

CYCLING SOUTHLAND BYLAWS

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BACKGROUND

- A. Under the rules of the Constitution:
 - (i) The Society may from time to time circulate and amend Bylaws in respect of Cycling Southland.
 - (ii) Members are required to comply with any Bylaws made by Cycling Southland from time to time.
- B. These Bylaws are circulated by Cycling Southland in respect of the guidelines of Cycling Southland and are effective from the date of the Cycling Southland's AGM for the year 2020.

1. DEFINITIONS AND INTERPRETATION

"Act" means the Incorporated Societies Act 1908 including any amendments to it;

"AGM" means Annual General Meeting of the Cycling Southland;

"Affiliate" means an association of other cycling disciplines;

"By-Laws" means the rules that may from time to time be established by Cycling Southland to facilitate running or operational activities of Cycling Southland or guide the actions of its employees and members.

"the Executive" means a group of individuals appointed to administer governance and management of Cycling Southland.;

"Constitution" shall mean these rules being the Rules of the Society;

"Cycling NZ" means Cycling New Zealand Incorporated which Cycling Southland Incorporated is a member of;

"Disciplinary Tribunal" means a group to be appointed by the Executive when an allegation of misconduct is unable to be dealt with by an official;

"Illegal Event" means an event that has not been registered with and sanctioned by Cycling Southland;

"Licence" means a licence or other form of registration issued by Cycling New Zealand Road and Track Incorporated also known as Cycling NZ Road and Track;

"Life Members" means long standing members of Cycling Southland who do not have to pay fees, subscriptions or levies.

“Official” means any person who for the purpose of a disciplinary matter is endorsed by the Executive as an official, including;

- The Office Bearers or Executive Members of Cycling Southland
- The Chief Commissaire appointed to an event by Cycling Southland or an affiliated body
- A Manager of a Centre/Cycling Southland team
- The General Manager

An employee or member of Cycling Southland who has been endorsed by the Executive to hold a position of authority or responsibility over the behaviour or actions of other members

Pacer” means a person who paces a keirin or any motor paced event on the track (other than derny events); rides a motorbike or derny for training on the track and for warming up competitors prior to competition.

In these Bylaws:

- (a) the plural includes the singular and vice versa; and
- (b) words of one gender include the other genders.

2. PATRONS

- 2.1 The AGM or Special Meeting may appoint a Patron to the Cycling Southland. A person appointed to this position shall be a prominent citizen of Southland whose appointment is likely to foster cycling in Southland and advance the interest of Cycling Southland.

3. DELEGATES TO OTHER ORGANISATIONS

- 3.1 The President and/or Vice-President together with the General Manager shall be appointed by the Executive as delegates to any meeting of Cycling NZ and such other organisations as required. The Executive may appoint another Executive member to attend if the President or Vice President is unable to attend.
- 3.2 The Executive may appoint a delegate or delegates to represent Cycling Southland when an emergency occurs
- 3.3 The delegate or delegates shall within fourteen (14) days after attending any meeting of Cycling NZ or any other such organisation forward to the Executive a written report of the business transacted.

4.. LIFE MEMBERSHIP

- 4.1 Nominations for life membership of Cycling Southland shall be presented to an Executive meeting with appropriate supporting material.
- 4.2 Awarding of life membership will be conducted at AGM.
- 4.3 Life Members may attend the AGM and express their views and are entitled to vote.
- 4.4 Entry to all Southland Championships and all other events conducted by Cycling Southland shall include VIP admission for Life Members where available.

- 4.5 Life Members shall be invited and provided admission to all Cycling Southland functions and events.
- 4.6 Any other entitlements that the Executive may decide on from time to time.
- 5. GENERAL MEETINGS**
- 5.1 The Executive shall convene General Meetings in accord with Rule 10 of the Constitution. The business to be transacted at General Meetings may include:
- Apologies
 - Registration of Attendees
 - Minutes of previous General Meeting
 - Special resolutions proposed in accord with the powers of the Executive
 - Reports
 - General Business
- 5.2 One of the General Meetings of the Executive conducted each year shall be known as the AGM.
- 5.3 The AGM shall be held no later than the end of July in any year.
- 5.4 The business to be transacted at the AGM shall include those matters set out in Clause 10.9 of the Constitution:
- 5.5 The General Manager shall circulate advice to Members at least twenty-eight (28) days prior to the AGM, calling for:
- Nominations for election to Executive office vacancies;
 - Notice of proposed special resolutions;
 - Notice of items for general business.
- 5.6 The office shall provide Members fourteen (14) days in which to respond to the information sought in 5.5 above after which, formal notice of the AGM and business to be conducted shall be advised within fourteen (14) days in accord with Rule 10.4 of the Cycling Southland Constitution.
- 5.7 The General Manager shall ensure that accurate minutes are recorded for all General Meetings and that these minutes are distributed to the Executive within one week of the respective meeting.
- 6. SUB-COMMITTEES**
- 6.1 The Executive has the power in pursuit of its objectives to set up Sub-Committees as it sees fit.
- 6.2 To be eligible for appointment to a Sub-Committee, a person must be a financial member of Cycling Southland.
- 6.3 All correspondence relating to Sub-Committees shall be circulated through the Cycling Southland office by the respective sub-committee delegate.

- 6.4 The Executive reserves the right to overrule a decision or directive of a Sub-Committee when it determines that the Sub-Committee has operated contrary to objectives of Cycling Southland.

7. SELECTIONS

- 7.1 Selection for all Cycling Southland teams shall be by conducted by 3 Selectors who have been -elected by the Members at the AGM. Each Selector will be appointed for a term of one year. The combined team of Selectors will form a Selection Committee.
- 7.2 Where a member of a Selection Committee is unavailable or there is deemed to be a conflict of interest in considering the merit of a particular rider, that Selector shall stand down from the Selection Committee and an alternate selector as determined by the Executive may be temporarily appointed onto the Selection Committee.
- 7.3 A rider who is under consideration for team selection is ineligible for appointment to a Selection Committee.
- 7.4 The drafting of selection policy and criteria for all teams is the responsibility of the Selectors. Such documentation shall be finally endorsed by the Executive.
- 7.5 It is the responsibility of the Selectors to advise all riders of their selection in Cycling Southland teams or squads.
- 7.6 Public advice of selected Cycling Southland teams or squads can only be released with the approval of the Executive and/or General Manager.
- 7.7 To be eligible for consideration for selection to a Cycling Southland Squad/Team, each rider seeking selection must:
- Be a licensed member of Cycling Southland;
 - Have read, signed, and returned to the General Manager the *Rider Agreement* as shown in Schedule A, by the due date;
 - Agree to participate in and meet all competition, training and participation requirements as determined by Cycling Southland and/or Cycling Southland Team Coach; (this is important as some riders have their own personal coach which can be contradictory to the Cycling Southland team coach)
 - Be available for sample collection and have provided accurate and up-to date whereabouts information on a regular basis as directed by the UCI and/or Drug Free Sport NZ pursuant to the Sports Anti-Doping Act 2006 and any rules, regulations and policies of the UCI, Cycling NZ and the World Anti-Doping Code.
 - Not be in breach of the Sports Anti-Doping Act 2006, and/or the Anti-doping rules or policies of the UCI and/or Cycling NZ (including its Member Organisations) nor have had a sanction imposed which has not been completed. For the purposes of this clause a “breach” shall include:
 - (i) a rider being under investigation for an alleged anti-doping rule violation (“ADRV”) under the provisions of the UCI and/or Cycling NZ - anti-doping rules or policies;
 - (ii) a failure to comply with a rider’s obligations under the UCI or Cycling NZ anti-doping rules or policies, even if such a breach does not result in an ADRV;
 - (iii) a rider being suspended pending determination of an alleged ADRV.

- 7.8 Where more than the number of riders permitted by the Maximum Team Size achieve the specific selection criteria, the Selection Committee - shall make a determination on which riders are to be selected.
- 7.9 Achievement of the Specific Criteria by riders does not guarantee selection to a Team.
- 7.10 Where no riders or less than the number of riders permitted by the Maximum Team Size achieve the Specific Selection Criteria, then the Selection Committee may consider the next best rider(s).
- 7.11 If the Selection Committee considers it is too difficult to select one rider over another rider for selection in a Team, the Selection Committee may in its discretion conduct a “ride-off” between the riders concerned. This will occur in the form of an official trial conducted under race conditions at a nominated date suitable to the riders prior to the announcement of the respective Team.
- 7.12 Once a Team is selected for any Track or Road Event, the appointed squad coaches will determine from amongst the Team, the riders to start in each event on the basis of performances in competition and training leading into the event.
- 7.13 The determination and maximum number of riders to start in each event will be in accordance with the permitted starting numbers/quotas set out by the event organisers.
- 7.14 A rider who has not been selected in a representative team may lodge a request to the Selectors via the General Manager to be considered within 48 hours of the team being released. The Selection Committee will consider the rider’s request and the rider will be notified of the decision.

8. CODE OF CONDUCT

- 8.1 The Executive shall endorse the *Code of Conduct and Integrity* shown in Schedule A which shall be applicable to all Members.
- 8.2 Any breach of the Code of Conduct and Integrity by a Member may be referred for disciplinary action in accordance with Rule 10.

9. ANTI-DOPING POLICY

- 9.1 The Executive endorses New Zealand’s Sports Anti-Doping Rules which reflect the World Anti-Doping Agency’s World Ant-Doping Code and all Members must comply with Rules.
- 9.2 If a potential doping issue relating to a Member is reported formally or informally to the General Manager or a member of the Executive, then the first point of contact will be Drug Free Sport NZ. This places the information in the hand of experts who will assess the information and determine the best course of action.
- 9.3 Members can also report concerns about other riders through Drug Free Sport NZ’s anonymous and confidential reporting process which can be found on their website <https://drugfreesport.org.nz>

10. DISCIPLINARY MATTERS

10.1 GENERAL PRINCIPLES

- (a) Pursuant to the provisions of Rules 5 (g) and 5(h) of the Constitution, the Executive at its sole discretion may deal with any matter of discipline or complaint, misconduct, in accord with the following procedures.
- (b) Allegations of misconduct by a member may be dealt with by;
 - An official of the Cycling Southland as defined in the Bylaws; or.
 - A Disciplinary Tribunal appointed by the Executive
- (c) In determining allegations of misconduct an official or Disciplinary Tribunal will provide all parties affected by the allegations a right to a fair hearing and will respect the following principles:
 - a timely hearing which is fair and impartial;
 - the right to seek advice from counsel at their own expense;
 - the right to be informed of the allegations;
 - the right to respond to the allegations and resulting consequences;
 - the right of each party to present evidence, including the right to call and question witnesses;
 - a timely and reasoned decision
 - the right to an Appeal (Refer Bylaw 12.0)
- (d) During a hearing of a disciplinary matter, in the case of minors it is mandatory that they are accompanied by an adult who can assist in representing their interests.
- (e) The Disciplinary Tribunal or an official shall have the power to impose all or any of the following penalties on any member:
 - A reprimand or warning
 - Suspension from any competition or termination of membership of a team for a specified period of time
 - Termination of membership of the Cycling Southland and its affiliates for a specified period of time
 - Monetary fines of any specified amount payable within any specified period of time
 - Forfeiture of any competition prizes as specified
 - Any other disciplinary action in accordance with the objects of the Cycling Southland.
- (f) During disciplinary proceedings a member may continue to participate in the sport.

10.2 DISCIPLINARY MATTERS

"Misconduct": Includes, but is not limited to;

- Offences against the laws of the New Zealand;
- Conduct which, when committed beyond the shores of the New Zealand (including conduct in aircraft or ships at sea) would, had it been committed within New Zealand, fall within paragraph 1 above;
- Conduct, that is detrimental to Cycling Southland and its reputation and/or contrary to the Code of Conduct & Integrity;
- Conduct, that is detrimental to the sport of cycling;

- Disobeying the reasonable directions of an official and where such disobedience may lead to a breach of the Code of Conduct & Integrity or impede the conduct of the sport;
- Compromising the safety of members or other persons.

The procedure for dealing with allegations of misconduct shall be as follows:

By an Official

An official may deal with an offence if;

- They observe conduct or receive a written complaint from a third person alleging misconduct.
- Formal complaint must be in writing outlining the time, alleged incident, parties involved, witnesses and desired outcome. If the complaint is received by an employee it must be passed to the General Manager/President within 24 hours.
- The General Manager/President must discuss the options with the complainant and decide on a course of action and a desired outcome. If the complaint is not resolved at this stage, then the General Manager/President will acknowledge receipt of the complaint to the complainant within five (5) working days.
- The General Manager/President will as soon as possible charge the Member with an offence by informing the member of the offence and the facts relating to the offence and how it is proposed to deal with it. If possible and appropriate, they will facilitate a discussion between the complainant and the person who is the subject of the complaint so they can negotiate and agree an appropriate way forward for the future.
- The member charged with misconduct shall be permitted to answer the charge. They have five (5) working days to respond. If there is no response will be drafted and sent to the complainant without the input of the person concerned.
- A written reply will be sent to the complainant within five (5) working days informing them of the outcome of their complaint and what remedial steps, if any, have been taken to prevent the issue arising again.
- If, as the circumstances may be, the official is unable to deal with the matter within seven (7) days of the occurrence of the offence, they may then refer the matter to the Executive to be dealt with by a disciplinary tribunal.

At the conclusion of the hearing the official shall:

- Dismiss the charge, or
- Find the charges proven and impose a penalty within the provisions of Rule 10.1(e); advise the parties of the reasons for the finding and penalty; and advise the person penalised of the right to an appeal.

By A Disciplinary Tribunal

A disciplinary tribunal will be appointed when an official is unable to deal with the complaint or the complaint has been formally brought to the attention of the Executive.

The disciplinary tribunal shall be made up of:

- An individual with a high level of legal training and experience in arbitration; or
- A panel of two (2) or three (3) persons deemed suitable by the Executive whereby a chairperson shall be appointed with experience in legal process or dispute resolution.
- No member of the disciplinary tribunal may have been a party to or directly interested in the matter under consideration.
- Members of the Executive may be appointed to a disciplinary tribunal

The disciplinary tribunal will schedule a date and venue for a hearing within twenty-one (21) days of receipt of the allegations. An extension beyond this period may be allowed with the mutual agreement of the parties. The hearing must be held in private and no party may disclose any information relating to the hearing until the panel's decision is made, and then only the decision may be made public.

If, as the circumstances may be, any party is unable to be present at a hearing, they may participate by tele-conference or other medium as determined by the disciplinary tribunal.

The parties will be advised of the charges and invited to lodge written submissions which must be received by the General Manager no later than two (2) business days prior to the scheduled hearing.

The General Manager shall ensure that all written evidence and submissions are distributed to all affected parties and the disciplinary tribunal in a timely manner prior to the hearing.

No lawyers can attend the tribunal hearing, but the complainant and the member can attend with a support person. The hearing is not open to the public, but the disciplinary tribunal panel is able to determine who, including witnesses, can attend and in what capacity as long as it does not prejudice either party.

The disciplinary tribunal may adjourn a hearing to obtain further information or evidence, or if a charge of misconduct has been found proven, to seek further submissions before imposing a penalty.

At the conclusion of the hearing the disciplinary tribunal shall:

- Dismiss the charges, or
- Find the charges proven and impose a penalty within the provisions of Rule 11; advise the parties of the reasons for the finding and penalty; and
- advise the person penalised of their right to an appeal.

An official or disciplinary tribunal must forward to the General Manager a written report outlining their determination of the matter within seven (7) days of the conclusion of the hearing.

In Competition

The Chief Commissaire may issue a penalty to a member for an offence against the rules of racing (Technical Regulations) or in determining a protest in accord with Cycling New Zealand Road and Track Technical Regulations.

At a Centre Championship, a member who has suffered a penalty pursuant to Rule 12.0 during competition shall have the right of appeal to the Chairperson of the Appeal Jury.

For all other events where an Appeal Jury has not been constituted, an appeal against a penalty issued in competition must be directed to the Race Jury, consisting of the Chief and Principal Commissaires.

A member who has suffered a penalty pursuant to Rules 11 may appeal to the Executive in accordance with the provisions and procedures

11.0 PENALTIES

11.1 As a result of disciplinary procedure in accordance with these rules, penalties may be imposed upon Members found guilty of misconduct or breach of technical regulations pursuant to Rule 11.

11.2 Each case shall be determined on its merit and circumstances and penalties shall be imposed giving consideration to the degree of intent or malice or any extenuating circumstances associated with the act of misconduct or breach of technical regulations. Refer to Schedule C for *Penalty Guidelines*.

11.3 A monetary fine may be imposed to a maximum amount as determined by the Executive.

- The payment of fines shall be forwarded to the Cycling Southland office by a date stipulated by an official or tribunal.
- Any member who fails to pay a fine or penalty by the stipulated date will have their membership terminated until the fine is paid.

11.4 Termination of Membership of Cycling Southland

The start of a period of termination of membership shall commence from the date of the decision unless otherwise stipulated below.

The period of termination shall be enforced during a period of normal activity for the Member concerned. For that purpose the period of termination may be spread over a period or periods of the year as stipulated by an official or tribunal.

A Member upon receiving advice of a penalty including a termination of membership shall surrender their license to Cycling Southland office.

During the period of termination all membership rights are forfeited and the Member concerned is not permitted to enter a competition venue during competition periods.

The period of termination of membership must expire before the person concerned is permitted to compete or officiate again at any level.

If a further act of misconduct is alleged to have been committed during a period of termination of membership, the period of termination may be extended until the new allegations are dealt with in accord with the disciplinary provisions of these rules.

11.5 Suspended Penalties - Where an official or a tribunal deem an offence to be as a result of or influenced by extenuating circumstances, all or part of the penalty imposed may be suspended and the Member be required to enter into a stipulated period of good behaviour. Any further act of misconduct committed during such a period will automatically invoke the original penalty in addition to any further penalty imposed as a result of the subsequent act of misconduct.

11.6 The Cycling Southland will advise Cycling NZ of any penalty imposed against that Member as a result of a disciplinary process implemented in accord with these rules

12.0 APPEALS

12.1 Should new information likely to affect the decision of an official or a disciplinary tribunal come to light after a decision has been announced, a request for appeal must be forwarded

to the General Manager in writing within fourteen (14) days of the decision being advised. The General Manager will inform the Executive without delay.

12.2 Grounds for an Appeal

May only be lodged by a Member directly affected by a decision and where such an appeal is based on the following grounds;

- A Member or affiliated entity was not provided with a fair hearing or a proper process was not followed.; or
- New information or evidence can be presented that was not available at the time of the original decision being appealed against; or
- The Severity or leniency of penalty imposed.

12.3 The Executive will appoint an appeal tribunal within seven (7) days of formal lodgement of the appeal. The appeal tribunal shall be made up of :

- An individual with a high level of legal training and experience in arbitration; or
- A panel of two (2) or three (3) persons deemed suitable by the Executive whereby a chairperson shall be appointed with experience in legal process or dispute resolution.
- No member of the appeal tribunal may have been a party to or directly interested in the decision under appeal or the original matter brought for determination.

12.4 Members of the Executive may be appointed to an appeal tribunal.

13.0 PROCESS

- (a) The lodgement of appeal must be accompanied by payment of an appeal fee as determined by the Executive. The fee shall be funded if the appeal is successful.
- (b) The appeal tribunal will schedule a date and venue for a hearing as soon as possible and no later than twenty-one (21) days after formal lodgement of the appeal.
- (c) If, as the circumstances may be, all parties are unable to be present at an appeal hearing, they may participate by tele-conference or other medium as determined by the appeal tribunal.
- (d) The parties will be advised of the grounds for appeal and invited to lodge written submissions which must be received by the General Manager no later than two business days prior to the scheduled hearing. The General Manager shall ensure that all written submissions are distributed to all parties and the appeal tribunal in a timely manner prior to the hearing.
- (e) The appeal tribunal may then deal with the offence adhering to the principles of a fair hearing as broadly outlined in rules 10.1(c) and (d) .
- (f) The appeal tribunal may adjourn a hearing to obtain further information or evidence.
- (g) At the conclusion of the hearing the appeal tribunal shall:
 - Uphold the appeal and rescind the original decision, or
 - Dismiss the appeal; or
 - Dismiss the appeal and review the penalty within the provisions of Rule 10.1(e)
 - The decision of the appeal tribunal shall be final.

- (h) The appeal tribunal must forward to the General Manager a written report outlining their determination of the matter within seven (7) days of the conclusion of the hearing.

14.0 FEES

14.1 The Executive shall determine and advise Members of a full list of fees by no later than 30 September of the year preceding that to which the fees apply. Such fees may include:

- The national component of membership fees by category, for each individual member who affiliates with Cycling New Zealand Road and Track through an affiliated Club.
- Protest and appeal fees
- Restricted and temporary permit fees for non-members
- International licence fee
- Entry fees for championships, where applicable
- Maximum fine
- Any other fee as may be required from time to time

Note: A fee schedule shall be advised to all members within seven days of determination.

14.2 The Cycling Southland office shall at the end of December invoice each member fees for that year.

14.3 If a member has amounts outstanding for unpaid membership due and payable, that member shall be deemed to be un-financial, and will not regain rights and privileges until such time as the amounts payable is paid to Cycling Southland.

15.0 LICENCES

15.1 The licence is an identity document relating to the administration of the sport, which shall be required by all members of the Cycling Southland i.e. competitors, motor pacers, team managers, coaches, mechanics, handlers, promoters, delegates and any other person associated with a team, organisers and officials.

15.2 The purpose of the licence is to indicate that the holder has undertaken to respect the Constitution, By-Laws and Policies of Cycling Southland.

15.3 Cycling Southland shall not incur any responsibility whatsoever upon the issue of a licence.

15.4 All members of Cycling Southland shall be issued with a licence annually and by virtue thereof, shall assume the following obligations:

- Respect all international and national statutes and regulations
- Participate in cycling competition in a sporting and fair manner
- Submit to any disciplinary measures taken in accordance with the regulations
- Submit to any medical examination as provided for in the national and international regulations
- Submit any appeals or disputes to the bodies provided for the national and international regulations for final settlement
- Undertake to respect national and international licences for the duration of the period for which the licence is renewed

15.5 The following information must appear on a licence issued for domestic membership:

- Full name
- Date of birth
- Home address
- Membership number
- Name of Club is Cycling Southland
- Category
- Signature of the bearer

The information printed on an international licence must be in accord with UCI Regulations.

15.6 Licences shall be issued in accordance with the Licensing of Members Rule 15 of the Constitution.

15.7 It is the responsibility of the member to sign the licence on receipt thereof and maintain the licence in a respectable condition.

15.8 All licences shall expire on 31 December each year.

15.9 When a rider decides to compete overseas, he must complete a Cycling New Zealand Road and Track International Licence application form and forward to the Cycling New Zealand Road and Track office for processing.

15.10 Cycling Southland shall return the endorsed licence to the rider and record its issue in the database.

Note: Foreign Federations may require an official letter of approval from CNZRT in order for New Zealand riders to compete in their country.

16.0 LICENSING OF MEMBERS

16.1 Licensing of Members: Schedule

The respective age categories shall be as listed in the following table, based upon the commencement of the calendar year of their birthday, unless otherwise specified

Category	Age
Elite	International Licenses only
Senior	Male 23-34 years Female 19-34 years
Under 23	Male 19-22 years
Under 19	17-18 years
Under 17	15-16 years
Under 15	Under 15 years
Master 1	35-39 years
Master 2	40-44 years
Master 3	45-49 years
Master 4	50-54 years
Master 5	55-59 years
Master 6	60-64 years
Master 7	65-69 years
Master 8	70+ years

Updated 20 July 2020

Note CNZRT Track Race Category Variances below:

Category 1	Includes Master 1+2
Category 2	Includes Master 3+4
Category 3	Includes Master 5-8

- 16.2 A cyclist reaching masters age, may elect to have an elite licence or a masters license. If so desired at any time the cyclist may relinquish either the masters' licence or the elite licence but can only use this option once in a membership year. At all Championships cyclists must only compete in the category which is endorsed on their licence and can only compete in one New Zealand Championship in each event/discipline.

- 16.3 A cyclist may compete in an event of a different age category, older category in the case of junior and younger category in the case of masters, provided such events are approved by Cycling New Zealand Road and Track.

Where there is deemed to be insufficient entrants in women's categories then the events may be contested in divisions as follows:

Masters Women

Division 2 + 3 35 - 44

Division 4 + 5 45 – 54

Division 6 + 7 55 +

In Masters Championship events older age groups may compete with younger age groups in a younger age category when there are insufficient starters for a particular age championship category event.

- 16.4 At any National Championship in the junior under 15 age division for both men and women the age limit shall be that the cyclist must be attaining the age of 13 or 14 in that current year.
- 16.5 For summer track season competition, all members who are due to change category at the new membership year commencing 1 January of that respective season will compete in that track season in that higher age category from the commencement of that season, being 1 October.

17.0 MOTORCYCLE OR DERNY RIDERS

- 17.1 A derny or motorcycle rider must hold a current motorcycle licence.
- 17.2 Only those who have undergone certification by the Cycling Southland's authorised certifier are able to use the derny or motorbike on the track. This authorisation can be revoked by the Cycling Southland if the user is deemed to have used the derny or motorbike in an irresponsible manner.
- 17.3 Members who compete in derny events on a derny machine must be issued an adult competitor licence (derny riders are considered as competitors as they receive the same awards as a competitor).

- 17.4 To qualify as a pacer/competitor in a derny event that person must be competent to ride a derny machine or motorbike and have undergone a derny training course as set by and, which has been endorsed by Cycling Southland.
- 17.5 Before competing in a derny event that person must produce his licence and a user agreement from Cycling Southland that he has attended and passed the training course before he may participate.
- 17.6 A rider of a motorcycle acting as a marshal or support vehicle in a road race or lead vehicle in a must hold a current motorcycle licence.
- 17.7 The General Manager will keep copies of all user agreements together with a list of those people who have completed the Cycling Southland training course. This list will be updated on a regular basis and be available to any Member upon request.

18.0 RESPONSIBILITY OF EVENT ORGANISERS

- 18.1 It is an offence to allow unlicensed competitors or non-permit holders to participate in an event, which is sanctioned by Cycling Southland.
- 18.2 All parties under Cycling Southland's jurisdiction including but not only Licensed Promoters, and their affiliates, licensees and officials who allow non licensed competitors to participate or compete in an event, which is sanctioned by Cycling Southland, shall be liable to disciplinary action under these rules.
- 18.3 Prize money won by a Member when competing in any event shall be paid to the Member on the day of the event, unless the event is subject to drug testing, whereby the prize money will be withheld subject to the results of the drug testing.

19.0 ILLEGAL EVENTS

- 19.1 An event shall be retrospectively declared illegal when it is known that competing riders do not hold a licence.
- 19.2 The approval of an event by Cycling Southland shall be withdrawn (even after the event has concluded) when the promoter/organiser of an event has allowed knowingly or unknowingly, the participation of riders who do not hold a licence or permit in an event under their control.
- 19.3 No Member may participate in a competitive cycling event that has not been sanctioned by Constituent Associations however Cycling New Zealand Road and Track may grant special exceptions for races or particular events.

20.0 CYCLING SOUTHLAND EVENTS

- 20.1 Events held by the Cycling Southland during each year may include but are not limited to:
- Southland Championships – Road
 - Southland Championship - Track
 - The Junior Tour of Southland
 - Tour of Southland
 - Track Challenge (previously called Corporate Pursuit)

21.0 CYCLING SOUTHLAND TEAMS

21.1 Team Manager – appointed via expressions of interest sought from the Members by the General Manager, Coaching Co-Ordinator and Development and Event Manager.

Team Manager's Duties:

- Team Manager shall represent the team at whatever events the team enters and shall look after the interests and general welfare of the members of the team including arranging accommodation, food, transportation, uniforms and recreation for team members
- The Team Manager shall also enforce the rules of Cycling Southland.
- The Team Manager is responsible for final entry and registration of riders at events and shall be the first point of contact and principal liaison between competition organisers and the team members.
- Where a Team Manager is issued Cycling Southland funds for purposes associated with team expenses, a report with relevant supporting documentation shall be submitted to the General Manager within thirty (30) days of the last day of competition.
- The Team Manager shall present a written report on the performances of the team to the Executive within thirty (30) days of the last day of competition

21.2 Coaches - Only persons approved by Cycling Southland may coach the team during its preparation and competition.

Regional Team Coaches shall have responsibilities including, but not limited to:

- Development and conduct of programs to improve the competitive performance of team members.
- Setting up the training program, practice and competition schedule for the team.
- Advising and coaching candidates for teams and members of teams in the techniques and strategies of their competition.

The Team Coach shall submit a written report on the performances of the team to the Executive within thirty (30) days of the last day of competition.

21.3 To be eligible for selection in Cycling Southland teams Members must have:

- New Zealand citizenship.
- A current licence issued by CNZRT.
- Complied with all obligations as set out in the Team Agreement and its appendices, including but not limited to the Selection Policy and Criteria.

21.4 All members of Cycling Southland teams and all persons to whom a special uniform has been issued, shall be subject to the jurisdiction of Cycling Southland. They shall conduct themselves at all times and in all places as befits worthy representatives of Cycling Southland.

21.5 No licensee may be a member of a Cycling Southland team if that individual has a prior agreement, which requires the use of certain brands or types of equipment or clothing while functioning as a Cycling Southland team member.

21.6 Competitors shall be under the strict supervision of Cycling Southland team managers and coaches. By accepting membership of Cycling Southland team/squad, athletes agree to do the following:

Have signed or sign Cycling Southland's Rider Agreement document accepting the conditions therein.

- Conform to the Cycling Southland's Rider Agreement, Selection Policy and Criteria, Code of Conduct and Integrity and other such policies as issued by Cycling Southland.
- Prepare and condition themselves for the events and specialties for which they have been selected as team members.
- Take part in all training sessions, camps and courses established for the team unless excused.
- Compete in designated events to the best of their ability when directed to do so by Cycling Southland.
- Arrange their education, employment and personal responsibilities to fulfil their obligations as team members, as far as it is reasonably possible.
- Abide by team regulations as issued from time to time by Cycling Southland, including but not limited to any special curfew or rules of conduct established at training camps and competitive programs.

21.7 Team Membership - Dismissal

Cycling Southland squad/team personnel, including riders, trainers, coaches and mechanics, who do not adhere to the provisions as outlined in the Team Agreement as mentioned in 21.06 above, may be disciplined by the squad/team manager or the Executive. Such disciplinary action may include but not be limited to:

- Admonishment
- Dismissal from the team
- A monetary fine up to a maximum as determined by the Executive
- A combination of any of the above

21.8 Where a centre team includes female athletes, the official management of that team must include at least one female member.

22.0 SPONSORSHIPS

22.1 Sponsorships may be approved by:

- The Executive for Centre squads or teams and Centre events.
- The Executive for any competitor as:
 - An individual - Individual Sponsorship
 - A member of a group - Group Sponsorship
 - A Cycling Southland member - Cycling Southland Sponsorship
- The Executive for special events or classics, where the conduct of such events relies on such support to conduct them.

22.2 Individuals, groups and Cycling Southland may enter into agreements with sponsors. The agreements shall allow for the wearing of advertising on the Cycling Southland's uniform as outlined in the Cycling New Zealand Road and Track Technical Regulations.

22.3 The sponsorship agreement must provide for some benefits to the competitor in either cash or in-kind.

22.4 No limit shall apply to the number of sponsors a rider or Cycling Southland may enter into agreements with. However, all sponsorships and advertising on Cycling Southland uniforms must be controlled and administered by Cycling Southland office.

23.0 PROXIES

23.1 Any Member who is eligible to apply for a U19 licence or above may appoint a proxy to act and vote in his stead at a General Meeting. The proxy appointment shall be in writing on the appropriate form and handed to the President/Vice President prior to the commencement of the meeting.

23.2 No person may hold more than two proxies at any General meeting.

23.3 Proxies may only be held by Members eligible to vote at a General Meeting.

24.0 LOGO

24.1 The Logo for the Cycling Southland is shown below.



25.0 TRADING NAME

25.1 The Trading Name is "Cycling Southland".

25.2 The Trading Name shall not be used without the authority of Cycling Southland.

26.0 SCHEDULES:

A - Code of Conduct and Integrity

B - Rider Agreement

C - Guidelines for Imposing Penalties for Disciplinary Misconduct

SCHEDULE A

Cycling Southland Code of Conduct & Integrity

All persons bound by this Code are responsible for abiding by the spirit and rules of the sport of cycling by maintaining the highest standards of integrity, conduct and behaviour and doing nothing that is detrimental to Cycling Southland and its reputation, and/or is contrary to this Code.

They must avoid behaviour that undermines the integrity of others and are responsible for self-policing other members and helping to ensure the organisation's culture is a positive one.

Persons bound by this Code must always:

- Accord all people the respect, courtesy, honesty and regard for their dignity, rights, views, and obligations, including different values, beliefs, cultures and religions, and give everyone a fair hearing.
- Not act or speak in a way that is likely to cause offence to others.
- Treat people's property with respect.
- Compete with respect for others in a fair and honest way that exemplifies the spirit of the sport.
- Abide by all the rules and regulations of the sport without seeking to gain unfair advantages.
- Show dignity in winning and losing and abide by the decisions and rules of those charged with governing racing as well as those responsible for running events.
- Undertake and encourage behaviour that does not endanger or causes distress to other people or otherwise contribute to disruption and/or avoid behaviour that might impair their performance.
- Act in a manner that is compatible with the interests of Cycling Southland and avoid situations where their behaviour could reflect negatively on the organisation.
- Show a positive commitment to Cycling Southland's policies, rules, procedures, guidelines and agreements.
- Respect the confidentiality of information received in the course of fulfilling any duties;
- Uphold the standing and reputation of cycling within Southland and New Zealand.
- Not misuse provided funds or property belonging to another party.
- Observe and comply with the Anti-Doping rules set out in the Cycling Southland Anti-Doping policy as stated in the Cycling Southland By-laws, clause 9.
- Maintain a safe environment and consider the safety of themselves and others at all times.
- Support and promote actions and initiatives that enable risks and hazards to be identified and isolated, eliminated or reduced.
- Disclose in writing any actual or apparent conflicts of interest that may impact on their involvement with the organisation.
- Keep the sport fun.

Misconduct

This list provides examples of behaviour deemed to be unsuitable and not in the best interests of the sport, and could be considered as misconduct. It is not a complete list but meant as a guide.

Conduct generally defined under 'Misconduct' may also be regarded as 'Serious Misconduct' if it leads to substantial risks or major ramifications for Cycling Southland.

- Any form of harassment or discrimination against members of Cycling Southland, officials, the public or visitors because of their age, sex, marital status, ethnicity, disability, religion, colour, race, political opinion, employment status or sexual orientation.
- Violent or physically aggressive behaviour.
- Posting offensive or inappropriate information on notice boards, social media or electronic media.
- Smoking on Cycling Southland/Stadium Southland premises.
- Failing to hold a current drivers license while driving a motor vehicle belonging to Cycling Southland on a public road.
- Abusing or 'sledging' other athletes, officials, event organisers or anyone involved in Cycling Southland. Sledging is defined as a statement that is deemed to denigrate and/or intimidate another person, or behaviour likely to constitute emotional abuse.
- The consumption of alcohol prior or during an event or activity, and/or the excessive consumption of alcohol after an event or activity, which potentially could lead to a person acting in a way that becomes a public nuisance, or creating a public disturbance.
- Damaging another person's property or depriving them of that property.
- Sexual relations between an appointed official and a junior athlete (under the age of consent), irrespective of the wishes and desires of the athlete. In all other cases such relations are strongly discouraged. Any physical contact with athletes shall be appropriate to the situation and be necessary for the further development of the athlete's skill.
- The use or encouragement of the use banned substances. (The banned substance list is as outlined under Cycling New Zealand's Anti-Doping Policy.)
- Statements that are deemed to denigrate the group that an individual is representing.
- Any type of gambling, betting or organisation of betting at any cycling event, while competing, officiating or undertaking a management role.
- Being in possession of offensive weapons.
- The unauthorised disclosure of, or access to, confidential information.
- Making unauthorised negative comments to media about Cycling Southland, members, officials, sponsors, or related parties including funders. All media comment related to Cycling Southland must be approved by the General Manager or President as per the Media Communications Policy.
- Any attempt to mislead Cycling Southland or any employee, or a member of the public in connection with Cycling Southland business. This includes falsification of attendance records or submitting false claims for expenses or reimbursement, or providing incorrect information at any stage of the application for employment process.

SCHEDULE B

Cycling Southland Rider Agreement

I, _____ a registered member of Cycling Southland, hereby agree to travel and compete as a member of a **Cycling Southland representative team** for the **xx** season, under the following terms and conditions:

Selection

The rider will be deemed to have been selected for the squad according to the *Team Selection Policy*, be the holder of a current and appropriate licence, agreed to abide by all Cycling Southland guidelines and policies, have no outstanding debts to Cycling Southland, and being a financial member of Cycling Southland.

Travel

- a) To fly with the team, booking on the same flights as the Team Manager and Coach if organised or organise my own flights. If I cannot take the same flights as the Coach and appointed manager then approval must be sought from Cycling Southland at least 14 days prior to the team's departure. If prior approval for separate travel and accommodation is not sought from Cycling Southland 14 days prior to the teams departure, I will still be liable for my share of all costs;
- b) A copy of the flight tickets is to be forwarded to the Team Manager.

Behaviour

- a) To show courtesy, consideration, and cooperation to others I come in contact with;
- b) To co-operate and remain under the management and direction of the Team Manager or person appointed by him/her in all respects from date of assembly until my return, and to comply with all requests made by him/her, showing respect at all times (to team managers, coaches, fellow team members and officials) during this period;
- c) To conduct myself in a proper manner, to exercise my best endeavours to render myself fit to ensure maximum performance in competition, and to do nothing which could be construed as an impairment to the conduct or performance of other team members;
- d) To display the attributes of fair play in all my actions and support my fellow team members;
- e) To reflect the positive image of Cycling Southland through my attitude and behaviour both on and off the bike;
- f) Not to possess, consume, administer, purchase or dispose of by any means, any narcotic drugs or banned substances of any description;
- g) That I will not consume or administer any alcoholic liquor except with the consent of the Team Manager, but such consent shall not be given or deemed to be given in respect of any time, place or condition that is contrary to the law;
- h) Not to act in an unlawful or socially unacceptable manner e.g. commit theft, including shoplifting, wilfully damaging property and the removal of belongings of other teams;
- i) Not to invite to any place of assembly or accommodation of the team any person including family members or close friends except with the permission of the Team Manager;

- j) If billeted or staying with friends or relatives, I acknowledge I am under the control of billeting parents and will conform to all reasonable advice and instructions given to me. I will not attend parties or functions outside the homes of billetors without express permission from the Team Manager. I will not travel in motor vehicles without the authority of billeting parents and then only in the hands of a responsible driver.

Medical/Injury

- a) Upon assembly, to supply to the Team Manager with a certificate from a general practitioner or any other medical practitioner as to drugs or medication that I have been prescribed;
- b) In the event of my suffering any injury or illness that might affect my performance prior to assembly of the team, to advise the Team Manager or a representative of Cycling Southland immediately;
- c) After assembly of the team, to disclose immediately to the Team Manager any injury or illness that might prejudice my ability to compete to the standard that enabled me to gain selection for the team;
- d) To give permission for the Team Manager to authorise any emergency medical or dental treatment that may be required during the currency of this agreement and to authorise any medical personnel effecting such treatment to seek a medical history from my medical practitioner (in the case of a parent or guardian not being available for contact) and to make full disclosure of details of any treatment to the Team Manager.

Clothing/Apparel

To wear appropriate apparel, including cycling kit, casual wear and official uniform, as may be required by the Team Manager or by Cycling Southland.

Eligibility to Compete

- a) I declare that I have not been barred from cycling competition.
- b) Barring injury or illness (where a medical certificate must be presented) I will make maximum effort to attend all training sessions as set by the coach in order to compete for my region at any level.

Home Event

In the event of a home cycling event all the above rules and provisions shall apply in all respects as if I were competing at an away meet. I agree to remain with the team until all team activities are completed unless specific permission is granted by Cycling Southland to do otherwise.

Misbehaviour

I acknowledge that in the event of failure to comply with any request, order or instruction of the Team Manager, or in the event of any other breach of this agreement or serious misbehaviour on my part, I may;

- (a) Be stood down from racing;
- (b) Be fined;
- (c) Be sent home forthwith (at my own expense);
- (d) Be deprived of any privileges or allowances for a period to be specified;
- (e) Be summoned to a judicial meeting of Cycling Southland;
- (f) Be the subject of a report to Cycling Southland Executive, which could lead to disciplinary action;
- (g) Have other forms of discipline imposed.

Accommodation

I will stay at the team accommodation with the team within the rooms booked by Cycling Southland, for the duration of the meet, unless prior arrangements have been made.

Parent/Family Expectations

During the meet

- a) Parents are asked to respect the needs of the team during the cycling sessions. Should you require to see your child during sessions if they are not cycling please check with the Team Manager.
- b) Only official team members will be allowed to sit with the team during the meet. Parents and other family members are asked to sit away from the team in the public seating area.

Acknowledgement

I have read this Agreement and accept the terms and conditions therein set out.

I acknowledge that I compete, travel and take part in the activities of the team at my own risk and that team management and Cycling Southland will not be held accountable in the event of any accident, injury or unexpected adverse event to myself.

Rider's signature: Date:

Parent/Guardian: Date:

CONTACT INFORMATION

Rider Full Legal Name:

Rider mobile:

Home Phone:

Address:

Parents/Guardian – next of kin

Name:

Mobile Phone:

Home Phone:

Email address:

Medical Information

Doctor:

Phone Number:

Any Medical Conditions:

Current Medications:

Allergies (food, or medical):

SCHEDULE C

Guidelines for Imposing Penalties for Disciplinary Misconduct

Recommended range of penalties to be considered subject to By-Law 11

Proven Act of Misconduct Recommended Range of Penalties

(One or more penalty within the range may be appropriate for each offence)

- A General misconduct by a member that brings Cycling Southland and/or the sport of cycling into disrepute
- Minor to medium level breaches of the Code of Conduct
 - Reprimand/Warning/Counselling
 - Termination of membership of Cycling Southland for a specified period of time within the range of 3 to 12 months
 - Fine: taking into account a members benefits or earnings from the sport
- B Misconduct – including failure to accept reasonable directions of management while a member of a team
- As per A above, plus
 - Termination of membership of team during current assembly
 - Withdrawal of eligibility for selection for a specified period of time up to (twelve) 12 months
- C Misconduct by accredited coaches or officials
- As per A above, plus
 - Termination of accreditation for a specified period of time
- D Serious breaches of the Code of Conduct & Integrity; including but not limited to criminal misconduct, acts of violence or abuse, sexual harassment

Where mitigating circumstances or provocation is proven:

- Termination of membership for a specified period within the range of (one) 1 to (four) 4 years

Where malice or intent is found:

- Termination of membership for a specified period within the range of (four) 4 years to life