership of the Club pursuant to Rules 6.2 and 6.6.

"**Person**" includes an individual, partnership, firm, company, body corporate, association, organisation or any other entity or organisation whether incorporated or not.

"**President**" means the Club's president elected pursuant to Rule 12.3.

"**Rules**" means individual regulations and/or by-laws that are set in place for guidance, in their various forms, for the efficient management and operation of the Club. Together all the rules form the Club Constitution.

"**Regulations**" means processes (rules) that regulate individual and group behaviour, leading to conformity and compliance to the rules of the Club and which the regulations can only be changed by a majority vote at a General Meeting following the required days Notice of Motion. Changes must be referred to the Registrar of Incorporated Societies/Friendly Societies pursuant to Rule 5.1(i), as amended from time to time.

"**Secret Ballot**" means a method of voting where the count is not open to dispute and the identity of those voting for or against the motion can be kept secret.

"**Secretary**" means the Club's secretary elected pursuant to Rule 12.3.

"**Senior Member**" means a person has attained the age of sixty five years (65) or more pursuant to Rule 6.2

"**Vice-President**" means the Club's vice-president elected pursuant to Rule 12.3.

"Year" means the Club's financial year of 1st February to 31st January

2.2 **Interpretation:** In these Rules, unless the context otherwise requires:

- a) the table of contents and headings are inserted for convenience only and shall be ignored in construing these Rules;
- b) where any word or expression is defined in these Rules, any other grammatical form of that word or expression has a corresponding meaning;
- c) the singular includes the plural and vice versa;
- d) reference to any legislation or to any provision of any legislation (including regulations and orders) includes:
 - (i) that legislation or provision as from time to time amended, re-enacted or substituted; and
 - (ii) any statutory instruments, regulations, rules and orders issued under that legislation or provision; and
- e) where a number is expressed as a percentage, the resulting number shall be rounded down to the nearest whole number below it.

3. REGISTERED OFFICE

3.1 The registered office of the Club shall be at 53 Rangitoto Road, Papatoetoe or such other place as the Committee shall from time to time decide.

4. OBJECTS

4.1 The objects for which the Club is established are as follows:

- a) To conduct, administer and maintain a Club for its members and for such persons as are authorised from time to time in accordance with the terms of any charter or licence granted to the Club; to provide amenities and cultural activities.
- b) To promote sports; and to provide atmosphere where the members may meet and enjoy companionship with one another

5. POWERS

5.1 The Club has the power to do the following in the pursuance of its objects, subject to any limitation imposed by these Rules:

- a) To fund its activities by subscriptions or payments from Members, fees, or other income;
- b) To borrow, raise or secure the payment of money in such manner as the Club shall think fit, with or without security;
- c) To purchase, sell, lease, exchange, maintain, improve, hire, dispose of, manage, invest, lend, mortgage, charge, gift or otherwise deal with any real or personal property;

- d) To invest, lend or deal with any monies of the Club not required for immediate use in such government or local body securities or on bank deposits as the Club may think fit;
- e) To employ and remunerate staff;
- f) To undertake legal action;
- g) To form and disband Adjuncts;
- h) To enter into any contract, make any arrangements, or undertake any activity for the financial or other benefit of the Club;
- i) To make regulations and by-laws for the conduct of the Club and the discipline required of Members, which shall not be inconsistent with the provisions of the Incorporated Societies Act 1908 or the Friendly Societies and Credit Unions Act 1982 or these Rules (whichever applies); (Appendix 1)
- j) To conduct any other functions outlined in these Rules;
- k) To use any rights or privileges that the Club may deem necessary or convenient for carrying out its powers, or furthering its objects under these Rules; and
- l) To do anything incidental or conducive to the attainment of any of the objects of the Club.

6. MEMBERSHIP

6.1 **Classes of Membership:** The Members of the Club shall be divided into the following classes:

- a) Ordinary;
- b) Senior,
- c) Junior,
- d) Life,
- e) Corporate

6.2 **Ordinary Membership:** Males and females of at least the Legal Purchasing Age may apply to become Ordinary Members of the Club in accordance with the following Rules:

- a) Each candidate for membership shall complete the Membership Application Form. The form shall include the candidate's:
 - (i) full name;
 - (ii) date of birth;
 - (iii) residential address;
 - (iv) occupation; and
 - (v) undertaking that they will abide by the Rules and By-laws.
 - (vi) acknowledges by signing the form, that he or she has authorised the club to obtain, check, exchange information with, and supply information to, members of the club, Clubs New Zealand and clubs that are members of Clubs New Zealand.
- b) The candidate shall pay, at the time application a fee of such sum as may be directed by the Committee. Such fee shall not exceed the sum of the subscription for the class of membership applied for.

- c) The names and photographs of candidates shall be posted on the Club's notice board for fourteen (14) clear days prior to acceptance.
- d) Any objection to a candidate which is lodged by a Member during the period of posting in Rule 6.2(d) shall be considered by the Committee.
- e) Nomination shall be considered by the Committee after the fourteen (14) days' notice required by Rule 6.2 c).
- f) In the event that the application is not approved by the Committee, the candidate shall be informed in writing of the decision.

Senior Membership:

Shall be any member (new applicant or transferee) having reached or being of the age of sixty-five (65) years and shall be entitled to a concession membership fee of 50% based on the Annual Subscription of the Ordinary Member.

6.3 Junior Membership:

Notwithstanding any other rules, the following rules set out provisions applying specifically to Junior Members. For the avoidance of doubt, where there is any conflict or ambiguity between these rules and any other rule in the Constitution, then this rules relating to Junior Members shall prevail. Subject to the provision contained in these rules, all rules shall apply to Junior Members in the same way as they do to Ordinary Members.

- a) Males and females aged between fifteen (15) years and the Legal Purchasing Age may apply to become Junior Members of the Club in accordance with the procedure for Ordinary Membership set out in Rule 6.2.
- b) On reaching the Legal Purchasing Age, Junior Members are eligible to apply for Ordinary Membership.
- c) Members shall automatically lose their Junior Membership status:
 - (i) three months after reaching the Legal Purchasing Age; or
 - (ii) upon admission as an Ordinary Member, whichever is earlier.
- d) A Junior Member's rights are restricted by the following:
 - (i) No voting rights at any General Meeting.
 - (ii) No right to hold office or be a member of Executive Committee.
 - (iii) No right to nominate any applicant for membership.
 - (iv) No right to participate in any alcohol promotions, accept alcohol as a prize in any club activity, purchase alcohol or accept alcohol from any member except their parent or legal guardian.
 - (v) No access to restricted areas of the Club or supervised areas of the Club unless accompanied by their parent or legal guardian.

- (vi) Must sign a waiver to use the facilities in the Clubs gym.
- e) A Junior Member may have the right of admission to an Affiliated Club with which the Club has reciprocal rights (it is essential to check with each club first to ensure they allow Junior Members into their club – especially if a Junior Member is wishing to enter a Clubs New Zealand Sports Tournament).
- f) A Junior Member only has the right to invite one person as a guest on any one day to the Club, who is not a member but who is over the age of 15 years, This is subject to the guest being his or her parent, spouse or legal guardian.
- g) All Junior Members must join at least one Club Adjunct.

6.4 **Life Membership:** Life Membership may be granted to any Member for meritorious service rendered to or on behalf of the Club, in accordance with the following:

- a) The Committee may elect to recommend a Member for Life Membership.
- b) A Financial Member may propose, and another Financial Member may second a Member for Life Membership in writing, and that nomination shall be forwarded to the Committee.
- c) No nomination for Life Membership shall be put to the Annual General Meeting unless it has the support of the Committee.
- d) The Committee shall post notice of its intention to recommend a Life Member on the Club's notice-board for fourteen (14) clear days prior to the Annual General Meeting in any Year.
- e) The Club may elect a Member recommended by the Committee to Life Membership, by simple majority at the Annual General Meeting.
- f) Life Members are eligible to vote, hold office and enjoy all the rights and privileges of membership.
- g) Life Members shall not be charged an annual subscription but shall be deemed to be Financial Members.

6.5 **Corporate Members:** In accordance with section 29 of the Incorporated Societies Act 1908 an association, club or other incorporated body may apply to become a Corporate Member of the Club under the following rules:

- a) Any association, club or other incorporated body wishing to apply for corporate membership under these rules shall apply in writing.
- b) The candidate shall deposit, at the time of nomination, an application fee of such sum as may be directed by the Committee. Such fee shall not exceed the sum of the subscription for a Corporate Member together with any applicable joining fee.
- c) Each candidate shall complete the application form. The application form shall include:
 - (i) full name;
 - (ii) copy of the certificate of incorporation;
 - (iii) current postal and physical address;
 - (iv) a list of current officers of the organisation;

- (v) a list of all corporate affiliates to be covered by the membership;
 - (vi) an undertaking that the organisation and any Corporate Affiliates will abide by the Regulations and By-Laws of the Club.
- d) The application shall be posted on the Club's notice board for fourteen (14) clear days prior to acceptance.
 - e) Any objection to a candidate which is lodged by a Member during the period of posting in Rule 6.5 e) shall be considered by the Committee.
 - f) Nomination shall be considered by the Committee after the fourteen (14) days' notice required by Rule 6.2 c).
 - g) The decision of the Committee shall be final and in the event that the application is not approved by the Committee, the candidate shall be informed in writing of the decision and receive a full refund of all money paid by way of subscription.
 - h) For the purposes of voting, quorum or other count of financial members under these rules a Corporate Member shall be the equivalent of three (3) members of the Club and at all times the annual membership fee payable by the Corporate Member shall be not less than three (3) times the fee payable by an Ordinary Member.
 - i) On applying to join a Corporate Member shall supply the Club with a list of Corporate Affiliates for the purposes of this membership. It shall at all times keep that list updated and will provide those persons with a method of identifying themselves to the Club that is acceptable to the Club.
 - j) Those persons who are on the list of Corporate Affiliates supplied by the Corporate Member and who do not otherwise hold membership of the Club shall be deemed to be members of and subject to the rules of the Club with the following limits:-
 - (i) The right of entry to the club premises is restricted to such times as the Corporate Member is using the premises for an agreed purpose.
 - (ii) They shall at all times carry and provide on request the form of identification agreed under rule 6.5 (j)
 - (iii) The voting and speaking rights at meetings of the Club shall be limited to the rights extended to the Corporate Member.
 - (iv) This membership does not entitle a Corporate Affiliate to hold office in the Club, participate in any reciprocal visiting rights with other clubs, receive any membership badge of the Club, or to represent the Club at any sporting or other fixture.
 - (v) All rights of membership shall cease upon the cessation of the Corporate Membership or upon the Corporate Affiliate ceasing to be affiliated with the Corporate Member.
 - (vi) A Corporate Affiliate may apply for Ordinary membership of the Club in accordance with Rule 6.2.

6.6 Rights and privileges: Ordinary, Senior, Junior and Life Members shall be entitled to:

- a) enter Club premises during such hours as may be defined by the Committee;

- b) enter any Club with whom reciprocal visiting arrangements are in place, provided it is in accordance with that club's Rules; and
- c) with the exception of Junior Members:
 - (i) hold office in accordance with these Rules; and
 - (ii) have an equal voice in all business of the Club, with the exception of Junior members.

6.7 **Employees:** Members who are employees of the Club are entitled to all the rights and privileges of membership excluding those rights concerned with the selection, election and holding of office within the Club.

7. SUBSCRIPTIONS

7.1 The Annual Subscription shall be such sum as shall be determined by Members from time to time in Annual General Meeting or Extraordinary General Meeting.

7.2 The Annual Subscription payable by a Corporate Member admitted under Rule 6.5 shall not be less than three (3) times that payable by an Ordinary Member.

7.3 The Annual Subscription shall be payable yearly in advance on or before the last day of October in each Year.

7.4 Any existing Member whose subscription or other dues are not paid by the date referred to in clause 7.3 shall:

- a) thereupon automatically cease to be a Member and his or her name shall be removed from any register of Members;
- b) not be relieved from payment of the Annual Subscription or of any other payment due or payable to the Club;
- c) not be refunded any subscription or other payment already paid to the Club;
- d) Payment of a late fee will be at the Secretaries discretion for the members to become financial.

7.5 A Member incapacitated through illness, accident or distress may, on notice in writing given to the Secretary, have his subscription suspended or remitted.

8. RESIGNATION

8.1 Members may resign their membership by letter addressed to the Secretary of the Club.

8.2 A resignation will not become effective until all subscriptions, levies or other payments owing at the date the resignation is received, are paid.

8.3 No such resignation shall relieve any Member from payment of any subscription, levy or other payment due or payable at the time of resignation.

8.4 No subscriptions, levies or other payments already received by the Club as at the date of resignation shall be refunded on resignation.

9. IMMEDIATE SUSPENSION

9.1 **Grounds for immediate suspension:** A Member shall be liable to be immediately suspended (interim suspension) from the Club if he or she:

- a) removes any property of the Club, including but not limited to a book or newspaper, from Club premises without the consent of the Committee;
- b) wilfully or recklessly damages any property of the Club.
- c) persists in drunkenness, swearing, obscene language or other disorderly conduct on Club premises after being cautioned by any Committee Member or Duty Manager;
- d) persists in creating a disturbance at any Meeting or other Club event, after being cautioned by a Committee Member or Duty Manager;
- e) uses or threatens violence to any person; or
- f) contravenes any exclusion order or agreement that is in force, which restricts the Member from participating in gambling activities.

9.2 **Procedure for immediate suspension:**

- a) Any Committee Member or any manager on duty pursuant to section 115 Sale of Liquor Act 1989 may immediately suspend a Member for the acts set out in Rule 9.1.
- b) A suspended Member shall be totally excluded from the Club's premises and Club activities from the time of committal of the offence until such time as the matter is dealt with by the Committee.
- c) A suspended Member must forfeit his or her membership card during the suspension period and losses reciprocal visiting rights with affiliated clubs.
- d) The Committee shall meet to consider the suspension in accordance with the procedures in Rule 10.2(b) to (g).

10. EXPULSION AND SUSPENSION

10.1 **Grounds for expulsion or suspension:** A Member shall be liable to be expelled or suspended from the Club if he or she:

- a) breaches these Rules;
- b) is convicted of:
 - (i) bookmaking; or
 - (ii) a Crime (as defined in the Crimes Act 1961) for which a penalty is imposed; or
 - (iii) an offence which, in the opinion of the Committee, is likely to prejudice any charter or licence held by the Club;

- c) in the opinion of the Committee, brings the Club and/or any of its members, into disrepute; or
- d) is found by the Committee to have committed any of the acts set out in Rule 9.1.

10.2 Procedure for expulsion or suspension:

- a) Any Member may notify the Committee if he or she believes a Member may be liable to expulsion or suspension pursuant to Rule 10.1. This should be in the form of a written or oral complaint.
- b) Within three (3) days of receipt of such notice, or of a Member being immediately suspended pursuant to Rule 9, the Committee should check the Club Rules and then convene an Investigation by a person who is not part of the Disciplinary Hearing Committee or party to the complaint. The Committee must then decide whether there is a case to answer and if upheld, shall call a Committee Meeting to consider the notice or suspension.
- c) Such a Meeting shall be held within two (2) weeks of receipt of the notice, or of the suspension.
- d) The Committee must give the Member concerned at least seven (7) days' written notice of that Meeting, informing him or her:
 - (i) the nature of the complaint; and
 - (ii) how the complaint will be heard;
 - (iii) his or her right to appear and be heard at that Meeting; and
 - (iv) the process of the Meeting.
- e) After the Member concerned has had the opportunity to be heard and if the complaint is found to be proven, the Committee may elect to:
 - (i) expel him or her; or
 - (ii) suspend him or her for a determined period, or until a particular event.
- f) Any Member expelled or suspended shall have the right to appeal under Rule 28.
- g) Any expulsion or suspension shall be entered in the minutes of the Committee Meeting together with the name of the Member concerned.

10.3 An expelled or suspended Member shall not be relieved from payment of any subscription, levy or other payment due or payable at the time of expulsion or suspension.

10.4 No subscriptions, levies or other payments already received by the Club as at the date of expulsion or suspension shall be refunded on expulsion or suspension.

10.5 A Member expelled on the ground of criminal conviction shall not be eligible for re-election to membership unless a period of at least twelve (12) months has passed since the date of expulsion, and a sixty percent (60%) majority of Members at a General Meeting vote in favour.

10.6 A Member who has been suspended under this Rule is ineligible to stand for election for any position on the Committee, for a period of two years from the last day of that suspension.

11. PROPERTY

11.1 Membership of the Club does not give any Member any transmissible or assignable interest by operation of law or otherwise, in any of the property or funds of the Club.

11.2 If a person ceases to be a Member for any reason, any interest he or she may nevertheless possess in any of the effects, property or funds of the Club will vest in the Club.

11.3 Any information which the Club provides for Members remains the property of the Club. Members must not pass any such information on to any non-Member without the written consent of the Club.

12. COMMITTEE OF MANAGEMENT

12.1 **Committee Members:** The general business, management and control of the Club shall be conducted by a Committee comprising:

- a) a President;
- b) a Vice-President;
- c) a Finance Advisor;
- d) a Secretary, who may also be the Club's Manager;
- e) (8) other Committee Members; and

12.2 Office holders of Adjuncts are not Committee Members or Club officials by virtue of holding such office.

12.3 **Eligibility:** Each Committee Member must:

- a) be a Financial Member;
- b) {apart from the Junior representative in Rule 11.1(f), } be an Ordinary, Senior or Life Member;
- c) not be an employee of the Club;
- d) not hold a trade contract with the Club, and not be a close relative of a person who holds a trade contract with the Club.
- e) must have been a Financial Member for at least two (2) years immediately before nomination.
- f) The President and Vice President must have served on the committee for at least 12months.
- g) Pass a police and financial check;

12.4 **Term of office:** Committee Members shall:

- a) remain in office until the Annual General Meeting following his or her election; and
- b) be eligible for re-election.

12.5 **Election:** The Committee shall be elected in the following manner:

- a) Nominations for Committee Members must be:
 - (i) in writing in the form set out in Appendix 3, as amended from time to time;
 - (ii) proposed, by a Financial Member, and seconded by another Financial Member; who have been members of the Club for the previous twelve (12) months
 - (iii) deposited with the Secretary during the fourteen (14) days chosen each year by the Secretary prior to the publication of the Annual Booklet
- b) If Rule 12.4(a) is not complied with then the nomination shall be void.
- c) A member may be a candidate for, but shall not hold more than one position.
 - (i) In the case of plural nominations, the order of precedence shall be: President, Vice-President, Committee Person, but where a candidate's nomination is the only one received for a particular office, he/she shall be declared duly elected, and his/her nomination for any other office shall be void.
 - (ii) If the number of candidates for any office does not exceed the number required to be elected, the members nominated shall be declared elected at the Annual General Meeting. Any member of the committee, if eligible, may become a candidate for any other office than that held by him/her, and if successful, the vacancy so caused on the Committee shall be an extraordinary vacancy.
- d) Nominations shall be posted on the Club notice board twenty-one (21) clear days prior to the date of the poll
- e) Any candidate desiring to withdraw must give notice in writing to the secretary before the time fixed for the opening of the poll, and the secretary shall post the same on the notice board beside the list of nominations where it shall remain until the poll takes place.
- f) All elections shall be by secret ballot, and shall be held in a room or rooms set apart for the purpose between the hours of 11.00am and 6.00pm on the day of the Annual General Meeting. No ballot papers shall be taken out of the room, and only six voters shall be allowed in the room at any one time. The Executive shall appoint returning and other officers to make any preparations necessary for the proper conduct of the elections. The returning officer shall exercise a casting vote at the declaration of the poll in case of a tie in the ballot.
- g) Any member, on written application to the Secretary at any time within fourteen (14) days before the date of any elections, shall be entitled to uplift or have posted to him by the Secretary a ballot paper. Any such member shall record his vote thereon, and seal it in the envelope, bearing his membership number. The member shall also attach his usual

signature to the inside flap of the envelope. Such envelope must be posted in an enclosing envelope, or handed to the Secretary, and to reach him before the closing of the poll. The Secretary shall keep a list of all members voting under this clause, and shall initial the ballot papers so as to identify them if required. No election shall be invalidated by reason of the fact that any voting paper issued under this clause shall contain the name of any candidate who shall from any cause whatever eventually not go to the poll.

- h) The result of the election shall be announced as soon as the counting of votes has been completed.
- i) Any candidate or financial member may apply for a re-count of recorded votes after the result of any election is posted, provided that such application shall be lodged within 48 hours of the declaration of the poll, and accompanied by a deposit of ten dollars (\$10) as a guarantee of good faith. Such deposit shall be refunded should the Committee consider the application a reasonable one.

12.6 **Resignation:** A member of the Committee may resign by notice in writing to the Committee. Committee Members are deemed to have resigned if they are absent from (3) consecutive meetings of the Committee without leave of the Committee.

12.7 **Removal from office:**

- a) A member of the Committee may be removed from office for any reason which the Committee deems expedient in accordance with the following:
 - (i) The Committee shall convene an Extraordinary General Meeting to consider the removal in accordance with Rule 20 **{or Rule 19 if there are no Trustees}**;
 - (ii) The Committee must give seven (7) days' notice in writing to the Committee Member in question, informing him or her of his or her right to appear and be heard at that Meeting;
 - (iii) After the Committee Member in question has had the opportunity to be heard, the Meeting may elect to remove him or her from office by simple majority vote;
 - (iv) If the Meeting elects to remove the Committee Member, such removal shall be effective immediately;
- b) On receipt of a notice of motion of no confidence in a Committee Member signed by a hundred (100) Financial Members, the Committee shall convene an Extraordinary General Meeting and proceed in accordance with Rule 12.7(a).
- c) A Committee Member, who has been convicted of any offence which in the opinion of a majority of the Committee brings the Club into disrepute, shall automatically and immediately be removed from office.
- d) The Committee may elect to remove a Committee Member who becomes physically or mentally incapacitated to the extent that he or she cannot carry out his or her duties as a Committee Member.
- e) No Committee Member who has been removed from office shall be eligible for re-election without the consent of a General Meeting.

- 12.8 **Vacancy:** Any vacancy in any Committee position which is not filled at an Annual General Meeting or which occurs between Annual General Meetings shall be filled by the Committee appointing another person to the vacant office.
- 12.9 **Powers:** The Committee shall, subject to any limitations imposed by these Rules, have the power to:
- a) exercise all the powers and authorities of the Club;
 - b) do such other acts and things as it deems necessary or expedient for carrying on the business of the Club;
 - c) form standing or ad hoc committees for the purpose of exercising its duties, authorities or powers;
 - d) delegate its duties, powers and authorities to the Manager or to a committee formed under clause 12.9(c); and
 - e) co-opt any person to assist with its functions.
- 12.10 **Duties:** Committee Members shall at all times:
- a) render every assistance to the President, Vice-President and staff of the Club to maintain order and to prevent infringement of the Rules, Regulations or By-Laws or the terms of any charter or licence which may from time to time be granted to the Club;
 - b) in the execution of their duties, exercise fiduciary responsibility and act in the best interests of the Members; and
 - c) ensure that notices and signs as detailed in Appendix 4 are displayed where they can be seen clearly by Members and guests; and that they are current and valid.

13. PRESIDENT AND VICE-PRESIDENT

13.1 The President and Vice-President shall be ex officio members of all sub-committees, and Adjuncts.

13.2 The President and Vice-President shall have the right of entry upon the Club premises at any time.

13.3 The President and Vice President must not be related or in a relationship.

14. FINANCE COMMITTEE

14.1 The Finance Committee shall:

- a) ensure that all monies received by the Club are paid into the Bank for the credit of the Club; and
- b) prepare a detailed report of the previous month's receipts and payments for each monthly Committee Meeting and present it to that Meeting; and
- c) ensure that all taxes, levies, duties, and other payments required by statute are made before the due date; and
- d) all taxation and other financial returns required by statute are accurately completed and lodged by the due date; and

- e) prepare the Club's Financial Statements and present them to the Annual General Meeting each year.

14.2 The Finance Committee shall immediately bring to the attention of the Committee, any financial irregularity or suspicion of financial irregularity, or any concern regarding the financial performance of the Club.

15. AUDITOR

15.1 The Club's accounts shall be audited annually by a chartered accountant appointed by the members in Annual General Meeting, who shall:

- a) be a member of the Institute of Chartered Accountants of New Zealand; and
- b) not be a Committee Member or hold any other office in the Club.

15.2 The auditor shall have the right to attend any meeting of the Club at which the Club's financial affairs are under discussion, but shall not be entitled to exercise a vote on any question.

15.3 The auditor shall be paid such fees as may be determined by the Committee from time to time.

15.4 The auditor shall have the power to call for the production of all books, papers and documents (including electronic documents) relating to the affairs of the Club. The financial statements shall be audited by him or her and, if correct, certified under his or her hand before they are submitted to the Annual General Meeting.

16. SECRETARY

16.1 The Club shall appoint a Secretary whose duties shall be to:

- a) attend to the accounting and clerical duties of the Club;
- b) take minutes of Committee and General Meetings; and
- c) generally conform to such regulations as shall from time to time be made by the Committee.
- d) The Secretary, who also may be the Manager, must not be related or in a relationship with the President or Vice President.

16.2 The Secretary's remuneration shall be determined by the Finance Committee.

16.3 Nothing in this Rule shall preclude the engaging of outside professional services in the performance of any of the above duties or from combining the office of Secretary with that of Manager (Secretary/Manager).

17. MANAGER

17.1 The Club may appoint a Manager who shall be responsible for:

- a) the day to day maintenance, cleanliness and service of the Club;

- b) the engagement and dismissal of such employees as may be essential to provide adequate and efficient maintenance of the assets and control of the Club;
- c) ensuring that the Club's membership register is kept up to date;
- d) ensuring that the Club has a guest signing in book available for guests of members. carrying out such other duties as are conducive to his or her office and that the Committee shall decide from time to time.

17.2 The Manager's remuneration shall be determined by the Finance Committee.

17.3 The Manager shall have the right to attend all Committee Meetings but shall not have a vote.

18. ANNUAL GENERAL MEETING

18.1 The Annual General Meeting of the Club shall be held not later than 31st May each year at such time and place as shall be fixed by the Committee, for the purpose of:

- a) receiving and adopting the annual report of the Committee;
- b) receiving and adopting the Financial Statements of the Club;
- c) considering, and if necessary taking action on, any motion relating to the annual report or Financial Statements;
- d) considering, and if necessary taking action on, any other motion of which due notice pursuant to Rule 21.6 (b) **{or Rule 20.6(b) if there are no Trustees}** has been given;
- e) election of Committee Members;
- f) election of Board of Appeal;
- g) election of Auditor;
- h) {election of Trustees; }and
- i) general business.

18.2 At least fourteen (14) days before the Annual General Meeting, the following shall be given by notice on the Club's notice board and either by an advertisement in a public newspaper circulating in the district of the Club or by notice circulated to each Member:

- a) notice of the Annual General Meeting;
- b) the Committee's annual report;
- c) the Financial Statements; and
- d) notice of any other business to be transacted at the Meeting.

19. EXTRAORDINARY GENERAL MEETING

19.1 The Committee shall convene an Extraordinary General Meeting if at any time:

- a) the Committee considers such a Meeting necessary or desirable; or
 - b) the Secretary receives a written requisition to do so signed by not less than one hundred (100) Financial Members, stating the purpose of the Meeting requisitioned, in which case the meeting must be convened for that purpose only.
- 19.2 Ten (10) days' notice specifying the time and place of an Extraordinary General Meeting, its purpose and an agenda shall be given by notice on the Club's notice board and either by an advertisement in a public newspaper circulating in the district of the Club or by notice circulated to each Member.

20. CONDUCT OF GENERAL MEETINGS

20.1 At all General Meetings, the chairman shall be:

- a) the President; or
- b) in his or her absence, the Vice-President; or
- c) in the absence of both the President and the Vice-President, a Committee Member elected by the Meeting.

20.2 The quorum for a General Meeting shall be not less than one hundred (100) of the Financial Members.

20.3 A General Meeting shall be adjourned if:

- a) a quorum is not present within half an hour after the time fixed for the Meeting; or
- b) a quorum is present and the Meeting elects to adjourn.

20.4 If a Meeting is adjourned, the Committee shall:

- a) fix a new date not more than fourteen (14) days later; and
- b) give at least three (3) days notice of the adjourned Meeting by advertisement in a public newspaper circulating in the district of the Club and notice on the Club's notice board.

20.5 If a quorum is not present at an adjourned Meeting, the Meeting shall lapse. If a quorum is not present for an Extraordinary General meeting, the agenda as displayed on the Notice Board shall automatically revert to the Committee to adjudicate on.

20.6 **Resolutions:**

- a) A Member may without notice ask any question or move any resolution relative to the Annual Report or Balance Sheet.
- b) Any Member intending to move a resolution bearing on any other matter must give notice of the proposed motion, seconded by another Member, to the Secretary at least twenty one (21) days before the Meeting and such notice of motion shall be forwarded to each Member with the notice of the Meeting.

20.7 **Procedure:** The following rules of debate shall apply:

- a) Each Member may speak only once to each motion or amendment, except the mover, who may reply.
- b) The mover of any resolution or substantial amendment to a resolution shall be allowed five (5) minutes in which to introduce his proposition and ten (10) minutes for reply, or vice versa, and any other speaker will be allowed five (5) minutes.
- c) The Chairman shall decide whether any amendment proposed to a resolution is a substantial amendment or not.
- d) If freer discussion of any subject is desired, any Member may move that the Meeting go Into Committee on that subject and such motion shall be immediately put and decided by a show of hands.
- e) In Committee no Member shall speak for more than five (5) minutes at a time.
- f) When In Committee any Member may move that the ordinary meeting shall be resumed and such motion shall be immediately put and decided by a show of hands.

20.8 Except as otherwise provided by these Rules, all questions shall be decided by simple majority vote.

20.9 All resolutions passed at any Meeting shall be conclusive and binding on all Members whether present or not, provided that the Meeting was held in substantial conformity with the rules.

20.10 **Voting:** At any General Meeting:

- a) each Ordinary, Senior and Life Member shall be entitled to be present and to give one vote on all questions; Corporate Members shall be entitled to exercise the votes allocated to them under Rule 6.5
- b) voting shall be on show of hands in the first instance;
- c) a declaration by the Chairman as to the result shall be conclusive unless a motion that the vote shall be taken by secret ballot is passed by a majority of Members present; and
- d) in the event of equal votes being cast, the Chairman shall have a casting vote;

21. COMMITTEE MEETINGS

21.1 The Committee shall meet regularly and at least once each Month at a time and place to be determined by the Committee, or on a requisition in writing to the Secretary, setting out the purpose for which the Meeting is required and signed by three (3) members of the Committee. A date for a Committee Meeting must be set within four (4) days of the Secretary receiving a requisition under this clause.

21.2 At all Committee Meetings, the Chairman shall be:

- a) the President; or
- b) in his or her absence, the Vice-President; or
- c) in the absence of both the President and the Vice-President, a Committee Member elected by the Meeting.

- 21.3 The quorum for a Committee Meeting shall be not less than fifty per cent (50%) of its members plus one (1).
- 21.4 Any Committee Meeting shall be adjourned if:
- a) a quorum is not present within half an hour after the time fixed for the Meeting; or
 - b) a quorum is present and the Meeting elects to adjourn.
- 21.5 If a Committee Meeting is adjourned, the Committee shall:
- a) fix a new date not more than fourteen (14) days later; and
 - b) give at least three (3) days' notice of the adjourned Meeting to each Committee Member.
- 21.6 If a quorum is not present at an adjourned Meeting, the Meeting shall lapse.
- 21.7 Except as otherwise provided by these Rules, all questions raised at a Committee Meeting shall be decided by a simple majority of votes cast.
- 21.8 In the event of equal votes being cast, the Chairman shall have a casting vote.

22. ACCOUNTS

- 22.1 The Committee shall ensure true accounts are kept of:
- a) all sums of money received and expended by the Club and the matters in respect of which such receipt and expenditure takes place; and
 - b) all assets, credits and liabilities of the Club including any charges and securities of any description affecting any property of the Club.
- 22.2 The books of accounts shall be kept at the office of the Club or other such place as the Committee may determine and shall be open to the inspection of Financial Members at all reasonable times.
- 22.3 All monies received shall be forthwith paid into a bank approved by the Committee after being entered in the books of the Club as having being received.
- 22.4 All payments shall be reported to the Committee for confirmation at the meeting next following payment.
- 22.5 Payment of all monies on behalf of the Club shall be made by cheque signed by or electronic transaction authorised by, one of the Secretary, the President, the Vice-President or other person approved by the Committee as an authorised signatory of the Club. Any signatory on the Club accounts shall not be related or in a relationship with any other signatory.
- 22.6 At every Annual General Meeting the Committee shall present:
- a) the Club's Financial Statements; and
 - b) an Annual Report as to the state of the Club.

22.7 The Club shall make returns required by Section 23 Incorporated Societies Act 1908 or Section 70 Friendly Societies and Credit Unions Act 1982 (whichever applies) and shall comply with all the relevant requirements of those Acts.

23. ADJUNCTS

23.1 An Adjunct may be formed within the Club for sporting or special interest groups.

23.2 Any assets of the Adjunct are the assets of the Club. All monies received for Adjuncts shall be paid into the Adjunct's bank account referred to in clause 24.4(a).

23.3 All accounting, taxation, financial reporting and legal compliance responsibilities of the Adjunct shall rest with the Club.

23.4 Adjuncts shall use the Club's accounting services in the following manner:

- a) Adjuncts must have a separate bank account to the Club, which shall be on the Club's base bank account number.
- b) All payments on behalf of an Adjunct shall be made by cheque or by electronic payment on the Adjunct's account.

23.5 The Committee of the Adjunct shall not do, or omit to do, anything that is likely to prejudice or not be in the best interests of the Club.

23.6 Members of an Adjunct involved in any activity of or related to the Adjunct shall indemnify the Club and its representatives from any problem, direct or indirect loss or damage, claim or proceedings (including in negligence) caused or contributed to by that activity.

24. SEAL

24.1 The Club shall have a Common Seal which shall be kept in the custody and the control of the Secretary or the Club's solicitor.

24.2 Any document to be executed by the Club shall be available for inspection by every Member of the Club at all reasonable times and shall be executed with the following attestation pursuant to a resolution of the Committee:

| | |
|---|--------------------|
| The Common Seal of Papatoetoe Cosmopolitan Club (Incorporated) was hereunto affixed by the Secretary in the presence of two (2) members of the Committee. | |
| Names: | Signatures: |
| _____ | _____ |
| Secretary | |
| _____ | _____ |
| Member | |
| _____ | _____ |
| Member | |

25. GUESTS AND VISITORS

- 25.1 The Club, under its Club Licence or Off Licence, must ensure that alcohol is only sold or supplied to Members, Authorised Customers or Authorised Visitors for consumption on (Club Licence) or off (Off Licence) the Club's premises.
- 25.2 Any member may invite any person as an Authorised Customer (hereon referred to as a guest) to the Club in accordance with the following;
- a) By entering Club premises, a guest agrees to abide by these Rules.
 - b) All guests shall enter their name and address in the Club's signing in register each time they visit the Club.
 - c) The Member accompanying a guest shall also sign the Club's signing in register and will at all times be responsible for the conduct of the guest.
 - d) No guests shall be sold or supplied alcohol on Club premises unless the guest is present on the invitation of a Member and is in the company of the Member and the alcohol is supplied for consumption on the premises.
- 25.3 Authorised Visitor (hereon referred to as a visitor) who is a member of an affiliated club visiting the Club:
- a) Is deemed to agree to abide by these Rules;
 - b) Has the same rights as Members to be sold or supplied alcohol on or off Club premises, provided he/she has produced sufficient evidence to an officer of the Club or member of its staff that he/she is a member of an affiliated club. No person, whether a member of an affiliated Club or otherwise, may become a regular or frequent visitor.

26. OFFENCES

- 26.1 If a Member is convicted of any Crime (as defined in the Crimes Act 1961 as at 01 June 2010) after election to the Club:
- a) he or she must inform the Secretary of the conviction and any penalty imposed; and
 - b) the Secretary shall report the fact to the Committee at or before its next meeting.

27. BOARD OF APPEAL

- 27.1 A Board of Appeal consisting of five (5) Members shall be elected at each Annual General Meeting. Committee Members shall not be eligible for membership of the Board of Appeal.
- 27.2 The Board of Appeal shall hear and decide any appeal lodged by a Member or Members against any decision of the Committee entailing suspension or expulsion in accordance with the following:
- a) Any member being suspended or expelled who wishes to appeal must give notice in writing to the Secretary within seven (7) days of the date of such suspension or expulsion, stating the grounds for appealing.
 - b) Within forty-eight (48) hours of receiving such notice, the Secretary shall convene a Meeting of the Board of Appeal.

- c) The Board of Appeal shall re-hear the case but shall not admit fresh evidence, except where an application has been made to the Committee for a re-hearing and has been refused.

27.3 The decision of the Board of Appeal shall be final.

28. DISPUTES

28.1 Except as otherwise provided in these Rules, every dispute in relation to these Rules between a Member or persons claiming through a Member and the Club or a Committee Member shall be decided by the Committee and the decision shall be binding and conclusive on all parties without appeal.

29. INTERPRETATION

29.1 In the interpretation of these Rules, the decision of the Committee shall be final and binding.

30. REVISION OF REGULATIONS

30.1 These Regulations may be revised or amended by a resolution passed by the majority of the Financial Members present at a General Meeting. This is subject to the provisions of Section 21 (Amendment 2005) of the Incorporated Societies Act 1908 or Section 23 (Amendment 2007) of the Friendly Societies and Credit Unions Act 1982 (whichever applies) and shall comply with all relevant requirements of those acts.

30.2 Notice specifying the intention to propose such a resolution must be given in writing to the Secretary at least twenty-one (21) days before a General Meeting and such notice shall be forwarded to each Member with notice of the Meeting.

31. DISSOLUTION AND/OR LIQUIDATION

31.1 The Club may only be dissolved by the Registrar of Incorporated Societies/Friendly Societies:

- a) If at an Extraordinary General Meeting called by the Committee for that purpose passes a resolution that the Registrar make a declaration of dissolution; or
- b) as provided for in the Incorporated Societies Act 1908 (Amendment 2010) or the Friendly Societies and Credit Unions Act 1982 (whichever applies).

31.2 The Club may be put into liquidation:

- a) at an Extraordinary General Meeting called by the Committee for that purpose; or
- b) as provided for in the Incorporated Societies Act 1908 (Amendment 2010) or the Friendly Societies and Credit Unions Act 1982 (whichever applies).

31.3 On the dissolution of the Club by the Registrar all surplus money and assets after the payment of all costs, debts, and liabilities shall be disposed of in a manner provided by the rules of the Club or if such assets cannot be disposed of in accordance with the rules, then as the Registrar directs.

31.4 The Committee {or the Trustees [*if provided for at Rule 18*]} shall administer the dissolution of the Club and the division of surplus money and assets on winding up by distribution to a charitable organisation or institution to be determined by the Committee.

32. GENERAL

32.1 All matters provided for in these Rules shall, at all times, be dealt with in accordance with the following guiding principles:

- a) The Club is established primarily for the benefit and convenience of its Members.
- b) The admission of non-members should at all times be subordinated to the comfort, well-being and satisfaction of Members.
- c) The admission of guests should always be regarded as a privilege of the Members, granted to enable them to dispense periodic hospitality to their casual guests and not as a means of augmenting the revenue of the Club.
- d) At all the times the provision of the Club's licence as issued by the Liquor Licensing Authority is to be maintained and upheld.

33. INDEMNITY FOR OFFICE HOLDERS

The Club indemnifies all Office Holders against any personal liability, suit or reckoning of any nature arising from and incurred by virtue of any act, deed or omission carried out by them while acting in their capacity as Office Holder and agent or servant of the Club.

Without in any way limiting the foregoing, such indemnity shall extend to any action, proceeding or demand whatsoever brought against such Office Holder by any person or persons and such indemnity shall also extend to former Office Holders provided that such indemnity shall not extend to any liability, reckoning or suit arising from any criminal or fraudulent act or omission of the Office Holder claiming such indemnity.

In addition, this indemnity shall not in any way derogate from any statutory protection that any Office Holder may be entitled to under any enactment.

34. AMALGAMATION/MERGER

In the case of another similar Club wishing to amalgamate or merge with The Papatoetoe Cosmopolitan Club Inc (or vice versa) a Special General Meeting must be held with the membership where the Executive Committee must seek agreement from the membership (in principle) to allow the amalgamation/merger of another Club/Clubs.

At this meeting also, the membership may authorise the Executive Committee to progress with an amalgamation/merger proposal.

Once the membership has given authority to progress, the Executive Committee or appointed negotiation committee will have sole discretionary rights to discuss and formulate (in principle) all rights and conditions pertaining to the amalgamation/merger on behalf of the Club membership (but subject to final approval by the membership obtained at a further Special General Meeting to be held) so long as these rights and conditions are in agreement with the Incorporated Societies Acts Rules and Regulations as approved under the act and that they are in line with the Club's objectives, does not disadvantage the Club and its membership and places no liabilities against the Club or the Members.

APPENDIX 1. BY-LAWS

[The following By-laws may be adopted at the time of formation of the Club but do not form part of the Regulations and may be added to, changed or deleted by the Members of the Club without reference to the Registrar of Incorporated Societies/Friendly Societies.]

These By-laws are made in accordance with the Club's powers pursuant to Rule 5.

1. DISALLOWED ACTIVITIES:

- 1.1 No raffle shall be allowed on the Club's premises nor goods exhibited for the purpose of a raffle except with the authority of the Committee.
- 1.2 No unlicensed or unlawful gambling or gaming shall be permitted in the Club.
- 1.3 No petition, except for the purpose of convening an Extraordinary General Meeting as provided for in Rule 20.1(b) **{or Rule 19.1 if there are no Trustees}**, shall be allowed to circulate on the premises of the Club.
- 1.4 No business cards or notices shall be displayed on Club premises without the sanction of the Committee.
- 1.5 No Member shall without the sanction of the committee:
 - a) conduct a business on Club premises; or
 - b) use the Club address for business purposes; or
 - c) give the address of the Club in an advertisement.
- 1.6 No animals shall be allowed within the Club buildings with the exception of guide dogs.
- 1.7 Members shall not interfere with, deface or damage the Club's property, or commit any nuisance in or about the premises.
- 1.8 No person, political group or party shall be allowed to use any part of the Club's premises for any political purpose.
- 1.9 No member shall give any gratuity to any employee of the Club.

2. MISCELLANEOUS:

- 2.1 Gaming machines are for the use of Members, Guests accompanied by Members and Members of Affiliate Clubs with Reciprocal Visiting Rights only. Prizes will only be paid to these persons and proof that the person is lawfully in the Club will be required. If the club does not have a rule suitably displayed, the club must pay out all prizes in accordance with the Gambling Act 2003.
- 2.2 A suitable standard of dress is required to be worn while on the Club premises. The wearing of articles of clothing such as hats, jandals and tee shirts is at the discretion of the Executive Committee who set the dress standards, as amended from time to time. Footwear must be worn at all times.
- 2.3 Children, other than Junior Members, do not have access to the Club premises unless in the I of their parents or a legal guardian and must remain with them whilst on the premises. Some areas of the Club are out of bounds and children are required to be off the Club premises by the time set by the Executive Committee, as amended from time to time.
- 2.4 Club operating hours are set by the Executive Committee, as amended from time to time. Operating hours are restricted by the Club Licence (unless the club has a Permanent Charter) and Off-Licence. All Class 4 Gaming Machines are to be turned on whenever the bar is operating.

APPENDIX 2. NOTICES AND SIGNS

1. GENERAL

1.1 The following shall be displayed where they can be clearly seen by Members and guests utilising the Club's premises:

- a) a copy of the Club's current Club Licence issued under the Sale of Liquor Act 1989 and of the conditions of that Licence, and a current Renewal Certificate issued by the District Licensing Agency (if applicable);
- b) a copy of the Club's current Off Licence (if applicable) issued under the Sale of Liquor Act 1989 and of the conditions of that Licence, and a current Renewal Certificate issued by the District Licensing Agency (if applicable);
- c) a sign advising the name of the manager on duty, pursuant to clause 115 Sale of Liquor Act 1989;
- d) the Club's opening hours;
- e) the Club's operating policy; and
- f) the Club's policy in respect to sexual and /or racial harassment.

2. ENTRANCES

2.1 A notice in the following form shall be displayed where it can be clearly seen by members and guests at every entrance to the Club's premises:

IMPORTANT NOTICE
TO
ALL NON-MEMBERS

Welcome to the PAPATOETOE COSMOPOLITAN CLUB.

Behaviour in this Club's premises is governed by the Club's Regulations and By-laws.
While you are here, those Regulations and By-laws apply to you just as if you were a member of this Club.

Your continued presence in the Club will be taken to be acceptance of this condition.
A copy of the Regulations and By-laws is available for inspection from the Manager.
Please enjoy your time with us.

3. BAR AREA(S)

3.1 The following shall be in each bar area:

- (a) a notice advising that sales of liquor pursuant to the Club's off-licence (if applicable) may only be made to Members of the Club;
- (b) a copy of the Club's Host Responsibility policy;
- (c) notices relating to the availability of food and low alcohol beverages; and
- (d) information regarding assistance with or alternative forms of transport.

4. CATERING OPERATIONS

4.1 A copy of the Club's current certificate of registration by the relevant local authority pursuant to the Health (Registration of Premises) Regulations 1966 shall be displayed in a prominent location near the till in each of area of the Club's catering operations (eg restaurant and snack bar.

4.2 Pursuant to section 7 Food Hygiene Regulations 1974, a notice shall be conspicuously displayed in each of the Club's toilets and changing facilities, calling on workers to wash their hands thoroughly:

- a) before commencing and recommencing work; and
- b) before handling food, on any occasion after using the toilet.

5. GAMING MACHINE AREA

5.1 The following shall be displayed where they can be clearly seen by Members and guests entering and within the gaming machine area:

- a) a notice that persons under the age of 18 years are not allowed to use gaming machines;
- b) a copy of the Club's current licence to operate Gaming Machines issued pursuant to the Gambling Act 2003;
- c) a Club Harm Minimisation Poster indicating that the Club has a policy which is available for perusal by all members;
- d) A copy of the Club's Harm Minimisation Policy (can be held in the office).
- e) ClubCare Pamphlets about the odds of winning, signs of problem gambling and information on how to seek advice and assistance;
- f) ClubCare Posters and helpline cards;
- g) a notice as follows:

GAMING MACHINES ARE FOR THE USE OF
MEMBERS, GUESTS ACCOMPANIED BY MEMBERS, AND RECIPROCAL VISITORS
ONLY.
PRIZES WILL ONLY BE PAID TO THOSE PERSONS DETAILED ABOVE
AND PROOF THAT THE PERSON IS LAWFULLY IN THE CLUB
WILL BE REQUIRED.