



***SPORT AIRCRAFT ASSOCIATION***  
***NZ Inc.***

# Rules of the Sport Aircraft Association NZ Incorporated

Est. 1964

[www.saa.org.nz](http://www.saa.org.nz)  
7 February 2020

The “New Zealand Amateur Aircraft Constructors Association Incorporated” (AACCA) was incorporated under the Incorporated Societies Act 1908 on 1<sup>st</sup> of May 1964.

The name of the Society was changed to “Sport Aircraft Association NZ Incorporated” on 25<sup>th</sup> July 1995

This revision of the rules came into effect 7<sup>th</sup> February 2020

# **RULES of SPORT AIRCRAFT ASSOCIATION (NZ) INCORPORATED**

## **CLAUSE 1 NAME**

- 1.1 The name of the Association is Sport Aircraft Association (NZ) Incorporated (herein after called "the Association").

## **CLAUSE 2 REGISTERED OFFICE**

- 2.1 The registered office of the Association will be situated at a place in New Zealand as shall from time to time be notified to the registrar.
- 2.2 Unless otherwise notified it will normally be at the place of residence of the Secretary or Administrator of the Association.

## **CLAUSE 3 INTERPRETATION**

AGM	Annual General Meeting
CHAPTER	Ten or more full members of the Association, in good standing, who have formed a local area group holding a Charter from the Association.
COUNCIL	Administrative Group as defined under Clause 9.
EXECUTIVE COUNCILLORS	The President and both Vice-Presidents.
FINANCIAL YEAR	The financial year of the Association shall commence on the 1 <sup>st</sup> November and end on the 31 <sup>st</sup> October of the following year.
MEANINGS	Words importing the masculine gender only shall include the feminine gender and words importing corporations shall include persons.
MONTH	Calendar month
RULES	The current rules of the Association and the Regulations or By-Laws of the Association.
SGM	Special General Meeting
SPORT AIRCRAFT	Any aircraft used in the pursuit of recreational aviation.
SPORT AVIATION	Any activity connected with the promotion and encouragement of the sport and hobby of recreational aviation.
THE ACT	The Incorporated Societies Act 1908 and amendments thereto.
THE REGISTRAR	The Registrar of Incorporated Societies under the Act

**CLAUSE 4 OBJECTIVES**

- 4.1 To promote and facilitate the design, construction, restoration, testing and operation of aircraft of all types for educational and recreational purposes.
- 4.2 To provide a means of contact between persons, members and associated Chapters or Clubs engaged in the construction, restoration, testing or operation of Sport Aircraft.
- 4.3 To provide for the benefit of all members, Chapters and Affiliated members advice, education and technical information to promote and encourage Aviation Safety in the design, construction, restoration and or operation of Sport Aircraft.
- 4.4 To liase on behalf of all members, Chapters and Affiliated members with the Civil Aviation Authority, Airways Corporation, other Government Departments and any other bodies or organisations.
- 4.5 To act as promoters of flying meetings, competitions, technical symposiums, as publishers, stationers and booksellers, general traders, dealers, agents and manufacturers, both wholesale and retail, of any articles of any description which may assist these objectives.
- 4.6 To buy, sell, lease, hire, mortgage, charge, exchange or otherwise deal with any real or personal property, including any rights and privileges thereto.
- 4.7 To construct, maintain and alter any buildings or erections necessary or convenient for the work of the Association.
- 4.8 To raise money by subscription for the Association and to grant any rights or privileges to any subscribers.
- 4.9 To borrow, raise funds, receive gifts of any kind for the benefit of the Association on such terms and on such security as may be thought fit.
- 4.10 To undertake and execute any trusts which may lawfully be undertaken by the Association and may be conducive to the Association's objectives.
- 4.11 To invest the monies of the Association not immediately required for its purpose in or upon such investments, securities or property as may be deemed fit by the Council.
- 4.12 To establish and support or aid in the establishment and support of any charitable or benevolent associations or institutions, and to subscribe or guarantee money for charitable or benevolent purposes in any way connected with the purposes of the Association or calculated to further its objectives.
- 4.13 To do all such other things as are incidental or conducive to the attainment of the above objectives or any of them. Provided however that the foregoing objectives shall in no way limit the rights and powers conferred upon societies incorporated under the Act.

## **CLAUSE 5 MEMBERSHIP**

### **5.1 MEMBERSHIP APPLICATION**

- 5.1.1 Application for the various categories of membership shall be in writing on the applicable application form. The form shall include an agreement to abide by the rules, regulations and by-laws of the Association.
- 5.1.2 Application in any of the following categories of membership will be forwarded to the Council for approval and to ensure that it meets all the requirements in accordance with the rules of the Association.
- 5.1.3 The Council will have the discretion to accept or refuse membership.

### **5.2 FULL MEMBER**

- 5.2.1 Any adult person who has an active interest in Sport Aviation and who has been admitted to membership in accordance with the rules of the Association. They will have voting rights and may participate in all Association events and activities and will receive all of the Association's publications and notices.

### **5.3 JUNIOR MEMBER**

- 5.3.1 Any person under the age of eighteen on the first day of the current financial year or who is a full-time student, who has an interest in sport aviation and who has been admitted to membership in accordance with the rules of the Association. They will have no voting rights but may participate in all Association events and activities and will receive all of the Association's publications and notices.

### **5.4 FAMILY MEMBER**

- 5.4.1 The spouse/partner and dependent family of a full member. They will have no voting rights but may participate in all Association events and activities. They will not receive all of the Association publications and notices.

### **5.5 LIFE MEMBER**

- 5.5.1 Any person who has provided over the years special services or support to the Association. Nomination for life membership shall be forwarded to the Council by either a full member or a Chapter.
- 5.5.2 The Council shall place this nomination on the agenda for the next AGM. A vote of at least 75 percent of those present and entitled to vote will be necessary to approve any such nomination.
- 5.5.3 The maximum number of life members at any one time shall not be in excess of five percent of the total membership of the Association.
- 5.5.4 They will have voting rights and may participate in all Association events and activities and will receive all of the Association's publications and notices.

### **5.6 HONORARY MEMBER**

- 5.6.1 Honorary membership provides the Council with a mechanism to provide short-term membership to an individual who is carrying out a service to the Association.
- 5.6.2 Honorary members may be appointed by the Council for a period not exceeding 12 months, in all cases such membership will terminate at the next ensuing AGM.
- 5.6.3 The maximum number of honorary members at any one time shall not be in excess of ten members.

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5.6.4 Honorary members shall have no voting rights but may participate in any of the Association's events and activities and receive the Association's publications.

### **5.7 AFFILIATED MEMBERSHIP**

5.7.1 Any Club, Organisation or Corporation which has either rules or policies reflecting a common interest in aviation to that of the Association may be appointed as an affiliated Association member to provide assistance to its members in whatever form this may take.

5.7.2 Application for Affiliated Membership of the Association shall be made in writing on the applicable application form.

5.7.3 The form shall include an agreement to abide by the rules, regulation and by-laws of the Association.

5.7.4 Every such application shall be accompanied by such information concerning the objectives of the Chapter, Club, Organisation, or Corporation to determine if either its rules or policy reflect a common interest in aviation or whether it may provide assistance in any form to the Association.

5.7.5 The Council may require additional particulars of its members, activities and planned future development to determine its eligibility for membership.

5.7.6 Affiliated Members will have no voting rights but may participate in all Association events and activities and will receive the Association's publications and notices on the payment of an affiliation fee.

### **CLAUSE 6 DISCIPLINE AND TERMINATION OF MEMBERSHIP**

6.1 Membership of the Association may be terminated, suspended or varied under any of the following circumstances:

6.1.1 Any member may resign at any time by notifying the Administrator in writing of their intention to do so.

6.1.2 Any Chapter, Club, Organisation or Corporation may resign their affiliation from the Association by notifying the Administrator in writing of their intention to do so.

6.1.3 If any subscription, levies or any other dues of a Member, Chapter or Affiliated Club, Organisation or Corporation due to the Association remain unpaid for three months after due demand for payment has been made, it shall be taken that the Member, Chapter or affiliated Club, Organisation or Corporation has resigned from the Association.

6.1.4 The Council may suspend any member, Chapter or affiliated body if any such member, Chapter or affiliated body acts in such a manner as to bring the Association into disrepute or wilfully disobeys any rule, regulation or by-law as laid down by the Association. The suspended person or group will be advised in writing by the Administrator giving the reason for this suspension.

6.1.5 The Council may decide that any Chapter, Club, Organisation or Corporation has ceased to possess the qualifications required for membership. They are to be advised in writing by the Administrator giving the reason for this suspension.

6.2 If membership is terminated, suspended, or varied under clauses 6.1.4 or 6.1.5, the Council shall give the Member, Chapter, Club or Organisation concerned one month to show cause, either in writing or by attendance in person before the Council why full termination of membership action should not be taken.

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- 6.3 Full termination of membership under clauses 6.1.4 or 6.1.5 will require confirmation at a SGM called for such purpose within two months of the Council meeting at which termination was moved.

### **CLAUSE 7 MEMBERSHIP FEES, LEVIES AND SUBSCRIPTIONS**

- 7.1 Any joining fee, annual subscription, levies or dues payable by any class of member to meet the operating costs of the Association will be recommended by the Council and presented annually at the AGM for ratification.
- 7.2 No joining fee or membership subscription shall be charged for Honorary or Life Members.

### **CLAUSE 8 CHAPTER FORMATION**

- 8.1 A Sport Aircraft Association Chapter may be formed in a local area which has at least ten (10) full members of the Association. The Chapter constitution or rules must reflect a common interest in aviation to that of the Association and it may or may not be an Incorporated Society.
- 8.2 Application to form a Chapter of the Association shall be made in writing on the applicable application form. Every application shall be accompanied by information concerning the objectives of that Chapter and a list of ten current financial members of the Association who will belong to that Chapter.
- 8.3 The application form shall include an agreement to abide by the rules, regulations and by-laws of the Association.
- 8.4 The Council may require any such additional particulars of the Chapter's activities and planned future development as may be reasonably required to determine its eligibility.
- 8.5 The Council will have the discretion to accept or refuse an application.
- 8.6 On acceptance by the Association, the Chapter will receive a Charter from the Association.
- 8.7 The Chapter will have no voting rights but may participate in all Association events and activities and will receive the Association's publications and notices.
- 8.8 Chapters existing prior to adoption of this constitution shall be recognised by the Association but will not receive a Charter until they comply with these rules.

**CLAUSE 9 THE COUNCIL**

- 9.1 Positions on the Council may only be held by Full or Life members.
- 9.2 The Council shall consist of a President, two Vice Presidents and a minimum of four and a maximum of six Councillors.
- 9.3 The Secretary and Treasurer shall be appointed by the Council. These two offices may be held by the one person or filled or assisted by the employment of an Administrator. These positions shall be held until they become vacant for any reason. These positions are ex-officio and the person or persons shall have no voting rights unless they are also one of the elected Council members.
- 9.4 Upon the election of a new President or Vice Presidents, such officers will not hold office until the termination of the AGM at which the results of the ballot were announced.
- 9.5 Any member of the Council shall hold office until the end of the AGM following their term of office.
- 9.6 The term of office for a council member shall be until the conclusion of the next AGM.
- 9.7 Any vacancy may be filled by the Council until the next AGM.

**CLAUSE 10 VOTING FOR COUNCIL POSITIONS**

- 10.1 Voting for Council positions shall be carried out by postal or electronic ballot conducted in accordance with clause 12.
- 10.2 All persons standing for a position on the Council may make a 300-word statement, which shall be sent out with the voting forms.
- 10.3 Voting forms will be sent out 35 days prior to the AGM and voting papers must be returned five days before the AGM.
- 10.4 Only Full or Life members of the Association will have voting rights for the election of members to hold positions on the Council.
- 10.5 No member will be entitled to vote by postal ballot unless that member has paid all subscriptions due.

**CLAUSE 11 POWERS OF THE COUNCIL**

- 11.1 The management of the affairs of the Association shall be vested in the Council who will have the powers and authorities as may be necessary for carrying into effect the objectives of the Association.
- 11.2 The Council may borrow, raise funds, for the benefit of the Association on such terms and on such security as may be thought fit. The amount would be limited to 50% of the total annual membership subscription.
- 11.3 The quorum for any meeting of the Council shall be two thirds of its membership.
- 11.4 An Executive Sub-Committee which shall consist of the President, either Vice President, the Administrator and one other Council member may be convened to conduct the affairs of the Association that cannot, in the opinion of the President and Administrator, by reason of urgency be delayed until the next full meeting of the Council. All actions of this sub-committee will be recorded in writing and presented at the next full Council meeting.
- 11.5 The Council may empower the Administrator to issue certificates, awards and badges.
- 11.6 The Council may appoint, remove or suspend any secretaries, treasurers, administrators, officers, clerks, agents or servants and direct and control them and fix and pay their remuneration, if any as per current work practices and procedures.

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11.7 The Council shall, following each Annual General Meeting, appoint the following sub-committee Chairmen:

### 11.7.1 Technical Committee

This committee shall advise on the maintenance of operational and airworthiness standards for all members, Chapters and affiliated Clubs. This committee shall consist of a Chairman and such other persons as from time to time shall be considered necessary.

### 11.7.2 Safety Officers Committee

This committee shall advise on education for flight safety standards and operation of any aircraft being used by members, Chapters and affiliated Clubs. They will also produce any flying regulations or by-laws. This committee shall consist of a Chairman and such other persons as from time to time shall be considered necessary.

### 11.7.3 Special Committee

Any such other Sub-Committees for research, contests, finance, or any other aspect of the Association's activities which it deems proper. This committee shall consist of a Chairman and such other persons as from time to time shall be considered necessary.

11.8 The chairman of any Committee may be asked to attend any meeting of the Council to report on the Committee's activity, but they will have no voting rights unless they are a member of the Council.

## **CLAUSE 12 POSTAL BALLOTS OR POLLS**

12.1 The Council may during the year carry out a postal ballot or poll on any remit submitted by a full member. The Council may also carry out a postal ballot or poll to enable the Council to progress on any item affecting the operation of the Association.

12.2 The Council shall have the final decision as to whether a remit is sent out for ballot or deferred until the next AGM or SGM.

12.3 No member shall be entitled to vote by postal ballot unless that member has paid all subscriptions due.

12.4 Providing that the Council is satisfied that the method(s) employed for a poll are sufficiently robust to provide an appropriate degree of probity, ballots or polls may be conducted using electronic systems and/or means.

## **CLAUSE 13 DUTIES OF THE SECRETARY**

13.1 To maintain a register of all members and their aircraft and any lists of members as supplied by any associated chapters or Clubs and their aircraft.

13.2 To carry out any other task as required by the Council in order to achieve the objectives of the Association.

## **CLAUSE 14 DUTIES OF THE TREASURER**

14.1 Collect and receive all monies due to the Association and pay all accounts contracted when approved by the Council. Keep a ledger of all monies received and payments made which will be presented to the Council at each meeting.

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- 14.2 A banking account or accounts shall be opened for the funds of the Association and any cheque drawn shall be signed by the Secretary, Treasurer or Administrator and an Executive Councillor, or in the absence of the Secretary, Treasurer or Administrator, by any two Executive Councillors.
- 14.3 The books of accounts shall be kept at the registered office of the Association, or at such other place or places as the Council shall deem fit and always be open to the inspection by members of the Council and to bona fide representatives of full or honorary members of the Association.

### **CLAUSE 15 DUTIES OF THE ADMINISTRATOR**

- 15.1 The Council will provide a job description that will outline the tasks and functions that the Administrator will perform to meet the Associations objectives.

### **CLAUSE 16 USE OF FUNDS**

- 16.1 The income and property of the Association, whensoever derived, shall be applied solely towards the promotion of the objectives of the Association, as set forth, and no portion thereof shall be paid or transferred, directly or indirectly, by way of dividend, bonus or otherwise howsoever by way of profit, to any Member, Chapter or Affiliated Body of the Association.
- 16.2 Nothing herein shall prevent the payment, in good faith, of reasonable and proper remuneration to any Member, Officer or Servant of the Association. Or to any Chapter or Affiliated Body of the Association, in return for any services actually rendered to the Association.
- 16.3 This does not prevent the payment of interest at a rate not exceeding 2 per cent per annum above current market leading rate on money lent or a reasonable and proper rent for premises rented to the Association by any Member, Chapter or Affiliated Body.
- 16.4 No elected member of the Council shall be appointed to any salaried office of the Association, or be paid any fees or remuneration or any other benefit in money or money's worth by the Association except for out of pocket expenses.
- 16.5 No member of the Association or any person associated with a member shall participate in or materially influence any decision made by the Association in respect of the payment to or on behalf of that member or associated person of any income, benefit, or advantage whatsoever.
- 16.6 The provisions and effects of Clause 16 shall not be altered or removed from this document unless approved by the Inland Revenue Department.

### **CLAUSE 17 REVIEW OF FUNDS**

- 17.1 At the end of every financial year the accounts of the Association shall be examined and the correctness of the income and expenditure account and balance sheet shall be examined by a member of the New Zealand Institute of Chartered Accountants (Reviewer). The Annual Financial Statement shall then be delivered to the Registrar as required by the Act.
- 17.2 The Reviewer shall be appointed by the Council.

**CLAUSE 18 ANNUAL GENERAL MEETINGS**

- 18.1 The AGM of the Association shall be held once in every calendar year, at a time and place to be determined by the Council. The AGM shall be held not more than six months after the end of the financial year.
- 18.2 The quorum for an AGM shall be 10% of members entitled to be present and vote.
- 18.3 The AGM. Shall:
  - 18.3.1 Receive any apologies;
  - 18.3.2 Receive the minutes of the previous AGM and any SGM'S held since the previous AGM;
  - 18.3.3 Announce the results of the ballot for the Council;
  - 18.3.4 Receive the President and Sub-Committee's reports;
  - 18.3.5 Receive the accounts of the Association;
  - 18.3.7 Confirm subscriptions, fees or levies for the following year;
  - 18.3.8 Consider and vote on any remits;
  - 18.3.9 Consider general business.
- 18.4 All remits and other resolutions must be passed by at least 50% of those members present and entitled to vote.

**CLAUSE 19 SPECIAL GENERAL MEETINGS**

- 19.1 A SGM shall be convened by:
  - 19.1.1 The Secretary or Administrator when requested by the Council, or
  - 19.1.2 The Secretary or Administrator upon a written application by 30% of full members of the Association.
- 19.2 The quorum for an SGM shall be 15% of full members present and entitled to vote.
- 19.3 Remits and other business must be passed by a majority of 60% of members present and entitled to vote.

**CLAUSE 20 PROCEDURES FOR AGM OR SGM**

- 20.1 At least twenty one days clear notice of an AGM or SGM shall be given in writing to all members of the Association and to the secretary of any Chapter or affiliated Club, Organisation or Corporation specifying the place, the day, and the time of such meeting and in the case of special business the general nature of such business. Accidental omission of this notice to any individual member(s), Chapter or Club shall not invalidate the proceeding of the meeting.
- 20.2 Any AGM or SGM shall be chaired by the President or in his absence by either of the Vice Presidents.
- 20.3 Any AGM or SGM will be open to all members of the Association. Only Full or Life members will be entitled to vote.
- 20.4 Chapters, affiliated Clubs, Organisations or Corporations that have membership may appoint an observer to attend. They must notify the Secretary or Administrator two days in advance of any meeting the name of the observer attending on their behalf.

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- 20.5 If after half an hour from the time advised for the commencement of the meeting a quorum is not present, the meeting will be adjourned to a time and place that the Chairman shall appoint.
- 20.6 The adjourned time and place will be notified pursuant to clause 19.1 hereof. If at such further meeting a quorum is still not present within half an hour from the time advised for the commencement of the meeting, the meeting shall be cancelled and all items of business shall be placed on the agenda for the next AGM.
- 20.7 At an AGM or SGM any resolution put to the vote at the meeting shall be decided on a show of hands by the majority as laid down. A secret ballot must be called out if at least one third of the members present call for it.
- 20.8 In the case of a tied vote either on a show of hands or by a ballot, the Chairman of the meeting shall be entitled to a casting vote.
- 20.9 Any member of the Association and this includes other members who belong to Chapters or affiliated Clubs, Organisation or Corporations may only address the meeting at the discretion of the Chairman and may only speak once on any one subject unless the Chairman gives approval.
- 20.10 Any remit presented may be spoken to by the mover and seconder and then by any other member at the discretion of the Chairman. They may only speak once on any one subject unless approval is given by the Chairman and for a maximum of five minutes. The mover of the remit may make a final statement prior to the vote.
- 20.11 The chairman may, with the consent of 60% of the members present or, if so directed by the meeting, adjourn the meeting from time to time and from place to place. When a meeting is adjourned for 10 days or more, notice of the adjournment and a new meeting date and time shall be given in the same manner as of the original meeting.
- 20.12 No new business can be the added to the agenda of this new meeting.
- 20.13 The chairman may, with the consent of 60% of the members present or if so directed by the meeting, adjourn an agenda item or remit to be discussed at a later meeting.
- 20.14 Whenever an agenda item or remit is deferred it must be placed on the agenda of the next AGM or SGM whichever meeting is held first.
- 20.15 The demand of any vote shall not prevent the continuation of a meeting or the transaction of any business other than the question on which a vote has been demanded.

### **CLAUSE 21 VOTING AT AGM OR SGM**

- 21.1 Only Full or Life members of the Association may vote at either an AGM. or SGM.
- 21.2 No proxy votes will be allowed.
- 21.3 No member will be entitled to vote at an AGM or SGM unless that member has paid all subscriptions due.

**CLAUSE 22 PRESENTATION OF ANNUAL ACCOUNTS**

- 22.1 At each AGM an Executive Councillor or the Administrator shall present to members of the Association the reviewed balance sheet and accounts for the preceding financial year.
- 22.2 The Reviewer's full report shall be presented to the meeting.
- 22.3 A projected budget for the following year showing the estimated income and expenditure and the amount and source of finances proposed to meet such expenditure will be presented. This will also include a development plan of projected tasks for the forthcoming year.

**CLAUSE 23 DAMAGES or LIABILITY**

- 23.1 No Member, Chapter or Affiliated Body of the Association shall institute any claim for damages or any other claim against the Association or any of its Members arising from loss or injury sustained as a result of the action of any Member, Chapter or Affiliated Body of the Association acting under the jurisdiction of the Association or as a result of the negligence of any member of the Association.
- 23.2 The liability of any Member, Chapter or Affiliated Body is restricted to the payment of an annual subscription and any further levy authorised by the Association at an AGM or SGM specifically called to determine such a levy.
- 23.3 The Council or any sub-committee member collectively and individually, shall be indemnified out of the assets of the Association against all actions, demands, costs and expenses arising directly out of the performance by them of their constitutional duties as committee persons of the Association.

**CLAUSE 24 LIQUIDATION**

- 24.1 A majority of members entitled to vote at an AGM or SGM may pass a resolution for the liquidation of the Association. This resolution must be confirmed at a SGM called for that purpose to be held no earlier than 30 days after the resolution was passed. The resolution must be approved by a majority of the members present at the SGM and entitled to vote.
- 24.2 If upon liquidation of the Association there remains after the satisfaction of all its debts and liabilities any property whatsoever the same shall not be paid to or distributed among the members of the Association but shall be given or transferred to some other charitable organisation within New Zealand or body having objects similar to the objectives of the Sport Aircraft Association (NZ) Incorporated or for some other charitable purpose within New Zealand.

**CLAUSE 25 NOTICES**

- 25.1 Notice may be served by the Association upon any member, Chapter or Affiliated Body personally or by sending it through the post in a prepaid letter addressed to the last advised address given to the Secretary or Administrator or to the registered address as appearing in the register of Chapters and Affiliated Bodies.
- 25.2 Any notice, if served by post, shall be deemed to have been served on the day following that on which the letter containing the same is put into the post, and in proving such service it shall be sufficient to prove that the letter containing the notice was properly addressed and put into the post office as a prepaid letter.
- 25.3 Any member of the Association whose address is not listed within New Zealand will be deemed to have received any notice as per that of a member living within New Zealand.
- 25.4 If an overseas Member wishes to receive all notices issued by the Association an extra fee or levy may be imposed to cover increased postage charges.

**CLAUSE 26 ALTERATION OF RULES**

- 26.1 Any rule or rules of Association may only be rescinded, altered, repealed or added to by a two-third-majority vote of those present at an AGM or an SGM called to change such rules.
- 26.2 Notice of any proposal to alter, repeal or add any rule shall be given to the members in writing at least 21 days prior to the AGM or SGM.
- 26.3 No proposed addition to or alteration of the personal benefit clause or the liquidation clause shall be approved without the prior approval of the Inland Revenue Department.

**CLAUSE 27 BY-LAWS**

- 27.1 The Council may produce by-laws to cover any activity that is carried out by its members but those by-laws must reflect the intent under the Association's rules.