**CONSTITUTION OF THE GISBORNE ARCHERY CLUB INCORPORATED**

**Updated 2024**

PREFACE

This constitutions provisions shall be interpreted in a manner that reflects the context of said provisions unless stated otherwise within this Constitution or as legally required under any relevant New Zealand law. It shall be read as Article, Section and Subsection

Any reference to singular phrase shall include plural phrase and vice versa

Any reference to legislation or organisation shall also include their future forms

Any reference to a conflict of interest will include the possible perception of one based on a fair-minded person. The Acts rules towards conflicts of interest apply here

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1. NAME

The name of the club shall be THE GISBORNE ARCHERY CLUB INCORPORATED

2. OBJECTIVES

The objectives for which the Club is established are

1. To encourage and promote the sport of archery in general
2. To purchase, take on lease or exchange or hire or otherwise acquire any real or personal property and any rights or privileges which the club shall think necessary or expedient for the purposes of obtaining the objectives of the club or any of them or promoting the interests of the club or its members and to sell, exchange, mortgage, let on bail or lease with or without option of purchase or in any manner dispose of any such property rights or privileges as aforesaid
3. To construct, improve, alter or maintain any building or works necessary or convenient for the purpose of the club
4. To do all such things as are incidental or coincidental or conductive to the attainment of the above objects or any of them and to promote and other activity not repugnant to these objects

3. OFFICE  
The registered office of the Club shall be situated at the address of the secretary for the time being in office or at such other place as the executive committee shall from time to time determine

4. CLUB COLOURS

The colours shall be black and white, the club logo being the TeWirimu Lions

5. MEMBERSHIP

There shall be the following categories of membership

1. Life membership for persons who have given outstanding and memorious service to the club
2. Active senior membership for persons under Archery New Zealand age groupings and intend to shoot
3. Activeyouth membership for persons under Archery New Zealand age groupings and intend to shoot. If an under 21 turns 21 years old after club subscriptions fall due, they shall be entitled to all senior membership for the remainder of the financial year
4. Non-active membership for those who do not intend to shoot
5. Family membership for two or more active senior members of the same family. Youth members included if two or more senior members in a family

5.2. Admission to membership

1. Life membership

A nomination for life membership shall be submitted in writing to the secretary of the club twenty-eight days before the Annual General Meeting. Life membership may only be granted be resolution of three fourths of the members present at the Annual General Meeting

There shall not be more than 5 life members in the club at any one time

A life member is entitled to all rights and privileges of a senior membership

1. Active and non-active membership

Prospective active and non-active members may be nominated and seconded by any member of the club

They may be accepted into the club by resolution of the committee at a regular committee meeting

They shall pay the current year’s subscription in full

6. CESSATION OF MEMBERSHIP

A member shall cease to be a member of the club

1. By advising the committee in writing of his or her resignation or
2. If struck off the register in accordance with the provisions of clause 7.3 or
3. If expelled from the club in accordance with the provisions of clause 17

7. SUBSCRIPTIONS

7.1. Annual Subscriptions

1. Active senior members, the annual subscription payable be active senior members shall be set at the Annual General Meeting for the financial year in which the Annual General Meeting is held
2. Active youth and non-active members, the subscription payable by active youth and non-active members shall be set at the Annual General Meeting for the financial year in which the Annual General Meeting is held
3. Life members, no subscription is payable by a life member
4. Family members, the subscription payable for the family membership shall be twice that of the subscription of an active senior member

7.2. Payment

All subscriptions shall be payable in accordancewith Archery New Zealand financial year

7.3. Failure to Pay

Policy on membership fee payment

A month prior to fee due date individual invoices will be sent to all members with a due date. Invoices will be sent to email address’ supplied by members. Invoices will be sent by Office Word file. If payment has not been received by due date the nonpayment individuals will no longer have access to the club or equipment and will also have their email address removed from the club email list. If payment has not been received by due date an email will be sent asking if they would like a payment plan put in place with the fee payment to Archery NZ as a deposit with a minimum of $20 a week paid until the remainder is paid completely.

Policy on coaching fee payment

An invoice will be sent prior to the coaching course. Invoices will be sent by Microsoft Office Word file. A due date will be noted on the invoice and if payment has not been received by the date stated the coaching course will be cancelled.

Consent

All new club members must consent to be members by completing the membership form. On payment of club fees, this is considered consent from the member that they are aware they will be part of The Gisborne Archery Club Inc. and any governing bodies

8. MANAGEMENT

8.1. The committee

The affairs of the club shall be managed by the committee of no less than 5 and no more than 8 members comprising the president, vice-president, treasurer and secretary and other individual senior members of the club to be elected annually at the Annual General Meeting of members

8.2. Eligibility and nominations

1. Any individual senior member who is up to date with his or her subscription shall be eligible for election to the committee
2. Written nominations for the officers and other committee members shall be lodged with the secretary not less than 48 hours prior to the date of the annual general meeting
3. Every member of the committee shall be eligible for re-election
4. If in any year there is not more than one nomination for each office and the number of members nominated for the remaining positions on the committee is not more than 5, the persons so nominated shall at the annual general meeting be declared the elected members of the committee for the ensuring year
5. If in any year there is more than one nomination for an officer and/or the number nominated for the members of the committee exceeds 8, the candidates elected shall be determined by ballot held at the annual general meeting
6. If in any year there is a shortfall in nominations of available positions the chairperson at the annual general meeting shall invite nominations for those positions and if an election is necessary and ballot will be held
7. Any vacancies on the committee following an election under rule 8.2 (f) may be filled by the committee
8. The offices of treasurer and secretary may be jointly held by the same person
9. The dedicated contact person will be the appointed club secretary
10. All new officers must consent in writing to being an officer and certify that they are not disqualified

8.3. Vacancies on committee

Any vacancy occurring on the committee between one annual general meeting of the club and the next may be filled by the committee. A person appointed to fill such vacancy shall retire at the next annual general meeting

9. COMMITTEE

9.1. Meetings

1. The committee shall meet bi-monthly except that meetings need not to be held over the months of December and January
2. The day and time of each meeting shall be determined by the committee which may meet, adjourn and otherwise regulate its meetings as it thinks fit
3. (c) At any meeting of the committee the president, if present, shall preside. In the absence of the president from any meeting the vice president shall preside. In the absence of both the president and vice president the members present shall elect one of their number to chair the meeting
4. Each member of the committee present shall be entitled to exercise one vote. Questions arising at any meeting shall be decided by a majority of votes. The chairperson of the meeting shall have a deliberative vote and in the event of an equality of vote, a casting vote also. Where the president is unable to cast such a vote due to a conflict of interest, not being present or any other applicable reason, the vice-president shall cast the deciding vote. Where the vice-president is unable to cast such vote due to a conflict of interest, not being present or any other applicable reason, the appointed chairperson shall cast the deciding vote. Where the anointed chairperson is unable to cast such vote for any reasons mentioned, the motion will be tabled for further discussion at a future meeting.
5. 5 members personally present at the beginning of and throughout the meeting of the committee shall form a quorum

9.2. Powers of the committee

Subject to the provisions of the rules the committee shall have the following powers

1. It shall be the responsible for the management of the affairs of the club including the control and investment of the club’s funds and control and management of the club’s property
2. It shall generally supervise the day to day running of the club provided that they do not authorise anything that is inconsistent with the rules
3. It shall keep minutes of all meetings of the committee
4. It shall ensure that proper books of account are kept by the treasurer who shall present a monthly financial statement to the committee and an annual statement of income and expenditure together with a balance sheet to the members at the annual general meeting
5. It shall exercise all rights, powers and duties which under these rules are required to be preformed by the committee

10. GENERAL MEETINGS OF MEMEBERS

10.1. AGM’s and special meetings

An annual general meeting of the club shall be held within twelve (12) weeks of the end of the financial year or on return of the financial report from the auditors

10.2. A special meeting or extraordinary general meeting of members may be held by the committee at any time and shall be called at the written request of five (5) financial senior members of the club. Such a meeting shall have the same powers as an annual general meeting. The only business that can be dealt with at a special or extraordinary meeting is the business specified on the notice calling the meeting

10.3. At the annual general meeting the following business shall be dealt with

1. The report of the committee on the affairs of the club for the past financial year
2. The accounts made up to the previous 31st day of December, such accounts to be signed by the club’s auditor
3. The election of the president, vice president, treasurer, secretary, together with the other members of the committee
4. The appointment of an auditor
5. The fixing of annual subscriptions to the current financial year
6. Other matters in respect of which proper notice has to be given in the notice calling the annual general meeting
7. General

10.4. Motions

A member wishing to bring any motion before the annual general meeting shall give written thereof to the secretary of the club no less than 21 days prior to that meeting and no motion shall come before the meeting unless such notice has been so given. Such notice shall specify the date, time and place of such meeting, the type of meeting and the business to be discussed at the meeting. No other business shall be considered unless the same is specified in the notice convening the meeting

10.5. (a) Notice of general meetings of members shall be given as follows

1. At least 14 days prior to the date of meeting, notice of the meeting shall be advertised on the notice board of the Gisborne Archery Club
2. Notice of the meeting shall be by phone or email to all financial members except junior members
3. Such notice should specify the date, time and place of such meeting and the business to be discussed at the meeting

10.6. Procedure

1. Five (5) senior members present personally at a general meeting of members shall form a quorum. There must be a quorum at the start of and throughout the meeting
2. (c) The president and in his or her absence the vice president, shall be the chairperson of a general meeting. In the absence of both the president and vice president the meeting shall elect a chairperson for that meeting
3. Each senior member present shall be entitled to exercise one vote and unless these rules provide otherwise a simple majority vote shall prevail
4. Voting shall be on the voices unless a show of hands or a poll is called for. In the event of equality of votes the chairperson shall have a second or casting vote in addition to his or her deliberative vote
5. Resolutions passed at any general meeting shall be conclusive and binding on all members of the club whether present at the meeting or not
6. Act in good faith and in the best interests of the society
7. Exercise powers for proper purposes only
8. Comply with the act and constitution
9. Exercise reasonable care and diligence
10. Not create serious loss to creditors
11. Not incur an obligation the officer doesn’t reasonably believe the society can perform

11. FINANCE

11.1. Financial year

The financial year of the club shall be from 1st January to the 31st day of December in the same year

11.2. Funds and Investments

Subject to any resolution of the club at a general meeting, use of the club’s funds shall be in accordance with the resolutions passed by the majority of the committee. All accounting for the club shall be the responsibility of the treasurer. All withdrawals made and cheques drawn on the club’s funds shall be under the signatures of any of the following

1. President
2. Vice president
3. Treasurer

11.3. Power to borrow

Upon the passing of the resolution at a general meeting authorising the committee to borrow money, the committee shall be empowered to borrow for the purposes of the club such amount of money either at one time or from time to time and at such rate of interest and in such form and manner and upon such security as shall be specified in such resolution and thereupon the treasurer shall at the direction of the committee make all such dispositions of the club property or any part of it and enter into such agreement in relation to it as the committee may deem proper for giving security for such loans and interest

11.4. Funds

The committee shall keep or shall cause to be kept, a proper account of the income and expenditure of the club. The committee may invest in such securities and upon such terms as it thinks fit the whole or any part of the funds of the club which are not required for the immediate business of the club

11.5. Filling requirements

The secretary shall file with the registrar of incorporated societies within (7) days after the annual general meeting the financial statements required to be filed in accordance with the incorporated societies act2022

11.6. Assurance on the financial statements

1. The Gisborne Archery Club shall appoint an accountant to review financial statements of the society (“the reviewer”). The reviewer shall conduct an examination with the objective of providing a report that nothing has come to the reviewer’s attention to cause the reviewer to believe that the financial information is not presented in accordance with the societies accounting policies. The reviewer must be a suitably qualified person, preferably a member of the New Zealand Chartered Accountants, and must not be a member of the committee, or an employee of The Gisborne Archery Club Inc. If The Gisborne Archery Club Inc appoints a reviewer who is unable to act for some reason, the committee shall appoint another reviewer as a replacement. The committee is responsible to provide the reviewer with:
2. Access to all information of which the committee is aware that is relevant to the preparation of the financial statements such as records, documentation and other matters
3. Additional information that the reviewer may request from the committee for the purposes of the review, and
4. Reasonable access to persons within The Gisborne Archery Club from whom the reviewer determines it necessary to obtain evidence

12. ALTERATION OF RULES

No addition to or alteration or recission of the rules shall be approved if it effects the non-profit clause or the winding up clause. The provision and effect of this clause shall not be removed from this document and shall be included and implied in any replacement

12.1. Alteration

These rules may be added to repealed or amended by resolution at any annual or special general meeting provided that no such resolution shall be deemed to have been passed unless it be carried by majority of at least three quarters of the members present at the meeting

12.2. Notice

Notice required under clause 10.4 shall set out the full text and purpose of the proposed addition, repeal or amendment

12.3. Filing requirements

The committee shall within seven (7) days of the meeting register and such alteration, addition or rescission with the register of incorporated societies

13. BY-LAWS

13.1. Making by-laws

The committee shall have power to make, alter or rescind by-laws not inconsistent with these rules for the conduct and behaviour of members or any other matter related to the affairs of the club

13.2. Inspection

A copy of the rules and by-laws and regulations for the conduct of the club shall always be open to inspection by members at the registered office of the club

14. CERTIFICATIONN OF DOCUMENTS

The club shall have the power to certify documents and enter into contracts

For such actions to be approved, the following requirements are needed

* 1. Two (2) or more officers of the club must sign the document or,
  2. An attorney appointed by the club under section 124 of the incorporated societies Act, 2022, signs the document

15. DISSOLUTION

At any general meeting a resolution for the dissolution of the club is passed by three quarters majority of the members present and such resolution is at a subsequent general meeting held not less than one month thereafter confirmed by a resolution passed by three quarters majority of the members voting, the committee shall thereupon or at such future date as shall be specified in such resolution proceed to transfer to some other organisation or body having objects similar to the objects of the club or to some other charitable organisation within NZ, preferably archery based such land and buildings as is then owned by the club

All archery equipment possessed by the society at such time, comprising of bows, arrows, targets and other archery accessories shall be donated in equal shares to the active archery clubs in the Eastern Central Bay of Plenty Archery Association district.

The remaining contents of such buildings including the furniture, fittings and other fixed installations are to be likewise included in the transfer of ownership to the organisation or body having objects similar to the objects of the club as the latter of the above two general meetings shall determine

16. INDEMNITY

16.1. Indemnity

The officers and other members of the committee shall be indemnified by the club for all losses and expenses incurred by them in or about the discharge of their respective duties except such as shall result from their own respective wilful default or gross negligence

16.2. Limitation of liability

No member of the committee shall be liable for the acts or defaults of any other member of the committee or for any loss or expense happening to the club, unless the same happen from his or her wilful default or gross negligence

17. EXPULSION

It shall be the duty of the committee if at any time the committee shall be of the opinion that the interests of the club so require to invite by letter any member to resign from the club within the time specified in such letter, and in default of such resignation to submit the question of his or her expulsion to a special general meeting of the club to be held within two (2) calendar months of the date of such letter.

At such meeting the member whose expulsion is under consideration shall be allowed to offer an explanation of his or her conduct verbally or in writing and if thereupon two thirds of the members present and voting shall vote for his or her expulsion, he or she will cease to be a member of the club.

The voting at any special general meeting shall be by secret ballot if not less than two members present thereat shall demand. It shall be the power of the committee to suspend or deprive such member from the benefits and privileges of membership until such special meeting shall be held

18. DISPUTE RESOLUTION

How complaint is made

A member or an officer may make a complaint by giving to the committee (or a complaints subcommittee) a notice in writing that —

* 1. states that the member or officer is starting a procedure for resolving a dispute in accordance with the society’s constitution; and
  2. sets out the allegation to which the dispute relates and whom the allegation is against; and
  3. sets out any other information reasonably required by the society.

The society may make a complaint involving an allegation against a member or an officer by giving to the member or officer a notice in writing that —

* 1. states that the society is starting a procedure for resolving a dispute in accordance with the society’s constitution; and
  2. sets out the allegation to which the dispute relates.

The information given under subclause 1b. or 2b. must be enough to ensure that a person against whom an allegation is made is fairly advised of the allegation concerning them, with sufficient details given to enable them to prepare a response.

A complaint may be made in any other reasonable manner permitted by the society’s constitution.

Person who makes complaint has right to be heard

A member or an officer who makes a complaint has a right to be heard before the complaint is resolved or any outcome is determined.

If the society makes a complaint —

* 1. the society has a right to be heard before the complaint is resolved or any outcome is determined; and
  2. an officer may exercise that right on behalf of the society.

Without limiting the manner in which the member, officer, or society may be given the right to be heard, they must be taken to have been given the right if —

* 1. they have a reasonable opportunity to be heard in writing or at an oral hearing (if one is held); and
  2. an oral hearing is held if the decision maker considers that an oral hearing is needed to ensure an adequate hearing; and
  3. an oral hearing (if any) is held before the decision maker; and
  4. the member’s, officer’s, or society’s written statement or submissions (if any) are considered by the decision maker.

Person who is subject of complaint has right to be heard

This clause applies if a complaint involves an allegation that a member, an officer, or the society (the respondent) —

* 1. has engaged in misconduct; or
  2. has breached, or is likely to breach, a duty under the society’s constitution or bylaws or the Incorporated Societies Act 2022; or
  3. has damaged the rights or interests of a member or the rights or interests of members generally.

The respondent has a right to be heard before the complaint is resolved or any outcome is determined.

If the respondent is the society, an officer may exercise the right on behalf of the society.

Without limiting the manner in which a respondent may be given a right to be heard, a respondent must be taken to have been given the right if —

* 1. the respondent is fairly advised of all allegations concerning the respondent, with sufficient details and time given to enable the respondent to prepare a response; and
  2. the respondent has a reasonable opportunity to be heard in writing or at an oral hearing (if one is held); and
  3. an oral hearing is held if the decision maker considers that an oral hearing is needed to ensure an adequate hearing; and
  4. an oral hearing (if any) is held before the decision maker; and
  5. the respondent’s written statement or submissions (if any) are considered by the decision maker.

Investigating and determining dispute

1. The society must, as soon as is reasonably practicable after receiving or becoming aware of a complaint made in accordance with its constitution, ensure that the dispute is investigated and determined.
2. Disputes must be dealt with under the constitution in a fair, efficient, and effective manner.

Society may decide not to proceed further with complaint

Despite the clause 'Investigating and determining dispute' above, the society may decide not to proceed further with a complaint if —

1. the complaint is trivial; or
2. the complaint does not appear to disclose or involve any allegation of the following kind:
   1. that a member or an officer has engaged in material misconduct:
   2. that a member, an officer, or the society has materially breached, or is likely to materially breach, a duty under the society’s constitution or bylaws or the Incorporated Societies Act 2022:
   3. that a member’s rights or interests or members’ rights or interests generally have been materially damaged:
3. the complaint appears to be without foundation or there is no apparent evidence to support it; or
4. the person who makes the complaint has an insignificant interest in the matter; or the conduct, incident, event, or issue giving rise to the complaint has already been investigated and dealt with under the constitution; or
5. there has been an undue delay in making the complaint.

Society may refer complaint

1. The society may refer a complaint to —
   1. a subcommittee or an external person to investigate and report; or
   2. a subcommittee, an arbitral tribunal, or an external person to investigate and make a decision.
2. The society may, with the consent of all parties to a complaint, refer the complaint to any type of consensual dispute resolution (for example, mediation, facilitation, or a tikanga-based practice).

Decision makers

A person may not act as a decision maker in relation to a complaint if 2 or more members of the committee or a complaints subcommittee consider that there are reasonable grounds to believe that the person may not be —

1. impartial; or
2. able to consider the matter without a predetermined view

19. BY-LAWS

1. Potental members must be over 14 years of age or accompanied by a parent to be allowed to use archery equipment and receive coaching instruction

2. First four shoots shall be free. Thereafter a person is expected to become a member of this club by completing an application form and paying the club subs

3. Shooting fees

All archers shall pay shooting fees set by the committee before the commencement of the shoot (scheduled or practice)

4. Equipment hire

Archers using the club’s equipment (bows, arrows, bolts) may be required to pay a rental fee set by the committee

6. All the club’s equipment shall be handled with care

7. Safety

Safety is to be observed at all times

8. All archers are expected to help the club captain to prepare the range (indoor or outdoor) for shooting

Indoor range

* + 1. Target faces to be put up
    2. Lights turned on etc
    3. Targets taken down
    4. Floor swept
    5. Everything put away (chairs, brooms etc)
    6. Light out
    7. Make sure all doors are locked

Outdoor range

1. Set up the distance according to the shoot scheduled for the day
2. Put up targets, flags
3. Put targets and all other equipment away in the shed after the shoot

9. Working Bees

The archers are expected to attend from time to time at working bees and help paint targets, change pinex on targets or other odd jobs which have to be done for the benefit of all members

10. Claims

To qualify for merit pin status or claim club records, archers must use double score system, have no less than three (3) persons in a group scoring (preferably not related). Score sheets to be signed by the same three archers

11. Facilities

Only paid-up active members are entitled to use the club’s facilities. Friends of the members can be encouraged to become non-active members if they are not interested in shooting

12. Conduct

Policy on expected individual participants behaviour

Participants are expected to:

* + 1. play competitively and fairly
    2. play by the rules of the activity/sport
    3. be humble in both success and defeat
    4. be respectful of officials/referees, coaches, team managers, teammates, and other competitors
    5. refrain from arguing with or abusing officials/ referees, coaches, and team managers
    6. be cooperative with officials/referees, coaches, team managers, teammates, and other competitors
    7. all of the above is also expected from supporters of participants

If a participant is found to have breached one or more of the bullet points above, these issues will be brought up to the executive committee and a recommendation will be made on each individual issue as to whether the individual should have their membership revoked or given a warning.

Policy on expected coaches/supervisors’ behaviour

Coaches/supervisors are expected to:

1. lead by example
2. respect and treat all participants fairly and equally
3. (c)support participants to reach their full potential, keeping in mind their individual talents, developmental stages and sporting/activity goals
4. provide all participants with equal attention and opportunities
5. operate within the rules of the activity/sport, and the principles of fair play, while encouraging participants to do the same
6. advocate a sporting environment free of drugs, alcohol and performance enhancing substances, guided by Drug Free Sport New Zealand
7. display courtesy, respect, honesty and professionalism to everyone involved in the activities of Gisborne Archery Clun Inc, including family/ whānau, other competitors, coaches, officials/ referees and team managers
8. remain professional and refrain from initiating a relationship with a participant, and discourage any attempts by participants to do so
9. accurately represent all qualifications, experience, competence and affiliations they have
10. provide a quality service to participants, including: – maintaining qualifications as appropriate – seeking continuous improvement and development opportunities for themselves – providing structured training that is appropriate to participants’ needs and goals and – seeking advice and assistance where required.
11. provide a safe sporting environment, as far as possible by: – making sure all equipment and facilities meet health and safety standards – making sure all equipment, rules, training and environments are appropriate, taking into account participants’ ages, maturity (physical and emotional), experience and ability – encouraging participants to seek medical advice when sick or injured – being considerate and proactive toward sick and injured participants – be alert to the abuse of participants, verbally, physically and emotionally.
12. when an archer is under the age of 14 years a guardian must be present at all times during coaching
13. it is recommended that coaches will not be put in the position of coaching alone with a student, no matter the age or gender. When possible, coaches to coach in pairs.

If a coach/supervisor is found to have breached one or more of the above, this issue will be brought up to the executive committee and a recommendation will be made on each individual issue as to whether the individual should have their membership revoked or given a warning.

Refer to clause 18 of The Gisborne Archery Club Constitution

13. Keyholders

1. The club shall have a maximin of 7 keys to club facilities.
2. The keys are to be distributed to active committee members who are prepared to take on extra responsibilities of the club. These persons will be elected by the committee.
3. Keyholders have the right to enter and use the premises when not in formal use. All reasonable care must be taken by the said keyholder.
4. Active shooting members who hold keys are required to be placed on a roster for opening, closing and running sessions.
5. In the event that a keyholder is unable to fulfil their duty, it is their responsibility to find a replacement.
6. Non shooting active members who hold keys will not be required to be placed on a roster, these members are coaches and facilitators who may run programs for the betterment of the club.
7. Failure to comply with responsibilities breaching the terms of a keyholders responsibilities may have their position of keyholder revoked. Refer to clause 18 of The Gisborne Archery Club Constitution.