



## **Constitution of Olympic Weightlifting New Zealand Inc (as at 2nd November 2019)**

### **1. Name**

a) The name of the organisation will be Olympic Weightlifting New Zealand Incorporated.

### **2. Incorporation**

a) Olympic Weightlifting New Zealand will be registered under the Incorporated Societies Act 1908.

### **3. Registered Office**

a) The Registered Office shall be at such place as may be determined from time to time by the Executive Group.

### **4. Interpretation**

a) In this Constitution the following will apply:

- i. OWNZ means Olympic Weightlifting New Zealand Incorporated.
- ii. EG means the Executive Group.
- iii. IWF means the International Weightlifting Federation.
- iv. AGM means the Annual General Meeting.
- v. SDT means the Sports Disputes Tribunal of New Zealand.
- vi. Administrator means the person employed to manage the administration of OWNZ and may refer to an employee with the title General Manager, Sports manager, Administrator, or similar.

### **5. Objects**

a) The objects of OWNZ are:

- i. To promote, encourage, develop and protect the sport in New Zealand.
- ii. To make rules and amendments to this Constitution, where necessary, to ensure uniformity for the control and management of the sport in the best interests of the participants.
- iii. To impose such sanctions as may be necessary to enforce observance of this Constitution and the rules of the sport.
- iv. To adjudicate where matters are referred to the EG
- v. To promote National and International competitions.
- vi. To encourage high performance and excellence at all levels.
- vii. To control the selection of teams to represent New Zealand in this sport.
- viii. To make submissions, from time to time, to National and International bodies relating to the conduct, organisation, and promotion of the sport.
- ix. To discourage and prevent any form of discrimination in the sport in terms of the Olympic Charter.

- x. To discourage and prevent the use of substances and procedures prohibited by national and international bodies.
- xi. To administer the rules and regulations of the International Weightlifting Federation
- xii. To apply the rules of the Eligibility Code of the International Weightlifting Federation for athletes attending Olympic and Commonwealth Games.

## **6. Membership**

- a) Categories of membership:
  - i. Competition members
  - ii. Secondary School members
  - iii. Other members
  - iv. Life members
  - v. Every member of an affiliated association shall by virtue of such membership be a member of OWNZ subject to the payment of appropriate fees.
- b) Competition members:
  - i. All members other than those listed below who wish to actively compete in competitions.
  - ii. This class of membership will receive the Newsletter and will have full voting rights.
- c) Secondary School members:
  - i. All members still at secondary school.
  - ii. This class of membership will receive the Newsletter and will have no voting rights.
- d) Other members:
  - i. All members who wish to hold office either at the provincial or national level or who wish to hold a referee's card or be an accredited coach.
  - ii. Members in this class will receive the Newsletter and will have full voting rights.
- e) Life members:
  - i. Life members shall be nominated for election at the AGM on the recommendation of the EG and by a two-thirds vote of members present or represented by proxy.
  - ii. Recommendation for Life Membership shall be made on the basis of outstanding contribution to the sport.
  - iii. Life members have voting rights and pay no fee.

## **7. Membership Fees**

- a) The membership fee for each class of membership shall be such sum, as the members shall so determine at the AGM.
- b) Membership fees are due in January, at the beginning of each calendar year.
- c) No member shall retain their privileges whose fees are in arrears by greater than six calendar months from the date when the fees are due.
- d) In addition to the fees the AGM may vote to apply a penalty fee if fees are not paid within the period as above.

## **8. Withdrawal, Suspension or Termination of Membership:**

- a) A membership shall be withdrawn, suspended or terminated if the member:

- i. Fails to comply with any of the provisions of this Constitution or Rules of OWNZ.
  - ii. Acts in a manner considered to be injurious or prejudicial to the character or interests of OWNZ.
- b) The membership may be withdrawn, suspended or terminated on a resolution carried by a two thirds majority of votes recorded at an EG meeting called for the purpose.
- c) Reinstatement of Membership:
- i. A member may apply to have membership restored at the end of the period defined or at the discretion of the EG.
- d) Appeal against Withdrawal, Suspension or Termination of Membership:
- ii. A member whose membership has been withdrawn, suspended or terminated may within one month of receiving written notification thereof appeal the decision of the EG to the SDT in accordance with Rule 15.

### **9. Register of Members**

- a) The EG shall cause a Register to be kept in which shall be entered the full name, address and category of membership of all members.
- b) The Register shall be maintained in accordance with the provisions of the Privacy Act 1993.
- c) A separate Register of Life Members (past and present) will be kept and maintained in accordance with the provisions of the Privacy Act 1993.

### **10. Affiliated Associations and Clubs**

- a) Any organisation that accepts the objects of OWNZ may combine to form an affiliated association or club by applying in writing to the EG.
- b) The affiliated association or club may be required to be registered under the Incorporated Societies Act 1908 if it is in their best interests.
- c) Members of such affiliated associations or clubs will be required to be a member of OWNZ and to pay such fees as shall be determined by the AGM (if they fall into one of the membership categories).

### **11. Officers of OWNZ**

- a) The Officers of the Executive Group to be elected by members shall be:
  - i. President
  - ii. Two Vice Presidents
  - iii. Two North Island Delegates
  - iv. Two South Island Delegates
- b) Additional Officers to be appointed by the Executive Group shall be:
  - i. Patron
  - ii. Administrator
  - iii. Treasurer
- c) Election of the Executive Group:
  - i. The President and Vice Presidents shall be elected by OWNZ members.
  - ii. The North Island Delegates shall be elected only by OWNZ members whose main residence is in the North Island of New Zealand. Similarly, the South Island Delegates shall be elected only by OWNZ members whose main residence is in the South Island of New Zealand.

- iii. North Island Delegates do not necessarily have to reside or originate from the North Island. Likewise, South Island Delegates do not have to reside or originate from the South Island.
- iv. Nominations for positions on the Executive Group shall be in writing and must include the name and signature of the candidate, the proposer, and the seconder, all of who must be financial members of OWNZ. The candidates may include a short statement in support of their nomination.
- v. After the closing date for receipt of nominations, the OWNZ website will display the online voting form.
- vi. Voters must print their name on the online voting form and give their OWNZ registration number.
- vii. The election result will be announced at the AGM.
- viii. In the event that there is a vacancy in the Executive Group, and so long that the Executive Group has five or more members, the vacancy will remain unfilled until the next AGM or Special General Meeting. In the event that there are less than five Executive Group Members, the Executive Group may make an interim decision to fill the vacancy by co-opting an Executive Group Member until the next AGM or Special General Meeting. A co-opted Executive Group Member has the right to vote.
- d) Appointment of the Patron, Administrator & Treasurer:
  - i. The Patron shall be appointed by the Executive Group.
  - ii. The Administrator and the Treasurer shall be appointed by the Executive Group. Whether the Administrator and the Treasurer are or are not an Executive Group Member is at the discretion of the Executive Group.
- e) Term of Office:
  - i. The term of office of the elected Executive Group Members shall be two years, expiring on conclusion of the relevant AGM. An Executive Group Member may be re-elected to the Executive Group. The election of Executive Group Members shall be rotated so that three Executive Group Members are elected in one year and four the next year to ensure continuity of some Executive Group Members on the Executive Group.
  - ii. The term of office for the Patron shall be one year, and the Patron can be re-appointed at the end of the term.
  - iii. The term of office of the Administrator shall be one year and the Administrator can be reappointed at the end of the term

## **12. Duties of the Officers**

### **a) President:**

- i. The President shall chair all meetings of the EG and be ex officio on all sub committees.
- ii. The President shall chair all special general meetings of OWNZ.
- iii. As a member of the Executive Group, the President shall have the right to vote at Executive Group Meetings.

### **b) The Vice Presidents:**

- i. In a case where the President is absent, the Executive Group shall appoint one of the Vice Presidents to take the role of the President.
- ii. As members of the Executive Group, the Vice Presidents shall have the right to vote at Executive Group Meetings.

- c) The North Island and South Island Delegates:
  - i. The North Island and South Island Delegates shall act as representatives of their respective Islands.
  - ii. As members of the Executive Group, the North Island and South Island Delegates shall have the right to vote at Executive Group Meetings.
- d) The Patron:
  - i. The Patron shall be entitled to attend and speak at General Meetings but shall have no right to vote.
- e) The Administrator:

Essentially the duties of the Administrator shall be embodied in the job description and will cover all aspects of administration including the following:

1. Keep a record of all meetings of OWNZ.
2. Conduct correspondence on behalf of the EG.
3. Maintain a roll of members.
4. Give notice of meetings.

f) The Treasurer:

- i. Manage the financial affairs of OWNZ.

g) Appointment of an Auditor:

- i. An Auditor shall be appointed at the AGM.
- ii. The Auditor shall be responsible for conducting an audit of the financial affairs of OWNZ.

### **13. The Executive Group**

a) Powers of the EG:

- i. Organise and control competitions.
- ii. Make by-laws, within the framework of this Constitution, for the efficient administration of the sport.
- iii. Withdraw, suspend or terminate membership.
- iv. Make recommendations to the AGM regarding Life Membership.
- v. Establish tribunals, conduct hearings and hear appeals.
- vi. Develop drug testing and other policies and associated disciplinary procedures.
- vii. Assign functions to and /or enter into agreements with other organizations.
- viii. Lend, invest, borrow, raise or secure the payment of money.
- ix. Fund raise by subscription, levies, or donations. Incur liabilities; apply funds to purposes in accord with the Objects.
- x. Enter into or terminate contracts with media, sponsors, agencies and organisations.
- xi. Delegate duties, co-opt or appoint sub committees or individuals.
- xii. Acquire by purchase or lease any property or property rights and to manage, sell, let or exchange or otherwise deal with any property of the organisation.
- xiii. Subscribe to, affiliate to and co-operate with any kindred, including international, organisations.
- xiv. Promote the organisation and its activities in accordance with the Objects.

- xv. To do all such things as are incidental or conducive to the attainment of the Objects and the powers of the organisation.
- xvi. Where not specifically provided for in the Constitution, rules, by-laws or policies agree to refer certain sports related disputes to the SDT as set out in the rules of that Tribunal.

b) Meetings of the EG:

- i. The EG will meet as often as necessary to conduct its business but at least 3 times in a Financial Year at such place and time as shall be decided.
- ii. A meeting of the EG will be convened by the Administrator at the request of the President.
- iii. Written notice of meetings will be given by the Administrator at least 7 days before the meeting. Such notice will set out the agenda for the meeting.
- iv. The quorum for Executive Group meetings will be two-thirds of the current member of executive group members.
- v. Voting at EG meetings will be by simple majority with the President having both a deliberative and a casting vote.
- vi. Any EG member may participate in any meeting of the EG and vote on any proposed resolution at a meeting of the EG without being physically present. This may only occur at meetings by telephone, through video conferencing facilities, or by other means of electronic communication provided that prior notice of the meeting is given to all EG Members and all persons participating in the meeting are able to hear each other effectively and simultaneously. Participation by an EG Member in this manner at a meeting shall constitute the presence of that EG at that meeting.

**14. General Meetings**

a) Annual General Meeting:

- i. The AGM shall be open to all financial members and held within three months of the close of the Financial Year.

b) Notice of Meetings:

- i. The Administrator shall convene all general meetings of OWNZ by giving not less than 30 days notice of any such meeting to the members.
- ii. The manner by which such notice shall be given shall be determined by the EG.
- iii. Notice of a general meeting shall clearly state the nature of the business to be discussed thereat.

c) Chairperson at meetings

- i. The Chairperson shall be the President of OWNZ.
- ii. If the President is unavailable the members shall elect one of the Vice Presidents to preside. If the President and both Vice Presidents are unavailable then the members present shall elect one of their members to be Chairperson for the meeting.

d) Voting at meetings

- i. Unless otherwise provided by these rules, and except for votes to alter these rules, every question, matter or resolution shall be decided by a majority of votes of the members present.
- ii. Every member present and entitled to vote shall be entitled to one vote and in the case of equality of votes the Chairperson shall have a second or casting vote.

- iii. Voting shall be by show of hands unless not less than two thirds of the members present demand a secret ballot. In such a case the Chairperson shall appoint two members to conduct the secret ballot and the result of the ballot as declared by the Chairperson shall be deemed to be the resolution of the meeting.
- iv. A member may vote in person or by proxy for another member.
- v. The instrument for appointing a proxy vote shall be in writing as herein provided:  
I ..... being a member of OWNZ, hereby appoint ..... or alternatively ....., as my proxy to vote for me on my behalf at the AGM of OWNZ, to be held on the date of ..... and at any adjournment thereof.  
Date ..... Signature .....
- vi. The instrument appointing a proxy shall be deposited with the Administrator prior to the commencement of any meeting at which the person named in the instrument proposes to vote.
  - e) Quorum for meetings
    - i. At any general meeting the number required to constitute a quorum shall be 15 financial members.
    - ii. No business shall be transacted unless a quorum of members is present.
    - iii. If a quorum is not present within 30 minutes of the time set down for the start of the meeting, the meeting shall be adjourned and shall be reconvened at such time and place as the members present shall determine.
  - f) Business of the Annual General Meeting
    - i. The business to be transacted at the AGM shall be:
      - (1) Approval of minutes of the previous AGM.
      - (2) The receiving of the reports of the EG.
      - (3) The statement of income and expenditure for the financial year.
      - (4) The election of officers for the EG.
      - (5) The appointment of the auditor.
      - (6) The setting of the annual subscriptions.
      - (7) Amendments to the Constitution.
      - (8) Set honoraria as recommended by the EG.
      - (9) General business
  - g) Special General Meetings
    - i. The Administrator shall convene a Special General Meeting:
      - (1) When directed to by the EG or on requisition in writing signed by not less than 15 financial members of OWNZ. Such requisition shall clearly state the reasons why such a meeting is being convened and the nature of the business to be transacted thereat or
      - (2) On being given notice in writing of an intention to appeal against a decision of the EG.
    - ii. Such meetings shall be called within 10 days of receipt of the requisition.
    - iii. The Chairperson, voting and quorum at Special Meetings shall be as defined in the rule relating to General Meetings of OWNZ.
    - iv. The business of the Special Meeting shall be as stated in the requisition notice and no other business shall be transacted.

#### **15. Appeals to the Sports Disputes Tribunal of New Zealand (SDT)**

- a) Where the EG has made a decision concerning a member and that member is dissatisfied with that decision, the member has a right to appeal the decision to the

SDT. The appeal shall be heard by and determined by the SDT in accordance with the Rules (copies of which are available from OWNZ) and such decision shall be final.

#### **16. By-laws**

a) The EG and the AGM may from time to time make, amend or repeal By-laws and regulations not inconsistent with this Constitution for the internal management of OWNZ and any By-law or regulation may be set aside by a general meeting of members

#### **17. Alteration of the Constitution**

a) Subject to the provisions of the Incorporated Societies Act 1908, this Constitution may be amended rescinded or added to from time to time by a special resolution carried by a two-thirds majority at an AGM.

b) Notice of such resolution shall be circulated to members not less than 14 days prior to the meeting at which such resolution shall be considered.

#### **18. Income, Benefit or Advantage to be Applied to Objects.**

a) Any income, benefit or advantage will be applied to the object of Olympic Weightlifting New Zealand Incorporated.

i. No member of OWNZ or any person associated with a member shall participate in or materially influence any decision made by the Society in respect of any payment to or on behalf of that member or associated person of any income, benefit or advantage whatsoever. 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)

ii. The provision and effect of this clause shall not be removed from this constitution and shall be implied into any document replacing this constitution.

b) Anti-Match Fixing and Sports Betting Policy

i. OWNZ adopts the Anti-Match-Fixing and Sports Betting Policy of Olympic Weightlifting New Zealand (as amended from time to time) in compliance with the New Zealand Policy on Sports Match-Fixing and Related Corruption developed by Sport New Zealand

#### **19. Common Seal**

a) The EG shall provide for a common seal and for its safe custody. The Common Seal shall only be used by the authority of the EG and every instrument to which the seal is affixed shall be signed by a member of the EG and shall be countersigned by a second member of the EG or by some other person appointed by the EG for the purpose.

#### **20. Finances**

a) Audited Accounts

i. As soon as practicable after the end of each financial year the Treasurer shall cause to be prepared a statement containing particulars of:

1. (1) The income and expenditure for the financial year ended
2. (2) The assets and liabilities, charges and securities affecting the property of OWNZ at the close of that year.

ii. All such statements shall be examined by the auditor who shall present a report upon such audit to the Treasurer prior to the holding of the AGM next following the financial year in respect of which such audit was made.

iii. The Financial year of OWNZ shall close at 31 August in each year.

#### **21. Winding up**



a) If upon the winding up or dissolution of OWNZ there remains, after the satisfaction of all its debts and liabilities, any property whatsoever the same shall not be paid to or distributed among the members but shall be given or transferred to some other charitable organisation or body having objects similar to the objects of OWNZ, or for some other charitable purpose within New Zealand.