



CRUISING YACHT CLUB OF SA INC

REGULATIONS

PORT VINCENT MARINA COMMITTEE

(Incorporating amendments made 30 September 2011)

1. TITLE

The full title of the Committee shall be the Cruising Yacht Club of South Australia Port Vincent Marina Committee, hereinafter referred to as the “**PVMC**”.

2. STATUS

It is acknowledged and recognised that the PVMC has been formed as a division of the Cruising Yacht Club of South Australia Incorporated (“the **Club**”) to further support and foster particular activities within the Club and its members and as such is subject to the Constitution of the Club and that all assets and liabilities of the Association are assets and liabilities of the Club.

3. OBJECTS

The objects of the PVMC shall be:

- (a) To promote the enjoyment of the facilities of Marina Port Vincent and the Club;
- (b) To communicate ideas of improvement and notify Club Management of issues involving Marina Port Vincent and its members;
- (c) To encourage and involve new members in the activities of the Club;
- (d) To liaise with other Associations of the Club and to co-ordinate joint activities which support the overall activities and programs of the Club;
- (e) To raise funds by subscription or otherwise in order to carry out the objects of the PVMC; and
- (f) To do all such acts and things as may be necessary to carry out the above objects.

4. MEMBERSHIP

- (a) Membership of the PVMC is open to all financial members of the Club that either own or lease a berth in Marina Port Vincent. The PVMC may invite non CYCSA Club member to assist the committee as and when required, however only financial members will form the PVMC and retain voting rights.

5. MANAGEMENT

- (a) The affairs of the PVMC shall be managed by the Committee consisting of up to ten members. The Committee shall include a Chairperson, Deputy Chairperson, Secretary and up to seven other members.
- (b) Nomination forms for the election of the PVMC shall be made available on the CYCSA website (in the Port Vincent Marina section) to all berth owners and those leasing berths in Marina Port Vincent not less than thirty (30) days prior to the PVMC Annual General Meeting. Duly completed nomination forms must be returned to the PVMC Secretary no later than fourteen (14) days prior to the Annual General Meeting.
- (c) If there are more candidates than there are vacancies then a secret ballot shall be conducted at the Annual General Meeting. The Chairperson shall appoint scrutineers for such a ballot prior to the ballot.
- (d) Every Marina Port Vincent berth owner or those leasing berths shall be entitled to vote for as many candidates as there are vacancies to be filled and no more.
- (e) In the event that insufficient nominations are received to fill the vacancies on the Committee at the close of nominations, the elected Committee shall have the power to appoint Committee members to fill the vacancy from the members owning or leasing berths in Marina Port Vincent for the period of office.
- (f) The Chairperson and Secretary will be elected by the Committee at the first Committee Meeting following the Annual General Meeting. A Treasurer may also be elected at this time if required. Any Flag Officer or the Executive Officer of the Club may act as Chairperson for the election of office bearers, if so required by the PVMC.
- (g) All activities of the PVMC are subject to the ultimate control and direction of the Board of the Club. The Board of the Club has the right to attend, or nominate a representative that may attend PVMC meetings on its behalf.

6. MEETINGS

- (a) The Annual General Meeting shall be held during the months of June or July. Notice shall be given to Marina Port Vincent berth owners and those leasing berths at least fourteen days prior to the meeting.

- (b) Special General Meetings may be called at any time by giving fourteen days notice either by the Committee or by written request to the Secretary signed by a minimum of ten Port Vincent Marina berth owners or those leasing berths at Port Vincent.
- (c) Committee meetings shall be held as necessary and members of the Committee shall be notified at least forty eight hours prior to the meeting by the Chairperson or Secretary.
- (d) A quorum of either 25% or a minimum of three committee members is required at any meeting of the Committee.
- (e) If, within thirty minutes after the time appointed for a meeting of the Committee the necessary quorum of members is not present, the meeting shall stand adjourned to the same day in the next week at the same time and place. If at such adjourned meeting the necessary quorum of members is not present within thirty minutes of the time appointed for the meeting, the members present shall form a quorum.
- (f) If the Chairperson is not present within five minutes after the time appointed for holding the meeting, the members present may choose one of their number to be the Chairperson.
- (g) If a committee member does not attend three consecutive meetings without an apology or good cause then they may be removed as a committee member by the Committee.

7. SECRETARY

The Secretary shall keep minutes of meetings, maintain a record of correspondence and other records of the PVMC and shall have such duties, responsibilities and privileges as the Committee shall from time to time determine.

8. VOTING

(a) Procedure at General Meetings

- i) At all general meetings of the PVMC the chair shall be taken by the Chairperson or as otherwise determined by a poll conducted at the meeting.
- ii) Every question shall be determined by a majority of votes unless otherwise provided by these regulations and if there is an equality of votes, the Chairperson shall have a second or casting vote.
- iii) Every member present who is entitled to vote shall have one (1) vote.
- iv) No member may vote by proxy.

- v) Only financial members of the CYCSA shall be entitled to vote at any general meeting of the PVMC.
- vi) Voting at any general meeting may be by show of hands or by ballot.

(b) Procedure at Committee Meetings

At Committee meetings questions arising shall be decided by a simple majority of votes of the Committee members present.

9. AMENDMENTS TO REGULATIONS

The Regulations of the PVMC may be amended by a majority of at least two-thirds of those members present and voting thereon at a General Meeting of the Committee and subsequent approval of the Board of the Club. Such amendments must be proposed by four financial members, in writing, and forwarded at least twenty eight (28) days prior to the meeting to the Secretary who shall notify all members of the amendment in a Notice of Meeting at least twenty one (21) days prior to the meeting.

10. INDEMNITY

- (a) To the extent permitted by law, the Club shall indemnify every Committee member and every Officer of the Association against any liability incurred by them in such capacity.
- (b) To the extent permitted by law, the Club shall indemnify every Committee member and every Officer of the Committee against costs and any liability incurred by him in such capacity in defending any proceedings whether civil or criminal in which judgment is given in his favour or in which he is acquitted.
- (c) No member of the PVMC shall be required to contribute towards the payment of any liabilities of the Committee (whether on dissolution or otherwise) beyond meeting any personal liabilities to the Committee arising in the normal way.

11. DISPUTE

In the event of any dispute which cannot be resolved by the Committee, the matter shall be referred to the Board of the Club for determination and their decision shall be final.

12. ACCOUNTS

- (a) The Management of the Club shall keep such accounting records as are necessary to correctly record and explain the financial transactions and financial position of the Committee.
- (b) In the event of the Committee being wound up, if an amount remains after the satisfaction of all debts and liabilities, that amount shall be transferred to the general revenue of the Club to further the general aims of the Club.
- (c) In April each year, the Committee shall prepare and submit to the Board of the Club for approval a budget for the forthcoming financial year.
- (d) All funds raised by the Association through subscription, fundraising, sponsorship or donation are subject to the ultimate control and direction of the Board of the Club but only for the exclusive use of the Committee to further the objects of the PVMC.

13. FUND RAISING

The Committee may from time to time conduct such activities as it seems appropriate to raise funds for its program of events or for specified charitable purposes. Any sponsorship shall be subject to the approval of the Board of the Club.

14. CLUB RULES

In any circumstances not provided for in these Regulations, the Constitution and Rules and by laws of the Club for the time being in force may be adopted and applied to such particular circumstances with such modifications as the circumstances of the particular case may require.

15. TRANSITIONAL

The officeholders and committee members of the PVMC immediately before these Regulations came into effect shall continue in office or remain members, as the case may be upon these Regulations commencing.