



Matauwahi Bay  
PO Box 99  
RUSSELL 0242

## **RULES OF THE RUSSELL BOATING CLUB INCORPORATED**

### **1. NAME**

The Name of the club shall be Russell Boating Club Incorporated.

### **2. OBJECTS**

- (a) To function as a boating club and generally to encourage boating and other aquatics.
- (b) To encourage boat racing by the promotion of regattas and provision of prizes and by any other means which may from time to time be determined by the committee.
- (c) To provide and maintain for the club and its members a club house and other facilities.
- (d) To foster the social welfare of members by organising social activities.
- (e) To hold a License under the Sale and Supply of Liquor Act, 2012, or any replacement legislation, or any amendments thereof.

### **3. MEMBERSHIP**

There shall be 10 classes of Members

- (a) Full Member. Who shall be a person interested in boating, either power or sail. A Full Member who is an active Sail Racing participant may have a surcharge added to their annual membership to assist with Yachting New Zealand Levies.
- (b) Family Full Member. Who shall be a Full Member and their spouse / partner. A Family Full Member who is an active Sail Racing participant may have a surcharge added to their annual membership to assist with Yachting New Zealand Levies.
- (c) Associate member. A non-voting membership for one person who is over the age of 18 and whose primary residence is outside of the Northland and Auckland regions.<sup>i</sup>
- (d) Family Associate Member. A non-voting membership for one person and their spouse or partner who are both over the age of 18 and whose primary residence is outside of the Northland and Auckland regions.<sup>ii</sup>
- (e) International Cruisers Membership. A non-voting 12-month membership for one person and their spouse or partner who are both over the age of 18 and who are visiting International Cruisers. This membership category cannot be renewed.<sup>iii</sup>
- (f) Junior Member. Who shall be persons aged under 18.
- (g) Honorary membership. A person may be admitted as an Honorary member of the Club after being proposed by two members of the Club, one of whom must be a Flag Officer of the Club, and approved by the membership at an Annual general meeting. The period for which an Honorary member may be elected shall be a maximum of one year, and can be renewed from year to year. The general Committee shall at any time have the power to revoke the admission of an Honorary member.
- (h) Life Membership. Any member of the Club may, in recognition of distinguished services

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rendered by them to the Club for a period of not less than ten years, be elected a Life member of the Club at an Annual General meeting. A Life Member shall be deemed to be a financial member of the Club for all purposes without being required to pay an annual subscription

- (i) Honorary Life membership. Any person of outstanding note who has rendered conspicuous service to the sport of Boating may be elected an Honorary Life Member of the Club at an Annual General Meeting.
- (j) Corporate Membership. Interested groups will be considered for this type of Membership by the General Committee. This shall not include Junior Members racing private boats.

#### **4. TEMPORARY MEMBERSHIP CATEGORY<sup>iv</sup>**

From the 1<sup>st</sup> of September 2024, existing Associate and Family Associate members who no longer qualify for these two membership categories will be Grandparented into a new temporary membership category where their fees will gradually transition over a 4-year period to match those of the Full membership categories. Year 1, 1<sup>st</sup> of September 2024, the fees will remain the same as the existing Associate membership categories plus any increase approved at the June 2024 AGM. Years 2-4, 1<sup>st</sup> of September 2025, 1<sup>st</sup> September 2026 and 1<sup>st</sup> of September 2027, the fees will increase by equal amounts until at year 4, 1<sup>st</sup> September 2028, the membership fees will equal those of the Full membership categories. At year 4 all members who are in the temporary membership category will be moved into the full membership categories.

All members of the temporary transitional membership category will be given full voting rights from the 1<sup>st</sup> of September, 2024.

#### **5. ADMISSION OF NEW MEMBERS**

New Members may be admitted upon making application to the Secretary in writing. Such application to bear the signatures of two financial members of the club and to be accompanied by the subscription payable. Such applicant shall be elected on his application being accepted and confirmed by a majority of the General Committee.

#### **6. SUBSCRIPTIONS**

The amounts shall be determined from time to time by the General Committee.

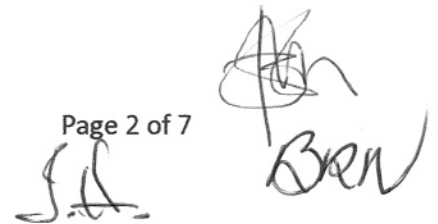
#### **7. UNPAID SUBSCRIPTION FEES<sup>v</sup>**

Members who have not paid their subscription fees by the 1st of October in any year will (unless they have entered into an alternative arrangement approved by the Treasurer):

- (a) forfeit all rights (including voting rights) and privileges of membership until the subscription fees have been paid in full; and
- (b) if their membership fees are not paid in full by the 1st of December in any year, their membership will automatically terminate.

#### **8. ALTERATION OF RULES**

These rules may be altered, added to, rescinded or otherwise varied or amended, by a resolution passed by a majority of two-thirds of the members present at an annual or other general meeting or special general meeting.

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## 9. MEETINGS

(a) The Annual General Meeting shall be held not later than 4 months after the end of the financial year, upon a date, time, and place fixed by the General Committee for the following purpose:

- I. To approve the minutes from the previous Annual General Meeting
- II. To receive the Commodore's annual report and Treasure's Statement of Accounts for the previous financial year as compiled by a committee approved accounting firm.
- III. To set subscription fees
- IV. To elect Club Officers and members to the General Committee for the ensuing year
- V. To consider any other business which may properly be transacted at any Annual General Meeting.<sup>vi</sup>

(b) Special General Meeting. Such meeting may be called by:-

1. The Commodore.
2. Six members of the General Committee.
3. Twenty ordinary members of the club.

Such meetings shall be summoned within 28 days of the receipt of such written request by the Secretary. Seven clear days' notice of such a meeting shall be given to every member in writing.

(ba) Notices of Motion Any Notice of Motion must be received by the Secretary at least 14 days before the Special or Annual General Meeting where it is proposed.

(c) Quorum

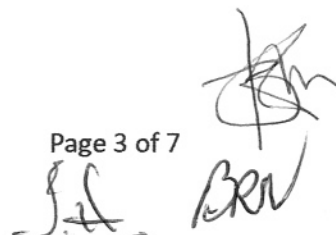
1. That for all Special and Annual General Meetings, the number of Membership required to form a quorum be equal to 20% of the combined total of the Full, Family Full (to be counted as two members), Life, and Corporate Memberships, but shall not include any proxy or absentee votes.
2. For General Committee meetings the quorum shall be five, at least one of whom shall be a flag officer.

(d) Voting. The mode of voting at all meetings on all questions other than elections shall be by voices or by show of hands if required by the Chairman or by other two members. The mode of voting for all elections at meetings where nominations exceed the vacancies shall be by secret ballot.

## 10. OFFICERS AND THEIR APPOINTMENT

The following Officers of the Club shall be elected at Annual General meetings (except the offices of Secretary and Treasurer may be performed by one officer);

- (a) Patron.
- (b) Vice Patrons - such number as shall from time to time be determined at an Annual General Meeting
- (c) A Commodore
- (d) A Vice Commodore.
- (e) A Rear Commodore.
- (f) A Secretary.
- (g) A Treasurer.
- (h) A Club House Captain.
- (i) A General Committee



- (j) Such other officers as may be deemed necessary for the efficient working of the club.

#### **11. FLAG OFFICERS**

The Commodore, Vice Commodore and Rear Commodore shall constitute the Flag Officers and they and the Secretary may attend ex officio and take part in any meeting of any committee and vote thereat.

#### **12. SUB-COMMITTEES**

To be elected by the General Committee:

- (a) A Sailing Committee.
- (b) A Social Committee.
- (c) A Building Committee.
- (d) A Tall Ships Committee.

#### **13 THE GENERAL COMMITTEE**

The affairs and business of the club shall be controlled and managed by a General Committee consisting of the Flag Officers, a Secretary and Treasurer or Secretary Treasurer, Club House Captain and at least six (*amended from 12, 23 August, 1978*) other members all elected at the Annual General Meeting.

#### **14. BANKING**

A Bank Account in the name of The Russell Boating Club Incorporated with a Bank nominated by the General Committee shall be opened.

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#### **15. QUERIES**

Any problems or queries arising concerning the Rules of The Russell Boating Club Incorporated and not specifically covered by these rules shall be dealt with by the General Committee using the Rules of the Royal Akarana Yacht Club as a guide.

#### **16. VOTING**

Every financial Full Member, every Life Member, and each Corporate Member Group shall have one vote, and a financial Family Full Member shall have two votes, but only one vote per person attending a meeting is allowed.

#### **17. DURATION OF OFFICE**


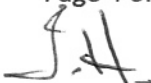

All officers including Commodore, other Flag Officers and members of the General Committee shall hold office for a term of one year. Such officer may offer himself for re-election.

#### **18. REQUIREMENTS OF OFFICE**

To be eligible for election the Commodore must have been a member of the General Committee for at least two years. Other Flag Officers must have been members of the General Committee for at least one year.

#### **19. DISCIPLINARY ACTION**

The Committee shall have the authority to terminate any membership or take any other appropriate action as it thinks fit.

## **20. RESIGNATION OF MEMBERS**

Any member may resign from his membership by giving to the Secretary notice in writing to that effect and every such notice shall unless otherwise expressed or agreed to by the General Committee, take effect at the expiration of seven days after the giving of such notice, but any such retirement shall not release the member from payment of any subscription or levy due or payable by him at the date of his retirement.

## **21. COMMON SEAL**

The Common Seal of the Club shall be that adopted by the General Committee and shall be in the custody of the Secretary, who shall be responsible for the safe custody and control thereof.

## **22. ATTESTATION OF DOCUMENTS**

Whenever the Common Seal of the Club is required to be affixed to any deed, documents, writing or other instrument, the Seal shall be affixed thereto only upon the authority of a General or Special Meeting of the Club or General Committee and then only in the presence of the Commodore, the Secretary and any Trustee duly authorised by resolution of the Club or General Committee who shall sign the documents or instrument to which the Seal is so affixed.

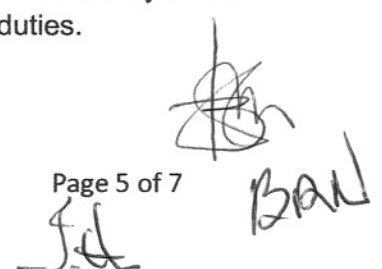
## **23. CONTROL AND INVESTMENT AND BORROWING OF FUNDS**

The General Committee shall have complete and entire management and control of the affairs, concerns and business of the club and shall have the power:-

- (a) To invest the funds of the Club on real or personal property in such manner as the General Committee shall think fit and to purchase, construct and maintain buildings, fences, machinery and other works as the General Committee may consider necessary for the use of the Club, and to lease or accept leases of any land, leaseholds or tenements and to purchase, let or sell lands or any interest therein for such terms and conditions and upon such rental as it shall think fit, provided no lands shall be sold or purchases without the approval of a resolution of the Club.
- (b) To control invest and manage the funds and property of the club but subject to any special direction of the club in general meetings and to incur such liabilities as may be necessary in connection therewith.
- (c) To borrow or raise moneys upon mortgage of the real or personal property of the club or any part or parts thereof or upon debentures or mortgage debentures of the club and to issue such debentures or mortgage debentures charging the whole or any part of the assets of the club and to execute mortgages to secure such debentures or mortgage debentures or to borrow from banks or other persons with or without security.

### **23A.**

The General Committee and the Officers and each and every one of them respectively shall be fully indemnified by the Club against any loss, damage, expense or liability incurred by reason of or in connection with any legal proceedings instituted against them or any of them in relation to the performance or professed performance of any of their duties.

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## 24. DISPOSITION OF PROPERTY ON WINDING UP

In the event of the dissolution or winding-up of the Club the surplus assets and funds available after the payment of the Club's liabilities and the expenses of winding-up shall by resolution of a majority of the members of the Club present and entitled to vote at a Special General Meeting called for that purpose either:

- (a) Be paid, transferred or delivered to such other Associations, Clubs, or Institutions having objects the same as or similar to those of this Club as an addition to the funds of such Association, as that meeting shall then or there determine.
- OR (b) Be paid, transferred to or vested to Trustees to be appointed at that meeting upon trust for the use and benefit of all or any of such Associations, Clubs or Institutions mentioned in the preceding sub-clause hereof or upon trust for any other purposes, and on such terms and subject to such conditions as that meeting shall then and there determine.
- OR (c) Be disposed of in such other manner as that meeting shall then and there determine.

PROVIDED HOWEVER that no resolution may be passed at any such Special General Meeting held for the purpose aforesaid which shall have the effect or be intended to have the effect of transferring or vesting the whole or any part of the surplus funds of the Club or any interest therein or benefit attaching thereto in any Sporting Body, Association, Club or Institution whatsoever controlling or promoting professional sports or activities or paying the same among the members of the Club.

## SCHEDULE A

### LICENSE REGULATIONS

1. No liquor shall be supplied to any under-age or to otherwise prohibited person (within the meaning of the Sale and Supply of Liquor Act 2012 or any replacement legislation, or any amendments thereof), except those allowed in accordance with the terms of the Sale of Liquor Act.
2. Liquor shall be supplied only to members of the Russell Boating Club, or Club members of a Club affiliated with the NZYF, or Club members of a Club with reciprocal visiting rights, and such visitors as may be permitted under these regulations.
3. Liquor will be sold or supplied only in accordance with any License held under the provisions of the Sale and Supply of Liquor Act 2012 or any replacement legislation, or any amendments thereof.
4. Non-members of the Russell Boating Club may be admitted as visitors in accordance with the provisions contained in these regulations.
5. Definition of Visitors:-
  - (a) Boating Club Visitor:- Any financial member of a Club affiliated to the YNZ or Club members of a Club with reciprocal visiting rights,
  - (b) Local Visitor:- Any person not being a financial member of the Russell Boating Club and being resident inside a radius of 20 kilometres of the Club's licensed premises.
  - (c) Non-local Visitor:- Any person not being a financial member of the Russell Boating Club and being a resident outside a radius of 20 kilometres of the Club's licensed premises.





6. Admission of Visitors:-

- (a) A Boating Club visitor may be permitted to enter the licensed premises at any time subject, on request of proof, of financial membership of a Boating Club, or of a Club with reciprocal visiting rights, but subject to any individual person not being a regular or frequent visitor.
- (b) Local visitors may be invited on one day per week, only subject to any individual person not becoming a regular or frequent visitor.
- (c) Non-local visitors may be invited at any time, but subject to any individual person not becoming a regular or frequent visitor.

7. Conditions of Admission of Visitors:-

- (a) Both local and non-local visitors shall be accompanied by a member who shall sign the Visitors Book on each occasion he introduces a visitor, and the member shall have his visitor sign the visitors' book and record his full name and address.
- (b) A Boating Club visitor shall also sign the visitors' book and record his full name and address and the name of his Club. He need not necessarily be accompanied by a member.
- (c) No visitor other than a Boating Club visitor shall be supplied with liquor on the licensed premises unless the visitor is present on the invitation, and in the company of a member.
- (d) Any member inviting a visitor is responsible to ensure that the visitor is suitably attired. The member is also responsible for his visitor's orderly behaviour.

8. Concerts, reunions and social gatherings may be held in the licensed premises under the following conditions:-

- (a) That prior permission of the Committee has been given.
- (b) That all liquor consumed at such functions is supplied though or by the Club.
- (c) That the provisions of the Sale and Supply of Liquor Act 2012 or any replacement legislation, or any amendments thereof, are complied with.

9. Except at functions or social gatherings permitted by the Committee pursuant to paragraph 8 hereof, liquor will not be served on the premises outside the bar dispensary.

10. No gambling or gaming shall be permitted on the premises other than in accordance with any license or permit issued pursuant to the Gaming and Lotteries Act or any statute in replacement thereof.

11. Nothing in these Regulations shall be deemed to limit the power of the Committee to make By-laws for the conduct of the licenses – premises.

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<sup>i</sup> Paragraph 3c amended at the AGM, 16<sup>th</sup> June, 2024. Refer to paragraph 4 for details of the transitional arrangements for members who no longer qualify for this membership class agreed to at the AGM.

<sup>ii</sup> Paragraph 3d amended at the AGM, 16<sup>th</sup> June, 2024. Refer to paragraph 4 for details of the transitional arrangements for members who no longer qualify for this membership class agreed to at the AGM.

<sup>iii</sup> Paragraph 3e added at the AGM, 16<sup>th</sup> June, 2024

<sup>iv</sup> Paragraph 4 added at the AGM, 16<sup>th</sup> June 2024. The wording in this paragraph was included with motion #3 – Associate Membership Category Description Change.

<sup>v</sup> Paragraph 7 added at the AGM, 16<sup>th</sup> June, 2024

<sup>vi</sup> Paragraph 9a amended at the AGM, 16<sup>th</sup> June, 2024

<sup>vii</sup> Paragraph relating to the Auditor has been deleted in accordance with the amendment to paragraph 9a.