

# SAUNDERSFOOT SAILING CLUB

## CLUB RULES

As Approved by the Annual General Meeting of 27 November 2021

### 1. **NAME OF THE CLUB**

The name of the Club shall be The Saundersfoot Sailing Club (referred to in these rules as the Club) The club is affiliated to the Royal Yachting Association (RYA). The club is a non-incorporated Community Amateur Sports Club without limited liability. The club is non-profit making and all surpluses will be used to improve club facilities and activities.

### 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

Any person, who is interested in water sports, or in supporting the social activities of the club is eligible for membership of the club. *Membership of the Club shall be open to all persons irrespective of ethnicity, nationality, sexual orientation, religion, or beliefs, or of age, sex, or disability.*

Applicants for membership shall submit a completed application form to the [membershipsec@saundersfootsailingclub.org](mailto:membershipsec@saundersfootsailingclub.org) which will be acknowledged promptly.

Applications shall be considered by at least 2 General Committee members, one of whom will be the Commodore, the General Secretary, the Treasurer, or the Membership Secretary within seven days. Once an application is approved and payment made the applicant is advised of the club's decision. To comply with section 62 of the Licensing Act 2003, members may not participate in the privileges of membership until two days after the applicant is advised of the club's decision.

Full Membership of **WISEMAN'S BRIDGE ROWING CLUB** (referred to in these rules as WBRC) currently includes membership of the Club. For so long as this arrangement exists, WBRC will send by bank transfer that part of their membership fee that equates to the current club subscription and provide names and contact details of those on whose behalf the subscription has been paid to the club's Membership Secretary. Members of WBRC will benefit from the same privileges as members joining by the direct route but may not participate in the privileges of membership of the club until two days after the club's Membership Secretary notifies them.

#### (b) ADULT MEMBERSHIP

Candidates for Adult Membership must be not less than EIGHTEEN years of age. Adult Members may vote at General Meetings and may serve as Officers of the Club or as members of the General Committee

# **SAUNDERSFOOT SAILING CLUB RULES**

## **As approved at AGM 2021**

### **(c) JUNIOR MEMBERSHIP**

Applicants who are over FIVE years and under EIGHTEEN years of age on the 1<sup>st</sup> of January in any year may be admitted to Junior Membership. However, they do not have the status of Adult Members, except those junior members on the Committee will have full voting rights at all meetings.

### **(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 1<sup>st</sup> January and the 1<sup>st</sup> April shall not be called upon to pay a further subscription until the second April after election.

All annual subscriptions shall be payable in advance and are due on the 1<sup>st</sup> April. A member whose subscription is not paid by the 1<sup>st</sup> June 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 WATERCRAFT**

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 or any larger amount set out in the membership notes or notice of race for club sailing.

# **SAUNDERSFOOT SAILING CLUB RULES**

## **As approved at AGM 2021**

### **4. MANAGEMENT OF THE CLUB**

#### **(a) GENERAL MEETINGS**

##### **(i) Status**

The Governing Authority of the Club shall be a properly constituted General Meeting of Adult Members.

##### **(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.

On receipt of the notice of a General Meeting or further particulars of the committee's proposals, members may propose a formal motion to be debated upon and voted on. This might be a motion to vary the committee's proposals or an unrelated matter of general interest to the membership. 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 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 1<sup>st</sup> and November 30<sup>th</sup>.

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.

# **SAUNDERSFOOT SAILING CLUB RULES**

## **As approved at AGM 2021**

### **(v) Quorum**

At a General Meeting, TWENTY-ONE Adult Members in attendance physically or by video conferencing link 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 24<sup>th</sup> 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.

# **SAUNDERSFOOT SAILING CLUB RULES**

## **As approved at AGM 2021**

### **(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, to attend Committee meetings and to receive Minutes of proceedings although they shall not have voting rights.

### **(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 Commodore or Vice Commodore if one was not appointed at the General Meeting.

### **(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.

## **SAUNDERSFOOT SAILING CLUB RULES**

### **As approved at AGM 2021**

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 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 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 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 30<sup>th</sup> of September in each year.

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

# **SAUNDERSFOOT SAILING CLUB RULES**

## **As approved at AGM 2021**

### **(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.

### **(b) GUESTS**

Any Adult Member of the Club may introduce guests, normally up to three, if 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.

### **(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.

## **SAUNDERSFOOT SAILING CLUB RULES**

### **As approved at AGM 2021**

#### **(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 1<sup>st</sup> June 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.



# **SAUNDERSFOOT SAILING CLUB RULES**

## **As approved at AGM 2021**

### **(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.

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. The Dinghy Park Charter, that applicants for a storage place are asked to abide by, is set out below. It is appropriate that, as set out below, it should form a part of the club rules

1. All members who require a space for boat storage, should pay the appropriate fee by 28<sup>th</sup> May of the current year.
2. Every effort will be made for members to retain their space in subsequent years although this cannot be guaranteed.
3. The Park is divided into specific areas for storage (which may vary from time to time) and members should not move their boat to another space unless agreed with the dinghy park co-ordinator or membership secretary.
4. Different coloured tags or labels will be issued at the start of each season for paid up members and it is each member's responsibility to ensure they are attached to their boat or trolley for identification purposes. Cable ties will be in a box attached to the racking near the fuel store.
5. Any boats not tagged by the end of June will be assumed to belong to non-members and steps will be taken to remove these boats from the park
6. Sailing dinghies on trolleys will be stored at ground level in the spaces provided, between the tie down points.
7. Road trailers cannot be stored due to space restraints, also to reduce the risk of theft.
8. Powered craft, apart from club boats cannot be stored in the park as agreed with Saundersfoot Harbour Commission.
9. GRP/wooden tenders will be stored at ground level below the tender racking.
10. Inflatable tenders will be stored on the racking.
11. It is each member's responsibility to fix protective carpet or foam to the racking if required.
12. It is each member's responsibility to secure their boats to the racking, tie down points or the boundary railings. If locks are used, the club must be provided with a key or combination code, for maintenance or emergency purposes. Failure to comply with this request, could result with the chain being cut, but leaving the lock intact where possible.
13. All members must ensure that their boats, trolleys, and covers are maintained in a clean and serviceable condition. Owners not adhering to this will be asked to better maintain their equipment or alternately will be asked to remove them from the park. Similarly, the area around your allocated space must be kept clean, tidy and free of debris.
14. Park users are asked to replace the chain across the entrance, when entering or leaving to restrict unauthorised access by non-members.