

Constitution and Rules of the

CANTERBURY MUSTANG OWNERS CLUB INCORPORATED

as at 21 February 2017

1. Interpretation

- 1.1 The name of the Club shall be "Canterbury Mustang Owners Club Incorporated".
- 1.2 "Club" means the Canterbury Mustang Owners Club Incorporated.
- 1.3 "Common seal" or "seal" shall mean the common seal of the Club.
- 1.4 "Executive" shall mean all the Executive Officers.
- 1.5 "Executive Officer" shall mean President, Vice-president, Club Captain, Secretary, Treasurer, the elected Committee members and any other club member who may be co-opted or appointed to the Executive Committee.
- 1.6 The Executive Committee of the club (also known as the "Committee") shall comprise the foregoing Executive Officers plus the elected committee members, plus any other Club members co-opted or appointed to the Committee
- 1.7 "Financial member" shall mean a member of the Club who is not in arrears with any subscriptions or other monies payable to the Club.
- 1.8 "General meeting" means any Annual or Special General Meeting of the Club.
- 1.9 "Notices." Not less than 14 days notice shall be given in writing or email to all members of the Club for every general meeting either Annual or Special. Such notice shall give the date, time and place and the agenda of such meeting. Any notice required to be given to Club members shall be deemed to have been properly given if posted to the last known address/email of such member as recorded in the Club register.
- 1.10 "Registered office". The registered office of the Club shall be at 49 Coleridge Street Sydenham Christchurch or at such other place as may be determined by the executive from time to time.
- 1.11 In these rules, unless inconsistent with the context, words importing the plural number include the singular number, and words importing the masculine gender include the female gender.

2. Objects of the Club

- 2.1 To promote interest in Mustang vehicles, from 1964 ½ to the present.
- 2.2 To arrange social functions for the purpose of promoting any of the objects of the Club and to encourage the interaction and enjoyment of members
- 2.3 To promote and encourage the efficient maintenance and restoration of member's vehicles
- 2.4 To promote The Canterbury Mustang Owners Club to the wider general public as a responsible member of our local communities.
- 2.5 The funds of The Canterbury Mustang Owners Club are to be utilised for the benefit of CMOC and its objects

3. Attaining the Objects

- 3.1 The Executive Committee is empowered to do all things necessary which are directly and indirectly necessary for the attainment of the objects of the Club.
- 3.2 The Club may for any of the afore-mentioned objects borrow or raise funds and for the purpose of securing the repayment thereof may charge all or any of its real or personal property.
- 3.3 The Club may invest and deal with the funds of the club upon such securities or in such manner and upon such terms and conditions as the Club may deem fit
- 3.4 The Club may join or affiliate as a member of any incorporated society under "The Incorporated Societies Act 1908" and having as one of its objects the advancement, promotion or protection of the interests of automotive enthusiasts.
- 3.5 The Club may take any gifts or property whether subject to any special trusts or not for any one or more of the objects of the Club
- 3.6 The Club may accumulate capital by means of subscriptions or otherwise for the purpose of creating a reserve fund to be used solely for the purposes and objects of the Club.
- 3.7 The Club may spend or invest funds only for the attainment of the Club's objects as defined in paragraph 2.

4. Membership

- 4.1 The membership of the Club shall consist of:
 - a. Full members
 - b. Associate members
 - c. Family members
 - d. Life members
- 4.2 The qualification for full membership shall be the ownership of a Mustang vehicle. Owner and partner or joint owners are classified as one membership but will each have a vote.
- 4.3 Persons who are interested in Mustang vehicles, but who do not own a Mustang, may be admitted as associate members. Associate members shall be elected at the discretion of the committee and shall have no voting power.
- 4.4 Only those persons comprising the immediate family of full or associate members may qualify as family members but also shall have no voting power. Family members owning a Ford Mustang shall be liable for a full subscription. The committee reserves the right to limit the number of family members attending any club event.
- 4.5 Life membership can be awarded to Club members who are judged by the Committee to have

made a significant contribution to supporting and achieving the objects of the Club. Such an award must have the unanimous support of every current serving Committee member.

- 4.6 In cases where the applicant for membership owns a vehicle based on Mustang, components or a 'special' substantially modified from the original design, the committee shall decide whether full or associate membership is appropriate.
- 4.7 All applications for membership shall be on the form provided and the signature on such form shall be deemed to be an undertaking by the applicant to be bound by the rules and regulations of the Club for the time being in force.
- 4.8 All applications for membership shall be accompanied by the amount of the subscription for the time being in force.
- 4.9 Applications for membership may be reviewed by the Committee which shall make such enquiries as it thinks fit, in regard to applicants and shall have complete discretion as to the acceptance or non-acceptance of applications for membership.
- 4.10 The applicant shall be notified of his election or otherwise, and if elected shall be supplied with a membership lanyard, car stickers, a receipt for their subscription, a copy of the rules of the club for the time being in force, and the name and address of the Secretary of the Club. If the applicant has not been elected, the Club shall return the subscription.
- 4.11 Members are required to complete the Club form concerning their vehicles, as far as practical
- 4.12 No member shall be entitled to any of the privileges or advantages of the Club until his subscription shall have been paid and no member whose subscription is in arrears shall be entitled to vote at any meeting of the Club.
- 4.13 All members shall promote the purposes of the Club and shall do nothing to bring the Club into disrepute.
- 4.14 If a Member's contact or vehicle details change, that Member shall give the new details to the club secretary.

5. Resignations and expulsions

- 5.1 A member shall remain continuously liable as such until his membership is terminated by

resignation or otherwise.

- 5.2 Any member not in arrears or indebted to the club may resign their membership delivering notice by email to any committee member, who shall report the same to the next meeting of the Committee.
- 5.3 Every member whose subscription remains unpaid for two calendar months after it shall have become payable shall ipso facto cease to be a member of the Club. The Committee may reinstate any such member on satisfactory grounds being shown for failure of payment.
- 5.4 Any member who, by his conduct, shall bring the name of the Club into disrepute may be expelled by the committee and his subscription for the unexpired portion of the current year - shall be forfeited.
- 5.5 Any member who has been expelled may request that a special meeting of the Committee be held within two months of expulsion at a place and on a day fixed by the Committee. He shall be entitled to be present or be represented at such a meeting.
- 5.6 If the meeting passes a resolution cancelling the expulsion of such a member, he shall be restored to membership as from the date of the expulsion.

6. Subscriptions

- 6.1 An annual subscription shall be payable by all full and associate members of the Club except life members, the amount of which shall be determined from time to time by the Committee, having regard to the current and future requirements of the Club.
- 6.2 Annual subscriptions shall be due on 1st April of each year and all persons who are members for any part of a financial year shall be liable for the full subscription unless the application for new membership is made within the final quarter of the financial year when the amount shall be one quarter of a full subscription
- 6.3 The Club may by decision at a special or annual general meeting impose an entrance fee on any new application for membership and this entrance fee may be revised from time to time as the Club may think fit.

7. Executive Committee

- 7.1 The affairs of the Club shall be managed by the Executive Committee (herein called "the

Committee"). The Committee shall consist of the President, Vice-president, Secretary, Treasurer, Club Captain, and elected members, all of whom shall be financial members of the Club. The Committee has the authority to decide the number of Committee member positions for the year ahead, to be filled by nomination and election (if required) at the AGM. The Committee shall have the power to co-opt further members if they deem it necessary and to fill any vacancy on the committee which may occur during any period between annual general meetings. The posts of Secretary and Treasurer may be held by a single person if necessary. The quorum for the transaction of business at committee meetings shall be two thirds of the total Committee.

7.2 The Committee shall meet at such times and places as it thinks fit when convened by the Executive Officers. At least seven days notice in writing shall be given to each member of the Committee of every meeting of the Committee.

7.3 The chair shall always be taken by the President at meetings of the Committee when he is present, and in his absence the chair will be taken by the Vice-president or a chairman shall be elected by those present at the meeting. The Chairman/ President shall have a casting vote as well as a deliberative vote at all meetings.

7.4 The Committee shall have all administrative and other powers necessary for properly carrying out the objects of the Club and in particular shall have the power:

1. To appoint such sub-committees as it may deem necessary from time to time to assist in carrying out its duties and to delegate all or any of its powers to such subcommittees.
2. to determine all questions or disputes as to the construction and meaning of the constitution or any expressions herein or as to anything done or omitted by any member of the Club.
3. to deal with any matter not provided for in the constitution in such a manner as it thinks fit.
4. to ensure that the Club maintains appropriate and adequate insurance cover for the Club's listed assets, core equipment and public liability for the Club and its Executive Officers.

7.5 A resolution in writing approved and signed by not less than two-thirds of the total members of the committee shall be valid and of the same effect as a resolution of the committee at a duly convened and attended meeting of the committee, and shall accordingly be entered in the minutes.

7.6 The Committee shall fulfil the Club's responsibilities with regard to compliance with Government Health and Safety legislation and other regulatory requirements, as applicable to the Club's non-profit, voluntary and social status.

7.7 In circumstances when the Committee has established a sub-committee with delegated authorities, the Committee shall ensure that such authorities are clearly defined and communicated, and that the Committee applies appropriate governance and supervision of the sub-committee.

8. Patron

8.1 At any Annual General Meeting of the Club a patron may be elected who shall hold the position until the following Annual General Meeting.

8.2 The role of Patron will be honorary and will not carry any management or other responsibilities with regard to the operations of the club.

9. Officers of the club

9.1 The President, Vice-president, Secretary, Treasurer, Club Captain and Committee members shall be elected by ballot at each Annual General Meeting. All shall hold office until the completion of the next Annual General Meeting, apart from the incoming President who will assume the position immediately upon election.

10. Election of committee

10.1 Nominations for officers and Committee shall be called for prior to the Annual General Meeting.

10.2 Nominations for officers and Committee may be lodged with the Secretary prior to the Annual General Meeting as well as from the floor at said meeting. A nominated member is eligible for election after one full year of membership

10.3 Dependent upon the number of nominations for election to the Committee versus the Committee's decision regarding the required number of committee positions, a ballot by show of hands may be held, chaired by the President and supervised by the Vice President, Club Captain and Secretary and Treasurer.

11. President

11.1 The President of the club shall be President/Chairman of the Committee and shall be President/Chairman of the Annual General Meeting and any Special General Meetings.

12. Secretary/Treasurer

12.1 The Secretary/Treasurer shall keep a minute book in which shall be recorded all business transacted at the Annual General Meeting, Special General Meetings and all Committee meetings. The minute book shall be available for inspection of all Committee members at all reasonable times.

12.2 The Secretary/Treasurer shall keep a record of all correspondence received and sent and of all documents relating to the Club's affairs.

12.3 The Secretary/Treasurer shall keep books of 'accounts showing all the income and expenditure of the Club. Such books shall provide full details of the financial position of the Club and shall be balanced from time to time as required by the Committee.

12.4 The Secretary/Treasurer shall pay all monies received to the credit of the Club into a bank account specified by the Committee and shall keep a full record of all receipts and payments.

12.5 The Secretary/Treasurer shall furnish at each Committee meeting a statement of the Club's bank balances and a statement of the Club's operations for such period as the Committee shall require.

12.6 All payments other than those payments made from petty cash shall be made by cheque drawn by the Secretary/Treasurer and signed by any two of the following trustees: the Secretary, the Treasurer, the President and the Vice President. All expenditure must be approved by the Committee.

12.7 The Secretary/Treasurer may hold petty cash to a value set by the Committee.

12.8 The Club's account shall be audited by a member of the New Zealand Society of Accountants who is not a member of the Club and who is appointed by the committee.

12.9 The position(s) of Secretary/Treasurer can be held by a single appointee, or two separate appointees, depending on the decision of the Committee, including the availability of suitable applicants.

13. Income application

13.1 The funds and property of the Club shall be applied solely in furtherance of the objects of the Club.

13.2 The financial year of the Club will end on the 31st day of March of each year.

13.3 The Committee shall have full authority over the keeping of all accounts, issuing cheques, inspection of books and accounts by members and other matters appertaining to the control of the finances of the Club in accordance with Section 12 above.

13.4 The control and investment of the funds of the Club shall be in the hands of the Committee which shall have the necessary powers for the purpose.

13.5 The Club shall have the power to borrow money. All such financial arrangements shall be made solely by authority of the Committee; however, any decisions to borrow monies shall be by a unanimous decision.

14. Annual General Meeting

14.1 The Annual General Meeting of the Club shall be held within two calendar months from and including the 31st day of March in each year.

14.2 The Committee shall fix the date of the Annual General Meeting and the Secretary/Treasurer shall give notice by way of email, text, social media or written form in accordance with this rule of the annual general meeting to each financial member and shall advertise the Annual General Meeting at least once in the Christchurch Press newspaper'

14.3 The quorum for the Annual General Meeting shall be 20 members.

14.4 The Committee shall submit a report on the operations of the Club during the previous financial year, together with an audited statement of income and expenditure and balance sheet, and ballot forms for the election of officers and Committee. The notice of Annual General Meeting and copies of these documents and of the agenda shall be communicated to the last known point of contact of each member at least seven clear days prior to the date of the Annual General Meeting.

14.5 Method of voting: All questions submitted to any Annual General Meeting (or Special General Meeting) of the Club shall be decided by a simple majority (unless otherwise specified) to be determined by a show of hands of eligible members. (See 15.4 below for rules for special ballots, and 15.5 for rules regarding majority approval requirements for special circumstance

resolutions).

14.6 Every member of the Club shall be entitled to one vote and in the case of an equality of votes; the Chairman/President shall have a casting vote in addition to his vote as a member of the Club.

14.7 Any financial members may individually or collectively submit a remit for consideration by all members of the Club at the forthcoming AGM. Such remits must be submitted at least 28 days prior to the AGM. The Committee must review the remit, conduct a vote to take the remit forward to the AGM, and communicate the remit to all members as part of the AGM papers.

14.8 The Executive of the club have the discretion to decide to receive or reject remits submitted later than 28 days prior, or on the floor at the AGM.

15. Special General Meetings

15.1 The Secretary/Treasurer shall call a Special General Meeting of the Club if a resolution of the Committee is passed to that effect or if 25 percent or more financial members requisition in writing a Special General Meeting from the Secretary/Treasurer.

15.2 Notice of the Special General Meeting shall be communicated to the last known point of contact of each financial member at least fourteen clear days prior to the date of the Special General Meeting, and shall state the reason for the Special General Meeting.

15.3 The business of the special general meeting of the club shall normally be conducted by the members present. Because the geographical remoteness of many Club members may prevent their personal participation in Special General Meetings, Committee may, at its discretion, decide to accept postal ballot responses from members.

15.4 Should a postal ballot be decided (see 15.3 above), ballot papers shall be despatched by and returned to the Secretary who shall deliver them unopened to the Committee who shall appoint two scrutineers at the SGM to open them, examine them and report the result to the said special general meeting.

15.5 A majority of three quarters of supporting votes from members present at the meeting, and three quarters of all postal ballots, are necessary for resolutions which would potentially

- (a) Alter the rules or objectives of the club
- (b) Dissolve the club
- (c) Remove any officer of the club or member of the executive committee
- (d) Affiliate the club with any other association, club or body

15.6 For all other resolutions, a simple majority of supporting votes from members present at the

meeting, and for all postal ballots, will apply

15.7 Every member of the Club shall be entitled to one vote and in the case of an equality of votes; the Chairman/President shall have a casting vote in addition to his vote as a member of the Club.

16. Power to purchase, lease or build property

16.1 The Club shall have the power to purchase, take on, lease or otherwise acquire for the purposes of the Club, any buildings or lands or other interest in real property and to sell, lease or, otherwise dispose of or grant rights over any real property belonging to the Club and to purchase or otherwise acquire, erect, maintain, re-construct and adapt any buildings and other things found necessary or convenient for the purposes and objects of the Club.

16.2 Any such proposed commitments pursuant to 16.1 for which the total financial implication for the Club exceeds 50 percent of the Club's financial assets (at the time such a resolution is drafted) shall require the majority approval of the Club via either the Annual General Meeting or a Special General Meeting convened for that purpose.

16.3 The Committee shall have the authority take action /make commitments for which the total financial implication for the Club is less than 50 percent of the Club's financial assets.

17. Incidental

17.1 One hard copy of each Club magazine shall be circulated free to each financial member on publication. Members may choose to receive their copy by email in PDF form.

17.2 The Committee is responsible for maintaining the sustainable operation of the Club magazine including the appointment of the editor, and financial oversight. Any possible major changes to the publishing of the magazine shall be at the discretion of the Committee.

17.3 Trade advertisements in the magazine shall be published at space rates to be determined by the editor and the committee.

18. Alterations of rules

18.1 No alterations, additions, rescissions or substitutions of these rules shall be made unless passed by three-fourths of the members entitled to vote as are present at the Annual General Meeting of the Club, or at a Special General Meeting convened for the purpose.

18.2 No addition to or alteration of the non-profit aims or tax status shall be approved without the notification of Inland Revenue.

18.3 The provisions and effect of this clause shall not be removed from this document and shall be included and implied into any document replacing this document.

18.4 Any changes to the rules approved by a General Meeting will not take effect until the Secretary has filed the changes with the Registrar of Incorporated Societies.

19. Payments to members

19.1 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.

19.2 Any such income paid shall be reasonable and relative to that which would be paid in an arm's length transaction (being the open market value). The provisions and effect of this clause shall not be removed from this document, and shall be included and implied into any document replacing this document.

20. Indemnity

20.1 All officers of the club shall be indemnified by the Club from and against losses and expenses incurred by them in or about the discharge of their respective duties, except such as happen through their own wilful negligence or default.

21. Dissolution

21.1 The Club shall not be wound up except by special resolution passed in accordance with the provisions of section 24 of "The incorporated Societies Act 1908" and if upon the winding up of dissolution of the Club there remains, after satisfaction of all its debts and liabilities, any property whatsoever the same may be disposed of

1: by resolution

2: to some other club or society having objects similar to the objects of the Club, to be determined by the members.

3: No distribution can be made to any individual club member.

22. Common Seal

22.1 The Club shall have a common seal which shall be used in pursuance of such matters as required by law or regulation. Every instrument to which the seal is affixed shall be signed by the Chairperson of the Committee and shall be countersigned by the Secretary.

23. Method of voting to any general meeting of the Club

23.1 All questions submitted to any general meeting of the Club shall be decided by a simple majority (unless otherwise specified) to be determined by a show of hands or a ballot to be conducted in accordance of Rules 15.3, 15.4, 15.5, 15.6 and 15.7 insofar as the same are applicable.

24. Register of Members

24.1 The Club will keep a register of its members containing the names and addresses, postal and electronic, telephone numbers and vehicle details of those members and the dates at which they became members.

25. Privacy

25.1 The Club will comply with the requirements of the Privacy Act 1993 or as required by law. The Club's constitution requires a register of members to be held by the Club. The Club will ensure that information regarding members is retained in safe storage and is not passed onto other individuals or organisations unless by prior consent of the member concerned.


25.2 Members may seek access to personal information held about them by the Club in accordance with the individual rights under the Privacy Act 1993. Members have the right to ask to have incorrect information corrected or deleted.

25.3 To protect privacy, the Executive may ask members to verify their identity as part of any access or correction of information held.

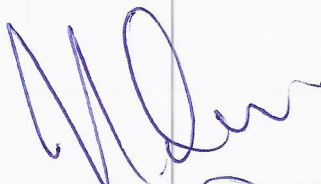
25.4 Members may be removed from any Club mailing list on request.

26. Interpretation of Rules

26.1 If at any time any matters arise which are not provided for in these rules or in the interpretation of these rules, the same will be determined by the Executive Committee whose decision will be final.


Gary Stuart Jackson
President, EMOC.

Rob Donaldson Committee Member



John Quinn
Vice President . C.M.O.C.