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I/S No. 80/57 DOC 4

INCORPORATED SOCIETIES



Declaration by an Officer of a Society, or a Solicitor or Members consent to Incorporation, and that the Rules are the Rules of the Society.

signed or sealed

I, ERNEST IAN WHITE, of CHRISTCHURCH AUG 25 9 21 AM '80

do solemnly and sincerely declare as follows —

(1) State if Solicitor or Office held in Society

- 1 That I am ⁽¹⁾the Solicitor engaged to incorporate the Association
- 2 That a majority of the members of The Canterbury Yachting Association Incorporated

(2) State mode in which consent has been obtained

has consented to the application for the incorporation of the said Society, and that such consent has been obtained ⁽²⁾at a Special General Meeting of the Association called for the purpose on this 20th day of May 1980

3 That the rules accompanying the application signed or sealed by the subscribers are the rules of the society

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Oaths and Declarations Act 1957

Er White

Declared at Christchurch this 22nd day of August 1980

Ernest Ian White
A Justice of the Peace, Solicitor, Notary Public or other person authorised to take a Statutory Declaration

RULES FOR THE CANTERBURY YACHTING ASSOCIATION

INCORPORATED

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TITLE

NAME:

1. THE name of the Association shall be "THE CANTERBURY YACHTING ASSOCIATION INCORPORATED" (hereinafter called "the Association")

Aug 27 10 26 AM '80

REGISTERED OFFICE:

2. THE Registered Office of the Association shall be at such place as the Association may from time to time determine.

INTERPRETATION:

3. IN these Rules unless a contrary intention appears:-

"The Association" means The Canterbury Yachting Association Incorporated".

"Club" means a Yachting Club affiliated to the New Zealand Yachting Federation.

"Year" means the financial year of the Association which shall extend from the 1st day of May in any year until the last day of April in the succeeding year.

"Resolution" means a resolution passed by the majority of those present and eligible to vote at any meeting other than a "Special" meeting.

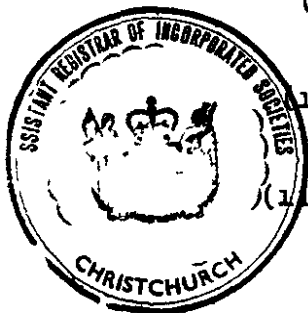
"Special Resolution" means a resolution passed by a two-thirds majority of those present and eligible to vote at a General or Special General meeting.

Words importing the masculine gender shall be deemed to include the feminine gender and words importing the singular shall be deemed to include the plural.

OBJECTS:

4. THE objects of the Association are:-

- (1) The encouragement, co-ordination and administration of yachting.
- (1) To foster and encourage water safety, boat design and yacht racing.
- (1) To affiliate with any National Body having similar or complementary objects.

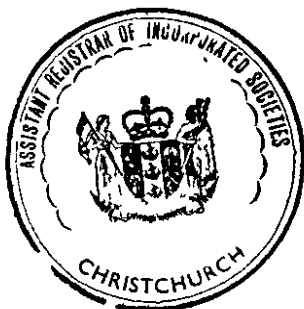


- (iv) To acquire, control and develop such real and personal property including any limited rights or interest therein as may be considered advisable for the provision or maintenance of yachting facilities in the Canterbury District and of anything reasonably incidental thereto.
- (v) To borrow and raise money for any of the objects aforesaid and to secure the repayment thereof in such manner as may be deemed advisable including the mortgage or charge of the whole or any part of the property of the Association.
- (vi) To make representations to Parliament or any Committee set up thereby or commission of enquiry or to any local body or authority on any matter relating to yachting or water safety and to operate with any of the aforesaid.
- (vii) To do all such things as are incidental or conducive to the attainment of any of the above objects.
- (viii) To consider and settle disputes between any members of the Association when requested by both parties to do so.
- (ix) In construing the foregoing objects the construction of any clause shall not be construed or restricted by reference to any other clause.

MEMBERSHIP:

5. The Association shall consist of the following:-

- (a) Full members shall be those Clubs in the Canterbury District other than those defined in sub-clause (b) below who shall be financial members of the New Zealand Yachting Federation (hereinafter referred to as 'N.Z.Y.F.') which have signed an application for incorporation of the Association or who are later admitted to membership.
- (b) Clubs which are financial members of the N.Z.Y.F. and are situated more than 32 kilometres in a direct line from Cathedral Square, Christchurch may elect to become Country Members.
- (c) Associate members shall be those owners' associations, squadrons and other bodies who may be admitted to membership, where all senior members of such associations, squadrons or other bodies, are financial members of a full or Country member of the Association as defined above.



6. APPLICATION for membership shall be in writing and shall be accompanied by a copy of the applicant's rules and if for associate membership, by proof of its individuals' membership of a Full or Country member.

Notice of any such application shall be given to all Full members and Country members of the Association and the election shall be a two-thirds majority of such members. The Secretary shall give notice to the applicant of the outcome of the application.

ASSENT TO RULES:

7. ALL members of the Association shall be held to consent to and be bound by these rules.

RESIGNATION:

8. ANY member may terminate membership by resignation in writing delivered to the Secretary but the member shall remain liable for levies and subscriptions outstanding at the time of resignation.

TERMINATION OF MEMBERSHIP:

9. (a) ANY member whose subscription is more than two years in arrears may at the discretion of the Association be removed from membership of the Association.

(b) Any member who fails to comply with the rules of the Association or persists in actions or activities deemed by the Association to be contrary to the objects of the Association may on a two-thirds vote of Full and Country members present at the meeting, be removed from membership of the Association providing that no member shall be so removed without being heard by the Association.

SUBSCRIPTIONS:

10. THE annual subscription for each member shall be determined by the formula:-

(a) Full Member

Total subscription income for the Club for previous year
Net senior subscription for previous year

multiplied by A

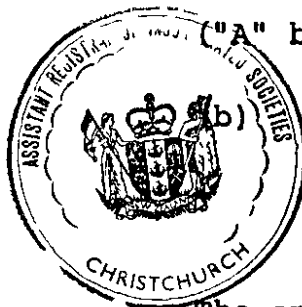
"A" being the Association levy fixed by the Association each year)

(b) Country Member

Total subscription income for the Club for previous year
Net senior subscription for previous year

multiplied by $\frac{A}{2}$

The annual subscription of the Yachting Division of the Timaru Yacht Club shall be determined by the following formula:-



(c) Total subscription income of the Yachting Division for
the previous year
Net senior subscription of the Yachting Division for X $\frac{A}{2}$
the previous year

(d) Associate Member
As determined from time to time.

ANNUAL GENERAL MEETING:

11. THE Annual General Meeting shall be held in June of each year and the Secretary shall give 21 days notice to all members. The business of the Annual General Meeting shall be:-

- (a) To receive and adopt the Annual Report and the audited Balance Sheet.
- (b) To elect officers.
- (c) To fix the annual subscriptions and levies.
- (d) To consider any general business.

SPECIAL GENERAL MEETING:

12. A Special General Meeting shall be convened on the requisition of the President or three members and such requisition shall indicate the business to be transacted. On receipt of such requisition the Secretary shall call such a meeting within 28 days giving 14 days notice which shall contain particulars of the business to be transacted.

ORDINARY MEETINGS:

13. THE Association shall hold Ordinary Meetings at least once in every month except as otherwise decided by the Association and the Secretary shall give five days notice to the members.

QUORUM:

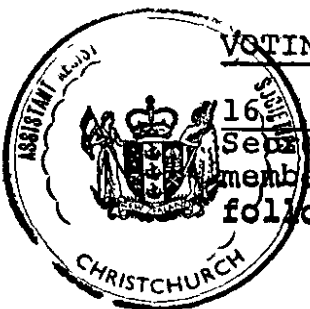
14. THE Quorum shall comprise delegates from one half of the number of Full members of the Association.

DELEGATES:

15. AT all meetings members shall be represented by delegates with Full members entitled to two delegates and Country and Associate members entitled to one delegate each.

VOTING RIGHTS:

16. VOTING rights are vested in the President, Vice-President, Secretary, Treasurer, N.Z.Y.F. Delegate and delegates from members, the voting rights for the latter being determined as follows:-



- Full members with 1-200 equivalent senior members - 2 votes
- Full members with 201-300 equivalent senior members - 3 votes
- Full members with 301-upwards equivalent senior members - 4 votes
- Country members - 1 vote
- Associate members - 1 vote

Notwithstanding the entitlement of any Club, no delegate may exercise more than two votes.

Voting shall be by a show of hands unless otherwise directed by the Chairman, and each delegate may be required by the Chairman to substantiate his voting rights.

The Patron and Immediate Past President shall have the right to speak but no right to vote unless as a delegate of a member.

A sub-committee Chairman who is present other than as a delegate may speak but shall have no right to propose motions nor to vote except on matters pertaining to that sub-committee and the Chairman's ruling on such pertinency shall be binding.

The President shall chair all meetings and in his absence, the Vice-Chairman and if neither are present the meeting shall elect a Chairman. The Chairman shall have a casting vote.

OFFICERS:

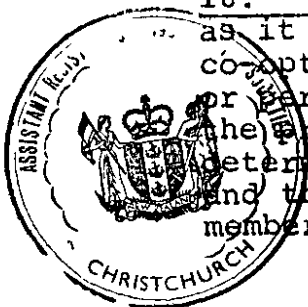
17. THE Officers of the Association shall be Patron, President, Immediate Past President, Vice-President, Honorary Secretary, Honorary Treasurer and the N.Z.Y.F. Delegate. The offices of Secretary and Treasurer may be combined.

The officers, who must be financial members of a Full member, shall be nominated prior to the Annual General Meeting by a Full member but should there be no prior nomination for an office, nomination may be accepted at the Annual General Meeting.

The Association shall have power to co-opt officers and fill any vacancies which may occur and any person assuming office in such a manner shall hold office until the next Annual General Meeting.

SUB-COMMITTEES:

18. THE Association may appoint such persons as sub-committees as it considers necessary from time to time and to enlist by co-optation for any special purposes the services of any person or persons on any terms of reference, times of meetings and the procedures to be observed by such sub-committees shall be determined by the Association from time to time. The President and the Secretary of the Association shall be ex officio members of each sub-committee.



SECRETARY:

19. THE Secretary shall attend in person all meetings of the Association unless given leave of absence, and shall keep full and correct minutes of the meetings, produce to the Association all letters sent and received by the Association, issue notices of meetings when directed, conduct all correspondence and keep records of all activities of the Association.

TREASURER:

20. THE Treasurer shall be responsible to the Association for the supervision and recording of the financial affairs of the Association. He shall receive and account for all monies paid to the Association, open bank accounts and distribute funds as directed by the Association, prepare a financial statement for every Association meeting, present an audited balance sheet and statement of accounts for that financial year to the Annual General Meeting and on resignation or retirement, prepare a supplementary statement of accounts and hand to his successor all records and Association property in his keeping.

BANK ACCOUNT:

21. CHEQUES drawn on any bank account operated by this Association shall be signed by two of the following: The President; The Secretary; The Treasurer; provided that in the event of illness or absence of any of such persons the Association may nominate another delegate for this purpose.

AUDITOR:

22. A suitably qualified auditor shall be appointed at the Annual General Meeting to hold office for one year but shall be eligible for re-election from year to year.

HONORARIA:

23. THE Association may at the Annual General Meeting, determine the honoraria to be paid to the Secretary and to the Treasurer, and a sum for expenses to be paid to the President.

PROTEST PANEL:

24. THE Association will form a Canterbury Protest Panel, its membership and terms of reference to be decided from time to time by the Association.

DEFERRED REFERENCE OF BUSINESS TO MEMBERS:

AT the request of one-third of the delegates at any Ordinary Meeting, any matter shall be deferred for consideration by members. The Secretary shall give notice to all members of such matter which shall then be determined at the first meeting subsequent to such notice.



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REGISTRATION OF YACHTS:

26. ALL Association members shall provide annually to the Secretary of the Association or to such other person nominated for this purpose a register of all craft owned by its membership and eligible to participate in such member activities.

FINANCE:

27. (a) THE income and property of the Association, from whatever source derived shall be applied towards the promotion of the objects of the Association and may be invested, lent or dealt with in such a manner and upon such terms as may from time to time be determined upon provided that no part of the funds shall be paid directly or indirectly by way of dividend or commission to any member of the Association; this rule shall not however, be so construed to prevent payment to any member for services rendered by him to the Association.

(b) The Association shall have the power to borrow money with or without security, upon such terms and on such rate of interest as it shall think fit, and to give security for repayment of any monies borrowed with interest thereon as it thinks fit.

SEAL:

28. THE Common Seal of the Association shall be held by the Secretary and shall be affixed to any document pursuant to a resolution of the Association in the presence of any two of the Officers of the Association.

ALTERATION TO RULES:

29. THESE Rules may be altered, added to or rescinded by Special Resolution. Notice of all proposed alterations, additions or rescissions shall be handed to the Secretary in writing. Twentyeight days notice of any such proposed alteration, addition or rescission shall be given to each member in writing together with the names of proposer and seconder. Nothing in this rule shall prohibit the amendment of any proposal which has been specified in the notice. Any such alteration, addition or rescission shall have effect only when approved by the Registrar of Incorporated Societies.

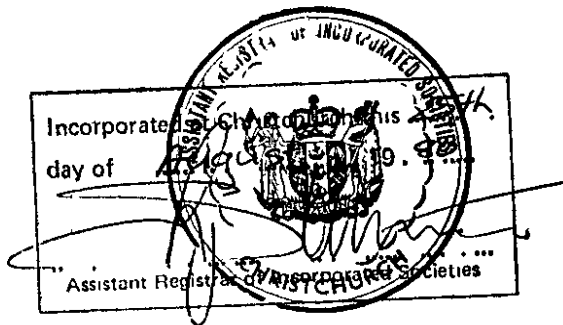
WINDING UP:

30. THE Association may be wound up by a Special Resolution to that effect and providing that all the liabilities of the Association have been duly discharged shall be dissolved as from a date to be named in such resolution which shall be confirmed at a subsequent General Meeting called for that purpose and held not earlier than thirty days after the passing of the said resolution.



The distribution of the funds and property of the Association shall be between members in such proportions as may be agreed upon, or failing agreement, as may be determined by arbitration under the provisions of the Arbitration Act 1908 or any amendment thereto. Notice of such resolution should be sent to the Registrar of Incorporated Societies.

Adopted by Special Resolution of the Association at a Special General Meeting convened for that purpose on the twentieth day of May in the year one thousand nine hundred and eighty.



These are the rules marked "A" which are referred to in the annexed Declaration of ERNEST IAN WHITE made on this 22nd day of August 1980 before me:

Ernest Ian White