



## **Weiti Boating Club (INC)**

PO Box 207 Whangaparaoa

# **RULES OF THE WEITI BOATING CLUB (INCORPORATED) WHANGAPARAOA**

**August 2019**

### **NAME:**

1. The name of the Club is "THE WEITI BOATING CLUB (INCORPORATED)". The Club flag is a Royal Blue pennant with a gold letter "W" above a stylised gold letter "W". Only financial members of the Club shall have the right to fly the club flag.

### **OBJECTS:**

2. The objects of the Club shall be the encouragement of motor yachting and cruising and sailing generally, the promotion of all aquatic sports, and the recreation of the members.
3. Without limiting any general powers vested in it, the Club shall have power:-
  - (a) To purchase take on lease or in exchange on hire or license or otherwise acquire hold mortgage and dispose of any real or personal property and any rights and privileges which the Club shall think necessary or expedient for the purposes of attaining the objects of the Club or any of them or promoting the interests of the Club or its members.
  - (b) To Purchase, lease, hire or otherwise acquire, construct and maintain and to sell, exchange or otherwise dispose of buildings, fences, machinery skids, slipways, hauling out sites, roads, paths and other works property or assets whatsoever as may be rendered necessary or expedient for the use of the Club.
  - (c) To borrow or raise money from time to time by the Debentures, bonds, mortgages or any other security forwarded or leased or secured on all or any of the property and or properties of the Club or without any such security and upon such terms and conditions as to priority otherwise as the Club shall decide.
  - (d) To invest and re-invest in such securities or assets and upon such terms as the Club shall from time to time think fit the whole or any part of the funds of the Club which shall not be required for the immediate business of the Club.

### **MEMBERSHIP:**

4. The Club shall consist of Financial Senior Members, Junior Members, Family Members, Life Members, Honorary Life Members and Associate Members.
5. **SENIOR MEMBERS:** All persons aged 18 years and over, who are interested in the objects of the Club shall be eligible for Senior membership. Application for Senior membership shall be made in writing to the Secretary and the Committee shall have full power to accept or decline any application for membership and shall not be obliged to state any reason for declining any such application. The club restricts the number of Senior and Family members to five hundred (500) members.
6. **JUNIOR MEMBERS:** Persons under the age of 18 years on the 31st day of March in the year in which application for membership is made shall be eligible for Junior Membership.
  - (a) Application for Junior Membership shall be made in writing to the Secretary and the Committee shall have full power to accept or decline any application for membership and shall not be obliged to state any reason for declining any such application.
  - (b) Junior Members shall be entitled only to those privileges of the Club which may from time to time be granted by the Committee.
  - (c) Junior Members shall not be entitled to any vote nor to hold office.
  - (d) Graduation from Junior to Senior Membership shall be automatic at age 18 upon payment of the Senior membership fee.
7. **FAMILY MEMBERS:** Family Membership is available to people eligible for Senior Membership together with spouse / partner, and children up to the age of 18 years. The two adult members of each Family Membership shall be accorded all the rights of a Senior member. Application for Family Membership shall be made in writing to the Secretary and the Committee shall have full power to accept or decline any application for membership and shall not be obliged to state any reason for declining any such application. The club restricts the number of Senior and Family members to five hundred (500) members.
  - (a) The fee for the Family Membership shall be up to 140% of the Senior member fee, which the Committee will recommend to the AGM for approval.
8. **LIFE MEMBERS:** The Committee may admit to Life Membership of the Club any Senior Member or newly joining Senior Member who pays such sum as the Committee with the approval of the Club in General Meeting may from time to time determine. In the case of a newly joining Senior Member such payment shall be in addition to any entrance fee payable.
9. **HONORARY LIFE MEMBERS:** Any person may be proposed by the Committee an Honorary Life Member in recognition of valuable services to the Club. Such proposals shall be presented at a General Meeting and shall be passed by ballot vote by a majority of at least three-fourths of the members of the Club, eligible to vote and present at such meeting.

10. HONORARY MEMBERSHIP: The Committee shall have power to grant honorary membership to any person for services rendered to the Club or any aquatic sport. The Commodore of the Club shall be entitled to grant honorary membership to any person visiting from any other part of New Zealand or from Overseas. The following provisions shall apply to Honorary Members:

- (a) They shall be entitled to all the privileges of the Club but shall not be entitled to any vote nor to hold any office.
- (b) The term of their membership shall not be for longer than one year.
- (c) The Committee may revoke the grant of Honorary Membership to any person at any time.
- (d) Honorary membership of the Club may be conferred on the positions of Patron, Vice-Patron.

11. ASSOCIATE (Social) MEMBERS: Any person having an interest in the objects of the Club and wishing to participate in its social activities but who would be unlikely to engage in boating activities or make use of the boating and related facilities of the Club shall be eligible for Associate Membership.

- (a) Application for Associate Membership shall be made in writing to the Secretary and the Committee shall have full power to accept or decline any application for such membership and shall not be obliged to state any reason for doing so.
- (b) Associate Members shall be entitled only to those privileges of the Club including the use of the facilities of any Clubhouse that the Club may own as shall from time to time be prescribed by the Committee but they shall not be entitled to the use of any skids, moorings, slipways, hauling out sites or machinery or equipment of the Club nor will they be entitled to any vote or to hold office.
- (c) Associate Membership is for the individual only and is exclusive of any extended family members.

#### RESIGNATION:

12. Any Member wishing to resign from the Club shall give notice in writing to that effect to the secretary and pay all arrears to that date.

13. Any member whose subscription is unpaid for two months after the same became due and any other member who is in the opinion of the Committee has been guilty of conduct (whether in the Club premises or elsewhere) unbecoming of a Club Member may have his or her name removed from the list of Members PROVIDED HOWEVER that before taking such action the Committee shall give the member reasonable opportunity to appear before it and state his or her case AND if the member so wishes the Committee upon the written request of the member shall bring the question of the reinstatement of such member before the next ensuing General Meeting of the club but pending reinstatement by the General Meeting the member shall not be entitled to any of the amenities of the Club.

#### FEES:

14. The annual subscription of all members and classes of members and entrance fees (if any) shall be fixed for the ensuing year by each Annual General Meeting [AGM] of the Club to be held as herein after provided. In the case of new members the annual subscription and entrance fee (if payable) are due on election and if not paid within one month of election such election shall be null and void. In the case of a member being admitted after the commencement of the season, the full year's subscription for the then current season as from the preceding first day of September and entrance fee (if payable) shall be paid by the member unless otherwise decided by the Committee. Former Members of the Club who have resigned at some time and who subsequently apply to re-join shall not be required to pay a second entrance fee, provided they were financial members with all dues paid when they resigned.

#### VOTING:

15. Unless otherwise required by these Rules the method of voting for the election of officers shall be by ballot. Voting on all other matters at General meetings shall be by voice except that the Chairman or any member may require the matter to be determined on a show of hands.

#### OFFICERS:

16. The Officers of the Club shall consist of the Flag Officers [Commodore, Vice-Commodore and Rear-Commodore], and up to fourteen other members. The Flag Officers and at least half the members of the Committee shall be owners of boats or have an interest in a boat. The immediate Past Commodore is expected to remain as an officer of the club for one year.

- (a) Any Office bearer ceasing to be a member of the Club shall automatically cease to be an Office bearer.
- (b) an Office bearer automatically ceases to hold office in the Club if he/she
  - I. Becomes of unsound mind.
  - II. Becomes a bankrupt

17. All Officers of the club shall be elected for the ensuing year at the AGM of the Club. They shall be eligible for re-election except that the Commodore may not hold office at one time for more than two consecutive years. Casual vacancies in their number may be filled by the Committee. Nomination forms bearing the names of proposer and seconder, and signed by the proponent for any Flag Officer position should be in the hands of the Secretary at least 14 days prior to the AGM.

- (a) That the Committee shall appoint a Secretary and a Treasurer (who may be the same or two persons) on such terms as the Committee shall determine. The Secretary and Treasurer so appointed shall hold those positions until they resign or their appointment is terminated by the Committee.

#### CLUB CAPTAIN:

18. The Committee should appoint one of its Senior Members to be Club Captain and may from time to time prescribe their duties. The Committee at any time may remove the Club Captain from office and appoint another in their stead.

#### MANAGEMENT:

19. The Committee shall have the entire management and control of the business and affairs of the Club and the committee is accordingly authorised to exercise all powers and functions and do all acts, deeds and things which may be exercised or done by the Club save and except solely such matters as are expressly referred by these Rules to be exercised or done by the Club in General Meeting.
- (a) Any member of the Club may derive pecuniary gain from the Club by way of salary or honorarium as a servant or Officer of the Club as determined by the Committee from time to time
  - (b) The Committee may employ staff as required to undertake duties previously assigned to unpaid positions. In doing so the Committee is to act in an employer/employee relationship and ensure, amongst other things, that:
    - I. – the person selected is suitable for the position;
    - II. – a probationary period as prescribed by law is included in the terms of employment to determine their suitability for the position;
    - III. – such person carries out the duties in the interests of the club.

#### MEETINGS:

20. The AGM shall be held not later than the 7th day of August in each year or as soon thereafter as practicable at a time and place fixed by the Committee for the following purposes:
- (a) To receive the Commodore's report, the Club's Balance Sheet and Statement of Accounts for the preceding year.
  - (b) To elect Flag Officers and members to the Committee for the ensuing year.
  - (c) To transact any other business and generally decide on any resolution which may be duly submitted to the meeting.
  - (d) To fill honorary positions of Patron and Vice-Patron
21. A Special General Meeting maybe called at any time by order of the Committee or on the requisition signed by at least ten Senior members or five members of the Committee such requisition to state the objects thereof.
22. Notice of meetings:
- (a) The date for the AGM, or a SGM, shall be advertised at least 5 weeks prior to the date set for the meeting, provided that notice for a SGM may be reduced by the Secretary on the instructions of the Committee where there is urgency.
  - (b) Should any member wish to put a motion before such a meeting, the motion must be submitted to the Secretary, in writing, at least 3 weeks prior to the meeting
  - (c) The Agenda, motions, remits and reports shall be circulated to all members 2 weeks prior to the meeting.
23. The Committee shall meet monthly or as may be determined and a Committee meeting may be called by the Secretary or by any three members thereof upon giving notice to the Secretary.
24. Fifteen members shall form a quorum at any general meeting and five at all committee meetings and unless where provided by these Rules to the contrary the decision of a majority of the votes recorded shall be binding.

#### DUTIES:

25. The Commodore or in their absence the Vice-Commodore or the Rear-Commodore in order of precedence shall preside at all meetings of the Club and the Committee. The Commodore may delegate Subcommittee chairmanship where appropriate to a general committee member.
26. It shall be the duty of the Secretary:
- (a) To keep a true record of all meetings of the Club in a book provided for the purpose.
  - (b) To keep the club's register of Boats and make the entries therein to be made from time to time as prescribed by these Rules.
  - (c) To keep a record of all the racing events of the Club.
  - (d) To keep such other records relating to the boats of member or to the racing of members' boats as the Committee shall require from time to time.
  - (e) To keep a correct roll of all members, the dates of their election and their registered addresses.
  - (f) To notify the Treasurer immediately after the Annual General Meeting of the members then liable for the Annual Dues and also during the year to notify him of the election of new members.
  - (g) To file all documents, records, reports and communications with the Club and to bring them before such meeting as may properly deal with them.
  - (h) To notify each member of his election and furnish him with a copy of the Club rules and regulations.
  - (i) To conduct the correspondence of the Club.
  - (j) To notify those members liable of every meeting excepting standing meetings.
  - (k) In case of inability to attend any meetings to cause the necessary books and papers to be conveyed to the place of meeting.
27. It shall be the duty of the Treasurer:
- (a) To collect and receive all moneys due to the Club and pay all debts due and owing by the Club keeping a correct account of all receipts and payments for books provided for the purpose. In respect of accounts for more than \$50.00 the same shall not be paid without the prior approval of the Committee but in respect of accounts for amounts up to \$50.00 the same may at the discretion of the Treasurer be paid without the Committee's prior approval.
  - (b) To produce a quarterly statement of accounts and prior to the annual meeting a balance sheet of the receipts and disbursements of the past year and a report generally upon the finances of the Club.

- (c) To have the custody of the funds of the Club and to keep accounts of the same in such manner as will at any time clearly show the true financial position of the Club.
- (d) To pay all moneys collected as soon as practicable and without deduction to the account of the Club with the Club's Bankers. The financial year of the Club shall end on the 31st day of March in each year.

**BANK ACCOUNT:**

28. An account shall be opened with such Bank as the Committee shall from time to time determine and the Club's Account with such Bank shall be operated upon by the signature of any two persons, who should be members although one may be an employee if that is their role, nominated from time to time by the Committee for such purpose.

**SEAL:**

29. The Common Seal of the Club shall be the Seal adopted as such by the Committee and shall be kept in the custody of the Secretary. Whenever the Common Seal of the Club is required to be affixed to any document the affixing of the Common Seal thereto shall be authorised by a resolution of the Committee and shall be attested by two members of the Committee one of whom shall be the Secretary or the Chairman of the Committee.

**AFFILIATION:**

30. The Club shall be empowered to affiliate with any other Clubs, Associations or organisation having objects similar to the objects of the Club.

**ALTERATIONS OF RULES:**

31. At any General Meeting of the Club the Rules of the Club may be altered by the enactment of further Rules or by the rescission or amendment of existing Rules PROVIDED HOWEVER that:
- (a) notice in writing of the resolution embodying the proposed additions, rescissions or amendments shall be given to the Secretary as per timeframes defined in Rule 22.
  - (b) the Secretary shall give notice to members as per timeframes defined in Rule 22 and
  - (c) such resolutions shall be passed by a majority of at least three-fourths of the members of the Club, eligible to vote and present at such meeting.

**AUDIT:**

32. The requirement for an audit of the annual financial statements will be determined by a majority vote of eligible members at the AGM. If required, this audit shall be conducted by a suitably qualified person.

**WINDING UP:**

33. Upon the winding up of the Club or upon the dissolution thereof by the Registrar the funds of the Club after payment of all debts and the expenses of winding up shall be disposed of in such manner as the Club in General Meeting shall determine, but shall prohibit the distribution of any surplus funds or assets to its members.

**BY LAWS**

34. The Constitution shall be supplemented by By-laws relating to the general administration, conduct and management of the Club and its assets. Such By-laws shall be created, amended or added to by the Committee and circulated to all members, and shall come into force 14 days after being so circulated unless a Special General Meeting to discuss them is called in accordance with Rule 21.