






**THE RULES  
OF  
THE KAPITI AEROMODELLERS' CLUB INCORPORATED**

**Changes from original 1996 document**

- Rules 8(a) and 8(c) amended and registered on 7th December 1996
  - Rule 8 (e) (2) amended and registered on 23<sup>rd</sup> May 2006
  - Typographical errors in 2006 document corrected and registered on 18/7/12. (This includes reinstatement of clauses 5 and 17 which were inadvertently omitted in the 2006 document lodgment)
  - Clarification of rules around accounting review - approved AGM April 2013
  - Inclusion of electronic communications - approved AGM April 2013
  - Changes to clauses 8a, 8b, 6d, 8c, 8f to simplify AGM deadlines - approved AGM April 2014
- The effect of these changes is to establish a procedure whereby
- members are advised of the date of the AGM at least one month prior to the AGM,
  - Notices of Motion, nominations and other details are provided to the Secretary no later than 14 days before the meeting,
  - Members are provided with a complete set of papers no later than 10 days before the meeting.
- Change to Rule 11 (a) subscriptions. Approved AGM April 2017
    - Removes responsibility from the AGM to set fees and allows the committee to set fees.
    - Removal of Rule 8/a/6 which refers to this being the business of the AGM.
  - Replacement Rule 5. Suspension and Expulsion of Members. Approved AGM 2020.
    - Replaced in entirety with new Rule 5. Disciplinary Procedures

**Certification of changes**

Changes approved at 2020 AGM

1.  STEPHEN HUTCHISON PRESIDENT
2.  PAUL F BUCKRELL TREASURER
3.  WAYNE R. ELLEY SECRETARY

1. **NAME**

The name of the Club shall be "The Kapiti Aeromodellers Club Incorporated".

2. **OBJECTS**

The objects of the club shall be:

- a) To promote the building and flying of model aircraft for the mutual benefit of members of the Club (hereafter referred to as "the sport").
- b) To encourage and foster the sport in all its phases in New Zealand or elsewhere.
- c) To collect and supply information and advice on all or any matters pertaining to the sport or model aeronautics generally.
- d) To promote and hold either alone or jointly with any other Club, Association, Company or person, model aeronautical meetings, contests, gymkhanas, carnivals, competitions, matches, exhibitions or

trials, and also accept, offer, give or contribute towards prizes, trophies, and awards to participants or others.

- e) To promote and hold parties, balls, dances, or other entertainments for the purpose of promoting or assisting any of the objects of the Club,
- f) To raise money by subscriptions and to grant any rights or privileges to subscribers.
- g) To buy, sell, lease, hire, mortgage, charge, exchange or otherwise deal with any real or personal property.
- h) To take any gift of property, whether subject to any special trust or not for any one or more of the objects of the Club.
- i) To take any lawful steps for the purpose of procuring contributions to the funds of the Club.
- j) From time to time subscribe or contribute to any patriotic or charitable benevolent or useful object of a public character.
- k) To delegate a portion of the work of the Club and pay a portion of its funds to any organisations formed for the advancement of any branch of aeronautics and appoint representatives on any such bodies.
- l) To join or affiliate as a member of any club, association, or society, whether incorporated under "The Incorporated Societies Act 1908" or not, and having as one of its objects the advancement or government of aeronautics.
- m) To enter into any arrangement with a Government or local authority or any club, company, association, or person which may seem to be conducive to the objects of the Club, and to acquire or obtain from any such Government or local authority, club, company, association, or person any charters, contracts, decrees, rights, privileges and concessions which may be conducive to any such objects, and accept and make payments under, carry out, exercise and comply with any such arrangements, charters, contracts, decrees, rights, privileges and concessions.
- n) To enter into any contracts, agreements, leases or arrangements with any person, firm, syndicate, corporation or company that may seem conducive to the objects of the Club, or any of them and to surrender and accept surrenders of leases.
- o) To borrow, levy, raise, or secure the payments of money of such manner as the Club shall think fit, and in particular by mortgages, debentures or debentures stock, perpetual or otherwise, charges upon all or any of the Club's undertakings, goodwill, property and assets (both present and future) including its future acquired property, and to purchase, redeem or pay off securities.
- p) To invest, lend and deal with the moneys of the Club upon such security and in such manner as may from time to time be determined upon.
- q) To appoint, remove or suspend any secretaries, treasurers, officers, clerks, agents or servants and to direct and control them and fix and pay their remuneration, if any, provided such remuneration is reasonable payment for services incurred on behalf of the Club.
- r) To do all or any of the things hereby authorised alone or in conjunction with another or others.
- s) To do all such things as are incidental to or conducive to the attainment of the above objects.

PROVIDED HOWEVER that the foregoing objects shall in no way limit the rights and powers conferred upon societies incorporated under "The Incorporated Societies Act, 1908" or any amendments thereof.

### **3. MEMBERSHIP**

Except for Life Membership, which is by appointment, all membership shall be obtained by personal invitation or application and the signing of an entrance form agreeing to abide by the rules and by-laws of the Club and the New Zealand Model Aeronautical Association (NZMAA). The names of applicants shall be

electronically notified to club members, and after 14 days the Management Committee shall approve, or otherwise, the application, and the Secretary will notify the applicant forthwith.

The Management Committee need not give a reason for refusal of membership. Upon notification of acceptance, membership becomes effective only when payment to the Treasurer of the current year's subscription has been made.

The membership of the Club shall be of the following classes:

- a) **LIFE MEMBERS:** Life members may only be appointed at an Annual General Meeting of the Club by the assembled members passing a resolution. Life membership shall be confined to persons who have rendered meritorious service to the sport generally or to this Club in particular. A Life Member shall be deemed to be financial without payment of any further subscriptions (excepting the NZMAA affiliation fees if applicable).
- b) **SENIOR MEMBERS:** Senior membership shall apply to all members who have attained the age of 18 years on the first day of the financial year under consideration.
- c) **JUNIOR MEMBERS:** Junior membership is available to members who have not reached the age of 18 years on the first day of the financial year under consideration.
- d) **FAMILY MEMBERS:** Family membership is available at the discretion of the Management Committee.
- e) **ASSOCIATE MEMBERS:** Associate membership is available to any member of the Club who is already affiliated to the NZMAA via another club.
- f) **NON FLYING MEMBERS:** This class is available to those who do not wish to fly models or to be members of the NZMAA, but otherwise wish to participate in the Club's activities.
- g) **INTENDING MEMBERS:** Any Intending Member shall be at liberty to attend three meetings of the Club before becoming liable to pay the current yearly subscriptions.

#### **4. RESIGNATIONS**

Any member may resign by giving notice in writing, or by electronic communications, and shall cease to be a member upon receipt of such notice by the Secretary. Regarding members who resign or are expelled, the Club shall not be liable for the repayment of any part of a subscription which has already been paid.

#### **5. DISCIPLINARY PROCEDURES – replaced entirely 2020 AGM**

The best discipline is self-discipline. This means accepting and following the club rules by understanding that they have been carefully designed to ensure that club operations are firstly safe both for club members and the public and conform to the various legal frameworks within which the club is required to operate.

KAMCI Disciplinary procedures are designed around a four-level system, the first of which is informal, supported by a three-stage formal process.

##### **a. Informal Process (L1)**

The informal process should occur when a financial member sees a minor transgression of the club rules and steps in to remind the other pilot of the correct rules environment, or expected behaviour, within which he/she should be operating. If the error is corrected in good grace, then the incident is concluded. It is not expected, nor is it desirable that club members act as "police officers".

Should an informal approach be ignored, or met with abuse, the matter becomes a second stage situation whereby the financial member who has sought to correct someone not following the

rule(s) reports the matter to the committee.

**b. Formal Process (L2, L3, L4)**

L2. The Committee approves a verbal warning from the Club Captain

L3. The Committee approves a written warning from the Club Captain

L4. The Committee approves a temporary or permanent membership cancellation. Any such cancellation will prohibit the member from attending the club flying premises for the duration of the ban.

Natural Justice principles shall prevail, and no sanction be imposed unless the issue is beyond a reasonable level of doubt.

These processes apply beyond the flying and include all levels of conduct deemed to be outside of good order. Examples might include, inter alia, intoxication, drug usage, abusive behaviour, or other matter the Committee deems appropriate.

The 3 formal levels of the process can be initiated by any KAMCI financial member. The process may also be initiated by a complaint from a non-club member (e.g. Park visitor or staff). Any club member receiving a complaint from outside the club must forward the details, by email, to the Club Captain as soon as possible.

Any current KAMCI financial member wishing to instigate this formal disciplinary schedule must email the club Captain with full details of the alleged incident, including other witness information if available, as soon as possible after the event.

The Club Captain (CC) will liaise with the Club President (CP) and decide on the necessity, or otherwise, for a formal Committee hearing. The CC and the CP may decide that the complaint is minor, spurious, or trivial and leave it for the CC to deal with informally. A decision to proceed informally counts as a final Committee decision.

If the CC and CP decide the matter requires a formal Committee hearing, the complainee must be presented with the details of the matter in writing and be given a reasonable period of time to prepare a response for consideration.

In this context, a reasonable period of time is considered to be two weeks. This may be extended at the Committee's discretion if extenuating circumstances can be demonstrated (e.g. away on leave, sickness etc.)

**1. Committee Hearing**

The Club Executive must be present to hear the matter and the complainant must not be a member of the hearing group.

No action will be taken against the complainee before the Committee process is finalised.

The complainee may be accompanied by a support person at the hearing.

In the event that the complainee, having been informed of and invited to attend the meeting, fails to attend for no good reason, the Committee may proceed in his/her absence.

The outcome of the meeting must be communicated to the complainee within one week of the decisions made.

c. **Disciplinary Sanctions**

The Committee will determine the level of disciplinary sanction to be applied under the particular circumstance of the offence.

This may be:

Direct a formal verbal warning from the Committee via the CC with details recorded in the club records. (L2).

Direct a formal written warning from the Committee via the CC with details included in the club records. (L3).

Confirm the member's temporary or permanent membership cancellation in writing from the CP. (L4).

With the exception of a decision of dismissal, the Committee's decision will be final. A dismissal finding may be appealed within one week of that finding and will not be actioned within that time.

In the event of serious misconduct, the Committee may elect to go directly to the highest level of sanction (i.e. dismissal).

Any appeal against dismissal shall be heard by an appeal panel of 5 KAMCI financial members chosen conjointly by the complainee and the CC. The primary panel determinants should be fairness and neutrality. The decision of this panel will be final.

The Club Captain has the ultimate responsibility for carriage of the disciplinary process through the three levels of the formal process. All KAMCI Financial members have the responsibility to convene the first (informal) level of the process.

**6 MANAGEMENT STRUCTURE**

- a) The affairs of the Club shall be conducted by a Management Committee consisting of:- a President, Vice-President, Club Captain, Secretary, and Treasurer, which group shall constitute the Executive, together with up to three Ordinary Committee Members.
- b) The property of the Club shall be vested in the Management Committee for the time being as trustees for the members. The Management Committee shall be generally responsible for the safe custody of the assets of the Club and shall implement any or all of the objects at its discretion. No member of the Management Committee shall have any transmissible or assignable interest therein.
- c) At each Annual General Meeting the members of the Management Committee shall retire but may remain eligible for re-election. Election shall be by secret ballot if more than one nomination is received for any one position.
- d) No candidate other than a retiring member of the Management Committee shall be eligible for election to any office unless their nomination, proposed and seconded with the Nominee's acceptance, is lodged with the Secretary in writing at least 14 days before the date of the meeting at which he/she is proposed to be elected. Only if insufficient nominations are received to fill all vacancies, will further nominations be accepted during the Meeting to fill the vacant positions.
- e) Any casual vacancies occurring in any of the offices of the Executive shall be filled by election at a Special General meeting under the same procedures as in Rule (c) above. In the meantime the Committee, at its discretion, may make an acting appointment to allow Club business to continue.

Any Ordinary Committee member casual vacancy may be filled by the Management Committee, if it considers such action necessary, and any person so appointed shall hold office until the next ensuing Annual General Meeting.

- f) The President should preside at all Management Committee meetings but if unable to attend, the Vice-President, the Club Captain, or any member of the Management Committee, in that order of priority, will act as deputy.
- g) The quorum for a Management Committee shall be four members.
- h) Each member of the Management Committee shall have one vote at Management Committee meetings. The Chairman shall not have a casting vote. Voting by proxy shall be allowed at Management Committee meetings under the same rules as defined in Rule 8(e) (4) Any person may attend a Management Committee meeting but only by invitation of the Chairman of that particular meeting and may speak at such a meeting only if invited to do so by the Chairman but shall have no vote under any circumstances.
- i) The Management Committee may employ such paid officers as it may from time to time determine, provided any such remuneration is reasonable for services incurred on behalf of the Club.
- j) The Management Committee, as it sees fit, may co-opt members onto the committee for a specific period in order to carry out specific assignments on behalf of the Club.

## **7. DUTIES OF OFFICERS**

- a) **PRESIDENT:** The President shall preside over all meetings, shall be an ex-officio member of any advisory board, and shall oversee all aspects of the Club's activities, including flying venue negotiations.
- b) **VICE PRESIDENT:** The Vice President shall act as the President's deputy in any matter so requested by the President and shall oversee all maintenance, housekeeping and security of the Club's facilities.
- c) **CLUB CAPTAIN:** The Club Captain's duty is to officiate at designated Club flying meetings to ensure that all activities relating to flying conform to NZMAA rules and the Club's rules and by-laws. The Club Captain shall have the power to delegate any duties and appoint Deputies at his/her discretion.
- d) **SECRETARY:** It shall be the duty of the Secretary to:
  - (1) conduct all the Club's correspondence and convene meetings,
  - (2) keep accurate minutes,
  - (3) assist the Treasurer in compiling and maintaining a register of all members and supply NZMAA returns as required,
  - (4) act as custodian of the Common Seal, books and all papers of the Club and to produce the same to the Management Committee whenever called upon to do so and to see that the provisions of the Incorporated Societies Act are complied with,
  - (5) notify each new applicant for membership of their election or otherwise,
  - (6) Ensure that all relevant information and documents are available to the Chairman prior to the meeting if the Secretary is unable to attend.
- e) **TREASURER:** It shall be the duty of the Treasurer to:
  - (1) collect and receive all monies due to the Club,
  - (2) pay all debts owing as soon as payment thereof is authorised by the Management Committee,
  - (3) keep a correct account of all receipts and payments, and an account of all assets and liabilities of the Club,
  - (4) have the custody of funds of the Club,

- (5) produce financial statements as required by the Management Committee,
- (6) prepare for each Annual General Meeting of the Club a proper Statement of Income and Expenditure and a Balance Sheet showing the Club's Assets and Liabilities as at the 31<sup>st</sup> March preceding each Annual General Meeting and to prepare such Statement of Income and Expenditure and Balance Sheet in accordance with appropriate accounting standards, and have same duly reviewed by the Club's Reviewer and have the said Reviewer's signed report attached thereto for presentation to each annual Meeting
- (7) pay all moneys received into the account of the Club with the Club's bankers
- (8) keep a register of all members, their addresses and membership class
- f) REVIEWER: The reviewer, who shall not be a member of the Executive, shall examine all accounts, vouchers and Annual Accounts of the Club presented by the Treasurer and report thereon to each Annual General Meeting.

## **8. MEETINGS**

- a) ANNUAL GENERAL MEETINGS of the Club shall be held each year as soon after the first day of April as the Management Committee shall be able to convene same. The time and place of such meetings shall be decided by the Management Committee, and advised to members at least one month prior to the meeting.

Each Annual General Meeting shall include the following business:

- (1) Confirmation of previous Annual General Meeting minutes
  - (2) Adoption of the Treasurer's Annual statement of accounts
  - (3) Adoption of the President's, Club Captain's and Treasurer's reports
  - (4) Election of Officers and members of the Management Committee
  - (5) Appointment, if required, of an Hon. Solicitor and Reviewer
  - ~~(6) Setting of Annual subscriptions and/or fees~~
  - (7) Such other business of which due notice has been given.
- b) NOTICES OF ANNUAL GENERAL MEETINGS shall be given to members in writing and dispatched by ordinary post, or by electronic communications, to the Member's last known address and shall give at least 10 days' notice. Notices shall be deemed to be served on the day following the day on which they were posted. The accidental omission of any member in being given notice shall not invalidate any proceedings of the meeting.
  - c) NOTICES OF MOTIONS for presentation to any Annual General Meeting must be in the hands of the Secretary at least 14 days immediately prior to the relevant meeting and such Notices of Motion shall be set out in the notices calling the meeting.
  - d) SPECIAL GENERAL MEETINGS may be called at any time by order of the Management Committee or on a requisition in writing to the Secretary, executed by at least 5 members, and specifying the business to be discussed. The Management Committee shall allot the venue and shall give all members at least 14 days written *need to change to allow for electronic communications DM Sept 2014* notice of such meeting and of the business to be considered. If the Management Committee fails to convene the meeting within thirty days of the receipt of a proper requisition by the Secretary, the requisitionists may themselves do so and allot the venue, providing the aforesaid terms of notice are observed.

e) PROCEDURES AT MEETINGS

- (1) At all Annual or Special General Meetings, the President shall take the chair. If the President is not present, the Vice president, a member of the executive, or a member chosen by the meeting, in that order of priority, shall take the chair.
- (2) At all Annual or Special General Meetings, the presence of one quarter (25%) of the current members who are entitled to vote, not including the Chairman, shall constitute a quorum. Proxies shall not be included in the determination of a quorum.
- (3) At all Annual or Special General Meetings each member shall be entitled to one vote, except that Junior members shall have no right to vote. Voting may be by show of hands or on the voices or by secret ballot. Any two members entitled to exercise at least two votes shall be entitled to demand a secret ballot. Except for additions to, alterations to or rescinding of Club rules {for which see rule 8(f)}, all other matters shall be decided by simple majority. The chairman shall not have a casting vote.
- (4) PROXY voting at any Annual or Special General Meeting may be arranged by any member through a written and signed request for Proxy representation and specifying the matter to which the vote is applied and whether for or against. Such a request shall be handed to the Chairman prior to the commencement of the meeting.

f) ALTERATION OF CLUB RULES

At any Annual or Special General Meeting of the Club the rules of the Club may be altered by enactment of any further rules or by the rescission or amendment of any of the existing rules PROVIDED HOWEVER that no amendment is to be approved if it in any way affects the Income Tax exempt status of the Club and, that ten days' notice in writing , or by electronic communications, of resolution embodying the proposed additions, rescissions or amendments shall be given to all members and such resolution shall be passed by a majority of at least two thirds of the members of the Club present at such meeting, voting personally or by proxy.

**9. BY-LAWS**

The Management Committee from time to time may make, alter or revoke any By-laws provided such additions, alterations, or deletions are not repugnant to the Rules of the Club.

**10. FINANCIAL YEAR**

The financial year of the Club shall terminate on the 31<sup>st</sup> March annually.

**11. SUBSCRIPTIONS**

- (a) The annual subscriptions and entrance fee, if any, for each class of membership, are due as at 1<sup>st</sup> April each year and shall be fixed by the Management Committee and notified to existing financial members no later than the end of February each year. Life Members and Honorary Members shall not be required to pay an annual subscription.
- (b) Members whose subscriptions are unpaid after one month from the due date shall be deemed to be un-financial. Members who remain un-financial after two months from the due date and have received written or electronic advice from the Secretary shall ipso facto cease to be members of the Club after fourteen days have elapsed since advice was posted to their last known address.



## **12. TROPHIES**

All Club trophies, unless otherwise determined by the Club in Annual or Special General Meeting, shall remain the property of the Club, and are for continual competition on a basis as may be arranged from time to time by the Management Committee. Any member holding a trophy, or losing the right to hold a trophy, must, upon request, cause the trophy to be conveyed to the Club Captain in good condition.

## **13. COMPETITIONS**

All contest flying shall be carried out in accordance with the NZMAA (Inc) Flying Rules or any other Club rules or by-laws which may be laid down by the Management Committee provided those rules or by-laws do not contravene the above NZMAA (Inc.) general completion rules.

## **14. REGISTERED OFFICE**

The location of the registered office of the Club shall be decided from time to time by the Management Committee.

## **15. BANK ACCOUNT**

The Club may open an account or accounts with any recognized banking institution and the account or accounts shall be operated by any two signatories to withdraw monies and any one signatory to endorse cheques and to negotiate documents for the purpose of making any deposit.

## **16 . EXECUTION OF DOCUMENTS AND COMMON SEAL**

All documents intended to bind the Club shall be approved by the Management Committee and executed under the Common Seal of the Club and such execution shall be attested by the President or Vice-President and at least one other member of the Management Committee.

## **17 DECLARATION OF INDEMNITY**

All Club members taking part in Club activities shall do so entirely at their own risk and no member shall make any claim against the Club or any officer, member, servant or authorized agent thereof for any injury or loss sustained by any such member through participation in the activities of the Club notwithstanding that such injury or loss may have been caused by the negligence of the Club or any officer, member, servant or authorized agent thereof.

## **18 . N.Z.M.A.A AFFILIATION**

All members of the Club must be affiliated to the NZMAA through the Club, with the proviso that Non-Flying and Associate members shall be exempt from this requirement.

## **19. ADVISORY BOARD**

The Management Committee shall have the powers to appoint an Advisory Board for the purposes of guiding and assisting the Committee in the discharge of their duties and functions to further the Club's objectives and shall have the power to remove from such Board any person so appointed and to appoint other persons from time to time to act on the Advisory Board.

## **20. WINDING UP**

To effect dissolution of the club, a resolution appointing a liquidator shall be passed by a simple

majority of valid votes, cast in person, at a General Meeting and the resolution shall be confirmed similarly by a simple majority at a subsequent Special General Meeting called for that purpose no earlier than thirty days after the meeting that passed the original resolution. If that confirming resolution is lost, then the original resolution lapses. If the confirming resolution is passed, the liquidator must be advised to proceed forthwith. Upon winding up the Club, the funds remaining, after paying all liabilities and expenses, shall not be paid or distributed among members of the Club but shall be distributed to any amateur game or sport promoter, or to a charitable organization, as defined in accordance with the respective sections 61(30) and 61(25) of the Income Tax Act 1976 which the person conducting the winding up may nominate. Failing any such nomination, the funds shall be paid over to some other sporting promoter, meeting the above requirements, and nominated by the registrar of Incorporated Societies.