

NEW ZEALAND SPORT FISHING COUNCIL CONSITITUTION

Updated 2025 – to be accepted at the 2025 AGM

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CONSTITUTION OF NEW ZEALAND SPORT FISHING COUNCIL INCORPORATED

Accepted AGM

1.0 Name

- 1.1 The name of the Council is the New Zealand Sport Fishing Council Incorporated (hereinafter referred to as the "Council").

2.0 Charitable Status

- 2.1 The Council is not and does not intend to be registered as a charitable entity under the Charities Act 2005.

3.0 Definitions

- 3.1 In this Constitution, unless the context requires otherwise, the following words and phrases have the following meanings:
- 3.2 **"Act"** means the Incorporated Societies Act 2022 or any Act which replaces it (including amendments to it from time to time), and any regulations made under the Act or under any Act which replaces it.
- 3.3 **"Annual General Meeting"** means a meeting of the Clubs of the Council held once per year which, among other things, will receive and consider reports on the Council's activities and finances.
- 3.4 **"Board"** means the duly appointed Zone Representatives from the Geographic Regions and Zones, the President, the Vice-Presidents, the Secretary/Executive Officer, the Treasurer, the IGFA Representative, any Honorary Member/s and any Honorary Life Member/s who govern the Council for a prescribed period and look after the Clubs' members and all anglers' interests.
- 3.5 **"Board Charter"** means the written document approved by a simple majority at a Council meeting.
- 3.6 **"Chairperson"** means the Officer responsible for chairing General Meetings and committee meetings, and who provides leadership for the Council.

- 3.7 **"Clubs"** mean those amateur fishing clubs which are Members of the Council, and which satisfied all the provisions of section 8 when they joined.
- 3.8 **"Council"** means the whole organisation as one body as prescribed in this constitution.
- 3.9 **"Constitution"** means the rules in this document.
- 3.10 **"Complaints"** means any complaint that has been forwarded to the Council either by letter or verbal communication.
- 3.11 **"Deputy Chairperson"** means the Officer elected or appointed to deputise in the absence of the Chairperson.
- 3.12 **"Executive/Club Delegate"** means those persons appointed by the Clubs under section 9 and includes any duly accredited substitute.
- 3.13 **"Financial Member"** means the member has paid the affiliation fees by the 30th of December each year.
- 3.14 **"General Meeting"** means either an Annual General Meeting or a Special General Meeting of the Clubs of the Council.
- 3.15 **"Geographic regions and Zones"** mean the geographic regions and zones referred to in section 25.
- 3.16 **"Honorary Life Member"** means a person elected as Life Member under section 9.2
- 3.17 **"Honorary Member"** means a person elected as an Honorary Member under section 9.1
- 3.18 **"IGFA"** means the International Game Fish Association.
- 3.19 **"Immediate Past President"** means that person who most immediately previously occupied the position of President.
- 3.20 **"Individuals / Anglers"** means people who are members of a Club.
- 3.21 **"In writing"** and **"written"** includes printing, electronic mail (email), or other electronic modes of representing or reproducing words in a visible form.

- 3.22 **"Interested Member"** means a Member who is interested in a matter for any of the reasons set out in section 62 of the Act.
- 3.23 **"Interests Register"** means the register of interests of Officers, kept under this Constitution and as required by section 73 of the Act.
- 3.24 **"Matter"** means the Council's performance of its activities or exercise of its powers or an arrangement, agreement, or contract (a transaction) made or entered into, or proposed to be entered into, by the Council.
- 3.25 **"Member"** means a club who has consented to become a Member Club of the Council and has been properly admitted to the Council who has not ceased to be a Member of the Council.
- 3.26 **"Notice"** to Clubs includes any notice given by email, post, or courier.
- 3.27 **"Officer"** means a natural person who is a member of the Committee or occupying a position in the Council that allows them to exercise significant influence over the management or administration of the Council, including any Chief Executive or Treasurer.
- 3.28 **"President"** means the person appointed as President under section 13.3.2
- 3.29 **"Person"** means a current full financial member of an affiliated member club of the New Zealand Sport Fishing Council. As defined in section 8.3 and
- 3.30 **"Register of Clubs"** means the register of Clubs kept under this Constitution as required by section 79 of the Act.
- 3.31 **"Secretary/Executive Officer"** means the Officer responsible for the matters specifically noted in this Constitution.
- 3.32 **"Standing committees"** there are 7 standing committees of the Council: Finance, Fisheries Management, Legasea Governance, Communications, Fishing, Governance, Disputes and Youth as described in clause 14.7
- 3.33 **"Special General Meeting (SGM)"** means a meeting of the Clubs, other than an Annual General Meeting, called for a specific purpose or purposes.
- 3.34 **"Treasurer"** means the person appointed to carry out the responsibilities of the duties of the Treasurer as defined by the Board.
- 3.35 **"Vice President"** means a person appointed as Vice President under section 13.3 and 13.3.2

- 3.34 **"Working Days"** means as defined in the Legislation Act 2019. Examples of days that are not Working Days include, but are not limited to, the following: a Saturday, a Sunday, Waitangi Day, Good Friday, Easter Monday, ANZAC Day, the Sovereign's birthday, Te Rā Aro ki a Matariki/Matariki Observance Day, and Labour Day.
- 3.35 **"Zone Delegate"** means the duly elected representatives of the Clubs as prescribed under section 31.4

4.0 Purposes

The primary purposes of the Council are to:

- 4.1 Promote and foster all matters relating to recreational and sustenance fishing in New Zealand.
- 4.2 Protect and preserve marine and freshwater fisheries for current and future generations.
- 4.3 Encourage ethical recreational fishing practices and to provide scientific data for fisheries management and sustainability.
- 4.4 Conduct training, education, and awareness campaigns on safe and sustainable fishing practices.
- 4.5 Promote, sanction, and administer national and international fishing tournaments.
- 4.6 Maintain and publish records of New Zealand marine sport fish captures for scientific, recreational, and historical purposes.
- 4.7 Affiliate with and support organisations with similar objectives, both nationally and internationally.
- 4.8 Promote, develop, foster and administer Sport Fishing as an amateur sport for the well-being, benefit and recreation of the general public in New Zealand/Aotearoa.
- 4.9 Engage in legislative and policy discussions to advocate for sustainable fisheries management and better recreational fishing rights.
- 4.10 Receive gifts, grants, and subscriptions for the functioning or furtherance of the objectives of the organisation and to assist Clubs to undertake such actions that may be considered necessary or desirable for the achievement of the foregoing objectives.

- 4.11 Make Bylaws, create a Board Policy Document and fishing rules and regulations in line with the principles and directions of this Constitution.
- 4.12 The Council must not operate for the purpose of, or with the effect of:
 - 4.12.1 Distributing any gain, profit, surplus, dividend, or other similar financial benefit to any of its members (whether in money or in kind).
 - 4.12.2 Having capital that is divided into shares or stock held by its members.
 - 4.12.3 Holding property in which its members have a disposable interest (whether directly, or in the form of shares or stock in the capital of the Council or otherwise).
- 4.13 The Council will not operate for the financial gain of Members simply if the Council engages in trade, pays a Member for matters that are incidental to the purposes of the Council, and the Member is a not-for-profit entity, distributes funds to a member to further the purposes of the Council, and the Member is a not-for-profit entity, is affiliated or closely related to the Council, and has the same, or substantially the same, purposes as those of the Council.
- 4.14 The Council may reimburse a member for reasonable expenses legitimately incurred on behalf of the Council or while pursuing the Council's purposes, provide benefits to Clubs or the public or a class of the public, provide educational scholarships or grants to members or their families, and pay a member a salary or wages or other payments for services to the Council on arm's length terms.
- 4.15 The Council may provide a member with incidental benefits (for example, trophies, prizes, or discounts on products or services) in accordance with the purposes of the Council.

5.0 Compliance with the Act and Regulations

- 5.1 Nothing in this Constitution authorises the Council to do anything which contravenes or is inconsistent with the Act, any regulations made under the Act, or any other legislation.

6.0 Registered Office

6.1 The registered office of the Council shall be at such place in New Zealand as the Committee from time to time determines.

6.2 Changes to the registered office shall be notified to the Registrar of Incorporated Societies:

6.2.1 At least five (5) working days before the change of address for the registered office is due to take effect.

6.2.2 In a form and as required by the Act.

7.0 Contact Person

7.1 The Council shall have at least one (1) but no more than three (3) contact persons whom the Registrar can contact when needed.

7.2 The Council's contact person must be:

7.2.1 At least 18 years of age.

7.2.2 Ordinarily resident in New Zealand.

7.3 A contact person can be appointed by the Committee or elected by the Clubs at a General Meeting.

7.4 Each contact person's name must be provided to the Registrar of Incorporated Societies, along with their contact details, including:

7.4.1 A physical address or an electronic address.

7.4.2 A telephone number.

7.5 Any change in that contact person or that person's name or contact details shall be advised to the Registrar of Incorporated Societies within twenty (20) working days of that change occurring, or the Council becoming aware of the change.

8.0 Membership

8.1 Minimum Number of Clubs

- 8.1.1 The Council shall maintain the minimum number of Clubs required by the Act.

8.2 Types of Clubs

- 8.2.1 The following shall be Clubs of the Council:
- 8.2.2 Any amateur fishing club which completes the member application form prescribed by the Board, pays the annual subscription, fee, or levy set by the Membership, and is approved by the Board.
- 8.2.3 Any Club which has paid the annual fee of the Council at the date of adoption of this Constitution.
- 8.2.4 Honorary Member and Honorary Life Member appointed by the Council. To fish for NZSFC trophies and awards, Honorary Members and Honorary Life Members must belong to an affiliated Club.
- 8.2.5 NZ International Game Fish Association (IGFA) Representatives as appointed by IGFA and approved by the Council. To fish for NZSFC trophies and awards, IGFA Representatives must belong to an affiliated Club.
- 8.2.6 All Clubs must:
 - 8.2.6.1 Have boating and fishing rules compatible with the objects of this Constitution.
 - 8.2.6.2 Keep accounts and a register of all the categories of their Membership numbers so that both can be made available to the Council's Secretary/Executive Officer/CEO.
 - 8.2.6.3 Be financial Clubs as of December 30th each calendar year.
 - 8.2.6.4 Fish under the IGFA and Council's ethical fishing rules, including any Bylaws and/or Regulations that are consistent with the fishing objects of this Constitution.
 - 8.2.6.5 Practise the Safety at Sea rules provided by Maritime New Zealand.

8.3 Becoming a Member: Process

- 8.3.1 Intending Clubs will be required to:
 - 8.3.1.1 Forward a copy of their constitution.
 - 8.3.1.2 Forward a copy of their last year's annual accounts.
 - 8.3.1.3 Forward a copy of their Certificate of Incorporation.
 - 8.3.1.4 Meet their obligations under the Incorporated Societies Act.
 - 8.3.1.5 Demonstrate that their constitution reflects their alignment with the interests of the Council.
 - 8.3.1.6 Have the facility to weigh fish on registered scales, provide courtesy weighs for visiting anglers, or provide the Council with a copy of an agreement with an existing Club willing to provide weighing facilities.
 - 8.3.1.7 Clubs become members of the IGFA.
- 8.3.2 The Committee may accept or decline an application at its sole discretion. The Committee must advise the applicant of its decision.
- 8.3.3 The signed written consent of every club to become a Council Member shall be retained in the Council's Membership records.

8.4 Club Obligations and Rights

- 8.4.1 Clubs must notify the Council Secretary of the following:
 - 8.4.1.1 The number of Members (and a breakdown of those Members) as at the end of the Club's previous Membership year.
 - 8.4.1.2 Catch Summary Sheets on a regular basis, recording all fish weighed and tag cards handled by their Club on forms available from the Secretary/Executive Officer.
 - 8.4.1.3 A breakdown of fish caught at the end of each season, as soon as possible after June 30th each year, on forms available from the Secretary/Executive Officer.
 - 8.4.1.4 Their Club Executive and Delegates each year as soon as possible after the Club Meeting (AGM) where these

appointments are made, including names, addresses, telephone numbers, and email addresses. Should these appointments change during the year, the Club must notify the Council Secretary.

- 8.4.1.5 Confirmation that all their Scales have been certified each season by January 1st.
- 8.4.1.6 Nominations for Council Trophies by July 7th each year (apart from first weighed and first tagged marlin, **where the weigh sheet must be emailed within 24 hours**).
- 8.4.1.7 The Council in writing with that Club's name and contact details (including physical or email address and a telephone number) and promptly advise the Council in writing of any changes to those details.
- 8.4.2 All Clubs shall promote the interests and purposes of the Council and shall do nothing to bring the Council into disrepute.
- 8.4.3 A Club is only entitled to exercise the rights of Membership (including attending and voting at General Meetings, accessing or using the Council's premises, facilities, equipment, and other property, and participating in Council activities) if all subscriptions and any other fees have been paid to the Council by their respective due dates.
- 8.4.4 No Club or Life Member is liable for an obligation of the Council by reason only of being a member.
- 8.4.5 The Committee may decide what access or use Clubs may have of or to any premises, facilities, equipment, or other property owned, occupied, or otherwise used by the Council, and to participate in Council activities, including any conditions of and fees for such access, use, or involvement.

9.0 Honorary Members and Honorary Life Members

- 9.1 Honorary Membership is a prestigious award bestowed by the Council on any person of acknowledged eminence in one or more fields within the scope of the Constitution's objectives. To have these persons working for the Council is a privilege, and the Honorary Membership is a small token of appreciation for the valuable service received. In doing so, the Council

continues to benefit by retaining association with these outstanding individuals and the expertise and knowledge that they bring.

- 9.2 Honorary Life Membership is a prestigious award bestowed by the Council on any individual who has served the Council for the greater good. It is recognition for many years of successful hard work on behalf of all Clubs in pursuing and achieving the Council's goals. This could take the form of a long term of representation on the Board or championing a landmark development from which the benefits are widespread. To have these persons working for the Council is a privilege, and the Honorary Life Membership is a small token of appreciation for the valuable service received. In doing so, the Council continues to benefit by retaining association with these outstanding individuals and the expertise, knowledge, and Council history that they bring.
- 9.3 Any person of acknowledged eminence in one or more fields within the scope of the Constitution's objects may be appointed an Honorary Member each year if approved by the Clubs at an AGM.
- 9.4 Any person who has given exceptional, outstanding, meritorious service may be nominated to be an Honorary Life Member in accordance with the process outlined below.
- 9.5 Any person or persons may be elected as an Honorary Member or Honorary Life Member of the Council provided that in each case:
 - 9.5.1 The proposal to nominate such a person as an Honorary Member or Honorary Life Member of the Council shall be in writing, signed by no fewer than three Clubs at the time of the nomination.
 - 9.5.2 The proposing Club must provide a written detailed profile, explanation, and history of the nominee to accompany the nomination.
 - 9.5.3 The nomination must be sent to the Secretary/Executive Officer for the Board's approval. This approval will require a two-thirds majority vote of the Board.
 - 9.5.4 The elevation to Honorary Member or Honorary Life Member shall be notified at the AGM or SGM.
 - 9.5.5 Any person who has been elected as an Honorary Member or Honorary Life Member may enjoy privileges of a member, as determined by the Board.

10.0 Admission, Expulsion, and Resignation of Members

10.1 A Club ceases to be a member:

10.1.1 By resignation from that Club's class of membership by written notice signed by that Club to the Council membership after payment of all sums due to the Council.

10.1.2 On termination of a Club's membership following a dispute resolution process under this Constitution.

10.1.3 By resolution of the Committee where:

- i) The Club has failed to pay a subscription, levy, or other amount due to the Council within sixty (60) Working Days of the due date for payment or without a suitable agreement being reached with the NZSFC for payment of the amount due.
- ii) In the opinion of the Committee, the Club has brought the Council into disrepute.

10.1.4 When a Club's membership has been terminated, the Committee shall promptly notify the former Member in writing.

10.2 Any Club ceasing to be eligible to be a Member shall be deemed to have resigned on the date on which that Club ceased to be eligible for membership.

10.3 Any Club wishing to resign as a Member shall forward a notice of resignation to the Secretary/Executive Officer in writing, and the resignation of that Club shall take effect one calendar month from the date on which the notice of resignation is received by the Secretary/Executive Officer, or such later date as may be specified in the notice of resignation. A resolution by the clubs' members at an AGM or SGM is required and must be supplied as part of the notice of resignation.

10.4 Any Club that is deemed to have resigned shall be liable for the Club's affiliation fees and any other fees due for the year in which the Club resigned or is deemed to have resigned, proportionate to the length of time the Club was a Member of the Council for that year.

10.5 Any Club may be expelled from the Council by a two-thirds majority vote of the Board if that majority vote of the Board is of the view that a Club is

breaching the Constitution or acting in a manner inconsistent with the purposes of the Council.

- 10.6 A Club, under risk of expulsion may, within twenty-eight (28) days of receiving written notice from the Board of their intention to consider expulsion and the grounds thereof, make a written application to appear or make a written submission to be placed before an audit committee comprising six (6) Executive/Club Delegates selected by the President but who are not currently serving Board Members.
- 10.7 The explanation of the Club at risk of expulsion will be heard in respect of such allegations before the matter is determined by the Board following a thorough investigation and a recommendation from the audit committee.
- 10.8 The Club, Executive/Club Delegate, or Zone Delegate shall be notified of the decision by the Board in writing. If the Club, Executive/Club Delegate, or Zone Delegate, as the case may be, disputes the decision, they may require the dispute to be referred to mediation with a mediator.
- 10.9 Where an Executive/Club Delegate is personally expelled, the Club he/she represents shall be entitled to elect and nominate a replacement Executive/Club Delegate. Where a Zone Delegate is personally expelled, the Geographic Region and Zone he/she represents shall be entitled to elect and nominate a replacement Zone Delegate.
- 10.10 A Club who has ceased to be a member under this Constitution:
 - 10.10.1 Shall cease to hold themselves out as a Member of the Council.
 - 10.10.2 Shall return to the Council all items belonging to the Council.
 - 10.10.3 Shall cease to be entitled to any of the rights of a Council Member.
- 10.11 Any former Club may apply for re-admission in the manner prescribed for new applicants and may be re-admitted only by resolution of the Board.
- 10.12 If a former Club's membership was terminated following a disciplinary or dispute resolution process, the applicant may be re-admitted only by a resolution passed at a General Meeting on the recommendation of the Board.

11.0 Dispute Resolution

11.1 How a complaint is made:

a) A Member or an Officer may make a complaint by giving to the Board a notice in writing that—

- i. states that the Member or Officer is starting a procedure for resolving a dispute in accordance with the Club's Constitution; and
- ii. sets out the allegation to which the dispute relates and whom the allegation is against; and
- iii. sets out any other information reasonably required by the Club.

b) The Club 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—

- i. states that the Club is starting a procedure for resolving a dispute in accordance with the Club's Constitution; and
- ii. sets out the allegation to which the dispute relates.

c) The information given under Rule 11.1 (a) (ii) or 11.2 (a) and (b), 11.3 or Rule 11.4 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.

d) A complaint may be made in any other reasonable manner permitted by the Club's Constitution.

11.2 Person or Club who makes complaint has the right to be heard:

11.2.1 A Person, a Club or an Officer who makes a complaint has a right to be heard before the complaint is resolved or any outcome is determined.

a) If the Club makes a complaint, —

- i. the Club has a right to be heard before the complaint is resolved or any outcome is determined; and
 - ii. an Officer or Member of the Board may exercise that right on behalf of the Club.
- b) Without limiting the manner in which the Member, Officer, or Club may be given the right to be heard, they must be taken to have been given the right if—
 - i. they have a reasonable opportunity to be heard in writing or at an oral hearing (if one is held);
 - ii. an oral hearing is held if the decision maker considers that an oral hearing is needed to ensure an adequate hearing; and
 - iii. the Member's, Officer's, or Club's written statement or submissions (if any) are considered by the decision maker.

11.3 Person or Club who is subject of the complaint has the right to be heard:

- a) This Rule applies if a complaint involves an allegation that a Member, an Officer, or the Club (the respondent)—
 - i. has engaged in misconduct; or
 - ii. has breached, or is likely to breach, a duty under the Club or New Zealand Sport Fishing Council's Constitution or Regulations or the Act; or
 - iii. has damaged the rights or interests of a Person or Member or Club or the rights or interests of members generally.
- b) The respondent has a right to be heard before the complaint is resolved or any outcome is determined.
- c) If the respondent is the Club, an Officer or Member of the Board may exercise the right on behalf of the Club.
- d) 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—

- i. 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
- ii. the respondent has a reasonable opportunity to be heard in writing or at an oral hearing (if one is held); and
- iii. an oral hearing is held if the decision maker considers that an oral hearing is needed to ensure an adequate hearing; and
- iv. an oral hearing (if any) is held before the decision maker; and
- v. the respondent's written statement or submissions (if any) are considered by the decision maker.

11.4 Investigating & Determining Dispute

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

11.5 Board may decide not to proceed further with complaint:

Despite Rule 11.4, the Board may decide not to proceed further with a complaint if—

- a) the complaint is trivial; or
- b) the complaint does not appear to disclose or involve any allegation of the following kind:
 - i. that a Member or an Officer has engaged in material misconduct:
 - ii. that a Member, an Officer, or the Council has materially breached, or is likely to materially breach, a duty under the Council's Constitution or Regulation or the Act:
 - iii. that a Member's rights or interests or members' rights or interests generally have been materially damaged.
- c) the complaint appears to be without foundation or there is no apparent evidence to support it; or

- d) the person who makes the complaint has an insignificant interest in the matter; or
- e) the conduct, incident, event, or issue giving rise to the complaint has already been investigated and dealt with under the Constitution; or
- f) there has been an undue delay in making the complaint.

11.6 Board may refer complaint:

- a) The Board may refer a complaint to—
 - i. The disputes standing committee, a sub-committee or an external person to investigate and report to the Board.
- b) The Club may, with the consent of all parties to a complaint, refer the complaint to any type of consensual dispute resolution (for example, mediation).

11.7 Decision Makers

It is the board's responsibility to either;

- a) make the final decision on the complaint or
- b) if appointed, involve an independent arbitrator.

12.0 Relationship with the International Game Fish Association (IGFA)

- 12.1 IGFA is a worldwide association of sports fishers who choose to fish under the strict guidelines in the rules and ethics of IGFA Rules.
- 12.2 Membership of IGFA can take many forms, including National Bodies such as the Council, or corporate, clubs, or individuals.
- 12.3 The Council requires all Clubs to be a Member of IGFA and encourages all anglers to become Members.
- 12.4 The Council is and will remain a member in good standing with the IGFA, as will the Clubs that are Members of the Council.
- 12.5 The Council's fishing tournaments shall be conducted under the current IGFA and NZSFC fishing rules and regulations.

- 12.6 All of the Council's trophies, prizes, awards, and national record claims must conform to the current IGFA and New Zealand Sport Fishing Council's rules and regulations.
- 12.7 All fishing tournaments of Clubs shall conform to the current IGFA and NZSFC fishing rules and regulations to be eligible for any of the Council's trophies, prizes, awards, and national record claims.
- 12.8 Clubs may conduct fishing tournaments without complying with IGFA and NZSFC fishing rules and regulations, but fish caught in such tournaments will not qualify for any current Council trophies, prizes, awards, or national record claims.
- 12.9 Where the Council considers it to be fundamental to New Zealand recreational fishing, the Council may create a fishing rule or rules that are in addition to the IGFA rules and regulations.

13.0 Governance

- 13.1 The Board shall govern the Council in accordance with the Act, the Council's Constitution, and any regulations or policies adopted by the Council.

13.2 Board Composition

13.2.1 The Board shall consist of:

- i) Up to eight (8) elected Members, being a Zone Delegate from each of the Geographic Regions and Zones to the Board from the Clubs.
- ii) The President and two (2) Vice Presidents. One vote each.
- iii) One (1) collective IGFA Representative vote and one (1) collective Life Member vote.
- iv) The Immediate Past President shall be entitled to one (1) collective vote for the first year as Immediate Past President. This only applies for the first year as Past President.
- v) Up to four (4) co-opted Board Members appointed by the Board for a specific purpose or expertise. This is one vote each.
- vi) Co-opted Board Members shall not exceed four (4) in number and shall be appointed at the discretion of the Board.
- vii) A co-opted Board Member does not have to be a Member of a Club.

- viii) The Chief Executive Officer/Secretary/Executive Officer, and Treasurer shall attend Board meetings as non-voting members.
- ix) When the President or Vice Presidents are also a Zone Delegate, they will only be entitled to one vote at any meeting of the Board.
- x) In the case of equal votes, the President does not have a casting vote and the status quo remains.

13.3 Election of the Board

13.3.1 Each year at the AGM, the Clubs shall elect

13.3.1.1 A President.

13.3.1.2 Two (2) Vice Presidents.

13.3.2 Nominations for the President and two Vice Presidents shall be in writing, signed by the person nominated and a responsible officer of the proposing Club, and given to the Secretary/Executive Officer at least sixty (60) days before the commencement of the AGM, otherwise nominations will come from the floor at the AGM.

13.3.3 If more than one nomination is received for the President's position or more than two (2) for the Vice Presidents' positions, the election shall be determined by ballot at the AGM.

13.4 Nominations for the positions of Zone Delegates shall be made in writing by Member Clubs of each Zone Region, and the person nominated under this section ('the nominee') shall be a member of a Club in that region, and the nominee's written consent to stand for office shall be obtained along with a profile for publishing purposes.

- (a) Nominees shall be a Club Delegate of a Club within that Zone.
- (b) Nomination papers shall be signed by the Proposer who shall be an Club Delegate in that Geographic Region and Zone and the Nominee.
- (c) Nominee to provide a brief profile
- (d) The Member Clubs within each Zone shall determine who of the Nominees shall represent the Zone as its Zone Delegate on the Board and send the result to the Council Secretary within 14 days prior to the AGM.

- (e) Club Delegates within each Zone must also appoint a substitute for that Zone Delegate.

13.5 Members of the Board shall be announced at the AGM.

13.6 The Board shall send to each Zone nomination papers at least thirty days (30) days prior to the Annual General Meeting. These nomination papers must be received at the Council's office on or before the nominated closure date, being not less than fourteen days (14) before the Annual General Meeting.

13.7 Communication between the Council, Club Delegate, Zone Delegate and all Clubs on who the Clubs expect to be on the incoming Council Board may be by postal service or email.

13.8 Board Members shall assume office at the completion of the AGM.

14.0 Board Meetings

14.1. The Board shall meet at least quarterly, at a date and time determined by the President/Secretary.

14.2 The minutes of all Board meetings shall be sent to all Clubs, Delegates, IGFA, and Life Members.

14.3 A quorum for Board meetings shall be two-thirds (2/3) of its Members, including the President and Vice Presidents.

14.4 Board meetings shall only be attended by persons provided for in clause 13.2.1 and invited guests.

14.5 Filling of Vacancies

14.5.1 If the office of President becomes vacant for any reason, the Board shall appoint one of the Vice Presidents to act as President until the next AGM election.

14.5.2 If any Board Member dies, resigns, or is otherwise unable or unwilling to attend to their responsibilities as a Board Member, the Board may declare that Board Member's position vacant.

14.5.3 Any casual vacancy for a Zone Delegate may be filled by the Geographic Region and Zone which the Board Member represents, by appointing a Member of their Region/Zone Executive to the Board.

- 14.5.4 Any person appointed to fill a casual vacancy shall hold office on the Board for the balance of the term of the Board Member being replaced. If a Zone delegate's position is unable to be filled, the Board can leave this position open until the next AGM or co-opt a person to that position, after approval from the vacant position's Zone delegates.

14.6 Patron

- 14.6.1 The Patron shall be elected by a majority of the votes validly cast at the AGM.
- 14.6.2 The Patron shall hold office for a term from the date of their election up to the next AGM.
- 14.6.3 The Patron shall have no voting rights in the Council.

14.7 Standing and Subcommittees

- 14.7.1 The Board may from time to time appoint a person, subcommittee, or standing committee to carry out a specific task, the scope of activity and the time frame of which shall be defined at the time of establishing the position.
- 14.7.2 Any appointee or subcommittee shall retire from that position after the next Annual General Meeting but may be reappointed by the incoming Board for the following year or part of it.
- 14.7.3 The Standing Committees to be appointed annually at the November Board meeting shall include but not be limited to:
- 14.7.3.1 Finance Standing Committee, comprising a minimum of three people, plus the Treasurer, who shall advise on behalf of the Council.
- 14.7.3.2 Fisheries Management Marine Protection Committee (FMMP).
- 14.7.3.3 LegaSea Governance Advisory Standing Committee (LGAS).
- 14.7.3.4 Communications Standing Committee. (CSC)
- 14.7.3.5 Fishing Standing Committee. (FSC)
- 14.7.3.6 Governance Advisory Standing Committee (GASC)

14.7.3.7 Disputes Standing Committee (DSC)

14.7.4 The Board shall appoint a Chairperson or co-chairpersons of each Standing/Subcommittee.

14.8 Secretary/Executive Officer and Treasurer

14.8.1 The Board may appoint the Secretary/Executive Officer and, if necessary, the Treasurer. Such appointments to be ratified by the next Board Meeting.

14.8.2 These offices may be held by one person.

14.8.4 The Board shall set the duties of the Secretary/Executive Officer and Treasurer within their contract terms.

14.8.4 The Executive Officer shall be responsible for all operational affairs of the Council and shall report to the Board.

14.8.5 The Executive Officer/Secretary shall attend Council's standing committees as prescribed by the Board as a non-voting participant.

15.0 Meetings

15.1 Annual General Meetings (AGM)

15.1.1 The AGM shall be held once in every calendar year (not being more than fifteen (15) months after the holding of the last preceding AGM) at such a place as the Board may determine, provided that such AGM shall be held no later than the 30th day of September in each year.

15.1.2 Application for hosting an AGM must be made formally in writing to the Board. When these are received, the Clubs concerned shall receive a copy of the AGM procedures and recommendations.

15.1.3 The Secretary shall send a notice of the next AGM to each Club at least sixty (60) days prior to the AGM.

15.1.4 The business of the AGM shall include:

- a) Confirming invited guests.
- b) Accepting apologies.
- c) Receiving the President's Report for the previous year.
- d) Receiving the audited accounts and report.
- e) Appointment of Patron.
- f) Appointment of the Auditor.
- g) Appoint of the Records Officer

- h) Electing the President and Vice Presidents.
- i) Ratification of appointed Board Members (if any).
- J) Ratification of the appointment of the Secretary/Executive Officer when required.
- k) Ratification of the appointment of the Treasurer when required.
- l) Determination and setting of levies.
- m) Ratification of changes to the Council's documents.
- n) Consideration of Notices of Motion.
- o) General business.

15.2 Special General Meetings (SGM)

15.2.1 A SGM may be convened at any time by the Board or by written request of at least thirty percent (30%) of incorporated Clubs. The Board must send a notice of the SGM at least sixty (60) days prior to the Special General Meeting.

15.2.2 At any General Meeting, no business other than that stated on the order paper or properly falling under general business related to the business on the order paper shall be transacted.

16.0 Notices of Motion

16.1 Notices of Motion from Zones or Clubs can only come from an incorporated Club. Such notices shall be given in writing, dated, and signed by the mover and seconder, both of whom shall be financial Members of an incorporated Club of the Council.

16.2 The text of the motion shall be accompanied by a detailed explanation of the reasons for the motion. Notices of Motion can also come from the Board, provided the majority agree.

16.3 Notices of Motion must be received by the Secretary at least sixty (60) days prior to the meeting. The Secretary shall, by electronic means, send to each Club a notice of the meeting, a copy of the order paper, and the full text of any Notice of Motion at least fifty-five (55) days prior to the Meeting.

16.4 Communication of Meeting Notices

16.4.1 It shall be the duty of every Club to communicate their address and any change thereof to the Secretary, who shall record the same in a register kept for that purpose.

16.4.2 All correspondence addressed to a Club and delivered at or posted to or emailed to such an address or email shall be deemed to have been delivered to and received by the Club in the ordinary course of post or email.

16.4.3 If any Club has failed to communicate its address or any change thereof to the Secretary, all letters/emails delivered at or posted or email to such Club's last known address or email shall be deemed to have been delivered to and received by the Club.

16.5 Quorum at General Meetings

16.5.1 A quorum at any General Meeting shall be a minimum of two-thirds (2/3) of the Voting rights, as per section 16.10 and 17.0, entitled to be present. This includes:

16.5.1.1 One (1) collective Life Member vote.

16.5.1.2 One (1) collective IGFA Representative vote.

16.6 Changes to Council's Policies

Any changes to the Council's Policy Document can be made by the Board and ratified at the General Meeting before becoming effective.

16.7 Attendance at General Meetings

16.7.1 Only financially incorporated Club delegates, and their members, may attend a General Meeting. Any other person who wishes to attend must seek the approval of the Board prior to the General Meeting.

16.8 Proxy Voting

16.8.1 Any Club Delegate unable to attend any General Meeting may appoint another Member of their Club or Zone Delegate to be their proxy, provided a proxy form is signed by the Club Delegate and delivered to the Secretary at least twenty-four (24) hours prior to the Meeting.

16.8.2 Voting shall be undertaken either in person or by the representative's valid proxy in accordance with the voting rights set out in clause 17.0.

16.9 Conduct of Meetings

The conduct of Council meetings shall be as laid down in the Standing Orders set down in NZS 2023 Model Standing Orders for meetings of public bodies, unless in conflict with these rules, in which event these rules will prevail.

16.10 Voting at General Meetings

16.10.1 A Club is entitled to exercise their allocated vote on any motion at a General Meeting, either:

16.10.1.1 In person.

16.10.1.2 By a signed original written proxy or email in favour of an individual entitled to be present at the meeting and received by or handed to the Committee before the commencement of the General Meeting.

16.10.2 No other proxy voting shall be permitted.

16.10.3 No General Meeting may be held unless at least 2/3rds of eligible financial Members attend, throughout the meeting, including those who have submitted a proxy, which shall constitute a quorum.

16.10.4 If, within half an hour after the time appointed for a meeting, a quorum is not present, the meeting – if convened upon request of Members – shall be dissolved. In any other case, it shall stand adjourned to a day, time, and place determined by the Chairperson of the Council. If, at such adjourned meeting, a quorum is not present, those Members present in person or by proxy shall be deemed to constitute a sufficient quorum.

16.10.5 A Club is entitled to exercise their allocated vote on any motion at a General Meeting in person or by proxy.

16.10.6 Voting at a General Meeting shall be by voices or by show of hands or, on demand of the Chairperson or of two (2) or more Clubs present, by secret ballot.

16.10.7 Unless otherwise required by this Constitution, all questions shall be decided by a simple majority of those in attendance in person or by proxy and voting at a General Meeting.

16.10.8 Any decisions made when a quorum is not present are not valid.

16.10.9 Written resolutions may not be passed in lieu of a General Meeting.

16.10.10 General Meetings may be held at one or more venues by Clubs present in person and/or using any real-time audio, audio and visual, or electronic communication that gives each Member a reasonable opportunity to participate.

17.0 Voting Rights at AGM/SGM Meetings

17.1 The number of votes each incorporated Club shall be entitled to at any General Meeting shall be dependent on the number of Members belonging to the Club and shall be as follows:

Clubs with 15 – 200 Members shall have 1 vote.

Clubs with 201 – 600 Members shall have 2 votes.

Clubs with 601 – 1,100 Members shall have 3 votes.

Clubs with 1,101 – 2,000 Members shall have 4 votes.

Clubs with 2,001 – 3,100 Members shall have 5 votes.

Clubs with 3,101+ Members shall have 6 votes.

17.2 Each Club's membership numbers shall be based on its total of all categories of membership in its immediately preceding financial year, which it has declared and for which it has duly paid fees to the Council.

17.3 In the event of a hung vote then and only then may the Chairperson of the AGM or SGM Meeting shall be entitled to a casting vote but not a deliberative vote.

17.4 Honorary Life Members shall collectively be entitled to one vote.

17.5 The Council-approved IGFA representatives shall collectively be entitled to one vote when present at any General Meeting.

18.0 Expressions of Council Opinion

18.1 No Member of the Council shall state an opinion to be that of the Council unless that Member has been delegated by the Board to do so and receives prior written approval from the President and/or Secretary/Executive Officer.

- 18.2 The Council name and logo shall not be used without the prior approval of the Board.

19.0 Auditor

- 19.1 The Council shall appoint an Auditor at the Annual General Meeting, and their duties shall include auditing and certifying the financial management and accounts of the Council.
- 19.2 The Auditor must be a suitably qualified person and preferably be a Member of the New Zealand Institute of Chartered Accountants. The Auditor must not be a Member of the Board or an employee of the Council.
- 19.3 If the Council appoints an Auditor who is unable to act for any reason, the Board shall appoint an Auditor in the interim, to be approved at the next General Meeting.
- 19.4 The Board is responsible for providing the Auditor with:
- 19.4.1 Access to all information of which the Board is aware that is relevant to the preparation of financial statements, such as records, documentation, and other matters.
 - 19.4.2 Additional information that the Auditor may request from the Board for the purpose of the audit.
 - 19.4.3 Reasonable access to any persons within the Council from whom the Auditor determines it necessary to obtain evidence.

20.0 Financial Management

- 20.1 The financial year for the Council shall commence on 1 July and end on 30 June each year.

21.2 Use of Council Funds

- 21.2.1 The income and property of the Council, wherever derived, shall be applied solely towards the promotion of the objects of the Council as set forth in this Constitution.
- 21.2.2 No portion shall be paid or transferred directly or indirectly by way of dividend, bonus, profit, or otherwise to the Members of the Council.

21.2.3 Nothing in this Constitution shall prevent the payment of remuneration to any employees of or contractors to the Council or any other person in return for any legitimate services actually rendered to the Council.

21.3 Banking and Financial Controls

21.3.1 The funds of the Council which are not invested under clause 21.5 must be held in a trading bank registered with the Reserve Bank and appointed by the Board.

21.3.2 All money received on behalf of the Council shall be banked within five (5) Working Days of receipt.

21.3.3 Two signatures are required on all payments and withdrawals.

21.4 Borrowing and Lending

21.4.1 The Council may only borrow money with the approval of the Members at an AGM or SGM.

21.4.2 The Council shall not lend its money to a Club or guarantee a Club's borrowing where commercial services normally provide this.

21.5 Investment of Funds

21.5.1 The Board shall be responsible for investing and reinvesting, in such securities and upon such terms as it thinks fit, the whole or any part of its funds as shall not be required for the immediate business of the Council.

21.6 Common Seal

21.6.1 The Board shall provide a common seal for the Council and may from time to time replace it with a new one.

21.6.2 The Secretary/Executive Officer shall have custody of the common seal.

21.6.3 The common seal shall only be affixed to any document by the authority of the Board.

21.6.4 Every document to which the common seal is affixed shall be signed by the President in the presence of at least one other Board Member.

22.0 Register of Members and Delegates

22.1 The Secretary shall keep and maintain a register of Clubs containing:

22.1.1 The address of each Club.

22.1.2 The date upon which each Club became a Member.

22.1.3 The name and address of at least one executive officer of each such Club.

22.2 The Council shall keep a register of all Executive/Club Delegates appointed by each Club under section 8.0 and all substitutes appointed under section 8.3.

23.0 Indemnity

23.1 The Council shall indemnify from its assets the Board, any staff of the Council, the Auditor, and every other Member of the Council acting on behalf of the Council on the authority of the Board, against any liability arising out of the execution of their duties in relation to the Council, provided that these duties have been executed reasonably, honestly, and in good faith as per section 96 of the Incorporated Societies Act 2022.

Section 24.0 – Affiliation And Other Fees

24.1 (a) The Council may by a majority of the votes validly cast at an AGM; Set affiliation and other fees for all categories of membership and other funds to be applied by the Council in the pursuance of its objects.

(b) Determine the quantum and date for payment of any affiliation or other fee to be paid by a Member to the Council.

(c) All affiliation fees or other levies increase or decrease proposals must be by a notice of motion to be voted on at the AGM.

24.2 Affiliation fees will be set at the AGM each year. Members' fees are to be paid by December 31 each year for the Member Club to remain financial unless suitable arrangements for late payment have been made and agreed in writing by the Board.

24.3 Members must be financial to be eligible to fish the National Tournament. Unincorporated Clubs must show they are a club identity within themselves and are not part of another Club.

- 24.4 Affiliation fees are to be paid on all types of membership and on each and every member of a Club. For family memberships – fees are to be paid based on the number of persons within the family membership.
- 24.5 Member Clubs are required to base their numbers on their previous year's membership and pay the affiliation fee on this number.
- 24.6 All Clubs must pay a minimum affiliation fee for at least 20 members if the Club has less than 20 members.

Section 25.0 – Geographic Regions

- 25.1 The Council Clubs are divided into Eight (8) Geographic Regions and Zones based on the like interests and concerns of Clubs within those regions.
- 25.2 The Board will review the boundaries of the Geographic Regions and Zones at least annually at the end of each season and prior to the next following AGM and report to the AGM and if they recommend change the AGM vote will determine the matter.
- 25.3 All Clubs within each Geographic Region and Zone shall appoint a person or if unable to attend a substitute person from each incorporated Clubs to represent each Club's interests on the Executive of the Geographic Region and Zone they represent, as per section 9.1.

26.0 Amendments to the Constitution

- 26.1 The Council may alter or replace this Constitution at an AGM or SGM by a resolution passed by a two-thirds majority of Members present and voting.
- 26.2 Any proposed motion to amend or replace the Constitution shall be signed by the proposer and seconder from the eligible members of the zone, including a written explanation of the reasons for the proposal, and given in writing to the Secretary at least 60 Working Days before the AGM or SGM at which the motion is to be considered.
- 26.3 At least 55 days before the General Meeting at which the Constitution change is to be considered, the Secretary shall give all Members written notice of the proposed motion, the reason for the proposal, and any recommendations the Board has.
- 26.4 When a change to the Constitution is approved by a General Meeting, it shall not take effect until the changes have been filed by the Secretary and accepted and confirmed by the Registrar of Incorporated Societies.

27.0 Dissolution of the Council

- 27.1 The Council may be wound up, liquidated or removed from the Register of Incorporated Societies in accordance with the provisions of the Incorporated Societies Act 2022.

The board shall give notice to all members of the proposed motion to windup the Council, appoint a Liquidator or remove it from the Register of incorporated Societies and of the Special General Meeting at which any such proposal is to be considered, the reason for the proposal, and of any recommendations from the Board in respect of such notice of motion. This notice must comply with Section 228 of the Incorporated Societies Act 2022.

The council shall be wound up if the Members, at an AGM or SGM, pass by a two-thirds majority a resolution requiring the Council to be wound up.

- 27.2 If the Council is wound up, its surplus assets, after the payment of costs, debts, and liabilities, shall be given to such other charitable organisations or organisations within New Zealand of a similar nature to the Council.
- 27.3 If no such decision is made, the Council's surplus assets shall be disposed of in accordance with the directions of the High Court of New Zealand.

28.0 Interpretation and Contingencies Not Provided For

- 28.1 The decision of the Board on the interpretation of this Constitution or upon any matter pertaining to the Council, its property, or interests shall be conclusive and binding unless and until pending for consideration at an SGM or the next AGM.
- 28.2 If any dispute arises over the interpretation of this Constitution, the decision of the Board shall be final, provided such decision is not inconsistent with the Act or other applicable laws.

29.0 Tax Exemption Status

- 29.1 No addition to or alteration of the Objects (section 4.0), Personal Benefit clause (section 17.2), or Dissolution clause (section 21.0) shall be made if it affects the tax-exempt status of the Council under New Zealand law.
- 29.2 The provisions and effect of this clause shall not be removed from this document and shall be included and implied into any document replacing this Constitution.

30.0 No Personal benefit

30.1 Except as stated in clause 21.2.3, every Club is prohibited from deriving any benefit, advantage, or income from the Council.

30.2 Any Board Member may be reimbursed for any out-of-pocket expenses incurred in connection with the Council, including reasonable travel and accommodation expenses, as the Board shall from time to time determine.

30.3 No Board Member shall participate in or materially influence any decision made by the Council in respect of any payment to or on behalf of that Board Member or any person associated with them, of any income or remuneration of any type whatsoever.

30.4 Any such income paid to a Board Member, or any person associated with them shall be reasonable and comparable to that which would have been paid in any arms-length transaction.

31.0 LegaSea

31.1 The Council has incorporated LegaSea Limited, a Limited Liability Company, to deliver outreach and fundraising roles.

31.2 LegaSea Limited communicates and campaigns with the aim of elevating public awareness of both the issues and the need for as many people as possible to contribute to resourcing the advocacy, research, and education initiatives promoted by the Council.

31.3 The Council shall retain 100% ownership of LegaSea Limited.

31.4 LegaSea Limited shall have at least two (2) Directors, both of whom shall be current Members of the Board.

31.5 These Directors shall be appointed by the Board, and no Directors' fees shall be payable.

31.6 The affairs of LegaSea Limited shall be administered and overseen by the LegaSea Governance Advisory Standing Committee (LGAS).

31.7 The LGAS shall be comprised of:

31.7.1 The two Directors of LegaSea Limited.

31.7.2 At least three (3) additional Board Members appointed by the Board.

31.8 The LGAS shall meet on a quarterly basis and report to the Board.

31.9 The LGAS shall comply with the terms of its Charter and report accordingly to the AGM of LegaSea, which will be held on the same date and at the same venue as the New Zealand Sport Fishing Council AGM.

31.10 LegaSea contributions shall be received by the Council the month following receipt by LegaSea Limited.

31.11 These funds shall be used for investment by the Council in Advocacy, Research, Education, and Alignment (A.R.E.A.) workstreams.

31.12 The Board is responsible for investing these contributions as it sees fit in these workstreams and maintaining proper financial records.

32.0 Anti-Doping

32.1 The Council adopts the Sports Anti-Doping Rules (SADR) made by Drug Free Sport New Zealand (as amended from time to time) as its Anti-Doping Policy and commits to its promotion and compliance.

32.2 Nothing in this section is intended to replace or supersede any applicable rule of the IGFA with respect to anti-doping matters within its jurisdiction, provided that the applicable rule of IGFA is consistent in all respects with the World Anti-Doping Code.

33.0 Final Provisions

33.1 This Constitution supersedes any previous versions of the New Zealand Sport Fishing Council Incorporated Constitution and Bylaws.

33.2 This Constitution shall take effect upon its registration with the Registrar of Incorporated Societies.