

NEW ZEALAND TRAILER YACHT ASSOCIATION CONSTITUTION

1) NAME

The Association shall be "THE NEW ZEALAND TRAILER YACHT ASSOCIATION INCORPORATED" hereinafter referred to as "the NZTYA".

2) OBJECTS

1. To promote Trailer Yachting as a sport and recreation throughout New Zealand.
2. To promote Squadrons, Clubs and Trailer Yacht Sections of Clubs to co-ordinate or control Trailer Yachting activities within their respective areas.
3. To foster and maintain family participation in all aspects of Trailer Yachting.
4. To promote improvements in design and safety of Trailer Yachts.
5. To represent Trailer Yachtsmen and women at National level.
6. To assist Class Owners in the control of yachts within their various classes.
7. To present, stage or produce, take part in or assist Trailer Yachting contests, exhibitions, races, displays, shows, competitions and/or other entertainments and contests relating to Trailer Yachting which may promote the interests of Trailer Yachting generally or in particular, in any of its forms.
8. To carry on all other activities which are incidental to the attainment of the objects defined in sub-clauses 2(1) to 2(7) hereof.
9. To purchase, take on lease or on agreement for occupancy, any land, buildings, property real or personal which may be required by the NZTYA
10. To sell or otherwise dispose of any of the property, real or personal and to surrender any lease held by the NZTYA or determine any agreement for occupancy.
11. To purchase, hire, or otherwise acquire, all kinds of equipment, clothing, books, plant, furniture and other appliances which may conveniently be used by the NZTYA in Trailer Yachting activities incidental thereto.
12. To hire, take on loan, purchase on terms or mortgage, any property, real or personal, for the promotion of the interests of the NZTYA.
13. To maintain an appropriate relationship with Yachting New Zealand or its successors and seek membership of its committees or subcommittees.
14. To acknowledge the position of Yachting New Zealand as responsible for the overall administration of yachting in New Zealand

3) TRAILER YACHT DEFINITONS

1. Definition of "Trailer Yacht"
An acceptable trailer yacht shall be as defined by the NZTYA and printed in the Yachting New Zealand Safety Regulations 2013-2016 or such definition as from time to time promulgated in Yachting New Zealand rules
2. Definition of "Sports Trailer Yacht"
A Sports Trailer Yacht shall be as defined by the NZTYA and printed in the Yachting New Zealand Safety Regulations 2013-2016 or such definitions from time to time promulgated in Yachting New Zealand regulations.

3. Definition of "Other Trail-able Yachts"

Any yacht that may be towed on New Zealand roads but which does not comply with the above definitions but which is of a design approved by the NZTYA.

4) SQUADRON AND CLUB DEFINITION

- a) A Squadron, Club or Trailer Yacht Section of a Club shall be an organisation whose objects are aligned with those of the NZTYA.
- b) A Squadron, Club or Trailer Yacht Section of a Club consists of Trailer Yachts as defined in clause 3.

5) CLASS OWNERS ASSOCIATION DEFINITION

- a) A Class Owners Association shall be an organisation of owners of a single design of accepted Trailer Yacht.
- b) Class Owners Associations shall be eligible for Membership of the NZTYA.
For "Membership", Class Owners Associations shall satisfy the same requirements as Squadrons as set out in clause 4 herein. Such Class Associations shall be known as "Member Class Owners Associations".

6) PERSONAL MEMBERSHIP DEFINITION

A personal member shall be a person who has an interest in trailer yachting.

7) MEMBERSHIP

- a) Membership of the NZTYA shall comprise:
 - i) Squadrons, Clubs or Trailer Yacht Section of Clubs satisfying the definition set out in clause 4 herein,
 - ii) Class Owners Association satisfying the definition set out in clause 5 herein,
 - iii) Personal Members satisfying the definitions set out in clause 6 herein,
who wish to be members of the NZTYA and are liable for all subscriptions and levies as may be set from time to time by the NZTYA.
- b) Admission to Membership - prospective members shall apply in writing to the NZTYA Secretary for membership and the applicant will become a member once the application is approved by the Council.
- c) Cessation of Membership - any member may resign from the NZTYA by notice in writing sent to the secretary of the NZTYA.
- d) Expulsion from Membership - The NZTYA Council may at any time censure or expel from membership, a Squadron, Club, Trailer Yacht Section of a Club, Class Owners Association or personal member if;
 - i) the member's conduct is in the opinion of Council, contrary to the best interests of Trailer Yachting generally,OR
 - ii) the member is in arrears with any subscriptions at the end of the financial year.

Any member facing expulsion or censure shall be advised in writing at least thirty (30) days before the matter will be voted upon by Council and the member shall be entitled to offer an explanation either verbally or in writing to Council.

8) RIGHTS OF MEMBERSHIP

All member Squadrons, Clubs, Trailer Yacht Sections of Clubs or Class Owners Associations and personal members shall have access to copies of all the NZTYA Council minutes, all AMR and SMR minutes and all reports prepared by Council for general circulation.

Voting rights shall be as set out in clause 11 herein.

Any Member Squadron, Club, Trailer Yacht Section of Club or Class Owners Association may appoint in writing, a Proxy to vote on their behalf at any AMR or SMR. Written evidence of Proxy arrangements shall be received by the NZTYA Secretary at least seven (7) days prior to each meeting at which the arrangements shall apply. Proxy arrangements must be separately advised for each meeting.

9) ALTERATION TO CONSTITUTION

On a proposed resolution being received for an amendment or alterations of this Constitution, the Council Secretary shall circulate to all member Secretaries, a copy of the resolution at least thirty (30) days prior to the next AMR at which time a vote shall be taken on such proposed resolution. Two-thirds of all recorded votes in favour of the resolution shall be necessary to amend or alter this Constitution.

10) ANNUAL MEETING OF REPRESENTATIVES (AMR)

The Annual Meeting of Representatives of Member Squadrons, Clubs, Trailer Yacht Sections of Clubs, Class Owners Associations and personal members shall be held during the period of June-August of each year. All remits for discussion at an AMR shall be in the Council Secretaries hands not later than the 31st May preceding the AMR. The Council Secretary shall within fourteen (14) days, circulate such remits to Member Squadron, Club, Trailer Yacht Section of a Club or Class Owners Association Secretaries.

Each Member Squadron, Club, Trailer Yacht Section of a Club or Class Owners Association may appoint one representative to represent that Squadron, Club, Trailer Yacht Section of a Club or Class Owners Association at an Annual Meeting of Representatives.

Any member of a Squadron, Club, Trailer Yacht Section of a Club, Class Owners Association or personal member may attend the Annual or Special meeting as an observer.

11) VOTING AT AN ANNUAL OR SPECIAL MEETING OF REPRESENTATIVES (AMR or SMR)

- a) On all matters the voting power of a Representative of a Member Squadron, Club or Trailer Yacht Section of a Club shall be equal to the number of levies paid by that Member to the NZTYA for the financial year (ended 31st May) preceding the meeting.
- b) The voting power of a Representative of Member Class Owners Association shall be equal to the equivalent number of levies that the Member Owners Association subscription represents (rounded up).
- c) Personal Members are entitled to one vote.
- d) Votes shall only be cast by Member Squadrons, Clubs, Trailer Yacht Sections of Clubs, Class Owners Associations and Personal Members who have paid all dues and levies due to be paid by the preceding 31st day of May.
- e) No business shall be transacted at any Annual or Special meeting unless there is a quorum of five (5) Representatives present. At least two members of Council shall be present and one of these members shall Chair the meeting.

- f) A resolution put to the vote of the meeting may be decided on the voices or by a show of hands unless a poll is demanded by the Chairperson or anyone Representative present who is entitled to vote at the Meeting. If a Poll is not demanded as herein before provided, the declaration by the Chairperson that the resolution has been accepted or rejected shall be conclusive, and an entry in the Minutes to that effect shall be conclusive evidence thereof. Should a poll be so demanded those Representatives present shall be entitled to vote in accordance with sub-clauses 11a and 11b hereof.
- g) Every question shall be determined by a majority of votes except as provided in clause 9 herein. In the event of an equality of votes either on a show of hands or poll, the Chairperson of the meeting shall be entitled to a casting vote.

12) OFFICERS

- a) Each AMR shall elect a Council to manage the affairs of the NZTYA.
- b) The Council shall comprise the following Officers: President, North Island Vice-President, South Island Vice-President, Secretary, Treasurer, Technical Officer, Publicity Officer, a Representative to YNZ and the Immediate Past President.
- c) The position of Secretary and Treasurer may be held by one person.
- d) Any Two (2) of the positions Vice-President, Publicity Officer or Representative to YNZ may be held by one person but unless it is decided to the contrary by the Council the representative to YNZ or any of its subcommittees shall be the President.
- e) Officers of the Council shall be members of the NZTYA either through Personal Membership or through membership of an Association or Club that has membership status of the NZTYA.
- f) Any new Council or Council Officers elected at an AMR shall not take office until conclusion of that AMR.
- g) The Council shall have power to co-opt replacement members to the Council.

13) AUDITOR

The NZTYA shall appoint at each AMR, an Honorary Auditor.

14) POWERS OF COUNCIL

- a) The Management of the NZTYA shall be vested in the Council.
- b) Council may make By-laws binding on members but no such By-laws shall be inconsistent with anything in this Constitution.
- c) Council may appoint sub-committees to carry out such functions as it deems necessary.
- d) Council may employ such Technical or Professional Advisers as is deemed necessary to assist it in its functions.
- e) Council shall have the power necessary to implement the objects stated in subclauses 1 to 8, 13 and 14 of clause 2 above
- f) Council may execute any of the objects 9 to 12 of clause 2 herein, but only pursuant to a resolution passed at an AMR or SMR.

15) MEETINGS OF COUNCIL

- a) Meetings of Council may be called by the Council Secretary at any time on fourteen (14) days notice to Council Members.
- b) A quorum for a Council Meeting shall be five (5) Council members.
- c) Upon receiving a written request from not fewer than three (3) Council Members, the Secretary shall within fourteen (14) days, give notice of the time, date and agenda for a full meeting of Council by telephone conference call. Full details of the purpose of calling the meeting shall be given to the Secretary in writing for circulation to all Council Members.
- d) Each member of Council shall be entitled to one (1) vote. In the event of an equality of votes, the President or Chairperson shall be entitled to a casting vote.
- e) Council shall meet regularly as necessary, to deal with business on hand. Council shall meet at least three (3) times between successive AMR.
- f) A quorum for an Executive Committee meeting shall be four (4) Council Members.
- g) Adequate Minutes shall be kept of all Council and Executive meetings. Copies of all minutes shall be available on a members only section of the NZTYA website.

16) SPECIAL MEETING OF REPRESENTATIVES (SMR)

The Council Secretary upon receiving a written request from not less than three (3) members shall notify Secretaries of all Member Squadrons, Clubs, Trailer Yacht Sections of Clubs and Class Owners Associations and all individual members of the calling of a Special Meeting of Representatives, to be held at a date within sixty (60) days from receiving the request. Voting at a Special Meeting of Representatives shall be as for an AMR. Member Squadrons, Clubs, Trailer Yacht Sections of Clubs or Class Owners Associations and individual members calling for a Special Meeting of Representatives shall give full details in writing of the purpose of calling such a meeting.

17) FINANCE

- a) Squadrons, Clubs and Trailer Yacht Sections of Clubs shall pay annual subscriptions as fixed from time to time at an Annual Meeting of Representatives. All subscriptions shall be forwarded to the NZTYA in one instalment. The instalment shall be received by the NZTYA on or before the due date as referenced on the renewal notice.
- b) Class Owners Associations and individual members shall pay to the NZTYA, annual subscriptions as fixed from time to time at an Annual Meeting of Representatives. The instalment shall be received by the NZTYA on or before the due date as referenced in the renewal notice.
- c) The Treasurer shall keep a proper record of all transactions and shall present at each A.M.R, an Income and Expenditure sheet and statement of Accounts duly audited. The 31st day of May shall be the end of each financial year.
- d) All monies received by the NZTYA shall be banked within fourteen (14) days of receipt, in a bank account approved by Council.
- e) All cheques and electronic payments shall be signed by any two of the Officers of the NZTYA as may be authorised by resolution of Council from time to time to sign cheques on its behalf.
- f) The Council may disburse monies for such purpose as is deemed necessary to foster and support the objects stated in sub-clauses 1 to 8, 10, 11, 13 and 14 of clause 2 herein.
- g) Travel costs to AMR and SMR for a Representative of each *member* Squadron, Club or Trailer Yacht Section of a Club shall be refunded at a scale decided at the meeting.
- h) Banking may be by cheque, electronic banking or any other method approved by the Council.

18) CONTESTS

- a) A New Zealand Championship may be held each year at a venue to be decided at an AMR. North Island and South Island Contests may also be held each year at venues to be decided at an AMR. Such venues to be organised by financial Member Squadrons, Clubs, Trailer Yacht Sections of Clubs or Class Owners Associations who are current financial members of the NZTYA.
- b) National Classes recognised by the NZTYA may hold Class Championships at a place decided by their Class Associations and approved by YNZ.
- c) All trophies for New Zealand, North Island and South Island Championships shall be the property of the NZTYA and it shall be the Council Secretary's duty to keep a register of such trophies. No such trophies shall be taken out of New Zealand.
- d) Trophies for National Classes shall be the property of YNZ and it shall be the duty of their Class Association to keep a register of such trophies.
- e) All competitions at any Trailer Yacht Championship shall be sailed under the current rules of the IYRU and YNZ prescriptions.
- f) The controlling body of any event may fix the Safety Standards for that event, but in all cases the minimum standards shall be Category C of Part V, Safety Regulations Trailer Yachts of YNZ Special Regulations.
- g) Trailer Yacht Owners who are not financial members of a current Member Squadron, Club, Trailer Yacht Section of a Club or Class Owners Association and who are not Personal Members of NZTYA, shall be charged an NZTYA Personal Membership levy when entering a North or South Island Contest or the NZTYA National Championships.

19) CLASSES

Classes of Trailer Yachts may be controlled by the financial members of that Class according to a Constitution or Class Rules but in no case shall such Constitution or Class Rules contain anything contrary to the spirit of Trailer Yachting or be inconsistent with this Constitution.

20) COMMON SEAL

The NZTYA shall have a Common Seal which shall be kept in safe custody by the Council Secretary. The seal shall only be used pursuant to a resolution of Council and shall be fixed in the presence of the President and one other Council member.

21) HONORARIA

Delegates voting at an AMR may fix honoraria for the officers of the Council as is deemed necessary.

22) WINDING UP

The NZTYA may be wound up if a resolution to that effect is passed at a General Meeting in accordance with the provisions of Section 24 of the Incorporated Societies Act 1908. Upon any such winding up of the NZTYA the assets shall after payment of liabilities, be disposed of in such a manner as the NZTYA shall by resolution determine. Provided that such assets shall not be divided amongst the members but shall be disbursed among some body or bodies having similar aims to the NZTYA.

23) COMMUNICATION

The NZTYA can communicate with its members, whether individuals or organisations by post or email or other electronic means as it may from time to time decide.