

## **KERALA YACHTING ASSOCIATION**

### **RULES AND REGULATIONS**

- 1. Name of the Society :-** KERALA YACHTING ASSOCIATION
- 2. Address & Registered Office :-** D 3103, J N I Stadium  
Kaloor, Cochin – 682017  
Kerala, India
- 3. Area of Operation :-** Whole of India and outside India
- 4. Aims and Objectives :-**

The aims and objectives for which the society is formed are given below :-

- (a) Promote Yachting, Yachting to include all kinds of boating activities with wind powered, manual or mechanized powered vessel.
- (b) Promote sports and organize sporting events.
- (c) Generate harmony in the natural and manmade environment.
- (d) Organize various cultural events for the general awareness.
- (e) Carry out activities deemed fit by the Society Members with social implications.
- (f) To establish, foster and promote the principles of universal justice, love and brotherhood, by Promoting Travel and Tourism.
- (g) To promote among all sections of the people in particular among the youth a deep awareness and respect for the culture and customs of other states and countries.
- (h) To organise programs to increase the inflow of Tourists to Kerala.
- (i) To educate and train young man to become Tourist guides to receive and treat the Tourists in a better way.
- (j) To establish Tourist information centres at various places and publish books and pamphlets regarding places of Tourist importance.
- (k) To co-ordinate the activities of various agencies working in the Tourism field like District Tourism Councils, Tourist Development corporation, Department of Tourism etc.
- (l) To promote and guide other agencies to start necessary infrastructural facilities for Tourists.
- (m) To undertake Socio-Economic Development Programmes, Cultural and Educational Activities etc in the area of the society.
- (n) To extend necessary help financial or otherwise to the poor people, who are in distress, either directly or through other institutions.
- (o) To undertake any other activity as warranted by the circumstances which are helpful to attain any or all the above said objects.

### **5. Membership :-**

**Membership:** Membership of the KYA is open to men and women who are above 18 years of age, District Sailing Associations and other Associations and Clubs which promote sailing and water sports. There shall be 6 classes of members as under:

- 1 Life Member
- 2 Ordinary Member
- 3 Association/Club Member
- 4 Associate Member
- 5 Honorary Member
- 6 Ex Officio Member

The Governing Board shall have full authority to accept or reject any application for membership without assigning any reason thereof. The decision for accepting or rejecting an application for membership shall be taken by a simple majority of the Governing Board at which at least four members shall be present. In case of a tie, the President shall have a Casting Vote. The application for membership must be proposed and seconded by members of the KYA. Individuals/Associations/Clubs who have been accepted/approved for membership shall be deemed to be members only after their entrance fee and annual subscription have been paid and proof of payment issued by the KYA.

Life Member: Any person who applies to become a Life Member who has been accepted by the Governing Board and pays the life membership fee as determined by the Governing Body shall be admitted as life member. He may transfer his membership to one of his children provided he intimates the Governing Board in writing giving all details of his child that are required to be made by a person applying for membership and provided further that the Governing Board approves the admission of his child to the membership of the Association. His membership shall cease on the admission of his child as a member. A person who has become a life member of the Association by transfer of his father's membership shall not have the right to transfer the membership further.

Ordinary Member: Any person who applies to become an ordinary member who has been accepted by the Governing Board and pays the membership fee and annual subscription as determined by the Governing Board shall be admitted as an ordinary member. The membership of an ordinary member shall cease on his/her failure to pay the annual subscription within three months of the commencement of the financial year and he shall have no voting rights at any meeting until his annual subscription is fully paid.

Association or Club Member: Any Association/Club which applies for membership to the KYA and which has been accepted by the Governing Board and pays the admission fee and annual subscription as determined by the Governing Board shall be admitted as an Associate/Club Member. The membership of an Associate/Club Member shall cease on its failure to pay the annual subscription within three months of the commencement of the financial year and it shall have no voting right at any meeting until its annual subscription is fully paid.

Associate Member:

Any person who is below the age of 18 years may be admitted to the Membership of the Association as Junior Associate Member by the Governing Board on payment of annual fees as may be determined by the Governing Board.

Any person who is above the age of 18 years may be admitted to the Membership of the Association (for a period of one year) as Senior Associate Member on payment of annual fees as may be determined by the Governing Board.

Honorary Member: The Governing Board may confer Honorary Membership to persons of outstanding achievements in the field of sports and other eminent personalities. The period of membership shall be decided by the Governing Board.

Ex Officio Members: An Officer in the Government equivalent to or above the grade of Additional Secretary or the District Collector or any commissioned officer in active service in the Indian Navy, Indian Army, Indian Air Force, Coast Guard, Cochin Port Trust, President of the District Olympic Committee and President of the District Sports Councils may be admitted to the Membership of the KYA by the Governing Board as Ex Officio Members (Service Members) at a meeting of the Governing Board at which there are at least four members present by simple majority. The President shall have a casting vote in case of a tie. The membership shall cease when the person ceases to be in service or when the Governing Body decides to terminate the membership. No membership fee is payable by Ex Officio Members.

Life members, Ordinary members and Association /Club members only shall have a right to vote at meetings of the General Body.

**6. General Body :-**

The members of the society together form the General Body. The General Body shall have the supreme control over the society and its decisions shall be final. The General Body shall delegate such authority and duties as may be necessary from time to time to the Governing Board and office-bearers.

**7. Governing Board :-**

a) The Governing Board shall consist of 14 members, namely: President, Vice President, Secretary, Joint Secretary, Treasurer, Commodore and 8 members out of which 2 members shall be from district associations or club, who are to be elected from the General Body. Of the 8 members who are to be elected from the General Body, 2 seats shall be reserved for Association/Club members.

b) Term of Office: The term of office of the Office Bearers and Members of the Governing Body shall be for a period of two years.

(c) Powers of the Governing Board :-

All assets and properties of the society shall vest with the Governing Board and in the name of the President. The Governing Body shall have the following powers and duties.

- i. To solicit funds, receive donations, grants, subsidies, scholarships, etc. of any kind, towards corpus or otherwise, with permanent obligations or otherwise, whether in cash or in kind.
- ii. To administer the Society and the institutions and the establishments under the society and to incur all kinds of capital and revenue expenditure which will help in attaining any or all of the objectives of the society, such as acquiring land, constructing building and equipping it, giving education and training to the personnel, paying fees, meeting travelling expenses of students and trainees etc.
- iii. To alter, extend demolish any of its assets, movable or immovable and to dispose of the same as found necessary in the best interest of the objects of the society.
- iv. To take on lease, land or building as found necessary for the purpose of the society or to give such assets on lease as warranted by circumstances.
- v. To invest the funds of the society in any manner they deem fit consistent with the objectives of the society as permitted under various statutes of the land.
- vi. To borrow any amount either on pledging the assets of the society or otherwise from individuals, banks, financial institutions or other institutions, with or without interest, for any objectives of the society.
- vii. To contribute by way of donations, or to advance money, with or without securities, and with or without reasonable interest, to other charitable institutions, or charitable activities, or to the poor and deserving, to achieve the objectives of the society.
- viii. To try to recoup if necessary the cost of services, materials and facilities, rendered to the beneficiaries, to the extent they can afford to meet the same.

ix. To start institutions at any other place or to take up new activities whenever necessary or to take over and manage any institution or activity now carried on by others as long as it is found to be advantageous to achieve the main objectives of the society.

x. To do all such acts and things as may be necessary or desirable in the interest of the Society whenever they are provided in the rules or not.

#### **8. Duties of the Office – Bearers :-**

(a) President: The President shall have the general control over the activities of the Association and preside over the Governing Board and General Body Meetings.

(b) Vice President: In the absence of the President for a considerable period of time or at any meeting of the Governing Board or General Body, the Vice President shall perform the duties of the President during such absence.

(c) Secretary: The Secretary shall carry out the decisions of the Governing Board and General Body, attend to the administration of the Association and its funds and report to the Governing Board and General Body.

(d) Joint Secretary: The Joint Secretary shall assist the Secretary in performing his duties.

(e) Treasurer: The Treasurer shall be responsible for managing the finances of the Association, keeping of accounts and accounting records properly. He shall submit monthly and yearly accounts to the Governing Board.

(f) Commodore: The Commodore shall be responsible for fulfilling the aims and objectives of the Association and to encourage promote and popularize the sport of sailing. He shall represent the Association in all competitions and be the head of the competitors. He shall be responsible for the sports activities, competitions and training undertaken by the Association.

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(g) Chief Executive of the society:- The Secretary shall be the Chief Executive of the Society. His/ her powers and duties shall be :-

- i. To work manage control and supervise the affairs / management of the properties now or hereinafter belonging to the Society and to develop them.
- ii. To gather funds towards corpus or otherwise, for the Society by way of donations or otherwise, from any person or institution either in cash or kind.
- iii. To take loans or borrow money, as decided by the Governing Board and to execute promissory notes, bonds or the like for the same and to discharge the same by repayments.
- iv. To spend the income earned or the income of the future for any or all of the objects of the Society, either directly or by contributing to other genuine institutions to be spent for the purpose of the society.
- v. To accumulate the income, if necessary, for attaining the objectives of the society in future and to set apart the whole or part of the income for the corpus of the society, for any of the objectives of the society, with the approval of the Governing Board.
- vi. To enter into any contract or agreement for and on behalf of the society for any of the purposes concerning the routine activities / affairs of the society, which are beneficial to the interest of the society.
- vii. To appear and act for and on behalf of the society in all legal proceedings before any competent authority, unless otherwise decided by the Board.

- viii. To appoint or constitute advocate or other attorneys, whenever necessary and to remove them whenever he / she feels such removal is necessary.
- ix. To sue and be sued for and on behalf of the Society, provided that the Governing Board shall have the power to authorize any other member to represent the Board in any legal or other proceedings, under special circumstances.
- x. To exercise and perform such powers and duties as the Governing Board may from time to time determine or assign or authorize him / her to do.
- xi. To delegate his/ her duties and functions to any other member of the Governing Board with the consent of the Governing Board.
- xii. To do any acts and deeds and things necessary for the efficient management and administration of the Society and other properties of the society.

(j) All acts, deeds and things lawfully done by the office-bearers by virtue of these presents shall be binding on the society.

### **9. Meetings :-**

(a) Periodicity :- The General Body shall meet as and when necessary and at least once in a year. The General Body shall have an Annual General Body Meeting preferably before September every year and special General Body Meeting as and when found necessary by the Governing Board.

(b) Notices :- Notices of all meetings of the General Body including adjourned meetings shall be given to all Members in writing atleast 5 days before and notice of any general body meeting to all members at least 15 days before the date fixed for the meeting. However emergency meetings can be convened with lesser notice in the case of both meeting, if 75% of members are eligible to get notice agree to it.

(c) Quorum: Quorum for the General Body Meetings shall be one third of the total membership or 20 whichever is less. The quorum for the Governing Body shall be six members at which meeting either the President or the Vice President and the Secretary or the Joint Secretary shall be present. In the absence of the above two members, any decision taken by the Governing Body should be ratified by the President in writing before the next meeting of the Governing Body. Non ratification shall render the decision void. Any adjourned meeting of the General body, the members present shall form the quorum and only business specified in the notice of the original meeting shall be transacted at the adjourned meeting.

(d) Chair Person :- At all meetings of the Governing Board and the General Body the President and in his / her absence the Vice President and in the absence of both any one elected for this purpose by the members from among those who are attending the meetings shall preside over the meetings.

(e) The Member attending the meeting shall have one vote each to be exercised whether by show of hands or by secret ballot as decided by the chairperson. In case of tie, the chairperson has the right to exercise the casting vote.

(f) The meeting can have any business as shown in the agenda or any other business as permitted by the chairman of the meetings. The Annual General Body shall transact the following business also:-

- i. Hear the report of the board about the working of the society and adopt the audited statement of accounts.

- ii. Approve/ amend the budget submitted by the board.
- iii. Conduct election if necessary
- iv. Formulate policies for the guidance of the office bearers.
- v. Appoint auditor for the year.

**10. Finance :-** The Finance for achieving the objectives of the society shall be from :-

- (a) Member's contribution
- (b) Donations
- (c) Endowments from public
- (d) Grants, Aids, Subsidies and other help from local authorities, Government or Semi-Government or Governmental sponsored organizations or other private institutions or from voluntary organizations.

(e) Excess if any left with the activities undertaken by the society for achieving its objectives.

**11. Bank Accounts :-**

The society shall open accounts either in the name of the society will be utilized or in the name of its activities, with any bank or central and State Government sponsored Financial Institutions as authorized by the Governing Board and it shall be operated jointly by the President with the Treasurer or with the Secretary. In special circumstances, the Board may also authorize, any office-bearer to operate such accounts jointly with any staff of the society.

**12. Accounts and Audit :-**

The accounts of the society shall be closed on 31<sup>st</sup> March every year and it shall be audited and presented to the General Body before 30<sup>th</sup> September every year or within the time extended by the General body.

**13. Savings Clause :-**

(a) Funds of the society should be utilized for the progress of the society and should not be divided among the members.

(b) This is purely a Charitable Society and the benefits shall be opened to all irrespective of caste, creed and community.

**14. Amendments :-**

Amendments to the Memorandum and rules may be made as directed by Travancore Cochin Literary & Scientific Charitable Societies (TCL&SCS) Act If the Association has been granted any recognition or registration under the Income Tax Act, 1961, then such amendments shall come into force only if approved by the Commissioner of Income Tax, or such other competent authority under the Income Tax Act.

**15. Winding Up :-**

If at anytime on the recommendation of the Governing Board the General Body Meeting held with special notice resolves to wind-up the Society by votes of not less than 4/5 of the members, the Society shall be dissolved and after satisfaction of all debts and liabilities and property remaining whatsoever, the same shall be decided by the majority or members present in the meeting to be paid to some other society registered under this Act, which has similar objectives of this society or it shall vest with the Government.

**16. Undertaking :-**

In the area of operation of the Society, a Society by the same name and aims and objectives is not working.

We hereby certify that the rules and regulations stated herein is the rules and regulations of the KERALA YACHTING ASSOCIATION.

Dated this -----.

<b><u>Sl. No.</u></b>	<b><u>Name</u></b>	<b><u>Designation</u></b>	<b><u>Signature</u></b>
1.	-----	President	Sd/-
2.	-----	Secretary	Sd/-
3.	-----	Treasurer	Sd/-