



**BOCCIA**  
NEW ZEALAND

**CONSTITUTION OF  
BOCCIA NEW ZEALAND INCORPORATED**

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# THE SOCIETY

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## 1.0 Name:

The name of the society shall be “Boccia New Zealand Incorporated” (“Boccia NZ”).

## 2.0 Registered Office:

The registered office of Boccia NZ shall be at such place as determined by the Management Committee from time to time.

## 3.0 Objects and Powers:

**The objects of Boccia NZ are to:**

- (a) Administer and advance the game of boccia in New Zealand at all levels;
- (b) Promote the growth of boccia amongst those people with a physical disability who wish to participate and compete in the sport of boccia in New Zealand;
- (c) Promote and support the establishment and functioning of boccia clubs in New Zealand;
- (d) Provide opportunities for players and persons in boccia to represent New Zealand in boccia internationally;
- (e) Develop strategic partnerships with individuals and organisations which support people with a physical disability in their participation of boccia in NZ;
- (f) Organise and regulate the conditions and rules for sanctioned boccia tournaments in New Zealand.
- (g) Organise the provision of training and developmental opportunities for coaches, officials and volunteers; and
- (h) Do all such charitable acts, matters and things as in the opinion of Boccia NZ may be incidental or conducive to the furtherance of the foregoing objects.

**The powers of Boccia NZ are to:**

- (a) Manage prudently the financial and administrative affairs of Boccia NZ;
- (b) Organise the raising of monies to finance boccia in New Zealand and support members to international competition(s);
- (c) Purchase, lease, hire or otherwise acquire, may exchange, and may sell, lease or otherwise dispose of property, rights or privileges to further carry out its objects as may seem expedient to sustain and further the charitable purpose of Boccia NZ; and

- (d) Make, alter, rescind or enforce this constitution, and any regulations, rules, policies or procedures for the governance, management and operation of Boccia NZ.

**No private pecuniary profit:**

- (e) All of the assets, income, benefit and advantage must be used to advance the charitable purpose of Boccia NZ;
- (f) None of the assets, income, benefit or advantage of Boccia NZ will be paid or transferred directly or indirectly by way of distribution or otherwise for the private pecuniary profit of any member or anyone associated with a member of Boccia NZ; and
- (g) The provisions and effects of this clause shall not be removed from this document and shall be included and implied in any document replacing this document.

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## **MANAGEMENT OF THE SOCIETY**

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### **4.0 Management Committee:**

Boccia NZ shall have a Management Committee comprising the following positions:

- (a) President;
- (b) Vice-President;
- (c) Secretary-Treasurer; and
- (d) Up to two additional Management Committee members.

The Director of Boccia is an ex-officio member of the Management Committee but with no voting rights.

Only current financial members of Boccia NZ may be committee members. Those elected shall hold office until the next Annual General Meeting.

### **5.0 Election of Committee Members:**

At the Boccia NZ Annual General Meeting, the members will elect, by majority vote:

- (a) The President, Vice-President, and Secretary-Treasurer;
- (b) Up to two additional committee members.

### **6.0 Cessation of Committee Membership:**

Persons cease to be committee members when they resign by giving written notice to the Management Committee or cease to be a member as per clause 16.

## **7.0 Nomination of Committee Members:**

Nominations for positions on the Management Committee shall be called for at least 30 days prior the Annual General Meeting. Each nomination must be signed by the proposer, seconder and nominee.

All nominees must be current financial members of Boccia NZ at the date of closure for nominations. Nominations will close 20 days prior to the Annual General Meeting.

If a position on the Management Committee is or becomes vacant the Management Committee may appoint another Boccia NZ member to fill that vacancy until the next Annual General Meeting.

If any committee member is absent from three consecutive Management Committee meetings without notice or reasonable cause, that person's position will become vacant.

## **8.0 Role of the Management Committee:**

The role of the Management Committee is to:

- (a) Administer, manage and control Boccia NZ;
- (b) Carry out the objects and powers (see clause 3.0) of the Boccia NZ, and use money or other assets to do that;
- (c) Manage Boccia NZ's financial affairs, including approving the annual financial statements for presentation to the members at the Annual General Meetings;
- (d) Employ or contract people to assist in achieving the objects of Boccia NZ.;
- (e) Maintain a website to inform and educate members and the public on boccia in New Zealand
- (f) Set accounting policies in line with generally accepted accounting practice;
- (g) Delegate responsibility and appoint members where necessary;
- (h) Decide the times and dates for meetings, and set the agenda for meetings;
- (i) Decide the procedures for dealing with complaints; and
- (j) To make judgement on situations that arise which are not covered in this Constitution.

Cheques drawn on Boccia NZ's bank accounts will be signed by any two authorised persons from the Management Committee.

The Management Committee may, from time to time, appoint or disband sub-committees or individuals as it may consider expedient for the effective management of Boccia NZ. The Management Committee will delegate and define the powers, duties and reporting of sub-committees or individuals.

## **9.0 Management Committee Meetings:**

A quorum for a Management Committee meeting is a majority of the Management Committee.

Management Committee meetings may be held via tele-conferencing, or other formats as the Management Committee may decide. Only committee members present at a Management Committee, or participating remotely by teleconferencing, may vote at that Management Committee meeting.

The President shall chair Management Committee meetings, or if the President is absent, the Management Committee shall elect a committee member to chair that meeting.

Decisions of the Management Committee shall be decided by majority vote.

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## **SOCIETY MEMBERSHIP**

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### **10.0 Types of Members:**

Membership is open to any individual, group or organisation that desires to be a member of Boccia NZ and shall comprise of different classes of membership being:

- (a) Player: any individual who wishes to play the sport of boccia at sanctioned tournaments;
- (b) Associate: any non-playing individual who wishes to be a member of Boccia NZ;
- (c) Club: any organisation, group or entity established to support playing and associate members who wish to be involved with the sport of boccia; and
- (d) Life member: this may be bestowed on a person in recognition of their service to Boccia NZ. The Management Committee must approve the nomination which will then be tabled at the next Annual General Meeting for ratification by majority vote of the members. Life members shall be exempt from further membership fees

### **11.0 Admission of Members:**

To be considered for membership, a person must:

- (a) Complete the appropriate membership application form;
- (b) Pay the appropriate membership fee; and
- (c) Supply pertinent information the Management Committee requests.

The Management Committee shall have complete discretion to decide whether or not to approve the applicant for membership.

## **12.0 The Register of Members:**

The Management Committee shall keep a register of members, which shall contain the pertinent information requested and the date at which they became a member.

If a member's pertinent information changes, that member shall give the new information to Boccia NZ.

## **13.0 Cessation of Membership:**

Any member of Boccia NZ may resign by giving written notice to the Secretary. The membership of any member may also be terminated by the Management Committee for non-payment of the relevant subscription, subject to clause 18.

## **14.0 Obligations of Members:**

All members will act in accordance with this Constitution to promote the purposes of Boccia NZ and do nothing to bring Boccia NZ into disrepute.

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# **MONEY AND OTHER ASSETS OF THE SOCIETY**

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## **15.0 Use of Money and Other Assets**

Boccia NZ may only use money and other assets if:

- (a) It is for a purpose of Boccia NZ;
- (b) It is not for the sole personal or individual benefit of any member; and
- (c) That use has been approved by either the Management Committee or by majority vote of Boccia NZ.

## **16.0 Membership Fees**

The membership year shall be the same as the financial year. The annual membership fee(s) shall be an amount as determined by an Annual General Meeting of Boccia NZ.

A member must be a current financial member to claim any rights giving by this constitution.

Members joining within 3 months of the end of the financial year will have their membership extended to the end of the following membership year.

If any existing member does not pay their subscription by or on the day of the Annual General Meeting, their membership will end (without being released from obligation of payment of any sums due to Boccia NZ).

Should that member wish to rejoin Boccia NZ, they must do so as per clause 11.



## **17.0 Financial Year**

The financial year of Boccia NZ begins on 1<sup>st</sup> July of every year and ends on 30<sup>th</sup> June of the next year.

## **18.0 Assurance on the Financial Statements**

Boccia NZ shall appoint a qualified person to review the annual financial statements. The reviewer shall conduct an examination with the objective of providing a report that nothing has come to their attention to cause the belief that the financial information is not presented in accordance with good accounting practice. The reviewer must not be a member of the Management Committee, or an employee of Boccia NZ. If Boccia NZ appoints a reviewer who is unable to act, the Management Committee shall appoint a replacement.

The Management Committee is responsible to provide:

- (a) Access to all information of which the Management Committee is aware that is relevant to the preparation of the financial statements such as records, documentation and other matters;
- (b) Additional information that the reviewer may request from the Management Committee for the purpose of the review; and
- (c) Reasonable access to persons within Boccia NZ from whom the reviewer determines it necessary to obtain evidence.

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## **CONDUCT OF MEETINGS**

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### **19.0 Society Meetings**

The Annual General Meeting shall be held once every year upon a date and at a time and place as fixed by the Management Committee.

The business of an Annual General Meeting shall be:

- (a) Receiving any minutes of the previous Boccia NZ's Annual General meeting(s);
- (b) The President's report on the business of Boccia NZ;
- (c) The Treasurer's report on the finances of Boccia NZ, and the Annual Financial Statements;
- (d) Appointment of a reviewer;
- (e) Election of committee members;
- (f) Motions to be considered;
- (g) General business.

Special General Meetings may be called by the Management Committee. The Management Committee must call a Special General Meeting if it receives a written request signed by at least 10 current financial members stating the purposes for which the meeting is required.

The Management Committee shall:

- (a) Give all members at least 14 days written notice of the business to be conducted at any Boccia NZ meeting;
- (b) Additionally, the Secretary will provide, as appropriate:
  - (i) A copy of the President's report on Boccia NZ's operations and of the Annual Financial Statements as approved by the Management Committee;
  - (ii) A list of nominees for the Management Committee, and information about those nominees if it has been provided.
  - (iii) Notice of any motions and the Management Committee's recommendations about those motions;
  - (iv) If the Secretary has sent a notice to all members in good faith, the meeting and its business will not be invalidated simply because one or more members did not receive the notice.

All current financial members may attend and vote at Boccia NZ meetings.

The quorum for any Annual General Meeting will be a majority of the Management Committee.

All Boccia NZ meetings shall be chaired by the President. If the President is absent, Boccia NZ shall elect another member to chair that meeting. Any person chairing a Boccia NZ meeting has a casting vote.

On any given motion at a Boccia NZ meeting, the Chair shall in good faith determine whether to vote by:

- (a) Voices; or
- (b) Show of hands; or
- (c) Secret ballot.

All current financial members shall be entitled to one vote.

A member may appoint another member to be their proxy at a meeting and a member appointing a proxy will be deemed to be in attendance. Members who cannot attend, and who do not wish to appoint a proxy, may vote via a postal vote or an email vote. Proxy appointments and postal or email votes must be in writing and received at least 48 hours before the start time of the meeting.

Where there is an equality of votes, the Chair shall exercise a casting vote in addition to their deliberative vote.

### **Adjourned Meetings:**

If within half an hour after the time appointed for a meeting, a quorum is not present, the meeting, if convened upon requisition of members, shall be dissolved; in any other case it shall stand adjourned to a day, time and place determined by the Chair.

If at such an adjourned meeting a quorum is not present the meeting shall proceed and those that are in attendance will be deemed to be a quorum. No business shall be transacted at any adjourned meeting other than the business notified for the meeting from which the adjournment took place.

## **20.0 Motions at Society's Meetings**

Any member may request that a motion be voted on at a particular Boccia NZ meeting, by giving written notice to the Management Committee at least 20 days before that meeting. The member may also provide information in support of the motion. The Management Committee may in its absolute discretion decide whether or not Boccia NZ will vote on the motion. However, if the member's motion is signed by at least 10 eligible members:

- (a) It must be voted on at the Boccia NZ meeting chosen by the member; and
- (b) The Secretary must give the member's supporting information to all members at least 14 days before the Boccia NZ meeting chosen by the member; or if the Secretary fails to do this, the member has the right to raise the motion at the Boccia NZ Meeting.

The Management Committee may also decide to put forward motions for Boccia NZ to vote on which shall be suitably notified.

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## **COMMON SEAL**

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### **21.0 Common Seal**

Boccia NZ shall have a common seal. The common seal shall be in the custody of the Management Committee and shall be affixed to any document under the authority of Boccia NZ as approved by the Management Committee. Every document to which the common seal is affixed shall be signed by the two members of the Management Committee.

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## **ALTERING THE RULES**

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### **22.0 Altering the Rules**

Boccia NZ may alter or replace these rules at a Boccia NZ meeting by a resolution passed by not less than 75% of the eligible votes present at that meeting (including postal or email votes and proxies).

At least 14 days before the Annual General Meeting at which any rule change is to be considered, the Secretary shall give to all members written notice of the proposed motion, the reasons for the proposal, and any recommendations the Management Committee has.

When a rule change is approved at a Boccia NZ meeting the rule change shall take effect from the end of that meeting.

A copy of the rule change must be been signed by no less than two Management Committee members.

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## **BYLAWS**

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### **23.0 Bylaws to Govern the Society**

The Management Committee may, from time-to-time make, alter or rescind bylaws for the general management of Boccia NZ, so long as these are not in conflict with these rules or legal statutes.

All such bylaws shall be binding on members of Boccia NZ.

A copy of the current bylaws shall be available for inspection by any member on request to the Secretary.

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## **WINDING UP**

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### **24.0 Winding Up**

Boccia NZ may be wound up, if at a General meeting the membership passes a resolution to wind up and the resolution is confirmed by a voting majority of members.

If Boccia NZ is wound up:

- (a) Boccia NZ's debts, costs and liabilities shall be paid; and
- (b) Any surplus money and other assets of Boccia NZ shall be distributed to such New Zealand organisation(s), as decided by a General Meeting, having similar objectives and being a charitable organisation for the purposes of the Inland Revenue Act of New Zealand.

No part of the surplus money or other assets of Boccia NZ shall be paid or transferred directly or indirectly by way of distribution or otherwise for the private pecuniary profit of any member or anyone associated with a member of Boccia NZ.

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## DEFINITIONS

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### 25.0 Definitions and Miscellaneous Matters

In these rules:

- (a) “Majority vote” means a vote made by more than half of the members who are present at a meeting and who are entitled to vote and voting at that meeting upon a resolution put to that meeting;
- (b) “Money or Other Assets” means any real or personal property or any interest therein, owned or controlled to any extent by Boccia NZ;
- (c) “Boccia NZ Meeting” means a general meeting of the membership and includes an Annual General Meeting or Special General Meeting, but not a Management Committee meeting;
- (d) “Use Money or Other Assets” means to use, handle, invest, transfer, give, apply, expend, dispose of, or in any other way deal with, money or other assets;
- (e) “Written Notice” means communication by post, electronic means (including email and website posting), or advertisement in periodicals, or a combination of these methods;
- (f) “Member” means a person whose membership has been approved and whose annual subscription payment is current (except in the case of Life Members where no payment is required);
- (g) “Chair” means the person authorised to be the chairperson of a meeting.
- (h) “Sanctioned Tournament” means a tournament run under the auspices of Boccia NZ;
- (i) It is assumed that:
  - (i) Where a masculine is used, the feminine is included;
  - (ii) Where the singular is used, plural forms of the noun are also inferred; and
  - (iii) Headings are a matter of reference and not a part of the rules.