MBSC Regulation: Code of Conduct

Application

This Code applies to Members and Officers of MBSC.

The expectations of Members and Officers set out in this Code and the Constitution are not exhaustive.

Definitions

In this Code:

"Adult Sailor" means a sailor aged 20 or more years of age who is an Adult Member of MBSC.

"Bullying" means repeated and unreasonable behaviour directed towards a person or a group of people that can lead to physical or psychological harm. Repeated behaviour is persistent (occurs more than once) and can involve a range of actions over time. Unreasonable behaviour means actions that a reasonable person in the same circumstances would see as unreasonable. It includes victimising, humiliating, intimidating or threatening a person and may also include harassment, unlawful discrimination or violence.

"Child" means a person under the age of 18 years and children has a corresponding meaning.

"Complaint" has the same meeting as "Complaint" in the Constitution.

"Complainant" means the Member(s), Officer(s), and/or MBSC, being the party or parties which lay a Complaint against Member(s), Officer(s) and/or MBSC as provided for in the Constitution.

"Constitution" means the Constitution of Murrays Bay Sailing Club Incorporated ("MBSC").

"Digital Communication" means a digital communication as defined in section 4 of the Harmful Digital Communications Act 2015 whether that Act applies or not.

"Dispute" has the same meaning as "Dispute" in the Constitution.

"Dispute Resolution" means the provisions set out in the Constitution and these Regulations for the resolution of disputes and complaints.

"Family Member" means a parent or guardian or main caregiver of a person who has Junior Membership of MBSC.

"Harassment" means harassment as defined in section 3 of the Harassment Act 1997 whether the specified act is one of the types of activity or described in section 4(1) of that Act or not and harass has a corresponding meaning.

"Intimidation" means an act or course of conduct directed at a person or group of people which causes the person or group of people fear or to apprehend fear and usually involves deterring the person or group of people from taking or coercing them not to take a course of action contrary to their wishes.

"Junior Sailor" means a person under 16 years of age who is a Junior Member of MBSC.

"Member" means a Member of MBSC as a Junior, Senior, Family, Special, or Life Member of MBSC.

"Misconduct" means any conduct that infringes this Code and a warning is considered the appropriate disciplinary action at the conclusion of the relevant Dispute Resolution process.

"Officer" means a member of the MBSC Committee.

"Racial disharmony" means racial disharmony as set out in section 621 of the Human Rights Act 1993.

"Respondent" means the Member(s), Officer(s), and/or MBSC, being the party or parties against which a Complaint has been made by Member(s), Officer(s) and/or MBSC as provided for in the Constitution.

"Senior Sailor" means a person aged between 16 and 20 years of age who is either a Junior or Senior Member of MBSC.

"Serious Misconduct" means any conduct that infringes this Code and either a final warning or loss of membership or office is considered the appropriate disciplinary action at the conclusion of the relevant Dispute Resolution process.

"Sexual harassment" means the use of:

- Language (whether written or spoken) of a sexual nature; or
- Visual material of a sexual nature; or
- Physical behaviour of a sexual nature; to any other person; and

The language, visual material or physical behaviour is unwelcome or offensive to that person (whether or not that is conveyed to the first-mentioned person) and is either repeated, or of such a significant nature, that it has a detrimental effect on that person.

"Sexual harassment" may also mean, depending on the circumstances, conduct that meets the description above and meets the definition set out in section 62 of the Human Rights Act 1993.

“Unlawful discrimination” means discrimination on any of the prohibited grounds of discrimination as set out in section 21 of the Human Rights Act 1993.

“Warning” means a first warning or second and final warning in writing to the Member or Officer concerned which sets out:

- The decision of the Committee’s Dispute Resolution process that the infringement of this Code by a Member or Officer amounted to Misconduct; and
- The duration and effect of the Warning; and
- The implications for the Member or Officer of future infringements of this Code.

Infringements of this Code

Depending on the circumstances of any infringement of this Code, including but not limited to the:

- Extent of harm, offence, or other adverse impact on a person or people; and
- The nature of the infringement of this Code including whether the infringement involved conduct that could amount to criminal offending; and
- The intentions of the person or people who infringed the Code; and
- The knowledge of this Code or the reasonable expectations of conduct of MBSC on the person who or people who infringed the Code; and
- Any other factors considered relevant by the decision-maker;

the infringement may be treated as an allegation of Misconduct or Serious Misconduct.

Where an infringement is to be treated as an allegation of Misconduct, the outcome of the Dispute Resolution process shall be a Warning.

Where an infringement is to be treated as an allegation of Serious Misconduct, the outcome of the Dispute Resolution process shall be the removal from office of an Officer or the termination of membership of a Member as the case may be.

Only in circumstances where the infringement that is to be treated as an allegation of Serious Misconduct involves conduct that could amount to criminal offending shall the removal from office of an Officer also result in the termination of that person’s membership as a Member.

Expectations of Members

MBSC’s Values

MBSC Members’ and Officers’ conduct should be always guided by our Values.

Together

Ngatahi
All hands on deck
As one, we are better

Inclusive

Whakauru
Landlubber's included
Welcome everyone

Support

Tautoko
Through thick & thin
Always lend a hand

Develop

Whanake
Learning the ropes
Grow understanding

MBSC's Coaching Strategy

In August 2026, the Committee and Membership of MBSC implemented a comprehensive Coaching Strategy. This Strategy sets out how MBSC will meet its purpose and the principles that will guide coaching at MBSC. Members are expected to familiarise themselves with the Coaching Strategy in order to understand the respective roles of sailors, parents, coaches, and the club in the delivery of the Coaching Strategy.

The Strategy Principles below are pulled from the Coaching Strategy and provide excellent guidance on MBSC's approach:

- MBSC should remain the club to beat, while building the depth and structure needed to sustain that standard. A rising tide lifts all boats.
- The coaching system must be owned by the club, not by one coach, one family group or one fleet.
- Every fleet should have a clear purpose, and progression between fleets should be deliberate, transparent and well communicated.
- MBSC should favour clear structure, consistent standards and planned delivery over ad hoc coaching and programs delivered in isolation.
- MBSC should prioritise coaches who are reliable, purposeful and aligned with the club's standards, and actively develop coaching capability over time.
- Coaching should develop independent, adaptable sailors, not overly coached followers.
- The coaching model should be financially transparent and sustainable, with clear decisions about what the club underwrites and what remains user-funded.
- The club should create an excellent learning environment, because excellent environments produce excellent results.
- Regattas are an opportunity to build cohesion and depth across the club and dinghy sailing community, as well as be a place for sailors to test themselves. They should not operate as private bolt-ons for the most invested families.
- MBSC's coaching system should be resilient by design, with clear roles, shared knowledge, succession planning and enough distributed capability that no single coach, volunteer, parent or committee member becomes a point of failure.

Junior Sailors

This Code is applicable at all times when a Junior Sailor is involved in MBSC related activities and events whether or not on MBSC premises. Junior Sailors are expected to:

1. Be courteous to and respectful of other people, including members of the public and club and regatta volunteers and officials. This means acting in accordance with MBSC's values and not behaving in a manner that could amount to harassment, unlawful discrimination, racial disharmony or racial harassment, sexual harassment, bullying, or intimidation. This also means not behaving in a manner that is intended to cause distress or causes distress because of a lack of care and consideration.

2. Be mindful of the impact on other people of behaviour, particularly in safety-sensitive situations. You should not be disruptive or cause distractions for coaches during sailing-related activities, particularly on the water, to the extent that the coaches cannot be confident about the health and safety of all participants in the activity. If you are experiencing anxiety and you think your behaviour or actions could be affected, you should raise this with a coach as soon as possible, and you should cooperate with any steps taken by the coach to address the situation.

3. Be mindful of the impact on other people, particularly other Junior Sailors and children, when using social media and posting digital communications, especially when more than one person is privy to the social media content or digital communication. Content and posts should not:

- Disclose sensitive personal facts about a person; or
- Be threatening, intimidating, or menacing; or
- Be grossly offensive to a reasonable person in the position of the affected person; or
- Be indecent or obscene; or
- Not be used to harass a person; or
- Should not make a false allegation; or
- Should not contain a matter that is published in breach of confidence; or
- Should not incite or encourage anyone to send a message to a person for the purpose of causing harm to the person; or should not incite or encourage a person to commit suicide; or
- Should not denigrate a person by reason of their colour, race, ethnic or national origins, religion, gender, sexual orientation or disability.

4. Be careful of and caring towards younger Junior Sailors and children, particularly in new or challenging circumstances and when adult supervision is compromised.

5. Be careful and respectful of others' property, including MBSC property, personal property, and equipment and facilities.

6. Encourage and support good sportsmanship. This includes acting with integrity in all circumstances on and off the water. Acting with integrity means being honest and upfront and not ignoring, concealing or being dishonest about the conduct of others that you witness or become aware of.

7. Follow all reasonable directions and instructions of MBSC and other club regatta officials and volunteers.

8. Wear appropriate clothing and safety equipment, comply with all safety recommendations and sailing rules, and attend all relevant safety briefings.

Senior Sailors

This Code is applicable at all times when a Senior Sailor is involved in MBSC related activities and events whether or not on MBSC premises. Senior Sailors are expected, in addition to 1 to 8 above, to:

9. Demonstrate and lead good behaviours and sportsmanship when a Junior Sailor is present.

10. Do not engage in any conduct, whether verbal or otherwise, that includes sexual content (language, descriptions, jokes, gestures, movements or actions) or content that could reasonably be construed as of a sexual nature, when a child is present.

11. Do not use language (swear words and new words or phrases that are used online in older or adult forums) that most people would consider inappropriate for children's ears in the presence of a child, particularly a child under 16 years of age.

12. Do not have one-on-one meetings or similar with any child or children and do not accompany any child (except a sibling under parental direction) to any enclosed space, including a tent, bathroom, office, changing room, or vehicle, where the child cannot be observed by others.

13. Do not develop any sort of relationship with a child (except a sibling) that could be interpreted as inappropriate because of an age and/or gender difference or favouritism.

Adult Sailors

This Code is applicable at all times when an Adult Sailor is involved in MBSC related activities and events whether or not on MBSC premises. Adult Sailors are expected, in addition to 1 to 13 above, to:

14. If any person, including a child, discloses to you any conduct by a Member of MBSC that could or does infringe this Code, you must report the disclosure and all material information as soon as possible to any Officer of MBSC.

15. If any person, including a child, discloses to you any conduct by another person, particularly but not only if that person is a Member of MBSC, that could or does involve harmful behaviour (verbal, physical, sexual, or psychological) to a child, you must report the disclosure and all material information as soon as possible to any Officer of MBSC.

Family Members

This Code is applicable at all times when a Family Member is involved in MBSC related activities and events whether or not on MBSC premises. It also applies when a Family Member is using MBSC facilities, including online and electronic communications, in relation to MBSC activities and events or involving other MBSC Members. Family Members are expected, in addition to 1 to 15 above, to:

16. Participate in the MBSC Volunteer Roster for regattas and Sunday Racing, and generally to assist MBSC to provide opportunities for its sailors and fulfil its purposes under the Constitution.

17. Treat, at all times, that the volunteers, Officers, and coaches and related sailing officials of MBSC, other sailing clubs, and events at which MSC and its sailors are represented, with respect and kindness recognising that all of these people are giving of their time, expertise, and energy to make sailing accessible and enjoyable for your Junior Member(s) and the sailing community.

18. Ensure that any guest or family of the Family Member who visits or attends MBSC activities and events behaves appropriately and as relevant in accordance with this Code, and, where any guest or family of the Family Member does not behave appropriately to remove that person immediately.

Expectations of Officers

As Officers are also Members, Officers are expected to behave in accordance with this Code. They are also expected to conduct themselves in accordance with 11.10 to 11.12 (inclusive) of the Constitution.

Disciplinary Procedures

The guidance provided here is adjunct to the Dispute Resolution provisions in the Constitution.

Members

In every disciplinary procedure where the Complainant or Respondent is a Junior Sailor, the Junior Sailor shall be accompanied by their parent(s), guardian(s), or main caregiver(s).

In every disciplinary procedure where the Complainant or Respondent is a Senior Sailor, the Senior Sailor shall be given the opportunity to be accompanied by their parent(s), guardian(s), or main caregiver(s).

Where a Member is concerned about the conduct of another Member, the Member should:

- Discuss the matter with the Committee through the Membership Manager (unless the Member concerned is the Membership Manager, in which case through the Rear Commodore); or
- Make a Complaint (which must be in writing) to the Committee in accordance with 17.1 of the Constitution.

Where an Officer is concerned about the conduct of a Member, the Officer should:

- Discuss the matter with the Committee through the Membership Manager (unless the Member concerned is the Membership Manager, in which case through the Rear Commodore); or
- Make a Complaint (which must be in writing) to the Committee in accordance with 17.1 of the Constitution.

Where the Committee is advised of a matter, but no Complaint has been made, the Committee may:

- Make a Complaint against the Member concerned; or
- Invite the parties involved in the matter to discuss the matter with the Committee or Subcommittee; or
- Determine that the matter should be taken no further.

Officers

Where a Member is concerned about the conduct of an Officer, the Member should:

- Discuss the matter with the Committee through the Membership Manager (unless the Member concerned is the Membership Manager, in which case through the Rear Commodore); or
- Make a Complaint (which must be in writing) to the Committee in accordance with 17.1 of the Constitution.

Where an Officer is concerned about the conduct of another Officer, the Officer should:

- Discuss the matter with the Committee through the Membership Manager (unless the Officer concerned is the Membership Manager, in which case through the Rear Commodore); or
- Make a Complaint (which must be in writing) to the Committee in accordance with 17.1 of the Constitution.

Where the Committee is advised of a matter, but no Complaint has been made, the Committee may:

- Make a Complaint against the Officer concerned; or
- Invite the parties involved in the matter to discuss the matter with the Committee or Subcommittee; or
- Determine that the matter should be taken no further.

Complaints

Where the Committee receives a Complaint, the Committee shall:

- Investigate the conduct and matters giving rise to the Complaint in accordance with the Constitution to determine whether Misconduct and/or Serious Misconduct under this Code has occurred and if so, what the appropriate disciplinary action should be; or
- Refer the Complaint to an external person for investigation and report to the Committee before determining whether Misconduct and/or Serious Misconduct under this Code has occurred and if so, what the appropriate disciplinary action should be; or
- With the consent of all the parties to the Complaint, refer the Complaint to mediation or arbitration with a mediator or arbitrator agreed between the parties and the Committee; or
- Decide not to proceed with the Complaint for any of the reasons set out in 17.13 of the Constitution.

Where the Committee determines a Complaint and finds that Misconduct or Serious Misconduct has occurred, before disciplinary action is taken the Committee will provide the Respondent with an opportunity to comment on the Committee's findings and proposed disciplinary action.

All decisions of the Committee in relation to a Complaint shall be made or confirmed (as the case may be) in writing.

Consequences of Misconduct

Infringement of this Code may amount to Misconduct or Serious Misconduct.

Where the Committee determines that a Respondent's conduct amounts to Misconduct, unless that Respondent has already received a Warning, the Respondent will face a second and final Warning.

If while a second and final Warning is alive the Committee investigates a further Complaint involving the conduct of the same Respondent, if the Committee determines that the Respondent's conduct (again) amounts to Misconduct, the Respondent will face having their membership terminated.

Consequences of Serious Misconduct

Where the Committee determines that a Respondent's conduct amounts to Serious Misconduct, the Respondent Member will face having their membership terminated and the Respondent Officer will face being removed from office. This does not mean that termination of membership or removal from office will occur, but that this is the worst possible outcome.

However, where the Committee determines that an Officer's conduct amounts to Serious Misconduct because of the Officer's failure to act in accordance with an expectation of them as a Member, the Officer will face removal from office and termination of membership.

Where the Committee determines that an Officer's conduct amounts to Serious Misconduct because of the Officer's failure to act in accordance with an expectation of them as am Officer, the Officer will face removal from office unless the conduct could also amount to criminal offending, in which case the Officer will also face having their membership terminated.

Conduct That Could Also Amount to Criminal Offending

Where a Complaint discloses conduct that could also amount to criminal offending and the safety and welfare of a person other than the Respondent may be at risk of harm, the Committee shall lay a complaint with the New Zealand Police immediately.

Where a Complaint discloses conduct that could also amount to criminal offending but the safety and welfare of a person other than the Respondent is not at risk of harm, the Committee may investigate and determine the Complaint before laying a complaint with the New Zealand Police or any other relevant authority.