



## HAMILTON COSMOPOLITAN CLUB INCORPORATED

# BY LAWS

### 1. DRESS

Members and affiliates must conform with the policy and standard of dress as defined by the Executive and displayed in the Club.

### 2. GRATUITY

No member shall give any gratuity to any employee of the Club.

### 3. PROPERTY

Any member removing any club property from the club premises without the authority of the Executive Management, or intentionally damaging any property of the Club, and refusing to make good such damage, shall render themselves liable to disciplinary procedures.

### 4. RAFFLES

No raffle shall be allowed on the Club's premises, or goods displayed for that purpose, without the authority of the Executive.

### 5. PETITIONS

No petition, except for the purpose of convening a *Special Meeting* shall be allowed to circulate or signatures sought on the premises of the Club.

### 6. ADVERTISING

No business cards or notices shall be displayed in the Club without the sanction of the Executive, nor shall any member give the address or telephone number of the Club in any advertisement, or use the Club address for business purpose.

### 7. EXECUTIVE

Members of the Executive shall render every assistance to the Management and Staff of the Club to maintain order and to prevent infringement of the Rules and By Laws or the terms of any charter or licence granted to the Club.

Duties and responsibilities not limited to:

- Attend monthly committee meetings and any extra special meetings as and when called
- Assist with selling and running of club raffles, draws and any other fund-raising events when required
- Sub club liaisons meet with appointed clubs and report back to executive
- Review Rules of the club as and when required.

- Have an understanding of New Zealand Employment, Gaming and Food regulations

## 8. UNDERAGE

Guest under the legal drinking age will be welcome in the Club provided that they are under the strict control of a parent or guardian.

## 9. SUB - CLUBS

The Executive may approve the formation of a Sub-Club, subject to criteria which may from time to time be set by the Executive.

Approval so given by the Executive may be withdrawn at any time.

## 10. GENERAL RULES

The club, executive, staff and all club members will behave in accordance with the club rules and all New Zealand Laws, Regulations and Acts at all times.

The laws of New Zealand take precedence and over-rule all the Club rules where these apply and, under these circumstances, Rule 28 and board of appeal processes do not apply.

This Includes but is not limited to:

- No Liquor is to be removed from the club.
- No Liquor is to be brought into the club.
- No Food is to be brought into the club.
- No Food is to be removed from the club except with permission.
- Drunkenness, Swearing, Obscene Language and other disorderly conduct is **NOT** permitted on the club's premises at any time.

The club owns property assets, fixtures and fittings, as well as all rights to any intellectual property generated by employees, members or executive of the club.

This includes but not limited to any trade secrets, creativity, trademarks, copyrights or patents and has exclusive rights to use its own plans, ideas or other intangible assets without concern in regard to competition.

Any persons wanting to use the clubs intellectual, or other property must first have permission from the executive and management.

## 11. OFFENCES

Any Executive or member reported to committee who –

- Commits a breach of the provision of the Rules of the Club, or
- Is guilty of unsavoury or negative comments, abuse or unsavoury behaviour towards staff or other members
- Harasses, intimidates, persecutes, bullies, discriminates or spreads derogatory or mistruths about the club management or staff
- Fails to leave the Club premises when directed to do so by an officer of the Club, or

- c) Is guilty of misconduct at any time on the Club premises, affiliated club premises or
- d) Fails to comply with a directive of the Executive, Management or Staff, or
- e) Does any act which is deemed by the Executive to be detrimental to the proper management and conduct of the Club

shall be dealt with in accordance with the provisions of Rule 28 of the Rules and may be suspended or disqualified for any period, including life. The executives and/or management will investigate and review all reports or allegations and the executive decision will be final.

## 12. CRITERIA AND GUIDELINES FOR THE CONDUCT OF SUB CLUBS

### a) General Criteria:

- i) The aims of Sub-Clubs must be compatible with the *Objects* of the *Club* as defined in Rule 3 of the Club Rules
- ii) Sub-Club status will not be approved unless there is evidence of minimum of 20 members
- iii) Membership of any Sub-Club shall be open to all financial members of the **Club**, except the Veterans' Sub-Club which may impose a minimum age for membership.
- iv) A nominal annual subscription, as determined by the Sub-Club committee, shall be paid, and a register of members kept and provided to the Executive with the annual accounts, or at any other time as required by the Executive.
- v) There shall be regular meetings (at least quarterly) of the elected committee. The minimum committee shall comprise a Chairman, Secretary/Treasurer and at least three other members.
- vi) Each Sub-Club shall produce a set of basic Rules to the executive for approval.
- vii) Each Sub-Club shall whenever practicable advertise within the **Club** internal and external future events in which their members, and prospective members, may participate.

### b) Accounting:

- i) All funds held by Sub-Clubs shall be banked with the Club's bankers.
- ii) The financial year for all Sub-Clubs shall be notified to the Treasurer of the Club who shall ensure that all Sub-Club comply with the provisions of Rule 31 of the **Club Rules**.

- iii) All financial transactions shall be supported by the appropriate vouchers or documentation.
- iv) All money raised by Sub-Clubs must be lodged with the Club Treasurer or nominee for banking.
- v) There shall be a minimum of two signatories to the Sub Club's bank account. Pre-signing of blank cheques shall be strictly prohibited.
- vi) The annual accounts of the Sub-Club shall be submitted for audit as soon as practicable after balance date and before presentation at the Annual Meeting of the Sub-Club. Such accounts shall accurately show comparative figures for the previous year.

**c) Conduct of Raffles:**

The Executive may grant approval to any Sub-Club to conduct raffles on the **Club** Premises, provided that:

- i) The Sub-Club meets and maintains the *General Criteria* as approved by the Executive.
- ii) Each Sub-Club shall be responsible for the running of its own raffles, using **voluntary** assistance for that purpose. Any Sub-Club, which fails or refuses to adhere to this requirement, may forfeit the right to conduct raffles.
- iii) No Sub-Club may pay any person to conduct raffles on their behalf.
- iv) Food offered as prizes shall be obtained and packed in accordance with the Food Act 1981.
- v) The Sub-Club shall be responsible for the correct completion of the **Club's** Raffle Register.

**13. Membership Cards & Club Access**

- a) A club member can sign in any number of guests in agreement with Club management if this exceeds 10 guests.
- b) A Member of any affiliated club be entitled to sign in a maximum of six (6) guests at any one time.
- c) All guests are the responsibility of the member that signed them in and must vacate the premises at the same time as that member.
- d) This club is private property and entry is restricted to members, affiliated members and guests
- e) Members are required to carry on their person their current membership card, at all times.

- f) The Member is required to produce their card at any time, if required to do so by Management/Executive and if required, surrender to the Club their Membership Card
- g) The card remains the property of the Hamilton Cosmopolitan Club (Inc).

## 14. Privacy Policy

This page was update 1 December 2020

Clubs New Zealand (**we, us, our**) complies with the New Zealand Privacy Act 2020 (the **Act**) when dealing with personal information. Personal information is information about an identifiable individual (a natural person).

This policy sets out how we will collect, use, disclose and protect your personal information.

This policy does not limit or exclude any of your rights under the Act. If you wish to seek further information on the Act, see [www.privacy.org.nz](http://www.privacy.org.nz).

### Changes to this Policy

We may change this policy by uploading a revised policy onto our website [www.clubsnz.org.nz](http://www.clubsnz.org.nz). The change will apply from the date that we upload the revised policy.

### What Information Do We Collect?

We gather various information about our current and potential customers including current and potential customers of our member clubs. This information includes the following personal information;

- Your name;
- Your email, residential or business addresses;
- Your Date of Birth and gender details;
- Your telephone number;
- Details of your club membership with clubs which are members of our association;
- Key interest areas including club sports and facilities.

### Where Do We Collect Your Personal Information Form?

- By you to us for the purpose of enquiring about or receiving our products and services;
- To us by you through any other method, including when signing up to our mobile application (“app”) or member’ website login and through your correspondence and discussions with us; and
- Third parties where we reasonably believe you have authorised this, or where we reasonably believe the information is publicly available.

### How Will We Use Your Personal Information?

We will use your personal information:

- To verify your identity
  - To provide services and products to you
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- To market our services and products to you, including contacting you electronically (e.g. by text or email for this purpose)
  - To improve the services and products that we provide to you
  - To bill you and to collect money that you owe us, including authorising and processing credit card transactions
  - To respond to communications from you, including a complaint
  - To conduct research and statistical analysis (on an anonymised basis)
  - To protect and/or enforce our legal rights and interests, including defending any claim
  - For any other purpose authorised by you or the Act.

#### Email, Newsletters and Other Notices

We may send emails throughout the enquiry process or related to the products and services you receive from us as well as other newsletter emails you elect to receive. In addition, we may send out promotional material to you promoting products and services we think that may be relevant to you. It is our policy to immediately remove any person from any mailing list upon the person's request.

#### App and Website Information

When you use our app or website, we may collect information about how you interact with us including;

- Your browser's internet address;
- Your IP address;
- The date and time of your visit;
- Your electronic device;
- The pages you have visited on our website and on other sites immediately prior to or after you visit our website.

This information is used to:

- Verify your identity when accessing our services;
- Learn about your preferences in connection with the services we provide;
- Facilitate connecting you with an associated club; and
- Maintain and update our membership records.

We may also provide this information to our partners for carrying out data analytics services for the purpose of providing insights to our business operations. The information may be combined with other personal information we have collected from you or have received from a third-party partner.

When you access our app you may be prompted to allow us access to your location information and to allow us to provide you with push notifications on your mobile device. If you agree to allow these functions and later change your mind, you can opt-out by updating the privacy settings on your mobile device.

Our app and website contain links to websites of our third-party partners and associated clubs. Information you may provide on these websites is subject to the privacy policies of our partners. We encourage you to make enquiries of such policies before providing our partners with your personal information.

Some of the functions of our app may be provided or hosted by third-parties which have no affiliation with us. These third-parties may collect similar information to that outlined above. If you have any questions about which third-parties may have access to your information through the use of our app or website, you may contact us at [privacy@clubsnz.com](mailto:privacy@clubsnz.com) for more information.

### About our Cookies

Cookies are small pieces of information that our website sends to our app and your web browser and stores on your devices hard drive.

We use cookies and other tracking technologies to collect statistical information about our app and website and to help provide you with a tailored and personalised experience based on your preferences. Our cookies collect data about your devices operating system and how you use our app and website. You can elect to disable cookies in your internet browser or device settings however this may reduce the functionality of our app and website. To ask your browser to block cookies simply search online for “cookies” and the name of your internet browser for step by step instructions.

Our app and website may also issue third-party cookies and tags which may collect similar information for our trusted third-part partners to use in the marketing and data analytics services we receive.

### Disclosing Your Personal Information

We may disclose your personal information to:

- Clubs that are members of Clubs New Zealand Incorporated
- Any business that supports our services and products, including any person that hosts or maintains any underlying IT system or data centre that we use to provide the website or other services and products
- Other third parties (for anonymised statistical information)
- A person who can require us to supply your personal information (e.g. a regulatory authority)
- Any other person authorised by the Act or another law (e.g. a law enforcement agency)
- Any other person authorised by you.

### Consent

You consent to the collection and use of your personal information by Clubs New Zealand in accordance with this privacy policy. By using our app and website you consent to the storing and accessing of cookies on your device.

## Protecting Your Personal Information

We will take reasonable steps to keep your personal information safe from loss, unauthorised activity, or other misuse.

## Accessing and Correcting Your Personal Information

Subject to certain grounds for refusal set out in the Act, you have the right to access your personal information that we hold and to request a correction to your personal information. Before you exercise this right, we may need evidence to confirm that you are the individual to whom the personal information relates.

In respect of a request for correction, if we think the correction is reasonable and we are reasonably able to change the personal information, we will make the correction. If we do not make the correction, we will take reasonable steps to note on the personal information that you requested the correction.

If you want to exercise either of the above rights, email us at [insert email address]. Your email should provide evidence of who you are and set out the details of your request (e.g. the personal information, or the correction, that you are requesting).

## Internet use

While we take reasonable steps to maintain secure internet connections, if you provide us with personal information over the internet, the provision of that information is at your own risk.

[If you post your personal information on the website's [message board/facebook/chat room], you acknowledge and agree that the information you post is publicly available.]

If you follow a link on our website to another site, the owner of that site will have its own privacy policy relating to your personal information. We suggest you review that site's privacy policy before you provide personal information.

[We use cookies (an alphanumeric identifier that we transfer to your computer's hard drive so that we can recognise your browser) to monitor your use of the website. You may disable cookies by changing the settings on your browser, although this may mean that you cannot use all of the features of the website.]

## Updates to our Information Practices

We reserve the right to change this policy. By continuing to liaise and engage with us in respect of any products and services supplied or provided by us, you agree to be bound by the amended policy. You should check from time to time to see if the policy has changed.