

RULES
of the

BROKEN HILL SPEEDBOAT CLUB INCORPORATED

Adopted on 1992
Ammended June 2007

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PART 1

PRELIMINARY

INTERPRETATION

1. (1) In these Rules, except insofar as the context or subject matter otherwise indicates or requires-
 - “Secretary” means-
 - (a) the person holding office under these Rules as Secretary of the Association: or
 - (b) where no such person holds that office- the Public officer of the Association:
 - “general meeting” means a general meeting of the Association other than Annual General Meeting:
 - “the Act” means the Association Incorporation Act, 1984
 - “the Regulation” means the Associations Incorporation Regulation, 1985.
- (2) In these Rules-
 - (a) a reference to a function includes a reference to a power, authority and duty; and
 - (b) a reference to the exercise of a function includes, where the function is a duty, a reference to the performance of the duty.
- (3) The provision of the Interpretation Act, 1987, apply to and in respect of these Rules in the same manner as those provisions would so apply if these Rules were an instrument made under the Act.

PART 11

MEMBERSHIP

MEMBERSHIP QUALIFICATIONS.

2. A person is qualified to be a member of the Association if, but only if-
 - (a) (a) the person is a person referred to in section 15 (1) (a), (b) or (c) of the Act and has not ceased to be a member of the Association. At any time after incorporation of the Association under the Act: or
 - (b) the person is a natural person who-
 - (1) has been nominated for Membership of the Association as provided by Rule 3: and
 - (11) has been approved for membership of the Association by the Committee the Association.
 - (c) On becoming a member of the Association the member shall abide by the rules and by laws of the Association.
 - (1) The legal spouse or de facto spouse of that person is a member of the Association.

NOMINATION FOR MEMBERSHIP.

3. (1) A nomination of a person for membership of the Association –
 - (a) shall be made by a member of the Association, who has been a member for at least 12 months, in writing in the form set out in Appendix 1 to these Rules: and
 - (b) shall be lodged with the Secretary of the Association
- (2) As soon as practicable after receiving a nomination for membership, the Secretary shall refer the nomination to the Committee which shall determine whether to recommend the nomination to a general meeting for acceptance or rejection. The nomination shall be referred to the next general meeting together with the committee's recommendation.
- (3) The Proposer and Seconder of the nomination shall be given at least seven 7 day's previous notice in writing by the Secretary of the general meeting at which the nomination is to be dealt with and shall each attend that meeting and be available to speak for the nomination if so required.
- (4) Where a general meeting determines to accept a nomination for membership, the Secretary shall, as soon as practicable after that determination, notify the nominee of that acceptance, send to the nominee a copy of the current Rules, and request the nominee to pay within the period of 28 days after receipt by the nominee of the notification the sum payable under these Rules by a member as entrance fee and annual subscription.
- (5) The Secretary shall, on payment by the nominee of the amounts referred to in clause 4 within the period referred to in that clause, enter the nominee's name in the register of members and, upon the name being so entered, the nominee becomes a member of the Association.
- (6) A new member is expected to attend the next General Meeting practicable to accept their membership documents.

CESSATION OF MEMBERSHIP

4. A person ceases to be a member of the Association if the person-
 - (a) dies;
 - (b) resigns that membership; or
 - (c) is expelled from the Association.
 - (d) fails to pay all fees payable by the member of the Association by due date for payment as decided by the AGM.

JUNIOR MEMBERSHIP

5. The child of any member may whilst aged 16 years- 18 years apply to become a junior member. Such application, if accepted shall not require the junior member to pay any joining fee, a junior membership fee is applicable. A junior member may retain such membership until reaching 18 years (or 21 years if they are a fulltime student) but shall not be entitled to vote at any meeting of the Association.

LIFE MEMBERSHIP

6. The Committee may, in consideration of the special services rendered to the Association by a member, nominate that member to an Annual General Meeting, for appointment as a Life Member PROVIDED THAT the committee may not nominate more than 2 members to any Annual General Meeting. The Annual General Meeting shall vote on the nominations and if carried, the nominee shall be entitled to all the entitlements of membership without payment of any further annual membership fees.

MEMBERS RESPONSIBILITIES

7. Members shall ensure that adequate and proper third party personal insurance is effected in relation to the ownership, procession or use of any powerboat by a member.

MEMBERSHIP ENTITLMENTS

8. Only members of the Association shall be entitled to:
- (a) participate in any closed event.
 - (b) be awarded any prize by the Association, or
 - (c) fly the Association pennant

MEMBERSHIP ENTITLEMENTS NOT TRANSFERABLE

9. (a) Subject to clause (b) hereof:
A right, privilege or obligation which a person has by reason of being a member of the Association-
- (1) is not capable of being transferred or transmitted to another person; and
 - (2) terminates upon cessation of the person's membership.
- (b) Clause a shall not apply to the transfer of a member's rights to any caravan site or boat shed owned by the Association, from that member to the child or children of that member PROVIDED THAT such child or children are members of the Association at the time of transfer.

RESIGNATION OF MEMBERSHIP

10. (1) A member of the Association is not entitled to resign that membership except in accordance with this Rule.
- (2) A member of the Association who has paid all amounts payable by the member to the Association in respect of the member's membership may resign from membership of the Association by first giving notice being not less than 1 month or not less than such other period as the Committee may determine in writing to the Secretary of the members intention to resign and, upon the expiration of the period of Notice, the member ceases to be a member.
- (3) Where a member of the Association ceases to be a member pursuant to clause (2), and in every other case where a member ceases to hold membership, the Secretary shall make an appropriate entry in the register of members recording the date on which the member ceased to be a member.

REGISTER OF MEMBERS

11. (1) The Public Officer of the Association shall establish and maintain a register of members of the Association specifying the name and address of each person who is a member of the Association together with the date on which the person became a member.
- (2) The register of members shall be kept at the principal place of administration of the Association and shall be open for inspection, free of charge, by any member of the Association at any reasonable hour.

FEES, SUBSCRIPTIONS, ETC.

12. (1) A member of the Association shall, upon admission to membership, pay to the Association a fee of \$1.00 or, where some other amount is determined by the Committee, of that other amount.
- (2) In addition to any amount payable by the member under clauses (1) and (3), a member of the Association shall pay to the association an annual membership fee of \$2.00 or, where some other amount is determined by the Committee, of that other amount-
 - (a) except as provided by paragraph b, before 1st July in each calendar year. Or
 - (b) where the member becomes a member on or after 1st July in any calendar year- upon becoming a member and before 1st July in each succeeding calendar year.
- (3) In addition to any amount payable by the member under clause (1) or (2), a member of the Association shall pay to the Association an insurance levy as set by the Committee from time to time representing that members contribution to the cost to the Association of effecting third party personal injury insurance pursuant to Rule 12e.

MEMBERS LIABILITIES

13. The liability of a member of the Association to contribute towards the payment of the debts and liabilities of the Association or the cost, charges and expenses of the winding up of the Association is limited to the amount, if any, unpaid by the member in respect of membership of the Association as required by Rule 11.

DISCIPLINING OF MEMBERS

14. (1) Where the Committee is of the opinion that a member of the Association-
- (a) has persistently refused or neglected to comply with provision or provisions of these Rules; or
 - (b) has persistently and willfully acted in a manner prejudicial to the interests of the Association,
- the Committee may, by resolution-
- (c) expel the member from the Association; or
 - (d) suspend the member from membership of the Association for a specific period.
 - (e) admonish or censure the member.
- (2) A resolution of the Committee under clause (1) is of no effect unless the Committee, at a meeting held not earlier than 14 days and not later than 28 days after service on the member of a notice under clause (3), confirms the resolution in accordance with this Rule.
- (3) Where the Committee passes a resolution under clause (1), the Secretary shall, as soon as practicable, cause a notice in writing to be served on a member-
- (a) setting out the resolution of the Committee and the grounds on which it is based;
 - (b) stating that the member may address the Committee at a meeting to be held not earlier than 14 days and not later than 28 days after service of the notice;
 - (c) stating the date, place and time of that meeting; and
 - (d) informing the member that the member may do either or both of the following:-
 - (1) attend and speak at that meeting;
 - (11) submit to the Committee at or prior to the date of that meeting written representations relating to the resolution.
- (4) At a meeting of the Committee held as referred to in clause 3 the Committee shall-
- (a) give to the member an opportunity to make oral representations;
 - (b) give due consideration to any written representations submitted to the Committee by the member at or prior to the meeting and;
 - (c) by resolution determine whether to confirm or to revoke the resolution.
- (5) Where the Committee confirms a resolution under clause 4, the Secretary shall, within 7 days after that confirmation, by notice in writing inform the member of the fact and of the member's right of appeal under Rule 15.
- (6) A resolution confirmed by the Committee under clause (4) does not take effect-
- (a) until the expiration of the period within which the member is entitled to appeal against the resolution where the member does not exercise the right of appeal within that period; or
 - (b) where within that period the member exercises the right of appeal, unless and until the Association confirms the resolution pursuant to Rule 15 4.

RIGHT OF APPEAL OF DISCIPLINED MEMBER

15. (1) A member may appeal to the Association in general meeting against a resolution of the Committee which is confirmed under Rule 14 4, within 7 days after notice of the resolution is served on the member by lodging with the Secretary a notice to that effect.
- (2) Upon receipt of a notice from a member under clause 1, the Secretary shall notify the Committee which shall convene a special general meeting of the Association to be held within 21 days after the date on which the Secretary received the notice.
- (3) At a special meeting of the Association convened under clause 2,
- (a) no business other than the question of the appeal shall be transacted;
 - (b) the Committee and the member shall be given the opportunity to state their respective cases orally or in writing, or both; and
 - (c) the members present shall vote by secret ballot on the question of whether the resolution should be confirmed or revoked.
- (4) If at the special general meeting the Association passes a special resolution in favour of the confirmation of the resolution, the resolution is confirmed.

PART 111.

THE COMMITTEE

POWERS, ETC, OF COMMITTEE.

16. The Committee shall be called the Committee of Management of the Association and, subject to the Act, the regulation and these rules and to any resolution passed by the Association in general meeting-
- (a) shall control and manage the affairs of the association;
 - (b) may exercise all such functions as may be exercised by the association other than those functions that are required by these Rules to be exercised by a general meeting of members of the Association; and
 - (c) has power to perform all such acts and do all such things as appear to the Committee to be necessary or desirable for the proper management of the affairs of the Association.
 - (d) shall ensure the safety of members and the public at all Association activities and for this purpose all members of the Committee shall be Association safety officers.

CONSTITUTION AND MEMBERSHIP

17. (1) Subject to the case of the first members of the Committee to section 21 of the Act, the Committee shall consist of the office-bearers of the Association, each of whom other than the Rear Commodore shall be elected at the Annual General Meeting of the Association pursuant to Rule 18.
- (2) The office-bearers of the Association shall be-
- (a) the Commodore
 - (b) the Vice Commodore
 - (c) the Rear Commodore
 - (d) the Secretary
 - (e) the Treasurer
 - (f) the Club Captain
 - (g) the Social Officer
 - (h) the Ski Finance Officer
 - (j) the Finance Officer
 - (j) the Equipment Officer
 - (k) the Publicity officer
- (3) Each member of the Committee shall, subject to these Rules, hold office until the conclusion of the annual General meeting following the date of the member's election, but except for the Rear commodore is eligible for re-election
- (4) In the event of a casual vacancy occurring in the membership of the Committee, the Committee may appoint a member of the Association to fill the vacancy and the member so appointed shall hold office, subject to these Rules until the conclusion of the Annual General meeting next following the date of the appointment.

ELECTION OF MEMBERS

- 18 (1) The Commodore for the immediate past year shall be eligible for nomination as an office bearer.
- (2) Nominations of candidates for election as office-bearers of the Association (except Rear Commodore) shall only be accepted at the Annual General Meeting.
- (3) If insufficient nominations are received to fill all vacancies on the Committee (except that of Rear Commodore, the candidate's nominations shall be deemed to be elected and further nominations shall be received at the Annual General Meeting.
- (4) If insufficient further nominations are received any vacant positions remaining on the committee shall be deemed to be casual vacancies.
- (5) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected.
- (6) If the number of nominations received exceeds the number of vacancies to be filled, a ballot shall be held.
- (7) The ballot for the election of office bearers shall be conducted at the Annual General Meeting in such usual and proper manner as the Committee may direct.

SECRETARY

19. (1) The Secretary of the Association shall, as soon as practicable after being appointed as Secretary, lodge notice with the Association of his or her address.
- (2) It is the duty of the Secretary to keep minutes of-
- (a) all appointments of office-bearers.
 - (b) the names of members of the Committee present at a Committee meeting or a general meeting; and
 - (c) all proceedings at Committee meetings and general meetings.
 - (d) The Secretary shall also maintain a register of all power boats belonging to or leased by members.
- (3) Minutes of proceedings at a meeting shall be signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting

TREASURER

20. It is the duty of the Treasurer of the Association to ensure that-
- (a) all money due to the Association is collected and received and that all payments authorized by the Association are made; and
 - (b) correct books and accounts are kept showing the financial affairs of the Association including full details of all receipts and expenditure connected with the activities of the Association, including membership payments.

OTHER OFFICE BEARERS

21. (a) Rear Commodore:
The Rear Commodore shall not be elected but shall in each year be the person who held the office of Commodore of the Association in the previous year, but a Commodore who is re-elected as such shall not be entitled to hold office as Rear Commodore in that same year.
- (b) Club Captain:
It is the role of the Club Captain to arrange ALL Association trips and to assist other office bearers.
- (c) Social Officer:
It is the role of the Social officer to arrange all Association Social activities which are held at the Association clubrooms.
- (e) Ski Committee Officer:
It is the duty of the Ski Committee Officer to organise and hold ski schools etc.
- (f) Finance Officer:
It is the duty of the Finance Officer arrange all fund raising activities of the Association.
- (g) Equipment Officer:
It is the duty of the Equipment Officer to maintain and repair as necessary all equipment belonging to the Association.
- (h) Publicity Officer:
It is the duty of the Publicity Officer to produce periodically an Association magazine and to liaise with media on Association activities.

CASUAL VACANCIES

22. For the purpose of these Rules, a casual vacancy in the office of a member of the Committee occurs if a member-
- (a) dies;
 - (b) ceases to be a member of the Association;
 - (c) becomes an insolvent under administration within the meaning of the Corporation Law;
 - (d) resigns office by notice in writing given to the Secretary;
 - (e) is removed from office under Rule 23;
 - (f) becomes of unsound mind or a person whose person or estate is liable to be dealt with in any way under the law relating to mental health; or
 - (g) is absent without the consent of the Committee from all meetings of the Committee held during a period of 6 months.

REMOVAL OF MEMBER

23. (1) The Association in a general meeting may by resolution remove any member of the Committee from office before the expiration of the member's term of office and may by resolution appoint another person to hold office until the expiration of the term of office of the member removed.
- (2) Where a member of the Committee to whom a proposed resolution referred to in Clause (1) relates makes representations in writing to the Secretary or Commodore (not exceeding a reasonable length) and requests that the representations be notified to the members of the Association, the Secretary or the Commodore may send a copy of the representations to each member of the Association or, if they are not so sent, the member is entitled to require that the representations be read out at the meeting at which the resolution is considered.

MEETINGS AND QUORUM

24. (1) The Committee shall meet at least 3 times in each period of 12 months at such place and time as the Committee may determine.
- (2) Additional meetings of the Committee may be convened by the commodore or by any member of the Committee.
- (3) Oral or written notice of a meeting of the Committee shall be given by the Secretary to each member of the Committee at least 48 hours (or such period as may be unanimously agreed upon by the members of the Committee) before the time appointed for the holding of the meeting.
- (4) Notice of a meeting given under Clause (3) shall specify the general nature of the business to be transacted at the meeting and no business other than that business shall be transacted at the meeting, except business which the Committee members present at the meeting unanimously agree to treat as urgent business.
- (5) Any 5 members of the Committee constitute a quorum for the transaction of the business of a meeting of the Committee.
- (6) No business shall be transacted by the Committee unless a quorum is present and if within half an hour of the time appointed for the meeting a quorum is not present the meeting stands adjourned to the same place and at the same hour of the same day in the following week.

- (7) If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the meeting shall be dissolved.
- (8) At a meeting of the Committee-
 - (a) the Commodore or, in the Commodore's absence, the Vice-Commodore shall preside; or
 - (b) if the Commodore and the Vice-Commodore are absent or unwilling to act such one of the remaining members of the committee as may be chosen by the members present at the meeting shall preside.

DELEGATION BY COMMITTEE to SUB-COMMITTEE

- 25.
- (1) The Committee may, by instrument in writing, delegate to one or more sub-committees (consisting of such member or members of the Association as the Committee thinks fit) the exercise of such of the functions of the Committee as are specified in the instrument, other than-
 - (a) this power of delegation; and
 - (b) a function which is a duty imposed on the Committee by the Act or by any other law.
 - (2) A function the exercise of which has been delegated to a sub-committee under this Rule may, while the delegation remains unrevoked, be exercised from time to time by the sub-committee in accordance with the terms of the delegation.
 - (3) A delegation under this section may be made subject to such conditions or limitations as to the exercise of any function the subject thereof, or as to time or circumstances, as may be specified in the instrument of delegation.
 - (4) Notwithstanding any delegation under this Rule, the Committee may continue to exercise any function delegated.
 - (5) Any act or thing done or suffered by a sub-committee acting in the exercise of a delegation under this rule has the same force and effect as it would have if it had been done or suffered by the Committee.
 - (6) The Committee may, by instrument in writing, revoke wholly or in part any delegation under this Rule.
 - (7) A sub-committee may meet and adjourn as it thinks proper.

VOTING AND DECISIONS

- 26.
- (1) Questions arising at a meeting of the Committee or of any sub-committee appointed by the Committee shall be determined by a majority of the votes of members of the Committee or sub-committee present at the meeting.
 - (2) Each member present at the meeting of the Committee or of any sub-committee appointed by the Committee (including the person presiding at the meeting) is entitled to one vote but, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.
 - (3) Subject to Rule24(5), the Committee may act notwithstanding any vacancy on the Committee.
 - (4) Any act or thing done or suffered, or purporting to have been done or suffered, by the Committee or by a sub-committee appointed by the Committee, is valid and effectual notwithstanding any defect that may afterwards be discovered in the appointment or qualification of any member of the Committee or sub-committee.

PART IV

GENERAL MEETINGS

ANNUAL GENERAL MEETINGS- HOLDING OF.

27. (1) With the exception of the first Annual General Meeting of the Association, the Association shall, in June in each year convene an Annual general Meeting of its members.
- (2) The Association shall hold its first Annual general Meeting-
- (a) within the period of 18 months after its Incorporation under the Act; and
 - (b) within the period of 2 months after the expiration of the first financial year of the Association.
- (3) Clause(1) and (2) have effect subject to any extension or permission granted by the Commission under Section 26(3) of the Act.

ANNUAL GENERAL MEETINGS- CALLING OF AND BUSINESS AT.

28. (1) The Annual general Meeting of the Association shall, subject to the Act and to rule 27, be convened on such date and at such place and time as the Committee thinks fit.
- (2) In addition to any other business which may be transacted at an Annual General Meeting, the business of an Annual General meeting shall be-
- (a) to confirm the minutes of the last preceding Annual General Meeting and of any special general meeting held since that meeting;
 - (b) to receive from the Committee reports upon the activities of the Association during the last preceding financial year;
 - (c) to elect office- bearers of the Association;
 - (d) to receive and consider the statement which is required to be submitted to members pursuant to section 26(6) of the Act.
- (3) An Annual General meeting shall be specified as such in the notice convening it.

SPECIAL GENERAL MEETING- CALLING OF.

29. (1) The Committee may, whenever it thinks fit, convene a special general meeting of the Association.
- (2) The Committee shall, on the requisition in writing or not less than 10 members, convene a special general meeting of the Association.
- (3) A requisition of the members for a special general meeting-
- (a) shall state the purpose or purposes of the meeting;
 - (b) shall be signed by the members making the requisition;
 - (c) shall be lodged with the Secretary; and
 - (d) may consist of several documents in a similar form, each signed by one or more of the members making the requisition
- (4) If the Committee fails to convene a special general meeting to be held within 1 month after the date on which a requisition of members for the meeting is lodged with the Secretary, any one or more of the members who made the requisition may convene a special meeting to be held not later than 3 months after that date.

- (5) A special meeting convened by a member or members as referred to in Clause (4) shall be convened as nearly as is practicable in the same manner as general meetings are convened by the Committee and any member who thereby incurs expense is entitled to be reimbursed by the Association for any expense so incurred.

NOTICE.

30.

- (1) Except where the nature of the business proposed to be dealt with at a special general meeting requires a special resolution of the Association, the Secretary shall, at least 7 days before the date fixed for the holding of a special general meeting, cause to be sent by prepaid post to each member at the member's address appearing in the register of members, a notice specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the special general meeting.
- (2) Where the nature of the business proposed to be dealt with at a special general meeting requires a special resolution of the Association, the Secretary shall, at least 21 days before the date fixed for the holding of the special general meeting, cause notice to be sent to each member in the manner provided in Clause (1) specifying, in addition to the matter required under clause (1), the intention to propose the resolution as a special resolution.
- (3) No business other than that specified in the notice convening a special meeting shall be transacted at the meeting except, in the case of an Annual general meeting, business which may be transacted pursuant to Rule 28(2).
- (4) A member desiring to bring any business before a general meeting may give notice in writing of that business to the Secretary who shall include that business in the next notice calling a general meeting given after receipt of the notice from the member.

PROCEDURE

31.

- (1) No item of business shall be transacted at a general meeting unless a quorum of members entitled under these Rules to vote is present during the time of the meeting is considering that item.
- (2) Ten members present in person (being members entitled under these Rules to vote at a general meeting) constitute a quorum for the transaction of the business of a general meeting.
- (3) If within half an hour after the appointed time for the commencement of a general meeting a quorum is not present, the meeting if convened upon the requisition of members shall be dissolved and in any other case shall stand adjourned to the same day in the following week at the time and (unless another place is specified at the time of the adjournment by the person presiding at the meeting or communicated by written notice to members given before the date to which the meeting is adjourned) at the same place.
- (4) If at the adjourned meeting a quorum is not present within half a hour after the time appointed for the commencement of the meeting, the members present (being not less than 3) shall constitute a quorum.

PRESIDING MEMBER

32. (1) The commodore or, in the Commodore's absence, the Vice-Commodore, shall preside as chairperson at each general meeting of the Association.
- (2) If the Commodore and the Vice-Commodore are absent from the general meeting or unwilling to act, the members present shall elect one of their number to preside as chairperson at the meeting.

ADJOURNMENT

33. The chairperson of a general meeting at which a quorum is present may, with the consent of the majority of members present at the meeting, adjourn the meeting from time to time and place to place, but no business left unfinished at the meeting at which the adjournment took place.
- (1) Where a general meeting is adjourned for 14 days or more, the Secretary shall give written or oral notice of the adjourned meeting to each member of the Association stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
- (2) Except as provided in clauses (1) and (2), notice of an adjournment of a general meeting or of the business to be transacted at an adjourned meeting is not required to be given.

MAKING OF DECISIONS

34. (1) A question arising at a general meeting of the Association shall be determined on a show of hands and, unless before or on the declaration of the show of hands a poll is demanded, a declaration by the chairperson that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the minute book of the Association, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against the resolution.
- (2) At a general meeting of the Association, a poll may be demanded by the chair person or by not less than 3 members present at the meeting.
- (3) Where a poll is demanded at a general meeting, the poll shall be taken-
- (a) immediately in the case of a poll which relates to the election of the chairperson of the meeting or to the question of an adjournment; or
 - (b) in any other case, in such manner and at such time before the close of the meeting as the chairperson directs, and the resolution of the poll on the matter shall be deemed to be the resolution of the meeting on the matter.

SPECIAL RESOLUTION

35. A resolution of the Association is a special resolution if-
- (a) it is passed by a majority which comprises not less than three quarters of such members of the Association as, being entitled under these Rules so to do, vote in person at a general meeting of which not less than 21 days written notice specifying the intention to propose the resolution as a special resolution was given in accordance with these Rules; or
 - (b) where it is made to appear to the Commission that it is not possible or practicable for the resolution to be passed in the manner specified in paragraph (a)- the resolution is passed in a manner specified by the Commission.

VOTING

- 36.
- (1) Upon any question arising at a general meeting of the Association a member has one vote only.
 - (2) All votes shall be given personally.
 - (3) In the case of an equality of votes on a question at a general meeting, the chairperson of the meeting is entitled to exercise a second or casting vote.
 - (4) A member is not entitled to vote at any general meeting of the Association unless all money due and payable by the member to the Association has been paid, other than the amount of the annual subscription payable in respect of the then current year.

PART V.

MISCELLANEOUS

INSURANCE

- 37.
- (1) The Association shall effect and maintain insurance pursuant to section 44 of the Act and Rule 15 (e).
 - (2) In addition to the insurance required under clause (1), the Association may effect and maintain other insurance.

FUNDS- SOURCE

- 38.
- (1) The funds of the Association shall be derived from entrance fees and annual subscriptions of members, donations and, subject to any resolution passed by the Association in general meeting, such other sources as the Committee determines.
 - (2) All money received by the Association shall be deposited as soon as practicable and without deduction to the credit of the Association's bank account.
 - (3) The Association shall, as soon as practicable after receiving any money, issue an appropriate receipt.

FUNDS- MANAGEMENT

39. (1) Subject to any resolution passed by the Association in general meeting, the funds of the Association shall be used in pursuance of the objects of the Association in such manner as the Committee determines.
- (2) All cheques, draft, bills of exchange, promissory notes and other negotiable instruments shall be signed by any 2 members of the Committee of the Association-Signatories to be Commodore, Vice Commodore, Treasurer & Secretary.
- (3) The financial year of the Association shall end on 31st March in each year.

ALTERATION OF OBJECTS AND RULES

40. The statement of objects and these Rules may be altered, rescinded or added to only by a special resolution of the Association.

COMMON SEAL

41. (1) Common Seal of the Association shall be kept in the custody of the Public Officer.
- (2) The Common Seal shall not be affixed to any instrument except by the authority of the Committee and the affixing of the Common Seal shall be attested by the signatures either of 2 members of the Committee or of 1 member of the Committee and of the Public Officer or Secretary.

CUSTODY OF BOOKS, ETC

42. Except as otherwise provided by these Rules, the Public Officer shall keep in his or her custody or under his or her control all records, books and other documents relating to the Association.

INSPECTION OF BOOKS, ETC

43. The records, books and other documents of the Association shall be open to inspection, free of charge, by a member of the Association at any reasonable hour.

SERVICE OF NOTICES

44. (1) For the purpose of these Rules, a notice may be served by or on behalf of the Association upon any member either personally or by sending it by post to the member at the member's address shown in the register of members.
- (2) Where a document is sent to a person by properly addressing, prepaying and posting to the person a letter containing the document shall, unless the contrary is proved, be deemed for the purposes of these Rules to have been served on the person at the time at which the letter would have been delivered in the ordinary course of post.

SURPLUS PROPERTY

45. (1) The first general meeting of the Association, the Association shall pass a special resolution nominating an incorporated association as the association in which it is to vest its surplus property pursuant to Section 53 (2) of the Act in the event of the winding up or the cancellation of the incorporation of the Association.
- (2) The incorporated association so nominated shall be one which fulfills the requirements specified in Section 53(2) (a)-(c) of the Act.

ASSOCIATION COLOURS

46. The Association colours shall be sky blue and white with red letters.

ASSOCIATION JACKET

47. The colour of the jacket of the Association shall be dark blue.

ASSOCIATION PENNANT

48. The Association pennant shall be flown at season opening days and special functions in which members participate. The pennant may be so flown by being permanently painted on the relevant boats.