

Rules of THE MANA CRUISING CLUB (INC)
as amended at the 2010 Annual General Meeting.

1. Name

The name of the Club is "Mana Cruising Club (Incorporated)" hereinafter referred to as the "Club".

2. Registered Office

The registered office of the Club shall be the Clubhouse, Ngatitua Domain, Paremata.

3. Objects

The objects of the Club shall be the encouragement of pleasure boating in all facets, the encouragement of safe boating and such other matters and purposes connected with the welfare and development of the Club.

4. Committee

The committee shall consist of;

- Four Flag Officers (Commodore, Vice Commodore and Two Rear Commodores)
- Secretary
- Treasurer
- Four Committee members

Provided that the Commodore shall be the owner or part owner of a vessel regularly used in and around Cook Strait and that all shall have full membership rights (Rule 18). At least four members apart from the Commodore shall be owners or crew members of vessels regularly used in and around Cook Strait.

At all meetings of the Committee, 5 members shall form a quorum.

5. Club Captain & Other Representatives

The Committee shall have the power to appoint from among the elected members of the Committee, a Club Captain to hold office for that year and shall have further power to appoint officers, being members having full membership rights under Rule 18, to control property or conduct or control Club racing or other specific activities which the Committee considers desirable.

The Committee shall have the power to appoint Port Captains as representatives of the Club at any port considered necessary.

6. Nomination of Committee

Nomination of candidates for the Committee shall be in writing, and in the hands of the Secretary no less than 28 days before the date fixed for the Annual General Meeting. Such nomination shall be duly signed by the Proposer and Seconder being members having full membership rights under Rule 18, and the acceptance shall be signed by the proposed candidate. These nominations will be posted on the Club notice board and on the Club Website as soon as possible after receipt.

In case no nomination is received for an office, or insufficient nominations for Committee members, the Annual General Meeting may elect a member or members without prior notice.

7. Election of Committee

The Committee shall be elected at the Annual General Meeting of the Club and may hold office until the election of their successors. Election of Officers and Committee members shall be carried out by use of voting papers and the Chairman (Rule 26) may appoint scrutineers and a returning officer.

8. Replacement of Committee members

In the event of resignation or death of Committee members, or any Committee member ceasing to be a member under Rule 11, the Committee may:

- (a) Replace any Flag Officer by appointment from the elected Committee members
- (b) Replace any other member of the Committee by co-option of a member having full membership rights under Rule 18, except that in the event that the co-opted members of the Committee would total four, the Committee shall call a General Meeting for all four positions to be determined by election.
- (c) Call a General Meeting to fill any vacancy by election.

In the event of resignations or deaths causing loss of a Committee quorum, the remaining members shall call a General Meeting within 14 days, to fill vacancies by election.

For all General Meetings called under this Rule for elections, the notice, nominations and voting procedures shall be the same as specified in Rules 6 and 7.

9. Election of Other Club Officials

At the Annual General Meeting, without prior nomination being required, the Honorary Auditor, Honorary Solicitor and Representatives to appropriate affiliated bodies will be elected.

In the event of a vacancy occurring during the year for the Honorary Auditor, Honorary Solicitor or other Club official appointed under this rule at the Annual General Meeting, the Committee is to act to fill the vacancy until the next Annual General meeting.

10. Minutes and Annual Accounts

Minutes shall be kept of all General and Committee Meetings

The Committee shall prepare Annual Accounts compliant with legal and financial reporting standards for presentation to the Annual General Meeting of the Club.

11. Attendance

If any Committee member is absent for three consecutive meetings without leave of absence the Commodore may declare that persons position to be vacant.

12. Powers and Duties of the Committee

The affairs of the Club shall be managed by the Committee, which shall have the following powers:

- (i) The control and management of the office and property of the Club.
- (ii) To acquire or obtain from or make any arrangement with any Government, High Court, Local Authority or otherwise or any corporation, company or person for authority, right, privilege, concession, contract, or charter which the Committee may think it desirable to obtain or which may seem to the Committee conducive to any of the objects of the Club and to accept make payments under, carry out, exercise and comply with any such arrangement, authority, right, privilege, concession, contract or charter.
- (iii) Generally to purchase, take on, lease or in exchange, hire or otherwise acquire any real and personal property and any rights or privileges, which the Committee may think necessary and convenient for the purpose of any of the objects of the Club.
- (iv) To invest any monies of the Club not required for its immediate use in any Savings Bank or Trading Bank in New Zealand and to vary such investments from time to time.
- (v) To sell, lease, exchange, bail, grant licenses in respect of or otherwise deal with or dispose of the Club's undertakings or any part thereof or any property or interest in any property, rights, concessions or privileges belonging to the Club either together or in portions to any Government, Supreme Court, Municipal, Local Authority or otherwise or corporation, company, firm or person for such consideration or premium or upon such terms as the Committee may think fit.
- (vi) To undertake and execute any trusts conducive to the objects of the Club.
- (vii) To accept or reject any legacy, bequest or gift regardless of whether such legacy, bequest or gift is offered with or entails conditions.
- (viii) The Committee shall have the power to charge fees to members for the use of Club facilities. Notice of changes in such fees or new fees must be advised to members in the Club's Newsletter and by way of notice on the Club Notice board and Website.
- (ix) To do all other things as in the opinion of the Committee may be incidental or conducive to the attainment of any of the foregoing objects or the exercise of any of the foregoing powers.
- (x) The Club is prohibited from making any distribution, whether by way of money, property or otherwise howsoever, to any member or former member unless it is reasonable remuneration for services performed, or money lent or deposited, or goods supplied.

13. Borrowing

The Committee is authorised by a resolution passed at any General Meeting of the Club to borrow or raise money and secure payment thereof in such manner as the Club determines.

14. Types of Membership

Types of membership shall be:

- (i) Regular Membership
- (ii) Veteran Membership

- (iii) Country Membership
- (iv) Life Membership
- (v) Visiting Membership
- (vi) Honorary Life Membership
- (vii) Honorary Membership
- (viii) Absentee Membership
- (ix) Associate Membership

Explanation of these categories is as follows:

(i) Regular Membership

This membership is open to any person over the age of 18 years being owner or part owner of a vessel regularly used in and around Cook Strait or persons interested in the objects of the Club who may be elected in accordance with Rule 15.

(ii) Veteran Membership

Any member having held full membership rights under Rule 18 (i) for an unbroken period of 15 years and who has reached the age of 65 years may, on applying to the Committee, be classified as a Veteran member. This classification will enjoy all the privileges of regular membership.

(iii) Country Membership

This category of membership is available to people who;

- (a) are not an owner or part owner of a vessel regularly used in and around Cook Strait, **and**
- (b) reside anywhere in the South Island or north of the latitude of Te Horo or the Wairarapa side of the summit of the Rimutaka Road in the North Island **or**
- (c) permanently reside outside New Zealand, **or**
- (d) cruise outside New Zealand for longer than one year.

Such persons when elected as a country member shall enjoy limited membership rights as defined under Rule 18 (ii).

(iv) Life Membership:

Any person eligible for Regular membership of the Club and who has paid an entrance fee may apply for Life membership in either category 14 (i) or 14 (ii) on the payment of ten (10) times the annual subscription for the time being in those respective categories of membership.

The class of Life membership enjoys all the rights and privileges of Regular membership as outlined in Rule 18 (i).

No further subscriptions will be payable.

(v) Visiting Membership

This class of membership is of a temporary nature and should be used to cater for the special circumstances outlined below. It may be granted to any person or persons on the resolution of the Committee and under such conditions and payment of such subscriptions as the Committee deems appropriate.

For visiting cruising boats it may be granted by a Club Officer, on proof of membership of a boating or yacht club, with the subscription set by Rule 16, for a maximum of three (3) months.

Any person enjoying the privileges of visiting membership shall enjoy the rights of limited membership as defined under Rule 18(ii).

(vi) Honorary Life Membership:

Any person for sufficient reason may if unanimously nominated by the Committee for the purpose be elected at any General meeting an Honorary Life member of the Club, such election shall be by majority ballot. Honorary Life members shall be entitled to the privileges of the Club and entitled to vote and hold office and shall be subject to these rules.

No further subscriptions will be payable.

(vii) Honorary Membership

The Mayor of Porirua, the Chief of Naval Staff, the Director of Maritime Safety, and the Chair of the Wellington Regional Council shall be Honorary Members during their respective terms of office. They shall enjoy limited membership rights as defined under Rule 18 (ii).

(viii) Absentee Membership

Any member absent from New Zealand for one year may, by notifying the Secretary, change their membership to Absentee and be free of subscription. No person may remain an Absentee member longer than three years unless they have, prior to the expiry, applied in writing for an extension. An Absentee member may on return have their original membership category restored without fresh application. This grade carries no membership entitlements.

(ix) Associate Membership

This category of membership is available to people who are not an owner or part owner of a vessel regularly used in and around Cook Strait.

Associate members shall enjoy limited membership rights as defined under Rule 18 (ii). Associate members will not have rights to use moorings, the launching ramp, or be entitled to member discounts when using the travel lift services.

(x) Change of Membership

It shall be the duty of any member in all categories to notify the Secretary of any change impacting on his or her membership category.

(xi) Rights of Member's Family

The rights and privileges of a member may be enjoyed by the member's partner. Any children of a member or their partner under the age of 20 years shall enjoy limited membership rights as defined under Rule 18 (ii), and may skipper boats in any Club race, provided the member is financial in terms of Rule 28 (i).

If a member enjoys full membership rights as defined under Rule 18.1 then the partner of a member shall have all the rights and privileges of regular membership as defined under Rule 18(i), provided that:

- (a) Only one partner can stand for election to Office or the Committee. The other partner shall not propose or second the nomination.
- (b) Both partners may skipper boats in any Club race, provided the member is financial in terms of Rule 28 (i)

(c) If one partner is an elected Officer or Committee member, that partner shall have full membership rights and the other shall have limited membership rights as defined in Rule 18 (ii).

Otherwise (d) through to (g) apply.

(d) Either partner can represent the membership at meetings, but if both are present the membership has only one vote, and only one partner, for the duration of the meeting, can propose or second resolutions.

(e) Only one partner can participate as proposer or seconder in any one nomination for the Committee.

(f) Only one partner can propose or second any one applicant for membership.

(g) Only one partner can contribute to a request for any General Meeting in terms of Rule 22.

On the death of a member, the surviving partner may continue as a member in the same category.

15. Election Of Members

A candidate for membership shall make application on the prescribed form, endorsed by two members having full membership rights in the capacity of proposer and seconder. The application must be accompanied by the appropriate entrance fee and subscription and shall be displayed on the Club's notice board for at least seven (7) days. Election to membership shall be by at least a three-fourths majority of those present at the next meeting of the Committee.

The Committee shall have the right, without providing reason, to reject any application.

16. Subscriptions

The subscription for regular membership for the current financial year shall be fixed by the Committee and shall become due immediately upon receipt of invoice.

Any person elected to membership during the Financial Year shall be required to pay a subscription based on months remaining in the Financial Year.

Subscriptions for the following classes of membership are;

Veteran Membership	15%
Country Membership	45%
Associate Membership	45%
Visiting Membership	15% per month, payable after the first fortnight

17. Entrance Fee

Entrance fees shall be payable by candidates applying for Membership, the amount payable will be set annually by the Committee.

No refund of an entrance fee will be made except when the Committee rejects an application for membership. No further entrance fee is payable where a member has already paid an entrance fee during his or her previous history with the Club.

18. Membership Rights

- (i) "Full Membership Rights" in these Rules refers to those rights and privileges enjoyed by a fully paid Regular member. Full membership rights are also given to Veteran members, Life members and Honorary Life members.
- (ii) "Limited Membership Rights" as referred to in Rule 14 mean that the members in this category;
 - (i) Cannot vote at or participate in the requisition of any General Meeting of members.
 - (ii) Cannot nominate, second, or stand for any position of officer or committee member of the Club.
 - (iii) Cannot propose or second any applicant for membership of the Club.
 - (iv) Cannot propose or second any resolution, or give notice of intention to do so at any General Meeting.
 - (v) Cannot participate in or speak at any meeting of the Club unless invited to do so by the Commodore.

19. Resignation

A member may resign at any time by giving written notice of their intention to the Secretary.

20. Expulsion

The Committee shall have power to expel or suspend from membership for such period as the Committee thinks fit, any member for misconduct, conduct not conducive to the best interests of the other members or of the Club or for any other sufficient cause. Such a member shall have the right of appeal to a General Meeting, with the request for meeting posted to the Secretary within fourteen (14) days of notification of such expulsion or suspension. Such General Meeting may confirm, rescind or vary the resolution of the Committee.

The business of such General Meeting shall be restricted to consideration of the appeal by the expelled or suspended member. No discussion from the floor shall be permitted.

The order of business shall be:

- (i) Appointment of two scrutineers.
- (ii) The expelled or suspended member, and members in their support, shall have the right to state the case for the appeal against the expulsion or suspension.
- (iii) The Committee shall state the basis for the Committee's decision to expel or suspend.
- (iv) The expelled or suspended member, and members in their support, shall have the right of reply to the Committee's case.
- (v) Voting shall be on the choice between rescinding and confirming the Committee decision. Voting shall be by ballot. The ballot paper shall include provision for comment on the duration of suspension, for later consideration by the committee.

Only comments attached to the individual ballot papers shall be retained for the Committee. The ballot papers shall be destroyed immediately following the announcement of the result to the meeting.

21. Annual General Meeting

The Annual General Meeting of the Club shall be held before the end of October each year at the time and place set by the Committee.

22. General Meeting

A General Meeting may be called at any time by the Committee or by the Commodore, or upon a request signed by at least 15 members with full membership rights under Rule 18 and the request shall state the business to be dealt with. The business shall be set out in the Notice of General Meeting sent to members and only such business or matters reasonably incidental thereto shall be dealt with at the meeting.

23. Notice of General Meeting

Notice of all General Meetings shall be notified to members not less than fourteen (14) days before the meeting. Notice means communication by post, by electronic means (including email and website posting), advertisement in the Club newsletter or a combination of these methods.

A notice shall also be posted on the Club Notice Board.

24. Method of Voting

At all General Meetings any matter other than the election of the committee and an appeal under Rule 20 shall in the first instance be decided by a show of hands.

At the request of any member, the Chairman may require that the matter be decided by ballot. All votes shall be cast personally and not by proxy. Only members enjoying full membership as defined in Rule 18 are able to vote.

25. Casting Vote

The Chairman at any meeting of the Club or of any Committee meeting where there is an equality of votes has a casting vote in addition to their own deliberative vote.

26. Chairman

The Commodore, if present, shall preside at all meetings of the Club and of the Committee. In the Commodore's absence, the Senior Flag Officer shall preside and in the event of no Flag Officer being present, the meeting shall elect a chair and it shall be obligatory on the member with full membership rights as per Rule 18 so elected by a majority of the members present to take the chair.

27. Quorum

At all General Meetings of the Club twenty-five (25) members with full membership rights under Rule 18 shall form a quorum.

28. Arrears

Any members who have not paid subscription or fees due to the Club within one month of the date of the account sent by the Club shall be deemed in arrears.

- (i) This fact shall be brought to their attention and they shall not be entitled to the privileges of the Club, nor shall such members be entitled to vote at any

meeting or compete for any prizes or skipper any vessel in a Club race until the account is paid.

- (ii) The Committee may strike off the membership register the name of any member whose subscription or fees are not paid in full within one month from the date of the notice in Rule 28 (i) and thereupon such person shall cease to be a member of the Club.
- (iii) The Committee may reinstate any such person upon receipt of such subscription or fee. The Secretary shall, as directed by the Committee, maintain posted on the Club Notice Board a list of all members who are in arrears under this rule.

29. Boat Register

Each member shall state in writing to the Manager the name, measurement, full description, power or sail, equipment, private flag belonging to such member for which he shall desire the privileges of the Club, and such other particulars as the Club from season to season decides upon, and the particulars shall be entered in the Club register of vessels, and no vessel shall be eligible to compete in Club activities unless such registration has been made.

Alternatively, registration in the Online Vessel Register available from the Club Website will be deemed acceptable registration for the purpose of this rule.

It shall be the duty of members to notify the Club of any change of ownership or other significant changes to the vessel on the Club register.

30. Alterations

It shall be the duty of members to notify the Club of any change of contact details relating to their membership.

31. Burgee

The Club Burgee is a triangular pennant striped horizontally red over blue divided by a narrow separating band of white and defaced by a white anchor in the upper canton.

32. Officers' Flag

The Commodore's flag shall be rectangular with a swallow tail, striped horizontally red over blue divided by a narrow separating band of white and defaced by a white anchor in the upper hoist canton.

The Vice Commodore's flag shall be similar to the Commodore's flag and in addition shall have one white ball in the lower hoist canton.

The Rear Commodore's flag shall be similar to the Commodore's flag and in addition shall have two white balls vertically in the lower hoist canton.

A past Commodore's flag shall be rectangular striped horizontally red over blue divide by a narrow separating band of white defaced by a gold anchor in the upper hoist canton and a white Maltese Cross in the lower hoist canton.

33. Flying Burgees

- (i) A member may fly the Club Burgee from any vessel where the member is effectively in control of the vessel but only while the vessel is being used for

recreational purposes.

- (ii) Vessels able to comply with Rule 33 (i) must fly the Burgee while using the Club moorings and jointly owned moorings.

34. Club Regalia

The Club crest shall be oval in shape and consist of a stylised "M" made up of three red, white and blue triangles surmounted by a golden anchor and surrounded by a golden rope on a white field on which is shown the name of the Club.

The Club emblem, if used on apparel or merchandise, shall be a reproduction of the centre of the Club crest.

The Club tie shall be navy blue with small replicas of the emblem diagonally descending divided by white stripes.

The Commodore's and Past Commodore's breast pocket shall be the Club's emblem surrounded by two golden laurel leaves.

No item of regalia shall be produced or sold to Club members unless the production and sale has been authorised by the Committee.

35. Visitors

Members shall have the privilege of introducing visitors. A member introducing visitors shall enter their name in the Visitor's Book and shall be answerable for the conduct of the guest while on Club premises.

36. Club Property

No member shall remove any property of the Club from the Club House except with the permission of the Club Manager. Members shall pay the full cost of replacing any Club property destroyed, damaged or lost to them.

37. Member's Property

The Club will not be responsible for loss or damage to the property of any member should such property be left in the Clubhouse or on any of the Club's premises.

38. Objectionable Behaviour

No gambling, or objectionable language or any other conduct which might endanger or jeopardise any of the Club's assets, licenses or other Club property shall be allowed in the Clubhouse at any time.

39. Notices

No member will post a notice in the Clubhouse unless signed and dated by the Club Manager.

40. Animals

No member or visitor shall bring an animal into the Clubhouse.

41. Children

At no time shall children be admitted to the Club lounge unless in the company of a parent who shall be directly responsible for their behaviour.

42. Common Seal

The Club shall have a Common Seal which shall be kept in the custody of the Secretary, and which shall be produced and used as directed by the Committee.

43. Execution of Documents

All documents to be signed by the Club shall be signed only pursuant to a resolution of the Committee and execution shall be made by the affixing of the Seal in the presence of two (2) members of the Committee including one Flag Officer, who shall affix their signatures.

44. Bank Account

Transactions drawn on the Club's bank and other Savings and Investment accounts shall be authorised by two Club officers, each of whom shall be a Flag Officer, the Secretary, or the Treasurer.

45. Alteration of Rules

These Rules shall not be altered, added to or rescinded except at an Annual General Meeting or Special General Meeting.

Notification of intention to propose an alteration, addition to or rescinding of any of these Rules must be given to the Secretary not less than six (6) weeks before the date at which the motion is to be put. Such notification must contain the terms of the proposed alterations, provided that no amendment shall be permitted if it in any way affects the tax-exempt status of the Club.

The notice of the meeting to consider proposed alterations must contain details of the terms of the alterations and must be included in the notification of meeting requirements as set out in Rule 23.

46. Inspection of Rules

A copy of the Rules shall be always available for inspection by members.

47. Liquidation

The Club may be liquidated if a resolution to such effect shall be passed by a General Meeting and confirmed at a subsequent General Meeting called not earlier than thirty (30) days after the meeting at which the resolution to be confirmed was passed. Notice of such confirmatory meeting shall be given to all members by ordinary post at least fourteen (14) days before the date of the confirmatory meeting. Such confirmatory meeting shall decide the destination of the property and assets of the Club left after meeting its liabilities provided that such property and assets shall not be divided amongst the members but shall be paid to or distributed among non-profit making body or bodies having similar aims to that of this Club.

48. General

At any General Meeting of the Club the decision of the Senior Flag Officer present as to the interpretation of any Rule or as to any matter or question in issue or dispute at the meeting shall be accepted by the meeting and deemed final and conclusive.