

**Notice of Special General Meeting of
The Marist Auckland Water Polo Club Incorporated
to be held at 7.30pm at the
Sacred Heart College Old Boys Lounge on the 1st day of December 2008**

TAKE NOTICE that the following motions relating to the Rules of the Society will be put to a Special General Meeting of the Society to be held at 7.30pm at Sacred Heart College Old Boys Lounge on the 1st day of December 2008:

- (a) "That Rule 36 of the Society's Rules be deleted and replaced with a new Rule 36:

Current Clause:

In the event of the disbandment or winding up of the Club, the property of the Club, shall be realised and the surplus assets available after payment of all liabilities shall be vested in the Centre as trustee and the Centre shall apply the same to any new Waterpolo Club which may be formed in the Auckland District provided that the aims and objectives of the new Club are similar to those of the defunct Club.

Proposed Amendment:

In the event of the disbandment or winding up of the Club, the property of the Club, shall be realised and the surplus assets available after payment of all liabilities shall be vested in the New Zealand Water Polo Association Incorporated as trustee and the New Zealand Water Polo Association Incorporated shall apply the same to any new Waterpolo Club which may be formed in the Auckland District provided that the aims and objectives of the new Club are similar to those of the defunct Club."

Discussion:

The Club has applied to the Charities Commission to be registered as a charitable entity in order to retain tax exempt status.

The application for registration has been declined by the Charities Commission as the Commission considers clause 36 being the winding up clause will allow the transfer of assets to non-charitable purposes.

The Commission has indicated that should the Club amend clause 36 to read in terms of the proposed amendment to clause 36, that the same would be sufficient to meet the Commission's requirements.

- (b) "That Rule 16.1 of the Society's Rules be deleted and replaced with:

Current Clause

16.1 The financial year of the Club shall start on the 1st day of May and end on the 30th day of April the following year.

Proposed Amendment:

16.1 The financial year of the Club shall start on the 1st day of January and end on the 31st day of December the following year."

Discussion:

The auditor has requested that the Club’s financial year be brought into line with the Calendar year for ease of accounting.

- (c) "That Rule 14.1 of the Society's Rules be amended by deleting the second sentence of Rule 14.1 being *At least 21 days notice of such Annual General Meeting stating the nature of the business to be brought before the Meeting shall be given by such notice being displayed prominently on the Club notice board and the Club newsletter* and replacing that sentence with the following sentence namely *At least 14 days notice of such Annual General Meeting stating the nature of the business to be brought before the Meeting shall be given by such notice being displayed prominently on the Club notice board and by Club newsletter including email notification ."*

Discussion:

Purpose of change is to ensure that email notification to members is valid notification.

- (d) "That Rule 14.2 of the Society's Rules be amended by adding after the word *newsletter* the following words *including email notification.*"

Discussion:

Reason as above.

- (e) "That Rule 15.3 of the Society's Rules be deleted and replaced with a new Rule:

Current Clause:

The quorum of an Annual General Meeting or Special General Meeting of the Club shall be greater than 10 financial members entitled to vote or 5% of the number of members entitled to vote and present in person.

Proposed Amendment:

The quorum of an Annual General Meeting or Special General Meeting of the Club shall be not less than 10 financial members entitled to vote and present in person."

Discussion:

The 5% threshold may be difficult to achieve as the Club membership numbers increase.

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Secretary