

DABCHICKS SAILING CLUB

(WESTMERSEA)



General Rules

Update January 2008 & 2013

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(These Rules incorporate all matters carried at all General Meetings and all Special General Meetings up to and including the Annual General Meeting of November 2007.) (These rules also include Bye Law Additions of 2013)

Copies of these rules may be available or viewed in the club premises.

Section 1 NAME AND OBJECTS

1. The name of the Club shall be "The Dabchicks Sailing Club (West Mersea)", hereinafter referred to in these Rules as "the Club".
2. The Burgee shall be a Golden 'D' on a dark blue background.
3. The Club is formed for the purpose of promoting sailing and racing of sailing craft.

Section 2 OFFICERS

4. *Officers of the Club*

The Officers of the Club shall be Adult or Honorary Life members of the Club and shall consist of a President, a Commodore, a Vice-Commodore, a Rear-Commodore, an Honorary Secretary, an Honorary Treasurer, an Honorary Membership Secretary, an Honorary Sailing Secretary, an Assistant Honorary Sailing Secretary and an Honorary Social Secretary.

Officers shall be elected at the Annual General Meeting in each year and, subject to termination of office by resignation or otherwise, shall hold office for one year, retiring at the Annual General Meeting in each year.

The President must have served a term (defined as one year) as a Flag Officer (defined as Commodore, Vice-Commodore or Rear-Commodore).

Furthermore, the President and Flag Officers shall not be eligible for re-election to the same post after serving in that post for two consecutive years providing there is a candidate for the post. If this is not the case, the Officer may stand for reelection to that post for a third year only.

Should the Officer stand down then he will be eligible for re-election to that post after a further year has elapsed, or immediately eligible for re-election to another post.

5. *Duties of Honorary Secretaries*

The Honorary Secretary shall to the best of his or her ability:

- (a) Keep a register of Club members' names and addresses.
- (b) Conduct the correspondence of the Club.
- (c) Keep custody of all Club documents.
- (d) Summon and keep full minutes of all meetings of the Club and the Committee which shall be confirmed and signed by the appropriate Chairman upon the agreement of the Club and the Committee at the next following meeting of the Club or the Committee.
- (e) See to the maintenance of such insurance policy or policies as may be needed to fully protect the interests of the Club and its members.
- (f) Maintain contact with the Club's Legal Adviser as required, to ensure that the Club's affairs are managed in accordance with current law.

6. *Duties of the Honorary Treasurer*

The Honorary Treasurer shall to the best of his or her ability:

- (a) Cause such books of account to be kept as are necessary to give a true and fair view of the state of the finances of the Club.
- (b) Cause all returns as may be required by law in relation to such accounts to be rendered at the due time.
- (c) Prepare Annual Accounts as at 30th September in each year in accordance with current law and convention and shall cause such accounts to be independently examined.

7. *Duties of the Honorary Independent Examiner*

The Honorary Independent Examiner shall:

- (a) Be appointed at the Annual General Meeting in each year and need not necessarily be a member of the Club.
- (b) To the best of his or her ability independently examine the accounts of the Club for the then current year and shall be required to certify that they show a true and fair view and, where necessary, to conform to current law.
- (c) If unwilling or unable to act, inform the Committee which shall appoint a substitute to hold office until the termination of the next Annual General Meeting.

8. *Other Officers*

Other Officers shall perform such duties as the Committee shall from time to time assign to them.

Section 3 MEMBERSHIP **Categories of membership**

9. *Categories and votes of membership*

There shall be the following categories of membership with power to vote at all meetings of the Club as indicated hereunder. The rights and privileges of and the restrictions upon each category of members are (so far as is consistent with these Rules) as defined in the latest edition of the Byelaws of the Club. AN ADULT -being a person who, at the date of election, has attained the age of eighteen shall have one vote. A JUNIOR ADULT – being a person who at the date of election or progression directly from Cadet to Adult membership, has attained the age of eighteen and who is still in full time education and who is under the age of twenty five at the commencement of the subscription year shall have one vote. A CADET -being a person who, at the date of election, is under the age of eighteen but has attained the age of ten, shall have no vote. A JUNIOR CADET-being a person who, at the date of election, is under the age of ten but has attained the age of eight and has at least one parent or guardian who is a member of the Club shall have no vote. AN HONORARY LIFE MEMBER -who shall be nominated and elected in the manner described in Rule 45 shall have one vote. A TEMPORARY MEMBER -being a person defined by Rule 27 who shall have no vote.

No member except a TEMPORARY MEMBER may use the Club premises or any of the facilities of the Club until forty-eight hours have elapsed from the date of posting notice of election.

Candidates for membership (other than those who have previously been rejected or who have been expelled from membership) shall have the same rights and privileges and be subject to the same restrictions as temporary members except that they cannot have full use of the Club facilities but they are entitled to enter Club races or regattas.

All Cadets shall have at least one parent or guardian who is a member of the club until the Cadet reaches the age of 16 years.

10. *Entrance and Subscription fees*

There shall be separate Entrance and Subscription fees for each category of membership.

Adult members aged sixty-five or over and Adult members residing abroad for a period in excess of twelve months shall both be charged at the current rate for Cadets.

Reduced rates of Entrance and Subscription fees shall be available to Adult members who are husband and wife.

Reduced rates of subscription fees shall be available to Junior Adult Members.

Honorary Life Members shall be exempt from Subscription fees and Temporary members shall be exempt from Entrance and Subscription fees.

Cadets progressing to Adult and Junior Adult membership shall be exempt from Entrance fees.

The husband or wife of an Adult member shall pay the difference between the 'Adult' and 'Man and Wife' Entrance fee.

Subscription fees shall be available to those Adult members desirous of obtaining or continuing membership for all those members of a family (restricted to a maximum of two Adult or Junior Adult members and Cadet or Junior Cadet members of that same family) who reside wholly or mainly at the permanent residence of that Adult or Junior Adult member, such Entrance and Subscription fees to be at the level equivalent to that payable by a married couple and two Cadet members. In cases of one parent families, the Committee can use discretionary powers to deal with each case individually.

Any changes proposed by the Committee to the members at the Annual General Meeting shall be approved by a majority of at least two-thirds of those present and entitled to vote and shall become operative on the First day of January in the year following.

The current rate of Entrance and Subscription fee shall be prominently displayed in the Club premises.

All members liable shall pay the Entrance fee and their first annual Subscription upon election to the Club and thereafter on the First day of January in each year: Provided that a member elected after the First day of November in any year shall not be required to pay any Subscription in respect of the year of election, but shall pay, on election, the Entrance fee and the Annual Subscription in respect of the year following election.

A person who applies for membership of the Club and who can prove to the satisfaction of the General Committee that they were formerly a member in good standing and whose membership at the time of cessation thereof was not under suspension or in arrears shall upon re-election be liable solely for the payment of Annual Subscription at such rate as may from time to time be determined and shall not be liable for payment of an Entrance fee.

Any person wishing to resume membership at a level which would involve the payment of an Annual Subscription in a different category to that originally paid shall be liable upon re-election to pay the difference between the entrance fee appropriate to the category of membership last enjoyed and the category now being applied for (when that category would involve the payment of an entrance fee at a higher rate).

11. *Boat and locker permits*

Members shall also make annual payment when required of such sums as the Committee shall from time to time prescribe for:

- (a) A boat permit which shall entitle a member to a space (subject to availability) in the Club's boat park whether owned or leased by the Club.
- (b) A locker permit which shall entitle a member (subject to availability) to the use of a locker in the Clubhouse.

N.B. The Club's Subscription to the RYA as a Fully Affiliated Club shall be borne by the Club.

12. *Members' duty to provide up-to-date address*

Every member shall furnish the Honorary Membership Secretary with an up-to-date address which shall be recorded in the Register of Members and any notice or letter sent to such address by hand or prepaid ordinary post shall be deemed to have been duly delivered to the member and, in the case of post, on the second day following posting excluding the day of posting, Saturdays, Sundays and public holidays.

Election and retirement of members

13. *Candidature for election*

Every candidate for membership (except (i) Cadets progressing from Cadet to Adult member or to Junior Adult member (ii) Honorary Life members or (iii) Temporary members) shall be proposed and seconded by an Adult member of the Club, both of whom must be personally acquainted with the candidate. In addition the candidate shall be sponsored by a member of the Committee.

14. *Application for membership*

An application for membership shall be in the form from time to time prescribed by the Committee, and shall include the name, address and occupation of the candidate, details of craft (if any) and names and the signature of the Proposer, Seconder and Sponsor or in the case of temporary membership the names and signatures of the Flag Officers and/or Honorary Secretary.

15. *Election of members*

receipt of an application for membership, together with (as a deposit) the current Entrance and Subscription fee, the Honorary Membership Secretary shall enter such application in a Register of Candidates and shall cause the application form to be prominently displayed in the Club premises for at least fourteen days before the meeting of the Committee at which such application for membership shall be considered. The election of all classes of members is vested in the Committee and shall be by a simple majority of those members present and voting at the relevant meeting of the Committee and in the case of a candidate who has previously been expelled from membership by a General Meeting shall be subject to approval by a General Meeting. The Honorary Membership Secretary shall inform each candidate in writing of the candidate's election or non-election. He shall furnish an elected candidate with a copy of the Rules and Byelaws of the Club. The deposit of a candidate not elected shall be returned.

16. *Arrears of Subscription*

The Committee may cancel, without notice given, the membership of any member whose Annual Subscription is more than three months in arrears provided that the Committee may, at its discretion, reinstate such member upon payment of arrears. No member whose Annual Subscription is in arrears may enter any Club event or regatta nor vote at any meeting.

17. *Resignation*

A member wishing to resign from the Club shall give notice in writing to the Honorary Membership Secretary but shall be liable for all sums due by him to the Club at the date of such notice.

Conduct of members

18. *Expulsion and suspension*

If at any time the Committee shall be of the opinion that the interests of the Club so require, they may, by letter, request any member to resign from the Club at any time specified in such letter. Failing willing resignation the member shall be requested to attend a meeting of the Committee at which that member shall be given a reasonable opportunity to address or make representations to that meeting. If the Committee shall remain of the opinion that the interests of the Club require resignation of that member the matter shall be settled by the offending member calling a General Meeting in the manner prescribed in Rule 57 save that the written request is required to be supported only by ten members. If the member requested to resign shall not have resigned or requested a General Meeting within twenty-eight days after dispatch of the letter requesting him to resign he shall be deemed expelled from the Club and the Honorary Secretary shall so advise him in writing.

Any member expelled shall forfeit all rights to claim upon the Club, its property, its members or funds.

Any member expelled by a General Meeting shall not be re-elected a member until his re-election has been confirmed by a General Meeting.

The Committee or a General Meeting may suspend any member from membership as it may from time to time think fit provided such suspension shall be for any period not exceeding twelve months.

Expulsion or suspension shall not entitle a member to refund in part or in full for any Subscription fees, Entrance fees or annual payments for boat or locker permits.

19. *Undertaking by members to comply with Rules*

Every member, upon election and thereafter, is deemed to have notice of, and impliedly undertakes to comply with the Club Rules and the current Byelaws of the Club. Any refusal or neglect to do so, shall render a member liable to resignation or expulsion in accordance with Rule 18 above.

20. *Guests in the Club*

Adult, Junior Adult and Honorary Life members only (not being Temporary members) may introduce a maximum of four guests (not being persons who have been rejected as candidates or expelled or are currently suspended from membership of the Club) on any one occasion within twenty-four hours except where the Committee shall decide otherwise and subject to such restrictions as they may make, but no guest shall be introduced to the Club on more than seven days in one year. The member introducing a guest shall be responsible for all liabilities to the Club incurred by or on behalf of such guest and in addition shall be responsible for the conduct of each guest. Before admission to the Club guests' names must be entered in the Visitor's Book, together with the name of the introducing member. Guests may not purchase intoxicating liquors. The Committee shall have the power to let the Club premises for periods not in excess of twenty-four hours on no more than ten occasions per annum for any private functions approved by the Committee to persons who need not be members who may in turn invite for that function only any number of other persons to the Club premises within the bounds of statutory safety requirements. Those persons will become Temporary members as defined in Rule 9 except that the period of membership will be restricted to the duration of the private function. Members not invited cannot be permitted to use for the duration of the function that part of the Club premises let for the function.

21. *Damage to Club property*

A member shall not knowingly remove, injure, destroy or damage any property of the Club.

22. *Settlement of accounts*

A member shall settle any indebtedness for refreshment goods or otherwise before leaving the club premises, or in accordance with any Byelaw relating to the settlement of such indebtedness.

23. *Suggestions*

A book shall be kept at the Clubhouse for recording suggestions and complaints to be countersigned by two members.

24. *Visiting yachtsmen and members of other RYA clubs*

Yachtsmen being crews of yachts visiting West Mersea and being members of any club affiliated to the Royal Yachting Association (a list of whereof is published by the said Association) or any other corresponding national yachting authority may use the premises of the Club and (if they have attained the age of eighteen years) purchase intoxicating liquors providing the duration of the visit is not more than seven days and provided they shall so soon as practicable introduce themselves to the steward or an Officer or Committee member or if none is present an Adult, Junior Adult or Honorary Life member and enter their name, address and club in the Visitor's Book. No person who has been rejected as a candidate for membership or expelled or is currently suspended from membership of the Club shall be admitted.

25. *Competitors in Club races*

Any person who is a competitor, crew member or organiser of any race or sailing event sponsored by or on behalf of the Club (not being a person who has been rejected as a candidate or expelled or is currently suspended from membership of the Club) is entitled to the use of the Club premises including the purchase of intoxicating liquors, within a period of 24 hours before and after the race in which they are competing.

26. *Members of other clubs*

Officers and members of any Club or association to whom official invitation has been extended by the Committee may on the day of their visit purchase intoxicating liquors.

27. *Temporary Members*

Any two Flag Officers or any Flag Officer and the Honorary Secretary may grant temporary membership to any person who has not been rejected as a candidate for membership or expelled or is currently suspended from membership of the Club for a period or periods not exceeding forty-eight hours.

28. *Power to expel those admitted under Rules 24, 25, 26 and 27 hereof.*

The Honorary Secretary or any other person who has received the authority of two members of the Committee may expel, temporarily or permanently, any person who has the right to use the Club's premises only under Rules 24, 25, 26 and 27.

Limitation of Club liability

29. Members, their guests and visitors are bound by the following Rule which shall also be exhibited in a prominent place within the Club premises: Members of the Club, their guests or visitors may use the Club premises, and any other facilities of the Club, entirely at their own risk and impliedly accept:
- (a) The Club will not accept any liability for any damage to or loss of property belonging to members, their guests or visitors to the club.
 - (b) The Club will not accept any liability for personal injury arising out of the use of the Club premises, and any other facilities of the Club either sustained by members, their guests or visitors or caused by the said members, guests or visitors whether or not such damage or injury could have been attributed to or was occasioned by the neglect, default or negligence of any of them, the Officers, Committee or servants of the Club.

Section 4 MANAGEMENT COMMITTEE

Constitution and procedure

30. *Constitution of*
The Management Committee (herein referred to as "the Committee") shall consist of the Officers, Dinghy Captain, Cruiser Captain, Boatswain, not more than four Past Presidents, and seven others who must be Adult, Junior Adult or Honorary Life Members of the Club and elected at the Annual General Meeting each year to hold office until the next following Annual General Meeting.
31. *Candidates for election to Committee*
Candidates for election to the Committee (including Officers of the Club, Dinghy Captain, Cruiser Captain, Boatswain and Past Presidents) shall be those members of the retiring Committee eligible to offer themselves for re-election and such other Adult, Junior Adult or Honorary Life Members whose nominations (duly proposed and seconded in writing by Adult, Junior Adult or Honorary Life Members of the Club) with their written consent shall have been received by the Honorary Secretary at least ten days before the date of the Annual General Meeting in each year. Such nominations, together with the names and signatures of the Proposer, Seconder and Nominee shall be posted in the Club premises as soon as possible.
32. *Election of Committee by ballot*
If the number of candidates, duly proposed and seconded, shall:
(i) Exceed one for each of the vacancies for Officers, Dinghy Captain, Cruiser Captain and Boatswain.
(ii) Exceed four for the vacancies for Past Presidents. or (iii) Exceed seven for the other vacancies.
- Then in each case there shall be an election at the Annual General Meeting by ballot in which members shall cast any number of votes up to the number of vacancies that exist but not exceeding one vote per candidate.
33. *No contest for election*
If the number of candidates for election is equal to or less than the number of vacancies to be filled then all candidates shall be deemed to be elected.
34. *Equality of votes*
In the event of the ballot failing to determine the Officers or members of the Committee because of an equality of votes the candidate or candidates to be elected from those having an equal number of votes shall be determined by a subsequent ballot or ballots until determination is achieved.
35. *Casual vacancy*
If for any reason, a vacancy cannot be filled or a casual vacancy shall occur, the Committee may co-opt an Adult or Honorary Life Member to fill such a vacancy until the next following Annual General Meeting. Nothing in these Rules shall prevent any one person from filling more than one office at any one time.
36. *Committee meetings*
The Committee shall meet at least once in every month making such arrangements as to the conduct (save as provided below), place of assembly and holding of such meetings as it may wish. The Commodore, or in his absence the Vice-Commodore or Rear-Commodore or a Chairman elected by those present, shall preside.
37. *Voting at Committee*
Voting shall be by show of hands and In the case of an equality of votes the matter under vote shall be deemed not to have been carried.
38. *Quorum*
Seven members personally present shall form a quorum at a meeting of the Committee.

Powers of the Committee.

39. *Management of Club by Committee*
The Committee shall manage the affairs of the Club according to the Rules and shall cause the funds of the Club to be applied solely to the objects of the Club or for a benevolent or charitable purpose nominated by the Committee.

40. *Power to make Byelaws*
The Committee shall make such Byelaws as it shall from time to time think fit and shall cause the same to be exhibited in the Club premises. Such Byelaws shall remain in force until set aside by a vote at a General Meeting of the Club or by the Committee.
41. *Appointment of sub-committees*
The Committee may appoint such sub-committees as it may deem necessary and may delegate such of its powers as it may think fit upon such terms and conditions as shall be deemed expedient and/or required by the law. Such subcommittees shall consist of such members of the Committee or of the Club as the Committee may think fit. Officers of the Club shall be ex officio members of all such sub-committees.
42. *Disclosure of interest to third parties*
A member of the Committee, of a sub-committee or any Officer of the Club, in transacting business for the Club, shall disclose to third parties that he is so acting.
43. *Limitation of members' liability*
The Committee, or any person or sub-committee delegated by the Committee to act as agent for the club or its members, shall enter into contracts only so far as expressly authorised, or authorised by implication, by the members. No one shall, except in the normal course of conducting the affairs of the Club, without the express authority of the membership in General Meeting, pledge the credit of the membership. The power of the Committee to dispose of the funds of the Club shall be limited to the assets of the Club, after deducting all known liabilities, for the time being in their hands and the Committee shall not dispose of by way of sale or otherwise or raise any mortgage, loan, security, debenture or the like on the security of the Club's freehold or leasehold land or buildings without the express consent of the members in General Meeting.
44. *Member's indemnification of Committee*
In pursuance of the authority vested in the Committee by members of the Club, members of the Committee are entitled to be indemnified by the members of the Club against any liabilities properly incurred by them or any one of them on behalf of the Club wherever the contract is of a duly authorised nature or could be assumed to be of a duly authorised nature and entered into on behalf of the Club.
45. *Nomination of Honorary Members by Committee*
The Committee may nominate for election at an Annual General Meeting such Honorary Life Members as the Committee may think fit. The election of Honorary Life members shall be put to the vote at the Annual General Meeting each year and such Honorary Life Members shall be duly elected if a majority of those present, and entitled to vote, vote in favour of election.

Purchase and Supply of excisable goods

46. *Purchase and Supply of excisable goods*
The purchase for the Club of excisable goods and the supply of the same upon Club premises shall be exclusively and solely under the control of a subcommittee (the Bar Committee) to be made up of past (co-opted) or present Flag Officers and long standing members of the Management Committee.
Intoxicating liquors may only be sold for consumption on the Club premises to persons (other than guests) over the age of eighteen who are entitled to the use of the Club premises in pursuance of the Club Rules and Byelaws for the time being in force. No person under the age of eighteen may purchase or attempt to purchase intoxicating liquors within the Club premises nor may a person under the age of sixteen purchase or attempt to purchase tobacco or cigarettes within the Club premises.
47. *Hours of Sale of excisable goods*
Subject to the requirements of the licensing authorities the Committee shall cause the Club bar to be opened at times that the Committee see fit (and such times shall be prominently exhibited in the Club premises) for the sale of excisable goods to persons who are entitled to their purchase and the use of the premises of the Club in pursuance of these Rules. PROVIDED THAT non-members' names and addresses and the name of their introducer shall have been entered in the Visitors' Book upon entry to Club premises.
48. *Profits from Sale of excisable goods*
No person shall take a commission, percentage or other such payment in connection with the purchase of excisable goods for the Club. Any profit deriving from the sale of such goods shall (after deduction of the costs of providing such goods for the benefit of the Club) be applied to the benefit of the Club.
49. *Accounts relating to excisable goods*
Proper accounts of all purchases and receipts shall be kept and presented at the Annual General Meeting in each year and such information as the Honorary Treasurer or Honorary Independent Examiner may require shall be furnished to enable any statutory return or statement and the payment of excise or other duty or tax to be made.

Section 5 TRUSTEES

50. *Number of and terms of Trustees*
There shall be four Trustees of the Club who shall be appointed from among Adult or Honorary Life Members who are willing to be so appointed.
51. *Property of the Club vested in Trustees*
All property of the Club, including land and investments, but excluding cash which shall be under the control of the Honorary Treasurer, shall be held by the Trustees for the time being, in their own names so far as is necessary and practicable, on trust for the use and benefit of the Club. On the death or resignation of a Trustee, the remaining Trustees shall nominate a new Trustee in his place and the Honorary Secretary shall as soon as possible thereafter take all lawful and practicable steps to procure the vesting of all Club property into the names of the Trustees as constituted after such nomination.
For the purpose giving effect to any such nomination the Honorary Secretary for the time being is hereby nominated as the person to appoint new Trustees of the Club within the meaning of Section 36 of the Trustees Act 1925 and he shall by Deed duly appoint the person or persons so nominated as the new Trustee or Trustees of the Club and the provisions of the Trustees Act 1925 shall apply to any such appointments. Any statement of fact in any such Deed of appointment shall in favour of a person dealing bona fide and for value with the Club or the Committee be conclusive evidence of the facts so stated. The Honorary Secretary shall record all appointments, deaths and resignations in the minute book.

52. *Powers of Trustees*

The Trustees shall in all respects act, in regard to any property of the Club held by them and shall have power to sell, lease, mortgage or pledge any Club property so held for the purposes of raising or borrowing money for the benefit of the Club.

53. *Indemnity of Trustees from Club funds*

The Trustees shall be effectually indemnified out of the assets of the Club from and against any liability, costs, expenses and payments whatsoever which may be properly incurred or made by them in the exercise of their duties or in relation to any property of the Club vested in them, or in relation to any legal proceedings, or which otherwise relate directly or indirectly to the performance of the functions of a Trustee of the Club.

Section 6 MEETINGS OF THE CLUB

54. *Annual General Meeting*

An Annual General Meeting of the Club shall be held each year in the month of November on a date to be fixed by the Committee. The Honorary Secretary shall at least fourteen days before the date of such meeting or any General Meeting as hereinafter mentioned post to the address shown in the Club records or deliver to each member notice thereof and of the business to be brought forward thereat.

55. *Business at Annual General Meeting*

Save as provided in Rule 63, no business shall be discussed at such meeting, except the passing of the Accounts and the election of the Officers, Committee, and Honorary Independent Examiners, and any business that the Committee may order to be inserted in the notice convening the meeting, and business of which notice has been given in writing by at least 25 members entitled to vote to the Honorary Secretary at least forty-two days before the date of the Annual General Meeting.

56. *Special General Meetings*

The Committee may at any time, upon giving fourteen days notice in writing call a General Meeting of the Club for any special business, the nature of which shall be stated in the summons convening the meeting, and the discussion at such meeting shall be confined to the business stated in the notice sent to members save as provided in Rule 63.

57. *General Meeting upon request of members*

The Committee shall similarly call a General Meeting upon a written request addressed to the Honorary Secretary by at least 25 members entitled to attend and vote at a General Meeting (or one fifth of the total number of members entitled to attend and vote at a General Meeting whichever number is the least) or as provided in Rule 18. Such meeting must be held within two months of such request being delivered to the Honorary Secretary. The discussion at such meeting shall be confined to the business stated in the notice sent to members save as provided in Rule 63.

58. *Chairman at meetings*

At every meeting of the Club the President or the senior Flag Officer present or, in their absence a Chairman elected by those present shall preside.

59. *Quorum at meetings*

Twenty-five members entitled to vote and personally present shall form a quorum at any meeting of the Club.

60. *Entitlement to vote at meetings*

Only Adult, Junior Adult and Honorary Life members may be entitled to attend and vote at any meeting of the Club. Other members may attend but are not entitled to vote or speak.

61. *Voting on change*

On any resolution properly put to a meeting of the Club relating to the creation, repeal or amendment of any Rule, of the Club such Rule shall only be created, repealed or amended by a majority vote of at least two-thirds of those present and entitled to vote.

62. *Voting at meeting*

s Voting shall be by a show of hands except voting upon the election of members of the Committee or the expulsion or suspension of members as Rule 18 which shall all be by ballot. In the case that the vote equals two-thirds of those present and entitled to vote the matter under vote shall be deemed not to have been carried.

63. *Amendments to a resolution*

Notwithstanding anything herein before contained the Chairman at a General Meeting may accept proposals for bona fide amendments of a resolution of which due advance notice has been given and discussion thereof. The resolution can then be amended by a majority vote of at least two-thirds of those present and entitled to vote subject to the provisions of Rule

Section 7 DISSOLUTION OF THE CLUB

64. *Dissolution of the Club*

(a) *Non Profit Making*

The Club is non-profit making, all surplus income and gains are to be reinvested in the Club. Any surplus/ assets cannot be distributed to members or third parties.

(b) *Dissolution of the Club*

If upon the winding up or dissolution of the Club there remains after satisfaction of all outstanding debts and liabilities any property whatsoever the same shall be applied to any of the following as may be approved by the members of the Club in General Meeting:

- (i) The purposes of the Royal Yachting Association for use in related community sport.
- (ii) The purposes of another amateur Community Award Sports Club.

(iii) The purposes of a Charity.

65. *Matters not covered*

The Committee shall have the power to deal with any matter which is not covered by these Rules until the next General Meeting at which the matter will be discussed if due notice is given.

66. *Gender*

In these Rules where the context permits or requires the singular shall include the plural number and the male, the female gender and visa versa.

Section 8 BYELAWS (January 2008) (VIII January 2013)

I. *Rights and privileges and restrictions*

The present rights and privileges of and restrictions upon each category of membership shall be as follows: AN ADULT MEMBER shall have the full use of the Club facilities. A JUNIOR ADULT MEMBER shall have the full use of the Club facilities. A CADET MEMBER shall have the full use of all the Club facilities subject only to Rule 46, and they may not introduce guests to the Club. A JUNIOR CADET MEMBER shall have the full use of all the Club facilities subject only to Rule 46, and they may not introduce guests to the Club. AN HONORARY LIFE MEMBER shall have the full use of all the Club facilities. A TEMPORARY MEMBER shall have the full use of the Club facilities but:

- (a) No right to enter Club races or regattas unless specifically authorised by the Honorary Sailing Secretary or Committee.
- (b) No right to introduce visitors to the Club or the facilities thereof.
- (c) No right to take any part in the management of the Club.
- (d) Is deemed to have notice of and impliedly undertakes to comply with the Club Rules and current Byelaws as if he or she were a member of the Club and so far as the said Rules and Byelaws may be deemed to apply to such Temporary Members.

II. *Control of dogs*

No dogs may be brought into Club premises (Guide Dogs excepted).

III. *Admittance of children, Cadets and Junior Cadets*

Notwithstanding Byelaw I the Committee may as it from time to time directs, restrict children, Cadet members and Junior Cadet members from using the Club premises or attending certain Club functions to certain times only and/or to certain ages only and/or to only those accompanied by a parent or guardian.

Junior Cadet members can not enter Club races or regattas or take part in sailing training unless specifically authorised by the Honorary Sailing Secretary or Committee.

IV. *Control of car parking*

Only certain cars as designated by the Committee may be parked on Club premises and then only in areas designated for such parking so as not to cause an obstruction to other cars or to the approaches to the Club premises.

V. *Opening of Club premises*

The Club premises shall be open to members at such times as the Committee shall direct.

In respect of certain functions organised by the Club, on the occasions of those functions and if so designated by the Committee, admittance to the clubhouse will be restricted to those members who have paid to attend that function.

VI. *Abandoned boats*

In addition to the powers given to the Committee under Rule 16, or otherwise if, at any time, any fees payable to the Club by any member or former member shall be three months or more in arrears and a vessel the property of a member or former member remains upon Club premises, or premises leased by the Club, the Committee may:

- (a) Move the vessel to any other part of the Club premises without being liable for any loss or damage to the vessel howsoever caused.
- (b) Give one month's notice in writing to the member or former member at his last known address as shown in the Club Register and thereafter sell the vessel and deduct any monies due to the Club (whether by way of arrears of subscription or annual payments, mooring, dinghy park fees or otherwise) from the proceeds of sale before accounting for the balance (if any) to the member or former member.
- (c) Alternatively, if the vessel is un-saleable, after giving notice in writing as aforesaid, dispose of the vessel in any manner the Committee may think fit and deem the cost of so doing and any arrears as aforesaid to be a debt owing to the Club by the member or former member. PROVIDED ALWAYS THAT: proper evidence is available to show that all reasonable steps have been taken to trace a member or former member and that when and if the vessel is sold the proceeds of sale (less any indebtedness by the member or former member to the Club) shall be placed upon bank deposit account and retained against the eventuality of claim by the owner (whether he be the said member or former member or otherwise) for a period of six years.
- (d) The member (or former member) by virtue of his membership (or former membership) of the Club appoints the Committee his agent (such agency to continue notwithstanding him ceasing to be a member) for the above purposes and undertakes to indemnify the Club against all losses, liability and expenses incurred by it in exercising the powers vested in it detailed above.

VII. *Staff*

The Committee are empowered to engage such staff as may be required to provide the approved facilities for the members and to pay such staff remuneration as agreed by the Committee.

VIII. Any Alcohol consumed on the Clubs Premises must have been purchased from the Club Bar.