

# **WORLD TAEKWONDO NEW ZEALAND**

CONSTITUTION

In force per [1<sup>st</sup> January, 2021]

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# **PART I: WORLD TAEKWONDO NEW ZEALAND**

## **Article 1            Name**

- 1) The name of the society will be World Taekwondo New Zealand Incorporated (herein after referred to as “World Taekwondo New Zealand” or “WTNZ”)
- 2) World Taekwondo New Zealand is a non-governmental and not for profit organisation established under the Incorporated Societies Act 1908 and any amendments to such Act.
- 3) World Taekwondo New Zealand is acknowledged by Sport New Zealand and the National Olympic Committee of New Zealand as the governing body for the sport of [Olympic] Taekwondo in New Zealand. This may be in the form of recognition, eligibility, or membership as determined by Sport NZ and NZOC from time to time.
- 4) World Taekwondo New Zealand is recognised by World Taekwondo (WT) as the sole governing authority of Taekwondo within New Zealand. As such, World Taekwondo New Zealand is a member of World Taekwondo Oceania.
- 5) World Taekwondo New Zealand is governed by this Constitution and the rules promulgated hereunder.

## **Article 2            Registered Office**

- 1) The registered office of World Taekwondo New Zealand will be at such place as the Board may from time to time determine.
- 2) Notice of every change of situation of the registered office will be duly sent to the Registrar of Incorporated Societies.

## **Article 3            Mission and Objectives**

- 1) The mission of World Taekwondo New Zealand is to provide effective national governance of Taekwondo as a martial art and sport in New Zealand.
- 2) World Taekwondo New Zealand is recognised as a Member National Association of World Taekwondo Oceania (WTO) and World Taekwondo (WT), and Kukkiwon, and as such, is required to comply with the statutes and regulations of these organisations.
- 3) The objectives of World Taekwondo New Zealand are:
  - a) To administer, promote, support, develop and expand, within New Zealand, the practice and teaching of Taekwondo in light of its educational, cultural, and sports values of the “Taekwondo movement”;
  - b) To organise, promote, administer, facilitate and/or deliver seminars, workshops and training events for its members, relevant to the skill levels and experience of the participants.
  - c) To provide a development pathway for national team selection for kyorugi & poomsae cadets, junior and senior athletes;

- d) To promote and organise national competitions, select national teams and officials, and support and manage national teams at World Taekwondo competitions;
  - e) To promote or sanction international member and World Taekwondo competitions to be held in New Zealand;
  - f) To provide a development and certification pathway for referees, judges, coaches for kyorugi and poomsae at a national and international level;
  - g) To provide a pathway for Kukkiwon certification for Poom and Dan grades;
  - h) To keep membership informed of all developments relating to Taekwondo;
  - i) To strengthen the unity and protect the interests of all parties within World Taekwondo New Zealand and the broader 'Taekwondo Movement' within New Zealand;
  - j) To partner with, and maintain relationships to World Taekwondo, New Zealand Olympic Committee, Sport New Zealand, World Taekwondo Oceania and any other such organisations determined to be important at any time.
  - k) To promote and encourage a culture of clean sport, in line with the objectives and mission of Drug Free Sport NZ, which respects the concept of a level playing field for all competitors and rewards performance achieved as a result of legitimate effort, skill and talent rather than drug use.
  - l) To promote and encourage gender equity, diversity and participation across all facets of the sport and management of Taekwondo in New Zealand
  - m) To promote and encourage cultural equity, diversity and participation across all facets of the sport and management of Taekwondo in New Zealand
  - n) To protect and support the rights of all World Taekwondo New Zealand members to train at the club of their choice, compete in regional and national tournaments, and participate in WTNZ approved events safe from bias, harm or harassment - according to current WTNZ Policies and Procedures.
- 4) Pecuniary gain is not an objective of WTNZ.

## **Article 4            Constitution, Rules and Codes**

- 1) The World Taekwondo New Zealand Constitution is the fundamental document upon which the administration of World Taekwondo in New Zealand is based.
- 2) All championships and competitions promoted or sanctioned by World Taekwondo New Zealand will observe adhere to the World Taekwondo Competition Rules and Interpretations.
- 3) World Taekwondo New Zealand has adopted a Disciplinary Process (see Article 25). The Code of Conduct is an additional document to this Constitution and its ideals are anchored in this Constitution as such.
- 4) World Taekwondo New Zealand adopts the Sports Anti-Doping Rules ("SADR") made by Drug Free Sport New Zealand pursuant to the Sports Anti-Doping Act 2006, and any amendments to or replacements of those Rules or Act as its Anti-Doping Policy. All members of World Taekwondo New Zealand agree to be bound to the SADR through their membership of World Taekwondo New Zealand.

- a) Nothing in this Article 4.4 is intended to replace or supersede the following rules in connection with participation in international competition, provided the applicable rules are consistent in all respects with the World Anti-Doping Code:
  - i) the World Taekwondo Anti-Doping Rules, and any amendments to or replacements of those Rules, and;
  - ii) the New Zealand Olympic Committee and International Olympic Committee Anti-Doping Rules, and any amendments to or replacements of those Rules
- 5) World Taekwondo New Zealand will consult with and integrate, if necessary, the best practices and models of the International Olympic Committee and other organizations with regard to the administration of the sport of Taekwondo.
- 6) World Taekwondo New Zealand will administer its membership using the tool(s) as mandated by World Taekwondo.
- 7) World Taekwondo New Zealand and its membership will abide by New Zealand law.
- 8) To promote and encourage a culture of clean sport, in line with the objectives and mission of Drug Free Sport NZ, which respects the concept of a level playing field for all competitors and rewards performance achieved as a result of legitimate effort, skill and talent rather than drug use.

## **Article 5            Languages**

- 1) English is the official language of World Taekwondo New Zealand.
- 2) The World Taekwondo New Zealand (WTNZ) Constitution, Rules and Codes and amendments thereto will be published in the official language of World Taekwondo New Zealand.

## **PART II. MANAGEMENT OF THE SOCIETY**

### **Article 6 Executive Board**

- 1) An Executive Board of Officials will manage and govern WTNZ.
- 2) The Executive Board will comprise of 4 elected titled officers (TEBM) and three appointed officers (AEBM):
  - a) One (1) President – (voted)
  - b) One (1) Vice President – (voted)
  - c) One (1) Secretary-General – (voted)
  - d) One (1) Treasurer – (voted)
  - e) Three Appointed Executive Board Members (AEBM) – (3 x appointed by the four TEBM)

### **Article 7 Appointment of Executive Board Members**

- 1) Titled Executive Board Members (TEBM) will be elected via simple majority voting, using the GMS, prior to an Annual General Meeting (herein after referred to as an AGM).
  - a) Electoral Voting for the TEBM officers will consist of votes received only via the GMS system
  - b) Voting may be conducted by:
    - i) Each current WTNZ Board Member will have one vote
    - ii) Regular Voting WTNZ Members (RVM - pursuant to clause 17.2.a)
  - c) No member may vote twice in the election of a candidate
  - d) The result of the electoral process may be announced at any time during the respective AGM.
  - e) Successful candidates do not take their offices until the closing of the respective AGM.
- 2) Simple majority voting means that:
  - a) A candidate needs to obtain the most votes of the quorum in attendance, including by proxy, in order to be elected.
  - b) Those candidates fulfilling this condition with respect to each available Executive Board position are elected as an Executive Board Member.
- 3) The Executive Board Members will be elected or appointed as individuals and not as representatives of Clubs or groups of clubs.
- 4) WTNZ supports gender equity and as such, at least 40% of the Executive Board must be of either gender.
- 5) For replacement of officials the following apply:
  - a) If a Titled Executive Board Member (TEBM) resigns or is otherwise unable to continue as an Executive Board Member, they will be replaced by the person who got the next highest number of votes for that office during the previous election and who did not obtain a seat in the Executive Board at that time.
  - b) The term of office for a replacement TEBM will be the remaining period of his or her predecessor.

- 6) If, for some reason clause 7.5 becomes inapplicable, the Executive Board will hold an Extraordinary General Meeting called for the purpose of electing a person to fill the open position within 6 months of the member leaving the Executive Board.
- 7) The TEBM of the Executive Board will be elected and appointed at each quadrennial Annual General Meeting (AGM). The TEBM will have the power to appoint up to three further individuals to serve on the Board as AEBM.
- 8) The term of office of all Executive Board Members is four (4) years.
- 9) Titled Executive Board Members (TEBM) are eligible for re-election. Executive Board Members may only be elected or appointed for no more than two consecutive cycles. Executive Board Members that run for re-election in their current position do not need to fulfil the candidate application procedures provided in clauses 7.12(a).
- 10) All elected officers (TEBM) begin their term of office at the end of the AGM which elected them.
- 11) Their term of office cease at the end of the AGM held during the year in which their term expires. For the purposes of this clause, a year is the period between two successive Annual General Meetings.
- 12) Notwithstanding any other rule or legislation in order for a person to be eligible to be a member of the Executive Board, that person must :
  - a) Be of or over the age of eighteen (18) years; and
  - b) Not a person who is disqualified pursuant to Section 16 of the Charities' Act 2005; and
  - c) Undergo a Police Vetting check prior to the election. The Police Vetting check will be requested by WTNZ with any costs to be paid by the candidate.
  - d) Be one or more of the following:
    - i) A financial member of WTNZ (i.e. All fees, subscriptions, and levies must be paid in full); or
    - ii) A person appointed pursuant to clause 8.1; or
    - iii) Such other person as may be determined by simple majority vote at the Annual General Meeting or at an Extraordinary General Meeting for the purpose of electing an Executive Board Member.
- 13) The following will apply for the positions of elected Executive Board Members
  - a) In respect of the office-bearing positions of the Executive Board to be elected at Annual General Meetings, nominations for candidates for election:
    - i) Will be made in writing, signed by two Constituent members of World Taekwondo New Zealand and accompanied by the written consent of the candidate (which may be endorsed on the form of nomination); and
    - ii) Will be delivered to the Executive Board not less than ten days before the date fixed by the Executive Board for the sending out of candidate information for election.
  - b) If insufficient nominations are received for a TEBM office, the vacant position(s) remaining on the Board will be deemed to be casual vacancies.
  - c) Casual Vacancies may be filled by Executive Board appointment for a period not exceeding six (6) months. A Casual vacancy must be filled by election within the immediate 6 month period. The person appointed to the Casual Vacancy may stand as a candidate in the ensuing election, pursuant to the relevant electoral Article 7.12. If the Executive Board position remains unfilled, another 6 month Casual Vacancy may be enacted by the Executive Board.

- d) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated will be deemed to be elected.
- e) If the number of nominations received exceeds the number of vacancies to be filled, a ballot will be held.
- f) The ballot for the election of TEBM officers will be conducted using the GMS prior to the Annual General Meeting in such usual and proper manner as the Board may direct, notwithstanding anything in these Rules.
- g) A nomination of a candidate for election under this rule is not valid if that candidate has been nominated for election to another office at the same election. That candidate must choose for which office they are seeking election, at least 7 days prior to the sending out of candidate information for election. A candidate may not stand for more than one TEBM office.

## **Article 8            Additional non-voting Executive Board Members**

- 1) Subject to clause 8.3 the Executive Board may, in its sole discretion, appoint such additional non-voting person(s) to the Board as it will deem necessary, with such appointment remaining in effect until the earlier of:
  - a) The next AGM of WTNZ; OR
  - b) The Board in its sole discretion decides that the appointment of that person is to cease.
- 2) The Executive Board may appoint honorary members based on their contribution to Taekwondo in New Zealand. They may visit all WTNZ organised events and activities and may be invited to attend the AGM. At those meetings, the honorary members will have no voting rights.
- 3) All persons appointed under clause 8.1 must satisfy clause 7.12.

## **Article 9            Cessation of Executive and non-Voting Board Members**

- 1) All persons making up the Executive Board will remain a member of the Board until:
  - a) He or she resigns by giving at least twenty-eight (28) days written notice to the Board; or
  - b) The Executive Board decides by a vote of greater than 80% to dismiss the member pursuant to the "Executive Board members code". The Executive board may dismiss a member only after the member has been given the opportunity to be heard. For dismissal, a simple majority vote of greater than 80% is necessary. After the Executive board has decided to progress the dismissal of its member, an Annual General Meeting or Extraordinary General Meeting has to ratify this decision. A dismissed member has no on-going access to meetings of the Executive board; or
  - c) He or she becomes a disqualified person pursuant to Section 16 of the Charities Act 2005; or
  - d) He or she is appointed pursuant to clause 8.1 and the Board in its sole discretion decides by majority vote that the appointment of that person is to cease.



- e) The holding of elections at the quadrennial AGM has appointed a new Executive Board. Cessation and hand over of offices will occur at the end of the AGM, when all members of the current Executive Board will step down allowing for the newly appointed TEBM to proceed with the formation of a new Executive Board.

## **Article 10      Role of the Executive Board**

- 1) The Executive Board will consist of:
  - a) the four (4) Title Executive Board Members (TEBM):
    - i) President,
    - ii) Vice-President,
    - iii) Secretary-General,
    - iv) Treasurer
  - b) and
    - i) three (3) Appointed Executive Board Members (AEBM), appointed pursuant to Article 6 and Article 7.
- 2) Executive Board members will attend the meetings of the Executive Board and AGM and observe their responsibilities as prescribed herein. Executive board members owe a duty of care to WTNZ.
- 3) Subject to the Incorporated Societies Act 1908, these Rules, and any resolution passed by World Taekwondo New Zealand in General Meetings, the Executive Board:
  - a) Will control and manage the affairs of World Taekwondo New Zealand;
  - b) Will exercise all such functions as may be exercised by World Taekwondo New Zealand other than those functions that are required by these Rules to be exercised by a General Meeting of members of World Taekwondo New Zealand;
  - c) Will have the power to perform all such acts and do all such things as appear to the Board to be necessary or desirable for the proper management of the affairs of World Taekwondo New Zealand;
  - d) Will have the power to appoint and dismiss such officer, sub-Boards and employees as are required to carry out the objects of World Taekwondo New Zealand, subject to the conditions laid down in the relevant Officers job description;
  - e) Will have the power to pay a member, or other person, for a service rendered by, or property acquired from those persons in a special or private capacity;
  - f) Will have the power to levy such monies from members as are necessary for the proper running of World Taekwondo New Zealand as will from time to time be determined;
  - g) Will discipline any member in accordance with these Rules and By-laws of World Taekwondo New Zealand;
  - h) Will be responsible for all expenditure of World Taekwondo New Zealand.
- 4) All acts and decisions of the Board will have full force and validity, notwithstanding anything otherwise provided within these Rules, until such acts or decisions are reversed, altered or otherwise dealt with by World Taekwondo New Zealand in General Meeting.
- 5) Where Conflicts of Interest exist within the Board and Board members on decisions being made, these Board members must declare these conflicts and recuse themselves from any votes being held.

- 6) An Executive Board Member who fails to attend three (3) consecutive meetings without the approval of a Leave of Absence by the Executive Board may be called upon to cease being an Executive board member.
- 7) The Executive Board may appoint ad hoc committees and its members, as if necessary.

## **Article 11      Ordinary Board Meetings and Quorum**

- 1) The Executive Board will hold Ordinary Executive Board meetings at least six (6) times in each period of 12 months at such place and time as the Board may determine. The Board may regulate its meetings as it will think fit.
- 2) An Ordinary Executive Board meeting of the Executive Board may be called by the President, the Secretary General, or any two other members of the Board.
- 3) The President, or in their absence, the Vice President will preside at all meetings of the Board. If all both are absent or unwilling to act, the meeting will appoint one of the other Executive Board Members present to preside.
- 4) At all meetings of the Executive Board, a minimum of five (5) Executive Board members will constitute a quorum.
- 5) For voting at an Executive Board meeting, the following will apply:
  - a) voting by a simple majority of Executive Board Members is required for the passage of resolutions and other decisions;
  - b) In the case of a tie, including the President's vote, the President's vote is deemed the deciding vote
- 6) The members of the Executive Board will attend AGM meetings as Executive Board Members and will not be delegated as club representatives.
- 7) The minutes of the Ordinary Executive Board meetings will be compiled by the Secretary General, or in their absence the meeting will appoint a Board member to that duty, sent to the Executive Board within 14 days after the meeting.

## **Article 12      President**

- 1) The duties of the President include the following:
  - a) to lead and represent World Taekwondo New Zealand;
  - b) to concurrently lead the AGM and the Executive board as its chairperson and preside over the meetings and other activities;
  - c) be a party to negotiations and sign all contracts between WTNZ and other organisations or companies, after approval of the Executive board.
- 2) In case disputes occur over matters not specified in this Constitution or matters that require urgent solution during the period between two consecutive AGMs, the President may propose to the Executive Board to take emergency measures subject to later submission to and approval at the AGM.
- 3) If the President resigns or is incapacitated and thus unable to fulfil the duties of his/her office, the Vice-President will serve as "Acting President". The Acting President must call for an Interim Presidential Election to be held in accordance with Article 7 and Article 8 during the next

scheduled AGM or, at an Extraordinary General Meeting pursuant to clauses 7.5 and 7.6, whichever is sooner.

## **Article 13 Vice President**

- 1) The duties of the Vice-President include the following:
  - a) to assist the President and to fulfil missions delegated by the Executive Board;
  - b) to concurrently be included in the Executive Board as Vice-Chairperson;
  - c) to preside over the ad-hoc duties designated by the Executive Board and submit a report thereafter.

## **Article 14 Secretary General**

- 1) The Secretary-General will:
  - a) plan, perform and manage the secretarial affairs regarding WTNZ organisations, committees and operations and other general affairs related to WTNZ.
  - b) submit a report at each AGM on the activities of the Executive Board
  - c) be in charge of all staff and volunteers hired, employed or otherwise engaged by WTNZ
  - d) be a party to negotiations and sign all contracts between WTNZ and other organisations or companies, after approval of the Executive board;
  - e) represent WTNZ together with the President at negotiations concluded on its behalf.

## **Article 15 Appointed Executive Board members and Treasurer**

- 1) The Treasurer and Appointed Executive Board members will attend Executive Board meetings and AGM and observe their responsibilities as prescribed in Article 10 above.
- 2) The Treasurer will also:
  - a) Keep a true and accurate record of the financial situation of WTNZ;
  - b) Prepare the annual budget and balance sheet to be presented by the Executive board at each AGM and at such other time(s) as will be decided either by the Board or by a majority of the WTNZ membership present at any WTNZ meeting;
  - c) Provide financial information to the Board as the Board deems necessary.
  - d) Work with an Executive Board appointed Accounting firm (New Zealand based) to ensure true and accurate accounting occurs and is reported;
  - e) All Payments to receive prior Board approval.

## **Article 16 Annual General Meeting**

- 1) The Annual General Meeting (AGM) is WTNZ's supreme "decision making" body. The AGM's ratified resolutions are final.
- 2) The powers of the General Assembly (GA) present at an AGM are the following:
  - a) Approval of formulation, amendments and repeals of the WTNZ Constitution, Rules and Codes;
  - b) Approval of the financial budget and financial report;
  - c) Approval of the operations report and operations projects;
  - d) Resolution of other matters of importance;
- 3) The AGM may refer matters under its jurisdiction and/or responsibility to the Executive Board.
- 4) The President of WTNZ will be the Chairman of the AGM.
  - a) The Chairman may conclude AGM discussions if it is deemed necessary for smooth progress of the meeting;
  - b) If the president is unable to attend, he or she will delegate the responsibility in writing to the vice-presidents;
  - c) An ad-hoc chairman may be appointed to preside over election of Executive board members.
- 5) Voting on resolutions, reports, amendments and other items at an AGM:
  - a) Each current TEBM and AEBM has voting rights in an AGM.
  - b) RVM have voting rights in an AGM
- 6) Annual General Meetings will be held every year at the location decided by the Executive Board. In addition to being present, attendance at the AGM may be via video conference technologies. If necessary, an Extra Ordinary General Meeting can be convened.
- 7) For Extra Ordinary General Meetings, the following apply:
  - a) Extraordinary General Meetings may be convened:
    - i) whenever deemed necessary by the President, or;
    - ii) within 3 months following the request of two (2) or more of the Executive Board members with clear reasons for the summons; or
    - iii) within 3 months following the request of more fifteen (15) of the clubs of WTNZ with clear reasons for the summons;
  - b) The date, place and agenda of the Extraordinary General Meeting will be designated by the President;
- 8) Agenda items must be submitted to the Executive Board in a manner previously outlined by the Executive Board. Matters that are not included in the written agenda of the meeting will not be deliberated or resolved but may be itemized in the minutes as being an agenda item in a further General Meeting.
- 9) Voting at the AGM will be conducted by open ballot in general. A simple majority will decide. If one or more representative request for a secret ballot, the AGM will vote on this matter by secret ballot. Secret ballot is used for election of officials and when otherwise required by this Constitution. For voting at an AGM, the following will apply:
  - a) Each current Executive Board Member will have one (1) vote.
  - b) A quorum required for an Annual General Meeting and Extra Ordinary General Meeting will consist of no less than by representation from one-third (1/3) of Member Clubs;

- c) A simple majority of the voting is required for passage of resolutions and other decisions. Voting by Proxy is allowed, as long as the required documentation has been submitted to the Executive Board within the timeframe previously stated;
  - d) Abstentions and blank or spoiled votes are not taken into consideration in the calculation of the required majority;
  - e) A “two thirds” majority is needed to amend or alter the WTNZ Constitution;
  - f) The Chairperson has the deciding vote in case of a tie;
  - g) Decisions taken by the AGM cannot be contested within the meeting that ratified it. The process to appeal ratified resolutions taken by an Annual General Meeting is to raise an agenda item at a following General Meeting.
- 10) Any decision of the Annual General Meeting comes into effect immediately unless otherwise decided by the AGM.
- 11) Minutes of all meetings and other proceedings of AGM are established under the authority of the Secretary-General. The minutes will be distributed to each club no later than two (2) months after the AGM.

## **PART III. MEMBERSHIP**

### **Article 17 Members, Clubs and Associations**

- 1) WTNZ will consist of individual members. The individual members will be members of clubs affiliated to WTNZ via the GMS system. The Executive Board will decide on the admission of new clubs and the ongoing status of affiliated clubs.
- 2) The following will be the levels of membership within the structure of WTNZ:
  - a) Regular voting WTNZ membership (RVM): these individual members will have voting rights in the election of TEBMs, voting at General Meetings and will have the right to participate in all official events of WTNZ. Regular voting WTNZ members will be required to pay annual membership fees. Voting members will be:
    - i) Will be of 18 years or older and,
    - ii) Will be financial members of WTNZ via the GMS system and,
    - iii) Will be either:
      - (1) a holder of a Kukkiwon certificate, or
      - (2) a current financial Global Official License holder
  - b) Regular non-voting WTNZ membership (RNVM): these members will have no voting rights in the election of TEBMs but will have the right to participate in all official events of WTNZ. Regular non-voting WTNZ members will be required to pay annual membership fees. Regular non-voting WTNZ members will be those members who are not Regular voting members.
  - c) Suspended Membership: the suspension of an individual member or WTNZ affiliated club, will be determined by the Disciplinary Committee. An individual member or WTNZ affiliated club may be subject to suspension of its WTNZ membership for any of the following:
    - i) The Executive Board concludes that the member or affiliated club has not fulfilled its financial or other outstanding obligations after at least three (3) warnings or three (3) months whichever is of shorter duration;
    - ii) The member or affiliated club has acted in gross violation or repeated violations of this Constitution, the WTNZ Code of Conduct, Competition Rules, or other Rules or Codes listed in this document.
  - d) A suspended member, or the members of a suspended Club, will no longer be able to attend official meetings, such as at the AGM, nor will they be able to participate in any official events of WTNZ. Suspended members are not required to pay annual membership fees for the period of their suspension.
- 3) A Suspended Member or club that fails to remedy the cause of the suspension within a reasonable period following due notice from the Executive Board, may have their membership revoked by a vote of the Executive Board on recommendation of the Disciplinary Committee.
- 4) The Executive Board will decide on the WTNZ membership status of an individual members or a club membership as a whole, on recommendation of the Disciplinary Committee.
- 5) Suspension may be removed by WTNZ on successful appeal to the Disciplinary Committee, Sport New Zealand or World Taekwondo.

- 6) The history of taekwondo in New Zealand has included the use of Associations recognised previously as Member Organisations (MO). WTNZ acknowledges the role of Member Organisations in the implementation of taekwondo in New Zealand.

## **Article 18 Club Affiliation and Membership process**

- 1) “Member Club” applications: Initial affiliation of clubs to WTNZ will require the approval of the Executive Board. Once a completed application form has been received by the Secretary General, the form will be submitted to the Executive Board for approval by the Executive Board. Once approval has been granted, the Club and its membership are considered as a “Provisional Member Club”.
  - a) Clubs given “Provisional Member Club” status by the Executive Board must have their affiliation ratified at the next GM in order to become a “Member Club”.
  - b) When voting occurs for “Member Club” status, the representative(s) of that club must leave the meeting until the completion of the voting process.
  - c) For a club that has Member Club status ratified at an AGM, it’s members cannot vote on resolutions at the same Annual General Meeting.
  - d) No member of a Provisional Member Club may vote in the election of TEBM officers.
- 2) Regular voting and non-voting membership: Individuals will gain membership to WTNZ through the GMS. Each affiliated club will appoint a WTNZ GMS Club Administrator. It is the club administrator’s responsibility to oversee, add members, delete non-active members and generally maintain the club register on the GMS.
- 3) An Individual membership requires the individual to:
  - a) provide information required by the database for verification purposes.
  - b) be a member of a WTNZ affiliated club (either “Provisional Member Club” or “Member Club”)

## **Article 19 Affiliated Clubs Rights and Responsibilities**

- 1) Affiliated/Member Clubs will comply with the principles of good governance, and will in particular acknowledge the following matters:
  - a) to prohibit any forms of discrimination;
  - b) to provide safe environment for practicing sport;
  - c) to recognise the jurisdiction and authority of WTNZ in dispute resolution and disciplinary actions.
- 2) Oversight of Annual Fees: each regular voting (RVM) and non-voting (RNVM) member is required to pay their annual membership fee within four (4) months after the start of the new calendar year. Failure to pay the annual membership fee will result in immediate suspension of membership until the fee, along with any resulting penalties, is paid.
- 3) Regular voting and non-voting Membership fees are determined by the Executive Board upon proposal of the Treasurer and may vary between and within the two groups.
- 4) Withdrawal: Any affiliated/member club may withdraw its membership provided that it has fulfilled its financial and other outstanding obligations to WTNZ. To be effective, notice of

withdrawal must be provided to the Executive Board no later than two (2) months before the end of a calendar year.

- 5) Affiliated/Member Clubs and its members, athletes, coaches and other officials cannot contest the rules and regulations that are codified in the WTNZ Constitution, Bylaws, Codes and other regulations that are approved by the WTNZ General Annual Meeting and/or Executive Board. Those individuals that breach the aforementioned provision will be suspended by WTNZ and subsequently cannot participate in an WTNZ promoted or sanctioned event(s).

## **Article 20      Equal Protection**

- 1) Equal Protection: All WTNZ Members will be equal before this Constitution. Pursuant to the Human Rights Act 1993, WTNZ aims to give all members equal opportunities and to prevent unfair treatment on the basis of irrelevant personal characteristics. WTNZ will be free of any form of discrimination with regard to any member on the grounds of race, gender, disability, age, religious or ethical beliefs, sexual orientation, marital status, politics, or otherwise.



## **PART IV: ACTIVITIES, RESOURCES AND EVENT OPERATIONS**

### **Article 21      Activities**

- 1) WTNZ engages in the following activities:
  - a) promoting and sponsoring championships, tournaments and other events;
  - b) research for the propagation and development of taekwondo techniques;
  - c) publication of taekwondo-related material;
  - d) sponsoring, recognising, or otherwise supporting organisations designed to further the development of taekwondo;
  - e) developing and implementing education, training and certification programs for members of WTNZ;
  - f) supporting the advancement of scientific and medical understanding of taekwondo;
  - g) supporting the participation of women in sports;
  - h) supporting the participation of the physically challenged, visual and intellectually impaired in sports; and
  - i) other activities authorised by the Executive Board in furtherance of the WTNZ's mission and objectives as defined in Article 3.

### **Article 22      Athletes, Referees, Coaches, Competition Rules**

- 1) Members are at the core of our organisation and their interest will be in the centre of all decisions taken within WTNZ. As such, WTNZ will guarantee that no member will be left behind and WTNZ will always offer a platform for them to be heard.
- 2) All Members are considered as Athletes
- 3) Competition Rules: All events, tournaments and championships promoted or sanctioned by WTNZ will adhere to the Competition Rules of the WT.
- 4) National and International Referees: WTNZ Taekwondo Championships and other international championships sanctioned or promoted by WTNZ will be officiated only by licensed WTNZ or WT-approved National and International Referees.
- 5) Referee Training: WTNZ will administer and/or conduct Referees training courses, refresher courses and seminars. WTNZ will maintain a database of all New Zealand based Referees certified by either WTNZ, WTO or WT.
- 6) Coach Training: WTNZ will administer and/or conduct Coaches training courses, refresher courses and seminars. WTNZ will maintain a database of all New Zealand based Coaches certified by either WTNZ, WTO or WT.

## **Article 23      Finances**

- 1) Income Sources: The income of WTNZ will be derived from the following sources:
  - a) membership fees;
  - b) operating income;
  - c) donations, and subsidies;
  - d) WT subsidies
  - e) Government grants and funding
  - f) other income.
- 2) Financial Year: The financial year of WTNZ will start on January 1st and end on December 31st of each year.
- 3) The Treasurer will be responsible for the accounting of all funds, the issuing of all receipts and the making of all payments.
- 4) A bank account may only be opened by way of a resolution approved by the Executive Board.
- 5) Two bank account signatories will be required for the making of payments. Where funds are made payable to any member, that member may not be one of the signatories. Account signatories comprise any member of the Executive Board appointed as a signatory by the Executive Board.
- 6) Surplus funds may be invested by the Treasurer, by the direction of the Executive Board, with due care and diligence, in any Institution registered to operate as a Bank in New Zealand, or any subsidiary thereof.
- 7) The income and property of WTNZ, when so ever derived, will be applied solely towards the promotion of the objects of WTNZ as set forth herein and no portion thereof will be paid or transferred, directly or indirectly, by way of profit to any member; provided that nothing herein contained will prevent the payment in good faith to any member of remuneration for any service actually rendered to, or on behalf of, WTNZ or the reimbursement of any member for authorised expenses incurred on its behalf. The terms of reimbursement must be determined prior to the commencement of services rendered to WTNZ.
- 8) No member of WTNZ or any person associated with a member will participate or materially influence any decision made by WTNZ in respect of the payment to or on behalf of that member or associated person of any income, benefit or advantage whatsoever.
- 9) Any payment for goods and services paid will be reasonable and relative to that which would be paid in an “arm’s length transaction” (that being the “open market value”). The provisions and effect of this clause will not be removed from this document and will be included and implied into any document replacing this document.
- 10) An Auditor, not being a member of the Executive Board, may be appointed by the Executive Board. The Auditor will be required to audit the Annual Financial Statements and prepare a report upon them for presentation at the Annual General Meeting, with the report to be made available to members.

## **Article 24      Intellectual Property**

- 1) In General: WTNZ-promoted competitions and events are the exclusive property of WTNZ, which owns all rights and data relating thereto, in particular, and without limitation, all rights relating to their organisation, exploitation, broadcasting, recording, representation, reproduction, access and dissemination in any form and by any means or mechanism whatsoever, whether now existing or developed in the future. WTNZ will determine the conditions of access to and the conditions of any use of data relating to WTNZ promoted competitions and events.
- 2) Marks and Symbols: The WTNZ emblem, flag, motto, identifications (including but not limited to “WTNZ promoted” and “WTNZ-sanctioned”, as defined by WTNZ will be collectively or individually referred to as “WTNZ Properties.” The following applies to WTNZ Properties:
  - a) All rights to any and all WTNZ Properties, as well as all rights to the use thereof, belong exclusively to WTNZ, including but not limited to the use for any profit-making, commercial or advertising purposes. WTNZ may license all or part of its rights on terms and conditions set forth by WTNZ.
  - b) WTNZ properties will not be used without prior approval of WTNZ. Each Club will use reasonable efforts for prevention of the name and emblem's use without approval of WTNZ in the areas under the jurisdiction of that association.
  - c) WTNZ reserves the right to take appropriate action(s) against pirating and/or illegal use of the name and emblem of WTNZ by clubs, associations and individuals in situations where such violations have occurred.
- 3) Bylaws: By-laws concerning the use of WTNZ Properties, in their original form or any other possible modifications, and the possible legal and/or disciplinary actions against perpetrators who did not obtain such official approval from WTNZ, will be enacted separately.

## **PART V: SANCTIONS**

### **Article 25      Dispute Resolution & Disciplinary Actions**

- 1) The Code of Conduct is a separate document to this Constitution.
- 2) The Code of Conduct regulates the organisation and function of the Disciplinary Committee, and governs offences submitted for the assessment of WTNZ and describes infringements of the Constitution, Rules and Codes and determines the sanctions incurred.
- 3) The Code of Conduct applies to decisions taken by WTNZ. It applies to every training session, event, activity and competition organised by either WTNZ or any of its members or affiliated clubs. Beyond this scope, it also applies if a WTNZ official is harmed and, more generally, if the objectives of WTNZ are breached. It also applies to any breach of WTNZ regulations that does not fall under the jurisdiction of any other body.
- 4) Except as provided herein, appeal of decisions, suspensions, resolutions or actions made by WTNZ under the Code of Conduct can be made to World Taekwondo or the Sports Tribunal of New Zealand, but only after all remedies have been sought within WTNZ (including appeal to the Disciplinary Committee via the Executive Board) . The Code does not apply for decisions/resolutions taken by the Annual General Meeting of WTNZ.
- 5) All WTNZ Members and affiliated clubs are subject to the Code of Conduct.
- 6) Disciplinary Committee made up of:
  - a) 1 x Exec Board Member
  - b) 1 x Sport New Zealand Representative
  - c) 1 x Lawyer OR Legal Representative
- 7) Appointment of the Disciplinary Committee
  - a) The Executive Board Member will be appointed by the Executive Board
  - b) The Sport New Zealand Member will be appointed by Sport New Zealand
  - c) The Lawyer OR Legal Representative will be appointed by the Executive Board but may not be an Executive Board Member

## **PART VI: GENERAL PROVISIONS**

### **Article 26      Dissolution**

- 1) The dissolution of WTNZ can only be decided at the AGM by the unanimous resolution of the representatives present at the AGM. Exclusive right over the use of any funds or WTNZ properties will be given by the AGM that has reached the resolution for the dissolution.

### **Article 27      Modifications**

- 1) The Executive Board will formulate drafts, amendments or repeals of this Constitution, Rules and codes for presentation to an AGM.
- 2) For modification of this Constitution or any of its parts therein, a two-thirds majority of the votes cast at an AGM is required.

