

16 September 2016

***By email or letter***

All clubs disaffiliated from Probus South Pacific Limited

Dear Club President and Secretary,

We act for Probus South Pacific Limited (PSPL).

We refer to a letter dated 10 August 2016 from PSPL sent to all disaffiliated clubs in New Zealand, and to recent publications from Fellowship New Zealand (FNZ) about the use of the Probus name by its clubs. We wish to clarify PSPL's position.

In its 10 August 2016 letter, PSPL advised all clubs which are no longer affiliated to PSPL to cease using the name Probus and the Probus regalia immediately. PSPL also extended its offer to all clubs who wish to be recognised as a 'Probus club' to rejoin PSPL. We understand that a number of clubs are considering this option and PSPL would be pleased to welcome you back into the Probus community.

It is extremely unfortunate that FNZ has created further confusion through its recent publications by stating that clubs can continue to use the Probus name. Please understand that this is incorrect.

If your club chooses to remain disaffiliated, your club must cease all use of the Probus name (including use of the phrase 'formally Probus') and Probus regalia as soon as practicable, and this must occur no later than 31 October 2016.

After 31 October 2016, PSPL will have no option but to take further legal steps against any club that continues to use the Probus Name without affiliation to PSPL. This may include issuing High Court proceedings against clubs for trade mark infringement and breach of the Fair Trading Act.

If your club is currently using the Probus name, but is taking steps to change it, please tell us, or PSPL directly. Please keep us informed about what you're doing and when you expect to have changed your name and this will avoid a situation where PSPL takes further legal steps against your club in the meantime.

PSPL is committed to serving the Probus community and hopes that your club will seriously consider rejoining. To rejoin all that is needed is a copy of your club's constitution (based on the PSPL model constitution for clubs issued February 2013) signed by the President and Secretary, a copy of the minutes where the club members have voted to rejoin PSPL as well as a pro-rata payment of capitation fees for 2016/2017. Please contact the PSPL CEO Silvana Martignago directly by phone on 0800 1477 6287 or by email at [silvanam@probussouthpacific.org](mailto:silvanam@probussouthpacific.org) if you would like to discuss rejoining.

If you are no longer involved in the management of this Probus Club, can you please pass on this email/letter to the appropriate persons now managing the club.

Yours sincerely



**Kim McLeod | Laura Carter**  
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