

CONSTITUTION OF
NEW ZEALAND SCHOOL CYCLING
ASSOCIATION INCORPORATED

Revision dated 1 October 2018

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1.0 Name, Office and Mission

- 1.1 The name of the incorporated society is New Zealand School Cycling Association Incorporated (called "the Association"). The Association may use such trading name as is consistent with its role as a Member Organisation of Cycling New Zealand
- 1.2 The office of the Association will be an address determined by the Executive from time to time.
- 1.3 The Mission of the Association is:
"to promote the enjoyment, participation and competition on bicycles for all school-age children in New Zealand.

2.0 Role of the Association

- 2.1 To promote the enjoyment, participation and competition on bicycles for all school-age children in New Zealand
- 2.2 To create and govern competitive cycling opportunities for School age participants.
- 2.3 To regulate cycling competition between schools and establish fair rules of competition.
- 2.4 To ensure a consistent standard of quality and safety is achieved and to meet the requirements of the New Zealand Secondary Schools Sports Council (called "NZSSSC".)
- 2.5 To hold, approve or endorse:
 - New Zealand Schools Cycling National Championships or Events
 - North and South Island Schools Cycling Championships or EventsTo approve or endorse regional level Schools Cycling events.
- 2.6 To be a Member Organisation of Cycling New Zealand and to comply with the rules of Cycling New Zealand as they affect the Association
- 2.7 To maintain consistency and alignment with the aims of the New Zealand Secondary Schools Sports Council (NZSSSC).

- 2.8 To advocate for the rights and interests of schools cycling at the appropriate levels.

3.0 Principles and Powers

- 3.1 The Association shall in all matters technical, disciplinary and administrative be self-governing.
- 3.2 No Members of the Association shall take any legal action against the Association.

The Association shall have the power to:

- 3.3 Determine, raise and receive money from subscriptions, donations, fees, levies and entry fees or usage charges.
- 3.4 Maintain its status as a Member Organisation of Cycling New Zealand or its successor in title unless maintenance of such status is punitive or not aligned with the mission of the Association.
- 3.5 Conduct an AGM to be held during, or immediately after the New Zealand Schools National Road Cycling Championships or such other date as shall be appropriate to coordinate with the AGM of Cycling New Zealand.
- 3.6 Support and maintain alignment with Drug Free Sport New Zealand
- 3.7 Delegate duties, co-opt or appoint sub-committees or individuals where required
- 3.8 Disseminate private or other information about members with their consent, via written declaration, and subject to the purpose being in accordance with the objects of the Association
- 3.9 Withdraw, suspend or terminate a membership following a resolution passed by a 2/3rds majority of votes at a meeting of the executive, if that member:
- (a) Fails to comply with any provision of this constitution, or
 - (b) Acts in a manner considered to be injurious or prejudicial to the character of interests of the association.
- 3.10 Implement disciplinary rules and procedures that are consistent with the relevant cycling code's Member Organisation's rules and procedures.

3.11 Establish tribunals, conduct hearings and hear appeals.

4.0 Membership

4.1 The following classes of membership will be available:

4.1.1 Voting Members

- School Members (with voting rights and Membership responsibility vested with the School Principal or his/her assigned delegate),
- Executive Members (being the members elected pursuant to Clause 5 of this document.)

4.1.2 Non voting Members

- Individual Members
- Life Members.

4.2 School and Individual Membership is gained by application to the Association and payment of the annual membership fee

4.3 School Membership is open to all New Zealand domiciled schools.

4.4 The Principal from each Member School is the Representative of that school at all times, unless an assigned delegate is substituted (this notified in writing to the Association).

4.5 For any school to be eligible to participate in any of the Association endorsed events membership fees must be paid in full prior to the start of the relevant event

4.6 Membership of any school to the Association may be suspended or terminated following a resolution passed by a 2/3 majority at the AGM of the Association or any SGM of the Association called by the Executive of the Association.

4.7 Individual Membership is open to all full time students of New Zealand domiciled schools who are approved by their school as individual members.

4.8 Life Members shall be appointed by nomination by two School Members and resolution passed at the AGM of the Association by a 2/3 majority.

4.9 Life Members may attend all of the Association events, attend (at their cost), and speak at General meetings

4.10 Resignation from the Association shall be effected in writing to the Chairperson and/or Secretary

5.0 Executive Committee

5.1 The Executive shall comprise a Patron and seven representatives from the following regions: (These regions consistent with those defined by the NZSSSC and as understood by Regional Sport Trusts)

- Auckland/Northland
- Waikato/Bay of Plenty
- West Coast North Island encompassing Taranaki, Wanganui, Manawatu
- East Coast North Island encompassing Gisborne, Hawkes Bay Wairarapa and Wellington
- Tasman encompassing Nelson and Marlborough
- Canterbury Central encompassing Christchurch, Kaikoura, West Coast and Aoraki
- Dunedin South encompassing Otago and Southland

5.2 Each region shall elect its representative from the members in its area, prior to the AGM of the Association. The Regional representatives must reside in the region they represent. This nomination should be completed and notification sent to the association 14 days prior to the AGM of the Association

5.3 If the region has an existing regional structure then it shall be their responsibility to conduct an election. The election method shall be on such terms as approved by the Executive.

5.4 If a region does not have an existing regional structure then the Executive shall supply all information regarding the position to all school members in the area. The Executive shall select a returning officer who will oversee the election.

5.5 Nomination papers and voting results shall be supplied to the Association 14 days prior to the AGM of the Association.

5.6 Nominations for the position of Patron shall be received 14 days before the date of the AGM of the Association and this position voted on at the AGM of the Association

- 5.7 All nominations to the NZSCA Executive shall be prepared to provide an acceptable NZ Police Vetting result as part of their nomination confirmation.
- 5.8 The newly formed Executive shall elect a Chairperson and up to 2 Deputy Chairpersons Secretary and Treasurer immediately after the AGM of the Association. The Chairperson and up to 2 Deputy Chairpersons must be regional representatives. The Executive shall have the power to co-opt on to the Executive as Secretary and Treasurer any other person/s it sees fit to fill that role/s, from time to time, and for any period. Such member/s shall not hold voting rights as member/s of the Executive but is included for the purposes of quorum.
- 5.9 As the need arises the Executive can using email voting as directed by the Chairperson.
- 5.10 The Executive shall report to, and take direction from, School Members attending the AGM of the Association.
- 5.11 The executive will hold a minimum of 4 meetings each year.
- 5.12 Prohibition on personal benefits.

No executive member of the Association may participate in or materially influence any decision of the Association in respect of payment to or on behalf of that person or member of any income, benefit or advantage. Any such income paid or benefit or advantage conferred must be reasonable and relative to that which would be received in an arms length transaction. (being the open market value) This rule and its effect must not be removed from this constitution and must be included in any alteration, addition to or revision to this constitution.

- 5.13 The quorum for any Executive meeting shall be four.
- 5.14 Setting and amendments of the rules or bylaws shall be determined by a 2/3 majority of the full executive. Electronic and postal votes will be allowed.

6 Sub Committees

- 6.1 The Executive shall have the power to co-opt on to the Executive as members any other person/s it sees fit to fill a particular role, from time to time, and for any period. Such members shall not hold voting rights as members of the Executive.

- 6.2 Formal Sub Committees shall be set up by the Executive immediately after the AGM as follows, each chaired by an Executive member.
- (a) Event Management - comprising four members who provide sport specialist expertise.
 - (b) Technical Panel- comprising three members who provide sport specialist expertise.
 - (c) Disputes Panel – comprising three members

7.0 Sub Committee Responsibilities

7.1 Event Management Committee:

- In collaboration with Cycling New Zealand to prepare, distribute, receive and analyse tender documents for the running of events and make endorsement recommendations to Cycling New Zealand and the New Zealand Secondary Schools Sports Council.
- To liaise with the designated event management team of the Association's sanctioned events to ensure quality and guidance and to maintain overall governance of that event.
- To provide guidelines for safety and designated areas of responsibility.
- To liaise with Cycling New Zealand Member Organisations in the area of sport specialist advice and guidance to assist with the delivery of recreational and competitive Schools Cycling events (ie: MTBNZ, BMXNZ, Cycling New Zealand Road and Track)

7.2 Technical Panel:

- To make available and enforce consistent rules for all of the Association's events. To make directives and answer queries as required.

7.3 Disputes Panel:

- To provide a disputes process to the Association's entire event organisers to be utilised for any endorsed event. In the event that a resolution is not achieved at the event, to act as the convening body for resolving the matter. If resolution is not achieved at this level then to pass the matter onto the Sports Tribunal if it has the jurisdiction to deal with it.
- The panel has the right to provide sanctions, guided by those described in the UCI regulations.

8.0 Annual General Meeting (called "the AGM of the Association")

- 8.1 The AGM of the Association will be held during, or immediately after the New Zealand Schools National Road Cycling Championships or such

other date as shall be appropriate to coordinate with the AGM of Cycling New Zealand.

- 8.2 Notification of the AGM of the Association shall be issued by post or email to all School Members and the Executive no later than 28 days before the AGM of the Association. School members shall also be notified of their requirement to elect their area representative
- 8.3 The minimum number of people required so that an AGM of the Association can proceed to lawfully conduct business is four members of the Executive and four Principals (or their assigned delegate) of financial School Members
- 8.4 All business for the AGM of the Association shall be received in writing by the Secretary no later than 14 days before the date of the AGM
- 8.5 The Principal (or his/her assigned delegate) of a Member School can attend and shall have one vote at the AGM of the Association. Other Member School representatives may attend the AGM of the Association at the discretion of the Executive as visitors but will not have speaking rights unless so allowed by the Chairperson.
- 8.6 Members of the Executive shall each have one vote at the AGM of the Association.
- 8.7 All voting will be cast by either voice, show of hands, secret ballot or through an electronic presence at the AGM of the Association. The Chairperson shall have a deliberative and casting vote. Electronic votes will be allowed.
- 8.8 Amendments to the Constitution of the Association shall require either a 2/3 majority of those present and entitled to vote at an AGM or SGM of the Association.
- 8.9 A scrutineer shall be appointed where a secret ballot is conducted at an AGM of the Association.
- 8.10 Setting of any membership fees or levies shall be undertaken at an AGM of the Association

9.0 Special General Meetings (called “the SGM of the Association”)

- 9.1 A SGM of the Association may be convened following a resolution of the Executive or at the request of the Chairperson or any three other Executive Members
- 9.2 The request shall state the purpose for which the SGM of the Association is called and no other business shall be considered at the meeting
- 9.3 The procedure for a SGM of the Association shall, as far as applicable, follow that of the AGM of the Association
- 9.4 Written notice of the SGM of the Association including time, venue and business to be transacted, shall be forwarded to Life Members, Executive Members and School Members at least seven (7) days prior to the meeting

10.0 Finances and Common Seal

- 10.1 The Treasurer shall be responsible for the financial affairs of the Association and present the annual accounts to the AGM of the Association in an acceptable form. Accounts are not required to be audited.
- 10.2 The Common Seal is to be kept in the hands of the Secretary and only to be affixed to a document by a resolution by the Executive and witnessed by the Chairperson and Secretary


11 Indemnity

- 11.1 Indemnity: The Association shall indemnify its Executive and other officers and employees against all damages (including legal costs) for which they may become liable as a result of their acts or omissions on behalf of the Association except as a result of their negligence or willful misconduct

12.0 Dissolution of the Association

- 12.1 The Association (as an incorporated society) shall be wound-up in accordance with the Incorporated Societies Act 1908.
- 12.2 On a winding up, the assets of the Association remaining after payment of all its liabilities will be disposed of in such manner as passed by resolution at a SGM of the Association convened for the purpose of winding up the Association
- 12.3 No individual, whether associated with the Executive or any Member may participate in any surplus arising from a winding up.

We, the undersigned members of the New Zealand Schools Cycling Association Incorporated, certify that the aforementioned Rules of the Society were approved by a 2/3 majority or more vote of the membership at the Annual General Meeting of the Society held on 1st October 2018.


B. D. Gilbertoo



Kevin Searle

Chairman



Marie Laycock
Secretary

