

New Zealand Shooting Federation Incorporated.
CONSTITUTION - September 2009

1 TITLE

The name of the Society shall be the "New Zealand Shooting Federation Incorporated".

2 INTERPRETATION

Throughout these rules, save where inconsistent with the context:

2.1 "Federation" shall mean the New Zealand Shooting Federation Incorporated.

2.2 "Executive" shall mean the President and Vice President of the Federation, and the Delegates appointed by the Members consistent with Clause 5.1 of these rules.

2.3 "Committee" shall mean any committee or sub-committee as defined in Clause 6 of these Rules which is set up by the Executive with the express purpose of performing duties for or on behalf of the Executive.

2.4 "Member" is defined as any body meeting the criteria set out in Clause 4.1 and which has applied and been accepted for Membership of the Federation in accordance with Clause 4.3 of these Rules.

2.5 "Associate Member" is defined as any organisation meeting the criteria as set out in Clause 4.2 and which has applied and been accepted for Membership of the Federation in accordance with Clause 4.3 of these Rules.

2.6 "Delegate" is defined as a person appointed by a Member to be their representative on the Executive or at General Meetings of the Federation.

2.7 "Remit" is defined as a proposal placed before a General Meeting with the intention of changing the Constitution of the Federation.

2.8 "Notice Of Motion" is defined as an expression of intention to direct, or cause, a course of action to be taken.

2.9 "Balance Date" and "End Of Year" shall mean the end of the financial year of the Federation and shall be determined as the 30th June in each year.

2.10 "ISSF" shall mean the International Shooting Sport Federation, the governing body for target shooting sports included in the Olympic Games programme.

2.11 "SPARC" shall mean the Crown agency Sport & Recreation New Zealand.

2.12 The "Officers of the Federation" shall consist of the President, Vice-President, Treasurer, and the administrative employee as per Clause 5.3 of these rules.

3 OBJECTS

The objects for which the Federation is established are:

3.1 To promote and encourage all forms of safe sporting shooting activity in New Zealand.

3.2 To conduct, promote or assist with the operation of international ISSF competitions held in New Zealand.

- 3.3 To provide the machinery and organisation for consultation between societies, clubs, associations and individuals in all forms of shooting sports.
- 3.4 To assess, approve and/or select athletes and officials for the Olympic Games, Commonwealth Games, ISSF World Championships, ISSF World Cups and any other International Competitions that require the sanction of the Federation.
- 3.5 To seek and maintain affiliation to the New Zealand Olympic Committee Incorporated, the ISSF, and to such other organisations as the Federation considers in the best interests of the Members.
- 3.6 To consider and bring to the notice of any constituted body or authority, such matters as may be deemed to affect the welfare or interests of Members or the advancement of Federation objects.
- 3.7 To purchase, lease or otherwise acquire for the purposes of achieving the objects of the Federation any property, and to sell, demise, let, mortgage or dispose of the same or any part thereof.
- 3.8 To contract such people or organisations as seen fit by the Executive to perform duties for or on behalf of the Federation.
- 3.9 To do such thing or things (not being unlawful or inconsistent with these rules or of the Incorporated Societies Act 1908) as in the opinion of the Executive would further the interests of Members
- 3.10 To ensure effective communication between the Executive, Members and athletes of, or prospective athletes of, Federation teams is maintained and as necessary provide advocacy on behalf of such athletes on matters of administration and management.

4 MEMBERSHIP

- 4.1 Ordinary Membership may be granted to any National organisation, whether society, association or Federation (hereinafter referred to as Associations) whose principal interests relate to firearms use and ownership for sport and recreational purposes and whose objects are akin to those of the Federation, which can demonstrate to the satisfaction of the Federation that it is the recognised National Body for its specific activities and which holds championships which are generally recognised as being the National Championship event for its Members. Members will be classified as "A Members" if they are entitled to participate in Olympic Games, Commonwealth Games and ISSF World Championships. All other Members will be classified as "B Members".
- 4.2 Associate Membership may be granted to any trade organisation, company, statutory body, research or other organisation whose activities relate to those of the Federation or whose products relate to firearms activity and / or ownership. Associate Members shall have the right to speak at any General Meeting but shall not have the right to vote.
- 4.3 Any organisation wishing to apply for Membership shall forward to the Federation its constitution and bylaws, and shall furnish such other information as may be requested. The Executive shall not require a reason for not approving an application and shall decide the terms and conditions on which Membership is granted provided that such terms and conditions are not inconsistent with these rules.
- 4.4 Any Member or Associate Member may resign from the Federation by giving three months notice in writing of its intention so to do, but shall be liable to pay all subscriptions and levies for the current year.

4.5 The Executive may by resolution suspend from Membership any Member or Associate Member that in the opinion of the Executive has acted in contravention of Federation rules or policy or has acted in a manner that would bring disrepute to the Federation or its Members.

4.6 The Member or Associate Member so suspended shall have the right of appeal to a Special General Meeting of the Federation called under Clause 8.5, expressly for that purpose. Notices of appeal must be in the hands of the Federation within thirty days of the written notification of the suspension or expulsion being given to that Member or Associate Member. Any notice of appeal must be accompanied by a Bond of \$NZ500.00 that shall be forfeited at the option of the Federation in the event that the appeal is unsuccessful.

4.7 Any resolution to suspend or expel a Member on appeal to a Special General Meeting of the Federation must be passed by a majority of two thirds of Members of those bodies present and voting.

5 MANAGEMENT

5.1 The management of the Federation shall be vested in the Executive. Each Member shall be entitled to appoint one Delegate to the Executive. All notices of appointment or withdrawal of Delegates to the Federation must be in writing and shall take effect on receipt by the Federation. The Treasurer shall be an ex officio Member of the Executive.

5.2 The Executive shall implement the policy of the Federation.

5.3 The Executive may employ a person who in consultation with the President, or in his absence the Vice President, shall be responsible for the day to day administration of the Federation and perform such duties as may be decided by the Executive, subject to the terms of the employment contract. Such person shall not be eligible to stand for any elective position on the Executive or to be a Delegate.

5.4 The management of Federation activities relating to Committees as defined in Clause 6 of these rules shall be vested in the Committees appointed for that purpose by the Executive. Committees shall manage within Federation policy and according to the approved Strategic and Business Plans.

5.5 Any proposed decision or resolution of a Committee that may be contrary to the Constitution, or Policy, of the Federation or the purview of another Committee, shall be referred to the Executive for confirmation or such other action as may be appropriate, before becoming Federation policy or action.

5.6 At any meeting of the Executive or Committees, more than fifty per cent of the committee Membership must be present to form a quorum. At any meeting of the Executive, the President shall chair the meeting. In the event of the President being absent, the Vice President shall act. At Committee meetings, the elected chairpersons shall so act, while in the absence of the Committee chairpersons, those present at the Committee meeting shall elect a chairperson.

5.7 The President of the Federation shall ex officio be a Member of all Committees.

5.8 Members whose Delegate is unable to attend an Executive meeting shall be entitled to be represented by a proxy. Notice of proxy must be provided in writing to the Federation prior to the meeting. A proxy may only be vested in a person affiliated to the Member association and they must be present at the meeting to cast a vote. A Delegate for one Member may not hold a proxy for another Member.

5.9 A copy of the proceedings of all Executive and Committee meetings shall be sent to each Member of the Executive and to each Member, while each Committee Member shall receive a copy of the proceedings of that Committee.

5.10 A minimum of twenty-one days notice of Executive meetings shall be given to Members of the Executive, Committee Members, and to Members. Notice shall be deemed to have been given when delivered by post or electronic mail. Meetings of the Executive and of Committees shall be held as considered necessary by the respective Chairpersons.

5.11 Except to decide matters of policy or to change these rules, the President or Committee chairpersons may, in lieu of calling a formal meeting, seek the opinion of Members by circular letter, electronic mail, conference telephone call or any other means of communication, and act in accordance with the general views obtained, provided such opinion is supported by a majority of the Members. Such action shall be formally ratified and minuted at the next meeting of Executive or the Committee concerned.

5.12 The Executive may by resolution Delegate to any committee or sub-committee such of its powers and functions, as it thinks fit, provided that such delegation is in accordance with these rules.

5.13 Subject to the rights and procedures set out in these rules to deal with discipline and disputes the Executive may in its discretion agree to defer certain sports related matters to the Sports Disputes Tribunal of New Zealand as set in rules of that Tribunal.

6 COMMITTEES

6.1 The Federation may convene and operate any Committee as the Executive may from time to time see fit.

7 LIFE MEMBERSHIP

7.1 Any person who has rendered outstanding service to the Federation may be appointed an Honorary Life Member of the Executive upon the recommendation of the Executive to an Annual General Meeting of the Federation. Such a resolution must be passed by a majority of two thirds of those Delegates present.

7.2 Nominations for Honorary Life Membership shall be forwarded to the Federation not later than 30th June, and be accompanied by a supporting history of the nominee. These details shall be forwarded to Members and Delegates not less than twenty-one days prior to the Annual General Meeting of the Federation.

7.3 Honorary Life Members shall have the right to attend all meetings of the Federation. They shall have the right to speak but shall not have the right to vote.

8 GENERAL MEETINGS.

8.1 The Annual General Meeting of the Federation shall be held at some date between the first day of September and the last day of October in each year for the following purposes:

8.1.1 To receive and consider the President's Annual Report.

8.1.2 To receive and consider the Annual Accounts of the Federation for the previous year.

8.1.3 To consider and vote on Remits and Notices of Motion as defined in the Constitution.

8.1.4 To set the Annual Subscription Fee and any other Levies.

8.1.5 To appoint an auditor for the next financial year.

8.1.6 To transact any other business that shall be duly submitted to the meeting.

8.1.7 To elect the President and Vice President of the Federation for the ensuing year.

8.2 Any Member desiring to move a Remit or Notice Of Motion at such a meeting shall give notice in writing that must be received by the Federation by 30th June preceding the meeting. The aforesaid Remits and notices of motion must be posted to Members and Delegates, together with a notice of the said Annual or Special General Meeting not less than six weeks prior to that meeting.

8.3 The President's Annual Report, along with Reports by Chairpersons of Committees and the Annual Accounts, shall be circulated to all Members and the Executive not less than twenty-one days prior to the Annual General Meeting, together with the notice convening such meeting. The Annual Accounts, which shall be prepared in accordance with current standards issued by the Institute Of Chartered Accountants of New Zealand, should be audited at the time of circulation.

8.4 Each "A Member" shall be entitled to nominate two Delegates and up to three observers, each "B Member" shall be entitled to nominate one Delegate and up to two observers to attend the Annual General or any Special General Meeting of the Federation. Observers shall have the right to speak but not vote at such meetings. Associate Members shall be entitled to nominate one Delegate to attend the Annual General or any Special General Meeting of the Federation.

8.5 A Special General Meeting of the Federation may be called at any time by resolution of the Executive, or upon the requisition of not less than two "A Members". Every such requisition shall state the object of such meeting. Twenty-one days notice shall be given in writing to each Member and the Executive of any Special General Meeting.

8.6 At all Annual and Special General Meetings the President shall chair the meeting, or in the President's absence, the Vice President shall chair the meeting. In the absence of both the President and the Vice President, the meeting shall elect a chairperson from the Delegates present. A quorum shall consist of not less than two thirds of the Members.

9 AUDITOR

9.1 An auditor (who shall be a Member of the Institute Of Chartered Accountants of New Zealand) shall be appointed at the Annual General Meeting for the ensuing year. The appointee shall not be a Member of the Executive.

9.2 The Auditor shall at all times have access to the Federation's books or accounts and shall be entitled to any information required relating thereto on any matter deemed necessary or desirable for the audit purpose and shall have the assistance of the Executive in the examination of such books and accounts if requested.

10 ELECTION OF OFFICERS

10.1 The President and Vice President of the Federation shall be elected annually by the Delegates at the Annual General Meeting of the Federation. The person elected as President will cease to be a Delegate for any Member and the Member may appoint a replacement Delegate.

10.1.1 If the President and/or Vice President do not complete their term of office due to death or resignation, the Executive shall have the power to appoint a replacement to hold office until the elections at the next Annual General Meeting.

10.2 The Treasurer shall be appointed by the Executive.

10.3 The Federation will advise all Members and the Executive in writing not later than 31st May preceding the Annual General Meeting that written nominations for the positions of President and Vice President, along with their acceptances thereof are required to be in the hands of the Federation by 30th June preceding the Annual General Meeting. In the event of insufficient nominations being received for the above positions, further nominations shall be called for at the Annual General Meeting. In any case the Annual General Meeting may with a minimum two-thirds majority call for further nominations from the floor. The Federation shall advise all Members and the Executive in writing not less than 21 days prior to the Annual General Meeting of those nominations received.

10.4 The election of President and Vice President shall be the last business conducted at the Annual General Meeting.

10.5 Up to three Independent Board Members may be appointed by the Executive. Independent Board Members shall be ex officio members of the Executive for a term of 12 months from the date of their appointment.

10.5.1. The Executive may remove Independent Board Members from office at any time during the 12 month term.

10.5.2. Independent Board Members will have voting rights at General Meetings or Executive Meetings. This will be one vote per individual.

11 PRIVILEGE AND LIABILITY OF ASSOCIATIONS

11.1 Every Member and Associate Member of the Federation shall pay an annual subscription, the sum of which shall be determined by the Annual General Meeting.

11.2 The Federation may resolve that a levy shall be set relating to specific activities of the Federation. Every Member who elects to participate in those activities shall pay the levy relevant to those activities where such levies are confirmed at the Annual General Meeting. Failure to participate in a specific activity or failure to pay levies for specific activities, shall not affect Members' rights as specified by these rules.

11.3 Annual subscriptions and levies shall be payable by 20th November in each year or 50% by the 20th November in each year with the balance by the 20th February the following year, and any Member which is three months in arrears with subscriptions or levies shall, by resolution of Executive, cease to be a Member of the Federation, but the Executive may at its discretion reinstate the Member on payment of all amounts due.

11.4 The Federation shall be responsible for reasonable costs incurred by Federation officials when such officials represent the Federation at previously agreed meetings.

11.5 The reasonable cost for the President and the Treasurer to attend Executive and General Meetings shall be paid by the Federation.

11.5.1 The reasonable cost for Independent Board Members to attend Executive Meetings shall be paid by the Federation.

12 FINANCE

12.1 All monies received by, or on behalf of, the Federation shall be deposited to the credit of the Federation in a bank account as designated by the Executive.

12.2 All payments must be made by cheque, or by electronic bank transaction. All cheques and electronic transactions shall be signed or authorised on behalf of the Federation by any two signatories from time to time appointed by the Executive.

12.3 The Federation may from time to time invest and reinvest in securities authorised by the Executive upon such terms as it may think fit, the whole or any part of its monies not required for the immediate business of the Federation.

12.4 The Federation may from time to time purchase, take, lease, exchange, hire or otherwise, any real or personal property and any rights and privileges which the Federation may think necessary and convenient.

12.5 The Federation may from time to time obtain from or make arrangement with any Government (Central, Regional, or Local) Department, company or person for any authority, right, privilege, concession, contract or charter, which the Federation considers conducive to any of the objects of the Federation and to accept, make payment under, carry out, exercise and comply with any such arrangement authority, right, privilege, concession contract or charter.

12.6 No person who is a Member or is associated with a Member of an Association affiliated to the Federation, or is an Officer of the Federation, shall participate in or materially influence any decision made by the Federation in respect of the payment to or on behalf of that person of any income, benefit or advantage whatsoever. Any such income shall be reasonable and relative to that which would be paid in an arms length transaction, being open market value.

13 VOTING

13.1 Each "A Member" of the Federation shall be entitled to two votes at all General Meetings of the Federation. Each "B Member" of the Federation shall be entitled to one vote at all General Meetings of the Federation.

13.2 At all meetings of the Federation other than General Meetings each Delegate shall have the right to a single vote.

13.3 The President shall have no right to vote except as defined in Clause 13.6 of these rules.

13.4 Voting shall be by voice but if any Delegate so desires, the chairperson shall call for a show of hands or, if the meeting desires, a secret ballot.

13.5 At all meetings of the Federation, decisions and resolutions shall be decided by a simple majority unless such decisions or resolutions relate to matters with specified majorities laid down in these rules.

13.6 At all meetings of the Federation, in the event of equality of voting, the Chairperson shall have a casting vote.

13.7 The Treasurer or any employees of the Federation shall not be entitled to vote at any meeting of the Federation.

14 COMMON SEAL

14.1 The Common Seal of the Federation shall be kept at a place as directed by the Executive and shall not be affixed to any document, instrument, deed, writing paper or other such thing unless a resolution to that effect has been approved by the Executive. The Common Seal shall be affixed in the presence of at least three Members of the Executive who shall sign such document instruments, deeds writing paper or other thing.

15 ALTERATION OF THESE RULES

15.1 The Rules of the Federation may be altered, added to, or rescinded by a two thirds majority vote of those present at any Annual General or Special General Meeting of the Federation.

15.1.1 No alteration to these rules which affects the non-profit aims of the Federation, or alteration to Clause 21, may be done without the prior approval of the Inland Revenue Department.

16 REGISTERED OFFICE

16.1 The Registered Office of the Federation shall be at such place as the Executive shall from time to time determine.

17 INDEMNITY OF OFFICERS

17.1 The Federation and its Executive and employees shall be indemnified against the actions of any Member of the Executive or employee except when such officer or Member is acting in accordance with a direction of the Federation.

18 MINUTES

18.1 The Executive shall cause the proper recording of all resolutions and business at all meetings of Committees, the Executive and Federation General Meetings. Such minutes shall be furnished to Members and the Executive within 28 days of such meetings.

19 BYLAWS

19.1 The Executive shall have the power to make, alter and repeal such bylaws as it may from time to time consider necessary for the well being of the Federation.

20 MATTERS NOT PROVIDED FOR

20.1 If any matter shall arise which is not, or which is in the opinion of the Executive, is not provided for by these Rules, the same shall be determined by the Executive in such manner as it deems fit, and every such determination shall be binding upon the Federation and its Members unless and until set aside by resolution at a General Meeting of the Federation.

21 PAYMENTS TO MEMBERS, WINDING UP

21.1 No member of the Federation, or any person associated with a member shall participate in or materially influence and decision made by the Federation 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).

21.2 If upon the winding up or dissolution of the Federation there remains after satisfaction of all its debts and liabilities any property whatsoever, the same shall be paid or distributed to some other sporting body or incorporated society having objects similar to those of the Federation within New Zealand.

22 NATIONAL TEAMS

SELECTION OF NATIONAL TEAMS

22.1 The nomination or selection of National Teams to Olympic or Commonwealth Games, World or Continental Championships, or to any competition where the sanction by the Federation is necessary, shall be made by the Executive as per published selection criteria.

22.1.2 Any nominee for inclusion in Olympic or Commonwealth Games teams, ISSF World or Continental championship teams must be certified by the Member to which they are affiliated as:

22.1.2.1 Conforming with the eligibility Code of the International Olympic Committee (IOC) Rule 45 (Doping), its Bylaws and Guidelines, and

22.1.2.2 Conforming with the ISSF Eligibility Rules for ISSF events.

22.2 Rules for selection of NZSF sanctioned teams shall be as determined from time to time by the Executive, and when required in consultation with other organisations.

22.3 DISCIPLINE OF TEAM Members

22.3.1 The Federation shall have the power to suspend or ban from any competition sanctioned by the Federation, any team Member or nominated team Member, or to impose any such lesser penalty as it shall think proper, on any team Member or nominated team Member whose conduct is in breach of the rules or bylaws of the Federation, and it is likely in the view of the Executive to bring the sport or the Federation into disrepute.

22.3.2 In any such case, the Federation shall serve written notice of thirty days to the party or parties concerned, and to the appropriate Association, of its intention to consider disciplinary action and the grounds therefore, and the party or parties concerned shall be invited to attend a meeting of the Executive in order to make representation or to present a written statement.

22.3.3 If two thirds of the Executive Members find the allegations to be substantiated, a motion stipulating the penalty shall be proposed and seconded. Such motion must be passed by a majority of two thirds of the Members of the Executive in order to take effect. The party or parties concerned and the appropriate Association shall be informed in writing of the decision of the Executive.

23 BOARD OF APPEAL

23.1 The Federation Board of Appeal shall consist of the following persons:

The President of the Federation

The Presidents of the Member Associations or their nominees.

23.2 Not less than four persons shall comprise a quorum for the Board of Appeal

23.3 Any person disciplined in accordance with Clause 22.3, or is aggrieved that the selection policy as published for a specific event has not been adhered to by the Federation shall within 10 working days have the right of appeal to a Federation Board of Appeal called expressly for the purpose of hearing such an appeal, and the notice of which must be given to the Federation within thirty days of the written notification to the party or parties concerned of the passing of the motion by the Executive. A notice of appeal must be accompanied by a bond of NZ\$ 500.00 that shall be forfeited at the option of the Federation in the event that the appeal is unsuccessful. Any party so appealing may be represented before the Board of Appeal by Counsel.

24 SPORTS DISPUTES TRIBUNAL OF New Zealand

24.1 Any party aggrieved by a decision of the Board of Appeal may appeal the Board of Appeal decision to the Sports Disputes Tribunal of New Zealand. An appeal may only be made on one or more of the following grounds:

- a) That natural justice was denied.
- b) That the Board of Appeal acted outside of its powers and / or Jurisdiction (i.e.; acted *ultra vires*)
- c) That substantially new evidence has become available after the decision that is being appealed was made
- d) In respect of a decision relating to misconduct involving the appellant, that the penalty was either excessive or inappropriate.

Any such appeal shall be filed within ten working days from the date of the appellant was notified of the decision of the Board of Appeal and in all other respects shall be in accordance with the rules of the Sports Disputes Tribunal of New Zealand (copies which are available from the Federation).