

SAUNDERSFOOT SAILING CLUB

CLUB RULES - As Approved with amendments by the Annual General Meeting of 18 November 2018

1. NAME OF THE CLUB

The name of the Club shall be The Saundersfoot Sailing Club.

2. OBJECTS OF THE CLUB

The objects of the Club shall be:

- (a) To foster and support sailing, rowing, kayaking, motor boating and other forms of water sport acceptable to the Club.
- (b) To provide, for members and their guests, a meeting place with the usual amenities of a social club, including recreation and refreshments.

3. CONDITIONS FOR MEMBERSHIP

(a) GENERAL

Candidates for election to Club membership must be proposed by one Adult Member and seconded by another Adult Member of the Club. The Club's standard application forms must be used and must be signed by the candidate, the proposer and the seconder.

Completed application forms must be submitted to the Membership Secretary, must be displayed on the Club Notice Board for a period of not less than seven days and be considered by a sub-committee one of which must be the Commodore and another, the Membership Secretary in order that the applicant is advised of the club's decision within fourteen days of the application having first been displayed. The decision will be in the minutes at the next formal meeting of the General Committee.

Applications placed before the Committee must receive the approval of a majority of the Committee members present and voting. The Committee shall not be required to give any reason to the candidate or his proposer or seconder for rejection of an application for membership.

(b) ADULT MEMBERSHIP

Candidates for Adult Membership must be not less than EIGHTEEN years of age.

All adult members may use the social facilities of the Club.

Provided that at least three calendar months have elapsed since their admission to the Club, Adult Members may vote at General Meetings and may serve as Officers of the Club or as members of the General Committee.

(c) JUNIOR MEMBERSHIP

Children who are over FIVE years and under EIGHTEEN years of age on the 1st of January in any year may be admitted to Junior Membership. However, they do not have the status of Adult Members, except that junior members on the Committee will have full voting rights at all meetings. Junior members shall not hold office as Commodore, General Secretary, Treasurer or House Manager, and not more than two junior members can be appointed to the committee at any one time. No junior member may be appointed unless at least three calendar months have elapsed since their admission to the Club.

(d) HONORARY LIFE MEMBERSHIP

A General Meeting of the Club may confer Life Membership on any existing member who is deemed to have rendered outstanding and valuable services to the Club. A Life Member shall pay no future membership subscriptions but shall, in all other respects, have the status of an Adult Member.

A candidate for Life Membership must be a long standing member of the Club and should no longer be an active sailor or committee member.

(e) SUBSCRIPTIONS

A member elected between the 1st October and the 31st December shall not be called upon to pay a second subscription until the second January after election.

All annual subscriptions shall be payable in advance and are due on the 1st January. A member whose subscription is not paid by the 1st March in any year shall automatically cease to be a member of the Club, with the attendant loss of dinghy park spaces and other club facilities. The General Committee may re-admit defaulting members upon receipt of a satisfactory explanation and payment of all subscription arrears.

(f) SUSPENSION AND EXPULSION

The General Committee may suspend any member whose conduct is deemed to be contrary to the interests of the Club. It may also recommend the expulsion of the member concerned.

Such actions must be approved by a majority of not less than THREE FOURTHS of those present and voting. The member concerned shall have the right to appear before the General Committee to offer a defence. During a period of suspension, the member concerned may not enter or use any of the facilities of the Club. Suspension and a possible recommendation for expulsion must be ratified at the next General Meeting. The member concerned shall have a right to appear before the General Meeting which considers the case.

(g) INSURANCE FOR WATER CRAFT

Members are required to hold valid and adequate insurance for any craft used in connection with club activities, or when such craft is positioned on club controlled land or property, and in particular to hold insurance against third party claims in the sum of at least £2m.

4. MANAGEMENT OF THE CLUB

(a) GENERAL MEETINGS

(i) Status

The Governing Authority of the Club shall be a properly constituted General Meeting of qualified Adult Members, that is, Adult Members of more than 3 months standing. In the remainder of Section 4, the term 'Adult Member' means 'qualified Adult Members' only.

(ii) Notice of Meetings

A formal notice stating the time, date, place and agenda of a General Meeting shall be sent via the last known email address or if no email address has been provided, by second class post to all Adult Members not less than TWENTY ONE clear days before the date of the meeting.

A motion may not be placed before a General Meeting unless it was proposed, seconded and signed by two Adult Members and submitted to the General Secretary in time to be included in the formal Notice of the Meeting. The committee recognises that on receipt of the notice members may be motivated to propose an alternative motion. Providing that it is proposed, seconded and signed by two Adult Members and submitted to the General Secretary not less than SEVEN clear days before the date of the meeting, a follow on motion will be circulated by the same means as the formal notice.

(iii) Annual General Meeting

There must be at least one General Meeting in any calendar year, held between October 1st and November 30th.

The business of the Annual General Meeting shall be:

- to receive and adopt the scrutinised statement of accounts for the preceding financial year
- to authorise the Committee to appoint a Scrutineer for the forthcoming financial year
- to elect Officers of the Club and the General Committee
- to determine the membership fee structure for the forthcoming financial year
- to transact any other business of which due notice shall have been given.
- to authorise any required changes that may be deemed necessary to the Club Rules.

(iv) Special General Meeting

The General Committee may convene, without reference to members, a Special General Meeting at any time. It must also do so upon receiving a request in writing signed by no fewer than TEN Adult Members. Such meetings shall be held no more than TWENTY-EIGHT days after receipt of notice.

Club Rules 2019

(v) Quorum

At a General Meeting, TWENTY-ONE Adult Members shall constitute a quorum.

(vi) Voting

Each Adult Member attending shall be entitled to ONE vote on each and every motion at General Meetings. In the event of an equality of votes, the person presiding shall have a SECOND or CASTING vote.

(b) TRUSTEES

As an unincorporated organisation, the Club cannot legally own property. Accordingly, the property of the Club shall be vested in THREE TRUSTEES and they shall deal with the same in accordance with the provisions of the DECLARATION OF TRUST of the 24th September 1965 made between Saundersfoot Harbour Commissioners and the then Trustees.

The Trustees shall be appointed from time to time as necessary by the Committee of the Club from among Adult or Honorary Life Members of the Club of not less than THREE years standing, who are willing to be so appointed. Such appointment to be ratified at the next General Meeting

The Trustees shall hold office for life or until resignation or until a resolution removing him or her from office passed at a General Meeting by a majority comprising of two thirds of the members present and entitled to vote. A nominee for the vacancy so created must agree formally to abide by the conditions of the Trust Deed.

As soon as possible after appointment of a Trustee the Honorary Secretary of the Club shall take all practical steps to confirm the appointment of the new Trustee within the meaning of the Trustee Act 1965

Trustees are not ex-officio members of the General Committee but they have a right to attend Committee meetings and to receive Minutes of proceedings although they shall not have voting rights.

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 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.

The liability of the Trustees for the performance of any contractual or other obligation undertaken by them on behalf of the Club shall be limited to the assets of the Club.

(c) PRESIDENT

At the Annual General Meeting, a President may be elected who shall hold office until the THIRD ANNUAL GENERAL MEETING after the date of the election.

The President has the right to preside at General Meetings and to exercise a casting vote. The President is an ex-officio member of the General Committee.

(d) OFFICERS

The Officers of the Club can include:

1. Commodore
2. General Secretary
3. Treasurer
4. Immediate Past Commodore
5. Dinghy Captain
6. Membership Secretary
7. Bosun
8. Sail Training Principal
9. Press Officer
10. Social Secretary
11. Cruiser Captain
12. House Manager
13. Rowing Representative
14. Kayaking Representative
15. Junior Representative
16. Club Welfare Officer

These Officers, excluding the Immediate Past Commodore, Junior Representative, Club Welfare Officer and Principal of the Club's Sail Training Establishment, shall be elected at an Annual General Meeting and shall hold office until the NEXT ANNUAL GENERAL MEETING when they shall retire, but shall be eligible for re-election. Sail Training Principal, Junior Representative and Club Welfare Officer shall be appointed as necessary by the General Committee and shall remain in post until fresh appointments are made. They shall be members of the General Committee. The Committee at any time during the year may appoint from within their number a Vice Commodore.

(e) GENERAL COMMITTEE

Management of the Club shall be vested in a General Committee of not more than TWENTY Adult Members including those Officers of the Club who are ex-officio members of the General Committee.

Within the framework of the Trust Deed, the Club Rules and prevailing Resolutions at General Meeting, the Committee may enact such Rules and take any executive actions necessary for the sound management of the Club.

Committee members shall be elected at an Annual General Meeting and shall hold office until the NEXT SUCCEEDING ANNUAL GENERAL MEETING when they shall retire, but shall be eligible for re-election.

At a meeting of the General Committee, FIVE members shall constitute a quorum. Each Committee member attending, excluding trustees, shall be entitled to ONE vote on each and every motion proposed and seconded. In the event of an equality of votes, the person presiding shall have a SECOND or CASTING vote.

If, for any reason, a vacancy shall occur, the Committee may co-opt a Full member to fill such a vacancy until the next Annual General Meeting.

(f) ELECTIONS

No member shall be eligible for election as an Officer or to the Committee unless he or she is an Adult Member and has been nominated in writing by TWO other Adult Members on an official form, received by the General Secretary not less than TWO clear days before the Annual General Meeting. The candidate, proposer and seconder must all be Adult Members of at least THREE months standing.

The Nomination paper shall not be valid unless it includes a statement signed by the nominators that they have obtained the consent of the nominee(s) to such nomination. A member who has been nominated for election as an Officer, but who has not been elected as such, shall be deemed to have been nominated for membership of the General Committee.

(g) RESIGNATION

An officer or a member of the General Committee or any sub-committee may resign his office by giving not less than ONE MONTH'S notice in writing to the General Secretary.

(h) SUB-COMMITTEES

The General Committee may delegate any of its powers to one or more Sub-Committees, but remains responsible for the management of the Club and accountable to the members in General Meeting for the conduct of the Club's business.

(i) FINANCIAL MANAGEMENT

No Member of the Club, including individual members of the General Committee, may enter into commitments affecting the Club's resources without express or delegated authority from the General Committee. Unless over-riding authority has been granted by a General Meeting, neither the General Committee nor its delegates may, without the approval of the Trustees:

- (i) dispose of any of the property of the Club other than in the process of replacing worn equipment
- (ii) commit the resources of the Club beyond the limit of current cash balances.

A General Meeting may not grant such authority to the General Committee without giving the existing Trustees the opportunity to resign, nor may such authority be granted if alternative Trustees cannot be found.

Cheques drawn on the bank account of the Club shall be signed by no fewer than two of the following Officers - Commodore, Treasurer and General Secretary, plus two further signatories as agreed by the General Committee.

The accounts of the Club shall be made up to the 30th of September in each year.

A suitably qualified individual shall be appointed by the General Committee to scrutinise the annual accounts.

(j) **DISSOLUTION**

If, at a General Meeting, a resolution for the dissolution of the Club of which notice has been duly given, is passed by no fewer than **THREE-QUARTERS** of the members present and voting, the General Committee shall call upon the Trustees to assign the Club Property in accordance with the Trust Deed.

Following the discharge of all debts and liabilities, any assets remaining at the time of dissolution shall become the property of the Royal Yachting Association. No members shall obtain any benefit from dissolution of the Club.

5. CLUB PREMISES

(a) **PERMITTED HOURS**

Subject to compliance with prevailing Licensing Laws, the General Committee shall determine the hours during which intoxicating liquor may be supplied and shall maintain appropriate Bye-Laws.

(b) **GUESTS**

Any Adult Member of the Club may introduce guests, normally up to three, provided that none of them has been a candidate for election as a member and refused by the General Committee or having previously been a member of the Club, ceased to be so under Rules 3(f). Guests may not be introduced by Junior Members.

Irrespective of the member or different members who introduce them, the same guest shall not be introduced on an aggregate of more than four days in any twelve month period. The introducing members shall be responsible for ensuring that the behaviour of guests is such as will be acceptable to other members. The introducing member shall enter both the guest's name and his or her own in the book provided for that purpose.

A guest is not allowed to order or pay for any intoxicating liquor or refreshment of any kind in the Club.

(c) **VISITORS**

Members and their guests from any recognised club can be admitted to the club premises when authorised by a member of the general committee when club activities are being carried out provided such persons are members of a club recognised by the Royal Yachting Association **or** of a club recognised under the terms of Sections 193 and 62 of the Licensing Act 2003 i.e., such persons have been admitted to their club membership after an interval of at least two days between application and admission.

Any person who is a competitor in any race sponsored or organised by or on behalf of the Club is entitled to the use of the Club premises within a period of **TWENTY-FOUR** hours before and after the race in which they are competing. The competitor's crew are entitled to the same privileges.

Intoxicating liquor may be sold to or sold for consumption on the premises by those persons over the age of **EIGHTEEN** years who are entitled to the use of the premises of the Club.

(d) JUNIORS

Children of members and guests under the age of FIVE years will be allowed to enter the Club, but any member introducing such children will be deemed responsible for their conduct and any damage which they may cause.

(e) USE OF CLUB PREMISES FOR FUNCTIONS

In accordance with the Temporary Events Notice Section of the Licensing Act 2003 at organised events, persons other than members and their guests, see Paragraph 5c above, may be admitted to the Club premises and intoxicating liquor may be sold to such persons on not more than five occasions each year following notification to the Licensing Officer, together with the appropriate fees, at least 10 days before any event., with the agreement of the Licensing Officer, Environmental Officer and the Police, together with a duly certified certificate, which must be displayed within the Club House.

A record detailing the dates of each such function to be kept in the Clubhouse and to be made available for inspection at any reasonable time.

(f) ABANDONED BOATS

If any members' fees remain unpaid on April 1st in any year and a vessel which is the property of that member remains on the Club premises, the Committee may:

- (i) Move the vessel to any other part of the Club premises without being liable for any loss or damage to the vessel howsoever caused.
- (ii) 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 from the proceeds of the sale before accounting for the balance (if any) to the member or former member.
- (iii) Alternatively, if the vessel is un-saleable, the Committee may, after giving notice in writing as aforesaid, dispose of the vessel in any manner which the Committee thinks 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.
- (iv) Further, the Club shall have a lien over members' or former members' boats parked or moored on Club's premises in respect of all monies owing to the Club.

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 the proceeds of sale less any indebtedness to the Club are placed upon bank deposit account and retained against the eventuality of a claim for a period of six years.

(g) DINGHY/TENDER/KAYAK PARK ALLOCATION

Application by a member for space in the Club's boat park may be refused if, in the opinion of the General Committee, a vessel has not been used regularly in the past and/or is unlikely to be so used during the current year. Furthermore members must accept that the location of spaces cannot be guaranteed from year to year; and they also may have to be changed should the General Committee deem it necessary.