

**RULES OF**  
**THE JUBILEE CLASS YACHT**  
**ASSOCIATION (VIC) INC**

**SECTION 1**

**NAME**

1. The name of the Association is “The Jubilee Class Yacht Association (Vic) Inc (in these Rules known as “the Association”).

**INTERPRETATION**

2. (1) In these Rules, unless the contrary intentions appears –
  - (a) “Association” means “The Jubilee Class Yacht Association (Vic) Inc and the “V.Y.C.” means the “Victorian Yachting Council”, the supreme controlling body of the class
  - (b) “Committee” means the Committee of Management of the Association.
  - (c) “Financial Year” means the year ending on 30 June.
  - (d) “General Meeting” means a general meeting of members convened in accordance with Rule 11.
  - (e) “Member” means a full member of the Association.
  - (f) “Ordinary Member of the Committee” means a member of the Committee who is not an officer of the Association under Rule 25 (1)(b)
  - (g) “The Act” means the Associations Incorporation Act 1981.
  - (h) “The Regulations” means regulations under that Act.
- (2) In these Rules, a reference to the Secretary of the Association is a reference -
  - (a) where a person holds office under these Rules as Secretary of the Association – to that person; and
  - (b) in any other case, to the Public Officers of the Association.

**SECTION 2**

**APPLICATION FOR MEMBERSHIP**

3. (1) A natural person who is nominated and approved for membership as provided in these Rules is eligible to be a member of the Association on payment of the membership fee and annual subscription payable under these Rules.
- (2) A person who is not a member of the Association at the time of Incorporation of the Association (or who was a member at the time but has ceased to be a member) shall not be admitted to membership-

- (a) unless nominated as provided in sub-clause (3); and
  - (b) the admission as a member is approved by the Committee.
- (3) A nomination of a person for membership of the Association-
- (a) shall be made in writing in the form set out in Appendix 1; and
  - (b) shall be lodged with the Secretary of the Association.
- (4) As soon as is practical after the receipt of a nomination, the Secretary shall refer the nomination to the Committee.
- (5) Upon a nomination being referred to the Committee, the Committee shall determine whether to approve or to reject the nomination.
- (6) Upon a nomination by approved by the Committee, the Secretary shall, with as little delay as possible, notify the nominee in writing of the approval for membership of the Association and request payment within the period of 28 days after receipt of the notification of the sum payable under these Rules as the entrance fee and the first year's annual subscription.
- (7) The Secretary shall, upon payment of the amounts referred to in sub-clause (6) within the period referred to in that sub-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.
- (8) A right, privilege, or obligation of a person by reason of membership of the Association –
- (a) is not capable of being transferred or transmitted to another person; and
  - (b) terminates upon the cessation of membership whether by death or resignation or otherwise.

#### **ENTRANCE FEE AND ANNUAL SUBSCRIPTION**

4. (1) No entrance fee shall be payable.
- (2) An annual subscription fee of \$25.00 shall be payable, or such amount as may be determined by the Committee from time to time.

#### **REGISTER OF MEMBERS**

5. The Secretary shall keep and maintain a register of members in which shall be entered the full name, address and date of entry of the name of each member, and the register shall be available for inspection and copying by members upon request.

#### **RESIGNATION AND EXPLUSION OF MEMBERS**

6. (1) A member of the Association who has paid all moneys due and payable by the member to the Association may resign from the Association by first giving one months notice in writing to the Secretary of his or her own intention to resign and upon the expiration of that period of notice, the member ceases to be a member.
- (2) Upon the expiration of a notice given under sub-clause (1), the Secretary shall make in the register of members an entry recording the

date on which the member by whom the notice was given, ceased to be a member.

7. (1) Subject to these Rules, and after the grievance procedure in Clause 3 has failed to resolve the dispute, the Committee may by resolution –
  - (a) expel a member from the Association;
  - (b) suspend a member from membership of the Association for a specific period; or
  - (c) fine a member an amount not exceeding \$20.00 if the Committee is of the opinion that the member –
    - (i) has refused or neglected to comply with these Rules; or
    - (ii) has been guilty of conduct unbecoming a member or prejudicial to the interests of the Association
- (2) A resolution of the Committee under sub-clause (1)(a) does not take effect unless –
  - (a) the Committee, at a meeting held not earlier than 14 and not later than 28 days after the service on the member of a notice under sub-clause (3) confirms the resolution in accordance with this clause; and
  - (b) where the member exercises a right of appeal to the Association under this clause, the resolution does not take effect unless the Association confirms the resolution in accordance with this clause.
- (3) If the Committee passes a resolution under sub-clause (1), the Secretary shall, as soon as practicable, cause to be served on the member a notice in writing –
  - (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 and not less than 28 days after service of the notice;
  - (c) stating the date, place and time of that meeting;
  - (d) informing the member that he or she may do one or more of the following –
    - (i) attend that meeting;
    - (ii) give to the Committee before the date of that meeting a written statement seeking the revocation of the resolution; and
  - (e) informing the member that, if at that meeting, the committee confirms the resolution, he or she may not later than 48 hours after that meeting, give the Secretary a notice to the effect that he or she wishes to appeal to the Association in general meeting against the resolution.
- (4) At a meeting of the Committee held in accordance with sub-clause (2), the Committee –
  - (a) shall give the member an opportunity to be heard;
  - (b) shall give due consideration to any written statement submitted by the member; and

- (c) shall by resolution determine whether to confirm or to revoke the resolution.
- (5) If the Secretary receives a notice under sub-clause (3)(e), he or she shall notify the Committee and the Committee shall convene a general meeting of the Association to be held within twenty-one days after the date on which the Secretary received this notice.
- (6) At a general meeting of the Association convened under sub-clause (5)-
  - (a) no business other than the question of the appeal shall be transacted;
  - (b) the Committee may place before the meeting details of the grounds for the resolution and the reasons for the passing of the resolution;
  - (c) the member shall be given an opportunity be heard; and
  - (d) the members present shall vote by secret ballot on the question of whether the resolution should be confirmed or revoked.
- (7) If at the General Meeting –
  - (a) two-thirds of the members vote in person or by proxy in favour of the confirmation of the resolution, the resolution is confirmed; and
  - (b) in any other case, the resolution is revoked.

### **SECTION 3**

#### **ANNUAL GENERAL MEETING**

- 8. (1) The Association shall in each calendar year convene an Annual General Meeting of its members.
- (2) The Annual General Meeting shall be held at such date and place as the Committee determines but no later than the month of October.
- (3) The Annual General Meeting shall be specified as such in the notice convening it.
- (4) The ordinary business of the Annual General Meeting shall be –
  - (a) to confirm the minutes of the last preceding Annual General Meeting and of any General Meeting held since that meeting;
  - (b) to receive from the Committee reports upon the transactions of the Association during the last preceding financial year;
  - (c) to elect officers of the Association and the ordinary members of the Committee; and
  - (d) to receive and consider any financial statements submitted by the Association.
- (5) The Annual General Meeting may transact special business of which notice is given in accordance with these Rules.

#### **SPECIAL GENERAL MEETING**

- 9. All General Meetings other than the Annual General Meeting shall be called Special General Meetings.
- 10. (1) The Committee may, whenever it thinks fit, convene Special

General Meeting of the Association and, where, for this sub-clause more than fifteen months would elapse between Annual General Meetings, shall convene a Special General Meeting before the expiration of that period.

- (2) The Committee shall, on the requisition in writing of members representing not less than 5 per cent of the total number of members, convene a Special General Meeting of the Association.
- (3) The requisition for a Special General Meeting shall state the objects of the meeting and shall be signed by the members making the requisition and be sent to the address of the Secretary and may consist of several documents in a like form, each signed by one or more of the members making the requisition.
- (4) If the Committee does not cause a Special General Meeting to be held within the month after the date on which the requisition is sent to the address of the Secretary, the members making the requisition, or any of them, may convene a Special General Meeting not to be held not later than three months after the date.
- (5) A Special General Meeting convened by members in pursuance of these Rules shall be convened in the same manner as nearly as possible as that in which those meetings are convened by the Committee and, all reasonable expenses incurred in convening the meeting shall be refunded by the Association to the persons incurring the expenses.

#### **NOTICE OF MEETING**

11. (1) The Secretary of the Association shall, at least 14 days before the date fixed for holding a General Meeting of the Association, cause to be sent to each member of the Association at the address appearing in the register of members, a notice by pre-paid post stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
- (2) No business other than that set out in the notice convening the meeting shall be transacted at the meeting.
- (3) A member desiring to bring any business before a meeting may give notice of that business in writing to the Secretary, who shall include that business in the notice calling the next General Meeting after the receipt of the notice.

#### **PROCEEDINGS AT MEETINGS**

12. (1) All business that is transacted at a Special General Meeting and all business that is transacted at the Annual General Meeting with the exception of that specially referred to in these Rules as being the ordinary business of the Annual General Meeting shall be deemed to be special business.
- (2) 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 when the meeting is considering that item.

- (3) Five members personally present (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.
  - (4) If a quorum is not present within half an hour after the appointed time for the commencement of a General Meeting, the meeting if convened upon the requisition of the members shall be dissolved and in any other case shall stand adjourned to the same day in the next week at the same time and (unless another place is specified by the Chairperson at the time of the adjournment or by written notice to members given before the day to which the meeting is adjourned) at the same place and if at the adjourned meeting the quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members present (being not less than 3) shall be a quorum.
13. (1) The President, or in the President's absence, the Vice-President, shall preside as Chairperson at each General Meeting of the Association.
- (2) If the President and the Vice-President are absent from a General Meeting, the members present shall elect one of their number to preside as Chairperson at the meeting.
14. (1) The Chairperson of a General Meeting at which a quorum is present may, with the consent of the meeting, adjourn the meeting from time to time and place to place, but no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- (2) Where a meeting is adjourned for fourteen days or more, a like notice of the adjourned meeting shall be given as in the case of the General Meeting.
- (3) Except as provided in sub-clause (1) and (2), it is not necessary to give notice of an adjournment or of the business to be transacted at an adjourned meeting.
15. 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, or a show of hands, been carried or carried unanimously or carried by a particular majority or list, and 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, that resolution.
16. (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 or by proxy.
- (3) In the case of an equality of voting on a question, the Chairperson of the meeting is entitled to exercise a second or casting vote.
17. (1) If at a meeting a poll on any question is demanded by not less than three members, it shall be taken at that meeting in such manner as the Chairperson may direct and the resolution of the poll shall be deemed to be a resolution the meeting on that resolution.

- (2) A poll that is demanded on the election of a Chairperson or on a question of an adjournment shall be taken forthwith and a poll that is demanded on any question shall be taken at such time before the close of the meeting as the Chairperson may direct.
18. A member is not entitled to vote at any General Meeting unless all moneys due and payable by the member to the Association have been paid, other than the amount of the annual subscription payable in respect of the current financial year.
19. (1) Each member is entitled to appoint another member as a proxy by notice given to the Secretary no later than 24 hours before the time of the meeting in respect of which the proxy is appointed.
- (2) The notice appointing the proxy shall be in the form set out in Appendix 3, save for meetings called in accordance with Clause 7(5) which shall be in the form set out in Appendix 2.

### **CONTROLLING BODIES**

20. (1) The Victorian Yachting Council shall be the supreme controlling body of the class and shall exercise all powers relating to the class as a whole not herein provided for. It shall have the custody of the Master Copies of the Rules, Specifications and Plans of the class and shall have the sole right of selling copies of the same.
- (2) A local controlling body shall be appointed for such territory as shall be delineated by the supreme controlling body for the purpose of sponsoring and controlling the class within that territory. Such territory shall as far as possible be based in State, provincial or national boundaries, but other boundaries may be adopted in any case the supreme controlling body shall think fit.
- (3) Local controlling bodies shall have jurisdiction over the territories for which they are appointed and shall be self-governing in all local matters not conflicting with the Constitution of the Rules, Specifications and Plans of the Class.
- (4) The Royal Sydney Yacht Squadron shall be the local controlling body for the State of New South Wales.
- (5) The appointment of any local controlling body other than those referred to in clauses 3 and 4 hereof may be withdrawn at any time by the supreme controlling body and another local controlling body appointed for such territory.
- (6) Each local controlling body shall appoint one or more committees to foster and manage the class in its own territory or any part or parts thereof. Such committee or committees may consist of any number of persons, but at least 50 per cent of the members of each committee shall be owners or part owners of Jubilee class yachts. Unless otherwise specified one half of the members of such a committee shall form a quorum.

## **TERRITORIES**

21. (1) Any other recognised yacht club or association may apply to the supreme controlling body for permission to adopt and sponsor the class within any territory in which it is situate, and the supreme controlling body may thereupon if it thinks fit appoint the recognised yacht club or association so applying to be the local controlling body for a territory to be defined by the supreme controlling body, provided no other local controlling body has been appointed in respect of that territory. But notwithstanding that a local controlling body has been appointed for any territory such territory may be subdivided into two or more territories and a separate controlling body appointed for each in lieu of the previous one controlling body, but in such case the local controlling body previously in control of the whole area shall be appointed the local controlling body in respect of one of the new territories so created by subdivision. Provided however that each Australian State shall comprise one territory and shall not be subdivided.

## **SECTION 4**

### **COMMITTEE/S OF MANAGEMENT**

22. (1) The affairs of the Association shall be managed by the Committee of Management constituted as provided in Rule 25.
- (2) The Committee -
- (a) shall control and manage the business and affairs of the Association;
  - (b) may, subject to these Rules, the Regulations and the Act, exercise all such powers and functions as may be exercised by the Association other than those powers and functions that are required by these Rules to be exercised by General Meetings of the members of the Association; and
  - (c) subject to these Rules, the Regulations and the Act, has power to perform all such acts and things as appear to the Committee to be essential for the proper management of the business and affairs of the Association.
23. The local controlling body for the State of Victoria shall consist of a Committee of not less than seven persons of whom two thirds at least shall be Jubilee yacht owners registered in the State of Victoria who shall be elected at a General Meeting of the Jubilee yacht owners registered in the State of Victoria, to be held annually.
24. (1) The officers of the Association shall be –
- (a) a President;
  - (b) a Vice-President;
  - (c) a Treasurer; and
  - (d) a Secretary.

- (2) The provisions of Rule 26 so far as they are applicable and with the necessary modifications, apply to and in relation to the election of persons to any of the offices mentioned in sub-clause (1).
  - (3) Each officer of the Association shall hold office until the Annual General Meeting next after the date of his or her election but is eligible for re-election.
  - (4) In the event of a casual vacancy in any office referred to in sub-clause (1) the Committee may appoint one of its members to the vacant office and the member so appointed may continue in office up to and including the conclusion of the Annual General Meeting next following the date of appointment.
25. (1) Subject to Section 26 of the Act, the Committee shall consist of –
- (a) the officers of the Association; and
  - (b) three ordinary members –  
each of whom shall be elected at the Annual General Meeting of the Association each year.
- (2) Each ordinary member of the Committee shall, subject to these Rules, hold office until the Annual General Meeting next after the date of election but is eligible for re-election.
  - (3) In the event of a casual vacancy occurring in the office of an ordinary member 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 OFFICERS AND VACANCY**

26. (1) Nominations of candidates for election as officers of the Association or as ordinary members of the Committee –
- (a) shall be made in writing, signed by two members of the Association and accompanied by the written consent of the candidate (which may be endorsed on the form of nomination); and
  - (b) shall be delivered to the Secretary of the Association next less than one day before the date fixed for the holding of the annual General Meeting.
- (2) If insufficient nominations are received to fill all vacancies on the Committee, the candidates nominated shall be deemed to be elected and further nominations shall be received at the Annual General Meeting.
  - (3) 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.
  - (4) If the number of nominations exceeds the number of vacancies to be filled, a ballot should be held.
  - (5) The ballot for the election of officers and ordinary members of the Committee shall be conducted at the Annual General Meeting in such usual and proper manner as the Committee may direct.

- (6) A nomination of a candidate for election under this clause is not valid if that candidate has been nominated for another office for election at the same election.
27. For the purposes of these Rules, the office of an officer of the Association or of an ordinary member of the Committee becomes vacant if the officer or member –
- (a) ceases to be a member of the Association;
  - (b) resigns from office by notice in writing given to the Secretary.

### **PROCEEDINGS OF THE COMMITTEE**

28. (1) The Committee shall meet at least 4 times in each year at such place and such times as the Committee may determine.
- (2) Special meetings of the Committee may be convened by the President or by any four of the members of the Committee.
- (3) Notice shall be given to members of the Committee of any special meeting specifying the general nature of the business to be transacted and no other business shall be transacted at such a meeting.
- (4) Any four members of the Committee constitute a quorum for the transaction of the business of a meeting of the Committee.
- (5) No business shall be transacted 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 shall stand adjourned to the same place and at the same hour of the same day in the following week unless the meeting a special meeting in which case it lapses.
- (6) At meetings of the Committee –
- (a) the President or in the President's absence the Vice-President shall preside; or
  - (b) if the President and the Vice-President are absent, such one of the remaining members of the Committee as may be chosen by the members present shall preside.
- (7) Questions arising at a meeting of the Committee or of any sub-committee appointed by the Committee shall be determined on a show of hands or, if demanded by a member, by a poll taken in such manner as the person presiding at the meeting may determine.
- (8) Each member present at a 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 and, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.
- (9) Written notice of each committee meeting shall be served on each member of the Committee by delivering it to the member at a reasonable time before the meeting or by sending it by pre paid post addressed to him or her at his or her usual or last known place of abode at least two business days before the date of the meeting.
- (10) Subject to sub-clause (4) the Committee may act notwithstanding any vacancy on the Committee.

### **SECRETARY**

28. The Secretary of the Association shall keep minutes of the resolutions and proceedings of each General Meeting and each Committee Meeting in books provided for that purpose together with a record of the names of persons present at Committee meetings.

### **TREASURER**

29. The Treasurer of the Association –
- (a) shall collect and receive all moneys due to the Association and make all payments authorised by the Association; and
  - (b) shall keep correct amounts and books showing the financial affairs of the Association with full details of all receipts and expenditure connected with the activities of the Association.

### **REMOVAL OF MEMBER OF COMMITTEE**

31. (1) The Association in General Meeting may by resolution remove any member of the Committee before the expiration of the member's term of office and appoint another member in his or her stead to hold office until the expiration of the term of the first-mentioned member.
- (2) Where the member to whom a proposed resolution referred to in sub-clause (1) makes representations in writing to the Secretary or President of the Association (not exceeding a reasonable length) and requests that they be notified to the members of the Association, the Secretary or the President may send a copy of the representations to each member of the Association or, if they are not sent, the members may require that they be read out at the meeting.

### **ALTERATION OF RULES AND STATEMENT OF PURPOSES**

32. These Rules and the Statement of Purposes of the Association shall not be altered except in accordance with the Act.

### **REGISTRATION OF YACHTS**

33. (1) No yacht shall be considered as a Jubilee class yacht unless and until it shall have been registered with the supreme controlling body, and no yacht shall be eligible to take part in a Jubilee class race unless so registered.
- (2) Every application for registration shall be in writing and shall be made through the local controlling body in whose territory the applicant is and must be accompanied by the measurement Certificate hereinafter referred to and such fee as is fixed from time to time.
- (3) Such application shall contain the name and address of the owner and such other information as shall from time to time be prescribed by the supreme controlling body. On receipt of such application the supreme controlling body shall, if the same be in order, have the details thereof entered in a register of all Jubilee class yachts, to be kept by the

supreme controlling body and shall allot an official number to the yacht and issue a Certificate of Registration.

- (4) In the event of any alteration being made in any of the registered particulars the Certificate of Registration shall be forthwith forwarded by the owner to the local controlling body and by that body to the supreme controlling body for amendment and if not so forwarded the Certificate of Registration shall become void.
- (5) The supreme controlling body may cancel or suspend a Certificate of Registration where in its opinion there has been a breach of this rule or the yacht or owner becomes in any way ineligible in the opinion of the supreme controlling body.

### **CERTIFICATE OF MEASUREMENTS**

33. Each local controlling body shall appoint such official measurers as it shall think fit and shall complete and supply measurement Certificates for all yachts in its own territory. The fee for such certificate shall be fixed by the local controlling body and shall be paid to the local controlling body in addition to the official measurer's fees (if any) for the time being prescribed by the local controlling body. No yacht shall compete in any Jubilee class race, or as a Jubilee class yacht, unless it shall hold a current Certificate of Measurement.

### **LOCAL CONTROLLING BODIES**

35. (1) Each local controlling body shall appoint one or more committees to foster and manage the class in its own territory or any part or parts thereof. Such committee or committees may consist of any number of persons, but at least 50 per cent of the members of each such committee shall be owners or part owners of Jubilee class yachts. Unless otherwise specified one half of the members of such a committee shall form a quorum.
- (2) Each local controlling body shall arrange and/or conduct races for the class in its own territory, and unless the local controlling body shall otherwise resolve such local controlling body shall each yachting season conduct a championship race or series of races to determine the champion yacht of its territory for that season.
- (3) Each local controlling body shall appoint one delegate to represent its territory and such delegate shall arrange all international interstate, interdominion and inter provincial races and all races between yachts of different territories. Such races shall be held in accordance with the rules hereinafter provided for such races and such other additional rules and conditions shall be from time to time prescribed by the delegates. The delegates need not meet together, but may make arrangements by correspondence as to the procedure to be adopted by the delegates (including a quorum, if any) shall be as from time to time agreed by the delegates, and in default of agreement as prescribed from time to time by the supreme controlling body.

## **DISPUTES AND MEDIATION**

36. (1) The grievance procedure set out in this rule applies to disputes under these Rules between –
- (a) a member and another member; or
  - (b) a member and the Association.
- (2) The parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute within 14 days after the dispute comes to the attention of all of the parties.
- (3) If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within 10 days, hold a meeting in the presence of a mediator.
- (4) The mediator must be –
- (a) a person chosen by agreement between the parties; or
  - (b) in the absence of agreement –
    - (i) in the case of a dispute between a member and another member, a person appointed by the committee of the Association; or
    - (ii) in the case of a dispute between a member and the Association, a person who is a mediator appointed or employed by the Dispute Settlement Centre of Victoria (Department of Justice).
- (5) A member of the Association can be a mediator.
- (6) The mediator cannot be a member who is a party to the dispute.
- (7) The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.
- (8) The mediator, in conducting the mediation, must –
- (a) give the parties to the mediation process every opportunity to be heard; and
  - (b) allow due consideration by all parties of any written statement submitted by any party; and
  - (c) ensure that natural justice is accorded to the parties to the dispute through the mediation process.
- (9) The mediator must not determine the dispute.
- (10) If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the Act otherwise at law.

## **REFERENDUMS**

37. The Racing Rules and the Plans and Specifications, may never be suspended, but may be amended in the manner following –
- (1) Any person or body desiring that any amendment shall be passed shall first submit the same to the appropriate committee appointed by the local controlling body of the territory in which he resides and such proposal for amendment shall be considered at a meeting of such committee called for such purpose.
  - (2) If such committee shall approve of such proposal for amendment by a majority of three-fourths of those present the local controlling body shall forward the resolution for amendment to the supreme controlling

body, together with the sum of \$50.00 or such other sum as the supreme controlling body shall from time to time prescribe to defray the expenses of the supreme controlling body in conducting a referendum of all financial registered owners of Jubilee class yachts.

### **SEAL**

38. (1) The Common Seal of the Association shall be kept in the custody of the Secretary.
- (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 of two members of the Committee.

### **FUNDS**

39. (1) The Treasurer of the Association must –
- (a) collect and receive all monies due to the Association and make all payments authorised by the Association; and
- (b) keep correct accounts and books showing the financial affairs of the Association with full details of all receipts and expenditure connected with the activities of the Association.
- (2) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by two members of the Committee.
- (3) The funds of the Association shall be derived from entrance fees, annual subscriptions, donations and such other sources as the Committee determines.

### **NOTICE TO MEMBERS**

40. Except for the requirement in rule 11, any notice that is required to be given to a member, on behalf of the Association, under these Rules may be given by –
- (a) delivering the notice to the member personally; or
- (b) sending it by prepaid post addressed to the member at that member's address shown in the register of members; or
- (c) facsimile transmission, if the member has requested that the notice be given to him or her in this manner; or
- (d) electronic transmission, if the member has requested that the notice be given to him or her in this manner.

### **WINDING UP**

41. In the event of the winding up or the cancellation of the incorporation of the Association, the assets of the Association must be disposed of in accordance with the provisions of the Act.

### **CUSTODY AND INSPECTION OF BOOKS**

42. (1) Except as otherwise provided in these Rules, the Secretary must keep

in his or her custody or under his or her control all books, documents and securities of the Association.

- (2) All accounts, books, securities and any other relevant documents of the Association must be available for inspection free of charge by any member upon request.
- (3) A member may make a copy of any accounts, books, securities and any other relevant documents of the Association.