



# Auckland Seido Karate Club Incorporated **Constitution**

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## THE SOCIETY

### 1. Name

1.1 The name of the society is Auckland Seido Karate Club Incorporated ("the Society").

### 2. Registered Office

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

2.2 Changes to the registered office shall be notified to the Registrar of Incorporated Societies at least 5 working days before the change of address for the registered office is due to take effect, and in a form and as required by the Act.

### 3. Purposes of Society

3.1 The purposes of the Society are:

- a. To operate a franchise of the World Seido Karate organisation.
- b. To operate as a non profit organisation to support, co-ordinate and promote the skills of Seido Karate in an atmosphere of safety and respect.
- c. The cultivation of character allowing members to function with wholeness and balance in society, pursuing the moral code of budo. "BU" meaning to stop violence and set things back to harmony. "DO" meaning the way of life.
- d. To do anything necessary or helpful to the above purposes.

3.2 Financial gain is not a purpose of the Society. The Society must not operate with the purpose of, or the effect of:

- a. Distributing any gain, profit, surplus, dividend, or other similar financial benefit to any of its Members (whether in money or in kind); or
- b. Having capital that is divided into shares or stock held by its Members; or
- c. 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 society or otherwise).

3.3 The following actions are not a breach of cl 3.2:

- a. Engaging in trade;
- b. Reimbursing a member for expenses incurred on behalf of the Society or while pursuing the Society's purposes;
- c. Paying a Member a salary, wage, or other payments for services, or entering into any other transaction with a Member, so long as it is an arm's length transaction as defined in s 24(3) of the Incorporated Societies Act 2022;



- d. Providing a Member incidental benefits such as a trophy, prize, or discounts on products or services, if that is in accordance with the purposes of the Society;
- e. Providing benefits to members of the public in which Members can also benefit;
- f. Providing educational scholarships or grants to Members or their families;
- g. If the Member is a not for profit entity:
  - i. Paying a member for matters that are incidental to the Society;
  - ii. Distributing funds to a Member to further the purposes of the Society; or
  - iii. Distributing surplus assets to a Member upon removal of the Society from the Register of Incorporated Societies.



## **SOCIETY MEMBERSHIP**

### **4. Types of Members**

- 4.1 Membership may comprise different classes of membership as decided by the Society.
- 4.2 Members have the rights and responsibilities set out in this Constitution.
- 4.3 The Society will have at least the minimum number of members required by the Incorporated Societies Act 2022.

### **5. Admission of Members**

- 5.1 To become a Member, a person (“the Applicant”) must:
  - a) Consent to becoming a member in writing or via the Society’s online application form;
  - b) Complete an application form, if the Constitution, Bylaws or Committee requires this; and
  - c) Supply any other information the Committee requires.
- 5.2 The Committee may interview the Applicant when it considers Membership applications.
- 5.3 The Committee shall have complete discretion when it decides whether or not to allow the Applicant to become a Member. In the event that the Committee decides not to allow an Applicant to become a Member, the Committee shall advise the Applicant of its decision, and that decision shall be final.

### **6. The Register of Members**

- 6.1 The Secretary shall keep a register of Members (“the Register”), which shall contain the names, contact details, and any other details the Committee decides relevant, of all Members, including the dates on which they became Members.
- 6.2 If a Member’s contact details change, that Member shall update the Committee accordingly.
- 6.3 The Register of Members will include information for past Members for the last seven years.

### **7. Cessation of Membership**

- 7.1 Any Member may resign by giving written notice to the Secretary.
- 7.2 Membership may be terminated in the following way:
  - a. If, for any reason whatsoever, the Committee is of the view that a Member is breaching the Constitution or acting in a manner inconsistent with the purposes



of the Society, the Committee may give written notice of this to the Member (“the Committee’s Notice”). The Committee’s Notice must:

- i. Explain how the Member is breaching the Constitution or acting in a manner inconsistent with the purposes of the Society.
  - ii. State what the Member must do in order to remedy the situation; or state that the Member must write to the Committee giving reasons why the Committee should not terminate the Member’s Membership.
  - iii. State that if, within 14 days of the Member receiving the Committee’s Notice, the Committee is not satisfied with the Member’s response, the Committee may in its absolute discretion by majority vote terminate the Member’s Membership by giving the Member written notice (“Termination Notice”), which takes immediate effect.
  - iv. State that if the Committee terminates the Member’s Membership, the Member may appeal to the Society. An appeal is brought by the Member giving written notice of their intention to appeal (“Member’s Notice”) to the Secretary within 14 days of the Member’s receipt of the Termination Notice.
  - v. The Termination Notice is deemed to be received:
    - If sent by email; the next working day after the email was sent.
    - If physically delivered to the Member in person; the day it was delivered.
    - If delivered by mail; 5 working days after it was sent.
- b. If the Member gives the Member’s Notice to the Secretary, the Member will have the right to be fairly heard at a Society Meeting held within the following 28 days.
- i. If the Member chooses, the Member may provide the Secretary with a written explanation of the events as the Member sees them (“the Member’s Explanation”).
  - ii. The Member may require the Secretary to give the Member’s Explanation to every other Member within 7 days of the Secretary receiving the Member’s Explanation.
  - iii. If the Member is not satisfied that the other Society Members have had sufficient time to consider the Member’s Explanation, the Member may defer his or her right to be heard until the following Society Meeting.
- c. When the Member is heard at a Society Meeting, the Society may question the Member and the Committee Members.
- d. The Society shall then by majority vote decide whether to let the termination stand, or whether to reinstate the Member. The Society’s decision will be final.
- 7.3 Notwithstanding anything in this clause 7, a Member may be terminated immediately, by majority decision of the Committee, if the Member has acted in an illegal or unsafe manner, or threatened to do so. In the event of such termination the Member shall have no right to appeal the termination.
- 7.4 A Member who has ceased to be a Member in accordance with this Constitution:



- a. Remains liable to pay all subscriptions and other fees outstanding to the Society.
- b. Shall not hold themselves out as a Member.
- c. Shall return to the Society all material provided to members by the Society.
- d. Shall cease to be entitled to any of the rights of a Society Member.

## **8. Obligations and rights of Members**

- 8.1 All Members shall promote the purposes of the Society and shall do nothing to bring the Society into disrepute.
- 8.2 Members have the voting rights given in this Constitution.
- 8.3 Members have the right to make a written request for information held by the Society.
  - a) This request must be made in writing to the Committee.
  - b) It must specify the information sought in sufficient detail to enable the information to be identified.
  - c) The Society must respond to the request in a reasonable time frame.
  - d) Reasonable fees may be charged for provision of the information.
  - e) The Society may decline the request if it is reasonable to do so but must provide reasons.



## **MANAGEMENT OF THE SOCIETY**

### **9. Managing Committee**

- 9.1 The Society shall have a managing committee (“the Committee”), comprising the following persons:
- a. The Chair/President;
  - b. The Secretary;
  - c. The Treasurer; and
  - d. Such other Members as the Society shall decide.
- 9.2 Only Members of the Society may be Committee Members.
- 9.3 There shall be a minimum of three Committee Members, in addition to the Officers — being the Chair/President, Secretary and Treasurer.

### **10. Appointment of Committee Members**

- 10.1 Members shall decide, by majority vote, who shall be the Committee Members.
- 10.2 Committee Members must consent in writing to being a Committee Member and certify that they are not disqualified from being elected or appointed or otherwise holding office as an officer of the Society.
- 10.3 The Committee shall decide upon a Chair/President, Secretary and Treasurer and any other roles they see fit, from time to time, in order to attend to the Committee’s obligations.

### **11. Cessation of Committee Membership**

- 11.1 Persons cease to be Committee Members when:
- a. They resign by giving written notice to the Committee.
  - b. They are removed by majority vote of the Society at a Society Meeting on one of the following grounds:
    - i. They have brought the Society into disrepute;
    - ii. They have failed to disclose a conflict of interest; or
    - iii. They have breached this Constitution.
  - c. They become disqualified from being a Committee Member.
  - d. They die.
  - e. Their term of appointment expires (one year).
  - f. They are absent from 3 Committee meetings without leave of absence.



- 11.2 If a person ceases to be a Committee Member, that person shall within one month give to the Committee all Society documents and property.

## **12. Nomination of Committee Members**

- 12.1 Nominations for members of the Committee shall be proposed and seconded by Members of the Society. Retiring members of the Committee shall be eligible for re-election.
- 12.2 If the position of any Officer becomes vacant between Annual General Meetings, the Committee may appoint another Committee Member to fill that vacancy until the next Annual General Meeting.
- 12.3 If the position of any Committee Member becomes vacant between Annual General Meetings, the Committee may appoint another Society Member to fill that vacancy until the next Annual General Meeting.

## **13. Role of the Committee**

- 13.1 Subject to the Constitution of the Society (“The Constitution”), the role of the Committee is to:
- a) Support, administer and manage the Society.
  - b) Carry out the purposes of the Society, and use money or other assets to do that.
  - c) Manage the Society’s financial affairs, including approving the annual financial statements for presentation to the Members at the Annual General Meetings.
  - d) Set accounting policies in line with generally accepted accounting practice.
  - e) Delegate responsibility and co-opt members where necessary.
  - f) Take all reasonable steps to ensure that all Members follow the Constitution.
  - g) Decide the times and dates for Meetings, and set the agenda for Meetings.
  - h) Set Membership fees, including subscriptions and levies.
  - i) Make regulations.
- 13.2 The Committee has all of the powers of the Society, unless the Committee’s power is limited by this Constitution, or by a majority decision of the Society.
- 13.3 All decisions of the Committee shall be by a majority vote. In the event of an equal vote, the Chair/President shall have a casting vote, that is, a second vote.
- 13.4 Decisions of the Committee bind the Society, unless the Committee’s power is limited by this Constitution or by a majority decision of the Society.
- 13.5 The obligations of Committee Members are:



- a. Act in good faith and the best interests of the Society;
- b. Exercise all powers for a proper purpose;
- c. Exercise reasonable care and diligence when carrying out their role;
- d. Disclose all conflicts of interest to the Committee as soon as possible;
- e. Must not act or agree to the Society acting in a manner:
  - i. That contravenes the Incorporated Societies Act 2022, this Constitution, or any other New Zealand law;
  - ii. Would create a substantial risk of serious loss to the Society or the Society's creditors; or
  - iii. Would mean the Society incurs an obligation that the Committee Member has reasonable grounds to believe the Society will not be able to perform.

13.6 A Committee Member who has a conflict of interest in relation to a particular matter being decided by the Committee must disclose the nature and extent of the interest relevant to the conflict, and cannot vote on the matter in which they are conflicted. Their presence is still valid for the purposes of a quorum or minimum attendance requirement and they may participate in any discussions.

13.7 If two or more of the Committee are financially conflicted, the matter must proceed to a Special General Meeting.

#### **14. Roles of Committee Members**

14.1 The Chair/President is responsible for:

- a. Ensuring that the Constitution are followed.
- b. Convening Meetings and establishing whether or not a quorum (half of the Committee) is present.
- c. Chairing Meetings, deciding who may speak and when.
- d. Overseeing the operation of the Society.
- e. Providing a report on the operations of the Society at each Annual General Meeting.

14.2 The Secretary is responsible for:

- a. Recording the minutes of Meetings.
- b. Keeping the Register of Members.
- c. Holding the Society's records, documents, and books except those required for the Treasurer's function.
- d. Receiving and replying to correspondence as required by the Committee.



- e. Forwarding the annual financial statements for the Society to the Registrar of Incorporated Societies upon their approval by the Members at an Annual General Meeting.
- f. Advising the Registrar of Incorporated Societies of any rule changes.

14.3 The Treasurer is responsible for:

- a. Keeping proper accounting records of the Society's financial transactions to allow the Society's financial position to be readily ascertained.
- b. Preparing annual financial statements for presentation at each Annual General Meeting. These statements should be prepared in accordance with the Societies' accounting policies.
- c. Providing a financial report at each Annual General Meeting.
- d. Providing financial information to the Committee as the Committee determines.

14.4 The Chair/President, Secretary, and Treasurer are the contact persons for the Society.

## **15. Committee Meetings**

- 15.1 Committee meetings may be held in person, via video or telephone conference, or other formats as the Committee may decide.
- 15.2 No Committee Meeting may be held unless at least half of the Committee Members are present.
- 15.3 The Chair/President shall chair Committee Meetings, or if the Chair/President is absent, the Committee shall elect a Committee Member to chair that meeting.
- 15.4 Decisions of the Committee shall be by majority vote.
- 15.5 The Chair/President or person acting as Chair/President has a casting vote, that is, a second vote.
- 15.6 Only Committee Members present at a Committee Meeting may vote at that Committee Meeting.
- 15.7 Subject to this Constitution, the Committee may regulate its own practices.
- 15.8 The Chair/President or his/her nominee shall adjourn the meeting if necessary.
- 15.9 Adjourned Meetings:
  - i. If within half an hour after the time appointed for a meeting a quorum is not present the meeting, if convened upon requisition of members, shall be dissolved; in any other case it shall stand adjourned to a day, time and place determined by the Chair/President of the Society.
  - ii. If at such adjourned meeting a quorum is not present the meeting shall be dissolved without further adjournments.



- iii. The Chair/President may with the consent of any Society Meeting adjourn the same from time to time and from place to place but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.



## CONDUCT OF MEETINGS

### 16. Society Meetings

- 16.1 A Society Meeting is either an Annual General Meeting or a Special General Meeting.
- 16.2 The Annual General Meeting shall be held once every year no later than five months after the Society's balance date. The Committee shall determine when and where the Society shall meet within those dates.
- 16.3 Special General Meetings may be called by the Committee. The Committee must call a Special General Meeting if the Secretary receives a written request signed by at least 20 adult Members.
- 16.4 The Secretary shall:
- a. Give all Members at least 14 days Written Notice of the business to be conducted at any Society Meeting.
  - b. Additionally, the Secretary will make available at the meeting, as appropriate:
    - i. A copy of the Chair/President's Report on the Society's operations and of the Annual Financial Statements as approved by the Committee.
    - ii. A list of Nominees for the Committee, and information about those Nominees if it has been provided. (The Secretary must not provide Members with information exceeding one side of an A4 sheet of paper per Nominee).
    - iii. Notice of any motions and the Committee's recommendations about those motions.
    - iv. If the Secretary has sent a notice to all Members in good faith, the Meeting and its business will not be invalidated simply because one or more Members do not receive the notice.
- 16.5 All Members may attend and vote at Society Meetings.
- 16.6 No Society Meeting may be held unless at least 5% of eligible adult Members attend. This will constitute a quorum.
- 16.7 All Society Meetings shall be Chaired by the Chair/President. If the Chair/President is absent, the Committee shall appoint another Committee Member to Chair that meeting. Any person Chairing a Society Meeting has a casting vote.
- 16.8 On any given motion at a Society Meeting, the Chair/President shall in good faith determine whether to vote by:
- a. Voices.
  - b. Show of hands.
  - c. Secret ballot.

However, if any Member requests a secret ballot before a vote by voices or show of hands has begun, voting must be by secret ballot. If a secret ballot is held, the Chair/President will have a casting, that is, second vote.



- 16.9 The business of an Annual General Meeting shall be:
- a. Receiving any minutes of the previous Society's Meeting(s).
  - b. The Chair/President's report on the business of the Society.
  - c. The Treasurer's report on the finances of the Society, and the Annual Financial Statements.
  - d. Election of Committee Members.
  - e. Motions to be considered;
  - f. General business.
- 16.10 The Chair/President or his/her nominee shall adjourn the meeting if necessary.
- 16.11 Adjourned Meetings:
- a) If within half an hour after the time appointed for a meeting a quorum is not present the meeting, if convened upon requisition of members, shall be dissolved.
  - b) In any other case it shall stand adjourned to a day, time and place determined by the Chair/President of the Society.
  - c) If at such adjourned meeting a quorum is not present the meeting shall be dissolved without further adjournments.
  - d) The Chair/President may with the consent of any Society Meeting adjourn the same from time to time and from place to place but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.
- 16.12 The Secretary is responsible for recording minutes at every Society Meeting.

## **17. Motions at Society Meetings**

- 17.1 Any Member may request that a motion be voted on ("Member's Motion") at a particular Society Meeting, by giving written notice to the Secretary at least 7 days before that meeting. The Member may also provide information in support of the motion ("Member's Information"). The Committee may in its absolute discretion decide whether or not the Society will vote on the motion. However, if the Member's Motion is signed by at least 10 % of eligible Members:
- a. It must be voted on at the Society Meeting chosen by the Member.
  - b. The Secretary must give the Member's Information to all Members at least 14 days before the Society Meeting chosen by the Member.
  - c. If the Secretary fails to do this, the Member has the right to raise the motion at the following Society Meeting.



- 17.2 The Committee may also decide to put forward motions for the Society to vote on (“Committee Motions”) which shall be suitably notified.



## **ALTERING THE CONSTITUTION**

### **18. Altering the Constitution**

- 18.1 The Society may alter or replace this Constitution at a Society Meeting by a resolution passed by a two-thirds majority of those Members present and voting.
- 18.2 Any proposed motion to amend or replace this Constitution shall be signed by at least 10% of eligible adult Members and given in writing to the Secretary at least 28 days before the Society Meeting at which the motion is to be considered, and accompanied by a written explanation of the reasons for the proposal.
- 18.3 At least 14 days before the General Meeting at which any Constitution change is to be considered the Secretary shall give to all Members written notice of the proposed motion, the reasons for the proposal, and any recommendations the Committee has.
- 18.4 When a Constitution change is approved by a General Meeting no Constitution change shall take effect until the Secretary has filed the changes with the Registrar of Incorporated Societies.
- 18.5 No addition to or alteration of the aims/objects, personal benefit clause or the winding up clause shall be made which affect the tax exempt status. 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 document.



## **MONEY AND OTHER ASSETS OF THE SOCIETY**

### **19. Use of Money and Other Assets**

- 19.1 The Society may only Use Money and Other Assets if:
- a. It is for a purpose of the Society;
  - b. It is not for the sole personal or individual benefit of any Member; and
  - c. That Use has been approved by either the Committee or by majority vote of the Society.
- 19.2 No part of the funds of the Society may be used or made available to be used for the private financial profit of any member, proprietor, shareholder, beneficiary, or associate of any of them.
- 19.3 No member of the organisation or any person associated with a member shall participate in or materially influence any decision made by the Society, in respect of the payment to or on behalf of that member or associated person of any income, benefit, or advantage whatsoever.
- 19.4 Any such income shall be reasonable and relative to that which would be paid in an arms length transaction (being open market value).

### **20. Joining Fees, Subscription Fees and Levies**

- 20.1 The Committee sets the fees payable by Members. The Committee may, with reasonable notice, make any change to the fees including but not limited to the amount payable, methods by which to pay the fees, and the timing for payment of fees.
- 20.2 If any Member does not pay fees or levies by the due date, the Membership may be terminated. After termination, the Member shall (without being released from the obligation of payment of any sums due to the Society) have no Membership rights and shall not be entitled to participate in any Society activity.

### **21. Additional Powers**

- 21.1 The Society may:
- a. Employ people for the purposes of the Society.
  - b. Exercise any power a trustee might exercise.
  - c. Invest in any investment that a trustee might invest in.
  - d. Borrow money and provide security for such borrowings provided that it is first authorised to undertake such borrowing, or provide such security, by Majority vote at any Society Meeting.



**22. Financial Year**

- 22.1 The financial year of the Society begins on 1 April of every year and ends on 31 March of the next year.



## **BYLAWS**

### **23. Bylaws to govern the Society**

- 23.1 The Committee may from time-to-time make, alter or rescind bylaws for the general management of the society, so long as these are not repugnant to this Constitution or to the provisions of law. All such bylaws shall be binding on members of the Society. A copy of the bylaws for the time being, shall be available for inspection by any member on request to the Secretary.



## WINDING UP

### 24. Winding up

24.1 If the Society is to be wound up:

- a. The Society will give Members 20 working days written notice of the proposed resolution to wind up the Society.
- b. A resolution to wind up the Society must be passed by a simple majority of members present and voting.
- c. The Society's debts, costs and liabilities shall be paid;
- d. Surplus Money and Other Assets of the Society may be disposed of:
  - i. The surplus Money and Other Assets shall be distributed to another Seido Karate club within NZ as determined by the Committee and in accordance with the requirements of the Incorporated Societies Act 2022.
  - ii. By resolution, the Society may approve a different distribution to a different not-for-profit entity from that specified in (i), so long as the Society complies with this Constitution and the Incorporated Societies Act 2022 in all other respects.
- e. No distribution may be made to any Member.



## **DISPUTE RESOLUTION**

### **25. Dispute resolution and complaints procedure**

- 25.1 The Society's dispute resolution and complaints procedure is contained in Schedule 1 to this Constitution.



## DEFINITIONS

### 26. Definitions and Miscellaneous Matters

#### 26.1 In this Constitution:

- a. “Majority vote” means a vote made by more than half of the Members who are present at a Meeting and who are entitled to vote and voting at that Meeting upon a resolution put to that Meeting.
- b. “Money or Other Assets” means any real or personal property or any interest therein, owned or controlled to any extent by the Society.
- c. “Society Meeting” means any Annual General Meeting or any Special General Meeting, but not a Committee Meeting.
- d. “Use Money or Other Assets” means to use, handle, invest, transfer, give, apply, expend, dispose of, or in any other way deal with Money or Other Assets.
- e. “Written Notice” means communication by post, electronic means (including email, and website posting), or advertisement in periodicals, or a combination of these methods.
- f. “Adult” means any paid up member 18 years of age or older
- g. It is assumed that:
  - i. Where the singular is used, plural forms of the noun are also inferred.
  - ii. Headings are a matter of reference and not part of the Constitution.
- h. Matters not covered in this Constitution shall be decided upon by the Committee.



## **SCHEDULE ONE: DISPUTE RESOLUTION PROCEDURE**

Where a complaint is made about the behaviour of any karateka within a Dojo that complaint should be referred to:

1. The Dojo Head; or
2. A complaints officer (as listed on the Dojo website and noticeboard).

A complaint may be referred in person, or via text/phone call (see below for contact phone numbers).

The complaint should then be dealt with in accordance with this procedure.

### **Terms**

- Complainant = person making the complaint.
- Complainee = person about whom the complaint was made.
- Complaints Committee = composed of all of the Complaints Officers (as listed on the Dojo website and notice board).
- Regional Seido Dojo Head = as listed on the Dojo website and noticeboard.
- National Seido Head = as listed on the Dojo website and noticeboard.

### **Procedure**

1. Any member may make a complaint under this procedure against any member or Officer of the club.
  - a. The complaint should preferably be in writing.
  - b. If the complaint is not in writing, the receiving Complaints Officer must record the complaint in writing.
  - c. The complaint should include the following:
    - i. sets out the allegation to which the dispute relates and whom the allegation is against; and
    - ii. sets out any other information reasonably required by the society.
2. The Dojo Head must be informed of any complaint that is made.
3. The Complaints Officer must pass the complaint to another Complaints Officer if two or more members of the Complaints Committee consider that there are reasonable grounds to believe that the person may not be impartial or able to consider the matter without a predetermined view.
4. The Complaints Officer will receive the complaint and assess it for seriousness.
  - a. The Complaints Officer may decide not to proceed further with a complaint in the following circumstances:
    - i. the complaint is trivial; or



- ii. the complaint does not appear to disclose or involve any allegation of the following kind:
    - that a member or an officer has engaged in material misconduct:
    - 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 this Act:
    - that a member’s rights or interests or members’ rights or interests generally have been materially damaged:
  - iii. the complaint appears to be without foundation or there is no apparent evidence to support it; or
  - iv. the person who makes the complaint has an insignificant interest in the matter; or
  - v. the conduct, incident, event, or issue giving rise to the complaint has already been investigated and dealt with under the constitution; or
  - vi. there has been an undue delay in making the complaint.
5. If the Complaints Officer decides to proceed with investigating the complaint, the following procedure will be followed:
- a. The complainee will be notified of the complaint in writing.
  - b. The complainee may be required to stop training. If they teach karate classes they may also be required to stop teaching pending the outcome of the investigation.
  - c. If the complainee is a senior black belt instructor, then the complaint will be immediately referred to one of the Complaints Committee senior black belts for investigation.
  - d. If appropriate, the complaint may be referred to the Regional Seido Dojo Head or the National Seido Head for investigation.
6. The Complaints Officer will then take one or more of the following steps:
- a. If the complaint is able to be resolved by the Complaints Officer directly, then this will be done. This may be by directly resolving the complaint, or facilitating discussion between the complainant and the complainee.
  - b. If the complaint is unable to be resolved by the Complaints Officer directly, the complaint may be escalated to the other members of the Complaints Committee.
  - c. If the Complaints Committee is not able to resolve the complaint, or the complaint is of a kind that is inappropriate for the committee to address, it may be escalated to the Regional Seido Dojo Head or the National Seido Head for investigation.
7. The investigator will use the following investigation procedure:
- a. **Complaint to be dealt with in-house or externally:** Depending on the seriousness of the complaint consideration should be given as to whether the complainant should seek their own legal advice and/or go directly to the police.



- b. **Meeting with complainant:** the investigator will meet with the complainant and any witnesses to the incident/complaint, preferably within 72 hours of the complaint being made. The complainant will be able to have a support person with them.
  - i. If the investigator determines that the complaint is unsubstantiated, the investigation will be terminated at this point. The decision and the reasons underpinning it will be communicated to the complainant in an appropriate manner.
- c. For all interviews thought should be given to note/minute taking and this may involve, with the agreement of everyone present, that the meeting is recorded. If the latter option is taken, then at the start of the recording the date and time should be mentioned and all attendees should individually state their full names.
- d. As appropriate to the investigation and as long as all parties are in agreement at some stage in the process it may help to have everyone in the same room.
- e. **Meeting with complaine:** if the investigator determines that the complaint warrants further investigation, then the investigator will meet with the complaine to ask them to comment on the allegation or complaint and provide an explanation. The complaine will be able to have a support person with them. The investigator must outline the investigation process, including the range of outcomes available in the event that the complaint is upheld.
- f. **Determination:** after meeting with the complainant and/or the complaine to assess the complaint, the investigator will then determine the outcome.
- g. If the complaine's explanation is accepted:
  - i. The appropriate outcome will be determined by the investigator in conjunction with the Complaints Committee.
  - ii. The investigator will communicate the decision and the reasons underpinning it to the complainant and the complaine.
- h. If the complaine's explanation is not accepted, then:
  - i. The investigator may seek further information from the complainant, witness, and/or the complaine; or
  - ii. The investigation may be escalated to other members of the Complaints Committee; or
  - iii. The investigation may be escalated to the Regional Seido Dojo Head; or
  - iv. The investigation may be escalated to the National Seido Head; or
  - v. The investigation may be referred to the SRCMS Sport and Recreation Complaints and Mediation Service. The decision to do this should be ratified by the Dojo Head, or the Regional Seido Dojo Head, or the National Seido Head.
  - i. If the complaint is upheld, the investigator, with input from the Complaints Committee as required, will determine the appropriate outcome which may include the following as listed below.



- j. If the complaint is not upheld, the investigator will communicate the decision and the reasons underpinning it to the complainant and the complainee.

### **Outcomes**

1. The investigator may mediate a discussion or apology between the complainant and the offender.
  - a. Note: this outcome must be taken with the consent of the complainant. If the complainant is not comfortable with this, then this option is not available.
2. Verbal reprimand by the Dojo Head.
3. The offender may be suspended from training. The length of the suspension is at the discretion of the Dojo Head.
  - a. Suspension means that the offender is not permitted to train, visit, or teach at any Seido Juku dojo or training session in New Zealand.
  - b. Suspensions will be notified to the Regional Seido Dojo Head and the National Seido Head within 48 hours of the decision.
4. The offender may be dismissed. Dismissal may only take place with the consent of the National Seido Head.
5. The outcome of all investigations should be notified to:
  - a. The Dojo Head
  - b. Complaints Committee
  - c. The Regional Seido Dojo Head and/or the National Seido Head as appropriate