

**CONSTITUTION OF THE TARARUA
ALLBREEDS DOG TRAINING CLUB
(INCORPORATED)**

(Updated 2026)

1. Name

- a) The name of the society is the Tararua Allbreeds Dog Training Club Incorporated (in this Constitution referred to as the 'TADTC').
- b) The TADTC was constituted by resolution dated 1980 and subject to the amendment schedule included at the end of this document.

2. Definitions

- a) In these Rules, unless the context requires otherwise, the following words and phrases have the following meanings:
 - **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.
 - **Annual General Meeting** means a meeting of the Members of the TADTC held once per year which, among other things, will receive and consider reports on the TADTC's activities and finances.
 - **Clear Days** means complete days, excluding the first and last-named days (for instance, excluding the date a Notice of meeting is posted or sent to Members and the date of the meeting).
 - **Club Delegate** means a person appointed as a Delegate to the New Zealand Kennel Club's Annual Conference of Delegates in accordance with the applicable NZKC Rules who is authorized to vote on behalf of and under the advisement of the clubs they represent. The TADTC shall not be responsible for any of the expenses of the Club Delegate.
 - **Committee** means the TADTC's governing body.
 - **Committee Member** means an elected Member of the Committee.
 - **General Meeting** means either an Annual General Meeting or a Special General Meeting of the TADTC.
 - **Matter** means:
 - the TADTC's performance of its activities or exercise of its powers; or
 - an arrangement, agreement, or contract (a transaction) made or entered into, or proposed to be entered into, by the TADTC.
 - **Member** means a person properly admitted to the TADTC who has not ceased to be a Member of the TADTC.
 - **Natural Person** means an individual human being.
 - **Notice to Members** includes any notice given by post, courier, email, social media, or TADTC website; and the failure for any reason of any Member to receive such Notice or information shall not invalidate any meeting or its proceedings or any election.
 - **President** means the Committee Member appointed to, among other things, overseeing the governance and operations of the TADTC and chairing General Meetings.
 - **Register of Interests** means the register of interests of Committee Members kept under these Rules.

- **Register of Members** means the register of Members kept under these Rules.
- **Rules** means the rules in this document.
- **Secretary** means an appointed role responsible for, among other things, keeping the Register of Members, the Register of Interests, and recording the minutes of General Meetings and Committee meetings.
- **Special General Meeting** means a meeting of the Members, other than an Annual General Meeting, called for a specific purpose or purposes.
- **Treasurer** means an appointed role responsible for, among other things, overseeing the finances of the Council.
- **Vice President/s** means the Committee Members appointed and authorized to deputize in the absence of the President.
- **Writing** means written form and/or electronic form.

3. Purposes

- a) The TADTC is established and maintained exclusively for charitable purposes (including any purposes ancillary to those charitable purposes), namely:
 1. Operating as a recognized Member of the New Zealand Kennel Club (trading as Dogs NZ).
 2. To give dog owners/handlers the skills to educate their dogs using positive techniques.
 3. To encourage good dog ownership and participation in dog sports.
 4. To hold trials, tests, assessments, and such other activities as the Committee may decide.
 5. To support recognised clubs affiliated to Dogs New Zealand.
 6. To accept and abide by all rules and regulations of Dogs New Zealand.
 7. Where possible to assist with the education of the public around acceptable behavior when dogs are present.
 8. To encourage fellowship with those who have a common interest in dogs.
 9. To carry out advertising, public relations and other promotional activities which the TADTC considers to be in the interests of, or related to, any or all of the objects specified in paragraph 3a.
 10. To use the funds of the TADTC as the TADTC considers appropriate in meeting the costs and expenses involved in furthering or carrying out any or all of the TADTC objects.
 11. To liaise with, or become a Member of, and cooperate with any recognized organisation in whose objects are similar to those of the TADTC.
 12. Personal Pecuniary gain is not a purpose of the TADTC.
- b) Any income, benefit, or advantage must be used to advance the charitable purposes of the TADTC.
- c) No Member is allowed to take part in, or influence any decision made by the TADTC in respect of payments to, or on behalf of, the Member of any income, benefit, or advantage.

- d) Any payments made to a Member must be for goods and services that advance the charitable purpose and must be reasonable and relative to payments that would be made between unrelated parties.

4. Act and Regulations

Nothing in this Constitution authorizes the TADTC to do anything which contravenes or is inconsistent with the Statute, any regulations made under the Statute, or any other legislation.

5. Registered office

The Registered Office of the TADTC shall be at such place in New Zealand as the Committee from time to time determines, and changes to the Registered Office shall immediately be notified to the Registrar of Incorporated Societies in a form and as required by the Statute.

6. Other powers

- a) In addition to its statutory powers, the TADTC:
 - 1. May use its funds to pay the costs and expenses to advance or carry out its purposes, and to employ or contract with such people as may be appropriate.
 - 2. May invest in any investment in which the Committee may lawfully invest.

7. Minimum number of Members

The TADTC shall maintain the minimum number of Members required by the Act. Currently this is ten.

8. Types of Members

- a) The classes of Membership and the method by which Members are admitted to different classes of Membership are as follows:
 - 1. **Member:** A Member is an individual over the age of 16 admitted to Membership under these Rules and who has not ceased to be a Member.
 - 2. **Life Member:** A Life Member is a person honoured for highly valued services to the TADTC elected as a Life Member by resolution of a General Meeting passed by a simple majority of those Members present and voting. 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.
- b) Any person favourable to the Objects of the TADTC and rules thereof shall be eligible for election to the Membership.
- c) Every Member upon election shall be bound by the Rules of the TADTC and of Dogs New Zealand.

9. Becoming a Member: consent

Every applicant for Membership must complete an application to become a Member.

10. Becoming a Member: process

- a) An applicant for Membership must complete an application form and supply any information reasonably required by the Committee.
- b) The Committee may accept or decline an application for Membership, and that decision is final. The Committee must advise the applicant of its decision (but is not required to provide reasons for that decision).
- c) Every person who becomes a Member shall be supplied with the copy of the Constitution and receive information on activities of the TADTC.
- d) All nominations for Life Membership are to be made in writing to the Secretary no later than sixty (60) days before the end of the TADTC's financial year. The Committee is to consider each nomination and make a recommendation to the Annual General Meeting for ratification.

11. Obligations and rights

- a) Every Member shall provide the TADTC with that Member's name and contact details (including postal address, telephone number(s), and any email address) and promptly advise the TADTC of any changes to those details.
- b) Membership does not confer on any Member any right, title, or interest (legal or equitable) in the property of the TADTC.
- c) Membership of the TADTC means that the TADTC can collect and use appropriately any information held on any Member, if needed for the purposes of the TADTC.

12. Other obligations and rights

- a) All Members (including Committee Members) shall promote the interests and purposes of the TADTC and shall do nothing to bring the TADTC into disrepute.
- b) A Member is only entitled to exercise the rights of Membership (including attending and voting at General Meetings) if all subscriptions and any other fees have been paid to the TADTC by due date, but no Member or Life Member is liable for an obligation of the TADTC by reason only of being a Member.
- c) The Committee may decide what access or use Members may have of or to any scheme owned or otherwise used by the TADTC, including any conditions of and fees for such access or use.

13. Subscriptions and fees

- a) The annual subscription for Members for the ensuing year will be determined by the Committee at their last meeting before the first day of January in each year.
- b) Subscriptions are due and payable on the first day of January each year.
- c) Any Member failing to pay the annual subscription within ninety (90) days of the date the same was due for payment shall be considered as unfinancial and shall (without being released from the obligation of payment) have no Membership rights and shall not be entitled to participate in any TADTC activity or to access or use the TADTC's schemes until all the arrears are paid.
- d) If such arrears are not paid within 4 months of the due date for payment of the subscription, any other fees, or levy the Committee may terminate the Member's Membership (without being required to give prior notice to that Member).

14. Ceasing to be a Member

- a) A Member ceases to be a Member:
 - 1. On death, or
 - 2. By resignation from that Member's class of Membership by notice to the Secretary, or
 - 3. On termination of a Member's Membership following a dispute resolution process under these rules, or
 - 4. If Membership dues remain unpaid 90 days after the due date and subject to any reminder notices having been issued.

15. Obligations on resignation

- a) A Member who resigns or whose Membership is terminated under these Rules:
 - 1. Remains liable to pay all subscriptions and other fees to the TADTC's next balance date.
 - 2. Shall cease to hold himself or herself out as a Member of the TADTC.
 - 3. Shall cease to be entitled to any of the rights of a TADTC Member.

16. Becoming a Member again

- a) Any former Member may apply for re-admission in the manner prescribed for new applicants and may be re-admitted only by resolution of the Committee.
- b) However, if a former Member's Membership was terminated following a dispute resolution process, the applicant may be re-admitted only by a General Meeting on the recommendation of the Committee.

17. Annual General Meetings

- a) An Annual General Meeting shall be held once a year on a date and at a location determined by the Committee and consistent with any requirements in the Act, and the Rules relating to the procedure to be followed at General Meetings shall apply.
- b) An Annual General Meeting shall be held in February or March on a date and at a time and place to be decided by the Committee.

18. Annual General Meetings: business

- a) The business of an Annual General Meeting (AGM) shall be:
 - 1. To approve the minutes of the previous AGM.
 - 2. To receive the President's report on the workings of the Club during the previous year.
 - 3. To receive the Treasurer's report and the reviewed accounts of the Club for the previous year and accept them.
 - 4. To elect a committee.
 - 5. To deal with such other matters as may be put before it.
 - 6. Minutes of the AGM must be kept, including a list of attendees.

19. Special General Meetings

- a) Special General Meetings may be called at any time by the Committee by resolution. The Committee must call a Special General Meeting if the Secretary receives a written request signed by at least 30 percent of Members. Any resolution or written request must state the business that the Special General Meeting is to deal with.
- b) The Rules 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 Committee's resolution or the written request by Members for the Meeting.

20. Procedure

- a) Notice of the General Meeting stating the time and the location shall be publicly notified (Club social media page, club website, emails to current Members, handouts at training classes) at least seven clear days before the General Meeting is held.
- b) The General Meeting and its business will not be invalidated simply because one or more Members do not receive the notice.
- c) All financial Members in attendance are eligible to speak and vote at General Meetings.
- d) No General Meeting may be held unless at least ten financial Members attend. This will constitute a quorum.
- e) General Meetings may be held at one or more venues using any real-time audio, audio and visual, or electronic communication that gives each Member a reasonable opportunity to participate.
- f) All General Meetings shall be chaired by the President. If the President is absent, the Vice President, or if they are also unavailable, then a Chairman shall be appointed from the floor and shall chair that meeting.
- g) Any person chairing a General Meeting has a deliberative and, in the event of a tied vote, a casting vote.
- h) Any person chairing a General Meeting may:
 - 1. With the consent of that General Meeting, adjourn the General 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.
 - 2. Direct that any person not entitled to be present at the Meeting, obstructing the business of the Meeting, behaving in a disorderly manner, being abusive, or failing to abide by the directions of the Chairperson be removed from the Meeting.
 - 3. In the absence of a quorum or in the case of emergency, adjourn the Meeting or declare it closed.
- i) The Committee may put forward motions for the TADTC to vote on ('Committee Motions'), which shall be notified to Members with the notice of the General Meeting.
- j) Any Member may request that a motion be voted on ('Member's Motion') at a General Meeting, by giving notice to the Secretary at least seven Clear Days before that meeting. The Member may also provide information in support of the motion ('Member's Information').

21. Minutes

Minutes must be kept by the Secretary of all General Meetings.

22. Composition

- a) The Committee will consist of Committee Members who are:
 - 1. Members, and
 - 2. Natural persons; and
 - 3. Not disqualified by this Constitution or the Act.
- b) The Committee will include:
 - 1. President.
 - 2. Vice President.
 - 3. Secretary.
 - 4. Treasurer.
 - 5. Publicity Officer.
 - 6. Club Captain.
 - 7. Senior Instructor.
 - 8. Other Members to make a total of not less than eight and not more than twelve.

23. Qualifications

- a) Names for the above officers and committee Members shall be proposed and seconded by financial Members.
- b) The person(s) nominated for the position of Senior Instructor shall have been an active instructor of an existing dog training club for at least the previous three years, with knowledge of positive dog training techniques, a good knowledge of dog behaviour, and an understanding of the training classes the club offers. They must be a current Member of DNZ, and have been an active instructor of the TADTC for at least twelve months.
- c) Prior to election or appointment, every Committee Member must consent, and certify that they are not disqualified from being appointed or holding office as a Committee Member by these Rules or the Incorporated Societies Act 2022, or by the New Zealand Kennel Club Inc.
- d) The following persons are disqualified from being appointed or holding office as a Committee Member:
 - 1. A person who is under 16 years of age.
 - 2. A person who is an undischarged bankrupt.
 - 3. 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.
 - 4. A person who is disqualified from being a Member of the Committee of a charitable entity under section 36C of the Charities Act 2005.

5. 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 Incorporated Societies Act 2022.
 - ii. A crime involving dishonesty (within the meaning of section 2(1) of the Crimes Act 1961).
 - iii. An offence under section 143B of the Tax Administration Act 1994.
 - iv. An offence under Section 22(2) of the Incorporated Societies Act 2022.
 - v. An offence, in a country other than New Zealand, that is substantially similar to an offence specified in subparagraphs (i) to (iii).
 - vi. A money laundering offence or an offence relating to the financing of terrorism, whether in New Zealand or elsewhere.
6. A person subject to:
 - i. An order under section 108 of the Credit Contracts and Consumer Finance Act 2003.
 - ii. A forfeiture order under the Criminal Proceeds (Recovery) Act 2009.
 - iii. 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.

24. Election or appointment

- a) The election of Committee Members shall be conducted as follows:
 1. Election will be by secret ballot if more than one person is nominated for a position.
 2. Only financial Members who are not disqualified from being appointed or holding office as a Committee Member by these Rules or the Act may stand for election and vote in elections.
 3. Votes shall be cast in such a manner as the Committee shall determine.
 4. Two Members (who are not nominees) or non-Members appointed by the chairperson of the Annual General Meeting shall act as scrutineers for the counting of the votes and destruction of any voting papers.
 5. In the case of a vacancy arising on the Committee from any cause whatsoever, that body shall have the power to fill such vacancy until the next Annual General Meeting.

25. Term

- a) The term of office for all elected Committee Members shall be 1 year, expiring at the end of the Annual General Meeting in the year corresponding with the last year of each Committee Member's term of office.
- b) The term of office for appointed committee Members will expire at the end of the Annual General Meeting following their appointment.

26. Removal from Committee

- a) Where a complaint is made about the actions or inaction of a Committee Member the following steps shall be taken:
 1. The Committee Member who is the subject of the complaint, must be advised of all details of the complaint.
 2. The Committee Member who is the subject of the complaint, must be given adequate time to prepare a response.
 3. The complainant and the Committee Member who is the subject of the complaint, must be given an adequate opportunity to be heard, either in writing or at an oral hearing by the Committee (excluding the Committee Member who is the subject of the complaint) if it considers that an oral hearing is required.
 4. Any oral hearing shall be held by the Committee (excluding the Committee Member who is the subject of the complaint), and/or any oral or written statement or submissions shall be considered by the Committee (excluding the Committee Member who is the subject of the complaint).
- b) If the complaint is upheld the Committee Member may be removed from the Committee by a resolution of the Committee or of a General Meeting, in either case passed by a simple majority of those present and voting.

27. Cessation of Committee Membership

- a) A Committee Member shall be deemed to have ceased to be a Committee Member if that person ceases to be a Member by resigning.
- b) A Committee Member shall be deemed to have vacated their office if they are absent from three consecutive meetings of the Committee without reasonable excuse.
- c) Each Committee Member shall within 30 Clear Days of submitting a resignation or ceasing to hold office, deliver to the Secretary all books, papers and other property of the club held by such former Committee Member.

28. Functions

From the end of each AGM until the end of the next, the club shall be governed by the Committee appointed at that meeting, and shall be accountable to the Members for the advancement of the club's purposes and the implementation of resolutions approved by any General Meeting.

29. Officers' duties Mandatory

- a) At all times each Committee Member:
 1. Shall act in good faith and in what he or she believes to be the best interests of the TADTC.
 2. Must exercise all powers for a proper purpose.
 3. Must not act, or agree to the TADTC acting, in a manner that contravenes the Statute or this Constitution.

4. When exercising powers or performing duties as a Committee Member, must exercise the care and diligence that a reasonable person with the same responsibilities would exercise in the same circumstances taking into account, but without limitation, the nature of the TADTC, the nature of the decision, and the position of the Committee Member and the nature of the responsibilities undertaken by him or her.
 5. Must not agree to the activities of the TADTC being carried on in a manner likely to create a substantial risk of serious loss to the TADTC or to the TADTC's creditors, or cause or allow the activities of the TADTC to be carried on in a manner likely to create a substantial risk of serious loss to the TADTC or to the TADTC's creditors.
 6. Must not agree to the TADTC incurring an obligation unless he or she believes at that time on reasonable grounds that the club will be able to perform the obligation when it is required to do so.
- b) The roles of officers shall be as follows:
1. The President shall during their term of office preside at all Annual for Special General Meetings and all meetings of the Committee and shall be responsible for the proper conduct of such meetings and shall carry out the responsibilities and tasks as outlined in the Club Job Description.
 2. The President shall have the casting vote should it be deemed necessary at any such Annual or Special General Meeting or committee meeting and shall sign the minutes at the time they are approved. In the absence of the President the Vice President will chair any such meeting.
 3. The Secretary shall conduct the business of the Club in accordance with its constitution, and shall carry out the instructions of the Annual or Special General meeting and the Committee and carry out duties and responsibilities as outlined in the club job description. They shall be responsible for conducting all correspondence and keeping all books, documents and papers except the accounts and financial records. If the Secretary is unable to attend a meeting, then the Members present will elect someone to record the minutes.
 4. The Treasurer shall be responsible for the finances of the Club. They shall keep account of all its financial transactions and shall be responsible for their correctness and carry out the responsibilities and tasks as outlined in the Club Job Description. If the Treasurer is unable to attend a meeting; a written financial report shall be made available for that meeting.
 5. The Senior Instructor shall be in charge of all training and be empowered to co-opt any assistance required for this purpose.

30. Powers

- a) Subject to these Rules and any resolution of any General Meeting the Committee may:
1. Exercise all the TADTC 's powers, other than those required by the Act or by this Constitution to be exercised by the TADTC in General Meeting.
 2. Enter into contracts on behalf of the TADTC or delegate such power to a Committee Member, sub-committee, employee, or other person.

31. Sub-committees

- a) The Committee may appoint sub-committees consisting of such persons (whether or not Members of the TADTC) and for such purposes as it thinks fit. Unless otherwise resolved by the Committee:
 - 1. The quorum of every sub-committee is half the Members of the sub-committee.
 - 2. No sub-committee shall have power to co-opt additional Members.
 - 3. A sub-committee must not commit the TADTC to any financial expenditure without express authority.
 - 4. A sub-committee must not further delegate any of its powers.

32. General issues

- a) The Committee and any sub-committee may act by resolution approved in the course of a telephone conference call, virtual meeting, or through a written ballot conducted by email, electronic voting system, or post, and any such resolution shall be recorded in the minutes of the next Committee meeting.
- b) Other than as prescribed by the Act or these Rules, the Committee or any sub-committee may regulate its proceedings as it thinks fit.
- c) Subject to the Act, these Rules and the resolutions of General Meetings, the decisions of the Committee on the interpretation of these Rules and all matters dealt with by it in accordance with these Rules and on matters not provided for in these Rules shall be final and binding on all Members.

33. Conflicts of interest

- a) A Member of the Committee and/or of a sub-committee is interested in a matter if the Member of the Committee and/or sub-committee:
 - 1. May obtain a financial benefit from the matter.
 - 2. Is the spouse, civil union partner, de facto partner, child, parent, grandparent, grandchild, or first cousin of a person who may obtain a financial benefit from the matter.
 - 3. May have a financial interest in a person to whom the matter relates.
 - 4. Is a partner, director, Member of the Committee and/or sub-committee, board Member, or trustee of a person who may have a financial interest in a person to whom the matter relates.
- b) However, a Member of the Committee and/or sub-committee is not interested in a matter:
 - 1. Merely because the Member of the Committee and/or sub-committee receives an indemnity, insurance cover, remuneration, or other benefits authorised under the Act.
 - 2. If the Member of the Committee's and/or sub-committee's interest is the same or substantially the same as the benefit or interest of all or most other Members due to the Membership of those Members.

3. If the Member of the Committee's and/or sub-committee's interest is so remote or insignificant that it cannot reasonably be regarded as likely to influence the Member of the Committee in carrying out the Member of the Committee's and/or sub-committee's responsibilities under the Act or the Rules.
- c) A Member of the Committee and/or sub-committee who is interested in a matter relating to the Council must disclose details of the nature and extent of the interest (including any monetary value of the interest if it can be quantified):
 1. To the Committee and/or sub-committee; and
 2. In an interests register kept by the Committee.
- d) Disclosure must be made as soon as practicable after the Member of the Committee and/or sub-committee becomes aware that they are interested in the matter.
- e) A Member of the Committee and/or sub-committee who is interested in a matter:
 1. Must not vote or take part in the decision of the Committee and/or sub-committee relating to the matter.
 2. Must not sign any document relating to the entry into a transaction or the initiation of the matter.
 3. May take part in any discussion of the Committee and/or sub-committee relating to the matter and be present at the time of the decision of the Committee and/or sub-committee (unless the Committee and/or sub-committee decides otherwise).
- f) However, a Member of the Committee and/or sub-committee who is prevented from voting on a matter may still be counted for the purpose of determining whether there is a quorum at any meeting at which the matter is considered.
- g) Where 50 percent or more of Committee Members are prevented from voting on a matter because they are interested in that matter, a Special General Meeting must be called to consider and determine the matter, unless all non-interested Members agree otherwise, and where 50 percent or more of the Members of a sub-committee are prevented from voting on a matter because they are interested in that matter, the Committee shall consider and determine the matter.

34. Frequency

The Committee shall meet as required at such times and places and in such manner (including by audio, audio and visual, or electronic communication) as it may determine but no less than three (3) times per year, and otherwise where and as convened by the Chair/President or Secretary, having duly given at least 5 working days' notice to Members of the Committee.

35. Procedure

The quorum for Committee meetings is at least 60 percent of the number of Committee Members.

36. Register of Members

- a) The Secretary shall keep an up-to-date Register of Members, recording for each Member their name, contact details, the date they became a Member, and any other information required by these Rules or prescribed by Regulations under the Act.
- b) The Secretary shall assume the role of Privacy Officer for the TADTC and shall be responsible for maintaining the security of all personal information held by the TADTC.

37. Contents of Register of Members

- a) The information contained in the Register of Members shall include each Member's:
 - 1. Postal address.
 - 2. Phone number (landline and/or mobile).
 - 3. Email address (if any).
 - 4. The date the Member became a Member.
 - 5. Whether the Member is financial or unfinancial.
- b) Every Member shall promptly advise the Secretary of any change of their contact details.

38. Access to Register of Members

With reasonable notice and at reasonable times, the Secretary shall make the Register of Members available for inspection by Members and Committee Members. However, no access will be given to information on the Register of Members to Members or any other person, other than as required by law.

39. Register of interests

The Secretary shall at all times maintain an up-to-date register of the interests disclosed by Committee Members.

40. Access to other information

- a) A Member may at any time make a written request to the TADTC for information held by the TADTC.
- b) The request must specify the information sought in sufficient detail to enable the information to be identified.
- c) The TADTC must, within a reasonable time after receiving a request:
 - 1. Provide the information, or
 - 2. Agree to provide the information within a specified period, or
 - 3. Agree to provide the information within a specified period if the Member pays a reasonable charge to the TADTC (which must be specified and explained) to meet the cost of providing the information, or
 - 4. Refuse to provide the information, specifying the reasons for the refusal.
- d) Without limiting the reasons for which the TADTC may refuse to provide the information, the TADTC may refuse to provide the information if:
 - 1. Withholding the information is necessary to protect the privacy of natural persons, including that of deceased natural persons.
 - 2. The disclosure of the information would, or would be likely to, prejudice the commercial position of the TADTC or of any of its Members.
 - 3. 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 TADTC.

4. Withholding the information is necessary to maintain legal professional privilege.
 5. The disclosure of the information would, or would be likely to, breach an enactment.
 6. The burden to the TADTC 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.
 7. The request for the information is frivolous or vexatious.
- e) If the TADTC 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 TADTC:
1. That the Member will pay the charge; or
 2. That the Member considers the charge to be unreasonable.
- f) Nothing in this Rule limits Information Privacy Principle 6 of the Privacy Act 2020.

41. Financial Control and management

- a) The funds and property of the Club shall be:
1. Controlled, invested and disposed of by the Committee, subject to this Constitution.
 2. Devoted solely to the promotion of the purposes of the TADTC.
 3. The Committee must ensure that, within 6 months after the balance date, copies of the financial statements of the TADTC for the period ending on that date are signed by two Committee Members and given to the Registrar for registration.

42. Balance date

The TADTC 's financial year shall commence on 1 January of each year and end on 31 December (the latter date being the TADTC's balance date).

43. Raising disputes

- a) Any grievance by a Member, and any complaint by anyone, is to be lodged by the complainant with the Secretary in writing and must provide such details as are necessary to identify the details of the grievance or complaint. All Members (including the Committee) are obliged to cooperate to resolve disputes efficiently, fairly, and with minimum disruption to the TADTC's activities.
- b) The complainant raising a grievance or complaint, and the Committee, must consider and discuss whether a grievance or complaint may best be resolved through informal discussions, mediation or arbitration. Where mediation or arbitration is agreed on, the parties will sign a suitable mediation or arbitration agreement.

44. Investigating disputes

- a) This rule concerns any grievances of Members relating to their rights and interests as Members, and any complaints concerning the alleged conduct or discipline of Members, collectively referred to as "disputes."
- b) These disputes procedures are designed to enable and facilitate the fair, prompt and efficient resolution of grievances and complaints.

- c) Rather than investigate and deal with any grievance or complaint, the Committee may:
 - 1. Appoint a sub-committee to deal with the same, or
 - 2. Refer the same to an external arbitrator, arbitral tribunal, or external visitor (or referee), so long as minimum standards of natural justice and the following requirements under this rule are satisfied.
- d) The Committee or any such sub-committee or person considering any grievance or complaint is referred to hereafter as the "decision-maker".
- e) The decision-maker:
 - 1. Shall consider whether to investigate and deal with the grievance or complaint, and
 - 2. May decline to do so (for instance, if the decision-maker is satisfied that the complainant has insufficient interest in the matter or otherwise lacks standing to raise it; the matter is trivial or does not appear to disclose material misconduct or material; the matter raised appears to be without foundation or there is no apparent evidence to support it; some damage to Members' interests may arise; or the conduct, incident, event or issue has already been investigated and dealt with by the TADTC).
- b) Where the decision-maker decides to investigate and deal with a grievance, the following steps shall be taken:
 - 1. The complainant and the Member, or the TADTC, which is the subject of the grievance, must be advised of all details of the grievance.
 - 2. The Member, or the TADTC, which is the subject of the grievance, must be given an adequate time to prepare a response.
 - 3. The complainant and the Member, or the TADTC, which is the subject of the grievance, must be given an adequate opportunity to be heard, either in writing or at an oral hearing if the decision-maker considers that an oral hearing is required.
 - 4. Any oral hearing shall be held by the decision-maker, and/or any written statement or submissions shall be considered by the decision-maker.
- c) Where the decision-maker decides to investigate and deal with a complaint, the following steps shall be taken:
 - 1. The complainant and the Member complained against must be advised of all allegations concerning the Member, and all details of the complaint.
 - 2. The Member complained against must be given an adequate time to prepare a response.
 - 3. The Member complained against must be given an adequate opportunity to be heard, either in writing or at an oral hearing if the decision-maker considers that an oral hearing is required.
 - 4. Any oral hearing shall be held by the decision-maker, and/or any written statement or submissions shall be considered by the decision-maker.

- d) A Member may not make a decision on or participate as a decision-maker in regard to a grievance or complaint, if two or more Committee Members, or the decision-maker, consider that there are reasonable grounds to infer that the person may not approach the grievance or complaint impartially, or without a predetermined view. Such a decision must take into account the context of the TADTC and the particular case and may include consideration of facts known by the other Members about the decision-maker, so long as the decision is reasonably based on evidence that proves or disproves an inference that the decision-maker might not act impartially.

45. Resolving disputes

- a) The decision-maker may:
 - 1. Dismiss a grievance or complaint, or
 - 2. Uphold a grievance and make such directions as the decision-maker thinks appropriate (with which the TADTC and Members shall comply), or
 - 3. Uphold a complaint and:
 - i. Reprimand or admonish the Member, and/or
 - ii. Suspend the Member from Membership for a specified period, or terminate the Member's Membership, and/or
 - iii. Order the complainant (if a Member) or the Member complained against, to meet any of the TADTC's reasonable costs in dealing with a complaint.

46. Winding Up Process

- a) The TADTC may be wound up, or liquidated, or removed from the Register of Incorporated Societies in accordance with the provisions of the Act.
- b) The Secretary shall give Notice to all Members of the proposed motion to wind up the TADTC or remove it from the Register of Incorporated Societies and of the General Meeting at which any such proposal is to be considered, of the reasons for the proposal, and of any recommendations from the Committee in respect to such notice of motion.
- c) Any resolution to wind up the TADTC or remove it from the Register of Incorporated Societies must be passed at two (2) General meetings separated by at least thirty (30) Clear days by a simple majority of all Members present and voting.

47. Surplus assets

If the TADTC is wound up, or liquidated, or removed from the Register of Incorporated Societies, no distribution shall be made to any Member, and if any property remains after the settlement of the TADTC's debts and liabilities, that property must be given or transferred to another organisation for a similar charitable purpose or purposes as defined in section 5(1) of the Charities Act 2005.

48. Amending this Constitution

- a) The TADTC may amend or replace this Constitution at a General Meeting by a resolution passed by a simple majority of those Members present and voting.

- b) Any proposed motion to amend or replace these Rules shall be signed by at least 10 percent of eligible Members and given in writing to the Secretary at least 14 Clear Days before the General Meeting at which the motion is to be considered and accompanied by a written explanation of the reasons for the proposal.
- c) At least 20 Clear Days before the General Meeting at which any amendment is to be considered the Secretary shall give to all Members notice of the proposed motion, the reasons for the proposal, and any recommendations the Committee has.
- d) When an amendment is approved by a General Meeting it shall be notified to the Registrar of Incorporated Societies within twenty working days of the approval in the form and manner specified in the Act for registration and shall take effect from the date of registration.

49. Common seal

- a) The common seal of the TADTC must be kept in the custody of the Secretary.
- b) The common seal may be affixed to any document:
 - 1. By resolution of the Committee, and must be countersigned by two Committee Members or by one Committee Member and the Secretary.
 - 2. By such other means as the Committee may resolve from time to time.

50. Contact person

- a) The TADTC's Contact Officer must be:
 - 1. At least 18 years of age.
 - 2. A Committee Member and/or the appointed Secretary.
 - 3. At all times be a legal resident in New Zealand.
 - 4. Not disqualified under the Statute from holding that office.
- b) Any change in that Contact Officer or that person's name or contact details shall be advised to the Registrar of Incorporated Societies within 25 Clear Days of that change occurring, or the TADTC becoming aware of the change.

51. Amendment schedule

- a) The Constitution of the TADTC (formerly known as the "Rules and Constitution") was amended on the following dates:
 - 1. August 1997
 - 2. February 2004
 - 3. February 2022