



RULES

OF THE

FEDERATED MOUNTAIN CLUBS OF NEW ZEALAND

Incorporated

Updated 17 October 2020

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**CONSTITUTION OF
FEDERATED MOUNTAIN CLUBS OF NEW ZEALAND
(Incorporated)**

1. NAME

The name of the Society shall be "Federated Mountain Clubs of New Zealand (Incorporated)" hereinafter referred to as Federated Mountain Clubs

2. OBJECTS

The objects of Federated Mountain Clubs are

- 2.1 **To be the heart and the voice** of the non-commercial recreation community in New Zealand that participates in recreation activities as defined in Appendix A of these rules, in the natural wild lands, mountains, lakes, rivers and coasts of New Zealand or overseas.
- 2.2 **To promote:**
 - 2.2.1 Recreation and non-commercial recreation, as defined in Appendix A, that takes place in New Zealand's natural wild lands, mountains, lakes, rivers and coast.
 - 2.2.2 The conservation and wise management of New Zealand's natural wild lands, mountains, lakes, rivers and coasts.
 - 2.2.3 Public access to New Zealand's natural wild lands, mountains, lakes, rivers and coasts.
 - 2.2.4 The work of the Federated Mountain Clubs Mountain & Forest Trust
 - 2.2.5 Mentoring of appropriate skills associated with Outdoor Recreation
 - 2.2.6 Research into issues related to Outdoor Recreation
 - 2.2.7 Publication of a regular bulletin focussed on issues related to Outdoor Recreation
 - 2.2.8 The wise management of non commercial recreation as defined in appendix A and sport connected with New Zealand's natural wild lands, mountains, lakes, rivers and coasts in the interests of those actively involved in such recreation and sport and the public generally.
- 2.3 **To liaise with** other organisations with similar objects and when appropriate **to take action** jointly with such other organisations to achieve these Objects.
- 2.4 **To provide** an advocacy voice for member clubs and individuals who choose to participate in recreation, as defined in Appendix A, non commercially in New Zealand's natural wild lands, mountains, lakes, rivers and coasts.
- 2.5 In interpreting the above clauses the meaning of any clause will not be restricted by reference to any other clause.

3. MEMBERSHIP

- 3.1.1 The word “membership” in this rule is to be interpreted in the sense of general “belonging to and supporting”. Formal membership of FMC with it’s associated entitlements is only available to member clubs.
- 3.1.2 Membership shall be open to any Club, Organisation or Individual who acknowledges and accepts the Objects of Federated Mountain Clubs.

3.2 Classes of Membership

There will be the following classes of Membership:

3.2.1 Club

A member club is an organisation which exists to promote non commercial Recreation in the natural wild lands, mountains, lakes, rivers and coast of New Zealand, accepts all of the Objects of Federated Mountain Clubs and has been accepted as a member. A member Club will preserve their own identity and the right to conduct its own affairs independently of Federated Mountain Clubs provided the activities of the Club do not conflict with any of the Objects of Federated Mountain Clubs

3.2.2 Supporter

A Supporter of Federated Mountain Clubs will be a person who supports the Objects of Federated Mountain Clubs, has chosen to pay a fee directly to Federated Mountain Clubs and has been accepted as a supporter.

3.2.3 Associate

An associate member of Federated Mountain Clubs is an organisation which is not a Club as defined in Rule 3.2.1 and which chooses to support the Objects of Federated Mountain Clubs, pay the appropriate fee and has been accepted as an Associate member.

3.3 Categories of Membership

The Executive shall have the right to determine any categories of membership within the classes of membership stated in Rule 3.2.

3.4 Method of joining

- 3.4.1 Any club, supporter or associate may apply to the Executive to join or support Federated Mountain Clubs.
- 3.4.2 The Executive shall have the power to decline the application from any club, supporter or associate without being obliged to give reasons for declining the application.

3.5 Termination of Membership

- 3.5.1 Any member club may resign its membership of Federated Mountain Clubs by advising the Executive in writing provided such notice is signed by two officers of the member club.
- 3.5.2 Any supporter may resign by advising Federated Mountain Clubs in writing.
- 3.5.3 Any associate may resign by advising Federated Mountain Clubs in writing provided such notice is signed by an authorised officer of the organisation.
- 3.5.4 The Executive shall have the right to terminate the membership of any member club, supporter or associate for default in payment of subscriptions or any other reason deemed by the Executive to justify removal from Federated Mountain Clubs.
- 3.5.5 Any such club, supporter or associate having given due notice of a decision made under Rule 3.5.4 shall have the right of appeal to a General Meeting of Federated Mountain Clubs. The decision of a General Meeting called for this purpose will be final.

4 OFFICERS AND EXECUTIVE

- 4.1 The Officers of the Federated Mountain Clubs, who shall form the Executive, will be the following:

- A President
- One Vice President
- Immediate past President as defined in Rule 4.2
- Up to thirteen Executive Members

- 4.2 Except as provided by rule 4.2.1 during the year immediately following their period of office as President, each President shall hold office as Immediate Past President of the Federation ex officio.

- 4.2.1 Rule 4.2 shall not apply if

- (i) The President resigns during his/her term of office
- (ii) The President is removed from office pursuant to rule 4.6 or 4.7
- (iii) The President advises the Returning Officer that that they do not wish to hold the office of Immediate Past President.

In each case (i), (ii) or (iii) above if there is an incumbent Immediate Past President, then that person shall continue in office until the next election for Executive is held.

- 4.3 The terms of office for the President, Vice President and all Executive Members shall be for a period of one (1) year.

4.4 Election of Officers

- 4.4.1 The President, Vice President and up to thirteen (13) Executive members shall be elected by a postal / electronic ballot of member Clubs, the details of which will be advised to Clubs before 30 April each year.

- 4.4.2 Any vacancy in the position of President, Vice President or on the Executive may be filled by an appointment by the Executive for the balance of the term for which the office would normally have been held.
- 4.4.3 The Management Committee will, before the last day of February, appoint a Returning Officer to conduct all elections in the following financial year.
- 4.4.4 The Returning Officer will, before the 10th of March each year:
- (a) Call for nominations for President, Vice President and the Executive
 - (b) Set the closing date for nominations which will be not earlier than 8th of April
 - (c) Advise member Clubs of the closing date for polling associated with any elections to be held. The closing date for polling will be not earlier than 10th of May.
- 4.4.5 Any member club may propose candidates for any office by giving the Returning Officer notice of such nomination not later than the closing date for nominations as announced by the Returning Officer. All nominations must have the written consent of the nominee.
- 4.4.6 Officers must be financial members of a member club or must be a supporter as defined by these rules.
- 4.4.7 The number of votes which a member club may exercise in an election shall be determined on the basis of one (1) vote per hundred (100) or part of a hundred members as declared by the member club as at the first day of March of the year of the election or, in the case of a member club that has joined Federated Mountain Clubs since that date, as declared upon joining.
- 4.4.8 The office of President may not be held by any one person for more than three (3) consecutive terms. Where a person is appointed to the position of President under Rule 4.4.2 then the period from the date of appointment to the close of polling for the next election of President / Vice President shall not count as part of the 3 consecutive terms.
- 4.4.9 The Returning Officer will announce the results of polling not later than 31st May.
- 4.4.10 The elected office holders and executive will take office from the day after the Returning Officer announces the results of the polling.
- 4.4.11 Where the number of nominations is less than or equal to the number of vacancies and therefore no poll is required then the Returning Officer shall declare the results of the election on the day specified in Rule 4.4.4(c).

4.5 Resignation

Any Officer may resign from their position by providing a written resignation to the President or Vice President.

4.6 Failure of an Officer to attend meetings of the Executive

Any member of the Executive who fails to attend three consecutive Executive meetings without providing an apology accepted by the Executive at each meeting they did not attend, will be deemed to have resigned from the Executive.

4.7 Removal from Office

The Executive may remove any Officer from office provided:

- 4.7.1 Notice of motion to remove an Officer from office must be supplied in writing to the Officer not less than thirteen (13) days before the meeting at which the motion will be considered and must state the wording of the motion passed by the Executive as provided for in Rule 4.7.2.
- 4.7.2 A motion to remove from office must be carried by two thirds of the Executive, elected or co-opted, who are present at the meeting at which the motion is considered.
- 4.7.3 An Officer removed from office under this rule shall have the right of appeal to a General Meeting of Federated Mountain Clubs.
 - (a) Notice of such appeal must be lodged in writing with the President within twenty-eight (28) days of the date of the Executive meeting at which the removal from office was confirmed.
 - (b) Between the date of the Executive meeting which passed the motion to remove the member from office and the date of such General Meeting the Officer will have no voting rights on the Executive.
 - (c) If such an appeal is lodged then the President shall, within thirteen (13) days of receipt of the appeal, set a date for a General Meeting to consider the appeal. Such General Meeting shall be held not less than twenty-eight (28) days nor more than ninety (90) days from the date the Appeal was lodged.
 - (d) The decision of a General Meeting called for this purpose will be final.

4.8 Officer Liability

- 4.8.1 The liability of each Officer (including any former Officer) is limited to the assets of the Federated Mountain Clubs and is not a personal liability except for any loss attributable to:
 - a. that Officer's own dishonesty or fraud; or
 - b. the wilful commission or omission by that Officer of an act known by that Officer to be a breach of these Rules.
- 4.8.2 Each Officer, or former Officer, is entitled to a full and complete indemnity from the Federated Mountain Clubs for any personal liability which he or she may incur in connection with that Officer acting or purporting to act as an Officer of the Federated Mountain Clubs, provided that the liability is not attributable to the matters set out in 4.8.1

5 SPECIAL VICE PRESIDENTS

- 5.1 The Executive may appoint such special Vice Presidents as it considers necessary. Special Vice Presidents shall be persons who agree to work on behalf of Federated Mountain Clubs and shall be entitled to attend Executive meetings, but shall not be entitled to vote at Executive meetings.
- 5.2 The term of office of all Special Vice Presidents will be determined by the Executive at the time of appointment subject to the restriction that no Special Vice President may be appointed for a term longer than one year.
- 5.3 A Special Vice President may be appointed for a further term on expiry of their current term of appointment.

6 PATRON

On the recommendation of the Executive any person who has rendered outstanding service to Federated Mountain Clubs or to the furtherance of its Objects may be elected a Patron at any General Meeting of Federated Mountain Clubs or by a Poll of Clubs. Such recommendation shall be notified to member clubs at least twenty-one (21) days before the date of such meeting or poll.

- 6.1 A motion to appoint a Patron must be carried at a General Meeting by a two-thirds majority of delegates present and entitled to vote.
- 6.2 If such a motion is voted on by way of Poll of Clubs then the provisions of Rule 11.5.1 shall apply.

7 MANAGEMENT

- 7.1 Subject to these Rules, or to any instructions from a General Meeting, the entire management of Federated Mountain Clubs, and its property, including the control and investment of its funds, shall rest in the hands of the Executive.
- 7.2 The Executive may delegate the management of particular areas of Federated Mountain Club's activities to one or more sub-committees. The decisions of all such sub-committees will be subject to approval by the Executive.
- 7.3 The management of sub-committees will be as outlined in appendix C.
- 7.4 The President and Vice President will be ex-officio members of any sub-committees formed under rule 7.2.
- 7.5 The Executive may engage such persons as may be necessary to achieve the objects of Federated Mountain Clubs.
- 7.6 The Executive will prepare, no later than ninety (90) days after the end of the Financial Year, a report covering the activities of Federated Mountain Clubs in the previous financial year and this report will be made available to all member clubs, supporters and Associates.

7.7 The Executive and any sub-committees will always act to actively encourage the attainment of the objects of Federated Mountain Clubs, ensure the well-being of Federated Mountain Clubs as a whole, and both further and protect the interests of members in relation to matters related to Federated Mountain Clubs. The Executive or a General Meeting may resolve at any time to take an action which while not explicitly stated in the objects of Federated Mountain Clubs is considered by the meeting to be in the interests of Federated Mountain Clubs.

8. FINANCE

8.1 All funds paid to Federated Mountain Clubs shall be banked forthwith to the credit of Federated Mountain Clubs at a bank named by the Executive and shall be disposed of as the Executive may direct. All withdrawals shall be authorised by any two (2) people authorised for that purpose by the Executive.

8.2 The financial year of Federated Mountain Clubs shall be from the 1st of January to 31st December.

8.3 The Executive will ensure that all aspects of the Financial Policy are consistently applied.

8.4 The Executive will ensure that a report which meets the requirements of the External Reporting Board for a Tier 3 Not for profit organisation will be prepared each year and that this report will be made available to all member clubs within ninety (90) days of the end of the previous financial year. Such report will be available to all other members on request after 1 June.

8.5 The Executive may at its discretion or on receipt of a written request from not less than eight (8) member clubs conduct an independent review of the accounts of Federated Mountain Clubs. The Executive shall have the sole power to determine whether such independent review will be a Financial Review or an Audit.

8.6 No member club, supporter or associate member of Federated Mountain Clubs or any person associated with a member club, supporter or associate member shall participate in or materially influence any decision made by Federated Mountain Clubs in respect of the 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).

9. ANNUAL SUBSCRIPTIONS

9.1 The Executive shall have right to determine the fees for any class or category of membership subject to any restrictions in rule 9.2. The fees will be listed in Appendix E.

9.2 Any increase in one year of the member club per person fee (Inc GST) that is greater than 20% must first be approved by a General Meeting called for that purpose or by a Poll of Clubs.

9.4 Member Club Subscriptions

(a) Every member club shall pay an annual subscription as listed in Appendix E.

(i) Different classes of member clubs may have varied subscription rates set.

- (b) The classes of Club membership may include but not be limited to:
 - (i) Full declaration member clubs as defined in Appendix D
 - (ii) Partial declaration member clubs as defined in Appendix D
- (c) The Annual Subscription will be based on the number of members in the member club as declared by the member club on its annual return to Federated Mountain Clubs.
- (d) The Annual Subscription shall be due for payment by 31st of May each year.
- (f) Only those member clubs which have paid their Annual Subscription for the current year will be eligible to exercise their votes at any General Meeting held between 1 June and 28 February of following year.

9.5 Individual Supporter Subscriptions

- (a) Every Supporter shall pay an annual subscription as listed in Appendix E.
- (b) The annual subscription for a Supporter will become due one year after the date of their previous renewal or the date they joined.
- (c) The annual subscription for a Supporter shall be paid within three (3) months of the due date.

9.6 Associate Subscriptions

- (a) Every Associate organisation shall pay an annual subscription as listed in Appendix E regardless of the number of members in the organisation.
- (b) Different groups of Associate organisations may have varied subscription rates set.
- (c) The Annual Subscription for associate organisations shall be due for payment by 31st of May each year.

10. MEETINGS

10.1 Chair of Meetings

- 10.1.1 At any Executive or General Meeting the President shall have the right to chair the meeting. In the absence of the President, the Vice President shall have the right to chair the meeting. In the absence of both the President and the Vice President the meeting shall elect one of its members present and entitled to vote to chair that meeting.
- 10.1.2 The President and / or Vice President may relinquish the right to chair a meeting in which case the meeting shall elect one of its members present and entitled to vote to chair that meeting.

10.2 Notice of Meetings

- 10.2.1 Fourteen (14) days notice of an Executive meeting shall be provided to each Officer.

10.2.2 Four (4) weeks notice of a General Meeting shall be provided to member Clubs and the notice must include the business to be transacted at the General Meeting.

10.3 Calling Meetings

10.3.1 The President may call an Executive meeting at any time

10.3.2 The President shall call an Executive meeting on receipt of a written request from not less than four (4) Executive members. Such request must state the business to be discussed at the Executive meeting. The Executive meeting must be called within twenty-eight (28) days of the receipt of such a request. Only the business of which notice has been given may be discussed at the meeting unless the meeting determines otherwise.

10.3.3 The Executive may call a General Meeting at any time

10.3.4 The Executive shall call a General Meeting on receipt of a written request from not less than eight (8) member Clubs. Such request must state the business to be discussed at the meeting. The meeting must be called within six (6) weeks of the receipt of such a request. Only the business of which notice has been given may be discussed at the meeting.

10.4 Quorum at meetings

10.4.1 At any Executive meeting five (5) Officers will constitute a quorum provided that due notice of the meeting has been given.

10.4.2 At any General Meeting of Federated Mountain Clubs the quorum will consist of delegates representing not less than thirty (30) votes or voting representing ten percent (10%) of the total membership of all member clubs, whichever is the fewer. Provided that those delegates must also represent not less than eight (8) member Clubs or represent at least 10 percent (10%) of the number of member clubs, whichever is the fewer.

10.5 Voting at Meetings

10.5.1 At any meeting the Chairperson will have a deliberative vote and a casting vote. The deliberative vote must be exercised at the same time that the people present at the meeting and entitled to vote exercise their vote.

10.5.2 At any Executive meeting voting will be determined by the provisions of this Rule

- (a) All votes must be exercised in person
- (b) Voting at Executive Meetings shall be by voice but any Executive member may request before the voice vote is taken or immediately after the Chair has ruled on a voice vote and before the meeting proceeds to the next item that a show of hands be called for.
- (c) If three Executive members request a secret ballot then the Chair shall conduct a secret ballot on the motion. Such request must be made before the motion is put to the vote.
- (d) If a vote on a motion is conducted according to 10.5.2 (b) or (c) then the results of such a vote must be recorded in the minutes.

10.5.3 At any General Meeting voting will determined by the provisions of this rule

- (a) Each member club may be represented at all General Meetings of Federated Mountain Clubs. Member clubs may be represented by one (1) or more delegates and Associate organisations may be represented by one (1) or more observers.

- (b)
 - (i) For any General Meeting or Poll of Clubs held between 1 March and the 31 May the number of votes which a member club may exercise shall be determined on the basis of one (1) vote per hundred (100) or part of a hundred members for as declared to the Federated Mountain Clubs as at 1 March of the year of the meeting or, in the case of a member club that has joined the Federated Mountain Clubs since that date, as declared upon joining.
 - (ii) For any General Meeting or Poll of Clubs held on or after 1 June and before the last day of February of the following year the number of votes which a member Club may exercise shall be determined on the basis of one (1) vote per hundred (100) or part of a hundred members as declared by the member club in the current year.
 - (iii) At any General Meeting no delegate shall be permitted to exercise more than three (3) delegate votes of the member clubs he or she represents and not more than two (2) proxy votes from a member club that the delegate is not a member of.
 - (iv) No delegate may exercise more than five (5) votes in total.
 - (v) For the purposes of counting members of a member club in order to determine voting strength, youth members are not included in the count unless the member club has paid a fee for the number of youth members equal to that which would have been paid by the same number of senior members in a club of the same status.

- (c)
 - (i) Member clubs shall be given notice of the number of votes the member club is entitled to at least four (4) weeks prior to the date of the meeting
 - (ii) Member clubs must inform the Executive Officer, in writing before the start of the meeting of the name(s) of the delegate(s) appointed to represent that member club and the number of votes each delegate will hold. A delegate must be a member of that member club.
 - (iii) A member club may assign proxy votes. A person holding a proxy vote must be a delegate of a member club and may not be a member of the member club assigning the proxy. Proxy votes must be advised to the Executive Officer in writing by the member club before the start of the meeting.

- (d)
 - (i) Voting at General Meetings of the Association shall be by voice but if the Chairperson or any two (2) delegates present so desire a vote based on a poll of member clubs present will be conducted. Such a request for a poll must be made either before the voice vote is taken or immediately after the Chairperson has announced the result of the poll and before the meeting has moved to the next item on the Agenda
 - (ii) If the Chairperson or any five (5) delegates so desire a vote based on a secret poll of member clubs present will be conducted. Such a request for a secret poll must be made either before the voice vote is taken or immediately after the Chair has announced the result of the poll and before the meeting has moved to the next item on the Agenda.

- (iii) Where a vote at a General Meeting is taken according to 10.5.3(d) then the minutes shall record the result of the poll.

11 POLL OF CLUBS

11.1 The Executive may conduct a Poll of Clubs for one or more of the following purposes:

- (a) To elect a Patron
- (b) To approve an amendment to these Rules other than the Rules excluded in 11.2
- (c) Any other matter the Executive determine is appropriate and is not excluded in Rule 11.2

11.2 A Poll of Clubs may not be used for any of the following purposes:

- (a) To determine an Appeal lodged under Rule 3.5.5
- (b) To determine an Appeal lodged under Rule 4.7.3
- (c) To amend Rule 8.6 Finance or Rule 14.5 Winding Up
- (c) To vote on a motion to Wind up the organisation

11.3 Before conducting a Poll of Clubs the Executive shall appoint a Returning Officer to manage all aspects of the poll.

11.4 In a Poll of Clubs each Club shall have the right to exercise the number of votes determined by Rules 10.5.3 (b) (i), (ii) , (iii) and (v)

11.5 A decision made by a Poll of Clubs will be valid provided returns are received from a minimum of 40 Clubs or 50% of the number of member Clubs, whichever is the lesser

11.5.1 To approve the election of a Patron the provision of Rule 11.5 must apply and the votes exercised in favour of the election must be greater than 66% of the total votes cast by participating member clubs.

11.5.2 To approve a motion to amend the rules, or any other matter the Executive decides to put to a Poll of member clubs the provision of Rule 11.5 must apply and the votes exercised in favour of the motion must be greater than 50% of the total votes cast by participating member clubs

11.6 The Returning Officer shall notify all Clubs in writing of the intention to hold a Poll of Clubs under this Rule

11.6.1 Such notice shall state all of the following:

- (a) The wording of the motion to be voted on.
- (b) The number of votes the Club is entitled to exercise as defined in Rule 11.4
- (c) The closing date and time for returns to be received. The closing date and time must be no earlier than 5:00pm twenty-eight (28) days from the day notice was given

11.7 The Returning officer will announce the result of the Poll twenty-four (24) hours after the closing date and time.

- 11.8 The Executive must approve the wording of any motion to be voted on by a Poll of Clubs.
- 11.9 A motion put to a Poll of Clubs cannot be amended once notice of the motion has been given to member clubs.

12. COMMON SEAL

- 12.1 The Common Seal of Federated Mountain Clubs shall be kept by a person nominated by the Executive from time to time and may be affixed to any document, instrument or deed by the person nominated to keep the Common Seal. Such affixing must be witnessed by one other Officer.
- 12.2 The affixing of the Common Seal to any document, instrument or deed must be confirmed beforehand by a decision of the Executive and any such decision must be recorded in the minutes of the next Executive meeting.

13. ALTERATION OF RULES

- 13.1 Any General Meeting or Poll of Clubs shall have the power to rescind, alter, or add to these Rules provided that no addition or alteration or recession of the rules shall be approved if it affects the charitable objects, Rule 8.6 Funds or Rule 14.5 Winding up.
- 13.2 Member clubs must be given at least four (4) weeks notice of any General Meeting or closing date of Poll of Clubs at which a Rule change is proposed and such notice must include the wording of the proposed Rule changes
- 13.3 Any motion to rescind, alter, or add to these Rules must be carried by a simple majority of votes at the General Meeting or by meeting the requirements of Rule 11.5.2

14. WINDING UP

- 14.1 Any General Meeting or meeting of the Executive may pass a resolution to wind up Federated Mountain Clubs. Such a resolution will not have any effect until the provisions of Rules 14.2 to 14.4 have been met.
- 14.2 In the event that a meeting passes a resolution to wind up Federated Mountain Clubs then the Executive shall call a General Meeting to discuss the resolution within six (6) weeks of receipt of notice of the resolution.
- 14.3 All member clubs must be given at least four (4) weeks notice of a General Meeting called to wind up Federated Mountain Clubs. Such notice will include the wording of the resolution and any other items to be discussed at that meeting.
- 14.4 A resolution to wind up Federated Mountain Clubs must be carried by two thirds (2/3) of the number of votes eligible to be cast at the meeting called for this purpose.

14.5 Upon a winding up and payment of Federated Mountain Club's liabilities any surplus funds or assets of the Federated Mountain Clubs shall be handed over to or distributed amongst such body or bodies, having interests similar to those of the Federated Mountain Clubs and in such manner and in such shares as a General Meeting of the Federated Mountain Clubs shall direct, or failing any such directions then in such manner in all respects as the Registrar of Incorporated Societies may determine.

APPENDIX A

Federated Mountain Clubs recognised activities

This appendix may be changed by way of a resolution carried by a simple majority at an Executive meeting.

- 1 Activities which constitute recreation in New Zealand's natural wild lands, mountains, lakes, rivers and coast and are considered to be in line with the Objects of Federated Mountain Clubs include:

- Back country horse trekking
- Canoeing
- Canyoning
- Cross Country Skiing
- Day walking
- Deerstalking
- Hang Gliding
- Kayaking
- Mountain & Trail Running
- Mountain biking
- Mountaineering
- Orienteering
- Pack rafting
- Paragliding
- Rogaining
- Rock Climbing
- Ski-ing,
- Tramping

- 2 Activities which do not constitute recreation in New Zealand's natural wild lands, mountains, lakes, rivers and coast and are considered to not be in line with the Objects of Federated Mountain Clubs include:

- Motorised activity if organised for competition, reward or on a commercial basis

APPENDIX B

Interpretation of terms used in the Rules

This appendix may be changed by way of a resolution carried by a simple majority at an Executive meeting.

	Term	Meaning
	<i>Absolute majority</i>	A majority of 50% or more of all people or delegates that are entitled to vote at that meeting
	<i>Access</i>	1. access while participating in an activity listed in clause 1 of Appendix A or 2. access to a site to enable participation in an activity listed in clause 1 of Appendix A.
	<i>Associate</i>	any organisation which is currently a financial Associate member of Federated Mountain Clubs
	<i>Calendar Year</i>	a year from 1 January to 31 December of same year
	<i>Casting Vote</i>	the vote the Chairman of a meeting may exercise in the event of a tie in the voting on a motion. The chairman should exercise a casting vote in such a way that, where possible, it preserves the status quo.
	<i>Deliberative Vote</i>	the vote the Chairman of a meeting is entitled to have by virtue of being a delegate at a General Meeting or by virtue of being an Officer at an Executive meeting.
	<i>Executive</i>	the Executive Committee of Federated Mountain Clubs as elected under Rule 4
	<i>Executive meeting</i>	A meeting of the Executive for which proper notice has been given and there is a quorum present whether the meeting be in whole or in part in person or by electronic means
	<i>Financial Year</i>	the Financial Year of Federated Mountain Clubs as defined in rule 8.2
	<i>General Meeting</i>	any General Meeting called under Rule 10
	<i>In writing</i>	fax, email or other electronic means and a persons name included as a signature in an email will be accepted as their written signature.
	<i>Notice</i>	notice given in writing, by advertisement in a newspaper, email or other electronic means to the last known physical or electronic address of the member.
	<i>Objects</i>	the Objects of Federated Mountain Clubs as stated in Rule 2
	<i>Officer</i>	an officer of Federated Mountain Clubs as listed in Rule 4
	<i>Recreation</i>	Any activity as defined in Appendix A
	<i>Simple majority</i>	A majority of 50% or more of people, delegates entitled to vote who choose to exercise that right at a meeting or in a poll of clubs
	<i>Supporter</i>	any person who is currently a financial Individual Supporter of Federated Mountain Clubs in any category
	<i>Youth</i>	A young person currently enrolled at a secondary school or Under 18 years of age.

APPENDIX C Sub-committees

This appendix may be changed by way of a resolution carried by a simple majority at an Executive meeting.

Sub-committees of the Executive are authorised by Rule 7.2

- 1 At the first Executive meeting following the election of a new Executive the Executive will elect an Administration sub-committee and appoint such other sub committees as it considers appropriate.
- 2 The Executive will, when appointing a sub-committee, name a convenor and when appropriate ensure that staff member(s) are appointed to the sub-committee.
- 3 The convenor is responsible to the Executive for:
 - The conduct and progress of the sub-committee and management of any campaigns associated with the sub-committees purpose.
 - Reporting the progress of the sub-committee to each meeting of the Executive.
- 4 The President will be an ex officio member of all sub-committees but may assign this position for any particular sub committee to another Officer.
5. Sub-committees will act in accordance with Rule 7.7
- 6 Any sub-committee may, with the prior approval of the President or Vice President co-opt further members who may or may not be members of the Executive.
- 7 Reports, submissions or other document which will be circulated outside of Federated Mountain Clubs will:
 - (a) Be provisionally approved by the Convenor of the sub-committee.
 - (b) Be finally approved by one of President / Vice President or Executive Officer who should consult with the convenor of the subcommittee if there are any significant amendments.
 - (c) Be signed by the President, Vice-President, Secretary, Executive Officer or an Executive Member as considered appropriate by the President. It is desirable that submissions regarding local issues are signed by local people.
- 8 Sub-committees may not incur expenses beyond any budget they are responsible for without the prior approval of the Administration Committee.

APPENDIX D Definition of a Full and a Partial Club

This appendix may be changed by way of a resolution carried by a simple majority at an Executive meeting.

1 Full Club

A Full Club will meet all of the following requirements:

- (a) Every member of the club, regardless of the category of membership, or the date the member joins the club will be declared to Federated Mountain Clubs.
- (b) The club will pay the per head fee as per Appendix E for every member declared in (a).
- (c) The club will provide Federated Mountain Clubs once a year with a signed confirmation by two club officers that (a) and (b) above have been met.
- (d) To be a Full club the member club must have a minimum of 20 members

A Full club will receive

- (e) The number of membership cards it pays for in (b) above. This number may be not more than 10% less than the number declared in (a) on the understanding that the club may pay for further members during the year if renewal of membership or number of new members requires additional membership to be paid for.
- (f) The number of copies of *Backcountry* that the club requests, up to a maximum of 110% of the membership paid for in (b) above

2 Partial Club

A Partial Club will meet all of the following requirements:

- (a) The right to choose how many members it wishes to declare to Federated Mountain Clubs
- (b) The member club will pay the per head fee as per Appendix E for every member declared in (a)
- (c) To be a Partial club the member club must have a minimum of 5 members

A Partial club will receive

- (d) The number of membership cards it pays for in (b) above.
- (f) The number of copies of *Backcountry* that is not greater than the membership paid for in (b) above. A club may request fewer copies of *Backcountry*.

APPENDIX E Subscriptions

This appendix may be changed by way of a resolution carried by a simple majority at an Executive meeting subject to the restriction of Rule 9.2

All figures here are inclusive of GST and are per annum

Clubs

	1 st 700 Members	701 to 1000 members	All members over 1000
Full Club / Adult member	\$15	\$8	\$1.00
Partial Club / Adult member	\$17	\$10	\$1.50
Youth members *1	No charge		

Supporters

	Single Senior	Family *2	Youth	Youth Leader *4
NZ Address	\$45	\$55	\$20.00	\$30
Australian Address	\$55	\$55	\$30.00	n.a.
Other Overseas	\$60	\$60	\$40.00	n.a.

*1 A Youth member is as defined in Appendix B

Youth members count for determining the number of FMC Discount Cards and *Backcountry* issues sent to a club. Youth members of clubs do not count in determining the number of votes a member club is entitled to exercise in the election of officers, voting at General Meetings or in a Poll of Clubs. Refer Rule 10.5.3 (b) (v)

*2 A Family will receive two FMC Discount Cards by default and may request further cards at no charge. They will receive one copy of *Backcountry*.

*3 A Youth Leader is a person who is actively involved as an approved leader in a recognised youth organisation that promotes tramping as an activity for young people

Associates:

Secondary Education providers	\$60	(Entitled to 1 <i>Backcountry</i> but may request more)
Tertiary Education providers	\$120	(Entitled to 1 <i>Backcountry</i> but may request more)
National Organisations	\$60	(Entitled to 1 <i>Backcountry</i>)
Fish & Game	\$1500	(Entitled to 144 <i>Backcountry</i>)
Libraries	\$30	(Entitled to 1 <i>Backcountry</i>)

D2U service:

A current member of a currently affiliated FMC club may sign up for the D2U service. This entitles them to the next four issues of *Backcountry* magazine posted to their nominated address.

The D2U fee is set at \$20 per annum.

APPENDIX F Responsibilities and functions of President and Vice President

This appendix may be changed by way of a resolution carried by a simple majority at an Executive meeting.

The President is responsible for:

1. Ensuring that the activities of the Federated Mountain Clubs are directed to the achievement of the aims and objects of the Federated Mountain Clubs as defined in these Rules.
2. Ensuring that all Federated Mountain Clubs officers and staff carry out their assigned functions effectively and work together as a team to achieve the aims and objects of Federated Mountain Clubs.
3. Ensuring that the Federated Mountain Clubs is represented at meetings of other organisations where this is in the interests of the Federated Mountain Clubs and where the Federated Mountain Clubs is entitled to make such appointments.
4. Co-ordinating and encouraging Federated Mountain Clubs Officers and staff in their management of Federated Mountain Clubs affairs.
5. Ensuring that the Federated Mountain Clubs Annual Report and Statement of Financial Performance are prepared by the appropriate people within the time frames specified in these Rules.
6. Ensuring that complaints are appropriately managed.
7. Providing leadership to Federated Mountain Clubs in the area of forward planning.
8. Being the main media contact person for Federated Mountain Clubs.
9. Being an ex-officio member of all Committees and Sub-committees established by the Federated Mountain Clubs.
10. Maintaining positive working relationships with relevant Ministers of the Crown and senior staff in Department of Conservation.
11. Providing a summary report to each Executive meeting of his/her activities since the previous report.

The Vice President is responsible for:

1. Assisting the President as required in the implementation of points 1 to 10 above
2. Standing in for the President when the President is unavailable
3. Being an ex-officio member of all Committees and Sub-committees established by the Federated Mountain Clubs.

If either of the President or Vice President are unable to meet these responsibilities for a period longer than three (3) weeks then they shall apply to the Executive for leave from for their position for the period of time involved.

APPENDIX G Responsibilities and functions of FMC Nominee

This appendix may be changed by way of a resolution carried by a simple majority at an Executive meeting.

The FMC Nominee is appointed by the Executive for a 1 year term at the first executive meeting following the election of a new Executive. The FMC Nominee may be appointed for consecutive terms

The FMC Nominee is responsible to the Management Committee for the management of all matters related to the employment of staff and contractors other than operational oversight and day to day management of these people.

The FMC Nominee will be an ex officio member of the FMC Management Committee and any sub committee established to review remuneration of paid staff or Honoraria paid to President and Vice President.

1. For employed staff the responsibilities will include specifically, but not exclusively:
 - (a) Ensuring all employed staff have a signed, current Employment Agreement (EA) and a Job Description.
 - (b) Ensuring all employees have a performance review conducted according to the terms of their EA
2. For contractors the responsibilities will include specifically, but not exclusively:
 - (a) Ensuring that the procedures for engaging a contractor have been followed and that the decision to engage a contractor whether for a fixed term or an ongoing basis has been formally approved and minuted by either the Management Committee or the full Executive.
 - (b) Ensuring that a signed acceptance of the contract is filed in FMC records
- 3 Disputes with staff
 - (a) In the event of a dispute arising with a staff member the FMC Nominee must be consulted at the earliest opportunity.
 - (b) If a dispute with a staff member arises then the FMC Nominee is responsible for ensuring that the steps are followed are consistent with current employment legislation and the process is managed in good faith.
 - (c) The FMC Nominee will manage all processes associated with a dispute between FMC and a staff member.
 - (d) In the event that the FMC Nominee's involvement in a dispute is deemed to be conflicting then the Management Committee will appoint another member of the Management Committee to take on the responsibilities of the FMC Nominee until the dispute is resolved.

If the Management Committee is unable to agree without a dissenting voice on the appointment of another member of the Management Committee to take on the responsibilities of the FMC Nominee until the dispute is resolved then the Executive will be required to appoint by a simple majority an alternative FMC Nominee for the duration of the dispute.

Changes Index

Nature of Change	Approval	Date
Adoption	SGM	28/10/2018
Addition of Appendix G	Executive	23/2/2019
Increase in threshold from 600 to 700 - Appendix E	Executive	23/2/2019
Amending Appendix C 4 to make it clear that Vice President is also an ex officio member of all subcommittees	Executive	29/6/2019
Amending Appendix F to add the right for Vice President to be on all sub committee	Executive	29/6/2019
Amending Appendix E to replace Top-Up with D2U	Executive	17/10/2020
Wording amendment to rule 4.4.1 – “on the Executive” replaced with “in the position of President, Vice President or on the Executive”	SGM	17/10/2020
Wording amendment to rule 4.4.2 – Addition of words “, the details of which will be advised to Clubs” between “Clubs” and “before”	SGM	17/10/2020
Wording amendment to rule 4.4.3 – “Executive” replaced with “Management Committee”	SGM	17/10/2020
Wording amendment to rule 4.4.4(c) – deleted “in the following financial year” at end of first sentence	SGM	17/10/2020
Amendment of Rule 8.2 by replacing the words “1st March in each year to the end of February in the following year” with the words “the 1st of January to 31st December”	SGM	17/10/2020