



CONSTITUTION

(JUNE 2006)

RULES OF THE BAY OF PLENTY TRAILER YACHT SQUADRON (INCORPORATED)

Amended June 2006

1. NAME: The name of the Society shall be "BAY OF PLENTY TRAILER YACHT SQUADRON INCORPORATED" (hereinafter called "the Squadron").
2. OBJECTS: The objects of the Squadron are:
 - a) To promote trailer yachting.
 - b) To affiliate to the New Zealand Trailer Yacht Association Incorporated.
 - c) To foster, encourage, and promote all aspects of the sport of yachting.
 - d) To affiliate to "Yachting New Zealand "and the Bay of Plenty Yachting Association.
 - e) To affiliate to any other organisation whose objects, or any of them, are compatible with the objects of the Squadron.
 - f) To promote all aspects of water safety.
 - g) To aid and encourage the acquisition (by members and by others) of knowledge and skills in any way relevant to yachting, boating, or water safety.
 - h) To obtain for members the right to enjoy all or any of the privileges of membership of any organisation (whether incorporated or not) whose objects are compatible with those of the Squadron.
 - i) To grant to members of any organisation whose objects are compatible with those of the Squadron all or any of the privileges of membership of the Squadron but not the right to vote at general meetings, nor the right to be an Officer of the squadron, or the right to be a member of the Committee, nor the right to compete for any prize, trophy, or award competition for which entry is restricted to Squadron members.
 - j) To organise, participate in, subsidise or support in any way sporting, recreational, cultural, and social events, gatherings and activities of every lawful kind.
 - k) To provide and maintain buildings, shore facilities, launching ramps, wharves, jetties, moorings, anchorages, and facilities of every nature and kind for the better attainment of any of the Squadron's objects.
 - l) To foster and encourage friendship among members.
 - m) To acquire, mortgage, lease, charge, take on hire, hire out or otherwise deal with, maintain or retain real or personal property of every nature and kind and licenses and privileges of every nature and kind which might, in the opinion of the Committee facilitate the attainment of all or any of the foregoing objects.
3. THE SQUADRON AND MEMBERSHIP: The Squadron shall consist of Members associated with 'trailer yachts' as defined by the New Zealand Trailer Yacht Association Inc. and other cabin type sailing craft (hereinafter called an 'other approved yacht') accepted for registration in the books of the Squadron and participation in Squadron

events by the Executive Committee. Every trailer yacht and 'other approved yacht' with their current owner or owners shall be registered with Yachting New Zealand and all such owners conjoined with other persons over the age of eighteen years as at the 1st of May in any year shall attain membership approval of the Executive, or the Squadron in General Meetings of the Squadron, for the following classes of membership:

Yachting, Life, Club, Country, Honorary and Patron.

Yachting, Club and Life Members may, for the interpretation throughout these rules be referred to as 'voting members'.

Yachting Membership: Membership shall consist of current owners who are individuals, husband/wife, a family unit, two partners, or an 'ownership' that from time to time may be determined by the Executive.

Owners in a financial membership (which may include their child or children under eighteen years of age on the 1st day of May each year) shall be eligible to participate in the day to day functions of the Squadron with full use of all Squadron facilities and where provided in these Rules accept nomination for any office or Executive Committee position.

A Yachting Membership shall on payment of one subscription entitle that membership to two votes on any matter in general meetings of the Squadron. Where there are 2 or more current owners, the owners shall decide on one owner (2 votes) or two owners (1 vote each) as voting members.

Life Membership: Where the Committee has by resolution so recommended, and notice of that recommendation has been given to members, the Squadron in general meeting may elect as a Life Member any person who is deemed to have given extraordinary continuous membership and service to the Squadron for whom the honour is considered appropriate. Life Members shall enjoy all the benefits and privileges of Yachting Membership. A Life Member shall not be liable to pay subscription but shall be entitled to two votes at general meetings of the Squadron.

Club Membership: Any person who does not meet the requirements of a Yachting Membership but desires to participate in Squadron activities may apply for Club Membership. On acceptance and with the payment of relevant fees they shall be eligible to participate in the Squadron's activities, receive official publications and newsletters issued to members and have one vote per Club Membership.

Country Membership: Any person whose place of permanent residence is outside the Rotorua District may apply for Country Membership with the Squadron provided that person is the owner of a 'trailer yacht' (as defined by the NZ Trailer Yacht Association Inc.) (or other approved yacht) and is in current membership of another yacht club affiliated to Yachting New Zealand, evidence of which must be presented to this Squadron annually. On acceptance and with the payment of relevant fees they shall be eligible to participate in the Squadron's social activities, receive the official publications and newsletters issued to members.

A Country Member shall have no voting rights, and shall not hold any office or executive position, nor hold a permanent Squadron mooring or hardstand parking area.

Facilities of the Squadron shall only be used by approval of the Executive Committee.

Honorary Membership: The Squadron in Annual General Meeting and upon the recommendation of the Committee may confer Honorary Membership upon any person who has taken an active or prominent part in the furtherance of the Squadron's objects

and activities.

The period of Honorary Membership shall be for a set period of time and such Honorary Members shall be entitled to participate in the Squadron's social activities and receive the official publications and newsletters issued to members.

No subscription shall be payable during the period of Honorary Membership. Honorary Members are not eligible to vote on any matter, or hold any office or Committee position within the Squadron. Facilities of the Squadron shall only be used by approval of the Executive Committee.

Patron: Upon the recommendation of the Committee, the members at the Annual General Meeting may elect a Patron who shall not be liable to pay a subscription.

The Patron may participate in activities of the Squadron but shall not be eligible to vote on Squadron matters. Notwithstanding, where any member is so appointed, they shall retain all privileges of their membership in addition to those of Patron provided that the appropriate subscription and/or fees are paid.

4. ATTAINMENT OF MEMBERSHIP:

- a) Every person desirous of becoming a member of the Squadron shall make application in writing on the form from time to time prescribed by the Committee and such application accompanied by the required entrance fee shall be countersigned by a voting member as proposer. The Committee shall as soon as practicable, and without assigning any reasons, either accept or reject every application for membership and where such an application is accepted the applicant shall become a member of the Squadron upon payment of the appropriate subscription to the Treasurer. A subscription payment may be tendered with a membership application and accepted subject to the decision of the Committee on that application but the tendering of such a payment shall confer no rights on the applicant.
- b) The membership application shall include an acknowledgement by the applicant, that as a member of the Squadron, the applicant consents (pursuant to the Privacy Act 1993 or any statutory amendment thereto or replacement statute) to personal information in the form of his/her name, residential address, postal address, occupation and telephone number(s) being included in a membership register for display in the Squadron's premises and/or circulation to the members and inclusion in annual statistical returns supplied by the Squadron.
- c) If the application form omits to include acknowledgement referred to in Clause (b) or if the acknowledgement is unsigned then it shall be the duty of the proposer and/or Secretary to ensure that the applicant is made aware of this provision of the Constitution.

5. TERMINATION OF MEMBERSHIP:

- a) Any member may at any time resign membership by notice in writing to the Secretary. A resignation shall take effect upon its receipt by the Secretary but resignation shall not release any person from liability to the Squadron for any unpaid subscription, fines, fees, restitution or other monies or obligations.
- b) No member whose subscription for the current financial year is unpaid as at the 30th day of September of that year shall be entitled to any of the rights or privileges of membership thereafter until the subscription is paid. Any member whose membership rights have been thus suspended and who has not remedied the default by the 1st day of December in that financial year shall be deemed to have tendered their resignation in writing to the Secretary on that day and the provisions of paragraph (a) of this Rule shall apply accordingly. In this Rule 'paid' means paid in full and 'unpaid' is to be interpreted accordingly.
- c) Where any member makes any payment to the Squadron in respect of their obligations to it that payment shall be credited and applied to the longest outstanding item, then (if there be any surplus from such application) to the next longest, and so on. The Squadron shall not be bound by any condition purportedly attaching to any payment to it by a member specifying that the payment is to be credited other than in accordance with the provisions of this paragraph of this Rule.
- d) The membership of any member may be determined in accordance with the provisions of Rule 6 and in such case to the determination of membership shall not release any person from liability to the Squadron for any unpaid subscription, fines, fees, restitution or other monies or obligations. Where any member is suspended from all or any of the rights and privileges of membership that suspension shall not suspend any of the financial obligations of the member to the Squadron neither shall it operate to reduce the subscription.

6. DISCIPLINARY:

All members shall be amenable to the Rules and By-laws of the Squadron. If the Committee, either of its own motion or as a result of a complaint considers that the conduct of any member may have been injurious to the Squadron the Committee shall give that member at least seven days' notice in writing of its intention to hold a hearing to consider the matter. The substance of the allegations being inquired into shall be set out in that notice. On the date notified (or any adjourned date of hearing) the Committee shall hold a hearing into the matter and shall afford the member whose conduct is under consideration the opportunity to make such explanation and to produce such evidence relevant to the matters in issue as the member wishes. If the member fails to appear at the hearing or any adjournment thereof the Committee may proceed with the matter in the member's absence. Any hearing pursuant to this Rule may be adjourned in its entirety or when partially completed. Except as herein provided the Committee shall determine its own procedure for such a hearing and may make such inquiries and consider such matters as it thinks fit. If after considering any matter in terms of this Rule the Committee finds that the member concerned has been guilty of conduct injurious to the Squadron it may:

- a) Reprimand that member; or
- b) Fine the member a sum not exceeding fifty (50%) percent of the subscription paid for that class of membership.

- c) Suspend the member from all or any of the rights and privileges of membership of the Squadron for any period not exceeding three months; or
- d) Expel the member from membership of the Squadron.
- e) Instead of or in addition to any of the penalties provided for in parts (a), (b) and (c) of this Rule the Committee may direct the member concerned to make such amends (by way of restitution or otherwise) as the Committee considers appropriate within such time as the Committee considers reasonable. Any member who fails within the time specified to comply with a direction to make amends shall be guilty of conduct injurious to the Squadron. No member shall be expelled from the Squadron or suspended from all or any of the rights and privileges of membership unless at least two-thirds of the members of the Committee present and voting on the issue vote in favour of such suspension or expulsion.

7. OFFICERS:

- a) The Officers of the Squadron shall be: Commodore, Vice-Commodore, Rear Commodore, the Secretary, the Treasurer, Marina Convenor, Hardstand Convener, Publicity Officer, Safety & Training Officer, and one general member.
 - (1) Commodore: The Commodore as senior officer shall preside over the Squadron at the General and Executive Committee Meetings and perform all such duties appertaining to that office, including representation as required to the Squadron's affiliated bodies.
 - (2) Vice Commodore: The Vice Commodore shall assist the Commodore in the discharge of the Commodore's duties and in the absence of the Commodore shall act in that of office. The Vice Commodore shall preside over the Squadron's Racing Subcommittee and be responsible for a programme of events to be completed, and shall ensure that all competition equipment is properly maintained. The Vice Commodore shall also maintain a register of all Squadron trophies and their location.
 - (3) Rear Commodore: The Rear Commodore shall assist the Commodore and Vice Commodore and in their absence act in their stead. It shall be the Rear Commodore's responsibility to preside over the cruising Sub Committee and with other members arrange the Squadron's annual prizegiving and social requirements of the Squadron, and shall maintain the clubroom facilities.
 - (4) The Secretary: The Secretary shall keep a record of all the proceedings of General and Executive Committee Meetings of the Squadron. It shall be a responsibility of the Secretary to receive and initiate the Squadron's correspondence according to the directions of the Executive Committee, and attend generally to all clerical duties.

The Secretary shall retain in security all details of the membership including the owner or owners of trailer yachts and other approved yachts registered with the Squadron. This confidential information shall only be available to the member concerned to verify or change details, for use at Executive Meetings, or for Squadron business as agreed in the declaration or acknowledgement signed by the Member.

In particular, the Secretary shall maintain an up to date register of voting members.

The Secretary shall also be responsible for security and maintenance of the Squadron's administrative equipment.

- (5) The Treasurer: The Treasurer shall have custody of the Squadron funds and ensure all monies are as soon as practicable placed in the Squadron's bank account.

It shall be a requirement of the Treasurer to keep all books in a manner that at any time will show the true financial position of the Squadron.

Each year prior to the Annual Meeting the Treasurer shall produce to the Executive Committee a statement of account for that year which with all books, receipts and accounts shall be made available for audit purposes.

The Treasurer may recommend to the Executive Committee the forthcoming year's entrance fees and subscription rates for the Annual Meeting.

- (6) Marina Convenor: The Marina Convenor shall have responsibility for the Squadron's Marina facilities (excluding Hardstand facilities), the Squadron's moorings and associated equipment and other lakeside facilities installed by the Squadron. The Marina Convenor shall be responsible for hiring out the Squadron's moorings.
- (7) General Committee Person: The duties of the General Committee person shall be decided by the Committee.
- (8) Publicity Officer: The Publicity Officer shall be responsible for publishing the Squadron's newsletter. Any results of club activities or club business which have been authorised for distribution by a Flag Officer may be released by the Publicity Officer.
- (9) Safety and Training Officer: The Safety and Training Officer shall make available all information and personnel to any Squadron member that requires assistance on safety matters or training.

The Officer's responsibilities are to ensure that the Squadron's members and crews are aware of the safety requirements for any or all of the Squadron's activities.

- (10) Hardstand Convenor: The Hardstand Convenor shall have responsibility for all the facilities in or related to the Squadron's hardstand(s). In particular, the Hardstand Convenor shall be responsible for ensuring that the electronic hardstand security system is operational at all times and for the renting out of the hardstand parking areas.

- b) The Commodore, Vice Commodore, and Rear Commodore (herein collectively referred to as 'the Flag Officers') must be elected from among 'voting members'.

- c) The Offices of Secretary and Treasurer may be held by the same member but no other Offices may be combined.
- d) Neither Commodore, Vice Commodore nor Rear Commodore may hold that Office for more than two consecutive years but this shall not debar a member who has held an Office for two consecutive years from immediately thereafter holding a different Office.
- e) An Officer may resign Office at any time by giving notice in writing to the Secretary and such resignation shall take effect upon the appointment or election of a member to fill the vacancy brought about by the resignation. A resignation from Office may, with the leave of the Committee or at its request, be withdrawn at any time before it takes effect.
- f) Any person shall be ineligible to become or continue as an Officer or Committee member if a person is convicted of an offence involving violence or dishonesty or becomes bankrupt; or is declared a mentally ill person or an incapable person within the meaning of the Mental Health Act; or resigns Office by notice in writing addressed to the Squadron.
- g) All Officers shall, in conjunction with Subcommittees elected, ensure that any directive of the Executive Committee and/or Squadron by-law is complied with.

8. COMMITTEE:

- a) The activities and property of the Squadron shall be under the control and management of the Executive Committee, which shall consist of the Officers and the immediate past Commodore. Where the Offices of Secretary and Treasurer are held by the same person the number of other Committee members shall be increased by one. Where the immediate past Commodore is an Office bearer or no longer a member of the Squadron or advises the Secretary in writing that he is unwilling or unable to serve on the Committee then the number of other Committee members shall be increased by one.
- b) The total membership of the Committee must be 'voting members', with no more than three being Club members.
- c) Paragraphs (e) and (f) of Rule 7 shall, with the necessary modifications, apply to other Committee members.

9. COMMITTEE MEETINGS AND PROCEDURE:

- a) The Committee shall meet at such times and places as it from time to time determines or as are required to comply with sub-paragraph (b) of this Rule.
- b) The Secretary shall call a Committee meeting when instructed so to do by the Commodore or on receipt of a request in writing signed by at least two members of the Committee, such a request shall specify the business which those members wish to have considered and in giving notice of a Committee meeting called as a result of a written request the Secretary shall specify the business the meeting has been called to consider. Other business may be dealt with at a Committee meeting called as a result of a written request.
- c) The Secretary shall give each member of the Committee at least three clear days notice in writing of a Committee meeting but the inadvertent failure to comply with the paragraph of this Rule shall not invalidate any Committee meeting.

- d) A quorum of the Committee shall be six members personally present but no quorum shall exist unless one of those present is a Flag Officer.
- e) The Commodore shall preside at Committee meetings, but in absence the Vice Commodore, and in the absence of them both the Rear Commodore.
- f) At Committee meetings each member of the Committee who is personally present shall have one vote except that the Chairperson shall have a casting, as well as a deliberative, vote.
- g) Voting at Committee meetings shall be by voices but the Chairperson may on a motion call for a show of hands whether or not voting has already been by voices. If any member so requests a show of hands shall take place. The Committee may resolve that a secret ballot be taken on any motion or issue and such a ballot shall then be taken accordingly.
- h) Any officer or other member of the Committee who is, without leave of absence having been granted by the Committee absent from three successive Committee meetings shall be deemed to have tendered their resignation from Office of the Committee (or, in the case of the immediate past Commodore to have advised of that members inability to serve on the Committee) as the case may be as at the date of the third such meeting and the provisions of Rule 10 shall apply accordingly.
- i) Except as provided in this Rule and in Rule 6 the Committee shall determine its own procedure.

10. VACANCIES IN OFFICE AND IN COMMITTEE MEMBERSHIP:

- a) Where any Office or Committee membership becomes vacant prior to the last day in February in any financial year the Committee may either:
 - (i) Appoint some member to the vacant Office or Committee membership position. Officers and members of the Committee shall be eligible for appointment to fill a vacant Office and in such case the further vacancy thus created shall also be filled in accordance with this sub-paragraph of this Rule; or
 - (ii) Call a general meeting of the Squadron for the purpose, inter alia, of filling the vacancy by election. The provisions of these Rules requiring nomination in writing shall not apply to elections pursuant to this sub-paragraph of this Rule. Officers and members of the Committee shall be eligible for election to fill a vacant Office. Where a vacancy is filled by election and a further vacancy is created thereby that further vacancy may be filled by election at the same or a subsequent general meeting of the Squadron or, if not filled by election at the same general meeting may be filled by appointment in accordance with sub-paragraph (i) hereof.
- b) Where any Office or Committee membership becomes vacant on or after the last day in February in any financial year the Committee shall either resolve not to fill the vacancy or shall make an appointment to fill it in which case the provisions of paragraph (a)(i) of this Rule shall apply.
- c) Any member elected or appointed in terms of this Rule shall thereafter hold Office or Committee membership as the case maybe until the next Annual General Meeting of the Squadron.

11. BY-LAWS:

The Committee may from time to time make, amend, and rescind By-laws for the better control, management and conduct of the Squadron's property and activities. Notice of the making, amendment, or rescission of any By-law shall be given to members in the Squadron's newsletter or by such other means as the Committee may determine. The Secretary shall keep an up to date set of the Squadron's By-laws available for the reference of members.

12. SUB-COMMITTEES:

- a) There shall be a permanent sub-committee known as the Racing Committee which shall be convened and presided over by the Vice Commodore. The Racing Committee shall consist of such members as may from time to time be appointed to it by the Squadron in general meeting. Subject to the overriding powers of the Committee, the Racing Committee shall be responsible for the organisation and conduct of the yacht racing activities of the Squadron and may for that purpose appoint such persons and committees as it considers appropriate to perform duties in relation to particular events of the Squadron's racing programme generally.
- b) There shall be a permanent sub-committee known as the Cruising Committee which shall be convened and presided over by the Rear Commodore. The Cruising Committee shall consist of such members as may from time to time be appointed to it by the Squadron in general meeting. Subject to the overriding powers of the Committee the Cruising Committee shall be responsible for the organisation and conduct of the cruising activities of the Squadron and may for that purpose appoint such persons and committees as it considers appropriate to perform duties in relation to particular events or the Squadron's cruising programme generally.
- c) The Squadron in general meeting or the Committee may at any time appoint one or more persons to be a sub-committee to investigate, report on, or carry out any project, activity, or function within the objects of the Squadron.
- d) The convenors of the Racing and Cruising Committees shall determine the procedures of their respective committees.
- e) Any sub-committee given power to deal with any funds of the Squadron shall ensure that full, accurate, and proper records are kept in relation thereto. Every subcommittee shall keep and make available to the Officers or Committee whenever requested so to do such records as it considers appropriate or has been directed to keep by the Committee or by the Squadron in general meeting.
- f) Members of sub-committees shall hold that membership from the time of appointment until the next Annual General Meeting of the Squadron or the subcommittee is sooner dissolved, or the member resigns from the sub-committee; whichever event first occurs. With the exception of the Racing and Cruising Committees any sub-committee may be dissolved at any time by the Committee except that sub-committees appointed by the Squadron in general meeting may only be dissolved by the Squadron in general meeting.

13. CONTROL OF FUNDS:

- a) Subject to the terms of any resolution of the Committee or of the Squadron in general meeting empowering any sub-committee to receive monies on behalf of the Squadron and to make payments, all monies received by or on behalf of the

Squadron shall be received by the Treasurer. The Squadron's cheque books and bankbooks shall be in the custody of the Treasurer.

- b) The Squadron shall maintain such account or accounts with a trading or savings bank or banks as the Committee may from time to time determine.
- c) Every trading or savings bank account of the Squadron shall be operated on behalf of the Squadron by two or more persons appointed from time to time by the Committee for that purpose and hereinafter referred to (in the context of the account or accounts in respect of which they hold such appointment as 'authorised signatories').
- d) Every cheque drawn on behalf of the Squadron, every bill of exchange endorsed on behalf of the Squadron, and every document withdrawing or authorising the withdrawal of funds from any account of the Squadron shall be signed by two authorised signatories.
- e) The Committee may appoint up to four authorised signatories in respect of any account but the signatures of any two of those shall be sufficient for any particular transaction.
- f) In respect of any account all but one of the authorised signatories must be either Officers or other members of the Committee.
- g) The provisions of this Rule shall apply to all bank accounts of the Squadron including accounts which sub-committees have been authorised to operate in terms of paragraph (a) of this Rule.

14. INVESTMENT:

Except in terms of a resolution of the Squadron in general meeting which resolution shall specify the amount involved, the nature of the investment and the period of the investment, no funds of the Squadron shall be invested other than with a trading bank or a savings bank. In this Rule and in Rule 13 'savings bank' means a Trustee Savings Bank or a savings bank owned and operated by a trading bank.

15. BORROWING POWERS:

- a) Subject to paragraph (b) of this Rule the Committee shall have power to borrow money in the name of the Squadron and to give security over all or any of the assets of the Squadron.
- b) The power to borrow and/or give security shall not be exercisable by the Committee in respect of any sum exceeding \$500.00 without the prior approval of the Squadron in general meeting, notice of the borrowing and/or security proposal having been given to members.
- c) For the purpose of paragraph (b) of this Rule more than \$500.00 shall be deemed to be borrowed or secured where the effect of any transaction is to increase to a sum greater than \$500.00 the total amount borrowed and/or secured during the then current financial year whether or not any previous borrowing or giving of security during that financial year had been approved by the Squadron in general meeting either during that year or prior to it.

- d) The Squadron shall not borrow money or give security over all or any of its assets on a 'further advances' basis unless the maximum amount to be borrowed or secured is specified in:
 - (i) The relevant notice given to members; and
 - (ii) The resolution approving the borrowing and/or giving of security; and
 - (iii) The documentation of the transaction.
- e) For the purposes of this Rule the amount being borrowed or secured is defined as the summation of the maximum amount able to be advanced or secured, and all interest fees and charges that could be incurred over the life of the transaction.

16. AUTHORISATION OF EXPENDITURE:

Except to the extent that the Committee may by resolution give authority to any Officer or sub-committee to expend the Squadron's funds or commit it to expenditure no expenditure shall be made or liability for expenditure incurred without the authority of the Committee.

17. FINANCIAL YEAR:

The financial year of the Squadron shall commence on the 1st day of May and conclude on the 30th day of April next following.

18. RECORDS AND ACCOUNTS:

- a) The Secretary and Treasurer shall keep and maintain on behalf of the Squadron such records and accounts as are appropriate to their respective offices and the activities and finances of the Squadron. They shall also keep such further records and accounts as the Committee or the Auditor may from time to time direct.
- b) Every other Officer and sub-committee shall keep such records and accounts as may to them seem appropriate and such further records and accounts as the Committee may from time to time direct.

19. COMMON SEAL:

The Honorary Solicitor shall have custody of the Common Seal of the Squadron. That Common Seal shall be affixed to documents only in accordance with a resolution of the Committee which resolution shall nominate the two Committee members (one of whom shall be a Flag Officer) in whose presence the Common Seal is to be affixed to the document in question and by that resolution those Committee members shall be authorised to witness and attest the affixing of the Common Seal accordingly.

20. DEFINITION OF NOTICE TO MEMBERS:

Where in these Rules it is required that notice be given to members of any meeting, resolution or proposal to borrow money or give security over all or any of the assets of the Squadron such notice shall be given at least seven days prior to the meeting concerned by either:

- a) The posting to each member at his last known place of address (where two or more members have a common address the sending of one notice to that address shall be deemed to be a giving of notice to each of those members) of an appropriate form of written advice which may be either a separate document or part of the

contents of a circular or newsletter. Inadvertent failure to comply with this requirement with regard to any member shall not invalidate the meeting concerned or any resolution passed at it; or:

- b) Publication in any newspaper circulating in the Rotorua district of an appropriate notice in the 'Public Notices'.

It shall be the duty of every member to advise the Secretary in writing of every change to that members' postal address and the 'last known address' of any member shall be the last address of which that member has given such notice.

21. GENERAL MEETINGS:

General meetings of the Squadron shall be held at such times and places as the Committee determines. Notice of general meetings shall be given to members.

22. SPECIAL GENERAL MEETINGS:

The Secretary shall call a Special General Meeting of the squadron if a requisition in writing by at least ten 'voting members' is received requiring that a Special General Meeting be held to consider the business or resolution specified in that requisition. A Special General Meeting shall be held not later than one calendar month from the day the Secretary receives such a requisition. Notice of a Special General Meeting and of the business or resolution specified in the requisition for its calling shall be given to members. The Special General Meeting may deal with only that business of resolution and matters fairly arising from it.

23. ANNUAL GENERAL MEETINGS:

- a) An Annual General Meeting of the Squadron shall be held in June of each year.
- b) The business of an Annual General Meeting shall include:
 - (i) The consideration and, if thought fit, the adoption either conditionally or unconditionally, of a financial statement and balance sheet for the previous year;
 - (ii) The election of Officers and Committee members to hold office and Committee membership respectively until the next Annual General Meeting of the Squadron;
 - (iii) To appoint an Honorary Solicitor and Auditor (neither of whom need be a member of the Squadron), each to hold appointment until the next Annual General Meeting of the Squadron. (Where an Honorary Solicitor or Auditor dies or resigns his appointment, the Committee shall have power to fill the vacancy until the next Annual General Meeting of the Squadron).
 - (iv) The appointment of members to the Racing and Cruising Committees and other sub-committees that are required.
 - (v) To consider motions of which notice has been given to members;
 - (vi) To consider Motions (not being Motions which need to be notified to members) of which notice in writing was received by the Secretary on or before the 31st day of May in that year.

(vii) General business.

24. NOMINATION FOR OFFICE AND FOR COMMITTEE MEMBERSHIP:

- a) Nominations for Office and for membership of the Committee shall be in writing and reach the Secretary or the Commodore by the 31st day of May in each year. Each nomination shall be signed by two voting members as proposer and seconder respectively and countersigned by the nominee to indicate his acceptance of nomination.
- b) Where there are one or more nominations received for any Office on or before the closing date no nominations for that Office may be received after the closing date.
- c) Where sufficient nominations for membership of the Committee have been received on or before the closing date no nominations for Committee membership shall be received after that closing date.
- d) Where no nominations for an Office has been received on or before the closing date late written nominations shall not be received but nominations shall be called for from the floor at the Annual General Meeting and an election shall be held if more than one nomination is then received. Nominations from the floor shall be made orally and must be seconded.
- e) Where no nomination for members of the Committee (other than Officers) are received in time, nominations shall be called for from the floor at the Annual General Meeting and an election shall be held if more than sufficient nominations are received. Nominations from the floor shall be made orally and must be seconded. If insufficient nominations are received from the floor, the persons nominated shall be declared to be elected and the remaining vacancies shall be filled by the Committee as soon as practicable.
- f) Where some nominations (other than Officers) are received in time for membership of the Committee but the number of nominations is insufficient to fill the Committee membership late written nominations shall not be received and the Chairperson of the Annual General Meeting shall:
 - (i) Declare those nominated in time to be elected and:
 - (ii) Call for nominations from the floor to fill the then remaining vacancies. If more nominations are received than there are vacancies remaining an election shall be held to fill those vacancies only.
- g) Any member nominated for any Office or for membership of the Committee may at any time withdraw that nomination.
- h) No member shall be nominated from the floor unless that member is personally present or has consented in writing to be nominated for the Office concerned or for membership of the Committee as the case may be. Any such written consent must be tabled at the meeting before a nomination made in reliance on it is accepted by the Chair.
- i) No person shall be eligible to be nominated for any Office or for membership of the Committee unless that person is a member of the Squadron as defined in Rule 3 at the time the nomination is made.

25. QUORUM AT GENERAL MEETINGS:

- a) The quorum at any general meeting of the Squadron shall be fifteen voting members personally present.
- b) Where a quorum is not present at the time and place appointed for any general meeting the meeting shall stand adjourned for thirty minutes or until a quorum is sooner present. If a quorum is not present by the end of that thirty minutes the meeting shall stand adjourned to the same time and place fourteen days later. Notice of the adjourned meeting shall be given to members. If it is not practicable to hold the adjourned meeting at the same place that notice shall specify the new meeting place.
- c) A Special General Meeting shall not be adjourned beyond thirty minutes for lack of a quorum. If by then a quorum is not present the requisition for the meeting shall be deemed to have been satisfied and the business of resolution the meeting was called to consider shall lapse.

26. PROCEDURE AT GENERAL MEETINGS:

- a) The Commodore shall preside at general meetings of the Squadron but in absence the Vice Commodore and in the absence of them both the Rear Commodore. Where no Flag Officer is present the meeting shall elect its own Chairperson.
- b) Except where the Chairperson chooses to vacate the Chair (which shall be done for the conduct of any election in which that person is a nominee) the Chairperson at the commencement of the meeting shall continue in the Chair throughout the meeting.
- c) Any member may speak in accordance with the ordinary rules of the meeting procedure as applied by the Chair.
- d) Only voting members personally present may vote. Proxy voting shall not be permitted.
- e) Voting shall in the first instance be on the voices but the Chairperson may call for a show of hands and shall call for a show of hands if any voting member so requests.
- f) Voting in elections shall be by secret ballot.
- g) A meeting may resolve that a secret ballot be taken on any motion and such a ballot shall then be taken accordingly.
- h) Simple majority of those voting shall determine any issue including the amendment of these Rules.
- i) The Chairperson shall have a casting as well as a deliberative vote.

27. SUBSCRIPTIONS AND FEES:

- a) Subscriptions and fees may be fixed and levied according to classes of membership as the Squadron in Annual General Meeting may from time to time determine.
- b) Except to the extent that they are altered by an Annual General Meeting annual rate of subscription and the methods by which they are fixed and levied shall continue in force from year to year.

- c) If, in any year between the first day of March and the last day of April, the Committee approves new membership application(s) and receives the appropriate subscription(s) the membership(s) shall carry forth into the next financial year.
- d) Annual fees for the use of Squadron facilities shall be recommended by the Executive Committee and, except to the extent that they are altered by an Annual General Meeting, the annual fees and the methods by which they are fixed and levied shall continue in force from year to year.

28. AMENDMENT TO THESE RULES:

- a) The Rules of the Squadron may be amended only by the Squadron in general meeting, notice of the proposed amendments having been give to members as prescribed in Rule 20.
- b) No motion to amend these Rules may be considered at an Annual General Meeting unless notice of it has been give to the Secretary in writing on or before the 20th day of May in that year.

29. DISPOSITION OF SURPLUS ASSETS ON WINDING UP:

In the event of the Squadron being wound up or being dissolved by the registrar of Incorporated Societies the surplus assets of the Squadron after payment of all costs, debts, and liabilities shall be vested in the New Zealand Trailer Yacht Association Incorporated or, if that body is not then in existence ' Yachting New Zealand".

30. TROPHIES:

- a) Unless the sailing instructions or other rules governing the competition specifically provide to the contrary, every prize, trophy, award or competition awarded or conducted by the Squadron shall be for members only (which expression shall be interpreted in the light of the provisions of Rule 3 relating to Country, Associate and Honorary. The fact that any non-member is permitted by the Racing Committee to sail in any race shall not make that person eligible for any prize, trophy or award.
- b) Unless the sailing instructions or other rules governing competition for it specifically provide to the contrary every prize or trophy awarded by the Squadron shall be for annual competition and shall remain the property of the Squadron.
- c) The Committee may in its absolute discretion require that any prize or trophy which is the property of the Squadron remain in the possession of the Squadron or it may permit the winner thereof to take temporary possession of that prize or trophy. Where such temporary possession is permitted it is conditional upon the prize or trophy being returned to the Secretary by the 30th day of April next following or forthwith on demand made at any time prior to then.

31. FLAGS AND EMBLEMS:

- a) The Squadron pennant shall be royal blue with a white ball in its centre on which shall be superimposed a royal blue yacht under sail encircled with the Squadron's title in white lettering. No member, other than a Flag Officer, shall fly that pennant from a vessel that is not on the Squadron's register.
- b) The Squadron's emblem or motif shall be a royal blue yacht under sail encircled with the Squadron's title shown on a white or natural background.

- c) (i) The Commodore's pennant shall be royal blue with the word 'Commodore' in white lettering.
- (ii) The Vice-Commodore's pennant shall be the same with the words 'Vice Commodore', in white lettering.
- (iii) The Rear Commodore's pennant shall be the same with the words 'Rear Commodore' in white lettering.

32. Blank

33. REGISTER OF TRAILER YACHTS (and other approved yachts) AND OWNERS:

The Squadron shall keep and maintain a register of all trailer yachts (and other approved yachts) owned by members; that register shall show the owner or owners of each such yacht. No trailer yacht or (other approved yacht) shall be entered in the Squadron's register unless the Committee is satisfied that it is currently and correctly registered with Yachting New Zealand in the name of the current owner or owners.

No yacht shall remain on the Squadron's register if the foregoing conditions cease to be complied with. No yacht shall be eligible to compete for any prize, trophy, award or competition restricted to members of the Squadron unless it is on the Squadron's register and entitled to be on it.

34. REGISTERED OFFICE:

The Committee shall ensure that the Squadron at all times has a Registered Office to which all communications may be addressed. Where the Registered Office is not the place of residence or business of the Secretary communications addressed to it shall be deemed to be received by the Secretary at the time they are received at, or delivered to, the Registered Office. When the Registered Office is changed notice of the change shall be given forthwith to members and to the Registrar of Incorporated Societies.

35. AUDITOR:

The Auditor who shall not necessarily be a member of the Squadron shall examine and report on the annual statement of accounts and balance sheet. The Auditor shall at all reasonable times have access to the books and accounts and shall be entitled to any information relating thereto or to any matter deemed necessary or desirable for audit purposes.

36. PECUNIARY GAIN:

No member of the Squadron shall derive a pecuniary gain except by way of a payment of honoraria approved by the Squadron in General Meeting. No trailer yacht or 'other approved yacht' on the Squadron's register shall use any Squadron facility for the pecuniary advantage of its owner or owners as the case may be.