



Established 1885

By Laws
Version 2 27/05/2024

BY-LAWS OF THE ASHBURTON CLUB & MUTUAL SCHOOL OF ARTS INC (“the Club”)

Effective 2024 and
adopted by the Committee pursuant to Rule 28 of the Club’s Constitution
dated 2024

Table of Contents:

1. **OBJECTS OF THE BY-LAWS AND POLICIES**
2. **FINANCIAL TRANSACTIONS POLICY**
3. **SECTIONS/ADJUNCTS**
4. **CLUB VAN USAGE**
5. **USE OF MONEY AND OTHER ASSETS**
6. **CREDIT CARD POLICY**
7. **ADMISSION TO THE PREMISES**
8. **RECIPROCAL VISITING RIGHTS**
9. **CAR PARKING**
10. **CLUB SPORTING AND LEISURE FACILITIES**
11. **DRESS CODE**
12. **HEALTH AND SAFETY POLICY**
13. **HOST RESPONSIBILITY POLICY.**
14. **MEDIA RELATIONS POLICY**
15. **QUALIFICATIONS OF OFFICE**
16. **SECURITY**
17. **SMOKING OR VAPING**
18. **DISCIPLINARY PROCEDURE**

1. OBJECTS OF THE BY-LAWS AND POLICIES

The object of these by-laws ("the by-laws") is to set operating and behavioural policies to enable the Committee of the Club and Management of the Club to operate the Club effectively and in accordance with the Club's Rules (Constitution). Where these by-laws contradict any Rule or Rules in the Club's Rules (Constitution) the Club's Rules (Constitution) shall be pre-eminent and take precedence over such contradictory by-law/s.

- i. These by-laws apply to all Club Members within the Club Premises and its grounds and to Club Members who represent the Club in any official capacity outside of the Club Premises and its grounds.
- ii. In the Matter of complaints involving Club Members of any Section or Adjunct of the Club, the Committee of the Club has the power to delegate disciplinary matters that are minor in nature to the Committee for the Section or Adjunct concerned at the discretion of the Committee of the Club.

2. FINANCIAL TRANSACTION POLICY

The following policy is required and shall apply to implement and maintain effective financial risk management controls to ensure the ongoing financial viability and integrity of the Club and provide amenities and facilities for all Club Members now and into the future.

- i. Revenue from the Club's gaming machines shall be dispersed in accordance with the guidelines as gazetted by the Department of Internal Affairs, taking into account the provisions of the licence/s as approved for authorised purposes.
 - ii. All of the Club's revenue shall be banked with the approved financial institution and monitored on a monthly basis.
- iii. Payments by the Club are to be authorised by two approved persons.
- iv. The Committee of the Club is responsible for the approval of the Club's
- v. budgets as submitted.
- vi. Any expense incurred by Committee Members of the Club must have prior approval of the Executive Committee of the Club. No expense will be reimbursed retrospectively.
- vii. Any one person seeking professional advice on a Club matter which does or may incur costs must consult with the General Manager prior to such professional failure to do so will result in a party making otherwise unauthorised contact being required to pay costs incurred, personally.
- viii. Any intended Capital and Maintenance Expenditure which will cost more than \$20,000 to be supported by at least 2 quotes where practical.
- ix. Stock Taking shall require a physical stock take to be completed, on a minimum, monthly basis.
- x. That the Committee of the Club will ensure that all documents required by the Friendly Societies & Credit Union Act 1982 are registered in a timely manner.
- xi. SECTION/ADJUNCTS ("Sections")
 - o All Sections must conduct their financial transactions within the confines of the Club's Constitution and by-laws and according to the Club's authorised financial systems and processes.
- xii.
 - o Each Section will lodge with the General Manager of the Club, on the required form, a minimum of three (3) original signatories together with names, identification and addresses of the persons authorized to uplift cash or authorize payments from the Section's bank accounts.
 - o Section deposits must be made using the Club's specified deposit form.
- xiii.
 - o The signatories for a Section's account shall all be the General Manager and either an office bearer(s) or a Committee Member of the Club.

- xiv.
 - o No two persons who are a married couple, de facto partners, spouses, married by civil union, family members within the same family or people living together are permitted to be signatories on the bank accounts of any of the Club's Sections.
- 1. Within one month of the any Section/s AGM the following must be provided to the General Manager of the Club for review by the Committee (or the Section bank account/s may be frozen);
 - i. Annual Financial Report
 - ii. AGM minutes
 - iii. List of Financial Members (within the Section) with membership numbers.
 - iv. Section Official's particulars.
 - v. signatories for the financial transactions.
 - vi. assets schedule and clarification of ownership of each item on such schedule.
 - vii. any other information deemed to be applicable and required by the Committee.
- 2. An expenditure exceeding \$1,000 (one thousand dollars) must be signed off on by the General Manager of the Club, who may query the validity of the request and decline the same if not satisfied as to any explanation provided.
- 3. All raffle money must be deposited with the Duty Manager of the Club on the day of the raffle; no raffle funds are to be removed from the Club premises.
- 4. Raffles are to be conducted strictly in accordance with and under Class 2 of the Gambling Act 2012.
- 5. Any Section wishing to raise funds, including sponsorships external to the Club proper, must first apply by letter to the Executive requesting permission.
- 6. All payments to Sections over \$1,000 require three (3) working days' notice. Sections will not be permitted to go into overdraft without prior approval of the General Manager of the Club. The General Manager of the Club may request that a report be furnished to the Committee of the Club explaining the reason for the need for such overdraft.
- 7. Sections must be financially self-sufficient in all aspects including the costs of travel, awarding of any prizes and/or trophies, or any other reason. If any Section believes that any activity they conduct should be financially supported by the Club they must put their request in writing to the Executive Committee of the Club to be tabled at the Committee's monthly meeting.

2. **CLUB VAN USAGE**

- 1. A van may be supplied by the Club for the use of Sections upon the terms and conditions agreed upon with the General Manager of the Club or Committee of the Club, who reserve the right to charge the user for any associated costs with these to be deducted from the Section's funds.

3. **USE OF MONEY AND OTHER ASSETS**

- 1. The Club may only Use Money and Other Assets if:
 - i. It is for the Club;
 - ii. It is not for the sole personal or individual benefit of any Member, and
 - iii. That has been approved by the Committee of the Club.

4. **CREDIT CARD POLICY**

- 1. No Credit Cards are to be issued against the Club without prior approval of the General Manager.

2. Any Credit Card on behalf of the Club may only be used for legitimate Club expenses.
3. Proof of purchase (receipts/invoices) must be retained for all Credit Card transactions.
4. The Committee must set a maximum Credit Card limit.
5. Any person issued a Credit Card is personally accountable for the use of the Credit Card.
6. Only the cardholder may use the Credit Card. No more than one Credit Card shall be issued per Cardholder.
7. The Cardholder must notify the bank and the General Manager of the Club (or in the case of the General Manager of the Club, the Chair of Finance immediately if the card is lost or stolen or any unauthorised transaction is detected or suspected.
8. The cardholder must take adequate measures to ensure the security of the Credit Card.
9. The cardholder must return the Credit Card to the General Manager if the Cardholder resigns as a Club Member.
10. The Cardholder will be personally liable for any unauthorised transaction unless the Credit Card is lost, stolen, or subject to fraud on the part of a third party (not being the Cardholder).

5. ADMISSION TO THE PREMISES

1. The Club reserves the right to refuse admission (i.e. ROAR applies as such expression is commonly understood) to Club Premises (which includes the Club grounds).
2. Members, guests, and visitors must abide by the current dress regulations of the Club, as set out in these by-laws under the heading "Dress Code".
3. By entering the Club, the person accepts that CCTV will be in use and that it is likely that images will be captured by filming undertaken by such equipment of all those on the Club Premises and/or the Club grounds.

6. RECIPROCAL VISITING RIGHTS

1. Section 60 (3) of the Sale and Supply of Alcohol Act allows a club to sell and supply alcohol to Authorised Visitors.
2. Authorised visitors, in relation to premises a club license is held for, means a member of some other club with which the club concerned has an arrangement for reciprocal visiting rights for members.
3. The Ashburton Club has such an arrangement with members of clubs whose clubs are members of Clubs New Zealand Incorporated.

7. CAR PARKING

1. Parking in the Club's car park is limited to Club Members with a Parking Permit in their name or in the name of a person arriving and departing in that vehicle and only permitted while using the Club facilities. Parking Permits must be visibly displayed in the car.

8. CLUB SPORTING AND LEISURE FACILITIES

1. Children aged over twelve (12) years and under the age of fifteen (15) years may use the facilities only under the active supervision of a responsible adult who accepts financial responsibility for any damage resulting from any inappropriate use or behaviour.

2. Users of any Club facilities must take due care to minimize the possibility of damage and report any incidences of damage or wear to the Duty Manager.
3. Damage caused by any user through negligence, carelessness, or by intent will be subject to the Club's disciplinary process.
4. Sections may be given priority use of a Club facility of the part of the Club's premises for competition or Section purposes.

9. **DRESS CODE**

1. The Club expects a clean, neat, and tidy standard of dress at all times.
 - i.No men's singlets.
 - ii.No overalls.
 - iii.No gumboots.
 - iv.No dirty or soiled work clothes or boots.
 - v.Footwear to be worn at all times.
 - vi.No high-viz over garments after 7 pm.
 - vii.Interpretation of the dress code is at the discretion of the Duty Manager.
 - viii.No Caps, Beanies or Hoodies.

10. **HEALTH AND SAFETY POLICY**

1. Refer to the current Health and Safety Policy Document which will be made available on request of the General Manager.

11. **HOST RESPONSIBILITY POLICY**

1. The Management and Staff of the Club strive to provide an environment that is not only comfortable and welcoming but is also a place where alcohol is served

and consumed responsibly. In our efforts to ensure this continues the following Host Responsibility Policy has been implemented.

2. The Club will provide and actively promote a range of non-alcoholic drinks including low-alcohol beers and wines, soft drinks, coffee, and tea. water is available free of charge at all bars at all times.

3. The Club will at all times make it clear it is against the law to serve minors so if we were in any doubt about your age, we will ask for ID. The only acceptable forms of ID are:
 - i.A current passport.
 - ii.A current New Zealand driver's license.
 - iii.A valid Hospitality NZ 18+ Card.
 - iv.A Kiwi Access Card 1.

4. The Club will promote safe travel options, including the Club Shuttle service, which operates and can call a taxi for members if needed.

5. The Club will be vigilant for and will enforce that any patron considered intoxicated will be refused service and asked to leave the Club premises using one of the safe travel options available.

6. The Club will operate a 3-strike policy whereby any member who is in breach of our Rules and by-laws regarding the consumption of alcohol on 3 occasions within a 12-month period will be required to attend a disciplinary meeting/s with the Club's Disciplinary Committee, where such member's Club membership will be called into question. Any guest of a member or visitor who breaches the Club's rules and by-laws regarding alcohol consumption may be barred from the Club immediately.

7. The Club is committed to the continued training of Staff and Management to ensure that our Host Responsibilities are enforced to ensure the safety of all patrons and staff.

12. MEDIA RELATIONS POLICY

1. Only the General Manager of the Club or President of the Club, or a delegate approved by them, are permitted to speak to any media outlet in any official capacity whatsoever on behalf of the Club.

13. QUALIFICATION OF OFFICE

1. To be on the Committee, you must:

- i. be 18 years of age or older.
- ii. be able to demonstrate that you are honest.
- iii. be a fit and proper person and have appropriate qualifications and business and/or financial experience.
- iv. Must be a Financial Member of the Club for a min period of 12 months prior to nomination.

2. Nominations will not be accepted for nominees who:

- i. Have been convicted of any crime involving dishonesty in the 10- year period prior to their nomination.
- ii. Are or have been a director of a company (or other corporate entity, society, or partnership) which has had any significant financial issues, such as trading insolvently, or has been declared insolvent at the time of their nomination.
- iii. Have any pending criminal charges at the time of their nomination.
- iv. Have any unsatisfied judgments in relation to any Court proceedings at the time of their nomination.
- v. Have any personal significant financial issues, such as bankruptcy, at the time of their nomination.

14. SECURITY

1. The Club is not liable for any damage or theft to the belongings of any Members, Guests, or Visitors (be they Authorised Visitors or otherwise).

15. SMOKING OR VAPING

1. Smoking or vaping is only permitted in the Designated smoking areas at the Club's premises.
2. Is not permitted in the Club Playground, central courtyard, or anywhere else prevented and/or restricted by Law.

18. DISCIPLINARY PROCEDURE

1. Drunkenness, swearing, obscene language, and other disorderly conduct shall not be permitted in the Club premises, and members persisting in offending may, after being cautioned by the General Manager, an Officer of the Club or a Committee Member, and failing to desist from such behaviour as described herein render themselves liable to suspension or expulsion from the Club and otherwise dealt with in accordance with the Code of Conduct for the Club.

2. Suspension by a Committee Member or an officer of the Club shall mean total exclusion from the Club's premises from the time of the offense's committal until the matter has been dealt with by the Committee, which may either cancel the suspension or confirm it for a determined period of time. The Member shall, in all cases, be given the right to appear before the Committee.

3. The Committee may, from time to time, adopt a Disciplinary Policy and the disciplinary procedures it wishes to follow, and the Committee may amend, review, or re-adopt such policy and procedures as the Committee deems appropriate to best deal with any disciplinary issues. The Committee will ensure the correct policy and procedures are available to Members by such means as the Committee determines is appropriate from time to time.

The Rules, Regulations and By-Laws shall apply equally to every Financial Member.