

Hythe (Southampton) Sailing Club

Club Rules – Sep 04

1 NAME AND BURGEE

The name of the Club is Hythe (Southampton) Sailing Club and the burgee of the Club shall be green with a horizontal blue wavy band bordered with gold.

2 OBJECTS OF THE CLUB

2.1 The objects for which the Club is formed are to promote and facilitate the sport of sailing.

2.2 The Club is a 'not for profit organisation'. All surpluses will be used to support the Club's activities or to maintain or improve the Club's facilities. In the event of the Club's winding up or dissolution, any surplus of net assets shall be distributed in accordance with Club Rule 10. The Club is managed by the General Committee, which is elected by the club members. No commercial organisation shall be allowed to influence their decisions.

3 MANAGEMENT

3.1 The Club shall be managed by the Committee according to the Rules, Byelaws and current legislation. Byelaws shall be made by the Committee as they shall think fit, for the proper management of the Club.

3.2 Management Structure

The Committee shall consist of Officers, Honorary Positions and Members of the Club. The Officers shall be a Commodore, a Vice Commodore and a Rear Commodore. There shall be an Honorary Secretary, an Honorary Treasurer, an Honorary Membership Secretary and an Honorary Mooring Secretary. There shall be up to eight additional Members.

3.3 Trustees

3.3.1 There shall be four Trustees of the Club. The property of the Club (other than cash which shall be under the control of the Honorary Treasurer) shall be vested in them and dealt with by them as the Committee shall from time to time direct by resolution (of which an entry in the minute book shall be conclusive evidence). The Trustees shall be indemnified by the Committee out of the assets of the Club against any liability, risk or expense properly incurred. Trustees shall not hold office in the Club as Flag Officer, in an Honorary position, as a Committee member or a paid employee. Trustees shall be Members who are and continue to be in good standing and who have been Members of the Club for a continuous period of 7 years. Trustees shall be persons of integrity who shall, when first elected, have knowledge and experience of the management and operation of the Club.

Trustees may be proposed by the Committee or from the membership and elected by the Members at an Annual or Special General Meeting. Trustees shall hold office for a period of four years and normally be elected on a rotational basis. Trustees may be re-elected provided that no Trustee shall hold office for a period exceeding eight years. For the purpose of giving effect to such election the Commodore is hereby nominated as the person to appoint new Trustees of the Club within the meaning of section 36 of the Trustee Act 1925, as amended, and he shall by deed, duly appoint the person or persons so elected as the new Trustee or Trustees of the Club and the provisions of the Trustee Act 1925 shall apply to any such appointment.

The Trustees shall receive all notices, agendas, minutes, accounts and papers provided to members of the Committee and may attend, speak and vote at meetings unless such action is in breach of their responsibilities under the Trustee Acts.

3.3.2 Additionally, the Trustees shall represent the interests of the Members as a whole and may respond to and offer advice to the Committee upon any matter relating to longer-term strategy or one, which may require the commitment of significant financial or other resources.

3.3.3 In the event of a Trustee behaving in a manner inappropriate to their position, the Trustee may be removed from office on a two-thirds majority vote of the whole Committee, to be ratified by a majority ballot at an Annual or Special General Meeting.

3.4 Accounts

Annual accounts shall be prepared and subjected to an independent Auditor appointed by the Committee. These accounts shall be presented at the AGM.

3.5 Data Protection Act

Membership of the Club and acceptance of these rules by the members shall be deemed to constitute consent to the holding of relevant personal data for the purposes of the Data Protection Act 1984.

4 MEMBERSHIP

4.1 Membership shall be available to any person interested in sailing regardless of race, age, gender, sexual orientation or disability. The club will expect the applicant to have sufficient safety awareness so as not to be a danger to themselves or other club members.

4.2 The Club membership shall consist of the under mentioned categories.

4.2.1 **Family Members** - age 25 years up to state retirement age. Husband and/or wife and any children up to the age of 21 resident at the same address. It is the Family Member's responsibility to inform the Membership Secretary when this age is reached if the son or daughter uses the Club. He/she shall then become a Junior Member in his/her own right on payment of the necessary subscription.

The Family Membership subscription will be decided at the AGM on the recommendation of the Committee. The entrance fee will be the same as the Family Membership subscription.

4.2.2 **Single Members** - age 25 years up to state retirement age.

The subscription will be 80% of the Family Membership subscription.

The entrance fee will be the same as the Family Membership subscription.

4.2.3 **Junior Family Members** - age 21 years up to and including 24 years of age, husband and/or wife and any children.

The subscription will be 50% of the Family Membership subscription.

The entrance fee will be 50% of the Family Membership subscription.

4.2.4 **Junior Single Members** - age 21 years up to and including 24 years of age.

The subscription will be 50% of the Single Membership subscription.

The entrance fee will be 50% of the Family Membership subscription.

4.2.5 **Senior Members** - husband over state retirement age and wife. Single members over state retirement age.

The subscription will be 40% of the Family Membership subscription.

The entrance fee will be the same as the Family Membership subscription.

4.2.6 **Cadets Members** - 15 up to and including 20 years of age and **Junior Cadet Members** - aged up to and including 14 years.

The subscription will be 20% of the Family Membership subscription.

No entrance fee will be payable.

Junior Cadet Members may only be admitted to the Club premises under the supervision of an adult member of the Club who will be responsible for such members.

4.2.7 **Honorary Members** may be elected by the Club on the recommendation of the Committee at a general meeting.

No subscription or entrance fee will be payable.

4.2.8 **Life Members** may be created exceptionally because of their recognized services to the Club and election will be by Committee ballot.

No subscription or entrance fee will be payable.

4.3 Application Procedure for Membership

Prospective members will be required to complete an application form, sign it and obtain the signatures of a proposer and seconder. The form should be returned to the club's Membership Secretary who will display it on the New Members notice board for a minimum of 10 days.

4.4 Membership Application Procedure by the Club

The Club will process each application through the following steps.

4.4.1 The Membership Application Form will be displayed on the New Members Notice Board for a minimum of 10 days.

4.4.2 New Members Meeting

Each month (or as necessary), the Club Officers will hold a meeting to which applicants for membership shall be invited. The Officers will explain the way that the club operates and the applicants will be interviewed. Unless there are strong reasons for rejection, the applicant will be granted probationary membership. Examples of reasons for rejection include criminal conviction and anti-social behavior.

4.4.3 Probationary Membership

Probationary Membership extends for a period of 12 months from the date of acceptance as a member. During this time the Probationary Member shall have access to the Club's facilities and functions, will be expected to comply with the Club's rules, but will not be eligible to stand for office nor propose or second another member for office. If during the probationary period a member acts in a way that is contrary to the good of the Club or its members, he or she may have their membership terminated by the General Committee.

4.4.4 Each month the Membership Secretary shall report to the General Committee details of each member to whom Probationary Membership has been granted.

4.5 Termination of Membership

The General Committee may expel a club member considered unworthy from the Club provided that before expelling a member, the Committee shall call upon the Member to explain their conduct and shall give them an opportunity to defend themselves, or resign their membership.

The vote of a resolution for the expulsion of a member shall be by ballot and the resolution shall only be carried if not less than three fourths of the members of the Committee present vote in favour of the resolution. A minimum of 12 Committee members must be present.

4.6 Fees are payable on the 1st of January of each year.

New and existing members must pay all fees for any facilities at the Club, i.e. membership fees, pound fees, pound and mooring fees, winter storage fees, etc by dates laid down in the rules or dates published in the monthly newsletters. Failure to comply with these conditions may result in termination of membership and/or reallocation of moorings, pound space or winter storage space.

4.7 New members joining during the year must pay the necessary fees within one month of acceptance to the Club.

Members elected after the 1st of August shall be charged 10% of the applicable subscription for each month remaining of that year.

The normal entrance fee will be applicable.

Prior to acceptance no boat may be left at the Club or on the Club moorings.

4.8 Any member who performs recorded work for the benefit of the Club in any one year shall be entitled to pay a reduced membership subscription in the year next following. The maximum subscription reduction earned shall be no greater than one half of the Family Membership subscription, except where a member pays a reduced annual subscription, and then the reduction shall be proportional to that reduced subscription. Changes in the maximum number of work hours that qualify shall be determined at an Annual General Meeting upon a recommendation from the Committee.

4.9 A member of a Club recognised by the Royal Yachting Association (a list of which is contained in the Year Book of such Association) may be authorised by any member of the Committee to use the premises of the Club on proof of his current membership of such recognised Club. Such authorisation shall specify the period (not exceeding fourteen days) during which such person may use the premises of the Club.

All visitors shall be signed into the Club by a club member.

5 MOORING FEES AND POUND FEES

Mooring fees and pound fees shall be determined annually by the committee.

6 INSURANCE & LIABILITIES

6.1 All boats owned by members must be covered by third party insurance to the limits defined in the Mooring Bye-laws.

6.2 The Club does not hold themselves responsible for loss, damage, however arising or however caused to any member's property. All craft, gear or other property is left at the Club at the owner's risk. Owners must therefore make sure that their vessel and/or property are adequately insured against all risks and also against third party claims as they are liable for any damage caused by their vessels, themselves and/or their crew whilst on or about the Club premises.

6.3 If any storage, mooring or any other charges due to the Club in respect of any craft, gear or other property moored or deposited with the Club be twelve months in arrears, the Club shall have the right to sell such craft, gear or other property or any part thereof by Public Auction or Private Sale. After deducting the cost of such sale the Club will retain and apply the residue of the proceeds of such sale in payment of or towards all charges payable to the Club by the owner. Before exercising this right the Club shall always send by Recorded Delivery to the owner at his or her last known address one month's notice in writing of their intention so to do. In the event of the Club being unaware of the owner's address then the Club shall be left to carry out such right of sale within one month after giving notice of their intention so to do in one of the Boating or Yachting periodicals having a national circulation.

7 GENERAL MEETINGS

7.1 An Annual General Meeting shall be held in the Club premises on some suitable date in December in every year.

At General Meetings of the Club every member (other than honorary members, children of family members under 21 and those under the age of 18 years) shall have one vote. In the case of an equality of votes the Chairman of the meeting, who shall be the senior officer or other member of the Committee, shall have a second or casting vote. All members shall be entitled to attend general meetings of the Club.

7.2 Special General Meetings of the Club may be called by the Committee and shall be called on the receipt by the Honorary Secretary of a written requisition to this effect signed by twelve members of the Club.

7.3 Twenty-eight clear days notice shall be given to members of the Club of all general meetings.

8 ELECTIONS AND RULE CHANGES

8.1 Election of Officers and Committee

8.1.1 The Officers and Committee shall be elected at the Annual General Meeting in each year and shall hold office until the conclusion of the next following Annual General Meeting. The retiring Officers and Committee shall be eligible for re-election provided that no Member may hold the office of Commodore, Vice-Commodore or Rear-Commodore for more than two consecutive years.

8.1.2 Candidates for election to any office (other than retiring Officers) shall not be considered unless the name of such candidate and his proposer shall have been communicated to the Honorary Secretary by the 1st of November preceding the Annual General Meeting at which the election is to be held.

8.1.3 Candidates for election to the Committee shall be those members of the retiring Committee who shall offer themselves for re-election together with such other members of the Club as shall have been duly proposed and seconded by members of the Club, prior to the Annual General Meeting.

8.1.4 If the number of candidates duly proposed and seconded exceeds the number of vacancies to be filled the election shall be by ballot.

8.2 Casual Vacancies

8.2.1 If any casual vacancy shall occur in the office of Commodore, Vice-Commodore or Rear-Commodore the Committee shall convene a Special General Meeting for the election of a member to fill such vacancy until the next Annual General Meeting.

8.2.2 If any causal vacancy shall occur among the members of the Committee other than the Commodore, Vice-Commodore or Rear-Commodore the committee shall have the power to fill such vacancy by co-option.

8.3 Alterations of Rules

8.3.1 Notice of any alteration or addition to the rules intended to be proposed by a member of the Club shall be given to the Honorary Secretary in writing before the 1st of November if the same is to be proposed at an Annual General Meeting or at least one month before any Special General Meeting at which the same is to be brought forward and full particulars of such proposed alterations or additions shall be set out in the notice convening the meeting.

8.3.2 All such proposed alterations or additions and any amendments to them, which may be proposed and seconded, shall be put to the vote of the meeting, and provided that on a show of hands, or if demanded on a poll, the number of votes cast in favour of the proposed alteration, addition or amendment, by members present and entitled to vote shall be numerically greater than two thirds of the number of members present and entitled to vote (whether voting or not), then the same shall be deemed to have been duly carried.

9 SUPPLY OF INTOXICATING LIQUOR

9.1 The supply of intoxicating liquor in the Club premises including the purchase of intoxicating liquor for the Club shall be under the control of the wine committee, which shall consist of the Vice-Commodore, Honorary Secretary and two other members of the Committee.

9.2 The sale or supply of intoxicating liquor in the Club premises will only be permitted during the general licensing hours in force within the licensing district wherein the Club premises are situated.

10 WINDING UP

10.1 A proposal to wind up the Club may be put to the members at a General Meeting called and conducted in accordance with Club Rule 7. The proposal will be adopted if it is supported by no less than three fourths of those members attending the meeting and eligible to vote.

10.2 In any winding up of the Club, the Trustees will act in accordance with the Trustees Act 1925, as amended, the Trust Deed made and dated 21st October 1965 and Club Rule 3.3.

10.3 The Trustees shall have the authority to reimburse reasonable expenses incurred during the winding up of the Club.

10.4 After settling all liabilities of the Club, the Trustees, under the direction of the Committee, shall dispose of the net assets remaining to one or more of the following: -

a) To another club with similar sports purposes which is a charity.

and/or:

b) To another club with similar purposes which is a registered Community Amateur Sports Club.

and/or:

c) To the R.Y.A. as the Club's national representative body, in trust, for use by them for the benefit of related community sports.