

RULES AND BY-LAWS OF
THE KAIKOURA BOATING CLUB (INCORPORATED)

1. NAME:

The name of the club shall be THE KAIKOURA BOATING CLUB (INCORPORATED)

2. OBJECTS:

The objects of the Club shall be:

- (a) To provide members with facilities for boating;
- (b) To lobby for the preservation and enhancement of recreational fishing opportunities for members;
- (c) To do all such other things as shall be considered necessary or desirable to attain the objects of the Club.

3. CONSTITUTION:

The Club shall consist of those members who have been elected or who from time to time be elected in accordance with the Rules of the Club.

4. ELECTION OF MEMBERS:

Every application for membership must be proposed by a member and seconded by another member of the Club and such proposal shall be in writing on a form adopted for that purpose by the Committee which shall be signed by the candidate whose private address and occupation shall be added. His or her election shall be decided at the next meeting of the Committee. A member's spouse and family under the age of eighteen years as at 31st May shall be entitled to all privileges of the Club.

5. LIFE MEMBERSHIP:

Any member who has rendered special service may be elected a Life Member of the Club. The name of the proposed Life Member must first be submitted to and offered by the Committee and afterwards submitted to the Annual General Meeting or a special General Meeting for election as a Life Member. No person shall be elected as a Life Member except with the approval of seventy-five per cent of members present at such meeting. A Life Member shall be entitled to all privileges of the Club including that of voting at meetings but without liability to subscription.

6: ANNUAL SUBSCRIPTION:

The Annual subscription becomes due on 1st June in each year and shall be paid to the Treasurer of the Club. Members failing to pay their subscription on or before 1st January in each year shall be liable to have their name removed from the list of membership. A member on paying the subscription is thereby agreed to abide by the Rules of the Club and on that condition only is entitled to enjoy the privileges of the Club.

7: RESIGNATION OF MEMBERS:

Any member wishing to resign from the Club shall notify the Secretary in writing prior to the beginning of the financial year or before the Annual General Meeting. In default of such notice he shall be liable for his subscription for the current year provided always that the Committee may remit the whole or any portion of such subscription as they may consider circumstances warrant and keys, plaques or other club equipment must be

returned.

8: GENERAL MEETINGS:

The Annual General Meeting is now to be held no later than the 8th of January each year for the purpose of receiving the report and balance sheets, the election of officers and any other business to be submitted to the meeting.

All elections shall be by ballot.

Ten members shall form a quorum at all General Meetings.

VOTING: (except elections) shall be by the show of hands or by ballot if demanded.

At all General Meetings the Chair shall be taken by the President or in his absence by the Club Captain. In the absence of both the President and the Club Captain, the members present at the meeting shall elect a Chairman.

A General Meeting shall be convened whenever ten members request it or the Committee consider it necessary to do so.

A printed notice of all General Meetings shall be given to members at least fourteen days before the meeting and shall be advertised in at least one of the local daily papers.

A copy of the Annual Report and Balance Sheet to be presented at the Annual General Meeting.

9. OFFICERS:

Patron

President

Vice President

Club Captain

Secretary

Treasurer or Honorary Treasurer

One or more of the above offices may be held by one person.

10. ELECTION OF OFFICERS AND MEMBERS OF COMMITTEE:

The Officers of the Club and members of the Committee shall be elected at the Annual General Meeting and shall continue in office until their successors are appointed. Any vacancy occurring during the year shall be filled by the Committee. No member under the age of eighteen years shall be eligible to hold office.

11 . COMMITTEE:

(a) The Committee of the Club shall consist of the officers of the Club and a minimum of four and a maximum of eleven other members elected as aforesaid. Four shall form a quorum.

(b) The Committee shall have the management of the Club's affairs and shall have power to make, alter or rescind by-laws not repugnant to the rules of the Club and to act for the comfort and accommodation of members and all regulations made by the Committee and orders given by them shall be binding on every member of the Club until set aside at a General Meeting.

(c) The Committee shall meet as often as may be necessary in the Club Rooms at such a time as may be arranged at any meeting. The President or any two members of the Committee shall have power at all times in instructing the Honorary Secretary to call a meeting of the Committee.

(d) At all meetings of the Committee the Chair shall be taken by the President or in his

absence, by the vice President.

If both these officers are absent then those members present shall elect a Chairman

(e) The Committee shall have power to appoint a sub committee. All sub-committees shall be sub-ordinate to the Committee of the Club. The President shall be ex-officio a member of all committees.

(f) Should any member of the Committee with the exception of the Patron and President be absent from three ordinary meetings of the Committee without any explanation in writing duly accepted by the Committee the member shall be deemed to have vacated their office.

(g) The Committee shall have power to fill any occurring vacancies if any member of the Committee shall resign or cease to be a member through non-attendance at Committee Meetings or other cause.

12 SECRETARY:

The Secretary shall convene and attend all General and Extra Ordinary General Meetings of the Club and all meetings of the Committee and any sub-committees and keep accurate minutes of the same, conduct all correspondence and preserve copies according to the direction they may receive from the Committee and submit the same to any relative meeting. The secretary shall immediately upon election of any new member give them notice in writing of their election and a copy of the Rules of the Club. The secretary shall keep a register of members in terms of Section 22 of the Incorporated Societies Act 1908. The position of secretary does not need to be a financial member of the club.

13. TREASURER OR HONORARY TREASURER:

The Treasurer shall receive all moneys due to the Club and receipts issued shall be a sufficient discharge. All moneys so received by the treasurer shall be paid to the credit of the Club's account at such Bank as the Committee may from time to time decide upon. All operations upon such account shall be signed by the Treasurer and countersigned by the Club Captain or such other Officer or Member of the Committee as the Committee may from time to time authorise. The treasurer shall place before the Committee at each meeting all accounts for approval of payment and shall pay such accounts within seven days after being passed for payment. The treasurer shall submit to the Committee for its consideration a draft of the accounts for the past year and shall then submit to the Annual General Meeting the engrossed statement of accounts which accounts shall have been previously audited by the Honorary Auditor appointed at the General Meeting. The treasurer shall furnish returns as required by Section 23 of the Incorporated Societies Act 1908. The position of treasurer does not need to be a financial member of the club.

14. EXPULSION OF MEMBERS:

The procedure for expulsion of members is as follows:

(a) Any person or organization may make a complaint to the Committee that the conduct of a member of the Club is or has been injurious to the character, good order or welfare of the Club. Every such complaint will be in writing and addressed to the Secretary.

(b) If the Committee considers that there is sufficient substance in the complaint; it may invite the member to attend a meeting of the Committee and to offer a written and/or oral explanation of the member's conduct.

(c) The Secretary shall give the member at least seven (7) days written notice of the

meeting. The notice will:

- (1) Sufficiently inform the member of the complaint so that the member can offer an explanation of the member's conduct; and
 - (2) Inform the member that if the Committee is not satisfied with the member's explanation the Committee may refer the matter to a general meeting of the Club's members for decision on whether the member should be expelled.
- (d) If, as a result of the meeting, the Committee decides that the matter warrants a determination of whether the member should be expelled, the Committee shall call a general meeting of members who shall have the power to expel the member from the Club. At such general meeting, the quorum shall be six members present in person, and the vote shall be taken by secret ballot. If at least two thirds of the members present vote that the member be expelled from the Club, he/she shall cease to be a member of the Club forthwith.

15 ALTERATION OF RULES:

The rules of the Club shall not be altered, added to or rescinded except at a General Meeting or an Extraordinary General Meeting called for the purpose and every proposed alteration, addition or recession must be handed to the Honorary Secretary in writing fourteen days prior to the date of such meeting. A copy of such alteration, addition or recession shall be included in the notice given of intention to hold such meeting. A three-quarters majority of the members present at such meeting shall be required. No addition or recision of the Rules shall be approved if it affects the pecuniary profit clause or the winding up clause.

16. INTERPRETATION OF RULES:

The decision of the Committee on the interpretation of the rules or any matter or thing not contained in these Rules and which pertain to the Club, its property or interests shall be conclusive and binding on all members until revoked at a General Meeting.

17. CONTROL AND INVESTMENT OF FUNDS:

The Club may at any General Meeting direct the Committee to establish a Building Fund or any other fund and at such meeting shall elect three trustees who shall be responsible for the control of such funds. The Club shall authorise the Committee to transfer to any trust fund so established such part of the surplus of the Club's funds as the Club shall consider proper. The trustees need not be members of the Club.

18. DISPOSITION OF PROPERTY IN THE EVENT OF WINDING UP:

The disposition of the property and surplus assets of the Club in the event of winding up, shall be diverted by an extraordinary general meeting of the members called for the purpose and no member may participate in any surplus arising therefrom.

19. SEAL:

The Seal of the Club shall not be affixed to any instrument except by authority of a resolution of the Committee and In the presence of at least two members of the Committee and of the Secretary or such other person as the Committee may appoint for the purpose and those two members and the Secretary or other person as the Committee may appoint for the purpose and those two members and the Secretary or other person shall sign every instrument to which the Seal of the Club is so affixed in their presence.

| 20 GENERAL_BY-LAWS:

- (a) The Committee shall have power to fine, suspend or dismiss any member guilty of misconduct or breach of the rules or by-laws.
- (b) Any member damaging or destroying Club Property shall if requested so to do by the Committee, shall forthwith pay for or replace such property.
- (c) Any fines or penalties imposed on the member by the Committee shall be paid at once and until paid the member in default is liable to be suspended or expelled from the Club.
- (d) Parking at South Bay is to be diagonally on the seaward side of Kaka Road. Parking at Pier Slipway is on the seaward side of Wakatu Quay.
- (e) Parking at the Ocean View facility shall be in accordance with the agreement with NZ Transport Agency as per display plan at the site.
- (f) New locks and keys take effect from 30th of November each year. Each key is the property of the club and is not to be loaned or otherwise disposed to nonmembers, except to immediate family members normally resident at the same physical address.
- (g) Membership stickers shall be affixed to the trailer winch poles on the right hand side.
- (h) The Club's Annual General Meeting is to be held on the first Sunday in January each year not being New Years Day.
- (i) Club membership may pass to a family person on the resignation or death of a current paid-up member. The new member pays both joining & Club fees.
- (j) The Club is to affiliate with the Recreational Fishers Association.
- (k) Trustee's have full Committee Membership but may abstain from any motion, vote or discussion if they consider such action may compromise their trusteeship obligations.
- (l) The Club may not have more than 10 honorary members.
- (m) Life Members are to be nominated via the Committee.

21. PECUNIARY PROFIT:

No member or person associated with a member of the organisation shall derive any income, benefit or advantage from the organisation where they can materially influence the payment of the income benefit or advantage, except where that income, benefit or advantage is derived from :-

- a) Professional services to the organisation rendered in the course of business charged at no greater than current market rates ,or
- b) Interest on money lent at no greater rate than current market rates.