

**RULES OF**  
**THE MANGONUI CRUISING CLUB (INC)**  
**Including Alterations and Additions 2006, 2016, 2018 AGM**

**NAME**

1. **THE** name shall be “Mangonui Cruising Club Incorporated” (hereinafter called “the Club”) and such Club shall be registered under the provisions of the Incorporated Societies Act 1908.

**REGISTERED OFFICE**

2. **THE** registered office of the Club shall be in Mangonui or at such other place as may be from time to time determined by the Committee and the first registered office shall be at 30 Redan Road Kaitaia.

**OBJECTS**

3. **THE** Objects for which the Club is established are:
  - (a) To promote, foster and encourage yachting and boating and recreational fishing and water based activities and in particular to organise and develop all of these activities for vessels moored in the Mangonui Harbour.
  - (b) The social welfare of its members
  - (c) To make representations for, take proceedings to obtain and do such things as are necessary to have and provide proper facilities for the use maintenance and safety of vessels sailing from the port of Mangonui.
  - (d) To obtain build or erect a clubhouse and such other buildings as may be considered necessary to further the objects above, to purchase take on lease or on exchange or hire or otherwise acquire any real or personal property and any rights or privileges which the Club may think necessary or expedient for the purpose of attaining the objects of the Club or any of them or promoting the interests of the Club or its members and to sell let on bail exchange or lease with or without the option of purchase and on hire purchase time payment or otherwise whether secured by mortgage or not to dispose of such property rights or privileges as aforesaid.
  - (e) To subscribe to, become a member of and cooperate with any other Club whether incorporated or not whose objects are altogether or in part similar to those of this Club.
  - (f) To make representations take legal proceedings and generally obtain or endeavour to obtain the provision of facilities abatement of any nuisance or the granting of any relief as may generally assist realisation of one or any of the aforementioned objects.

## MEMBERSHIP

4. Membership of the Club shall consist of the following categories of members who pay the appropriate subscription thereof as affixed by the Annual General Meeting as hereinafter provided.
- (a) Ordinary Members being any person who is the owner or part owner of a yacht or launch or other type of boat and any person who is a recognised regular member of the crew of any such aforesaid yacht or boat.
  - (b) Junior Members being any member under the age of sixteen or still attending school.
  - (c) Social Members being any person who pays the annual subscription for such membership provided however that no person shall be a social member if he or she owns a yacht or launch or other type of boat or a share in a launch, yacht or other type of boat. Social memberships will not have voting rights.
  - (d) Honorary Life Members being any person elected as such at an Annual General Meeting, provided that no person shall be elected an Honorary Life Member except on the prior recommendation of the Committee.
  - (e) Guest Members. The Committee shall have the power to invite and admit as honorary non-paying members, officers and men of Her Majesty's Navy, Army and Air Force, foreign officers and members of recognised yacht clubs. Such honorary members shall be entitled to the use and privileges of the Club for such periods as the Committee may determine.
  - (f) Associate members being any person who is a member of any Club which has been approved of by the Committee and who pays the annual subscription for such membership. Associate members shall have no voting rights.
  - (g) Family members being any person an immediate family member of whom is a member of any of the other categories of membership pursuant to Rule 4 and who pays the annual subscription for such membership.

## OFFICERS AND COMMITTEE

5. The officers shall consist of.

- (a) Flag Officers and
- (b) Committee members.

The Flag Officers of the Club shall consist of a Patron, Commodore, Vice-Commodore, Rear-Commodore, Club Captain and Vice-Club Captain each of whom shall be an Ordinary Member of the Club.

The Officers of the Club mentioned in clause (a) of this section shall be appointed in manner following, that is to say.

- (i) The Patron. By election at the Annual General Meeting of the Club
- (ii) The Vice-Commodore by election at the Annual General Meeting of the Club.
- (iii) The Commodore by promotion from the office of Vice Commodore.
- (iv) The Rear Commodore by promotion from the office of Commodore.

Where elected such officers shall be duly nominated and seconded at an Annual General Meeting of the Club.

- (c) That notwithstanding anything hereinbefore contained with the consent of the Commodore, Vice-Commodore and Rear-Commodore first had and obtained the Annual General Meeting of the Club may resolve to elect the Commodore and Rear Commodore in any one year provided, however, that such consent of the officers as aforesaid shall not be required where such officer has died or resigned or ceased to be a member of the Club.
- (d) The Commodore, Vice Commodore and Rear Commodore of the Club shall be entitled to fly such burgees as may be from time to time provided by the Committee to distinguish their office.
- (e) Committee Members – shall consist of the Patron, Commodore, Vice Commodore, Rear Commodore and Club Captain ex officio, the Treasurer and Secretary and three ordinary members who shall be elected and the Treasurer and Secretary shall be elected as hereinafter provided and the ordinary members shall be duly nominated and seconded and elected by voting at the Annual General Meeting of the Club.
- (f) The Annual General Meeting of the Club shall in each year elect a Secretary and a Treasurer to carry out the duties of a Treasurer and Secretary for the Club and the Treasurer and Secretary shall be members of the Committee as aforesaid.

#### ADMISSION TO MEMBERSHIP

6. All persons who are members of the Club as at the first day of September 1978 shall upon payment of the appropriate subscription be confirmed members without further election but all persons desirous of joining the Club after that date shall be duly nominated and seconded by two members of the club and all such applications shall be dealt with by the Committee and provided that three-quarters of the Committee present at that meeting are in favour, such person shall be duly elected as a member of the Club and his subscription for the same shall be payable within three months of election.

#### RESIGNATION

7. ANY member may resign in writing at any time prior to the end of the financial year but shall be liable for subscription due up to the end of the financial year during which he resigns.
8. ANY member shall cease to be a member
- (a) if in the opinion of the Committee he or she has failed to conduct himself or herself in a decorous manner at any meeting or function of the Club and the committee of the Club passes a resolution that that member shall cease to be a member.
- Or
- (b) he or she fails to pay his or her annual subscription for more than six months after subscriptions have become due and payable.
- Or
- (c) resigns in writing as aforesaid.

#### REGISTER OF MEMBERS

9. THE Secretary shall keep a register of all members showing the date on which they become or cease to be members. Such register shall be open for inspection at any reasonable time by any member.
10. THE annual subscription for each class of member shall be fixed at each annual general meeting and shall be payable within six months of such annual general meeting.

#### ELECTIONS

11. THE Officers and Committee to be elected as hereinafter provided shall be elected annually from the financial members of the Club and shall be elected in the following manner.
- (a) Nominations shall be called for at the Annual General Meeting from those present or from a member who has consented to serve (or where there are insufficient members where such member is known to be willing to serve a nomination may be made subject to his consent) and all nominations shall be duly made and seconded.
- (b) Nominations may be made in writing by a financial member of the Club who is not present at the Annual General Meeting and may be seconded in writing by a financial member of the Club who is not present.
- (c) Where the candidates nominated do not exceed the vacancies and after calling for nominations there are no other nominations the Commodore or person acting as Chairman at such meeting shall declare those persons duly elected.
- (d) If the candidates nominated are more in number than the respective vacancies then they shall be elected by a ballot by the Annual General Meeting.

- (e) Where at the Annual General Meeting vacancies remain unfilled then the meeting may delegate to the Committee power to co-opt to fill any vacancies.
- (f) Voting. Voting shall be taken on the voices unless a division is called for when a show of hands shall be taken. One third of those present at any meeting may demand that a ballot be taken. Each financial member shall be entitled to one vote. In the case of an equality of votes the Commodore or other acting Chairman as the case maybe shall have a deliberative as well as casting vote.

### COMMON SEAL

- 12. THE Common Seal of the Club shall be in the custody of the Club's Secretary for the time being. Such Seal shall be affixed pursuant to a resolution of the Committee by the Secretary and two other duly authorised members of the Committee, all of whom shall attest any documents to which such seal is affixed.

### ANNUAL GENERAL MEETINGS

- 13.
  - (a) The Annual General Meeting of the Club shall be held at a date to be fixed by the Committee or in default thereof at a date to be fixed by the Commodore or in default thereof at a date to be fixed by the Secretary such date to be within three months of the 1<sup>st</sup> day of June in each year and the Secretary or person acting as Secretary for the time being shall give seven days notice of such Annual General Meeting by publicly notifying the same in the Northland Age or other newspaper circulating the district prior to such date.
  - (b) At such Annual General Meeting the following matters shall be dealt with
    - (i) Minutes of the previous Annual General Meeting shall be read and put to the meeting for confirmation.
    - (ii) Such correspondence as the Club offices consider should be more appropriately dealt with by the Annual General Meeting than the committee shall be read to the meeting.
    - (iii) The Commodore shall report to the meeting on the activities of the Club over the year and such report shall be open to discussion.
    - (iv) Treasurer shall present a Statement of Receipts and Payments reviewed by the MCC selected chartered accountant of record. This Statement shall be open to discussion.
    - (v) The offices of the Club shall be declared vacant and put to election or appointment in manner hereinbefore provided.

- (vi) Where any person has given no less than seven days notice to the Secretary of his intention to move any motion opportunity shall then be given to that person to so move.
- (vii) Following such meeting the Secretary shall forward summary of the balance sheet and annual report and such other matters as may be required by law to the Registrar of Incorporated Societies.

#### SPECIAL GENERAL MEETINGS

14 Commodore may at any time convene a Special Meeting and shall do so at a written request signed by five members of the Club. Notice of such meeting shall be published in the Northland Age or other newspaper circulating in the district not less than five days before such meeting and such notice shall state the business and objectives to be discussed at such special meeting and at such special meeting no other business shall be considered.

#### QUORUM

14. A quorum shall be twelve for the general meetings and five for Committee meetings.

#### MINUTES

15. AT every Annual General Meeting or Special General Meeting minutes shall be taken by the Secretary and presented to the following Annual General Meeting for confirmation and the Secretary shall keep such minutes in a Minute book which shall be available for inspection by any member on request at any reasonable time. The Secretary shall also keep minutes of every meeting of the Committee of the Club which minutes shall be presented for confirmation at the next meeting of the Committee and such minutes shall be kept in a Minute Book which shall be available for inspection by any member of the Club on request at any reasonable time (and provided however that any Club member shall be entitled to attend any committee meeting but shall not be entitled to speak there at unless invited so to do and shall not be entitled to vote.)

#### POWERS AND DUTIES OF COMMITTEE AND OFFICERS

##### 16.

- (a) The Committee shall govern and deal with the affairs of the Club as aforesaid and control the use of the Club's assets and amenities.
- (b) To elect to fill vacancies that may occur in the official ranks or in its own ranks should such vacancies occur between the annual meetings.
- (c) To fix from time to time its own rules and procedure for the conduct of its meetings.
- (d) To guard and guide the aims of the Club

- (e) To promote, devise and maintain any such rules that will improve the workings of the club.
- (f) To appoint from its ranks with power to co-opt any sub-committee for general or special purposes as may be deemed necessary.
- (g) The Commodore and vice Commodore shall be ex-official members of all sub-committees.
- (h) To make rules for the use of the Club's amenities and debar any person or persons from use of the amenities if such rules are broken or in cases of misbehaviour.

17. IT shall be the duty of the Commodore to preside at all meetings of the Club and in his absence the Vice Commodore shall preside and in his absence the Rear Commodore shall preside. The Commodore shall have command of the Club.

18. IT shall be the duty of the Vice Commodore to assist the Commodore in the discharge of his duties and in his absence to officiate in his stead.

19. IT shall be the duty of the Rear Commodore to assist the Commodore and Vice Commodore in the discharge of their duties and in their absence to officiate in their stead.

20. IT shall be the duty of the Club Captain to preside at all meetings of any Sub-Committee appointed by the Committee to organise regattas races picnics or socials or to adjudicate on protests and the Vice-Club Captain or Sailing Committee Convenor shall be responsible to the Committee for the arrangements of such races, regattas or functions.

#### SUB COMMITTEES

21. THE Committee may appoint such Sub-Committee as it deems necessary to conduct the affairs of the Club.

#### CLUB FUNDS

22. ALL funds of the Club shall be received by the Treasurer and he shall issue official receipts therefor and pay such funds to the credit of the Club's account at such Bank as is selected by the Committee. Such Bank account shall be operated upon by the Treasurer and any one of two authorised members of the Committee.

#### FINANCIAL YEAR

23. THE Financial year of the Club shall begin on the 1<sup>st</sup> day of June and end on the 31<sup>st</sup> day of May in the following year.

## INVESTMENT

24. THE Committee shall have power to invest moneys not immediately required upon such trust securities as it may from time to time decide upon.

## DONATIONS

25. NOTHING in these rules shall give the Committee power to make any donation exceeding \$250.00 for any purpose whatsoever without first receiving the prior consent of a General Meeting of Members.

## PROPERTY AND EQUIPMENT

26. ALL property and equipment acquired by the Club shall be suitably insured against loss by fire.

## BORROWING POWERS

27. IF at any time the Club in General Meeting shall pass a resolution authorising the Committee to borrow money the Committee shall thereupon be empowered to borrow for the purposes of the Club such amount of money either at one time or from time to time and at such rate of interest, and in such form and manner and upon such security as shall be specified in such resolution.

## RIGHTS ON RESIGNATION

28. ANY person ceasing to be a member shall forfeit all rights to any claim upon the Club, its property and funds.

## PAYMENT FOR RULES

29. UPON application members of the Club shall be entitled to a copy of these Rules upon payment of the fee fixed by the Committee from time to time

## SUBSCRIPTIONS

30. ALL annual subscriptions shall be due and payable in advance on the 1<sup>st</sup> day of June in each year and shall be such amounts as shall from time to time be fixed by the Annual General Meeting of the Club for the class or classes of members provided by Clause 4 and if any member shall not pay the subscription so fixed by the 1<sup>st</sup> day of December then he or she shall cease to be a member as hereinbefore provided and shall forfeit all rights and claims as hereinbefore provided and further that notwithstanding anything hereinbefore contained the Annual General Meeting may by resolution provide a subscription for each of the categories of members provided by Clause 4 upon payment of which the member and all members of his immediate family shall be deemed to be members of the Club, except that only the member and his/her partner and not his/her/their children shall be entitled to vote.



## ALTERATIONS TO RULES

31. THESE Rules shall not be altered added to or rescinded except at the Annual General Meeting of the Club or at any Special General Meeting of the Club convened in accordance with the provisions of Rule 14 provided however that notice of motion of such proposed alterations, additions and rescissions must be given and advertised in the local newspaper twenty eight days prior to the date of the proposed meeting.

## INTERPRETATION

32. IN the event of any question arising as to the construction of any of the foregoing Rules or as to any matter not provided for by these Rules the Committee shall have power to decide the same and its decision shall be final.

## BOATS

33. EACH member shall state in writing to the honorary secretary the name, rig measurements and numbers of each boat belonging to him, for which he shall desire the privileges of the Club, and the name, dimensions of engine and such other particulars as the Committee may from season to season require. All such particulars to be entered in the Club's Register. NO yacht or motor boat shall be entitled to any such privileges until such entry has been made.

## RACING

34. (a) All yachts in all Club races shall be owned by Club members, and any boat owned by an unfinancial member or non-member may by resolution of the Committee be automatically disqualified. All sailing events shall be sailed under the rules of the New Zealand Yachting Federation for the time being in force, subject to any modifications, additions, or alterations as the committee shall from time to time adopt.

(b) The General Committee may make such rules, regulations and conditions to govern cruising races and regattas as it shall deem fit, and from time to time amend, alter, or add to such rules, regulations and conditions. The Committee may delegate its powers in respect of making such rules, regulations or conditions to a subcommittee "Sailing Committee" for the time being in force and the Sailing Committee convenor shall be chairman of such "Sailing Committee".

(c) The decision of the General Committee on the interpretation or construction of any rule, by-law, or regulation shall be final.

(d) Each person who crews on a yacht or boat must after participating in five races apply to become a financial member of the Club otherwise such person shall be prohibited from participating in a race. However, a person who is a financial member of a New Zealand Yachting Federation affiliated club is deemed to be a member under this ruling.

## WINDING UP

35. (a) The Club may be wound up voluntarily at a general meeting convened in accordance with these Rules provided however that a further general meeting be convened not earlier than thirty days after the general meeting aforesaid to confirm such resolution and provided further that the resolution to wind up and the confirming resolution shall be carried by at least a majority of the members of Club present and entitled to vote.
- (b) In the event of the Club winding up only so much of its assets and property shall be sold as shall be necessary to pay all debts and liabilities of the Club and the balance of the property and assets of the Club shall be donated to such charitable institutions and or other bodies having charitable or recreational purposes as shall be decided by the Club in general meeting for the purposes of winding up.