

CONSTITUTION

of the

NEW ZEALAND ORIENTEERING FEDERATION

**AMENDED RULES AS APPROVED AT THE 9 APRIL 2004 ANNUAL GENERAL MEETING
OF THE NEW ZEALAND ORIENTEERING FEDERATION (INC)**

THESE RULES RESCIND ALL PREVIOUS RULES

1. NAME

The name of the Federation shall be the New Zealand Orienteering Federation Incorporated.

2. OBJECTS

The objects of the Federation shall be:

- a) the promotion and encouragement of orienteering in New Zealand;
- b) the governing of the sport of orienteering in New Zealand;
- c) the conduct of competitions and championships at National, Area or Club level and the formulation of rules and standards for such competitions and championships;
- d) to affiliate with any International or National Association with a view to furthering the sport of Orienteering pursuant to these objects;
- e) to act as Representative Body for all member clubs in New Zealand, in all dealings with individuals, government or corporate bodies in New Zealand or overseas;
- f) to control, administer and manage its property funds and affairs;
- g) to carry out any other object which may seem to the Federation capable of being conveniently carried on in connection with the above objects or calculated directly or indirectly to advance the objects of the Federation or any of them.

3. POWERS

The powers of the Federation shall be:

GENERAL POWERS

- a) to purchase, lease, possess or occupy any real property or chattels;
- b) to engage in any business or transaction;
- c) to enter into any arrangement with or to obtain any rights, privileges or concessions from any government, local or community authorities;
- d) to acquire, hire, operate and maintain any means of transportation for people or goods and to charge for its use;
- e) to enter into contracts of employment or service with any person or society or corporation and to pay for services rendered;
- f) to lend money to any person, society or corporation on such terms as it thinks fit

NZOF CONSTITUTION

- g) and to guarantee the performance of contracts by any such persons;
to borrow from any person, society or corporation any sum of money on any security and generally on such terms as to rate of interest or otherwise as the Federation thinks fit;
- h) to invest in any securities in which trust funds may be invested by trustees in accordance with the Trustee Act 1956 or any legislation amending or replacing that Act;
- i) to draw, make, accept, endorse, discount, execute and issue promissory notes, bills of exchange, bills of lading, warrants, debentures and other negotiable or transferable instruments;
- j) to promote orienteering and in particular, but not so as to limit the generality of this power, to advertise in the press, by circulars, by publication of books, periodicals, brochures, maps and any printed and illustrative material and by contributions to the press, periodicals and books, and also by films or videos and any other means;
- k) to print, publish, distribute and sell any books, articles, research, monographs, pictures, photographs, maps and any other works upon such terms and conditions agreed with the authors at the discretion of the Federation;
- l) to make such charges for admission to property held by the Federation and to exhibitions, displays, lectures, films and other education's services arranged by the Federation may deem reasonable;
- m) to pay all or any of the expenses incurred and in connection with the incorporation and administration of the Federation and its Executive Committee, Council and General Meetings;
- n) to adopt and apply any regulations, bylaws, policies and codes (including an Anti-Doping Code and a Selection Policy for national representation) as the Federation determines;
- o) to appoint sub-committees of any nature to consider anything and to report back with recommendations;
- p) to appoint managers, agents and attorneys in New Zealand or in any part of the world for all or any of the purposes of the Federation and to remunerate such agents for their services by salary or commission and to act as agents or managers or to accept the agency for any person, body or society, whether incorporated or not, in such terms as the Federation thinks fit;
- q) to apply the assets and income of the Federation however derived towards all or any of the objects and purposes as the Federation thinks fit;
- r) to do all or any of the above things as principals, agents, contractors, trustees or otherwise and by or through agents, trustees or otherwise and either alone or in conjunction with others;
- s) to do all such other things as in the opinion of the Federation may be incidental or conducive to the attainment of any of the foregoing objects or the exercise of any of the foregoing powers;
- t) the objects and powers set out in these Rules shall not, except where the context expressly requires, be in any way limited or restricted by reference to or inference from the terms of any other of the Rules and none of the objects and powers shall be deemed subsidiary or ancillary to any other EXCEPT THAT the exercise of any of the powers or authorities in these Rules shall only be in pursuant of the objects set out in Paragraph 2;
- u) the Federation may, by decision of a Council Meeting, delegate all or any of its powers to the Executive Committee with limits or directions as the meeting sees fit;
- v) to refer matters of national significance, disputes and other cases to the Sports Disputes Tribunal of New Zealand to be determined in accordance with its Rules.

4. MANAGEMENT

- a) The affairs of the Federation shall be conducted by a Council which consists of the President, Vice-President, General Manager and one representative from each of the four areas - Auckland, Central Districts, Wellington and the South Island.
- b) The members of the Executive Committee shall consist of the President, Vice-President and General Manager.
- c) The Council shall appoint the General Manager for a term of two years, who is responsible for administering the affairs of the Federation.
- d) The members of the Council shall be elected annually excluding the General Manager - the President, and Vice-President by the Annual General Meeting of the Federation, and the Area Representatives by the clubs in their respective area.

Nominations for President and Vice-President are to reach the General Manager no later than six weeks prior to the date of the Annual General Meeting. If there are no written nominations for any appointment, nominations for that appointment may be accepted from the floor at the Annual General Meeting.

If any vacancy occurs for the position of President or Vice-President the Council shall have the power to fill the post until the next General Meeting, which shall elect a member to fill the post until the next Annual General Meeting. All Council members shall be financial members of clubs duly affiliated to the New Zealand Orienteering Federation and must have indicated their agreement to the nomination.
- e) The Executive Committee shall communicate as required to carry out the day to day business of the Federation
- f) The Council shall meet and act as required for the efficient conduct of the Federation's business, but in any event not less than once a year. Meetings shall be open to all members as observers unless the Council resolves otherwise for any particular meeting or discussion. All decisions shall be made by simple majority vote. An appropriate officer shall maintain a minute book and record in it the business of all Council meetings, and the names of those present;
- g) The Council shall adopt and apply any regulations, bylaws, policies and codes (including an Anti-Doping Code and a Selection Policy for national representation) as it determines;
- h) A quorum of the Executive Committee shall consist of all three members.
- i) A quorum of the Council shall consist of five members.
- j) Fourteen days notice of Executive Committee Meetings and of Council Meetings shall be given to the appointed officers of the NZOF and to all affiliated clubs. Such notice shall, as far as possible, set out all business to be transacted at the meeting.
- k) Area Representatives shall liaise with the clubs in their area and/or area Association.

5. MEMBERSHIP

- a) All financial members of clubs affiliated to the Federation, are members of the Federation. Groups or organisations having institutional membership of a club count as one financial member of the Federation.

NZOF CONSTITUTION

- b) Clubs applying to become affiliated to the Federation shall apply to the General Manager and provide such information as the Council may request. The application will be placed before the next General Meeting, which if the application is acceptable, will affiliate the club subject to payment of the affiliation fees for that year.
- c) Each affiliated club shall submit to the General Manager of the Federation the names of all financial members of that club, together with such affiliation fees as shall be fixed by the Federation at a General Meeting.
- d) Any club may disaffiliate from the Federation by giving to the General Manager not less than one calendar month's notice to that effect and by paying any debt or liability due from that club to the Federation.
- e) Honorary Life Membership may be conferred upon any person who has given outstanding service to Orienteering. Such membership must be recommended by the Council and approved at a General Meeting.

6. AREA ASSOCIATIONS

Clubs may form Area Associations for the purpose of:

- a) arranging Area Competitions;
- b) communicating between clubs in that area;
- c) communicating between clubs and the Council;
- d) coordinating orienteering in their area.

7. GENERAL MEETINGS

- a) The Annual General Meeting, which shall consist of the Council plus one representative of each affiliated club, shall be held no later than the last day of April in each year, on a date to be determined by the Council. The business of the Annual General Meeting shall be:
 - i. to consider and approve the minutes of the previous Annual General Meeting;
 - ii. to receive the President's report on activities of the Federation during the previous year;
 - iii. to receive the Financial Report and the Financial Statements at the balance date of 31 December of the previous year. These accounts shall be subject to independent audit before the Annual General Meeting;
 - iv. to elect the President, and Vice-President;
 - v. to appoint an honorary auditor and an honorary solicitor;
 - vi. to consider any amendment to this constitution;
 - vii. to determine the affiliation fees and event levies;
 - viii. to accept new clubs;
 - ix. to consider and decide any other matter properly brought before the meeting.
- b) The General Manager of the Federation shall, not less than six (6) weeks before any Annual General Meeting, send to the Secretary of each club a notice stating the day, place and hour of the meeting and the business to be transacted at the meeting.
- c) Notice of resolution (remit) for the Annual General Meeting shall be sent to the General Manager (who shall forward the resolution to all clubs within one week of receipt) by the proposer at least twelve (12) weeks prior to the Annual General Meeting. The notice shall contain the text of the remit and the reasons for the proposal contained within the resolution. Such remits shall be proposed by either a club or the Council.

NZOF CONSTITUTION

- d) The Council may at any time call a Special General Meeting for any purpose. On receiving a written requisition from at least 25% of affiliated clubs setting out the resolution or resolutions to be considered by a General Meeting, the Council shall convene a Special General Meeting to be held within twelve (12) weeks of receipt of the requisition.
- e) Procedure at General Meetings:
- i. the chair shall be taken by the President or in the President's absence by the Vice-President. If neither the President nor the Vice-President are available to take the chair, then the chair shall be taken by some other member chosen by the meeting;
 - ii. at all General Meetings each club shall be allowed one vote for every financial member as at 31 December of the previous year.
 - iii. all votes due to one club shall be exercised by one representative. A representative may apportion votes between affirming and negating a resolution (motion). Each club may appoint a member of another club or a member of the Council to cast its vote or votes by proxy. Such proxy shall be in writing and be given to the chair before the meeting. All resolutions other than those under Rule 10 shall be passed by a simple majority of votes. In the case of equality of votes the chair shall have a casting vote.
 - iv. an appropriate officer shall maintain a minute book and record in it the business of all General Meetings and the names and clubs of those present;
 - v. the quorum shall be representatives of one half of the duly affiliated clubs;
 - vi. voting shall be by voice, but if any representative desires the chair shall call for a vote by a show of hands or by a secret ballot;
 - vii. the chair's decision on points of order and queries of voting rights shall be final.

8. FINANCE

The Federation shall operate a Bank Account and all monies paid to the Federation shall be deposited into that Bank Account. All monies paid by the Federation shall be by cheques or bank transfers on that Bank Account. All cheques shall be signed by the General Manager and one of the President, Vice-President or designated Council member. In exceptional circumstances any two of the President, Vice-President or designated Council member may jointly be the signatories. All payments must be approved and minuted by the Council.

9. RULES OF COMPETITIONS AND BY-LAWS

The Council shall be empowered to publish and enforce such Rules of Competition Regulations, By-Laws, Policies and Codes as they feel will be beneficial to the affairs of the Federation. A Council meeting must approve new or altered Rules of Competition and any By-Laws before they become operative.

10. ALTERATIONS TO THE CONSTITUTION

- a) These Rules may be rescinded, altered or added to by a resolution by two-thirds majority vote at an Annual General Meeting;
- b) Any proposed rescission, alteration or addition to the constitution shall be proposed in writing to the General Manager at least twelve (12) weeks before a General Meeting and the proposed amendments shall be forwarded to all clubs within one week of receipt.

NZOF CONSTITUTION

11. COMMON SEAL

The Common Seal of the Federation shall be kept by the General Manager, and used by the General Manager when required in consequence of a resolution by Council or General Meeting.

12. DISCIPLINARY POWERS

- a) The Council shall be empowered:
- i. to enquire into any general or specific matters of conduct or discipline affecting Orienteering, including but not limited to the enforcement of any Rule, regulation, by-law, policy and code;
 - ii. to discipline affiliated clubs and members of such clubs;
 - iii. to hear and determine any disciplinary charges against an affiliated club or members of such club;
 - iv. to decide what action or penalty is appropriate following any such enquiry, hearing or determination.
- b) The disciplinary powers of the NZOF Anti-Doping Code (including amendments) shall be incorporated into the NZOF Constitution.
- c) Subject always to the greater range and term of penalties that may be available under the NZOF Anti-Doping Code, any individual may be given all or any of the following penalties, with or without conditions:
- i. reprimand;
 - ii. suspension for a period not exceeding one year;
 - iii. expulsion from the Federation;
 - iv. ban from participating in competition, training or other Orienteering events of the Federation or any affiliated club or Group;
 - v. fine not exceeding \$200.00;
 - vi. payment of costs involved in the enquiry or hearing not exceeding \$300.00.
- d) Any affiliated club, including groups or organisations with institutional membership of that club, may be given all or any of the following penalties, with or without conditions:
- i. reprimand;
 - ii. suspension for a period not exceeding one year;
 - iii. disaffiliation of it and all its members from the Federation;
 - iv. fine not exceeding \$500.00;
 - v. payment of costs involved in the enquiry or hearing not exceeding \$700.00.
- e) Any individual or affiliated club may appeal a decision of the Council made under this Rule 12 to the Sports Disputes Tribunal of New Zealand.

An appeal to the Sports Disputes Tribunal of New Zealand may only be made on one or more of the following grounds:

- i. that natural justice was denied;
- ii. that the Council acted outside of its power and/or jurisdiction (ie acted ultra vires);
- iii. that substantially new evidence has become available after the decision, which is being appealed, was made;

NZOF CONSTITUTION

- iv. in respect of a penalty, that the penalty was either excessive or inappropriate.

Any such appeal should be filed within ten working days from the date the appellant was notified of the decision of the Council and in all other respects shall be in accordance with the Rules of the Sports Disputes Tribunal of New Zealand.

The decision of the Sports Disputes Tribunal of New Zealand shall be final and there shall be no further right of appeal.

13. DISSOLUTION

In the event of the Dissolution of the Federation, any assets shall be disposed of in accordance with the directions of any General Meeting of the Federation. However, in no circumstances shall any assets be distributed amongst individual members of the Federation in any manner whatsoever, except for valuable consideration.