Constitution of Olympic Weightlifting New Zealand Incorporated

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Constitution of Olympic Weightlifting New Zealand Incorporated

Weightlifting New Zealand will honour Te Tiriti o Waitangi.

This includes, but is not limited to, encouraging the use of Te Reo Māori in competitions and national events, and providing opportunities for partnership with any local iwi or hapū who may wish to assist with hosting events, for example by providing pōwhiri for international events.

1. Definitions

1.1 In this Constitution the following will apply:

Act has the meaning given in clause 2.3.

Administrator means the person appointed to manage the administration of OWNZ and may refer to an appointee with the title General Manager, Sports manager, Administrator, or similar.

AGM means the Annual General Meeting.

By-laws means the by-laws of OWNZ as determined from time to time by the EG.

EG means the Executive Group.

IWF means the International Weightlifting Federation.

OWNZ means Olympic Weightlifting New Zealand Incorporated.

SDT means the Sports Disputes Tribunal of New Zealand.

SGM means Special General Meeting

Weightlifting New Zealand, Weightlifting NZ or WNZ are abbreviations for Olympic Weightlifting New Zealand Incorporated.

2. Details of society

2.1 The name of the organisation will be Olympic Weightlifting New Zealand Incorporated, hereinafter referred to as Weightlifting New Zealand.

2.2 The trading name shall be Weightlifting New Zealand or such other name as may be decided upon from time to time.

2.3 Olympic Weightlifting New Zealand will be registered under the Incorporated Societies Act 2022

(**Act**).

2.4 The Registered Office shall be at such place as may be determined from time to time by the EG.

2.5 The EG must appoint at least one, and a maximum of 3, persons to be the OWNZ's contact person, subject to those persons meeting the eligibility criteria set out in the Act. The EG must advise the Incorporated Societies Registrar of any change in the contact person or that person's contact details.

3. Purposes

3.1 The purposes of OWNZ are:

(a) To promote, encourage, develop and protect the sport of weightlifting in New Zealand.

(b) To make rules and amendments to this Constitution, where necessary, to ensure uniformity for the control and management of the sport in the best interests of the participants.

(c) To impose such sanctions as may be necessary to enforce observance of this Constitution and the rules of the sport.

(d) To adjudicate where matters are referred to the EG

(e) To promote National and International competitions.

(f) To encourage high performance and excellence at all levels.

(g) To control the selection of teams to represent New Zealand in this sport.

(h) To make submissions, from time to time, to National and International bodies relating to the conduct, organisation, and promotion of the sport.

(i) To discourage and prevent any form of discrimination in the sport in terms of the Olympic Charter.

(j) To discourage and prevent the use of substances and procedures prohibited by national and international bodies.

(k) To administer the rules and regulations of the International Weightlifting Federation

(l) To apply the rules of the Eligibility Code of the International Weightlifting Federation for athletes attending Olympic and Commonwealth Games.

4. Membership

4.1 An application for membership must be in the form required by the EG. All applications will be decided by the EG, which may accept or decline an application. A person becomes a Member when their Application has been accepted and they have paid the required membership fees.

4.2 Categories of membership:

(a) Financial members, as outlined in Section 5 of the By-laws

(b) Honorary members, as outlined in Section 5 of the By-laws

(c) Non-financial members, as outlined in Section 5 of the By-laws

4.3 Every member of an affiliated club / association shall by virtue of such membership be a member of OWNZ subject to the payment of appropriate fees.

4.4 Financial and Honorary members will have full voting rights.

4.5 Honorary members:

(a) shall be nominated for election at the AGM on the recommendation of the EG and by a two-thirds vote of members present or represented by proxy.

(b) have voting rights and pay no fee.

4.6 A person or entity consents to become a member by paying the annual membership fee in accordance with clause 5.

5. Membership fees

5.1 "The membership fee for each class of membership shall be the sum determined by the members at the AGM."

5.2 Membership fees are due annually as set out in the By-laws

5.3 In addition to the fees the AGM may vote to apply a penalty fee if fees are not paid within the period as above.

6. Withdrawal, suspension or termination of membership

6.1 A membership shall be withdrawn, suspended or terminated if the member:

(a) Fails to comply with any of the provisions of this Constitution or the Rules of OWNZ. Inclusion of the

(b) Acts in a manner considered to be injurious or prejudicial to the character or interests of OWNZ.

6.2 The membership may be withdrawn, suspended or terminated by a resolution carried by a simple majority of votes recorded at an EG meeting called for the purpose.

6.3 Reinstatement of Membership:

(a) A member may apply to have membership restored at the end of the period defined or at the discretion of the EG.

6.4 Appeal against Withdrawal, Suspension or Termination of Membership:

(a) A member whose membership has been withdrawn, suspended or terminated may within one month of receiving written notification thereof appeal the decision of the EG to the SDT in accordance with Rule 15.

7. Register of members

7.1 The EG shall maintain a Register to be kept in which shall be entered the full name, e-mail address, gender, date of birth, and category of membership of all members. Membership Register to be kept on line only and accessible to only each member to view personal details via login and membership code

7.2 The Register shall be maintained in accordance with the provisions of the Privacy Act 2020

8. Affiliated associations and clubs

8.1 Any organisation that accepts the objects of OWNZ may combine to form an affiliated association or club by applying in writing (online on WNZ website) to the EG.

8.2 The affiliated association or club may be required to be registered under the Act if it is in their best interests.

8.3 Members of such affiliated associations or clubs will be required to be a member of OWNZ and to pay such fees as shall be determined by the AGM (if they fall into one of the membership categories).

9. Officers of WNZ

9.1 The Elected EG Members of WNZ shall be five (5) elected Directors

9.2 The Appointed Officers of WNZ shall be:

(i) Up to two (2) appointed EG members

(ii) Patron

(iii) Administrator

(iv) Treasurer

10. Role of the EG;

10.1 The EG shall;

(a) be responsible for governing Weightlifting NZ and, subject to this Constitution, may exercise all the powers of WNZ and do all things that are not expressly required to be undertaken by WNZ at an AGM.

(b) be responsible for determining national strategies, policies, programmes and initiatives for Weightlifting in New Zealand particularly in, but not limited to, the areas of participation, coaching and high performance;

(c) through clearly-defined delegations of authority, delegate to the Administrator the dayto-day management of the business and administrative affairs of WNZ.

11. Eligibility to be an Elected EG Member:

(a) To be an elected EG member, the person must;

(i) be a currently registered member of OWNZ, and

(ii) have been a registered member for at least the past three (3) years

12. Election of Elected EG Members:

(a) The Elected EG Members shall be elected in accordance with the following process. At least six (6) weeks prior to the AGM, the Administrator shall give notice to the advised contacts of currently affiliated Clubs and the current Executive Group of the Elected EG Member positions which, due to the expiry of their term of office, are to be vacated at an AGM.

(b) Nominations for positions on the Executive Group:

(i) must be in writing

(ii) must only include a person who is eligible to be elected

(iii) must include the name and written approval of the candidate, the proposer, and the seconder, all of whom must be current members of WNZ.

The candidates may include a short statement in support of their nomination.

(c) Nominations must be received by the Administrator not less than four (4) weeks before the date set for the AGM. For avoidance of doubt, nominees for positions as Elected EG Members may hold other official positions if they are elected as an EG Member provided no conflict of interest arises in respect of any such EG Members;

(d) the Administrator will disregard any nominations relating to candidates who do not meet the criteria in clause 11, 1(b) or 12(c).

(e) The Elected EG Members shall be determined from amongst the valid nominations received.

(f) After the closing date for receipt of nominations, the Administrator will specify on the OWNZ website the voting process

(g) Voting will only be available to Financial and Honorary members.

(h) The result of the election shall be announced at the AGM.

13. Appointed EG Members

13.1 Up to two (2) Appointed EG Members may be appointed by the EG Appointments Panel

13.2 An appointed EG member does not have to be Financial or Honorary member of WNZ

13.3 For avoidance of doubt, nominees for a position as an Appointed Board EG Member may hold other official positions if they are appointed as an EG Member provided no conflict of interest arises in respect of any such EG Members

14. EG Appointments Panel

14.1 The EG Appointments Panel shall comprise the elected Members of the EG and shall be chaired by the President.

14.2 The EG Appointments Panel shall;

(a) convene when required and in any manner (including meetings using technology) as it deems fit call for applications/nominations for any Appointed EG Member's position that due to the expiry of their term of Office is to be vacated at an AGM; or

(b) appoint EG members in response to any identified need to address a specified governance requirement which is not provided by the elected officers

14.3 The EG Appointments Panel shall undertake its responsibilities as set out in the Bylaws

14.4 The quorum for a meeting of the EG Appointments Panel shall be three (3) members

14.5 Any decision of the EG Appointments Panel regarding the appointment or removal of Appointed EG Members must be unanimous.

15. Ineligibility

15.1 In addition to clause 11 and 13, the following are ineligible for appointment, election or to remain in Office, as an EG member:

(a) Bankrupt: a person who has been adjudged bankrupt who has not obtained a final order of discharge or whose order of discharge has been suspended for a term not yet expired, or is subject to a condition not yet fulfilled, or to any order under section 111 of the Insolvency Act 1967;

(b) Conviction: a person who has been convicted of any offence punishable by a term of imprisonment of two or more years unless that person has obtained a pardon or has served the sentence imposed on them;

(c) Imprisonment: a person who has been sentenced to imprisonment for any offence unless that person has obtained a pardon or has served the sentence imposed on them;

(d) Disqualified Director: a person who is prohibited from being a director or promoter of or being concerned or taking part in the management of a company under section 199K or section 199L or section 199N of the Companies Act 1953 or under section 382 or section 383 or section 385 of the Companies Act 1993 or any subsequent amendment or Companies Act;

(e) Property Order: a person who is subject to a property order made under section 30 or section 31 (lacking in competence to manage own affairs) of the Protection of Personal and Property Rights Act 1988; and if any of the above events occur to an existing Board of Directors Member, they shall be deemed to have vacated their Office upon such event.

16. Term of Office

16.1 Subject to clause 17.2 (Casual Vacancy) and clause 18 (Removal), the term of Office for the five (5) Elected EG Members referred to in clause11 shall be three (3) years commencing ––at the conclusion of the AGM at which their election is made, and

16.2 for up to two (2) Appointed EG Members shall be two (2) years commencing on the date their appointment is made

16.3 An EG Member whose term of office has expired shall be eligible for re-election/ reappointment.

17. Vacancies

17.1 If there is a casual vacancy on the EG between AGMs the EG Appointments Panel may appoint a person of their choice to fill the vacancy for the balance of the term or leave the vacancy unfilled until the next AGM.

17.2 Casual vacancy

(a) A casual vacancy arises if an elected member:

(i) resigns from Office prior to the expiry of their term of Office;

(ii) dies;

(iii) is removed under clause 18;

(iv) is absent from three (3) successive meetings unless leave of absence is granted by the Chairperson; or

(v) Any of the circumstances in clause 15 (Ineligibility) arise.

18. Removal of an Elected EG Member

18.1 The voting delegates at a Special General Meeting (SGM) called for this purpose may, by Special Resolution, remove any elected EG Member before the expiration of their term of Office.

18.2 Notice:

(a) Upon the Administrator receiving a request for a SGM for the purpose of removing an elected EG Member, the Administrator shall send the notice to the EG Member prior to sending the requisition to all members with voting rights

18.3 After the requisition notice has been sent, and before voting on the resolution to remove an elected EG Member, the Member affected by the proposed resolution shall be given the opportunity prior to, and at, the SGM to make submissions in writing, by electronic means and/or verbally to EG and the persons entitled to be present at the SGM about the proposed resolution.

19. Removal of an Appointed EG Member

19.1 The EG Appointments Panel may remove an Appointed EG Member at any time by majority vote.

19.2 Grounds for removal of Appointed EG Member:

(a) Acting in a way that violates the officer's duties under this Constitution;

(b) Failing to disclose conflicts of interest or acting in a manner that undermines trust;

(c) Behaviour that brings WNZ into disrepute, including unethical or illegal actions;

(d) Failing to fulfil the responsibilities of the role, such as consistent absenteeism or neglect of duties;

(e) Ceasing to meet eligibility criteria such as membership, or legal disqualification (eg bankruptcy or criminal conviction);

(f) Improper use of WNZ funds or property for personal gain or unauthorised purposes; or

(g) Voluntary resignation or inability to perform duties due to illness or other reasons .

20. President & Deputy Chairperson

20.1 The President shall be the Chairperson.

20.2 If the sitting President and/or Deputy Chairperson are not re-elected, the EG shall meet within seven (7) days following the AGM elect a President and/or Deputy Chairperson from amongst the elected or sitting EG Members.

20.3 By virtue of their appointment as President, the President will assume the Office of Chairperson.

20.4 The role of a Chairperson (or deputy Chairperson in absence of the Chairperson) is to chair meetings of the EG and AGM and to represent the EG.

20.5 In the event of the unavailability of the Chairperson for any reason, then the Deputy Chairperson shall undertake the Chairperson's role during the period of unavailability.

21. Duties of EG Members & Officers

21.1 The duties and responsibilities of Weightlifting NZ Executive & Officers are generally outlined in the Bylaws:

(a) President: The President directs Weightlifting NZ, presides over AGMs and EG meetings and represents Weightlifting NZ before third parties.

(b) Deputy Chairperson: The Deputy Chairperson will represent Weightlifting NZ and deputise for the President where so required and directed. The Deputy Chairperson assumes the Presidency until the next AGM or SGM, if called for this purpose, in the event of the resignation or permanent absence of the President, or in the event of a temporary absence until the President resumes Office.

22. Powers of the EG

22.1 Without limiting the generality of the EG's powers to carry out the objects of Weightlifting NZ as it considers necessary, the EG shall have the specific powers to carry out the following duties:

(a) To appoint the "Administrator" and others as deemed necessary and enter into a contract with such remuneration and on such terms and conditions as the EG deems fit;

(b) To adopt clearly defined delegations of authority from the EG to the "Administrator" not already covered in Bylaws, Codes, Appendices, Policies and Procedures for the governance, management and operation of WNZ

(c) To adopt and regularly review a strategic plan for WNZ, which shall include goals and objectives for Weightlifting in New Zealand and measures for short and long term success

(d) To adopt and regularly review an annual plan and budget for financial performance and to monitor results against the annual plan and budget;

(e) To facilitate National forums for WNZ, Clubs and its Members, other than General Meetings, that it considers necessary;

(f) To work with others so as to act collectively in the interests of Weightlifting in New Zealand;

(g) To make, repeal and amend any Bylaws (in accordance with 5.5.7), and any Codes, Appendices, Policies and Procedures as it deems appropriate;

(h) To make, repeal and amend rules for the regulation and control of any competitions or events under its jurisdiction including conditions of entry;

(i) To establish such sub-committees as it deems appropriate and to delegate such powers and responsibilities as it deems appropriate. The President or their nominee shall have the right to attend any meeting of any sub-committee;

(j) To control expenditure and raise any money to fulfil the objects of Weightlifting NZ;

(k) To determine the criteria and procedures to apply in respect of the appointment of coaches, selectors, managers of national Weightlifting squads and representatives;

(l) To ensure that Weightlifting NZ, has in place all the necessary internal reporting systems and controls together with the means of monitoring performance and results;

(m) To regularly agree on and review performance indicators and standards with contracted or employed staff;

(n) To establish such corporate and other entities to carry on and conduct all or any part of the affairs of Weightlifting NZ or to enter into any agreement for sharing revenue or for the mutual assistance with any person, persons, or corporate body that is considered by the EG to be capable of directly or indirectly benefiting WNZ;

(o) To co-opt, engage, contract or otherwise agree to obtain the assistance or advice of any person or organisation for the EG;

(p) To approve the yearly calendar for international and national events in New Zealand recommended by the Sports Commission, High Performance Commission, and/or clubs;

(q) To appoint an Independent Reviewer, or Judiciary Panel as required by the Bylaws, and such other commission(s) or panel(s) as it considers appropriate;

(r) To discipline Members as specified in this Constitution and the Bylaws, including holding an inquiry or appointing a person or persons to hold an inquiry into and imposing such penalty as it thinks fit in case of misconduct by any team, player or official while under the direct control of Weightlifting NZ, or for such other reason as the EG shall decide;

(s) To fill any casual vacancy on the EG as specified in this Constitution;

(t) To call General Meetings;

(u) To resolve and determine any disputes or matters not provided for in this Constitution; and

(v) To review its own processes and effectiveness.

(w) Make recommendations to the AGM regarding Honorary Membership.

23. EG Meetings

23.1 EG meetings may be called at any time by the Chairperson or two (2) EG members

23.2 Generally, the EG shall meet at regular intervals agreed by the EG, but at least three (3) times in a Financial Year, at such place and time as shall be decided.

23.3 Except to the extent specified in this Constitution, the EG shall regulate its own procedures.

24. Quorum

24.1 The quorum for an EG meeting shall be a minimum of;

(a) three (3) elected EG members if there are no appointed EG members, and

(b) four (4) EG members if there is at least one appointed member and this shall include a minimum of three (3) elected EG members.

25. Voting

25.1 Each EG member shall have one vote at EG meetings.

25.2 In the event of a deadlock, the Chairperson shall have an additional casting vote.

25.3 Voting shall be by voices, or upon request of any EG member, by a show of hands, or by a ballot.

25.4 Proxy and postal voting is not permitted.

26. Resolutions

26.1 A resolution in writing signed or consented to by email, or other forms of printable communication by a majority of the EG shall be valid as if it had been passed at a meeting of the EG.

27. Meetings using Technology

27.1 "Any EG Member may participate in and vote on any proposed resolution at a meeting of the EG without being physically present. This participation may occur via telephone, video conferencing, or other means that allow all participants to hear each other effectively and simultaneously. Participation by an EG Member in this manner shall constitute their presence at the meeting.

28. Electronic Meetings- AGM, SGM, EGM

28.1 Electronic meetings may be held as follows:

Participation in Meetings:

(a) Members, officers, or committees may participate in a meeting via electronic means, including video conferencing, teleconferencing, or other digital communication methods, provided:

(i) All participants can hear and be heard simultaneously throughout the meeting.

(ii) b. The technology allows for active participation and voting in real-time.

Validity of Meetings:

(b) A meeting conducted via electronic means is considered valid, and all resolutions passed are binding, provided the quorum requirements specified in this constitution are met.

Notice of Electronic Meetings:

(c) Notice for electronic meetings shall specify the date, time, and method of the meeting and include instructions for accessing the platform or technology used.

Verification of Attendance:

(d) The chairperson or their delegate shall ensure that participants' identities are verified and attendance is recorded.

Technical Difficulties:

(e) If technical issues prevent a participant from joining or continuing in an electronic meeting, this does not invalidate the meeting or its proceedings, provided the quorum is maintained.

Hybrid Meetings:

(f) Meetings may be held in a hybrid format, combining physical and electronic attendance, provided that the technology used ensures equal opportunity for participation. Voting in Electronic Meetings:

(g) Voting during electronic meetings shall be conducted via methods enabling all participants to cast their votes securely and anonymously, where required. The method of voting must be clearly specified before the vote.

29. Expenses

29.1 The EG may, by majority vote, reimburse its EG Members for their actual and reasonable expenses incurred in the conduct of Weightlifting NZ's business for expenses not already provided for in the Bylaws. Prior to doing so the EG must establish a policy to be applied to the reimbursement of any such expenses.

30. Matters Not Provided For

30.1 If any situation arises that, in the opinion of the EG, is not provided for in the Bylaws, Appendices, Codes, Policies, or Procedures of Weightlifting NZ, the matter shall be determined by the EG.

31. Transitional Provisions

31.1 If there are more than five (5) EG Members when the EG receives written confirmation from Incorporated Societies that the amended Rule 11 has been registered, one (1) or more of the EG Members must retire as soon as practicable so that there are only five (5) EG Members in total.

31.2 The EG will determine which EG Members will retire by:

(a) agreement; or

(b) if no agreement can be reached, through a vote of the EG.

31.3 For the purposes of amended clause 11, the remaining EG Members will become the Elected EG Members.

31.4 Despite Rule 11.9, the term of the remaining five (5) Elected EG Members will be set as follows:

(a) the term of the President elected by the EG after the 2021 AGM shall be three (3) years

(b) The remaining four (4) elected members shall have varying terms to align with the Rule 11.9 – one (1) additional EG member for a term of three (3) years; two (2) for a term of two (2) years:, and one (1) for a term of one (1) year

(c) the terms for the elected EG members – other than the President – will be determined by agreement. If no agreement is reached, this will be determined by a vote of the EG 31.5 The Elected EG may appoint Appointed EG Members at any time in accordance with Rule 11.6.

31.6 Transitional Provisions shall be deleted once the provisions are in effect.

32. Duties of the Officers

32.1 President:

(a) The President shall chair all meetings of the EG and be ex officio on all sub committees.

(b) The President shall chair all general meetings of OWNZ.

(c) As a member of the EG, the President shall have the right to vote at EG Meetings.

32.2 The Vice President:

(a) In a case where the President is absent, the Vice President is to take the role of the President.

(b) As a member of the EG, the Vice President shall have the right to vote at EG Meetings.

32.3 The Patron:

(a) The Patron shall be entitled to attend and speak at General Meetings but shall have no right to vote unless they are either Financial or Honorary members of OWNZ.

32.4 The Administrator:

(a) Essentially the duties of the Administrator shall be embodied in the job description and will cover all aspects of administration including the following:

(i) Keep a record of all meetings of OWNZ.

(ii) Conduct correspondence on behalf of the EG.

(iii) Maintain a roll of members.

(iv) Give notice of meetings.

32.5 The Treasurer:

(a) Manage the financial affairs of OWNZ.

32.6 Appointment of an Independent Reviewer:

(a) An independent Reviewer shall be appointed at the AGM.

(b) The Independent Reviewer shall be responsible for conducting a review of the financial affairs of OWNZ.

33. The EG

33.1 Powers of the EG:

(a) Organise and control competitions.

(b) Make by-laws, within the framework of this Constitution, for the efficient administration of the sport.

(c) Withdraw, suspend or terminate membership.

(d) Make recommendations to the AGM regarding Life Membership.

(e) Establish tribunals, conduct hearings and hear appeals.

(f) Develop drug testing and other policies and associated disciplinary procedures.

(g) Assign functions to and /or enter into agreements with other organizations.

(h) Lend, invest, borrow, raise or secure the payment of money.

(i) Fund raise by subscription, levies, or donations. Incur liabilities; apply funds to purposes in accord with the Objects.

(j) Enter into or terminate contracts with media, sponsors, agencies and organisations.

(k) Delegate duties, co-opt or appoint sub committees or individuals.

(l) Acquire by purchase or lease any property or property rights and to manage, sell, let or exchange or otherwise deal with any property of the organisation.

(m) Subscribe to, affiliate to and co-operate with any kindred, including international, organisations.

(n) Promote the organisation and its activities in accordance with the Objects.

(o) To do all such things as are incidental or conducive to the attainment of the Objects and the powers of the organisation.

(p) Where not specifically provided for in the Constitution, rules, by-laws or policies agree to refer certain sports related disputes to the SDT as set out in the rules of that Tribunal.

33.2 Meetings of the EG:

(a) The EG will meet as often as necessary to conduct its business but at least 3 times in a Financial Year at such place and time as shall be decided.

(b) A meeting of the EG will be convened by the Administrator at the request of the President.

(c) Written notice of meetings will be given by the Administrator at least 7 days before the meeting. Such notice will set out the agenda for the meeting.

(d) The quorum for EG meetings will be a simple majority of the current members of EG members.

(e) Voting at EG meetings will be by simple majority with the President having both a deliberative and a casting vote.

(f) Any EG member may participate in any meeting of the EG and vote on any proposed resolution at a meeting of the EG without being physically present. This may only occur at meetings by telephone, through video conferencing facilities, or by other means of electronic communication provided that prior notice of the meeting is given to all EG Members and all persons participating in the meeting are able to hear each other effectively and simultaneously. Participation by an EG Member in this manner at a meeting shall constitute the presence of that EG at that meeting.

34. General Meetings

34.1 Annual General Meeting:

(a) The AGM shall be open to all financial members and held within fifteen (15) months of the previous AGM, and no later than 6 months after WNZ Financial Balance date (31 May).

34.2 Notice of Meetings:

(a) The Administrator shall convene all general meetings of OWNZ by giving not less than 30 days notice of any such meeting to the members.

(b) How such notice shall be given shall be determined by the EG.

(c) Notice of a general meeting shall clearly state the nature of the business to be discussed thereat.

34.3 Chairperson at meetings:

(a) The Chairperson shall be the President of WNZ.

(b) If the President is unavailable the members shall elect one of the Vice Presidents to preside. If the President and both Vice Presidents are unavailable then the members present shall elect one of their members to be Chairperson for the meeting.

34.4 Voting at meetings:

(a) Unless otherwise provided by these rules, and except for votes to alter these rules, every question, matter or resolution shall be decided by a majority of votes of the members present.

(b) Every member present and entitled to vote shall be entitled to one vote and in the case of equality of votes the Chairperson shall have a second or casting vote.

(c) Voting shall be by show of hands unless not less than two thirds of the members present demand a secret ballot. In such a case the Chairperson shall appoint two members to conduct the secret ballot and the result of the ballot as declared by the Chairperson shall be deemed to be the resolution of the meeting.

(d) A member may vote in person or by proxy appointed to another member.

(e) The instrument for appointing a proxy vote shall be in writing as herein provided:

I ..... being a member of OWNZ, hereby appoint ..... or alternatively ....., as my proxy to vote for me on my behalf at the GM of OWNZ, to be held on the date of ..... and at any adjournment thereof.

Date ..... Signature .....

(f) The instrument appointing a proxy shall be deposited with the Administrator prior to the commencement of any meeting at which the person named in the instrument proposes to vote.

34.5 Quorum for meetings:

(a) At any general meeting the number required to constitute a quorum shall be 15 financial members.

(b) No business shall be transacted unless a quorum of members is present.

(c) If a quorum is not present within 30 minutes of the time set down for the start of the meeting, the meeting shall be adjourned and shall be reconvened at such time and place as the members present shall determine.

34.6 Business of the Annual General Meeting:

(a) The business to be transacted at the AGM shall be:

(i) Approval of minutes of the previous AGM.

(ii) The receiving of the reports of the EG.

(iii) The statement of income and expenditure for the financial year.

(iv) The election of officers for the EG.

(v) The appointment of the Independent Reviewer.

(vi) The setting of the annual subscriptions.

(vii) Amendments to the Constitution.

(viii) Set honoraria as recommended by the EG.

(ix) General business

34.7 Special General Meetings:

(a) The Administrator shall convene a Special General Meeting:

(i) When directed to by the EG or on requisition in writing signed by not less than 15 financial members of OWNZ. Such requisition shall clearly state the reasons why such a meeting is being convened and the nature of the business to be transacted thereat or

(ii) On being given notice in writing of an intention to appeal against a decision of the EG.

(b) Such meetings shall be called within 10 days of receipt of the requisition.

(c) The Chairperson, voting and quorum at Special Meetings shall be as defined in the rule relating to General Meetings of OWNZ.

(d) The business of the Special Meeting shall be as stated in the requisition notice and no other business shall be transacted.

34.8 Resolution passed in lieu of meeting

(a) A resolution in writing signed or consented to in writing by a 75% majority of Members will be valid as if it had been passed at a General Meeting if the requirements in this clause are complied with. Any resolution may consist of several documents in the same form each signed by one or more Members.

(b) The EG must ensure that a proposed resolution is sent to Members entitled to vote which contains:

(i) the date it was circulated to all Members entitled to vote;

(ii) a statement that the proposed resolution will lapse if it is not passed within 3 months, or any lesser period stated, of the date specified in this clause.

(c) The EG must ensure that within 5 Working Days after a resolution is passed under clause, a copy of the resolution is sent to the address, including an electronic address, of all Members who did not approve the resolution.

35. Appeals to the Sports Disputes Tribunal of New Zealand (SDT)

35.1 Where the EG has made a decision concerning a member and that member is dissatisfied with that decision, the member has a right to appeal the decision to the SDT. The appeal shall be heard by and determined by the SDT in accordance with the Rules (copies of which are available from OWNZ) and such decision shall be final.

36. By-laws

36.1 The EG and the AGM may from time to time make, amend or repeal By-laws and regulations not inconsistent with this Constitution for the internal management of OWNZ and any By-law or regulation may be set aside by a general meeting of members.

37. Alteration of the Constitution

37.1 Subject to the provisions of the Act, this Constitution may be amended,rescinded,or added to from time to time by a special resolution carried by a two-thirds majority at a GM.

37.2 Notice of such resolution shall be circulated to members not less than 14 days prior to the meeting at which such resolution shall be considered.

38. Income, Benefit or Advantage to be Applied to Objects

38.1 Any income, benefit or advantage will be applied to the object of Olympic Weightlifting New Zealand Incorporated.

(a) No member of OWNZ or any person associated with a member shall participate in or materially influence any decision made by the Society in respect of any payment to or on behalf of that member or associated person of any income, benefit or advantage

whatsoever. Any such income paid shall be reasonable and relative to that which would be paid in an arm's length transaction (being the open market value)

(b) ii. The provision and effect of this clause shall not be removed from this constitution and shall be implied into any document replacing this constitution.

38.2 Anti-Match Fixing and Sports Betting Policy

(a) OWNZ adopts the Anti-Match-Fixing and Sports Betting Policy of Olympic Weightlifting New Zealand (as amended from time to time) in compliance with the New Zealand Policy on Sports Match-Fixing and Related Corruption developed by Sport New Zealand.

39. Common Seal

39.1 The EG shall provide for a common seal and for its safe custody. The Common Seal shall only be used by the authority of the EG and every instrument to which the seal is affixed shall be signed by a member of the EG and shall be countersigned by a second member of the EG or by some other person appointed by the EG for the purpose.

40. Finances

40.1 . OWNZ's funds and property will be controlled and managed by the EG, and particularly the Treasurer, subject to this Constitution.

40.2 Independently Reviewed Accounts

(a) As soon as practicable after the end of each financial year the Treasurer shall cause to be prepared a statement containing particulars of:

(i) The income and expenditure for the financial year ended

(ii) The assets and liabilities, charges and securities affecting the property of OWNZ at the close of that year.

(b) All such statements shall be examined by the appointed Independent Reviewer who shall present a report upon such review to the Treasurer prior to the holding of the AGM next following the financial year in respect of which such review was made.

(c) The Financial year of OWNZ shall close on 31 May in each year.

40.3 The Treasurer will prepare any other reports and register financial statements as required by the Act.

41. Winding up

41.1 The EG must give Notice to all Members of at least 20 Working Days of a proposed motion:

(a) to remove the Society from the Register

(b) for the distribution of the Society's surplus assets; or

(c) to appoint a liquidator

41.2 The Notice must comply with section 228 of the Act and include details of the General Meeting at which the proposed motion is to be considered.

41.3 If upon the winding up or dissolution of OWNZ there remains, after the satisfaction of all its debts and liabilities, any property whatsoever the same shall not be paid to or distributed among the members but shall be given or transferred to some other charitable organisation or body having objects similar to the objects of OWNZ, or for some other charitable purpose within New Zealand.

42. Dispute Resolution

42.1 Disputes

(a) The Society may consider, resolve, and/or decide disputes between any one or more Members acting in their capacity as Members and any one or more Officers acting in their capacity as Officers and the Society, that relate to an allegation that:

(i) a Member or an Officer has engaged in misconduct; or

(ii) a Member or an Officer has breached, or is likely to breach, a duty under this Constitution or the Act; or

(iii) the Society has breached, or is likely to breach, a duty under this Constitution or the Act; or

(iv) a Member's rights or interests as a member have been damaged or Members' rights or interests generally have been damaged.

43. How a complaint is made

43.1 A Member or an Officer may make a complaint by giving Notice to the EG or any subcommittee established for this purpose, that

(a) states that the Member or Officer is starting a procedure for resolving a dispute under this Constitution;

(b) sets out the allegation to which the dispute relates and who the allegation is against; and

(c) sets out any other information reasonably required by the Society.

43.2 The Society may make a complaint involving an allegation against a Member or an Officer by giving Notice to the person concerned that:

(a) states that the Society is starting a procedure for resolving a dispute under this Constitution; and

(b) sets out the allegation to which the dispute relates.

44. Person who makes complaint has right to be heard

44.1 Unless the Society decides not to proceed, the Member has a right to be heard before the complaint is resolved or any outcome is determined. A Member must be taken to have been given the right if

(c) the Member has a reasonable opportunity to be heard in writing or at an oral hearing, if one is held; and

(d) an oral hearing is held if the decision maker considers that an oral hearing is needed to ensure an adequate hearing; and

(e) an oral hearing, if any, is held before the decision maker; and

(f) the Member's written statement or submissions, if any, are considered by the decision maker.

44.2 If the Society makes a complaint, it has a right to be heard before the complaint is resolved or any outcome is determined and an EG Member may exercise that right on behalf of the Society. The Society must be taken to have been given the right if:

(a) they have a reasonable opportunity to be heard in writing or at an oral hearing, if one is held; and

(b) an oral hearing is held if the decision maker considers that an oral hearing is needed to ensure an adequate hearing; and

(c) an oral hearing, if any, is held before the decision maker; and

(d) its written statement or submissions, if any, are considered by the decision maker.

45. Respondent has right to be heard

45.1 The Member or Officer who, or the Society which, is the subject of the complaint (Respondent) has a right to be heard before the complaint is resolved or any outcome is determined. If the Respondent is the Society, an EG Member may exercise the right on behalf of the Society.

45.2 A Respondent must be taken to have been given the right if:

(a) the Respondent is fairly advised of all allegations concerning the Respondent, with sufficient details and time given to enable the Respondent to prepare a response; and

(b) the Respondent has a reasonable opportunity to be heard in writing or at an oral hearing, if one is to be held; and

(c) an oral hearing is held if the decision maker considers that an oral hearing is needed to ensure an adequate hearing; and

(d) an oral hearing, if any, is held before the decision maker; and

(e) the Respondent's written statement or submissions, if any, are considered by the decision maker.

46. Investigating and determining dispute

46.1 The Society must as soon as is reasonably practicable after receiving a complaint or grievance, investigate and determine the complaint or grievance in a fair, efficient, and effective manner.

47. Circumstances in which a process may not proceed

47.1 Despite the content of this clause and any other clause in this Constitution or in the Regulations, the Society may decide not to proceed with a matter if:

(a) the complaint is trivial: or

(b) the complaint does not appear to disclose or involve any allegation of the following kind:

(i) any material misconduct; or

(ii) any material breach or likelihood of material breach of a duty under this Constitution or the Act;

(iii) any material damage to a Member's rights or interests or Members' rights or interests generally; or

(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 this Constitution; or

(f) there has been an undue delay in making the complaint.

48. Refer complaint

48.1 The Society may refer a complaint to:

(a) a subcommittee or an external person to investigate and report; or

(b) a subcommittee, an arbitral tribunal, or an external person to investigate and make a decision with the consent of all parties to the complaint, to any type of consensual dispute resolution such as mediation or facilitation.

49. Decision Makers

49.1 An individual may not act as a decision maker in relation to a complaint if 2 or more members of the decision-making body (whether it is an EG Member, committee, complaints subcommittee, tribunal, or other) consider that there are reasonable grounds to believe that the individual may not be:

(a) impartial; or

(b) able to consider the matter without a predetermined view.

50. Sports Integrity Code

Constitution **Weightlifting NZ** formally adopts the Code of Integrity for Sport and Recreation as the governing document for integrity standards across all levels of the organisation. All members of Weightlifting NZ will be bound by the Integrity Code from the effective adoption date.

Effective Date:
This adoption will take effect from **1 February 2026**