

LYMPSTONE SAILING CLUB



CLUB RULES

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CLUB RULES

1 Name and Object

- 1.1 The name of the Club is "Lympstone Sailing Club" and the burgee of the Club shall be a white cross on a blue background with a yellow dolphin in the top left hand corner.
- 1.2 The object for which the Club is formed is to promote and facilitate the sport of sailing and boating, including training, and to provide social and other functions for members as may from time to time be determined.
- 1.3 The Club is affiliated to the Royal Yachting Association (RYA).

2 Membership

2.1 Eligibility and Classes of Membership

All persons, whether the owners of a boat or not, who are interested in sailing, are eligible for membership. The Club shall consist of voting and non-voting members. Voting members (subsequently referred to as Ordinary Members) are Single Members and Joint Members over the age of 18 years. Joint Members are defined as two co-habiting adults with one vote each. Non-voting members are Honorary Members, Student Members (in full time education), Junior Members (under the age of 18 years) and Temporary Members.

2.2 Election of Members.

A candidate for membership other than temporary membership, shall send to the Honorary Membership Secretary a form setting out his or her name and address and any other particulars the General Committee shall require. The application will be considered at the following General Committee meeting and will be decided upon by a simple majority vote. The General Committee can at times of unrestricted memberships, delegate approval of new members to the Honorary Membership Secretary. During these times the Honorary Membership Secretary may still escalate to the General Committee at their discretion.

2.3 Subscription

The amount of annual subscription and entrance fee shall from time to time be determined by the General Committee and will be effective from the start of the Membership Year. The membership year is set by the General Committee in the club Bylaws.

The annual subscription shall be payable on election and annually thereafter, immediately following the Membership Year end. The General Committee may cancel without notice being given, the membership of any member whose annual subscription is more than two months in arrears. The General Committee may, at its discretion, re-instate the member upon payment of arrears. Any member wishing to resign is requested to give notice to the Honorary Membership Secretary.

2.4 Honorary Membership

The General Committee may elect Honorary Members upon such conditions as it may in each case determine but the total number of Honorary Members shall not at any time exceed five percent of the total number of members. Ordinary Members of the Club shall be eligible for such election.

An Honorary Member shall enjoy the full rights and privileges of an Ordinary Member except that he shall not be entitled to vote at any General Meeting of the Club nor hold any office therein (except as a Trustee or the Accounts Examiner) nor to receive any benefit on dissolution of the Club.

Although rare, lifetime membership is able to be conferred on a member following General Committee approval. Individuals nominated to be considered for lifetime membership should be notified to the Committee in writing including a short citation.

When considering the nomination, the General Committee should take into account the following:

- Length of club membership.
- Service given to the club.
- Proportionality.

The following to be automatically granted lifetime membership:

- President and spouse.

2.5 Guests

Guests of Ordinary and Honorary Members

- (a) No member shall be allowed to have more than three adult guests on the Club premises at one time.
- (b) No person shall be eligible to visit and use the Club facilities as a guest on more than four occasions in any year. Anyone wishing to do so should apply for temporary or permanent membership.
- (c) No person shall be introduced as a guest into the Club premises who shall have been expelled from membership or whose conduct or presence on the Club premises is objectionable or prejudicial to the interest of the Club.
- (d) The member introducing guests shall enter the name and address of each guest together with their own name in the Visitor's book which shall be kept for that purpose on the Club premises. Each guest must sign this book on arrival.
- (e) Guests shall be considered the guest of the member introducing them and shall be accompanied by such member at all times while the guests are on the Club premises.
- (f) Any member in the judgement of the General Committee taking advantage of this rule shall be required to submit a formal application for membership for their guest(s). Failure to do so will result in disciplinary action at the discretion of the General Committee.
- (g) The member introducing guests is responsible for ensuring that the rules of the Club are strictly observed by their guests.

Guests of the Club

- (h) Members of a recognised sailing club, visiting sailors, RYA members, and teams or individuals visiting the Club for Club organised events, shall be considered as guests of the Club.

Such guests must sign the visitor's book.

2.6 Temporary Members

- (a) A temporary membership of no more than 30 days within a twelve-month period can be offered at the discretion of the General Committee, for a fee to be determined by the General Committee. A Temporary Member wishing to use the Club's facilities beyond 30 days must apply for membership. At least 48 hrs should elapse between the application and the use of the Club facilities.
- (b) The General Committee can, at their discretion, sign up temporary memberships without notice for the purpose of promotional and open events, for the duration of the event. The event, privileges and fee must be agreed by the General Committee at least 48 hours ahead of the event start.

2.7 Duties of Members

Every member, upon election and thereafter, is deemed to have notice of, and undertakes to comply with, the Club Rules and the current Bylaws and of the Club. Any refusal or neglect to do so, or conduct which, in the opinion of the General Committee, is either unworthy of a member or otherwise injurious to the interests of the Club, shall render a member liable to disciplinary action by the General Committee, which may include expulsion or non-renewal of membership.

Before taking disciplinary action, the General Committee shall call upon such member for a written explanation of the member's conduct and shall give the member full opportunity of making explanation to the Committee, or of resigning.

A resolution to apply any sanction shall be carried out by a majority of two-thirds of those members of the General Committee present and voting on the resolution.

Appeal against expulsion or non-renewal of membership may be made to members at a General Meeting.

3 Officers

- 3.1 The Officers of the Club shall consist of a Commodore, who shall be Chairman of the Club, a Vice Commodore, a Rear Commodore, an Honorary Sailing Secretary, an Honorary General Secretary, an Honorary Membership Secretary, and an Honorary Treasurer who shall be elected at the Annual General Meeting in each year to hold office until the conclusion of the next Annual General Meeting. Ordinary Members of the Club shall be eligible for election or re-election as an officer of the Club, except that Flag Officers shall serve for no more than three consecutive years in the same post.
- 3.2 There shall be a President and one or more Vice President who shall be appointed by the General Committee. Ordinary Members shall be eligible for such appointments.

4 General Committee

- 4.1 The General Committee shall consist of the seven Officers of the Club and a maximum of five additional Ordinary Members of the Club as appropriate, all of whom shall be elected annually at the Annual General Meeting to hold office until the conclusion of the next Annual General Meeting.
- 4.2 Prior to the Annual General Meeting the Honorary Secretary shall display a list of retiring General Committee members offering themselves for re-election. The list shall show their proposers and seconders, who shall be non-committee members. The list shall be displayed in the Club at least twenty-eight days before the date of the Annual General Meeting, and also show all of the General Committee posts.
- 4.3 Ordinary Members wishing to become members of the General Committee must add their names to the list at least seven days prior to the Annual General Meeting, signifying their intention to stand for election in a specific post. They must have the signatures of a proposer and seconder and sign that they are prepared to stand for election. The final list of nominations will be closed seven days before the Annual General Meeting and displayed in the Club.
- 4.4 If for any reason a casual vacancy shall occur the General Committee may co-opt an Ordinary Member to fill such vacancy until the next General Meeting of the Club.
- 4.5 No member of the Club may be elected as an Officer of the Club or to the General Committee unless he or she has been a member of the club for at least one year.
- 4.6 If the number of candidates duly proposed and seconded exceeds the number of vacancies to be filled the election shall be by ballot of Ordinary Members of the Club at a General Meeting.
- 4.7 The General Committee shall be chaired by the Senior Flag Officer present, or if no Flag Officer is present, a member of the General Committee elected by those present. Five members present at a General Committee Meeting shall constitute a Quorum. In the event of equality of votes the Chairman shall have an additional casting vote.
- 4.8 In the event of the death or resignation of any officer or member of the General Committee, a quorate General Committee may appoint one of themselves or another Ordinary Member to fill the vacancy.
- 4.9 The General Committee shall have the power to appoint such sub-committees as it may think fit provided that the Chairman of any such sub-committee is a member of the General Committee.
- 4.10 The General Committee may borrow on behalf of the Club, for the purpose of the Club, with the sanction of a two-thirds majority at a General Meeting attended by at least twenty members entitled to vote. The Committee shall have no power to pledge or sell the Club premises without the approval of a two-thirds majority of Ordinary Members present and voting at a General Meeting of the Club

5 Management of Club: Duties of Officers

- 5.1 The General Committee shall manage the affairs of the Club in accordance with the Rules and Bylaws and shall cause the funds of the Club to be applied solely to the objects of the Club, or for benevolent or charitable purposes nominated by the General Meeting. In particular the Committee shall ensure that the property and funds of the Club will not be used for the direct or indirect private benefit of members other than as reasonably allowed by the Rules, and that all surplus income or profits are re-invested in the Club.

- 5.2 The General Committee shall make and amend such bylaws as it thinks fit as to the management of the Club premises, the conditions and conduct of sailing matches and generally for the good conduct of the Club.
- 5.3 The Honorary Treasurer shall:
- (a) Maintain proper records of all purchases and receipts.
 - (b) Make all returns required by law in relation to such accounts to be rendered at the due time.
 - (c) Prepare an annual account and balance sheet as at the end of the Club's financial year. The accounts shall be examined by an appropriately experienced person (see note 6.5) at least once annually and shall be exhibited on the Club premises at least fourteen days before the date of the Annual General Meeting.
 - (d) Prepare proper accounts of all bar purchases and receipts which shall be kept and presented at the Annual General Meeting in each year, and such information as the Honorary Secretary or Accounts Examiner may require shall be supplied to enable any statutory return or statement and the payment of excise or other duty or tax to be made.
- 5.4 The Honorary Secretary or their proxy shall attend all General Committee meetings and take Minutes of the proceedings, which shall be approved by the General Committee at the next meeting.

6 Trustees and Accounts Examiner

- 6.1 There shall be at least three Trustees of the Club nominated by the General Committee from amongst Ordinary or Honorary Members of the Club, who are willing to be appointed, and who will be confirmed annually by a majority of Ordinary Members at the Annual General Meeting. Trustees shall hold office until they resign by Notice in writing given to the Committee or until a resolution removing them from office shall be passed at a meeting of the General Committee by a majority comprising two thirds of the members present and entitled to vote.
- 6.2 All property of the Club including land and investments shall be held by the Trustees in their own names so far as is necessary and practicable, on trust for the use and benefit of the Club. On the death, resignation or removal from office of a Trustee, the Committee shall appoint a new Trustee in their place. The Committee shall as soon as possible thereafter take all lawful steps to arrange the transfer of all Club property into the names of the nominated Trustees. 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 shall by deed duly appoint the person or persons so nominated by the Committee.
- 6.3 The Trustees shall act, in regard to any property of the Club held by them, in accordance with the directions of the General Committee and in accordance with the Club rules shall have power to sell, lease, mortgage or pledge any Club property so held for the purpose of raising or borrowing money for the benefit of the Club. No purchaser, lessee or mortgagee shall be concerned to enquire whether any such direction has been given.
- 6.4 The Trustees shall be effectually indemnified by the Committee out of the assets of the Club from and against any liability, cost, 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.
- 6.5 The Honorary Accounts Examiner shall:
- (a) Be appointed at the Annual General Meeting in each year from Ordinary Members or Honorary Members and shall not hold any other office within the Club.
 - (b) Examine the accounts of the Club when called upon to do so and give such certificate of assurance as to the accuracy of the said accounts as shall be required by law or by the General Committee.
 - (c) If unwilling or unable to act, inform the Committee who shall appoint a substitute to hold office until the termination of the next Annual General Meeting.

7 General Meetings

- 7.1 The Annual General Meeting shall be held each financial year on a date to be arranged by the General Committee, but not later than the end of January. The Agenda will be published on the Club Notice Board at least twenty eight days prior to the date of the Annual General Meeting, for the purpose of transacting the following business :
- (a) To receive and approve the Commodore's Report
 - (b) To receive and approve the Honorary Secretary's Report.
 - (c) To receive and if thought fit to approve the Annual Accounts
 - (d) To confirm the appointment of the Accounts Examiner for the Financial Year
 - (e) To elect Officers and General Committee
 - (f) To confirm that the President, Vice President(s) and Trustees are prepared to serve until the next Annual General Meeting.
 - (g) Any business the General Committee may require to be inserted in the notice convening the meeting.
 - (h) Motions for the agenda with a Proposer and Seconder both of whom shall be Ordinary Members of the Club and who shall have given Notice of such motions to the Honorary Secretary at least forty-two days before the meeting.
- 7.2 The General Committee may at any time, upon giving a minimum of twenty-one days Notice to the membership, call an Extraordinary General Meeting of the Club for any special business. The discussion at any such meeting shall be confined to the business stated in the Notice.
- 7.3 An Extraordinary General Meeting must be called by the Secretary if required to do so by a requisition signed by not less than twenty members. Details of the meeting shall be published after the General Committee Meeting following the receipt of the requisition, by giving at least twenty-eight days notice of the date of the Meeting.
- 7.4 At General Meetings the Chair shall be taken by the Senior Flag Officer present or if no Flag Officer is present an Ordinary Member elected by members attending the meeting.
- 7.5 The Quorum for any General Meeting shall be a minimum of twenty Ordinary Members entitled to vote.
- 7.6 Non-voting members shall be entitled to attend such meetings.

- 7.7 All of the above business will be decided by a simple majority vote. In the case of an equality of votes the Chairman shall have an additional casting vote.
- 7.8 On a resolution properly put to a General Meeting of the Club relating to the creation repeal or amendment of any Rule of the Club or By-Law of the Club, it shall not be created, repealed or amended except by a majority vote of at least two thirds of those present and entitled to vote.
- 7.9 In the event of any case occurring not provided for in this section, Robert's Rules will be applied by the General Committee whose decision shall be final.

8 Purchase and Supply of Intoxicating Liquor

- 8.1 The purchase for the Club of intoxicating liquor and the supply of the same upon Club premises shall be exclusively and solely under the control of the General Committee, or of a special sub-committee appointed by the General Committee.
- 8.2 No Junior Member may purchase or attempt to purchase intoxicating liquor on the Club premises. No Junior Member is permitted within the bar servery.
- 8.3 The Committee shall cause the Club bar to be opened, subject to the terms of the Club Premises Certificate, at convenient times which shall be prominently exhibited in the Club premises for the sale of intoxicating liquor to persons who are entitled to the use of the premises as defined in these Rules.
- 8.4 No person shall take a commission, percentage or other such payment in connection with the purchase of intoxicating liquor for the Club. Any profit deriving from the supply of intoxicating liquor shall, after deduction of the costs of providing such goods for the benefit of the Club, be applied to the provision of additional amenities or the purchase of property to be held in trust for the benefit of the Club.
- 8.5 The Club premises shall not be used for gambling or playing any games of chance or other unlawful games. The General Committee shall have power to prohibit any games, which in their opinion, are unlawful and which would be injurious to the interests of the Club.

9 Interpretation and Status of the Rules

- 9.1 In the event of any case occurring not provided for by these Rules, it shall be referred to the General Committee whose decision shall be final.
- 9.2 All members shall be bound by and submit to the Rules and any Bylaws of this Club.
- 9.3 A copy of the Rules and any Bylaws will be posted on the Club website and a copy of the Rules will be available for all members to download.
- 9.4 Membership of the Club and acceptance of these Rules by any member will be deemed to constitute consent to the holding of relevant personal data for the purpose of the Data Protection Act 1984.
- 9.5 Any information held on computer within the scope of the Data Protection Act shall be under the control of the General Committee. It shall be used for Club purposes only and under no circumstances used for commercial gain without written consent of the individual concerned.

10 Dissolution of the Club

- 10.1 The procedure for the dissolution of the Club requires that a Resolution, passed at a General Committee Meeting, be sent to each Ordinary Member at least twenty-one days prior to the date of an Extraordinary General Meeting.
- 10.2 For the Resolution to succeed it must be approved by a two-thirds majority of the Ordinary Members present.
- 10.3 The Trustees shall thereupon, or at such future date as shall be specified in such resolution, proceed to realise the property of the Club and after the discharge of all liabilities shall divide the same equally among all the Ordinary Members and upon completion of such division the Club shall be dissolved.

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