



RULES OF THE DEVONPORT RETURNED & SERVICES' ASSOCIATION

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Amendments

Red 2015 Rule 25

Green 2019 Rule 38

Blue 2021 - Rule 24 & 37

These Rules were approved by the Members at a General Meeting on 21 March 2021

Signed copy held DSRA Office

M Kennett
President

S Millham
Manager

RULES OF THE "DEVONPORT RETURNED AND SERVICES' ASSOCIATION (INCORPORATED)"

Dated the 26th day of July 2021, these rules are in substitution for and replacement of all existing Rules of the Devonport R.S.A. Incorporated.

NAME

1. The name of the Association shall be the "Devonport Returned and Services' Association (Incorporated)" hereinafter referred to as the Association.

DESCRIPTION

2. The Association is a Society duly registered and incorporated under The Incorporated Societies Act 1908.
3. The Association is non-sectarian and non-party political in that it does not, except by the submission of questions and the publication of answers thereto, influence or seek to influence the views of its members regarding any candidate for public office or any political party.
4. The Association is an affiliated member of the Royal New Zealand Returned and Services' Association (Inc) hereinafter referred to as RNZRSA.

INTERPRETATION

5. In these Rules,
 - a. the term "Returned Member" shall mean any person so defined in the First Schedule.
 - b. the term "Service Member" shall mean any person so defined in the Second Schedule.
 - c. the term "Associate Member" shall mean any person so defined in the Third Schedule.
 - d. the term "financial member" shall mean any Returned, Service, or Associate member of the Association whose current subscription is paid in accordance with these rules.
 - e. the term "Youth Member" shall mean any person so defined in the Fourth Schedule.
 - f. the term "serviceman" shall mean any member of any branch of Her Majesty's Forces.
 - g. the term "Executive Committee" shall have the meaning ascribed to it in Rule 24.
 - h. the term "Sub-Committee" shall mean any such Sub-Committee duly constituted under Rule 31.
 - i. words denoting the masculine gender shall be deemed to include the feminine gender.
 - j. unless inconsistent with these Rules, all references to the singular shall be deemed to include the plural and vice versa.
 - k. the term "Real Estate" shall mean all land and buildings owned by the Association.

OBJECTS

6. The Association is established with the express purpose of pursuing the aims and objects of RNZRSA as:
 - a. Loyally to uphold the sovereignty of New Zealand as a member of the Commonwealth of Nations and as a member of the United Nations.
 - b. To foster and maintain the welfare and security of New Zealand within the concept of the establishment and maintenance of international peace with honour.
 - c. To inculcate in the individual a sense of responsibility to their fellow citizens, their local community, and for the well being of mankind.

- d. To perpetuate the comradeship born of service and to promote the general well being of servicemen and of former servicemen and their respective dependants.
- e. To promote, foster, and generally supervise branches of the Association.
- f. To pursue the resolutions of the National Council of RNZRSA.
- g. To relieve the poverty of servicemen and former servicemen, their respective dependents and the former dependents of deceased servicemen and ex-servicemen

POWERS

7. For the due attainment of its objects the Association shall have the following powers:
- a. To diffuse information on all matters affecting servicemen and former servicemen, and to print, publish, issue or circulate such papers, periodical books, circulars and other literary undertakings as may seem conducive to any of its objects.
 - b. To affiliate with or accept affiliation from any society, body or Association having similar objects, or to join, co-operate with, or subscribe to or accept subscriptions from the funds of any such society, body or Association for the purpose of better attaining or otherwise furthering the objects and interests of the Association.
 - c. To undertake and execute any trusts which may seem to the Association conducive to its objects and to invest the funds of any such trusts in the manner authorised for trustees by the Trustees Act 1956 or by any Act amendment of or substitution for that Act and with all the in relation to investment by that Act
 - d. To purchase, take on lease or in exchange, hire or otherwise acquire any real or personal property and any rights or privileges which the Association may deem necessary or convenient for the purpose of any of the objects.
 - e. To lend money or make advances to any other Association with or without security.
 - f. To construct, maintain, alter, improve, enlarge, pull down, remove or replace, manage, carry on and control any buildings, or works which may seem to the Association likely to advance the Association's interests directly or indirectly.
 - g. To sell, lease, exchange, bail, grant licences in respect of or otherwise deal with or dispose of the Association's undertakings or any part thereof, or any property or interest in any property rights, concessions or privileges belonging to the Association either together or in portions upon such terms as the Association may think fit.
 - h. To establish, maintain and conduct licensed clubs and other clubs or similar institutions.
 - i. To sponsor the formation of a Women's Section, the name of which shall be the "Women's Section to the Devonport RSA", provided that the Rules of the Women's Section shall conform to the Guidelines established by RNZRSA and approved by the Association.
 - j. To prescribe By-laws as set out in the Sixth Schedule of these Rules.
 - k. To initiate, carry out and enforce disciplinary procedures as detailed in Rule 14 of these Rules.
 - l. To do such other things as in the opinion of the Association maybe incidental or conducive to the attainment of any of the foregoing objects or the exercise of any of the foregoing powers.

NO PRIVATE PECUNIARY PROFIT AND EXCEPTIONS

8. No private or pecuniary profit may be made by any member from the Association, except that:
- a. any member may receive full reimbursement for all expenses properly incurred by that member in connection with the affairs of the Association;
 - b. the Association may pay reasonable remuneration to any Officer or servant of the Association (whether a member or not) in return for services actually rendered to the Association;
 - c. any member may be paid all usual professional, business or trade charges for services rendered, time expended and all acts done by that member or by any firm or entity of which

that member is a member, employee or associate in connection with the affairs of the Association;

- d. any member may retain remuneration properly payable to that member by any company or undertaking with which the Association may be in any way concerned or involved for which that member has acted in any capacity whatever, notwithstanding that that member's connection with that company or undertaking is in any way attributable to that member's connection with the Association.

The Executive Committee of the Association, in determining all reimbursements, remuneration and charges payable in the terms of this clause, shall ensure that the restrictions imposed by the following clause are strictly observed.

RESTRICTIONS ON BENEFITS TO AND INFLUENCE BY INTERESTED PERSONS

9. Notwithstanding anything contained or implied in these Rules, any person who is:
 - a. An Officer or member of the Association, or,
 - b. A shareholder or director of any company carrying on any business of the Association, or,
 - c. A settlor or trustee of any trust which is a shareholder of any company carrying on any business of the Association, or,
 - d. An associated person (as defined by the Income Tax Act 2004) of any such Officer, member, settlor, trustee, shareholder or director:

shall not by virtue of that capacity in any way (whether directly or indirectly) determine or materially influence in any way the determination of the nature or the amount of any benefit or advantage or income or the circumstances in which it is or is to be received, gained, achieved, afforded or derived by that person.

A person who in the course of and as part of the carrying on of their business of a professional public practice shall not, by reason only of their rendering professional services to the Association or to any company by which and business of the Association is carried on, be in breach of the terms of this rule.

MEMBERSHIP

10. The membership of the Association shall consist of:
 - a. **Returned Members** – Persons who are defined in Rule 5a.

A Returned Member over the age of 80 years shall be deemed to be a financial member of the Association for all purposes without being required to pay an annual subscription.
 - b. **Service Members** – Persons who are defined in Rule 5b.

A Service Member over the age of 80 years shall be deemed to be a financial member of the Association for all purposes without being required to pay an annual subscription.
 - c. **Associate Members** – Persons who are defined in Rule 5c.

An Associate Member over the age of 80 years shall be deemed to be a financial member of the Association for all purposes without being required to pay an annual subscription.
 - d. **Youth Members** – Persons who are defined in Rule 5e.
 - e. **Life Members** – Any Returned, Service or Associate member who has, on the recommendation of the Executive Committee, been awarded Life membership at a General Meeting of the Association, in recognition of local service.

A Life Member shall be deemed to be a financial member of the Association for all purposes without being required to pay an annual subscription.
 - f. **Honorary Life Members** – Persons not being eligible for Returned or Service membership who have rendered outstanding service to the Association or to former servicemen, and have been duly elected at a General Meeting after consideration of a citation presented by the Executive Committee.

Honorary Life members shall have the right to speak at General Meetings but not to exercise a vote.

An Honorary Life Member shall be deemed to be a financial member of the Association without being required to pay an annual subscription.

- g. **Honorary Members** – Persons not being eligible for Returned, Service or Associate membership who have rendered outstanding service to the Association or to former servicemen, and have been duly elected at a General Meeting after consideration of a citation presented by the Executive Committee.

Honorary members shall have the right to speak at General Meetings but not to exercise a vote, and shall be eligible for re-election from year to year.

An Honorary Member over the age of 80 years shall be deemed to be a financial member of the Association without being required to pay an annual subscription.

MODE OF ADMISSION TO MEMBERSHIP

11. Any person wishing to enrol for membership shall complete and sign the appropriate form.

For Returned and Service membership, upon proof that they are possessed of the necessary service credentials under these Rules, and are otherwise eligible under Schedule 1 or 2 respectively, with the approval of the Membership Sub-Committee, they shall be enrolled as a member subject to their payment of any annual subscription required.

For Associate and Youth membership, after consideration of their application and are otherwise eligible under Schedule 3 or 4 respectively, with the approval of the Membership Sub-Committee, they shall be enrolled as a member subject to their payment of any annual subscription required.

MODE OF TRANSFER OF MEMBERSHIP

12. Any person wishing to transfer their membership shall complete and sign the appropriate form.

The Membership Sub-Committee shall consider their application and make such enquiries of their former Association as are necessary to confirm their eligibility and/or suitability, and if otherwise eligible under Schedule 1-4, with the approval of the Membership Sub-Committee, they shall be enrolled as a member in the appropriate category.

The member's former Association shall be notified of successful transfers.

MODES OF TERMINATION OF MEMBERSHIP

13. a. **Non-Payment of Subscriptions.** In the event of any member failing to pay their subscription within 60 days of the due date, they shall be sent a notice requiring them to pay their subscription within one month after the date of the notice. Failing payment of the subscription within the said period, the member's name shall be struck off the list of members and they shall cease to be a member, provided that the Executive Committee may at any time reinstate such member upon such terms as the Executive Committee in the exercise of its discretion may decide.
- b. **Resignation.** Any member may resign their membership by letter or email addressed to the Secretary. No refund of subscriptions is payable on resignation.
- c. **Expulsion.** If a member is expelled under Rule 13, they shall surrender their RSA badge and cease their membership forthwith. No refund of subscriptions is payable on expulsion.

DISCIPLINARY ACTION

14. The Executive Committee shall have power to call on any member for an explanation of any charge of misconduct, within the provisions of these Rules, laid against them by any member or for any other sufficient cause.

On receipt of a complaint(s) of misconduct, the Executive Committee shall (unless it considers such complaint(s) to be vexatious, frivolous or without foundation):

- a. notify the member in writing of the complaint, and give them such particulars of the complaint as are available;
 - b. give the member a reasonable opportunity to provide an initial response or explanation in relation to the complaint, in writing or orally;
 - c. having completed steps a. and b. above, the Executive Committee shall make a decision:
 - i. as to whether the matter is vexatious, frivolous or without foundation, and if not, that it should proceed to a formal hearing;
 - ii. as to whether the matter is so serious that, if the complaint is proved, expulsion is a possible outcome; or,
 - iii. as to whether the matter is not so serious as to warrant expulsion but may warrant suspension, and,
 - iv. as to whether an interim suspension of the member is appropriate.
15. Where the Executive Committee considers that the matter should proceed to a hearing, and that expulsion is a possible outcome if the complaint is proved, the Executive Committee shall:
- a. convene a formal hearing of the Executive Committee to hear and consider the complaint;
 - b. provide the member with reasonable notice, in writing or email, of the time and place of such hearing. Such notification shall clearly state the purpose of the hearing and shall include:
 - i. details of the complaint;
 - ii. copies of any relevant documents or correspondence;
 - iii. notification of the fact that expulsion is a possible outcome.
 - c. In convening and conducting the hearing, the Executive Committee shall follow the rules of natural justice, which require that the member be given a full and fair opportunity to present their response to the complaint. If the member wishes to be represented by a lawyer, the Executive Committee shall fully consider such request, and make a ruling as to whether legal representation shall be permitted.
 - d. If following the hearing, the Executive Committee considers that the complaint has been proven (on the balance of probabilities), the Executive Committee shall:
 - i. advise the member of its finding as to the complaint;
 - ii. give the member the opportunity to make representations as to penalty or outcome;
 - iii. after steps (i) and (ii) have been completed, deliver its decision as to whether the member is expelled or suspended (or neither); and,
 - iv. if expulsion is ordered, the member shall forthwith surrender their badge to the Association.
 - e. For clarity, it is recorded that:
 - i. the Executive Committee has the power to either expel or suspend. and in cases it deems appropriate, to impose an interim suspension prior to the hearing;
 - ii. the Executive Committee is not obliged to impose suspension or expulsion, even if it finds the complaint(s) to have been proved.
16. Where the Executive Committee has received a complaint, but does not in terms of Rule 14 c. (ii) consider the matter so serious that expulsion is a possible outcome:
- a. The Executive Committee may delegate action to the Membership Sub-Committee and the Membership Sub-Committee shall follow all of the procedural steps as if acting under Rule 15 b., but shall not have the power to impose expulsion.
 - b. Whether the matter is heard by the Executive Committee or the Membership Sub-Committee, either body shall have the power to suspend the member for a period not exceeding twenty-four months, during which period the member shall not be required to surrender their badge.

APPEALS AGAINST EXPULSION OR SUSPENSION

17. A member expelled, or suspended for more than one month shall have the right to appeal the decision up to 30 days after the expulsion or suspension is ordered.

The appeal shall be heard by a Tribunal of not less than three, or more than five persons to be appointed by the Executive Committee. Members of the Tribunal shall be members of the Association but not of the Executive Committee, and should if possible include members with legal training.

The Tribunal shall have wide discretion to determine the procedure it will follow. Specifically,

- a. it may decide to completely rehear the evidence in the matter, or,
- b. it may decide the matter on the basis only of the record of the previous hearing of the Executive Committee or the membership Sub-Committee, but if no record is available then the evidence shall be reheard, and,
- c. it may hear, or consider, evidence in addition to that put forward at the previous hearing in whatever form it deems fit.

The Tribunal may dismiss or allow the appeal, or vary the decision of the previous hearing.

The Tribunal decision shall be final.

GENERAL MEETINGS

18. There shall be two types of General Meetings:

- a. An Annual General Meeting shall be held in March each year:
 - i. at a time and place fixed by the Executive Committee, and,
 - ii. at least 7 days' notice of the Meeting, stating the nature of the business to be brought before the Meeting shall be given to members by post or by email.
- b. Any other meeting shall be an Extraordinary General Meeting, either called by the Executive Committee on its own cognisance or upon requisition in writing by five or more members. Any such requisition shall specify the objects of the meeting requisitioned, shall be signed by the members making the same and shall be deposited with the Secretary. The meeting:
 - i. must be convened within 21 days from the receipt of such a requisition and only for the purposes specified; and,
 - ii. at least 7 days' notice of the Meeting, stating the nature of the business to be brought before the Meeting shall be given to members by post or by email; and,
 - iii. if the Executive Committee fails to convene a meeting within 14 days after the receipt of such a requisition, the members making the requisition or a majority of them, may themselves convene a meeting to be held within three calendar months after the date of the requisition.

QOURUM & CHAIRMANSHIP AT GENERAL MEETINGS

19. a. The quorum for any General Meeting shall be twelve financial members admitted under Rule 10 a. b. or c.
- b. No business shall be transacted unless a quorum is present.
- c. If within half an hour from the time appointed for any meeting a quorum is not present at the meeting, if an Extraordinary General Meeting it shall be dissolved, in any other case it shall stand adjourned to the same day in the next week at the same time and place, and the members present at the adjourned meeting may transact any business as if they constituted a full quorum.
- d. The President shall assume the chair, and in their absence the Vice-President, and if neither be present by another member elected by the meeting.

METHOD OF VOTING

20. a. Every question submitted to any general meeting of the Association, or to any meeting of the Executive Committee, shall be decided in the first instance on the voices, or if called for, by a show of hands. Subject to the provisions of the Fifth Schedule hereto, every member present shall be entitled to record one vote and no more upon every question. In the case of an equality of votes the Chairman shall, whether upon a vote being taken by a show of hands or by a ballot as hereinafter provided for, have a second or casting vote which may only be used to resolve a motion in favour of the status quo.
- b. Unless a ballot is demanded by the Chairman or by at least three members present, a declaration by the Chairman that a resolution has been carried or lost and an entry to that effect in the Minute Book shall be conclusive evidence of the fact without proof of the number of the votes recorded in favour of or against such resolution.
- c. If a ballot is demanded, it shall be taken in such a manner and at such a time as the Chairman of the meeting may direct and the result of the ballot shall be deemed a resolution of the meeting at which the ballot was demanded. A demand for a ballot may be withdrawn. The demand for a ballot shall not prevent the continuance of a meeting for the transaction of any business other than the question on which a ballot has been demanded.
- d. Votes may only be given personally. No proxy votes shall be allowed at General Meetings or meetings of the Executive Committee.
- e. Other matters of conduct are contained in the Fifth Schedule to these Rules.

ADJOURNMENT OF MEETINGS

21. The Chairman of any meeting may, with the consent of that meeting, adjourn the meeting from time to time and from place to place but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.

NOTICES OF MOTION

22. Any notice of motion must be in the hands of the Secretary at least 21 days before the meeting at which the motion is intended to be moved, and shall be included in the advice required under Rule 18 a.(ii) or 18 b.(ii).

PATRON

23. At any Annual General Meeting the members may, on the recommendation of the Executive Committee, elect a Patron of the Association, who shall serve at the Patron's pleasure.

EXECUTIVE COMMITTEE & OFFICERS

24. Financial members of the Association admitted under Rules 10 a. b. or c. shall be eligible for election to the Executive Committee, subject to Rule 25. The Executive Committee shall consist of:

President;
Vice President, **and**
Seven members of the Association;

all of whom shall be elected at the Annual General Meeting of the Association and who shall hold office until the conclusion of the next Annual General Meeting and who shall be eligible for re-election from year to year.

The Executive Committee may appoint a Secretary and/or a Treasurer.

The Officers of the Association shall be the President **and** the Vice President.

The President shall be the Chairman of the Executive Committee, and in their absence the Vice-President, and if neither be present by another member elected by those present.

ELIGIBILITY FOR MEMBERSHIP OF THE EXECUTIVE COMMITTEE

25. No person shall be eligible for election as an Officer or other member of the Executive Committee if they are:

- a. an employee of the Association; or,
- b. an undischarged bankrupt, and,

any person standing for election to the Executive Committee shall, at the time of their nomination, disclose to the membership the existence of any criminal conviction for serious offence, in their past. "Serious" shall include, but is not necessarily limited to, any conviction for fraud, theft, assault, sexual offence, or any offence involving illegal drugs, drinking and driving or driving while disqualified, but shall not include traffic infringement matters, or offences which do not carry a possible term of imprisonment.

The President, if elected for three consecutive years, shall be disqualified from being nominated for a fourth consecutive term as President but may be nominated for any other position on the Executive Committee. After one year not being the President, the person may again stand for election anew as President.

ELECTIONS

26. Nominations for Officers and other members of the Executive Committee shall be called for by the Secretary at least 42 days prior to the date of the Annual General Meeting and the final date for receipt of nominations shall be the final date set aside for the receipt of Notices of Motion under Rule 22.

27. Each of the candidates for election as an Officer or other member of the Executive Committee shall:

- a. be financial members admitted under Rule 10 a. b. or c; and,
- b. be proposed and seconded by financial members admitted under Rule 10 a. b. or c., and,
- c. signify their agreement to being nominated by signing the nomination form.

28. Prior to the date of the Annual General Meeting, the Secretary shall have printed ballot papers bearing the surname and forenames of each candidate in alphabetical order. The ballot papers shall also contain details of the number of vacancies to be filled and instructions on the method of voting. No other information is to appear on the ballot paper.

29. Financial members admitted under Rule 10 a. b. or c. may vote for all positions as defined in Rule 24. The ballot shall take place during the course of the Annual General Meeting and the members present shall appoint at least two scrutineers who are not candidates in the election. The scrutineers shall supervise the election, collect the ballot papers and count the votes recorded for each candidate. The scrutineers shall give a written report to the Chairman who shall announce the results of the election, including the number of votes cast in favour of each candidate, prior to the close of business. In the event of there being an equality of votes for any vacancy, the Chairman shall determine the result by lot among the candidates concerned.

30. Where the number of persons nominated is no greater than the number called for, those persons so nominated shall be declared duly elected and the Chairman shall call for nominations from the floor at the Annual General Meeting for persons to fill any remaining vacancies. In the event of nominations exceeding vacancies, a ballot shall be conducted during the meeting.

POWERS OF THE EXECUTIVE COMMITTEE

31. The management and control of the Association and its properties real and personal shall be vested in the Executive Committee who may:

- a. exercise all such powers and do all such acts and things as may be exercised or done by the Association as are not hereby or by Statute expressly directed or required to be exercised or done by the Association in General Meeting;

- b. appoint such sub-committees as are necessary to carry out the business of the Association;
- c. delegate such of its powers as it deems fit.

MEETINGS OF THE EXECUTIVE COMMITTEE

- 32. The Executive Committee shall meet:
 - a. monthly, more or less, as determined by the committee; or,
 - b. convened at any time by the Chairman or three members of the Executive Committee.
- 33. Every meeting shall require an agenda detailing the nature of the business to be conducted to be given to each member of the Executive Committee at least three days prior to the meeting.
- 34. Voting at any meeting shall be in accordance with Rule 20.
- 35. The quorum for any meeting shall be five members, and:
 - a. no business shall be transacted unless a quorum is present, and,
 - b. if within half an hour from the time appointed for any meeting a quorum is not present, it shall stand adjourned to the same day in the next week at the same time and place and the members present at the adjourned meeting may transact any business as if they constituted a full quorum; and,
 - c. minutes of all meetings shall be entered in the Book provided for that purpose.

VACATION OF, OR REMOVAL FROM, OFFICE

- 36. a. Any member of the Executive Committee shall vacate their office:
 - i. if they are absent from three consecutive meetings without leave of the Executive Committee; or,
 - ii. during any period of bankruptcy, or if they become of unsound mind, or,
 - iii. upon resigning their office in writing to the Secretary, or,
 - iv. they become an employee of the Association.
- b. Any member of the Executive Committee may be removed from office, by a resolution of a majority of the other members of the Committee, if he is, during any period in office, convicted of any serious criminal offence. "Serious" shall include, but is not necessarily limited to, convictions for fraud, theft, assault, sexual offence, or any offence involving illegal drugs, drinking and driving or driving while disqualified, but shall not include traffic infringement matters, or offences which do not carry a possible term of imprisonment.
- c. Any vacancies on the Executive Committee shall be filled by appointment by the Executive Committee and the appointee shall hold office until the conclusion of the next Annual General Meeting of the Association.
- d. Any member or members of the Executive Committee, or the Executive Committee in toto, may be removed from office by a resolution passed by not less than two thirds of valid votes cast at a general meeting, of which proper notice of the meeting was given in accordance with Rule 18.
- e. Any vacancy or vacancies on the Executive Committee resulting from action under d. above shall be filled in accordance with c. above.
- f. Notwithstanding the provisions of Rules 23 to 32 above, in the event that the Executive Committee is removed from office in toto under d. above, then at that same meeting, members shall call for nominations and shall elect an interim committee to conduct the affairs of the Association, pending fresh elections to be held within three months, or at the next annual general meeting, whichever occurs first.

LOCAL SUPPORT ADVISOR

37. A Local Support Advisor shall be appointed by the Executive Committee, and have duties assigned by the Executive Committee from time to time. The Local Support Adviser shall be responsible to the Chairperson of the Devonport RSA Poppy Day Trust.

SUBSCRIPTIONS

38. a. The annual subscription for all members shall be determined by the members at each Annual General Meeting **or Extra Ordinary General Meeting**, except that:
- i. members are exempted from paying subscriptions in the calendar year after attaining 80 years of age.
 - ii. Life Members are exempted from paying subscriptions in the calendar year after the award of Life Membership.
 - iii. Youth members are exempted from paying subscriptions until attaining the minimum age for the purchase and consumption of alcohol as specified in the Sale of Liquor Act 1989 or an amendment or re-enactment thereto.
 - iv. serving uniformed members of the New Zealand Defence Force or New Zealand Police are exempted from paying subscriptions if they are eligible for membership under Rule 10a. or 10b.
- b. Subscriptions shall be due and payable on 1 January each year at the rate set at the preceding Annual General Meeting.
- c. In the case of a newly elected member, the Executive Committee shall determine the subscription to be paid for the balance of the financial year.
- d. No person who from any cause whatsoever ceases to be a member shall have any claim upon the Association for a refund of the whole or any part of any subscription paid by him to the Association.
- e. Only financial members shall be entitled to the privileges of membership.

ACCOUNTS

39. The financial year of the Association shall begin on the first day of January each year.
40. The Executive Committee shall keep true accounts of:
- a. all sums of money received and expended by the Association and of the matters in respect of which such receipts and expenditure takes place, and,
 - b. all assets, credits and liabilities of the Association including all mortgages, charges and securities of any description affecting any property of the Association.
41. At least once in each year the accounts of the Association shall be audited or reviewed as determined by the Executive Committee, and:
- a. the books of account shall be kept at the office of the Association and they shall be open to the inspection of members of the Association at such reasonable times and places as shall be determined by the Executive Committee.;
 - b. all monies received after being entered in the Books of the Association as being received shall be forthwith paid into a bank to be appointed by the Executive Committee;
 - c. all accounts shall be reported to the Executive Committee for confirmation of all routine payments and for authorisation of all other payments;
 - d. payments of all monies shall be made by cheque signed by persons authorised by the Executive Committee, or by a debit card or internet banking as authorised by the Executive Committee;
 - e. at every Annual General Meeting the Executive Committee shall present an Annual Report and an audited or reviewed Financial Statement made up to a date not more than four months before that meeting from the time the last preceding Balance Sheets were

prepared and every such report shall be accompanied by a report from the Executive Committee on the state of the Association;

- f. a copy of the financial statements of the Association, duly certified by the President and Treasurer, shall be forwarded to the Chief Executive, RNZRSA, before 30 April each year.
- g. the Association shall duly file the returns required by the Incorporated Societies Act 1908 or by such other statutory provisions for the time being in force and shall comply with all the requirements of such statutes and relevant regulations.

AUDITOR or REVIEWER

42. An Auditor or Reviewer, who should preferably be a member of the Institute of Chartered Accountants of New Zealand, and who shall not be a member of the Executive Committee, shall be appointed at each Annual General Meeting of the Association. The retiring Auditor or Reviewer shall be eligible for re-election. In the case of any vacancy during the year, the Executive Committee shall appoint an Auditor or Reviewer.

BORROWING MONEY

43. The Executive Committee shall have no power to borrow or raise money.

CAPITATION

44. The Association shall pay capitation to RNZRSA (Inc) in respect of all members in accordance with RNZRSA Rules in force for the time being. Capitation shall not be payable for:
- a. members over 90 years of age, and,
 - b. serving uniformed members of the New Zealand Defence Force or New Zealand Police if they are eligible for membership under Rule 10a. or 10b.

BADGES

45. a. Every member shall be supplied by the Association with an official badge designed by RNZRSA appropriate to their class of membership.
- b. All members' badges are, and remain, the property of RNZRSA.
 - c. Except as provided in this rule, any member who ceases to be a member shall, upon demand in writing from the Secretary, return to the Secretary the badge issued to him.
 - d. No member shall be required to surrender their badge where evidence is produced that he has transferred their membership to another Association.
 - e. At the discretion of the Executive Committee, a badge may be retained by the relations of a deceased member.
 - f. Any member of the Executive Committee is expressly authorised to call upon the wearer of a badge issued under these Rules to produce evidence of their entitlement to wear the same.

AWARDS

46. At a General Meeting, on the recommendation of the Executive Committee:
- a. Life Membership of the Association, or any other award, may be awarded to a member in recognition of local service and the Executive Committee shall arrange for details of the award to be endorsed on an appropriate certificate for issue to the member.
 - b. Nominations may be made to RNZRSA for a national award.

ALTERATION OF RULES

47. a. The Rules of the Association may be altered, added to or rescinded at any General Meeting of the Association by Notice of Motion in accordance with Rule 22 and at least 7

days' notice of any proposed amendment to the Rules of the Association shall be given by the Executive Committee to members either by post or by email.

- b. No amendment of any Rule shall be made without the prior consent in writing of the National Executive Committee of RNZRSA (Inc) being first had and obtained provided that such consent shall not be withheld unless it conflicts with, or is not in harmony with the Rules of RNZRSA (Inc) or with the rules of natural justice.
- c. No addition to or alteration or rescission of the following Rules of the Association shall be made unless such addition, alteration or rescission is consistent with the charitable purposes of the local Association and, in the case of Rules 8, 9 and 51, unless such addition, alteration or rescission is first approved by the Inland Revenue Department:
 - i. Rule 6 (“Objects”)
 - ii. Rule 8 (“Private Pecuniary Profit”)
 - iii. Rule 9 (“Interested Persons”)
 - iv. Rule 47 (“Alteration of Rules”)
 - v. Rule 51 (“Liquidation”)
- d. The Association shall register any alteration of, or addition to, these Rules as required by any statutory provisions for the time being in force.

CHANGES OF ADDRESS

48. Every member shall communicate to the Secretary any change of address and all notices posted to the last notified address shall be valid and deemed to have been given on the day following the day of posting.

SALE OF ASSOCIATION REAL ESTATE

49. Subject to the provisions of Rule 51 b. of these Rules the Association may dispose of its real estate, in part or in total by way of gift, sale or transfer by a resolution in favour of such gift, sale or transfer of not less than two thirds of valid votes returned at either a general meeting or from a postal ballot of financial members.

In relation to a postal ballot the closing date for the receipt of ballot papers at the registered office of the Association shall not be less than 30 or more than 60 days after the day on which the ballot papers were dispatched to members.

The result of the ballot shall be notified to the members at a general meeting called for the purpose or by way of a notice given to members by post or by email.

WITHDRAWAL FROM MEMBERSHIP OF RNZRSA (INC)

50. The Association may withdraw from membership of RNZRSA by either:

- a. a resolution in favour of such withdrawal of not less than two thirds of valid votes returned from a Postal Ballot of financial members admitted under 10 a. or 10b. The closing date for the receipt of ballot papers at the registered office of the Association shall be not less than 30 or more than 60 days after the date on which the ballot papers were dispatched to members.

The result of the Ballot shall be notified to members either at a General Meeting called for the purpose or by way of a notice given to members by post or by email.

or by,

- b. a simple majority of valid votes cast by financial members at a General Meeting in favour of placing the Association in liquidation. Such resolution for liquidation and to appoint a liquidator must be confirmed by a further Extraordinary General Meeting to be held not earlier than 30 days nor later than 60 days after the date on which the resolution so to be confirmed was passed.

and,

- c. withdrawal from membership under either a. or b. above shall be subject to compliance with the following conditions:
 - i. 14 days' prior written notice shall be given to the Chief Executive of RNZRSA (Inc) of any Notice of Motion to withdraw from membership which has been given to members pursuant to these Rules.
 - ii. Such notice shall be accompanied by payment in full of all capitation and other sums due by the Association.
 - iii. Such Notice shall specify:
 - (a) The date from which it is intended that the withdrawal shall become effective;
 - (b) Whether the Association intends voluntarily to be put into liquidation under Section 24 of the Incorporated Societies Act 1908, or
 - (c) Whether the Association intends to change its name with consequential Rule amendments under Section 21 of that Act.

and,

- iv. Immediately after the motion to withdraw from membership has been adopted by the members in General Meeting, the Chief Executive of RNZRSA shall be notified of the decision and supplied with the Association's Certificate of Incorporation.

LIQUIDATION

51. Any decision that the affairs of the Association be liquidated shall be governed by the following procedure:
 - a. A Notice of Motion of the proposed liquidation and appointment of a liquidator must be given in accord with the Rules of the Association and any such resolution for such liquidation and appointment of a liquidator must be confirmed by a further Extraordinary General Meeting, held not earlier than 30 days and not later than 60 days after the date on which the resolution so to be confirmed was passed.
 - b. If upon the liquidation of the Association there remains, after the satisfaction of all its liabilities, any property whatsoever, the same shall not be paid or distributed among the members of the Association but shall become vested in and transferred to RNZRSA or any local RSA having Charitable Status, on such conditions, providing such conditions are not inconsistent with the Aims and Objects of RNZRSA, as shall be determined by a majority of the members admitted under Rules 10 a. and 10b. of the Association present in person at a General Meeting to be held according to the Rules of the Association at or before the liquidation.

INDEMNITY

52. The Executive Committee, other Officers and Employees of the Association shall be indemnified by the Association against any personal liability incurred in or by reason of the discharge of their duties, except for liability arising by reason of:
 - a. their own fraudulent act or acts; or,
 - b. their own recklessness; or,
 - c. their own gross negligence or dereliction of duty.

SEAL OF THE ASSOCIATION

53. The Association shall have a Common Seal which shall be in the custody and control of the Secretary for the time being and the documents to be executed by the Association of whatsoever nature shall be executed with the following attestation clause:

"The Common Seal of The Devonport Returned and Services' Association (Incorporated) was here-unto affixed pursuant to a resolution of the Executive Committee in the presence of:

..... Executive Committee Member

..... Executive Committee Member

..... Secretary."

REGISTERED OFFICE

54. The Association shall at all times have a registered office situated 61 Victoria Road, Devonport, or at such other place as may be determined from time to time by the Executive Committee.

FIRST SCHEDULE: ELIGIBILITY FOR ADMISSION AS A RETURNED MEMBER

1. In all cases it shall be a prerequisite that the person, at the time of making application for membership:
 - (a) (i) shall be a New Zealand citizen, or
(ii) be a permanent resident of New Zealand in terms of New Zealand Immigration Policy,
or
(iii) be a citizen of a country belonging to the Commonwealth of Nations;
 - (b) have attained the age of 18 years or the minimum age for the purchase and consumption of alcohol as specified in the Sale of Liquor Act 1989 or any amendments or re-enactments thereof.
2. In all cases it shall be a condition of membership that the person has not been dishonourably discharged from the armed forces or dishonourably dismissed from any merchant navy or other qualifying organisation. An Association, or NEC, shall have authority to call upon any person to produce evidence of the nature of their discharge.
3. In all cases, it shall be the responsibility of the person concerned to produce satisfactory evidence of their eligible service.
4. Any questions arising between any applicant for membership and any Association as to whether such person is or is not eligible for membership shall be referred to NEC, whose decision shall be final and binding.
5. Other eligibility criteria are:
 - (a) **Armed or Defence Forces and Police of New Zealand**
 - (i) Any person who served overseas in time of war or emergency.
 - (ii) Any person who served overseas as a member of any unit in an operational or occupational force or multinational observers force, or ad hoc force as determined from time to time by NEC.
 - (iii) Any person who served overseas as a member of a United Nations Peacekeeping Force.
 - (b) **Armed Forces of Great Britain**
 - (i) Any person who served overseas in time of war or emergency.
 - (ii) Any person who served overseas as a member of any unit in an operational or occupational force, or ad hoc force as determined from time to time by NEC.
 - (iii) Any person who served in Great Britain in time of war in areas deemed to be under threat PROVIDED such service was marked by the award of the Defence Medal or the Air Crew Europe Star.
 - (iv) Any person who served in Northern Ireland PROVIDED such service was marked by the award of the Campaign Service Medal with clasp "Northern Ireland".
 - (c) **Armed Forces of Any Other Commonwealth Country**
 - (i) Any person who served overseas in time of war or emergency.
 - (ii) Any person who served overseas as a member of any unit in an operational or occupational force, or ad hoc force as determined from time to time by NEC.
 - (d) **Armed Forces of Any Ally of New Zealand**

Any person who served in areas deemed to be under threat, as determined from time to time by NEC, as a member of the Armed Forces of:

- (i) A country that was a member of the Commonwealth of Nations at the time of service or
- (ii) An ally of New Zealand at the time of service.

(e) Merchant Navy

Any person who served as a member of the crew of a merchant vessel under the flag of New Zealand or of any ally of New Zealand who either:

- (i) during the 1914-18 war or the 1939-45 war served in a theatre of war, PROVIDED such service was marked by the award of the appropriate campaign medals awarded to services personnel for service in that theatre, or
- (ii) served in a vessel engaged in the Falklands war, PROVIDED such service was marked by the award of the South Atlantic Star.

(f) Wartime Resistance Movements

Any person who served as a member of an underground or resistance movement of any ally of New Zealand PROVIDED the movement was officially recognised by the Government or authority for the time being accepted by Her Majesty's Government as being the Government or authority of the country concerned and the service has been officially recognised:

- (i) by the award of a decoration for valour or for service by the Government or authority as aforesaid, or
- (ii) by the award of a commendation for service or a certificate of service or a similar citation by the Government or authority as aforesaid, or
- (iii) by the award of a citation for service by the Officer having overall command of Her Majesty's forces in any particular area designated as a theatre of war.

(g) Civilians

- (i) Any NZ civilian who has served in conjunction with NZDF personnel providing support roles defined as Operational Service and whose service has been recognised by the awarding of the NZ Operational Service Medal (NZOSM) or the NZ General Service Medal (NZGSM).
- (ii) Any other NZ citizen, whose operational service for the nation has been recognised by NEC to warrant inclusion in this category

6. Savings

Any person admitted to membership as a Returned member under the Rules of RNZRSA in operation prior to adoption of this Schedule shall be deemed to have been admitted under this Schedule.

SECOND SCHEDULE: ELIGIBILITY FOR ADMISSION AS A SERVICE MEMBER

1. In all cases it shall be a prerequisite that the person, at the time of making application for membership:
 - (a) (i) shall be a New Zealand citizen, or
 - (ii) be a permanent resident of New Zealand in terms of New Zealand Immigration Policy, or
 - (iii) be a citizen of a country belonging to the Commonwealth of Nations;

(b) have attained the age of 18 years or the minimum age for the purchase and consumption of alcohol as specified in the Sale of Liquor Act 1989 or any amendments or re-enactments thereof.
2. In all cases it shall be a condition of membership that the person has not been dishonourably discharged from the armed forces or dishonourably dismissed from any merchant navy or other qualifying organisation. An Association, or NEC, shall have authority to call upon any person to produce evidence of the nature of their discharge.
3. In all cases, it shall be the responsibility of the person concerned to produce satisfactory evidence of their eligible service.
4. Any questions arising between any applicant for membership and any Association as to whether such person is or is not eligible for membership shall be referred to NEC, whose decision shall be final and binding.
5. Subject to the requirements of paragraphs 1 to 4 above and the provisions of clause 5(c) (ii) the following persons are eligible for admission as Service members.

(a) Armed/Defence Forces and Police of New Zealand

Any person who has served or is serving as a uniformed member of the Armed/Defence or Police Forces of New Zealand and who does not possess the necessary service qualifications for Returned membership.

(b) Armed/Defence Forces and Police of the Commonwealth of Nations

Any person who has served or is serving as a uniformed member of the Armed/Defence or Police Forces of any country which was a member of the Commonwealth of Nations at the time of service, and who does not possess the necessary service qualifications for Returned membership.

(c) Armed/Defence Forces of any Other Country

- (i) Any person who has served or is serving as a uniformed member of the Armed/Defence Forces of a country which has not taken up arms against New Zealand or any member of the Commonwealth of Nations or an ally of New Zealand since the 11th November 1918, and who does not possess the necessary service qualifications for Returned membership.
- (ii) All applications for membership made under the provisions of clause 5(c)(i) above, shall in the first instance be referred to the NEC for determination as to eligibility.

(d) Home Guard, Women's War Service Auxiliary, Women's Land Service

Any person who has served as a member of:

- (i) the Home Guard, Women's War Service Auxiliary or the Women's Land Service in New Zealand, or

(ii) an equivalent organisation or organisations within the then British Empire,

Any time between September 1939 and August 1945 and who does not possess the necessary qualifications for "Returned" membership.

(e) New Zealand Cadet Forces

- (i) Any person being not less than 18 years of age or who has attained the minimum legal drinking age as defined in the Sale of Liquor Act 1989 or any enactment or amendment thereto, and who has served, or is currently serving, as an Officer of the New Zealand Cadet Forces.
- (ii) Any person being not less than 18 years of age or who has attained the minimum legal drinking age as defined in the Sale of Liquor Act 1989 or any enactment or amendment thereto, and who has had a minimum of 3 years' service in the New Zealand Cadet Forces as evidenced by a "Cadet Record of Service' Certificate.

6. Savings

Any person admitted to membership as a Service member under the Rules of RNZRSA in operation prior to adoption of this Schedule shall be deemed to have been admitted under this Schedule.

THIRD SCHEDULE: ELIGIBILITY FOR ADMISSION AS AN ASSOCIATE MEMBER

1. In all cases it shall be a prerequisite that the person, at the time of making application for membership:
 - (a) (i) shall be a New Zealand citizen, or
 - (ii) be a permanent resident of New Zealand in terms of New Zealand Immigration Policy,
 - or
 - (iii) be a citizen of a country belonging to the Commonwealth of Nations;

(b) have attained the age of 18 years or the minimum age for the purchase and consumption of alcohol as specified in the Sale of Liquor Act 1989 or any amendments or re-enactments thereof.
2. In all cases, it shall be the responsibility for the person concerned to produce satisfactory evidence of their eligibility.
3. Any questions arising between any applicant for membership and the Association as to whether such person is or is not eligible for membership shall be referred to the Executive Committee, whose decision shall be final and binding.
4. Subject to paragraphs 1 to 3 above, the following persons are eligible for admission as Associate members:
 - (a) The spouse or surviving spouse of a member or of a person entitled under the First and Second Schedules to the Rules of RNZRSA.
 - (b) Children or grandchildren of a member or of a person entitled under the First and Second Schedules to the Rules of RNZRSA.
 - (c) Subject to evidence that they are in good standing in the community, persons not otherwise entitled may become an Associate Member.
5. **Savings**

Associate Membership - a number of instances will have occurred where Club membership has been granted to a person who does not meet the Citizenship criteria as set out in Clause 1 of this Schedule. Such persons shall be entitled to transfer to Associate Membership providing they were a Club Member prior to and including 30th June 1992.

FOURTH SCHEDULE: ELIGIBILITY FOR ADMISSION AS A YOUTH MEMBER

Youth Membership shall be open, subject to the requirements detailed hereunder, to persons who have attained the age of 13 years as at the date of application, and have not attained the age of 18 years or the minimum age for the purchase and consumption of alcohol as specified in the Sale of Liquor Act 1989 or any amendment or re enactment thereof.

1. In all cases it shall be a prerequisite that the person, at the time of making application for membership:
 - (a) shall be a New Zealand citizen, or
 - (b) be a permanent resident of New Zealand in terms of New Zealand Immigration Policy, or
 - (c) be a citizen of a country belonging to the Commonwealth of Nations;
2. It shall be the responsibility of the applicant to produce satisfactory evidence of their eligibility.
3. Any questions arising between the applicant for membership and the Association, as to whether such person is or is not eligible for membership, shall be referred to NEC for decision, which shall be final and binding.
4. Subject to the exceptions detailed below, Youth Members may access the facilities of, and enjoy the privileges of membership of the Association:
 - (a) Youth members are not eligible for election to any committees of the Association nor are they entitled to vote or speak at any General Meeting.
 - (b) Youth members are not eligible to nominate and/or second applicants for any class of membership.
 - (c) Youth members are not entitled to either purchase or consume liquor on the premises.
 - (d) Youth members are not permitted to either enter any area set aside or set up for the operation of gaming machines, or to operate or play such gaming machines.

Notwithstanding the provisions of Rules 13 and 14 of the Rules of the Association, any breach of these conditions, 4(c) and/or (d) shall mean the immediate cancellation of membership.

5. Youth members may sign in one visitor only, on any one day. Such visitor must have attained the age of 16 years. At all times the right to sign in visitors shall be subject to the provisions of the Sixth Schedule to these Rules.
6. The subscription payable by Youth members shall be as determined by the Executive Committee and shall not be subject to the provisions of Rule 38(a) of the Association rules.
7. On reaching the age of 18 years, or such age being the minimum age for the purchase and consumption of alcohol as specified in the Sale of Liquor Act 1989 or any amendment or re-enactment thereof, Youth membership shall cease.
8. Youth members attaining the age of 18 years, or such minimum age as defined in 7 above, may apply for membership in the category for which they eligible, but without being required to be further nominated or seconded.

In all other respects their application shall be subject to the requirements as detailed in Rule 11 of the Association rules.

FIFTH SCHEDULE: STANDING ORDERS FOR THE CONDUCT OF GENERAL MEETINGS OF THE ASSOCIATION

1. Members will assemble at the time and place appointed. The President shall preside at all meetings, or in their absence the Vice President. In the absence of both of these Officers, the meeting shall appoint a member to be the Chairman.
2. The Secretary will take the necessary steps to see that none but financial members, Honorary Life Members and Honorary Members of the Association are present.
3. Full Minutes of all proceedings of the meeting shall be kept by the Secretary or their appointee.

Business of Meeting

4. The business shall be as advertised and the order in which items of business are taken shall be as determined by the Chairman or by resolution of the members present.

Notices of Motion

5. (a) Motions must be fairly written and signed by the members proposing such motions. A motion moved and seconded shall be withdrawn only by leave of the meeting.
(b) Any notice of motion not seconded may not be further debated, but shall forthwith lapse and no entry thereof shall be made in the Minutes.
(c) The terms of a motion may be altered by the proposer with the approval of the seconder, and such amended motion shall be fairly written and delivered to the Chairman.

Superseding Motion

6. A motion may be superseded:
 - (a) By the adjournment of a meeting, either on the motion of a member "That this meeting do now adjourn", or on notice being taken, and it appearing, that a quorum is not present.
 - (b) By a motion being carried "That the meeting proceed to the next business".
 - (c) By an amendment.

Conduct of Debate

7. Every member shall obey the orders and rulings of the Chairman. If any member refuses to obey any such order or ruling, such member may thereupon, by resolution of the meeting, be held guilty of contempt, and such member may be suspended at the discretion of the meeting.

Time Limit of Speeches

8. The Proposer of a motion shall be allowed ten minutes in which to address the meeting, and their seconder five minutes. All other members shall have five minutes. The Proposer shall be entitled to a reply of five minutes.

SIXTH SCHEDULE: ASSOCIATION BY-LAWS

1. The Executive Committee shall be the sole responsible authority for the interpretation of these Rules and of the Regulations and By-laws, and the decision which shall be given within seven days by the said Executive Committee upon any question of interpretation or upon any matter affecting the Association and not provided for by the Rules or by the Regulations and By-laws, shall be final and binding on the members until set aside or varied by a General Meeting of the Association to be held within fourteen days of the date of such decision of the Executive Committee.
2. No member shall give any gratuity to any employee of the Association.
3. No member shall, except for services rendered or goods supplied at the request of the Executive Committee, or in pursuance of a resolution of a General Meeting on any pretence or in any manner receive any profit, salary or emolument from the funds or transactions of the Association.
4. Any member removing a book, newspaper or any article or articles which are the property of the Association from the premises without the consent of the Executive Committee or willfully breaking, tearing or injuring any property of the Association and refusing to replace or make good the same shall render himself liable to suspension.
5. Any member being intoxicated so as to be a nuisance in the Associations premises may immediately be suspended by the Duty Manager or by an Officer. Any such suspension must forthwith be reported in writing to the Secretary giving the reasons therefore and a meeting of the Executive Committee shall be called with all reasonable speed.
6. Drunkenness, swearing, obscene language and other disorderly conduct shall not be permitted in the Association's premises, and any member persisting in offending may, after being cautioned by the Duty Manager or by an Officer or member of the Executive Committee render himself liable for suspension.
7. Membership of any party, organisation, Association or other body, the allegiance and objects of which are inconsistent with the allegiance and objects of this Association shall be deemed to be misconduct within the meaning of these Rules.
8. No raffles shall be allowed on the premises or goods exhibited for that purpose except with the authority of the Executive Committee.
9. No sectarian or party political discussion shall be allowed in the Association's premises.
10. No business cards or notices shall be posted or hung on the premises without the sanction of the Executive Committee, nor shall any member give the address of the Association in an advertisement or conduct any business on the Association's premises or use the Association address for business purposes.
11. Members of the Executive Committee shall at all times render every assistance to the Officers and staff of the Association to maintain order and to prevent infringement of the Rules, Regulations or By-laws, or the terms of any charter which may be granted from time to time to the Association.

SEVENTH SCHEDULE: LICENCE REGULATIONS

1. The sale, supply and consumption of liquor shall only occur in accordance with the provisions of the Sale of Liquor Act 1989 and the terms and conditions of any license issued pursuant to that Act.
2. No liquor shall be sold or supplied to minors, intoxicated persons or to otherwise prohibited persons (within the meaning of the Sale of Liquor Act 1989 or any re-enactments thereof or any amendments thereto) except those allowed in accordance with the terms of the Sale of Liquor Act 1989 or any re-enactment thereof or amendments thereto.
3. Every RSA licensed to sell liquor in accordance with the provisions of the Sale of Liquor Act 1989 shall have a Host Responsibility Policy and be in compliance with the Policy at all times the premises are open for business.

4. Licenses

A club licence shall authorise the holder of the license to sell and supply liquor, on the premises described in the license, for consumption on the premises, to:

- (a) any member of the club; or
- (b) any person who is a guest of, and is accompanied by, a member of the club; or
- (c) any member of any other club with which the holder of the license has an arrangement for reciprocal visiting rights for members of the clubs.

Members are responsible for the conduct of their guests and must ensure that guests leave the premises at the same time or before they do.

An on-licence authorises the holder of the licence -

- (a) To sell and supply liquor, to any person present on the premises described in the licence, for consumption on the premises and
- (b) To allow the consumption of liquor on the premises described in the licence

An off-licence shall authorise the holder of the licence to sell or deliver liquor on or from the premises described in the licence to any person for consumption off the premises.

Liquor is to be sold or supplied only to:

- (a) Any member of the club; or
- (b) Any member of any other club with which the holder of the licence has an arrangement for reciprocal visiting rights for member of the club.

The holder of an off-licence may arrange for delivery to be made by the maker, importer, wholesaler, or distributor of any liquor from the premises of the maker, importer, wholesaler, or distributor; and, in any such case, the liquor shall be deemed for the purposes of this Act to have been delivered by the holder of the off-licence from the premises described in the licence.

An off-licence also authorises the complimentary supply of liquor by way of sample on the premises to which the licence relates.

A special licence authorises the holder of the licence to sell and supply liquor, on the premises described in the licence, to any person attending any occasion or event or series of occasions or events described in the licence.

Special licenses for social gatherings. Without limiting anything in the above section, a special licence may be granted in accordance with this Part to the holder of an on-licence or to the

holder of a club licence, authorising the holder from time to time to sell and supply liquor for consumption on the premises at any time when the premises are required to be closed for the sale of liquor, to persons attending social gatherings of any kind or kinds specified in the licence.

On any day/evening that a special licence is in force, it is necessary to provide a form at the principal point of entry to the Club, for event attendees to sign on arrival. The Form should be headed with the date and name of the function with two columns below, for attendees to print their name with their signature beside. This is to satisfy regulatory bodies that visitors are indeed on the premises to attend the listed event.

The holder of either a current Club Manager's or General Manager's Certificate issued in accordance with the provisions of the Sale of Liquor Act 1989 must be in attendance on the premises whenever the public is present.

Liquor consumed at any occasion or event for which a special licence applies, must be provided through or by the Association or Club.

Only financial members of the RSA should host functions for which a special licence is required.

5. That this Association affiliated to the Royal New Zealand Returned And Services' Association (Inc) as defined in the Sixth Schedule to its Rules, grants reciprocal visiting rights to all other Associations and RSA Clubs, as defined in the Sixth Schedule to the Rules of RNZRSA.
6. No gambling or gaming shall be permitted on the premises other than in accordance with any licence or permit issued pursuant to the Gambling Act 2003.
7. Nothing in these Regulations shall be deemed to limit the power of the Executive Committee to make By-laws for the conduct of the licensed premises provided that where necessary approval will be sought from RNZRSA.