

# **TEES & HARTLEPOOL YACHT CLUB**

## **RULES & CONSTITUTION**

**Revision No. (2) April 2005**

### **SECTION 1 NAME, PREMISES, CONSTITUTION, OBJECT & VALUES OF THE CLUB**

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

The name of the Club shall be "Tees & Hartlepool Yacht Club" hereafter referred to in these rules as the Club. The Burgee of the Club shall be triangular in shape.

#### **2. PREMISES**

THE CLUB HOUSE, West Harbour, Hartlepool is the Registered Office of Tees & Hartlepool Yacht Club Ltd. and the Headquarters of its activities.

#### **3. CONSTITUTION**

The Constitution of the Club is contained in the Memorandum, Articles of Association and these rules. The Memorandum and Articles of Association may be viewed at the Registered Office at any reasonable time on application to the Company Secretary.

#### **4. OBJECT**

To promote, encourage, train, facilitate every facet of the sports of sailing, water ski-ing and power boating in Hartlepool Bay and waters elsewhere and other objectives as detailed in the Company's Memorandum of Association.

### **SECTION 2 - MEMBERSHIP**

#### **5. CATEGORIES AND VOTES OF MEMBERSHIP**

All persons who subscribe to the objects of the Club are eligible to make application for Membership within the appropriate membership category as provided in rules 5a-j inclusive.

The right to vote at all meetings of the Club is indicated within the category definition.

(a) A **FULL MEMBER** means any member over the age of 18 years and not being a Family, Associated, Student, Cadet, Social, Honorary, Temporary or Group Member. A **FULL MEMBER** shall have 1 vote.

(b) **FAMILY MEMBER** which expression shall include:

- Husband and Wife
- Cohabiting Couple who may or may not have children in one of the following categories:
  - own
  - stepchild
  - adopted or fostered
- Who are under 18 years of age
- Single Parent with a child or children under 18 years of age

The Family Unit shall have 1 vote exercisable by one of the parties other than the children. All family members are eligible for election to office and committees.

- (c) **"ASSOCIATE" MEMBER** means a person between the ages of 18-24 years. No vote.
- (d) **"STUDENT" MEMBER** means a person in full-time education who has no income other than by way of State grants or sponsorship. No vote.
- (e) **"CADET" MEMBER** means a person below the age of 18 years. No vote
- (f) **"OUTPORT" MEMBER** means a person who is a member of a recognised Sailing Club, and does the majority of their sailing away from the Club's normal sailing area; may use the Clubhouse facilities as a Social Member; may participate in Club sailing activities up to six times a year. No vote.
- (g) **"SOCIAL" MEMBER** means a Non-Sailing member over the age of 18 years. No vote.
- (h) **"HONORARY" MEMBER** means a person who has been elected to this category at an Annual General Meeting. Serving members of the Hartlepool lifeboats are accorded Honorary Membership. No vote.
- (i) **"GROUP" MEMBERS** means a group of persons interested in water sports and members of a school, college, university or similar body approved by the Management Committee. No vote.

## 6. MEMBERSHIP RIGHTS

- (a) A **FULL MEMBER, FAMILY MEMBER, ASSOCIATE MEMBER, STUDENT MEMBER, CADET MEMBER and HONORARY MEMBER** may participate in all the Club activities and use the Club facilities.
- (b) **OUTPORT MEMBER** may use the Club House facilities and participate in Club activities on up to six occasions per year.
- (c) **SOCIAL MEMBER** may use the bar and associated areas. They may participate in any Club social function.

- (d) **TEMPORARY MEMBER** (which classification may include members of another recognised RYA Club and B.W.S.F.) may use the facilities of the Club subject to any restrictions indicated by the authorising Official and as follows:
- (i) No right to enter Club races or regattas unless specifically authorised by the Secretary or Committee',
  - (ii) No rights to introduce visitors to the Club or the facilities thereof;
  - (iii) No right to take part in the management of the Club;
  - (iv) Is deemed to have notice of and impliedly undertakes to comply with the Club Rules, current Byelaws and Regulations as if he or she were a member of the Club and so far as the said Rules may be deemed to apply to such Temporary Member;
- (e) **GROUP MEMBERS** may use all the Club facilities subject to any restrictions indicated by the MANAGEMENT COMMITTEE.
- (f) In all cases the use of Club facilities is subject to adhering to the existing legal requirements.

## 7. **MEMBERSHIP, ENTRANCE FEE AND SUBSCRIPTION**

- (a) The subscription year shall be from 1<sup>st</sup> April to 31<sup>st</sup> March of the following year.
- (b) Subscriptions are due for payment on or before the 1<sup>st</sup> April of the subscription year
- (c) The Entrance Fee for each category of membership shall be determined by the MANAGEMENT COMMITTEE and submitted to the members at the Annual General Meeting for comment.
- (d) The Annual Subscription for each category of Membership shall be determined by the MANAGEMENT COMMITTEE and submitted to the Annual General Meeting for comment.
- (e) The current Entrance/Subscription Fee shall be prominently displayed on the Club notice board.
- (f) A full or family member elected to membership on or after the 1st of September of the subscription year will pay half of the subscription for that year. A member elected to membership within three calendar months of the commencement of the next subscription year will only be required to pay the next year's subscription in advance. The member will have no voting rights until the commencement of the new subscription year.
- (g) The Entrance Fee and first subscription of prospective members shall become due on nomination and accompany the Membership Application form. If the nomination is rejected the fee/subscription will be returned.
- (h) Any person reaching the age of 18 years during the Subscription Year will not be required to pay the appropriate subscription until the beginning of the next subscription year.

## **8. ARREARS**

### **(a) ARREARS OF SUBSCRIPTION**

Any member who has not paid their subscription by the last day in April of the new subscription year shall be notified by the Membership Secretary that failure to pay by the last day of the following month will result in their membership and all membership rights and privileges being automatically terminated. The member will have no voting rights during the period when they have not paid their subscription. The members name may be restored to the register of membership subject to:

- i) The discharge of all debts to the Club
- ii) The payment of the appropriate entrance fee and at the discretion of the Management Committee.

### **(b) ARREARS OF ANY TYPE OF FEE**

Accounts in respect of fees and charges shall be paid within 30 days of the submission of an account. If the account is not paid by the due date the Secretary shall write to the member advising him that if the payment is not received within the next 30 days their continued membership and use of the Club facilities to which the fees relate will be determined by the Management Committee. If the fees remain outstanding for a period in excess of 90 days from the date of the account the Management Committee reserve the right to:

- i) Remove the chattel to which the charge relates from the Club's premises or moorings at the expense of the owner, or
- ii) To sell the chattel to discharge the debt.

## **9. CANDIDATE FOR MEMBERSHIP**

- (a) A candidate for membership shall complete a Membership Application Form. The Form requires the signature of a proposer and seconder who are members of the Club.

The Form along with the appropriate fee/subscription shall be forwarded/given to the Membership Secretary.

- (b) The application will be presented to the Management Committee for consideration at their next meeting.
- (c) The Membership Secretary shall inform the applicant in writing of the Management Committee's decision. If the applicant is accorded membership a key and Rule Book will also be forwarded.
- (d) A person 18 years and under within the Family Membership category is automatically classed as a Cadet.
- (e) Persons who are candidates for membership have no rights or privileges whatsoever in relation to the Club's facilities and activities.
- (f) The format and content of the Membership Application Form will be determined and approved by the Management Committee.

## **10. RETIREMENT OF MEMBER**

A member wishing to retire from the Club shall notify in writing the Membership Secretary on or before the last day of the subscription year and shall not be liable to pay the subscription for the following year. Upon re-application by a past member the Management Committee may, at its' discretion, excuse the payment of the Entrance Fee. Previous membership does not count in determining the number of continuous years of membership.

## **11. UNDERTAKINGS 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 Memorandum, Articles of Association, and Rules.

## **12. EXPULSION OF MEMBERS**

Any conduct which, in the opinion of the Management Committee, is either unworthy of a member or otherwise injurious to the interests of the Club, shall render a member liable to disciplinary action which may lead to expulsion by the Committee.

## **13. DISCIPLINARY PROCESS**

- (a) Any complaint against a member(s) must be communicated in writing to the Club Secretary specifying the complaint and the facts related there to.
- (b) The Club Secretary will acknowledge receipt immediately in writing and may request a meeting for clarification.
- (c) The Club Secretary will forward a copy of the complaint to the member(s) concerned asking for a response in writing. The Club Secretary may request a meeting for clarification.
- (d) The Club Secretary will present the complaint and the response to the complaint and any other facts to the next Management Committee Meeting. The Management Committee will determine the next steps in the processing of the complaint. The final stage (if required) would be for the member(s) complained of to have the right to attend a Management Committee meeting to present their case. If appropriate the Management Committee may ask the complainant(s) to attend the meeting.
- (e) Failing a satisfactory explanation, the Management Committee may remove from office, suspend, fine or expel the offending member(s) or apply such penalty as they may determine. Any vote on disciplinary action shall be carried by a simple majority of the Management Committee present and voting on the proposed action.

## **SECTION 3 - LIMITATION OF CLUB LIABILITY**

Members, their guests and visitors are bound by the following Rule which shall also be exhibited in a prominent place within the club premises:

## **14. LIMITATION OF CLUB LIABILITY**

- (a) 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:

- (b) 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.
- (c) 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 - OFFICERS OF THE CLUB**

15. **OFFICERS** The officers of the Club shall consist of:

- (a) a Commodore
- (b) a Vice Commodore
- (c) a Rear Commodore Dinghies
- (d) a Rear Commodore Power & Ski
- (e) two Rear Commodore Yachts
- (f) a Club Secretary
- (g) a Club Treasurer
- (h) a Membership Secretary
- (i) a Company Secretary
- (j) a Training Officer

All Offices are Honorary.

16. **FLAG OFFICERS** The Flag Officers of the Club shall consist of:

- (a) The Commodore
- (b) The Vice Commodore
- (c) The Rear Commodore Dinghies
- (d) The Rear Commodore Power & Ski
- (f) Two Rear Commodore Yachts
- (g) All Officers of the Club shall be elected at the Annual General Meeting in each year to hold office until the conclusion of the next Annual General Meeting and are eligible for re-election, save that the positions of Flag Officers may not be held for more than 3 years.

## SECTION 5

### CLUB MANAGEMENT

#### CONSTITUTION OF COMMITTEES

**17. PRESIDENT OF THE COMPANY**

The Management Committee may propose for approval at a General Meeting that a member who in its opinion has made a significant contribution to the affairs of the Company be appointed as President of the Company.

The President shall be appointed for a term of three years and shall serve as provided under the terms of Articles 8 and 16 of the Company's Articles of Association.

The President shall preside as Chairman at every General Meeting of the Company.

**18. BOARD OF DIRECTORS** The Board of Directors shall be the members of the Management Committee, and any reference in these rules to the Management Committee is a reference to the Board of Directors.

**19. MANAGEMENT COMMITTEE** The Management Committee shall consist of:

- The Commodore
- The Vice Commodore
- The Rear Commodore Dinghies
- The Rear Commodore Power & Ski
- Two Rear Commodore Yachts
- The Club Secretary
- The Membership Secretary
- The Treasurer
- Immediate Past Commodore
- Chairperson - Training Committee
- Chairperson - Social Committee
- Chairperson - Building Committee
- One Full or Family Member

## **RETIREMENT OF CHAIRPERSONS**

All Chairpersons shall be elected at the Annual General Meeting in each year to hold office until the conclusion of the next Annual General Meeting and are eligible for re-election. The position of Chairperson cannot be held by the same person for more than three years.

## **PURPOSE**

To manage the affairs of the Club within the Memorandum, Articles of Association and these Rules.

## **CHAIRPERSON**

The Chairperson of the Management Committee shall be the Commodore.

## **SUB-COMMITTEE**

The Sub-Committee Chairperson to report at the monthly Management Committee Meeting.

## **DUTIES**

### **Club Secretary:**

The Club Secretary shall:

- (a) Conduct the correspondence of the Club;
- (b) Keep custody of all the Club documents;
- (c) Maintain contact with the Company Secretary to ensure the Club's affairs are managed in accordance with current legislation.

### **Membership Secretary:**

The Membership Secretary shall:

- (a) Keep a register of members;
- (b) Process applications for membership;
- (c) Deal with members who are in arrears with their membership;

### **Company Secretary:**

The Company Secretary shall:

- (a) File all Statutory Returns and Reports;
- (b) Maintain contact with the Club's legal advisor to ensure the Club's affairs are managed in accordance with current legislation;

### **Club Treasurer:**

The Treasurer shall:

- (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 available for forwarding on the due date;
- (c) To arrange for the accounts to be audited once a year in accordance with the requirements of the Management Committee and the Annual General Meeting;
- (d) To cause the Annual Financial Statements to be prepared for the Annual General Meeting;
- (e) To be responsible for incoming finance and payment of accounts;
- (f) To present to the Management Committee monthly management accounts;

### **CO-OPTING MEMBERS**

The Management Committee and Sub-committees may co-opt a Full or Family Member to the Committee to work and advise on a particular matter for such a period as it thinks fit. The co-opted person would not have any voting rights on the Committee.

### **20. ELECTION TO COMMITTEES**

#### **(a) CLUB SECRETARY ACTION**

The Club Secretary shall 14 days prior to the Annual General Meeting place on the notice board a list of the vacancies on the various committees and opposite each vacancy a place for the name of the nominee(s), signature of the proposer, seconder and the signature of the nominee accepting the nomination. The list to be closed 24 hours prior to the Annual General Meeting. If nominations do not reach the required number, nominations Will be accepted from the floor at the AGM of the Club.

A nomination may also be communicated to the Club Secretary in writing, signed by the proposer, seconder and nominee. To be in the possession of the Honorary Secretary at least 24 hours prior to the Annual General Meeting

#### **(b) CANDIDATES FOR ELECTION TO COMMITTEES**

Candidates for election to the Committee (not being Officers of the Club) shall be those members of the retiring Committee eligible to offer themselves for re-election and such other Full or Family members who so wish.

#### **(c) MORE CANDIDATES THAN VACANCIES**

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

#### **(d) 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 he confirmed by the members at the Annual General Meeting.

(e) **DEATH OR RESIGNATION OF A COMMITTEE MEMBER**

If a vacancy occurs due to death or resignation the Management Committee may co-opt a Full or Family Member to fill the vacancy until the conclusion of the next Annual General Meeting. A member so co-opted shall have the same powers as if they had been elected at the Annual General Meeting.

21. **CONDUCT OF MEETINGS**

- (a) 50% of the membership of a Committee shall constitute a quorum.
- (b) The Management Committee will meet at least once per calendar month. Any member may request the Chairperson to call a meeting. The decision to do so rests with the Chairperson.

(c) **VOTING**

In the case of an equality of votes, the Chairperson shall have a second or casting vote.

22. **GENERAL RESPONSIBILITY OF SUB COMMITTEES**

- (a) All Sub-Committees are responsible to the Management Committee in respect of the powers delegated. The Management Committee has the final determination on any delegated responsibility. The Chairperson is responsible for reporting to the Management Committee on its activities at the Management Committee Meeting.

(b) **APPOINTMENT OF SUB-COMMITTEES**

The Management Committee may appoint such Sub-Committees as it may deem necessary and delegate such of its powers as it may think appropriate.

(c) **VARIATION OF A SUB-COMMITTEE**

The Management Committee may at any time vary the constitution and powers of a Sub-Committee.

(d) **CESSATION OF A SUB-COMMITTEE**

The Management Committee may at any time disband any Sub-Committee.

- (e) Any Committee may co-opt onto the Committee a member as an advisor who has particular knowledge/skill relative to the issue(s) to be determined.

23. **TYPES OF SUB COMMITTEE**

(a) **FINANCE, DEVELOPMENT & PLANNING**

The Committee shall consist of the Officers of the Club. The Chairperson shall be the Commodore. The Club Secretary will be Secretary.

*PURPOSE*

- (i) Consideration of the finances of the Club and the application thereof.

- (ii) Formulation and examination of proposals for the long term development and maintenance of the Club and submit annually to the Main Committee a Business Plan.
- (iii) The management of any major project undertaken by the Club.

Meetings shall be held at least once every three calendar months.

**(b) EXTERNAL RELATIONS COMMITTEE**

The Committee shall consist of:

Vice Commodore  
Three Rear Commodores  
Honorary Secretary  
Two Full or Family Members

The Vice Commodore shall be the Chairperson. The Committee shall elect one of the lay Members to be Secretary.

*PURPOSE*

To issue a news letter to members at least once a quarter.

To promote, heighten awareness and maintain contact with external organisations and the community and to issue information to the media, with regard to the Club's activities.

To issue and maintain a Club brochure.

Meeting to be held at least once every three calendar months.

**(e) DINGHY SAILING COMMITTEE**

The Committee shall consist of:

Rear Commodore Dinghies

Six Full or Family Members which should include a representative of each dinghy class recognised by the Club

The Rear Commodore shall be the Chairperson. The Committee will elect from their number a person to be Secretary.

*PURPOSE*

- (i) To arrange and manage on behalf of the Management Committee all dinghy sailing events. To draw up a programme and maintain records thereof, issue sailing instructions and instructions to Duly Officers.
- (ii) To promote and organise Open Events and Regional and National Championship Meetings at the Club.
- (iii) To present to the Management Committee the proposed Annual Sailing programme for approval.

- (iv) To make such regulations as are necessary for the control of sailing events within the rules prescribed by the Royal Yachting Association.
- (v) Where the R.Y.A. rules are "silent" or optional then to decide upon such rules as are appropriate in the circumstances;
- (vi) Acquire, maintain and control the safety and committee boats and such gear as is necessary for the pursuit of the race programme subject to the financial approval of the Management Committee;
- (vii) To arrange and control the qualification of safety boat drivers and issue written instructions to each qualified safety boat driver;
- (viii) The Dinghy Sailing Committee shall select as "Club Recognised" those dinghy classes which have more than a Club decided minimum number of boats regularly participating in Club races. Measurers to be appointed as appropriate.

The Committee to meet once per calendar month.

**(d) YACHT SAILING COMMITTEE**

The Committee shall consist of:

Two Rear Commodores - Yachts (One from each of Club Class and Club Classes sailed)

Eight Full or Family Members

*PURPOSE*

- (i) To arrange and manage on behalf of the Management Committee all yacht sailing events. To draw up a programme and maintain records thereof and issue detailed sailing instructions, and instructions to Duty Officers;
- (ii) To promote and organise Open Events and Regional and National Championship meetings at the Club.
- (iii) To present to the Management Committee the proposed Annual Sailing Programme for approval.
- (iv) To make such regulations as are necessary for the control of sailing events within the rules prescribed by the Royal Yachting Association.
- (v) Where the R.Y.A. rules are "silent" or optional then to decide upon such rules as are appropriate in the circumstances
- (vi) Acquire and maintain such gear as is necessary for the pursuit of the race programme subject to the financial approval of the Management Committee;
- (vii) The Yacht Sailing Committee shall select the classes into which the yachts racing shall be divided, and appoint measurers as appropriate;
- (viii) To encourage Cruising Yachtsmen to join the Club. Arrange lectures, maintain with the assistance of members a members chart and pilot book register. Arrange cruises and list members who can offer advice relating to cruises in specific areas.

The Committee should meet once every calendar month.

**(e) POWER AND SKI COMMITTEE**

The Committee shall consist of:

Rear Commodore Power and Ski

Six Full or Family Members

The Chairperson shall be the Rear Commodore Power & Ski.

The Committee shall elect from their number a person to be Secretary.

*PURPOSE*

- (i) To manage and arrange on behalf of the Management Committee all power and ski events, draw up a programme and maintain records thereof.
- (ii) Present to the Management Committee the proposed Annual Events programme for approval.
- (iii) To make such regulations as are necessary for the control of the power and ski events within the rules of B.W.S.F and B.S.A.C or any other nationally recognised water sports body.
- (iv) Where the National Associations are "silent" then to develop such rules as are appropriate in the circumstances.

The Committee to meet once per calendar month.

**(f) TRAINING COMMITTEE**

The Committee shall consist of:

The Training Co-ordinator

Six Qualified Trainers

Two Full or Family Members

The Chairperson shall be the Training co-ordinator.

The Committee shall elect from one of their number to be Secretary.

*PURPOSE*

- (i) To be responsible to the Management Committee for all aspects of training;
- (ii) To determine present and future training requirements within the Club, Schools, Youth Organisations and the community at large.
- (iii) In conjunction with the Dinghy, Yacht and Ski Committees select, recruit and organise the training and qualifications of trainers;

- (iv) To appoint from their number for each of the Committees in (iii) a liaison person;
- (v) To obtain, maintain and control the use of the training boats, gear, training room, equipment and storage areas;
- (vi) To compose safety operating procedures and display on Club notice boards.
- (vii) To maintain a training account showing income and expenditure;

The Committee to meet once per calendar month.

**(g) BAR COMMITTEE**

The Committee shall consist of:

The Treasurer

Three Full or Family Members

The Committee shall appoint the Chairperson and Bar Secretary.

*PURPOSE*

- (i) The Committee is responsible to the Management Committee for the efficient operation of the Bar facility;
- (ii) To ensure the Club confirms and meets all legal requirements relative to the operation of the Bar;
- (iii) To formulate rules controlling the use of the Bar. These to be approved by the Management Committee.
- (iv) To determine once every three months the Gross Margin earned;

The Committee to meet once per calendar month.

**(h) SOCIAL COMMITTEE**

The Committee shall consist of:

Chairperson (as elected at the AGM)

Ten Full or Family Members

*PURPOSE*

- (i) To be responsible to the Management Committee for all the social activities of the Club;
- (ii) To formulate rules regarding the use of the Club Room excluding the Bar;
- (iii) To determine a Social Events Programme, including a Fitting Out Supper and Annual Laying-Up Dinner;

(iv) To maintain a Social Committee account showing Income and Expenditure;

The Social Committee to meet once per calendar month.

**(i) KAFIGA LANDINGS COMMITTEE**

The Committee shall consist of:

Chairperson

Three Full or Family Members.

The main Committee will appoint a Chairperson to chair the tripartite Kafiga Management Committee.

*PURPOSE*

(i) To represent the Club's interests on the Kafiga Management Committee;

(ii) To present to the Main Committee the Annual Accounts of the Kafiga Landings Committee;

(iii) To process applications for berths at Kafiga landings;

(iv) To ensure that the conditions attached to the licence to operate the moorings are complied with;

The Committee will meet as required and prior to a Kafiga Landings Management Committee Meeting.

**ON-THE-WATER COMMITTEE**

The Committee shall consist of:

The Chairperson of the:

Dinghy Committee

Ski and Power Committee

Yacht Committee

and a representative of the Social Committee

*PURPOSE*

(i) To co-ordinate on-the-water activities;

(ii) To prepare a programme of events;

- (iii) To allocate specific tasks relating to control of race the provision and placing of race markers

The Committee shall meet at least once every half year.

(k) **BUILDING COMMITTEE**

The Committee shall consist of:

Three Full or Family members

*PURPOSE*

To be responsible to the Management Committee for:

- (i) The maintenance of the Clubhouse;
- (ii) Preparation of maintenance schedules;
- (iii) Arranging Working Parties to carry out building and maintenance work
- (iv) Appointing contractors to carry out building work;
- (v) Maintaining a key register and key board;

The Committee shall meet at least once every quarter.

24. **FINANCIAL MANAGEMENT**

(a) **APPLICATION OF FUNDS**

No property of the Club or gain arising from the operation of the Club including profit from the sale of intoxicating liquor shall be applied otherwise than for the benefit of the Club.

(b) **APPLICATION OF GRANTS**

To be applied for the purpose for which they were granted

(c) **DISCLOSURE OF INTEREST TO THIRD PARTIES**

A member of the Management Committee, of a sub-committee or any Officer of the Club, in transacting business for the Club, shall disclose to third parties that they are so acting.

(d) **LIMITATION ON MEMBER'S LIABILITY ACTING ON BEHALF OF THE CLUB**

The Management Committee, or any person or sub-committee delegated by the Management Committee to act as agent for the Club, shall enter into contracts only so far as expressly authorised.

(e) **MEMBERS INDEMNIFICATION**

In pursuance of the authority vested in the Management Committee by members of the Club, members of the Committee and anyone acting on their behalf are entitled to be indemnified by 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.

**(f) REVIEW OF FEES AND SUBSCRIPTIONS**

- (i) The Management Committee to review and determine fees and subscriptions at least 12 weeks prior to the start of the subscription year.
- (ii) In the event that increases are required then the same percentage increase shall be applied "across the board" to fees and subscriptions. This rule may only be changed at an Annual General Meeting or Special Meeting by a 75% majority of the members attending such meeting and entitled to vote;

**(g) SUB-COMMITTEES**

- (i) Each Sub-Committee to prepare and submit to the Management Committee on annual budget for approval at least six weeks prior to the Fees and Subscription "review meeting".
- (ii) The Management Committee member to include in their monthly report to the Management Committee the financial activity of their Sub-Committee;
- (iii) The agreed budget may only be applied in respect of those items approved within that budget;
- (iv) Ad hoc projects involving finance must be agreed by the Management Committee;
- (v) When urgent expenditure is required of a non-routine or Capital nature exceeding £200 then approval must be sought from a specially convened Management Committee;
- (vi) No expenditure should be considered without first obtaining competitive quotations preferably from three sources;
- (vii) No unlimited open ended expenditures to be embarked upon;
- (viii) The Management Committee will determine in respect of each Sub-Committee a spending control for routine expenditure;

**(h) PAYMENTS FOR GOODS OR SERVICES**

All claims in respect of goods or services supplied to the Club should be supported by a voucher that is acceptable to HM Customs & Excise, as a VAT receipt.

**25. GENERAL MEETINGS**

- (a) The summoning and conduct of General Meetings will be in accordance with the Articles of Association, and such a meeting shall be called by giving 21 days clear notice in writing to members;

- (b) An Annual General Meeting will be called each year of a time and date determined by the Management Committee in accordance with current legislation. The business of the meeting shall be for:

Passing of the Annual Accounts

Election of Officers

Election of Committee members

Appointment of Auditor(s). In the event that the person(s) is/are unwilling to act, the Management Committee will appoint a substitute

Any ordinary business that the Management Committee may decide to include in the notice convening the meeting.

A Full or Family Member wishing to raise a matter at the AGM must put it in writing to the Club Secretary seven days before the meeting.

- (c) The Management Committee may at any time call a General Meeting of the Club membership for a specific purpose. The discussion at such a meeting shall be confined to the business notified to members in the notice convening the meeting.
- (d) Not less than ten per cent of voting members may join together and requisition a General Meeting. The requisition must state the objectives of the meeting and must be signed by the requisitors and deposited at the registered office of the Club. The requisition may consist of several documents in like form each signed by one or more of the requisitors, and be in accordance with the procedure outlined in the Club's Articles and Memorandum of Association.
- (e) Members who do not have voting rights (Associate, Student, Cadet, Outport, Social and Honorary) may attend the Annual General Meeting/Special General Meeting.

## **SECTION 7 - VISITORS**

### **26. SOCIAL GUESTS**

Any member (other than temporary) may introduce as a social guest any person, provided that:

- (a) The name and address of the person is entered in the visitors' book provided for this purpose and the entry counter signed;
- (b) The member is responsible for the good conduct of his guest;
- (c) At no time leaves the Club premises while the guest is on the premises unless he is participating in Club activities;
- (d) No guest may purchase alcoholic drink if they have not had their name and address entered in the visitors' book and the entry countersigned by the introducing member. No guest may purchase or consume alcohol on the premises if under 18 years.
- (e) Not more than three guests at any one time.

- (f) The same person may not be a guest in the Club on more than six occasions in any one year.

## 27. **SAILING GUESTS**

- (a) A Full and Family Member may invite for the purpose of introduction to sailing not more than four guests in one day and may not introduce the same person more than 6 times over a period of a year. Following this period the person would no longer be eligible to be regarded as a 'Sailing Guest'.
- (b) The Rules set out in 26 of this section apply as appropriate.

## 28. **MEMBERS OF RYA**

- (a) A member of any club recognised by the Royal Yachting Association may be authorised to use the Clubhouse and facilities by any member of the Management Committee. Such authorisation shall specify between which dates, not being more than 14 continuous days.
- (b) The Rules set out in 26 of this section apply as appropriate.

## 29. **COMPETITORS & PERSONS ASSOCIATED WITH COMPETITORS**

- (a) Any person who is competing (and a non-associated person) in any race sponsored, organised or authorised by or on behalf of the Club may use the Club premises and facilities within a period of 24 hours before and after the race in which they are competing.
- (b) The Rules set out in 26 of this section apply as appropriate.
- (c) A welcome will always be given to visiting crews. A Management Committee member must be made aware of their presence and arrange for them to be given every courtesy. The Commodore will determine the period of usage of the Club, which generally will not exceed 14 days.
- (d) The Rules set out in 26 of this section apply as appropriate.

## 30. **EXPULSION**

The Commodore, Vice-Commodore or Honorary Secretary or any two members of the Management Committee may expel any person who is a visitor or temporary member.

## **SECTION 8 - BAR FACILITY**

### 31. **BAR FACILITY**

- (a) No person under the permitted legal age whether member or visitor may purchase or attempt to purchase intoxicating liquor or tobacco in the Club or consume intoxicating liquor on the Club premises.
- (b) Permitted hours for the sale of intoxicating liquor in the Club are as laid down by current legislation subject to any extension of the permitted hours lawfully granted from time to time.
- (c) Opening hours to be posted on the Club notice board.

## **SECTION 9 - MISCELLANEOUS**

### **32. MEMBERS' BOATS**

- (a) No member letting his boat shall leave on board or permit to be used any Club burgee which the hirer is not entitled to fly.
- (b) Every boat/skier covered by insurance against third party risks in a sum determined by the Management Committee (which at present is £1 million). Proof of insurance is to be presented to a person appointed by the Management Committee, when requested to do so.

### **33. DAMAGE TO CLUB PROPERTY**

A member shall not knowingly remove, injure, destroy or damage any property of the Club and shall make restitution for the same if called upon to do so by the Committee or by the (Club) Secretary upon the instructions of the Committee.

### **34. EXHIBITING OF NOTICES**

A member shall not cause any communication in whatever form to be exhibited on Club notice boards or premises without permission of two officers of the Club.

### **35. SUGGESTIONS**

All suggestions shall be entered in the Suggestion Book and signed by the member.

### **36. COMPLAINTS**

Complaints of any nature relating to the management of the Club shall be addressed in writing to the Club Secretary. Under no circumstances shall a servant of the Club be personally reprimanded by a member.

### **37. PETS**

No dogs (other than guide dogs), cats, etc. are allowed on the Club premises.

### **38. ADMITTANCE OF CHILDREN**

A child under 13 must always be supervised by an adult throughout the period they are on the Club premises.

### **39. CONTROL OF CAR PARKING**

Cars may only be parked in areas designed for such parking so as not to cause an obstruction to boats or other cars, or to the approaches to the Club premises.

### **40. OPENING OF CLUB PREMISES**

The Club premises shall be open to Full, Family, Associate and Honorary members at such times as the Management Committee shall direct.

#### 41. **TITLES OF HONOUR**

- (a) The Management Committee may propose for approval at a General Meeting that the title of Honorary Rear Commodore or Honorary Member be bestowed on a member for significant contribution to the Club;
- (b) Honorary Rear Commodores shall have the privileges of flying a Rear Commodore's broad pennant.
- (c) Honorary Members have the full use of the Club and facilities and not pay subscriptions;

#### 42. **MOORING RULES** See separate document.

#### 43. **COMPOUND RULES**

##### **1. General**

- \* The club compound is for the storage of boats and for activities associated with the use of boats
- \* Pedestrians and boats have priority over motor vehicles.
- \* Members must maintain the security of the compound and ensure that gates are locked when the compound is unattended.
- \* Members are required to help ensure that the compound is kept tidy and clean.
- \* No animals are permitted in the compound. (Guide dogs excepted )
- \* Children must be adequately supervised.

##### **2. Vehicles in the compound.**

- \* The marked bays in front of the main entrance to the Clubhouse may be normally used for parking at any time.
- \* **Vehicles should not be used elsewhere in the compound except for :-**  
Movement of boats where manhandling is impractical.  
Loading / unloading.  
Parking after dark( or 2100 hrs. in Summer when all activities have ceased.)
- \* When boating activities are taking place there should be **no movement of vehicles** in the areas between the main gates & the ramp gates(or any other areas of activity) **unless essential.**

##### **At All Times:-**

- \* Vehicles should be parked tidily & so as not to cause an obstruction.
- \* Vehicles not parked in a marked bay **may be required to move at any time.**
- \* **Vehicles should not be parked on the block paved areas.**
- \* Vehicles are parked in the compound at their owners risk.

- \* Vehicles must be driven slowly & with special care.

### **3. Use of the Launching Ramp.**

- \* **Boats participating in organised club events have priority access to the ramp for launching & recovery.**
- \* **The concrete paved area above the ramp gates is for the purpose of manoeuvring boats & for the rigging / de-rigging of sail boats.**  
After launching, man-handled dinghy launching trolleys must be parked so as not to obstruct the ramp access or the manoeuvring of other boats & vehicles.
- \* **Vehicles & road trailers when used for launching or recovering boats from the ramp must not be left parked on the concrete paved manoeuvring/rigging area or on the roadway leading to the main gates. After launch or recovery they must be moved clear of this area.**
- \* The washdown facility is generally for the purpose of washing salt from boats following recovery, it should not be used for any unrelated purpose.

### **4. Storage of Boats & Equipment.**

- \* This facility is only for the use of paid up boat owning Club members.(such rights may be granted to temporary members) The appropriate storage fee must be paid.
- \* Allocation of space is to be determined by the Management Committee or appointed sub-committee, taking into account :-  
Efficient use of space.  
Level of participation in Club activities.  
Overall frequency of use.  
Order of receipt of any late payment.
- \* Payment of a storage fee does not guarantee an allocation of space.(Fees will be returned if a place cannot be allocated)
- \* Property is stored at the owners risk & the owner is responsible for ensuring that their property does not present a risk to other persons or property & for maintaining appropriate third party insurance.
- \* All property must be clearly marked to identify the owner & should display any labels issued to confirm payment of fees.
- \* Owners or their representative must check their property for security at least monthly.
- \* Reasonable notice by the Club will normally be given if it becomes necessary to move members property however the committee reserves the right to move property without notice if there is an urgent or unforeseen need.
- \* Unsecured, neglected or unidentified property may also be moved without notice.
- \* Any tie-down stakes must be flush with the ground so as to prevent damage to boats, tyres & feet.

- \* Electricity may be used from the supply points on payment of the correct charge, but may not be left in use unattended.

## **5. Abandoned Boats**

- \* 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 if any property belonging to that member remaining on the Club premises then the Committee may :-
  - a) Move the property to any part of the Club premises without being liable for any loss or damage to the property, howsoever caused.
  - b) Give one months notice in writing to the member or former member at his last known address, as shown in the Club register & thereafter sell the property & deduct any monies due to the Club (whether by way of arrears of subscriptions or annual payments, mooring fees, dinghy park fees or otherwise) from the net proceeds of the sale before accounting for the balance (if any) to the member or former member.
  - c) Alternately if the property is not saleable after giving notice to the aforesaid, dispose of the property in any manner that the Committee may think fit & deem the cost of doing so including any arrears as aforesaid to be a debt owed 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 or if the vessel is sold the proceeds of the sale (less any debt by the member or former member to the Club) shall be placed on bank deposit account & retained against the eventuality of a claim by the owner (whether he be the said member or former member or otherwise) for a period of 6 years.

44. **HOUSE RULES** See separate document.

## **45. USE OF CLUB POWER BOATES**

All drivers of Club Power Boats should meet the following criteria

- a) have a RYA Level 2 certificate or equivalent.
- b) be 18 years old or over.
- c) supply THYC with copy of Certificate.

Exception to the above criteria

- 1) RYA Dinghy Instructors aged over 16 and holding a RYA safety boat certificate.
- 2) Any body may drive the boat if being supervised by a person in the boat, meeting the above criteria.

## **46. NEW RULES, AMENDMENTS AND ALTERATIONS**

- (a) Notice of any alternation to the Rules to be proposed by a Full or Family Member of the Club shall be given to the Club Secretary in writing at least 16 days before any General Meeting of which the same is to be brought forward, and full particulars of any such proposed alternations or additions shall be set out in the notice convening the meeting.

(b) The Management Committee shall make such Rules as it shall from time to time think fit and shall cause the same to be exhibited in the Club premises for 14 days before the date of implementation. Such Rules shall remain in force until confirmed or set aside by a vote at a General Meeting of the Club.

47. These Rules are made under the provision and authority of the Articles of Association and are subject and subordinate to the Memorandum and Articles of Association of the Club.

48. **AUDIT**

The Club accounts shall be reviewed by a Registered Auditor.

Approved by the Main Committee on 14 April 1998

Revision No. (1) April 2003

Revision No. (2) April 2005