

Branch Policy and By-laws of the North Shore Vintage and Classic Car Club. 2 April 2024

1. By-laws

- a. By-laws are created in accordance with clause 20 of the Branch Rules of the North Shore Branch, Vintage Car Club of New Zealand Incorporated, also known as the North Shore Vintage and Classic Car Club, to describe how the principles of those Branch Rules shall be put into effect. Words used in these By-laws that are defined in the Branch Rules are spelt with a capital letter.
- b. The Branch Committee will from time-to-time make By-laws for the general management of the Branch so long as they are not inconsistent with the Branch Rules or the provisions of law. An annual review shall be made of Branch By-laws to ensure that they continue to be relevant to the Branch.
- b. All proposed additions or alterations to the By-laws, or proposed deletions from the By-laws, as considered by the Branch Committee, shall be notified to Branch Members in the Branch newsletter and can only be adopted at a Branch Committee meeting following publication of that Branch newsletter. Branch Members wishing to comment on any such change to the By-laws may do so in writing to the Branch Secretary within 20 days of publication of that Branch newsletter. The Branch Committee shall not proceed with the adoption, alteration, or deletion of any By-law until any such Member comment is resolved.
- d. Any new, altered, or rescinded Branch By-law shall be recorded in the minutes of the Branch Committee meetings.
- e. Branch Members may propose to the Branch Committee a possible By-law for the general management of the Branch. Any such proposal shall be given to the Branch Secretary signed by at least five Branch Members.
- f. Branch Members shall be entitled to a copy of the Branch By-laws. A copy of the Branch By-laws shall be available for Branch Members to read in the Branch clubrooms or to view on the Branch website.

2. Purchases and Donations by the Branch (recently re-drafted to simplify and incorporate Moonie's comments)

Reference to donations in this clause refers to the making of grants, donations, or subsidies in accordance with clause 5.6 of the Branch Rules. *(The Branch may make grants, donations or subsidies in favour of any deserving cause providing such cause has as its principle purpose and objective that is similar to the Objects of the Branch. Any such grant, donation or subsidy shall be made in accordance with the Branch Rules)*

Purchases and donations shall be subject to the following rules:

- Only accounts up to \$100.00 may be settled from petty cash.
- All purchases must be supported by a GST receipt showing details of the purchase and approved as set out below.
- All Grants, Donations or subsidies require approval of the Branch Committee.
- Separating a single purchase into a series of smaller transactions is not accepted.
- Any transaction over \$50,000.00 requires approval at the Branch's Annual General Meeting or at a Special General Meeting as prescribed in clause 18.9 of the Branch Rules.

Approval Requirements:

Restoration project budgets for each vehicle are agreed annually and the project manager for each vehicle is responsible for managing the spend against that budget.

- Small purchases of non-project specific restoration consumables or tools, up to \$50.00 require the written approval of two project managers.
- Purchase of non-project specific tools above the \$50 limit will require committee approval.
- Purchase of parts and consumables for a project vehicle requires the written approval of the project manager. Once the allocated annual project budget is reached then further expenditure requires full committee approval.
- Purchase of mower or tractor fuel up to \$150.00 is automatically approved at the discretion of the operator.
- Rally prizes up to \$25 per event may be approved by the Club Captain.
- Expenses (rally plotting, conference attendance, etc.) are payable as out-of-pocket expenditure, subject to prior approval by the Branch Treasurer.
- All other non-restoration project spend requires committee approval.

3. Bequests, donations, or gifts

Any bequest, donation, or gift of property to the Branch in accordance with clause 5.9 of the Branch Rules, whose market value exceeds \$1,000, shall be documented upon receipt to record the change in ownership and any attaching conditions.

Items of Special Interest

Generally, and in the absence of any conflicting conditions agreed to by the Branch in writing, any asset that has been bequeathed, donated, or gifted to the Branch shall be utilised or disposed of as the Branch Committee alone shall determine. Certain assets, however, such as age qualifying vehicles, stationary engines and forecourt fuel pumps shall be classified as *Items of Special Interest*. Disposal of such items must be approved by a ballot of members, published in Progress magazine.

4. Conduct and Discipline, Complaints and Disciplinary Procedure *(Will eventually be replaced to reflect revised national constitution)*

This procedure has been authorised and approved by the Management Committee of the Vintage Car Club of New Zealand Incorporated in accordance with clause 15.6 of their constitution. The Branch Rules, clause 10 titled Conduct and Discipline, are to be understood in conjunction with the constitution of the Vintage Car Club of New Zealand Incorporated.

If a complaint is raised about the conduct or behavior of a Branch Member, the Branch Committee shall commence an investigation into that complaint and may initiate subsequent disciplinary actions in accordance with this complaints and disciplinary procedure. In this procedure the word *complaint* or *complainant* refers to a complaint made under clause 10 of the Branch Rules or in breach of the Code of Conduct of the Club By-laws.

Complaints shall be made to the Branch Secretary in writing. The Branch Secretary shall promptly acknowledge receipt of the complaint and shall advise what action the Branch will next take.

The Branch shall be prompt in dealing with every aspect of a formal complaint and both parties shall be kept informed of decisions made. The Initial Evaluation described below will be considered at the next appropriate Branch Committee meeting following receipt of the complaint. Typically, each succeeding stage in the procedure outlined below will be completed in 10 days.

Complaints often create tension and discomfort for both parties and must be handled with sensitivity. All aspects of the complaint shall be kept confidential unless the parties agree otherwise. The Branch will attempt to resolve issues through conversation, preferably face to face, rather than through exchange of letters or emails. Formal letters, documentation, or emails will none the less be used to acknowledge receipt of the complaint, to document details previously agreed in verbal discussions, to explain decisions made and to provide evidence for any review of the complaint or of the complaints procedure.

Initial Evaluation

The written complaint and any additional information supplied shall be distributed to the Branch Committee. If the Member being the subject of the complaint, or the complainant, is a Branch Committee Member, they shall not participate in the handling of the complaint or be a member of any duly appointed subcommittee.

The Branch Committee shall determine how the handling of the complaint should proceed, and can:

- Dismiss the complaint.
- Give the complainant advice about alternative disputes resolution.
- Agree a course of action without convening a sub-committee, or
- Refer the complaint for further consideration by an Investigating Subcommittee as described below.

A complaint may be dismissed if:

- There is no applicable ground for discipline as it falls outside the jurisdiction of the Club Rules or the Branch Rules.
- The matter is trivial.
- The complaint is frivolous or vexatious, or not made in good faith.
- The person offended against does not wish to proceed.
- The complainant does not have sufficient personal interest in the matter.
- Too much time has elapsed to make an investigation practicable or desirable.
- The complaint should be properly handled elsewhere, such as by the police or through civil court proceedings.

If the Branch Committee dismisses the complaint, the complainant will be told why it is being dismissed and the Branch Committee will let them know what their options are if they wish to appeal the decision.

Sometimes even though the Branch Committee dismisses a complaint, it may suggest that some action be taken. For example, that the Branch chairperson or nominee discuss the matter with, or send a letter to, the Member complained against.

Investigating Subcommittee

If the Branch Committee does not initially dismiss the complaint or agree a course of action to resolve the issue, then an Investigating Subcommittee will be convened to consider what actions the Branch should take. The Investigating Subcommittee shall be made up of two Members from the Branch Committee (one to act as chairperson) plus one further co-opted Branch Member.

The Investigating Subcommittee will consider all available information and may seek further information. The Investigating Subcommittee would not usually hold a formal hearing.

The Investigating Subcommittee will decide whether to:

- Refer the complaint back to the Branch Committee to formally dismiss it, or

- Refer the complaint to proceed under the review of a Disciplinary Subcommittee.

Disciplinary Subcommittee

A Disciplinary Subcommittee shall be made up of two Members from the Branch Committee (one to act as chairperson) plus one further co-opted Branch Member. The Disciplinary Subcommittee may be a continuation of the Investigating Subcommittee.

The Disciplinary Subcommittee may attempt to resolve the problem informally through dialogue with both parties.

The Disciplinary Subcommittee may decide to hold a formal hearing. The complainant can appear before the Disciplinary Subcommittee at any such hearing, and they can bring a support person along if they wish. The Member who is the subject of the complaint can also appear before the Disciplinary Subcommittee at any such hearing, and they can bring a support person along if they wish. If either party does attend, they should be prepared to answer questions from the Disciplinary Subcommittee, and from the other party or their representative. A support person can speak on behalf of a party if they wish.

The Disciplinary Subcommittee will consider the complaint and decide whether there are grounds for disciplining the Member and, if so, what penalties the Branch Committee should consider.

Penalties the Branch Committee may consider include:

- Admonish the Member if they agree not to repeat the conduct that gave rise to the complaint.
- Require the Member to apologise to the affected Member(s), and any other affected person if appropriate.
- Ban the Member from entering onto Branch premises or participating in any specified event held by the Branch for a period of up to six months.
- Suspend the Member from the Branch for a period of up to six months.
- Cease the Member's membership of the Branch.
- Recommend that the Vintage Car Club of New Zealand Incorporated should consider suspending or ceasing the Member's membership.
- Require compensation by a specified time for any material damage or loss.

Appeal

The complainant, or a Member who has been disciplined by the Branch under this complaints and disciplinary procedure, who considers that any decision or imposed penalty is unjust, may appeal to the Branch Committee or to the Vintage Car Club Executive. Any appeal shall be made in writing within twenty-one days of the Branch Committee communicating their decision.

Any appeal to the Vintage Car Club Executive shall be made in writing and copied to the Branch Secretary. The Branch Committee will then provide the Vintage Car Club with copies of all documentation relevant to the complaint.

5. Management of the Branch

In addition to the record of responsibilities stated in clause 11 of the Branch Rules, the Club Captain is responsible for:

- a. Developing, together with other Members, a programme of Branch events to present to the Branch Committee.
- b. Preparing the agreed programme of Branch events and providing the details to the editor of the Branch newsletter.
- c. Trouble shooting problems that arise around Branch events.
- d. Organising occasional training events, for example on writing rally instructions and interpreting rally instructions. (such as, straight line navigation or tulip instructions.)
- e. Recording participation in Branch events and presenting the various trophies to those deserving of them.
- f. Assisting Members to uphold the Branch Objects whilst Members are attending Branch events or visiting the Branch.

6. Branch premises

In the interests of the safety and comfort of Members and visitors, dogs (or any other animals which may cause discomfort or distress to other Members) are not permitted in the Branch buildings provided however that working guide dogs, hearing or assistance dogs shall be permitted. Members or visitors may bring pets onto the Branch grounds so long as the pets are kept under control.

The Branch buildings shall be a smokefree area. That is, no smoking or vaping.