

Far North Holdings Ltd
OPUA MARINA RULES

Far North Holdings Ltd (Company) adopted the following rules for the regulation of activities in the Opuia Marina by unanimous resolution of the directors of the Company on 22 February 1999. These rules came into force on 1 February 1999 and were amended on 1 March 2003.

1. In these bylaws or in any bylaw amending these bylaws unless the context otherwise requires:
 - “Manager” means such person as is from time to time appointed to manage the Marina by the Company
 - “Marina” means the Opuia Marina as defined on the attached plan.
2. No person shall berth or knowingly permit to be berthed any vessel in the Marina unless:
 - 2.1 the vessel is licensed to occupy such berth or otherwise has permission in writing from the Manager.
 - 2.2 they have first ascertained that the berth is suitable for berthing that vessel.
 - 2.3 they have ascertained that the berth has dimensions that will contain the vessel within the limit lines prescribed in the Licence for that berth.
3. No person shall, except in case of emergency, sail in the marina.
4. No person shall permit to be on any vessel or elsewhere in the Marina any plant, equipment, fuel or other material or substance in such a condition that it could constitute a hazard or menace to the health or safety of other Marina users or their property.
5. No person shall deposit or discharge into the waters of the Marina any substance of any kind whether liquid or solid including (but not by way of limitation) bilge or toilet contents.
6. No person shall leave on any pier anything that restricts the passage of pedestrians.
7. No person shall erect any structure within the Marina nor attach any items to any piles, piers or walkways without the consent of the manager.
8. No person shall make or permit to be made any noise on a vessel or elsewhere in the Marina which is likely to cause annoyance to any person and in particular (but not by way of limitation):
 - 8.1. all halyards shall be secured in such a manner that they do not make any noise.
 - 8.2. engines, generators and radios shall not be unreasonably operated as far as noise is concerned in the Marina.
9. No person shall anywhere within the Marina and whether or not on or from any vessel:
 - 9.1. solicit for business without the prior written consent of the Manager.
 - 9.2. advertise any vessel for sale without the prior written consent of the Manager.
 - 9.3. use his boat address in the Marina for commercial purposes.
 - 9.4. swim or dive.
 - 9.5. fish.
 - 9.6. operate any model boats.
 - 9.7. hang any laundry.
 - 9.8. navigate any vessel on the water at a speed greater than 5 knots or in such manner that the vessel’s wake causes damage or discomfort to other property or persons.
 - 9.9. engage in any conduct that adversely affects the peace, enjoyment or privacy of berth holders.
 - 9.10. keep pets or animals without the prior written consent of the Manager.
 - 9.11. stay on any vessel for more than 14 consecutive nights without the prior written approval of the Manager.
 - 9.12. moor any vessel other than at a Marina berth pursuant to an authorisation lawfully given under a licence or pursuant to these rules.
 - 9.13. leave in any place in the Marina, except in the containers provided, any waste oil or other waste liquids.
 - 9.14. operate or allow to be operated any welding, grinding, sand/water blasting, or spray painting equipment.
10. Any person who is involved in any incident in the Marina whereby any damage is done to any property whatever not owned by the person causing such damage shall report such damage to the Manager as soon as possible.
11. The owner of any vessel berthed in the Marina shall at all times ensure that:
 - 11.1. the fittings on such vessel are of suitable strength, design and condition to adequately secure the vessel.
 - 11.2. all mooring lines are in a suitable condition and suitably protected from wear to adequately secure the vessel at all times.
 - 11.3. only those mooring points provided are used.
 - 11.4. the boat is equipped with adequate fendering to protect the boat.
12. The Manager shall be entitled, in the absence of the owner or Master of a vessel and in order to prevent any damage to any property, to enter such vessel and to move the vessel or carry out repairs to the vessel, and in such circumstances the Manager shall be deemed to be authorised to do so by the owner or Master. Any expense incurred by the Manager or the Company pursuant to the exercise of the powers contained in this clause shall be a debt due to the Company by the owner or Master.
13. The owner of any vessel moored in the Marina shall take out and at all times keep in force a public liability insurance of such sum as the Company may from time to time require. Such insurance shall be with such company or office as the Company shall approve and shall insure the owner and the Master of the vessel against liability for claims by third parties in respect of all property damage caused by the vessel within the Marina. Such owner or Master shall produce the policy or cover note of insurance to the Manager upon demand being made by the Manager.
14. The Master, owner or other person in charge of any vessel in the Marina shall obey the directions of the Manager made for the proper management of the Marina.
15. If any person fails or refuses or neglects to do anything required by these rules to be done, observed or performed, or in any manner obstructs, impedes or interferes with the doing of anything enjoined, required or authorised to be done or does anything prohibited by these rules, such person shall commit an offence under these rules.
16. To the extent permitted by law the Company disclaims any liability for damage sustained by any boat by any means.