


Constitution
for the
New Zealand Water Ski Racing Association Incorporated
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Constitution of the New Zealand Water Ski Racing Association Inc.

CONTENTS

INTRODUCTORY RULES AND INFORMATION	5
1.1 Society Name	5
1.2 Charitable Status	5
1.3 Definitions	5
1.4 Association Purposes	7
1.5 Compliance with the Incorporated Societies Act 2022 and Regulations	8
1.6 Financial Restrictions of the Association	8
1.7 Registered Office	9
1.8 Association Contact Person.....	9
1.9 Requirement of Affiliation.....	9
MEMBERSHIP TO THE ASSOCIATION	10
2.1 Minimum Numbers.....	10
2.2 Membership Categories.....	10
2.3 Membership Consent.....	10
2.4 Membership Application Process	10
2.5 Members Rights and Duties	11
2.6 Liability of Members.....	11
2.7 Membership Subscriptions.....	11
2.8 Membership Cessation	12
2.9 Duties Upon Membership Cessation	13
GENERAL MEETINGS	13
3.1 Procedures	13
3.2 Minutes	15
3.3 Annual General Meetings: Date.....	15
3.4 Annual General Meetings: Business.....	15
3.5 Special General Meetings.....	17
EXECUTIVE AND SUB-COMMITTEES (AND NON-EXECUTIVE ROLES)	17
4.1 Executive Committee Composition and Officers.....	17
4.2 Executive Committee Functions	18
4.3 Executive Committee Powers.....	18

Constitution of the New Zealand Water Ski Racing Association Inc.

4.4	Officer Qualification Requirements	18
4.5	Executive Committee Duties.....	19
4.6	Election of Executive Committee Members	19
4.7	Election of Sub-Committee Members (and Non-Executive Roles)	20
4.8	Term of Office.....	20
4.9	Removal of Executive or Sub-Committee Members (and Non-Executive Roles)	21
4.10	Ceasing to Hold Office.....	21
4.11	Conflicts of Interest.....	21
EXECUTIVE AND SUB-COMMITTEE MEETINGS		22
5.1	Procedure (Executive Committee).....	22
5.2	Frequency (Executive Committee)	22
5.3	Sub Committee Meetings	23
5.4	Committee Communication and Conduct.....	23
RECORDS		23
6.1	Register of Members	23
6.2	Interests Register	24
6.3	Member Access to Records.....	24
FINANCES		25
7.1	Control and Management	25
7.2	Accounting Period / Balance Date	26
7.3	Operational Period / Membership Due Date	26
DISPUTE RESOLUTION.....		26
8.1	Meanings of Dispute and Complaint.....	26
8.2	Complaints Lodgment: Process.....	27
8.3	Complaints Process: The Right to be Heard.....	27
8.4	Person Subject to Complaint: The Right to be Heard.....	28
8.5	Investigating and Determining Disputes	28
8.6	Association Right to Not Proceed with Complaint.....	28
8.7	Association Right to Refer Complaint.....	29
8.8	Decision Makers	29
LIQUIDATION AND REMOVAL FROM REGISTER.....		29

Constitution of the New Zealand Water Ski Racing Association Inc.

9.1	Resolving into Liquidation	29
9.2	Resolving for Removal from the Register	30
9.3	Surplus Assets.....	30
CHANGES TO THE CONSTITUTION		30
10.1	Amending this Constitution	30
OTHER		31
11.1	Bylaws	31
11.2	Racing Rule Changes.....	31
HALL OF FAME.....		31
12.1	Overview.....	31
12.2	Categories	32
12.3	Nomination and Award Process	33
12.4	Selection Panel / Review Panel.....	33
12.5	Eligibility Criteria	33
APPENDIX ONE – ABSENCE VOTING FORM		36
APPENDIX TWO – PROXY VOTE NOMINATION FORM		37
APPENDIX THREE – OFFICER CONSENT FORM.....		38
APPENDIX FOUR – EXECUTIVE COMMITTEE NOMINATION FORM		39
APPENDIX FIVE – SUB-COMMITTEE AND NON-EXECUTIVE ROLE NOMINATION FORM		40
APPENDIX SIX – EXECUTIVE COMMITTEE FUNDING APPLICATION RESOLUTION FORM		41
APPENDIX SEVEN – SUB-COMMITTEE COMPOSITION, FUNCTIONS AND RESPONSIBILITIES		43

Constitution of the New Zealand Water Ski Racing Association Inc.

Introductory Rules and Information

1.1 Society Name

1.1.1 The name of the society is the New Zealand Water Ski Racing Association Incorporated (in this **Constitution** referred to as the '**Association**').

1.2 Charitable Status

1.2.1 The **Association** is not and does not intend to be registered as a charitable entity under the Charities Act 2005.

1.3 Definitions

1.3.1 In this **Constitution**, unless the context requires otherwise, the following words and phrases have the following meanings:

1.3.2 '**Act**' means the [Incorporated Societies Act 2022](#) or any **Act** which replaces it (including amendments to it from time to time), and any regulations made under the **Act** or under any Act which replaces it.

1.3.3 '**Association**' means the New Zealand Water Ski Racing Association Incorporated.

1.3.4 '**Annual General Meeting**' means a meeting of the **Members** of the **Association** held once per year which, among other things, will receive and consider reports on the **Association's** activities and finances.

1.3.5 '**Constitution**' means the rules in this document.

1.3.6 '**Executive Committee**' means the **Association's** governing body.

1.3.7 '**Executive Committee Member**' means either an '**Officer**' or another member of the **Association's** governing body elected in accordance with this **Constitution**.

1.3.8 '**General Meeting**' means either an **Annual General Meeting** or a **Special General Meeting** of the **Members** of the **Association**.

1.3.9 '**Interested Member**' means a **Member** who is interested in a matter for any of the reasons set out in [section 62](#) of the **Act**.

1.3.10 '**Interests Register**' means the register of interests of **Officers**, kept under this **Constitution** and as required by [section 73](#) of the **Act**.

1.3.11 '**Matter**' means:

- a) the **Association's** performance of its activities or exercise of its powers; or
- b) an arrangement, agreement, or contract (a transaction) made or entered into, or proposed to be entered into, by the **Association**.

Constitution of the New Zealand Water Ski Racing Association Inc.

- 1.3.12 'Member' means a person who has consented to become a **Member** of the **Association** and has been properly admitted to the **Association** who has not ceased to be a **Member** of the **Association**. For the avoidance of doubt, this includes the requirement (except for those awarded Life Membership) to be current with any financial costs or fees to apply or retain membership. Further, an *eligible member* means any member over the age of 16yrs and a tax resident of New Zealand as at the date of a General Meeting to vote on any matter.
- 1.3.13 'Misconduct' means (but is not limited to) a person who has engaged in:
- a) breaching of **Association** rules; or
 - b) using information or one's position to gain an advantage or harm the **Association**; or
 - c) intentionally deceiving or defrauding the **Association**, its members, or creditors; or
 - d) conduct that damages the **Association's** ability to operate; or
 - e) conduct which does not support the **Association's** purposes; or
 - f) conduct which may bring the **Association** into disrepute by affecting the **Association's** public image.
- 1.3.14 'Notice' means communication to **Members** given by email, post, or courier. A **Notice** of resolution means a communication from the **Executive Committee** which meets the requirements of [section 228](#) of the **Act**.
- 1.3.15 'Officer' means a natural person who is:
- a) a member of the **Executive Committee**, and
 - b) occupies either the **President, Vice-President, Treasurer** or **Secretary** role which allows them to exercise significant influence over the management or administration of the **Association**.
- 1.3.16 'President' means the **Officer** elected or appointed to provide leadership for the **Association** and to perform the duties specified in this **Constitution**.
- 1.3.17 'Quorum' means:
- a) when at least 25 percent of eligible **Members** are in attendance to vote on matters at an **Annual General Meeting** or **Special General Meeting**, or
 - b) when at least two-thirds of a Committee is present at any Committee Meeting.
- 1.3.18 'Register of Members' means the register of **Members** kept under this **Constitution** as required by [section 73](#) of the **Act**.
- 1.3.19 'Registrar' means the Registrar of Incorporated Societies appointed in accordance with [section 240](#) of the Act.

Constitution of the New Zealand Water Ski Racing Association Inc.

- 1.3.20 **'Resolution'** means the adopted outcome from **Members** or the **Executive Committee** (situation dependent) who are present and eligible to vote and choose the same option. A **Resolution** can be either:
- a) an **Ordinary Resolution**, which is a simple (50%) majority, or
 - b) a **Special Resolution**, which is a two-thirds (66%) majority.
- 1.3.21 **'Secretary'** means the **Officer** elected or appointed to provide administrative services to the **Executive Committee** and **Association**, and to perform the duties specified in this **Constitution**.
- 1.3.22 **'Special General Meeting'** means a meeting of **Members**, other than at an **Annual General Meeting**, called for a specific purpose or purposes.
- 1.3.23 **'Treasurer'** means the **Officer** elected or appointed to provide financial management of the **Association's** accounts, and to perform the duties specified in this **Constitution**.
- 1.3.24 **'Vice President'** means the **Officer** elected or appointed to deputise in the absence of the **President** and to perform the duties specified in this **Constitution**.
- 1.3.25 **'Working Days'** exclude Saturdays and Sundays, New Zealand (national) public holidays and all days between Boxing Day and the day after New Year's Day.

1.4 Association Purposes

1.4.1 The primary purposes of the **Association** are to:

- a) maintain a sustainable membership to hold and deliver waterski racing in New Zealand, and
- b) organise, facilitate, administer, and adjudicate waterski racing events in New Zealand, and
- c) create, maintain, and provide racing rules for waterski racing competitors to abide, ensuring that they are promoted, explained, and applied, and
- d) provide development opportunities for competitors to compete at international events, and
- e) promote and encourage enjoyment and competition between **Members** whilst adhering to all rules of the **Association**, underpinned by fairness, respect and integrity.

1.4.2 The **Association** must not operate for the purpose or effect of:

- a) distributing any gain, profit, surplus, dividend, or other similar financial benefit to any of its **Members** (whether in money or in kind), or
- b) having capital that is divided into shares or stock held by its **Members**, or
- c) holding property in which its members have a disposable interest (whether directly, or in the form of shares or stock in the capital of the **Association** or otherwise).

1.4.3 The **Association** is not operating for the financial gain of **Members** simply if the **Association**:

Constitution of the New Zealand Water Ski Racing Association Inc.

- a) engages in trade,
- b) pays a **Member** for matters that are related to the purposes of the **Association** and the **Member** is a not-for-profit entity,
- c) distributes funds to a **Member** to further the purposes of the **Association**, and the **Member**:
 - i. is a not-for-profit entity, and
 - ii. is affiliated or closely related to the **Association**, and
 - iii. has the same, or substantially the same, purposes as those of the **Association**.
- d) reimburses a **Member** for reasonable expenses legitimately incurred on behalf of the **Association** or while pursuing the **Association's** purposes,
- e) provides benefits to members of the public or of a class of the public and those persons include **Members** or their families,
- f) provides benefits to **Members** or their families to alleviate hardship,
- g) provides educational scholarships or grants to **Members** or their families,
- h) pays a **Member** a salary or wages or other payments for services to the **Association** on arm's length terms, such terms being:
 - i. reasonable in the circumstances if the parties were connected or related only by the transaction in question, each acting independently, and each acting in its own best interests; or
 - ii. less favorable to the **Member** than the terms referred to in subclause (i) above; and, the payment for services, or other transaction, does not include any share of a gain, profit, or surplus, percentage of revenue, or other reward in connection with any gain, profit, surplus, or revenue of the **Association**,
- i) provides a **Member** with incidental benefits (for example, trophies, prizes, or discounts on products or services) in accordance with the purposes of the **Association**.
- j) on removal of the **Association** from the Register of Incorporated Societies having its surplus assets distributed under [subpart 5 of Part 5](#) of the **Act** to a **Member** that is a not-for-profit entity.

1.5 Compliance with the Incorporated Societies Act 2022 and Regulations

- 1.5.1 Nothing in this **Constitution** authorises the **Association** to do anything which contravenes or is inconsistent with the **Act**, any regulations made under the **Act**, or any other legislation.

1.6 Financial Restrictions of the Association

- 1.6.1 The **Association** must not be carried out for the financial gain of any of its members.
- 1.6.2 The **Association's** capacity, rights, powers, and privileges are subject to the following restrictions:
- a) The **Association** is not permitted to borrow any money.

Constitution of the New Zealand Water Ski Racing Association Inc.

1.6.3 No part of the income, benefit, or other financial advantage of the **Association** shall be distributed, directly or indirectly, to any **Member** of the **Association**, except as provided for in [section 1.4.3](#) of this **Constitution**.

1.7 Registered Office

1.7.1 The registered office of the **Association** shall be at such place in New Zealand as the **Executive Committee** from time to time determines.

1.7.2 Changes to the registered office shall be notified to the Registrar:

- a) at least 5 **Working Days** before the change of address is due to take effect, and
- b) in a form and as required by the **Act**.

1.8 Association Contact Person

1.8.1 The **Secretary** shall act as the contact person whom the Registrar can contact when needed, and they must:

- a) be at least 18 years of age,
- b) ordinarily reside in New Zealand, and
- c) be elected by **Members** at a **General Meeting**.

1.8.2 The **Association** must provide the Registrar with the **Secretary's** name and contact details, including:

- a) a physical address or an electronic address, and
- b) a telephone number.

1.8.3 Any change to the contact person or their name or contact details must be notified to the Registrar within 20 **Working Days** of the change or the **Association** becoming aware of it.

1.9 Requirement of Affiliation

1.9.1 The **Association** shall remain a current divisional member of the New Zealand Waterski Association and shall follow all overarching rules and bylaws of that Association.

1.9.2 The **Association** encourages members to maintain a current membership with a Waterski New Zealand affiliated ski club to foster growth and development of waterski racing in New Zealand.

Constitution of the New Zealand Water Ski Racing Association Inc.

Membership to the Association

2.1 Minimum Numbers

2.1.1 The **Association** shall maintain at least 10 **Members** as required by the **Act**.

2.2 Membership Categories

2.2.1 The classes of membership and the method by which **Members** are admitted to different classes of membership are as follows:

2.2.2 Regular Membership means:

- a) A **Member** who is an individual or body corporate admitted to membership under this **Constitution** and who or which has not ceased to be a **Member**.

2.2.3 Life Membership means:

- a) a **Member** honoured for highly valued services to the **Association** awarded in accordance with the Hall of Fame criteria in this **Constitution** and is a member of the Hall of Fame in that category.
- b) a **Life Member** shall have all the rights and privileges of a **Member** and shall be subject to all the same duties as a **Member** except those of paying subscriptions and levies.

2.2.4 Honorary Membership means:

- a) a person honoured for services to the **Association** or in an associated field elected as an **Honorary Member** by **Special Resolution** of a **General Meeting** passed by eligible **Members** present and voting.
- b) an **Honorary Member** has no membership rights, privileges or duties.

2.3 Membership Consent

2.3.1 Every applicant for membership must consent to becoming a **Member**.

2.3.2 The completion of an application for membership shall act as the consent, intent and agreement of the applicant to become a **Member** and to abide by the expectations, responsibilities and duties of being a **Member**.

2.3.3 This information must be retained in the **Association's** membership records.

2.4 Membership Application Process

2.4.1 An applicant for membership must complete and sign any application form, supply any information, or attend an interview as may be reasonably required by the **Executive**

Constitution of the New Zealand Water Ski Racing Association Inc.

Committee regarding an application for membership, and will formally become a **Member** only on the acceptance of that application by the **Executive Committee**.

2.4.2 The **Executive Committee** may accept or decline an application for membership at its sole discretion. The **Executive Committee** must advise the applicant of its decision.

2.5 Members Rights and Duties

2.5.1 Every **Member** shall provide the **Association** in writing with that **Member's** name and contact details (namely, physical or email address and a telephone number) and promptly advise the **Association** in writing of any changes to those details.

2.5.2 All **Members** shall promote the interests and purposes of the **Association** and shall not engage in **Misconduct**.

2.5.3 A **Member** is only entitled to exercise the rights of membership (including attending and voting at **General Meetings**, accessing or using the **Association's** premises, facilities, equipment and other property, and participating in **Association** activities) if all subscriptions and any other fees have been paid to the **Association** by their respective due dates.

2.5.4 Any **Member** that is a body corporate shall provide the Executive Committee, in writing, with the name and contact details of the person who is the organisation's authorised representative, and that person shall be deemed authorised to cast absence votes or nominate their organisation's proxy for the purposes of voting at **General Meetings**.

2.5.5 The **Executive Committee** may decide what access or use **Members** may have for any premises, facilities, equipment or other property owned, occupied or otherwise used by the **Association**, and to participate in **Association** activities, including any conditions and fees for such access, use or involvement.

2.6 Liability of Members

2.6.1 The liabilities of a **Member** to the **Association** in their capacity as a **Member** is limited to those stated in [section 78](#) of the **Act**.

2.7 Membership Subscriptions

2.7.1 The annual membership subscription and any other applicable fees shall be determined by **Ordinary Resolution of Members** at an **Annual General Meeting**.

2.7.2 New applicants must pay the subscription fee at the time of application.

2.7.3 Existing **Members** must renew their membership annually. Subscription fees are due on the 1st of August (membership due date) to maintain financial membership status.

2.7.4 Online payments do not automatically mean that membership has been granted or renewed.

Constitution of the New Zealand Water Ski Racing Association Inc.

- 2.7.5 New membership applications or renewals are not permitted (and will not be approved) between the period of 20 **Working Days** prior to the date of **Notice of Annual General Meeting**, and the **Annual General Meeting**.
- 2.7.6 All membership applications or renewals are subject to approval by the **Executive Committee**. The **Executive Committee** has 20 **Working Days** from the date of receipt of payment to review any application and advise the applicant of any restrictions (partially or fully) in relation to their membership application. After this time, if no communication has been provided to the applicant to the contrary, the application is approved.
- 2.7.7 Until the membership payment is received, and the 20 **Working Day** period has lapsed, the applicant is considered unfinancial and has no membership rights, including participation in **Association** activities or access to its property or equipment.
- 2.7.8 Membership renewals not paid within 20 **Working Days** of the membership due date may result in the:
- a) requirement to pay a late payment/rejoining fee, or
 - b) termination of membership by the **Executive Committee**, without the need for prior notice.
- 2.7.9 The **Executive Committee** may approve periodic payment arrangements on a case-by-case basis.

2.8 Membership Cessation

- 2.8.1 A **Member** ceases to be a **Member**:
- a) by resignation from that **Member's** class of membership by written notice signed by that **Member** to the **Executive Committee**, or
 - b) on termination of a **Member's** membership by **Special Resolution** of the **Executive Committee** following a dispute resolution process under this **Constitution**, or
 - c) on death (or if a body corporate on liquidation or deregistration, or if a partnership on dissolution of the partnership), or
 - d) by **Special Resolution** of the **Executive Committee** where the **Member** has failed to pay a subscription, levy or other amount due to the **Association** within 20 **Working Days** of the due date for payment, or
 - e) by **Special Resolution** of the **Executive Committee** where in the opinion of the **Executive Committee** the **Member** has engaged in **Misconduct** to a degree which warrants membership cessation.
- 2.8.2 Cessation of Membership shall have effect from (as applicable):
- a) the date of receipt of the **Member's** notice of resignation by the **Executive Committee** (or any subsequent date stated in the notice of resignation), or
 - b) the date of termination of the **Member's** membership under this **Constitution**, or

Constitution of the New Zealand Water Ski Racing Association Inc.

- c) the date of death of the **Member** (or if a body corporate from the date of its liquidation or deregistration, or if a partnership from the date of its dissolution), or
- d) the date specified in a **Special Resolution** of the **Executive Committee** and when a **Member's** membership has been terminated the **Executive Committee** shall promptly notify the former **Member** in writing.

2.9 Duties Upon Membership Cessation

2.9.1 A **Member** who has ceased to be a **Member** under this **Constitution**:

- a) remains liable to pay all subscriptions and other fees to the **Association's** next membership due date,
- b) shall cease to hold himself or herself out as a **Member** of the **Association**,
- c) shall return to the **Association** all material provided to **Members** by the **Association**, and
- d) shall cease to be entitled to any of the rights of a **Member**.

General Meetings

3.1 Procedures

3.1.1 The **Executive Committee** shall give all **Members** at least 20 **Working Days** written **Notice** of any **General Meeting** and of the business to be conducted at that **General Meeting**.

3.1.2 That **Notice** will be addressed to the **Member** at the contact address notified to the **Association** recorded in the **Association's** register of members. The **General Meeting** and its business will not be invalidated simply because one or more **Members** do not receive the **Notice** of the **General Meeting**.

3.1.3 Only **Members** who are over the age of 16yrs and who are a tax resident of New Zealand may vote on matters at **General Meetings**:

- a) in person, or
- b) in absence by casting an absence vote using the absence voting form ([Appendix One](#)), or
- c) in absence by nominating another **Member** as their proxy vote using the proxy nomination form ([Appendix Two](#)).

3.1.4 If a **Member** chooses to vote in absence, or nominate another **Member** as their proxy, the official forms must be: completed, hand signed and be received by the **Executive Committee** no later than 24 hours before the commencement of the **General Meeting**.

3.1.5 No **General Meeting** may be held unless at least 25 percent of eligible **Members** (those over the age of 16yrs and tax resident of New Zealand) attend throughout the meeting, and this will constitute a quorum.

- a) If a quorum is not present within 30 minutes of the scheduled meeting time the meeting is

Constitution of the New Zealand Water Ski Racing Association Inc.

dissolved if it was called at the request of **Members**.

b) in all other cases, the meeting is adjourned to a new date, time, and place set by the **Executive Committee**.

c) at the adjourned meeting, if a quorum is still not present, the **Members** present (in person, by proxy, or in absence) will be deemed to form a sufficient quorum.

3.1.6 A **Member** is entitled to exercise one vote on any motion at a **General Meeting** in person, in absence, or by proxy. Voting in person at a **General Meeting** shall be by voices or by show of hands or, on demand of the **President** (or from 2 or more **Members** present), by secret ballot.

3.1.7 Unless otherwise required by this **Constitution**, all questions shall be decided by a simple majority of votes cast: in person, in absence or by proxy and at a **General Meeting**.

3.1.8 Any decisions made when a quorum is not present are not valid.

3.1.9 Written resolutions may not be passed in lieu of a **General Meeting**.

3.1.10 **General Meetings** may be held at one or more venues by **Members** present in person and/or using any real-time audio, audio and visual, or electronic communication that gives each **Member** a reasonable opportunity to participate.

3.1.11 All **General Meetings** shall be chaired by the **President**. If the **President** is absent, the **Vice President** shall chair the meeting. If both are absent from a **General Meeting**, then the members present must nominate candidates and hold a motion to determine who will preside as chairperson.

3.1.12 The chairperson of a **General Meeting**:

a) may vote on any matter arising, and in the event of a tied vote, has a casting vote.

b) (with the consent of a simple majority of **Members** present at any **General Meeting**), may adjourn the **General Meeting** from time to time and from place to place but no business shall be transacted at any adjourned **General Meeting** other than the business left unfinished at the meeting from which the adjournment took place.

c) direct that any person not entitled to be present at the **General Meeting**, or who is believed to be either: obstructing the business of the **General Meeting**, behaving in a disorderly manner, being abusive, or failing to abide by the directions of the chairperson, be removed from the **General Meeting**, and

d) in the absence of a quorum or in the case of emergency, adjourn the **General Meeting** or declare it closed.

3.1.13 The **Executive Committee** may propose motions for the **Association** to vote on ('**Executive Committee Motions**'), which shall be notified to **Members** with the notice of the **General Meeting**.

Constitution of the New Zealand Water Ski Racing Association Inc.

3.1.14 Any **Member** may also request that a motion be voted on ('**Member's Motion**') at a **General Meeting**, by giving notice to the **Secretary** at least 10 **Working Days** before that meeting. The **Member** may also provide any additional information in support of the motion ('**Member's Information**'). If notice of the motion is given to the **Secretary** before written **Notice** of the **General Meeting** is given to **Members**, notice of the motion and any additional information shall be included in the written **Notice to Members** of the **General Meeting**.

3.2 Minutes

3.2.1 The **Association** must keep minutes of all **General Meetings**.

3.2.2 Minutes shall be shared with **Members** after a **General Meeting** and can also be provided at anytime under written request.

3.3 Annual General Meetings: Date

3.3.1 An **Annual General Meeting** shall be held once a year on a date and at a location and/or using any electronic communication determined by the **Executive Committee** and consistent with any requirements in the **Act**, and the procedure to be followed in this **Constitution** relating to **General Meetings** shall apply.

3.3.2 The **Annual General Meeting** may be held at the conclusion of the event calendar for each season (approx. end of April), but prior to the commencement of the incoming season (approx. early August).

3.3.3 If (for whichever reason) an **Annual General Meeting** is not practicable at the intended time, it must occur no later than 15 months after the previous **Annual General Meeting**.

3.4 Annual General Meetings: Business

3.4.1 The **Executive Committee** must, at each **Annual General Meeting**, present the following information:

- a) an annual report on the operations and affairs of the **Association** during the most recently completed accounting period (which must contain the information prescribed by any regulations made under the **Act**); and
- b) the financial statements of the **Association** for that period.

3.4.2 The business of an **Annual General Meeting** shall be to:

- a) confirm the minutes of the last **Annual General Meeting** and any **Special General Meeting(s)** held since the last **Annual General Meeting**,
- b) receive and confirm any proxies and apologies,

Constitution of the New Zealand Water Ski Racing Association Inc.

- c) adopt the **Executive Committee** report on the operations and affairs of the **Association**, and the annual financial statements,
- d) confirm to retain or continue with the accountants engaged to manage and prepare the financial statements of the Association,
- e) confirm if the membership wishes to appoint external auditors to audit the financial statements provided by the accountants (*requires a **Special Resolution***),
- f) adopt the following reports, at minimum:
 - i. Interests Report (reported disclosures / conflicts of interest)
 - ii. President's Report (the operations and affairs of the **Association**)
 - iii. Treasurer's Report (including the financial statements of the **Association**)
 - iv. Racing Sub-Committee Report
 - v. Technical Rules Sub-Committee Report
 - vi. Safety Sub-Committee Report
 - vii. IWWF Racing Council Delegate Report
 - viii. NZWSA Delegates Report
 - ix. National Coach(s) Report
- g) set any subscriptions or fees for the current financial year,
- h) elect and confirm (annually) **Members** to undertake the following responsibilities:
 - i. Executive Committee
 - ii. Executive Chief Judge (*and chair of the Racing Sub-Committee*)
 - iii. Racing Sub-Committee
 - iv. Technical Rules Sub-Committee
 - v. Safety Officer (*and chair of the Safety Sub-Committee*)
 - vi. Safety Sub-Committee
 - vii. Bridge-to-Bridge Committee Sub-Committee
 - viii. Trans-Tasman Committee Sub-Committee
 - ix. Selector(s) Sub-Committee
 - x. National Coach(s) Sub-Committee
 - xi. Scrutineer(s)
 - xii. IWWF Racing Council Delegate
 - xiii. Van, Rescue Boat & Equipment Manager
 - xiv. Website and Event Social Media Coordinator(s)
 - xv. Entries and Results Coordinator(s)
 - xvi. Timekeeper(s)
- i) consider any motions of which prior notice has been given to **Members** with notice of the **Meeting** (special business), and
- j) consider any general business.

Constitution of the New Zealand Water Ski Racing Association Inc.

3.4.3 The **Executive Committee** must, at each **Annual General Meeting**, present any disclosures of conflicts of interest made by **Members** of the **Executive Committee**, a sub-committee (or non-executive roles) during that period (including a summary of the matters, or types of matters, to which those disclosures relate).

3.5 Special General Meetings

3.5.1 **Special General Meetings** may be called at any time by the **Special Resolution** of the **Executive Committee**.

3.5.2 The **Executive Committee** shall give all **Members** at least 20 **Working Days** written **Notice** of any **Special General Meeting** and of the business to be conducted at that **Special General Meeting**.

3.5.3 The rules in this **Constitution** relating to the procedure to be followed at **General Meetings** shall apply to a **Special General Meeting**, and a **Special General Meeting** shall only consider and deal with the business specified in the **Executive Committee's** resolution or the written request by **Members** for the **Meeting**.

3.5.4 The **Executive Committee** must call a **Special General Meeting** if it receives a written request signed by at least 10 percent of **Members**, or when at least 50 percent of the **Executive Committee** are unable to vote on a particular issue because they have an interest in it.

3.5.5 Any resolution or written request must state the business that the **Special General Meeting** is to deal with.

Executive and Sub-Committees (and Non-Executive Roles)

4.1 Executive Committee Composition and Officers

4.1.1 All members of the **Executive Committee** must be **Members** of the **Association**.

4.1.2 The **Executive Committee** will consist of the following roles:

- a) President
- b) Vice-President
- c) Treasurer
- d) Secretary
- e) 2x General Executive Member
- f) Youth Representative (U19yrs)
- g) Immediate Past President (if applicable)

4.1.3 The **Officers** of the **Association** will consist of the following roles:

Constitution of the New Zealand Water Ski Racing Association Inc.

- a) President
- b) Vice-President
- c) Treasurer
- d) Secretary

4.2 Executive Committee Functions

4.2.1 From the end of each **Annual General Meeting** until the end of the next, the **Association** shall be managed by, or under the direction or supervision of, the **Executive Committee**, in accordance with the [Incorporated Societies Act 2022](#), any Regulations made under that **Act**, and this **Constitution**.

4.3 Executive Committee Powers

4.3.1 The **Executive Committee** has all the powers necessary for managing, directing, and supervising the management of the operation and affairs of the **Association**, subject to any modifications, exceptions, or limitations as contained in the **Act** or in this **Constitution**.

4.4 Officer Qualification Requirements

4.4.1 Every **Officer** must be a natural person who:

- a) has consented in writing to be an **Officer** of the **Association**, and
- b) certifies that they are not disqualified from being elected or appointed or otherwise holding office as an **Officer** of the **Association** ([Appendix Three](#)).

*Note that only a natural person may be an **Officer**, and each certificate shall be retained in the **Association's** records.*

4.4.2 The following persons are disqualified under [section 47\(3\)](#) of the **Act** from being appointed or holding office as an **Officer** of the **Association**:

- a) a person who is under 16 years of age, or
- b) a person who is an undischarged bankrupt, or
- c) a person who is prohibited from being a director or promoter of, or being concerned or taking part in the management of, an incorporated or unincorporated body under the [Companies Act 1993](#), the [Financial Markets Conduct Act 2013](#), or the [Takeovers Act 1993](#), or any other similar legislation, or
- d) a person who is disqualified from being a member of the governing body of a charitable entity under the [Charities Act 2005](#), or
- e) a person who has been convicted of any of the following, and has been sentenced for the offence, within the last 7 years:
 - i. an offence under [subpart 6 of Part 4](#) of the **Act**, or
 - ii. a crime involving dishonesty (within the meaning of [section 4](#) of the [Crimes Amendment Act 2015](#)), or
 - iii. an offence under [section 143B](#) of the [Tax Administration Act 1994](#), or

Constitution of the New Zealand Water Ski Racing Association Inc.

- iv. an offence, in a country other than New Zealand, that is substantially similar to an offence specified in subparagraphs (1) to (3), or
- v. a money laundering offence or an offence relating to the financing of terrorism, whether in New Zealand or elsewhere, or
- f) a person subject to:
 - i. a banning order under [subpart 7 of Part 4](#) of the **Act**, or
 - ii. an order under [section 108](#) of the [Credit Contracts and Consumer Finance Act 2003](#), or
 - iii. a forfeiture order under the [Criminal Proceeds \(Recovery\) Act 2009](#), or
 - iv. a property order made under the [Protection of Personal and Property Rights Act 1988](#), or whose property is managed by a trustee corporation under [section 32](#) of that Act.
- g) a person who is subject to an order that is substantially like an order referred to in paragraph (f) under a law of a country, State, or territory outside New Zealand that is a country, State, or territory prescribed by any regulations made pursuant to the **Act**.

4.5 Executive Committee Duties

4.5.1 At all times each Executive Committee Member:

- a) shall act in good faith and in what he or she believes to be the best interests of the **Association**,
- b) must exercise all powers for a proper purpose,
- c) must not act, or agree to the **Association** acting, in a manner that contravenes the **Act** or this **Constitution**,
- d) when exercising powers or performing duties as an **Executive Committee Member**, must exercise the care and diligence that a reasonable person with the same responsibilities would exercise in the same circumstances considering, but without limitation:
 - i. the nature of the **Association**,
 - ii. the nature of the decision, and
 - iii. the position of the **Executive Committee Member** and the nature of the responsibilities undertaken by him or her.
- e) must not agree to the activities of the **Association** being carried on in a manner likely to create a substantial risk of serious loss to the **Association's** creditors, or cause or allow the activities of the **Association** to be carried on in a manner likely to create a substantial risk of serious loss to the **Association's** creditors, and
- f) must not agree to the **Association** incurring an obligation unless he or she believes at that time on reasonable grounds that the **Association** will be able to perform the obligation when it is required to do so.

4.6 Election of Executive Committee Members

4.6.1 The election of Executive Committee Members shall follow these procedures:

- a) elections must be held at the **Annual General Meeting**. Any vacancies arising between **Annual General Meetings** shall be filled with the **Special Resolution** of the **Executive**

Constitution of the New Zealand Water Ski Racing Association Inc.

Committee, subject to the nominee providing the signed consent and a declaration of eligibility form ([Appendix Three](#)).

- b) candidates must be nominated in writing by a **Member** ([Appendix Four](#)), accompanied by a signed **Officer** consent form, if relevant ([Appendix Three](#)). These documents must be submitted at least 10 **Working Days** prior to the **Annual General Meeting**. If insufficient valid nominations are received, further nominations may be accepted from the floor at the **Annual General Meeting**.
- c) all **Officers** must be elected prior to the conclusion of the **Annual General Meeting**.
- d) for non-Officer **Executive Committee** roles, if there are still vacancies after nominations, the elected **Officers** shall allocate the remaining roles.
- e) voting is conducted in a manner determined by the meeting Chair. In the event of a tie, the incoming **Executive Committee** (excluding the tied candidates) will resolve it by **Special Resolution**.
- f) two scrutineers (either **Members** not nominated, or non-Members appointed by the meeting Chair) shall oversee vote counting and destroy any voting papers.
- g) The failure of any **Member** to receive **Notice** of the **Annual General Meeting** does not invalidate the election.

4.7 Sub-Committees (and Non-Executive Roles)

4.7.1 The composition, functions, and responsibilities of sub-committees are set out in Appendix Seven.

4.7.2 The election of sub-committee **Members** and non-executive roles shall be conducted as follows:

- a) held during the **Annual General Meeting**. Vacancies arising between the **Annual General Meetings** shall be filled with the **Ordinary Resolution** of the **Executive Committee**.
- b) candidates must be nominated by a **Member** ([Appendix Five](#)) and submitted at least 10 **Working Days** prior to the **Annual General Meeting**. If there are insufficient valid nominations, further nominations may be accepted from the floor at the **Annual General Meeting**.
- c) voting is conducted in a manner determined by the Chair. In the event of a tie, the incoming **Executive Committee** will resolve it by **Ordinary Resolution**.
- d) two scrutineers (either **Members** not nominated, or non-Members appointed by the Chair) shall oversee vote counting and destroy any voting papers.
- e) the failure of any **Member** to receive **Notice** of the **Annual General Meeting** does not invalidate the election.

4.8 Term of Office

4.8.1 The term of office for elected positions on the **Executive Committee**, sub-committees or a non-executive role shall be until the conclusion of the next **Annual General Meeting**.

Constitution of the New Zealand Water Ski Racing Association Inc.

4.8.2 No **Executive Committee Member** (excluding the President) shall serve for more than 3 consecutive terms.

Constitution of the New Zealand Water Ski Racing Association Inc.

4.8.3 No **President** shall serve for more than 5 consecutive terms as **President**.

4.9 Removal of Executive or Sub-Committee Members (and Non-Executive Roles)

4.9.1 **Executive Committee**, sub-committee, or non-executive **Members** may be removed only by **Special Resolution** of the **Executive Committee**.

4.9.2 The **Member** may also be removed by the **Executive Committee** if they:

- a) are absent from three meetings without approved leave,
- b) engage in **Misconduct**,
- c) fail to disclose a conflict of interest, or
- d) are subject to a vote of no confidence by the **Association**.

4.9.3 Removal takes effect from the date specified in the resolution.

4.10 Ceasing to Hold Office

4.10.1 A **Member** of the **Executive Committee**, sub-committee, or a non-executive role ceases to hold office if they resign in writing, are removed, become disqualified, die, or (for **Officers**) vacate office under [section 50\(1\)](#) of the **Act**.

4.10.2 Within 10 **Working Days** of leaving office, they must return all **Association** property in their possession to the **Executive Committee**.

4.11 Conflicts of Interest

4.11.1 Any **Executive Committee**, sub-committee, or non-executive Member with an interest in a Matter being considered must disclose the nature and extent (including any monetary value, if known):

- a) to the **Executive Committee**, and
- b) have it recorded in the Interests Register.

4.11.2 Disclosure must be made as soon as practicable after the **Member** becomes aware of the interest.

4.11.3 An Interested **Member**:

- a) must not vote or decide on the Matter unless all non-interested **Members** consent,
- b) may participate in discussions and be present during decisions unless excluded,
- c) must not sign documents related to the Matter without full consent of non-interested **Members**.

4.11.4 Interested **Members** may be counted towards the quorum, even if they cannot vote.

Constitution of the New Zealand Water Ski Racing Association Inc.

- 4.11.5 If 50% or more of the **Executive Committee** are interested and unable to vote, a **Special General Meeting** must be held to decide the **Matter** — unless all non-interested Members agree otherwise.
- 4.11.6 If 50% or more of a sub-committee are interested and unable to vote, the **Matter** must be referred to the **Executive Committee** for decision.

Executive and Sub-Committee Meetings

5.1 Procedure (Executive Committee)

- 5.1.1 The quorum for **Executive Committee** meetings is at least two-thirds of the **Executive Committee**.
- 5.1.2 A meeting of the **Executive Committee** may be held either:
- a) In person at an appointed place, date, and time; or
 - b) via audio or video conferencing, provided all participants can hear and speak to each other.
- 5.1.3 Unless otherwise specified in this **Constitution**, all resolutions are passed by **Ordinary Resolution**, with each **Executive Committee Member** having one vote.
- 5.1.4 The **President** chairs meetings; if absent, the **Vice-President** does. If both are absent, the **Executive Committee** may appoint a chair from those present.
- 5.1.5 If the **Secretary** is absent, the chair appoints another **Executive Committee Member** to take minutes.
- 5.1.6 The chairperson has a casting vote in the event of a tie.
- 5.1.7 The **Executive Committee** may regulate its own procedures unless otherwise stated in this **Constitution**.

5.2 Frequency (Executive Committee)

- 5.2.1 The **Executive Committee** must meet at least once per calendar month, in a format of its choosing (including audio, visual, or electronic communication), and as convened by the **President** or **Secretary**.
- 5.2.2 At least 5 **Working Days**' notice must be given to all **Executive Committee Members** for meetings, except in urgent cases where shorter notice is acceptable.

Constitution of the New Zealand Water Ski Racing Association Inc.

5.3 Sub Committee Meetings

5.3.1 The **Executive Committee** may appoint sub-committees consisting of such persons (whether or not **Members** of the **Association**) and for such purposes as it thinks fit. Unless otherwise resolved by the **Executive Committee**:

- a) the quorum of every sub-committee is two-thirds the members of the sub-committee but not less than 2, and
- b) no sub-committee is permitted to:
 - i. co-opt additional members, or
 - ii. further delegate any of its powers.

5.4 Committee Communication and Conduct

5.4.1 The **Executive Committee** and any sub-committee may act by resolution approved through a:

- a) conference call using audio and/or audio-visual technology, or
- b) written ballot conducted by email, electronic voting system, or post.

5.4.2 All resolutions shall be recorded in the minutes of the next **Executive Committee** or sub-committee meeting (*minutes are optional for sub-committees*).

5.4.3 Other than as prescribed by the **Act** or this **Constitution**, the **Executive Committee** or any sub-committee may regulate its proceedings as it thinks fit.

Records

6.1 Register of Members

6.1.1 The **Association** shall keep an up-to-date Register of Members.

6.1.2 For each current **Member**, the information contained in the Register of Members shall include:

- a) Their name, and
- b) The date on which they became a **Member** (if there is no record of the date they joined, this date shall be recorded as 'Unknown'), and
- c) Their contact details, including:
 - i. A physical address or an electronic address, and
 - ii. A telephone number.

6.1.3 The register will also include each **Member's**:

- a) postal address

Constitution of the New Zealand Water Ski Racing Association Inc.

- b) email address (if any)
- c) occupation
- d) whether the **Member** is financial or unfinancial

6.1.4 Every current **Member** shall promptly advise the **Association** of any change of the **Member's** contact details.

6.1.5 The **Association** shall also keep a record of the former **Members** of the **Association**, which must, at a minimum, include those persons who ceased to be a **Member** within the previous 7 years. For each **Member** who ceased to be a **Member**, the **Association** will record:

- a) The former **Member's** name, and
- b) The date the former **Member** ceased to be a **Member**.

6.2 Interests Register

6.2.1 The **Executive Committee** shall at all times maintain an up-to-date register of the interests disclosed by Members of the **Executive Committee**, sub-committees (or **Members** in non-executive roles).

6.3 Member Access to Records

6.3.1 A **Member** may at any time make a written request to the **Association** for information held by the **Association**. *Privacy [Principle 6](#) of the Privacy Act 2020 shall be adhered to.*

6.3.2 The request must specify the information sought in sufficient detail to enable the information to be identified.

6.3.3 The **Association** must, within a reasonable time after receiving a request:

- a) provide the information, or
- b) agree to provide the information within a specified period, or
- c) agree to provide the information within a specified period if the **Member** pays a reasonable charge to the **Association** (which must be specified and explained) to meet the cost of providing the information, or
- d) refuse to provide the information, specifying the reasons for the refusal.

6.3.4 If the **Association** releases any information arising from the request, the information to be provided shall have unanimous approval from all **Officers** prior to being released.

6.3.5 Any information provided to a **Member** may not necessarily be minuted or in formal written form (and is not required to be if the information was not taken in that form).

6.3.6 Without limiting the reasons for which the **Association** may refuse to provide the information, the **Association** may refuse to provide the information if:

Constitution of the New Zealand Water Ski Racing Association Inc.

- a) withholding the information is necessary to protect the privacy of natural persons, including that of deceased natural persons, or
- b) the disclosure of the information would, or would be likely to, prejudice the commercial position of the **Association** or of any of its **Members**, or
- c) the disclosure of the information would, or would be likely to, prejudice the financial or commercial position of any other person, whether or not that person supplied the information to the **Association**, or
- d) the information is not relevant to the operation or affairs of the Association, or
- e) withholding the information is necessary to maintain legal professional privilege, or
- f) the disclosure of the information would, or would be likely to, breach an enactment, or
- g) the burden to the **Association** in responding to the request is substantially disproportionate to any benefit that the **Member** (or any other person) will or may receive from the disclosure of the information, or
- h) the request for the information is frivolous or vexatious, or
- i) the request seeks information about a dispute or complaint which is or has been the subject of the procedures for resolving such matters under this **Constitution** and the **Act**.

6.3.7 If the **Association** requires the **Member** to pay a charge for the information, the **Member** may withdraw the request, and must be treated as having done so unless, within 10 **Working Days** after receiving notification of the charge, the **Member** informs the **Association**:

- a) that the **Member** will pay the charge; or
- b) that the **Member** considers the charge to be unreasonable.

Finances

7.1 Control and Management

7.1.1 The funds and property of the **Association** shall be:

- a) controlled, invested and disposed of by the **Executive Committee**, subject to this **Constitution**, and
- b) devoted solely to the promotion of the purposes of the **Association**.

7.1.2 The **Executive Committee** shall maintain bank accounts in the name of the **Association**.

7.1.3 All money received on account of the **Association** shall be banked within 10 **Working Days** of receipt.

7.1.4 All accounts paid or for payment shall be submitted to the **Executive Committee** for approval of payment.

7.1.5 The **Executive Committee** must ensure that there are accounting records always kept which:

Constitution of the New Zealand Water Ski Racing Association Inc.

- a) correctly record the transactions of the **Association**, and
- b) allow the **Association** to produce financial statements that comply with the requirements of the **Act**, and
- c) would enable the financial statements to be readily and properly audited (if required under any legislation or the **Association's Constitution**).

7.1.6 The **Executive Committee** must establish and maintain a satisfactory system of control of the **Association's** accounting records.

7.1.7 The accounting records must be kept in written form or in a form or manner that is easily accessible and convertible into written form. And the accounting records must be kept for the current accounting period and for the last 7 completed accounting periods of the **Association**.

7.2 Accounting Period / Balance Date

7.2.1 The **Association's** accounting period shall commence on the 1st May of each year and end on 30th April (the latter date being the **Association's** balance date).

7.3 Operational Period / Membership Due Date

7.3.1 The **Association's** operational period (racing season) shall commence on the 1st of August each year and end on the 31st of July (the former date being the **Association's** membership due date).

Dispute Resolution

8.1 Meanings of Dispute and Complaint

8.1.1 A dispute is a disagreement or conflict involving the **Association** and/or its **Members** in relation to specific allegations set out below.

8.1.2 Disputes may arise between **Members**, **Executive Committee Members**, or the **Association** in any combination.

8.1.3 The disagreement or conflict may relate to any of the following allegations:

- a) **Misconduct**,
- b) breach (or potential breach) by **Members**, **Executive Committee Members**, or the **Association** of duties under this **Constitution**, bylaws, or the **Act**, or
- c) damage to a Member's rights or interests.

8.1.4 Allegations must be clearly detailed to allow a fair and informed response.

8.1.5 Complaints may be submitted to the in any reasonable manner allowed by this **Constitution**.

Constitution of the New Zealand Water Ski Racing Association Inc.

8.1.6 All parties must work to resolve disputes fairly, efficiently, and with minimal disruption to the **Association**.

8.1.7 The complainant and **Executive Committee** must consider informal resolution options, including mediation or arbitration, and formalise any agreement in writing if chosen.

8.2 Complaints Lodgment: Process

8.2.1 A **Member** or **Executive Committee Member** may lodge a complaint by providing written notice to the **Executive Committee** (or complaints sub-committee) that:

- a) states they are initiating the **Association's** dispute resolution process,
- b) clearly outlines the allegations and the individual(s) involved, and
- c) includes any other relevant information required by the Association.

8.2.2 The **Association** may also initiate a complaint against a **Member** or **Executive Committee Member** by providing them with written notice that:

- a) states the **Association** is initiating the dispute resolution process, and
- b) outlines the relevant allegations.

8.2.3 All complaints must contain sufficient detail to ensure the person accused is fairly informed and able to prepare a response.

8.2.4 Complaints may also be submitted in any other reasonable manner permitted by the **Constitution**.

8.3 Complaints Process: The Right to be Heard

8.3.1 A **Member** or **Executive Committee Member** who makes a complaint has the right to be heard before any decision or outcome is made.

8.3.2 If the **Association** makes a complaint:

- a) it has the same right to be heard, and
- b) an **Executive Committee Member** may speak on its behalf.

8.3.3 The right to be heard is considered fulfilled if:

- a) the person or **Association** has had a reasonable chance to be heard, either in writing or in an oral hearing (if one occurs),
- b) an oral hearing is held if necessary for fairness,
- c) the hearing is conducted by the appropriate decision maker, and
- d) any written or spoken submissions are properly considered.

Constitution of the New Zealand Water Ski Racing Association Inc.

8.4 Person Subject to Complaint: The Right to be Heard

8.4.1 This clause applies if a complaint is made alleging that a **Member**, **Executive Committee Member**, or the **Association** (the "respondent"):

- a) has engaged in **Misconduct**,
- b) has breached (or is likely to breach) duties under the **Constitution**, bylaws, or the **Act**, or
- c) has harmed the rights or interests of a **Member** or **Members** generally.

8.4.2 The respondent has the right to be heard before any decision or outcome is made.

8.4.3 If the respondent is the **Association**, an **Executive Committee Member** may speak on its behalf.

8.4.4 The right to be heard is satisfied if:

- a) the respondent is fully and fairly informed of the allegations, with enough detail and time to prepare a response,
- b) they are given a reasonable opportunity to respond in writing or at a hearing (if one is held),
- c) a hearing is held if required for fairness,
- d) the hearing is conducted by the decision maker, and
- e) any written or verbal responses are properly considered.

8.5 Investigating and Determining Disputes

8.5.1 The **Association** must promptly investigate and resolve complaints in a fair, efficient, and effective manner, adhering to its **Constitution**, bylaws and the **Act**.

8.6 Association Right to Not Proceed with Complaint

8.6.1 Despite the 'Investigating and determining dispute' rule above, the **Association** may decide not to proceed further with a complaint if:

- a) the complaint is considered trivial; or
- b) the complaint does not appear to disclose or involve any allegation of the following kind:
 - i. that a **Member** or an **Executive Committee Member** has engaged in material **Misconduct**:
 - ii. that a **Member**, an **Executive Committee Member**, or the **Association** has materially breached, or is likely to materially breach, a duty under the **Association's Constitution** or bylaws or the **Act**:
 - iii. that a **Member's** rights or interests or **Members'** rights or interests generally have been materially damaged.

Constitution of the New Zealand Water Ski Racing Association Inc.

- c) the complaint appears to be without foundation or there is no apparent evidence to support it; or
- d) the person who makes the complaint has an insignificant interest in the matter; or
- e) the conduct, incident, event, or issue giving rise to the complaint has already been investigated and dealt with under the **Constitution**; or
- f) there has been an undue delay in making the complaint.

8.7 Association Right to Refer Complaint

8.7.1 The **Association** may refer a complaint to:

- a) a sub-committee or an external person to investigate and report; or
- b) a sub-committee, an arbitral tribunal, or an external person to investigate and make a decision.

8.7.2 The **Association** may, with the consent of all parties to a complaint, refer the complaint to any type of consensual dispute resolution (for example, mediation, facilitation).

8.8 Decision Makers

8.8.1 A person may not act as a decision maker in relation to a complaint if 2 or more members of the **Executive Committee** or a complaints sub-committee consider that there are reasonable grounds to believe that the person may not be:

- a) impartial; or
- b) able to consider the matter without a predetermined view.

Liquidation and Removal from Register

9.1 Resolving into Liquidation

9.1.1 The **Association** may be liquidated in accordance with the provisions of Part 5 of the **Act**.

9.1.2 The **Executive Committee** shall give 20 **Working Days** written **Notice** to all **Members** of the proposed resolution to put the **Association** into liquidation.

9.1.3 The **Executive Committee** shall also give written **Notice** to all **Members** of the **General Meeting** at which any such proposed resolution is to be considered. The **Notice** shall include all information as required by [section 228\(4\)](#) of the **Act**.

9.1.4 Any resolution to put the **Association** into liquidation must be passed by the **Special Resolution** of all **Members** present and voting.

Constitution of the New Zealand Water Ski Racing Association Inc.

9.2 Resolving for Removal from the Register

- 9.2.1 The **Association** may apply for removal from the Register of Incorporated Societies in accordance with the provisions of Part 5 of the **Act**.
- 9.2.2 The **Executive Committee** shall give 20 **Working Days** written **Notice** to all **Members** of the proposed resolution to apply for removal of the **Association** from the Register of Incorporated Societies.
- 9.2.3 The **Executive Committee** shall also give written **Notice** to all **Members** of the **General Meeting** at which any such proposed resolution is to be considered. The **Notice** shall include all information as required by [section 228\(4\)](#) of the **Act**.
- 9.2.4 Any resolution to apply for removal of the **Association** from the Register of Incorporated Societies must be passed by the **Special Resolution** of all **Members** present and voting.

9.3 Surplus Assets

- 9.3.1 If the **Association** is liquidated or removed from the Register of Incorporated Societies, no distributions shall be made to any **Member**.
- 9.3.2 On the liquidation or removal from the Register of Incorporated Societies of the **Association**, the surplus assets of the Association — after payment of all debts, costs and liabilities — shall be vested in the New Zealand Water Ski Association Incorporated (NZBN 9429042690948).
- 9.3.3 However, in any resolution under this rule, **Members** of the **Association** may approve a distribution to a different not-for-profit entity from that specified above (and must do so if that non-for-profit entity does not exist at the time of liquidation or removal from the Register). This must be passed by the **Special Resolution** of eligible **Members** present and voting at a General Meeting. The **Association** must comply with this **Constitution** and the **Act** in all other respects.

Changes to the Constitution

10.1 Amending this Constitution

- 10.1.1 All amendments must be made by the **Executive Committee** and in accordance with this **Constitution**. Any minor or technical amendments must be notified to **Members** as required by [section 31](#) of the **Act**.
- 10.1.2 Any proposal from **Members** to amend or replace this **Constitution** shall be signed by at least 50 percent of eligible **Members** and given in writing to the **Executive Committee**. The proposal must include a written explanation of the reasons for the proposal. The **Executive Committee** must convene to review the proposal and

Constitution of the New Zealand Water Ski Racing Association Inc.

signatories. If satisfied that the threshold has been reached, a **Special General Meeting** must then be held to determine the matter.

10.1.3 Any proposal from the **Executive Committee** to amend or replace this **Constitution** requires a **Special Resolution** of the **Executive Committee**. A **Special General Meeting** must then be held to determine the matter.

10.1.4 Any proposed changes to amend or replace this **Constitution** at a **Special General Meeting** requires the **Special Resolution** of those **Members** present, eligible and voting.

10.1.5 At least 5 **Working Days** before the **Special General Meeting** at which any amendment is to be considered, the **Executive Committee** shall give all **Members Notice** of the proposed resolution(s), the reasons for the proposal(s), and any recommendation(s) the **Executive Committee** has.

10.1.6 When an amendment is approved at a **General Meeting**, it shall be notified to the Registrar in the form and manner specified in the **Act** for registration and shall take effect from the date of registration.

Other

11.1 Bylaws

11.1.1 The **Executive Committee** from time to time may make and amend bylaws, and policies for the conduct and control of **Association** activities and codes of conduct applicable to **Members**, but no such bylaws, policies or codes of conduct applicable to **Members** shall be inconsistent with this **Constitution**, the **Act**, regulations made under the **Act**, or any other legislation.

11.2 Racing Rule Changes

11.2.1 The Racing Sub-Committee has the power to change Racing Rules at any time. However, any mid-season changes can only be made for safety related reasons and must be approved by **Members** at the next **Annual General Meeting** by **Members** to remain for the following season/s.

Hall of Fame

12.1 Overview

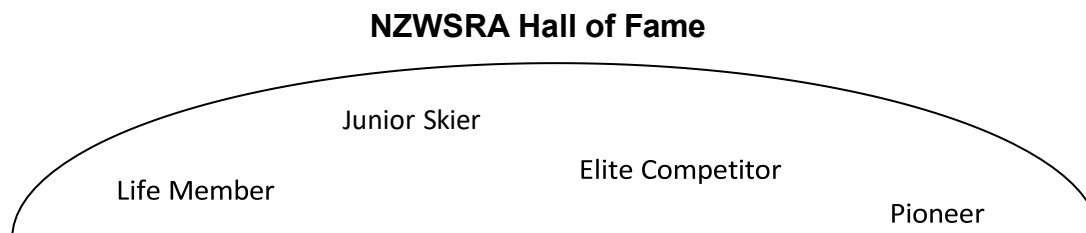
12.1.1 The **Association** Hall of Fame is to be regarded as the pinnacle awards for waterski racing in New Zealand.

Constitution of the New Zealand Water Ski Racing Association Inc.

- 12.1.2 Hall of Fame awards are to be held every 5 years coinciding with every fifth anniversary of the **Association**.
- 12.1.3 Hall of Fame members may be admitted under multiple categories.
- 12.1.4 A Selection Panel shall review nominees against the relevant Hall of Fame eligibility criteria and agree that the nominee has achieved the intent of the criteria to be endorsed.
- 12.1.5 Hall of Fame Awards should not be considered as a competitive matter, and nominees must be considered individually and on their personal attributes and achievements.
- 12.1.6 The Hall of Fame awards shall be considered binding indefinitely upon the recipient; however, the award may be removed from the recipient in the future if the recipient engages in **Misconduct**. Any **Member** who becomes aware or has on knowledge on reasonable grounds that this occurred must advise the **Executive Committee** as soon as possible.
- 12.1.7 On receipt of information which advises that potential or confirmed **Misconduct** by a recipient may or has occurred, the **Executive Committee** shall convene the Selection / Review Panel in accordance with the requirements in this **Constitution** to determine the matter.
- 12.1.8 In cases of significant merit, the **Executive Committee** shall consider nominating a member of the NZWSRA Hall of Fame to the New Zealand Waterski Association Hall of Fame.

12.2 Categories

- 12.2.1 The Hall of Fame is an overarching term to describe four award categories. Award categories include:
- a) Life Member
 - b) Junior Skier
 - c) Elite Competitor
 - d) Pioneer



Constitution of the New Zealand Water Ski Racing Association Inc.

12.3 Nomination and Award Process

- 12.3.1 Any current **Member** can nominate another current or past **Member** for consideration into the Hall of Fame, for the next Hall of Fame awards.
- 12.3.2 Nominations cannot be received beyond the 1st of January in the year of the Hall of Fame awards to allow enough time for the Selection Panel to convene.
- 12.3.3 Nominations must be sent to the **Executive Committee** via the **Secretary**. Upon receipt of the nomination, the matter will become an agenda item at the next **Executive Committee** meeting.

When a nomination is received by the Executive Committee:

- 12.3.4 The **Executive Committee** must assign the relevant positions on the Selection Panel and request it to convene to determine the nomination.
- 12.3.5 The Selection Panel shall advise the **Executive Committee** immediately after a decision has been reached considering whether:
- a) the nominee has met the intent of the eligibility criteria, and
 - b) the Selection Panel has endorsed the nomination by **Special Resolution**.
- 12.3.6 If the criteria of 12.3.5 is met, the **Executive Committee** must advise the nominee that they have been nominated and endorsed for induction to the Hall of Fame. The nominee must accept or decline that nomination.
- 12.3.7 The **Executive Committee** must compile the list of finalised nominations until the next awards ceremony – where they will be awarded.

12.4 Selection Panel / Review Panel

- 12.4.1 The Selection/Review Panel shall include:
- a) the current **President** of the **Association**, and
 - b) another **Member** of the current **Executive Committee**, and
 - c) three Hall of Fame members chosen by the **Executive Committee**, and
 - d) three senior **Members** chosen by the **Executive Committee** who have experience in prior award selection processes with at least 20 years' experience in the sport.

12.5 Eligibility Criteria

- 12.5.1 All nominees must be New Zealand citizens.
- 12.5.2 The Selection Panel will consider, in addition to a nominee's individual achievements:

Constitution of the New Zealand Water Ski Racing Association Inc.

- a) that person's integrity, sportsmanship and character, and
- b) their adherence to national and international bodies rules and regulations, and
- c) their overall contribution to the **Association** beyond competing.

12.5.3 Life Member

The nominee should:

- a) have demonstrated an exceptional contribution beyond the ordinary (for an extended period) which has measurably advanced the causes of the **Association**, and
- b) have provided at least 15 years of service in specific roles that have directly contributed to the benefit of the Association. These roles may include (but is not limited to) service on the **Executive Committee**, event management or coaching and development, and
- c) have represented the **Association** with distinction.

12.5.4 Junior Skier

The nominee should:

- a) only be considered for results achieved prior to their 19th birthday, and
- b) have significant experience and success in competition as a junior skier.

Expected achievements should include:

- c) representing New Zealand in (at least one) IWWF world championships in the Junior division with a podium placing overall.

12.5.5 Elite Competitor

The nominee should:

- a) have significant experience and success in competition as either a skier, driver or observer at an elite level, and
- b) have actively participated in the sport for a period not less than 10 years.

Expected achievements should include:

- c) repeated successes in winning multiple Men's/Woman's Open national titles, or
- d) representing New Zealand in (at least two) IWWF world championships with (at least one) podium placing (in either in a race or overall) in either the Men's/Woman's F1/F2/Juniors divisions, or
- e) significant other results or performances beyond the ordinary in competitions above Junior levels.

Constitution of the New Zealand Water Ski Racing Association Inc.

12.5.6 Pioneer:

The nominee should:

- a) have provided major contribution/s to the growth, development, innovation or longevity of the sport either nationally or internationally, or whose major contribution/s does not fall into the other categories.

Constitution of the New Zealand Water Ski Racing Association Inc.

Appendix One – Absence Voting Form

I/we

(name of individual or body corporate)

being a member aged over 16yrs of the *New Zealand Water Ski Racing Association*, will be absent from the [Annual / Special] General Meeting of the *New Zealand Water Ski Racing Association*, to be held on the ____ day of _____ 20____.

[I do send / I do not send] my apologies.

I/we authorise this form to act as the formal record of vote for the following resolutions:

Resolution Number	Vote Yes / Adopt	Vote No / Not Adopt
One	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Two	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Three	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Four	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Five	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Six	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Seven	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Eight	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Nine	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Ten	Yes <input type="checkbox"/>	No <input type="checkbox"/>

Signed, Date

Print name.....,

Absence voting forms must be received by the Executive Committee at least 24 hours before the General Meeting.

Constitution of the New Zealand Water Ski Racing Association Inc.

Appendix Two – Proxy Vote Nomination Form

I/we

(name of individual or body corporate)

being a member aged over 16yrs of the *New Zealand Water Ski Racing Association*, will be absent from the [Annual / Special] General Meeting of the *New Zealand Water Ski Racing Association*, to be held on the ____ day of _____ 20 ____.

[I do send / I do not send] my apologies.

I/we appoint and authorise

(name of proxy holder)

being a member aged over 16yrs of the *New Zealand Water Ski Racing Association*, as the official proxy to vote on my behalf at their discretion in respect of any motion at that meeting (and at any adjournment of that meeting).

Signed, Date

Print name.....,

Proxy vote nomination forms must be received by the Executive Committee at least 24 hours before the General Meeting.

Constitution of the New Zealand Water Ski Racing Association Inc.

Appendix Three – Officer Consent Form

I..... ,

(name of individual)

hereby agree to becoming an **Officer** of the **Association**, with full understanding of the responsibilities and duties of the role, and will perform and deliver these to the best of my ability,

further, I certify that I am a natural person and not disqualified from being elected or appointed or otherwise holding office as an **Officer** of the **Association** in accordance with [section 4.4.2](#) of this **Constitution**.

Signed, Date

Print name..... ,

Officer consent forms must be received by the Executive Committee at least 10 Working Days before the General Meeting.

Constitution of the New Zealand Water Ski Racing Association Inc.

Appendix Four – Executive Committee Nomination Form

I..... ,

(name of individual)

being a member aged over 16yrs of the *New Zealand Water Ski Racing Association*,

herby nominate,

(name of individual being nominated)

for election to the **Executive Committee** at the upcoming [Annual / Special] General Meeting of the *New Zealand Water Ski Racing Association*, to be held on the _____ day of _____ 20_____.

Executive Committee Role	Nomination
President*	Yes <input type="checkbox"/>
Vice President*	Yes <input type="checkbox"/>
Treasurer*	Yes <input type="checkbox"/>
Secretary*	Yes <input type="checkbox"/>
General Executive Member	Yes <input type="checkbox"/>
Under 19 Representative	Yes <input type="checkbox"/>

* Asterisked roles are **Officer** roles. Ensure your nominee also completes and supplies the Officer consent form in [Appendix Three](#)).

Signed, Date,

Print name..... ,

Executive Committee nomination forms must be received by the Executive Committee at least 10 Working Days before the General Meeting

Constitution of the New Zealand Water Ski Racing Association Inc.

Appendix Five – Sub-Committee and Non-Executive Role Nomination Form

I..... ,

(name of individual)

being a member aged over 16yrs of the *New Zealand Water Ski Racing Association*,

herby nominate ,

(name of individual being nominated)

for election to the [sub-committee or non-executive role selected in the below table] at the upcoming [Annual / Special] General Meeting of the *New Zealand Water Ski Racing Association*, to be held on the ____ day of _____ 20____.

Sub-Committee or Non-Executive Role	Nomination
Executive Chief Judge (and Chair of the Racing Sub-Committee)	Yes <input type="checkbox"/>
Racing Sub-Committee	Yes <input type="checkbox"/>
Technical Rules Sub-Committee	Yes <input type="checkbox"/>
Safety Officer (and Chair of the Safety Sub-Committee)	Yes <input type="checkbox"/>
Safety Sub-Committee	Yes <input type="checkbox"/>
Bridge to Bridge Sub-Committee	Yes <input type="checkbox"/>
Trans-Tasman Sub-Committee	Yes <input type="checkbox"/>
Selector	Yes <input type="checkbox"/>
National Coach	Yes <input type="checkbox"/>
Scrutineer	Yes <input type="checkbox"/>
IWWF Racing Council Delegate	Yes <input type="checkbox"/>
Van, Rescue Boat & Equipment Manager	Yes <input type="checkbox"/>
Website and Event Social Media Coordinator	Yes <input type="checkbox"/>
Entries and Results Coordinator	Yes <input type="checkbox"/>

Signed , Date

Print name..... ,

Sub-committee and non-executive role nomination forms must be received by the Executive Committee at least 10 Working Days before the General Meeting

Appendix Six – Executive Committee Funding Application Resolution Form



**Meeting Resolution
of the
New Zealand Waterski Racing Association Executive Committee**

held on the [redacted] day of [redacted] 20_____.

Executive Committee Members Present:

ABC, DEF, GHI, etc.

Executive Committee Members Absent:

ABC, DEF, GHI, etc.

The New Zealand Waterski Racing Association’s Executive Committee resolved to support a funding application to **[insert funding provider name]** for **[insert funding application purpose]** to a value of **[insert funding application value to two decimal places]**.

I certify that the above is a true and correct copy of a resolution passed by the New Zealand Waterski Racing Association’s Executive Committee.

Further, the Association is a current affiliated member of the New Zealand Water Ski Association who are the national body for waterskiing in New Zealand.

Signed on the [redacted] day of [redacted] 20_____.

[insert President name] – *President NZWSRA*

Constitution of the New Zealand Water Ski Racing Association Inc.

Appendix Seven – Sub-Committee Composition, Functions, and Responsibilities

The sub-committees of the Association shall be as follows:

Racing Sub-Committee

- 1 There shall be a Racing Sub-Committee appointed at each Annual General Meeting comprising 5 members as follows:
 - (a) The Executive Chief Judge, who shall be the Head of the Racing Committee;
 - (b) The Head of the Technical Rules Committee;
 - (c) Two other judges other than the Executive Chief Judge
 - (d) One other member who must be an open licence holder.
- 2 The Racing Sub-Committee shall:
 - (a) Provide and review (and if considered appropriate recommend amendments to) the Racing Rules, such rules to be generally in line with World Racing Rules;
 - (b) receive, monitor and maintain point standings and distribute to members;
 - (c) establish a judging system for ski racing, formulate and hold tests for judges; and
 - (d) formulate and hold tests for Skiers, Observers and Drivers.
 - (e) Determine the Racing Format
- 3 At least one member of the Racing Committee must be present at any racing event organised by the Association.

Technical Rules Sub-Committee

- 1 There shall be a Technical Rules Sub-Committee appointed at the AGM comprising up to three members, each of whom should be conversant with the technical aspects of boats and equipment used in ski racing.
- 2 The Technical Rules Committee shall:
 - (a) provide technical rules to the Racing Committee for inclusion into the Racing Rules;
 - (b) review (and if necessary recommend amendments to) the Racing Rules in line with technical aspects of World Racing Rules;
 - (c) Assist the Executive and / or Racing Committee with any disputes or queries relating to Technical Rules; and
 - (d) Appoint scrutineers to check boats and equipment for compliance with the Racing Rules.
- 3 At least one member of the Technical Rules Committee must be present at any racing event organised by the Association.
- 4 Members of the Technical Rules Committee shall serve on the Technical Rules Committee until the conclusion of the next Annual General Meeting.

Safety Sub-Committee

- 1 There shall be a Safety Sub-Committee appointed at the AGM comprising at least three members.
- 2 The Safety Sub-Committee plays a vital role in protecting competitors, officials, spectators, and volunteers. The Safety-Sub-Committee's function is to:

Constitution of the New Zealand Water Ski Racing Association Inc.

- (a) promote and ensure the highest standards of safety in all aspects of water ski racing events, including planning, preparation, competition, and incident response;
- (b) Develop, maintain, and update safety protocols;
- (c) Recommend improvements based on past incident reports and risk assessments;
- (d) Conduct site assessments prior to events to identify potential hazards;
- (e) Review course layouts, rescue plans, and communication protocols;
- (f) Ensure all safety equipment (boats, radios, medical kits) is present and operational.
- (g) Verify that all safety personnel (rescue boat drivers, first responders, course boat personnel) are properly briefed and stationed.
- (h) Monitor weather, water conditions, and on-water activity for safety risks.
- (i) Oversee response to any on-course accidents or safety concerns.
- (j) Conduct debriefings following incidents and prepare official safety reports.
- (k) Provide recommendations to reduce future risk.
- (l) Promote a culture of safety among competitors and officials.

Bridge to Bridge Sub-Committee

- 1 There shall be a Bridge to Bridge Sub-Committee appointed at the AGM.
- 2 There is no limit to the number of Bridge to Bridge Sub-Committees members.
- 3 The Bridge to Bridge Sub-Committee is responsible for organising all aspects of the Annual Bridge to Bridge event (including any practice events).
- 4 The Bridge to Bridge Sub-Committee will set the fees for the event, determine the rules for the event, the schedule of events, and appoint such persons as it considers necessary in order to ensure the success of the event.
- 5 Any significant changes from the previous Bridge to Bridge must be approved by the Executive Committee.

Trans-Tasman Sub-Committee

- 1 There shall be a Trans-Tasman Sub-Committee appointed at the AGM.
- 2 There is no limit to the number of Trans-Tasman Sub-Committees members.
- 3 The Trans-Tasman Sub-Committee is responsible for organising all aspects of the Annual Trans-Tasman event.

Selectors Sub-Committee

- 1 There shall be a panel of selectors appointed at the AGM.
- 2 The selectors shall:
 - (a) attend and observe skiers at major ski racing events;

Constitution of the New Zealand Water Ski Racing Association Inc.

- (b) select members to join a development squad;
- (c) recommend a ski racing team to represent New Zealand at international competitions; and
- (d) recommend a ski racing team to ski at invitation competitions.

- 3 Members of a development squad or Team may be removed by the selectors or the Executive Committee.
- 4 The Selectors will publish selection criterion as soon as reasonably practicable.
- 5 Any disagreement between Selectors shall be determined by the Executive Committee.
- 6 The panel of selectors serve until the conclusion of the next Annual General Meeting

National Coaches Sub-Committee

- 1 A National Coaches Sub-Committee shall be appointed at the AGM.
- 2 There is no limit to the number of National Coaches.
- 3 The National Coaches Sub-Committee is responsible for leading the development, preparation, and performance of competitors of all levels. This role involves talent identification, coaching leadership, and the strategic planning required to ensure long-term success for the national teams and overall advancement of the sport.
- 4 The National Coaches Sub-Committee will develop and implement high-performance coaching programs and provide opportunities for competitors to achieve at their highest level.

Administrative Matters

- 1 Sub-Committees have all the powers necessary to carry out their functions and will report to the Executive Committee when requested to do so.
- 2 The Executive Committee may, by Special Resolution, override any decision of a sub-committee.