

LYMPSTONE SAILING CLUB



CLUB RULES

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CLUB RULES

1 Name and Object

- 1.1 The name of the Club is "Lymestone 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.

2 Membership

2.1 Eligibility

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 (Ordinary single / joint members) and non-voting members (Honorary members, Students¹, Junior members² 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 and containing the signatures of two non-Committee members in support as Proposer and Seconder. The application will be considered at the following General Committee meeting and will be decided upon by a simple majority vote.

2.3 Duties of members

Every member on joining the Club implicitly undertakes to comply with these rules and any bye-laws. Any refusal or neglect to do so or any conduct prejudicial to the prestige of the Club shall render such member liable to expulsion.

Expulsions shall be decided on:

- (a) by resolution of two thirds of the members present and voting at an Annual or Extraordinary General Meeting or
- (b) by resolution of two thirds of the members present and voting at a General Committee Meeting.

The member shall be given at least one week's notice of such a meeting or before the passing of such resolution have had the opportunity of giving orally or in writing any explanation or defence he or she may think fit or of resigning their membership. A member expelled or suspended under this rule shall forfeit all rights in and claims upon the Club and its property but a suspended member shall be held liable for his or her subscription during the period of suspension. A Notice under this rule shall be held to have been duly given if sent by in letter or email form to the address/email address of the member appearing in the Club books.

The Honorary Membership Secretary, Flag Officer, or any other person who has received the authority of the General Committee may expel temporarily or permanently any person who has the right to use the Club premises only under rules 2.6 Visitors, and 2.7 Eligible Persons.

2.4 Subscription

The amount of annual subscription shall from time to time be decided at the Annual General Meeting.

The annual subscription shall be payable on election and annually thereafter immediately following the Annual General meeting. Any member whose subscription is not paid **within thirty days** of the subscription renewal request shall be requested in the name of the General committee to pay the same within fourteen days. If the said subscription is still unpaid the member may be removed from the list of members by the General Committee. A previous member's name may be restored with or without entrance fee at the discretion of the General Committee.

Any member wishing to resign is requested to give Notice to the Honorary Membership Secretary.

2.5 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 nor to receive any benefit on dissolution of the Club.

2.6 Visitors

Every member shall be allowed to introduce guests to the Club premises provided that:-

- (a) No member shall be allowed to have more than three 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 in the Club premises shall be considered by the General Committee 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 his own name in a book which shall be kept for that purpose on the Club premises. Each guest must sign this book on arrival.
- (e) Guests may not purchase intoxicating liquor for consumption on the premises.

¹ In full-time education

² Any member under 18 years of age

- (f) 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.
- (g) 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.
- (h) The member introducing guests is responsible for ensuring that the rules of the Club are strictly observed by their guests.

2.7 Eligible Persons

Any eligible person³ linked to a Club event shall be entitled to the use of the Club premises within a period of twenty four hours before or after such event.

2.8 Temporary Members

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 full membership. Members of a recognised sailing club, or the RYA, may on production of evidence, be considered as a temporary member for no fee. Such temporary members must sign the visitor's book.

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 and the retiring Officers shall be eligible for election as an officer of the Club.
- 3.2 There shall be a President and one or more Vice President who shall also be elected at the Annual General Meeting. Ordinary members shall be eligible for election as such.

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 the next Annual General Meeting.
- 4.2 No candidate for any office for election to the General Committee (other than Retiring Officers and members of the general Committee) shall be proposed unless the name of such candidate and his Proposer and Secunder shall have been received by the Honorary Secretary no later than 24 hours before the date of the Annual General Meeting. Nominations for the election of such Officers and members shall be in writing and delivered to the Secretary no later than 24 hours prior to the Annual General Meeting and shall be signed by the Proposer and Secunder both being Ordinary members of the Club and shall also be signed by the person nominated indicating his or her willingness to serve if elected.
- 4.3 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 Annual General Meeting.
- 4.4 No member of the Club may be elected as an Officer of the Club / to the General Committee unless he has been a member of the club for at least one year.
- 4.5 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 eligible to vote present at the AGM/EGM.
- 4.6 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.
- 4.7 In the event of the death or resignation of any officer or member of the General Committee the General Committee may at a meeting attended by a Quorum of the General Committee members appoint one of themselves or another member to fill the vacancy.
- 4.8 At the Annual General Meeting members of the General Committee excluding Flag Officers shall retire. Flag officers shall be elected to post at the Annual General Meeting and shall serve for no longer than 3 consecutive years.

4.9 Sub-Committees

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.

5 Management of Club: Duties of Officers

- 5.1 The affairs of the Club shall be wholly managed by the General Committee according to these rules.
- 5.2 The General Committee shall apply the funds of the Club in such a manner as complies with these rules, shall make such Bye-laws and regulations 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 the accounts to give a true and fair view of the state of the finances of the Club.
 - (b) Make all returns required by law in relation to such accounts to be rendered at the due time.

³ who is a participant in any event sponsored or organised by or on behalf of the Club or starting from the Club or members of a visiting Club or team and their officials and supporters in connection with such event

- (c) Prepare an annual balance sheet as at the end of the Club's financial year. The accounts shall be examined by an appropriately experienced person at least once annually and shall be exhibited in the Club premises in advance of the Annual General Meeting.
- 5.4 The Honorary Secretary or their proxy shall attend all meetings and take Minutes of the proceedings which shall be signed by the Chairman at the next meeting.

6 Property Accounts and Financial matters: Trustees

- 6.1 There shall be at least three Trustees of the Club appointed from time to time by the general Committee of the Club from among Ordinary or Honorary members who are willing to be appointed. 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 nominate a new Trustee in their place. The Committee shall as soon as possible thereafter 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 No money or property of the Club or any gain arising from the carrying on of the Club shall be applied otherwise than for the benefit of the Club or for a benevolent or charitable purpose to be nominated by General Meeting.
- 6.5 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 ten percent of the membership eligible to vote. The Committee shall have no power to pledge or sell Club premises without the approval of a two thirds majority of members present and voting in a General Meeting of the Club.
- 6.6 The examiner shall:-
- (a) Be appointed at the Annual General Meeting in each year.
 - (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 he or she is 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 year on a date to be arranged by the General Committee and published on the Club Notice Board. for the purpose of transacting the following business:-
- (a) To receive the accounts of the Honorary Treasurer made up to the end of the Club's financial year and duly examined.
 - (b) To receive the Annual report of the General Committee.
 - (c) To elect Officers and Committee for the ensuing year.
- 7.2 The business of the Annual General Meeting shall be limited to:-
- (a) The passing of the Accounts.
 - (b) The election of Officers, Committee, Trustees and Auditors.
 - (c) Any business the General Committee may require to be inserted in the Notice convening the meeting.
 - (d) Motions for the Agenda with a Proposer and Seconder both of whom shall be Ordinary members of the Club who shall have given Notice of such motions to the Honorary Secretary at least twenty eight days before the meeting.
- 7.3 The General Committee may at any time upon giving 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**.
- 7.4 A Special General Meeting must be called by the Secretary if required to do so by a requisition signed by not less than twenty members (or if the total membership is less than one hundred one fifth of the total membership). The Meeting shall be held not less than twenty-one days nor more than thirty-five days after receipt of the requisition and shall deal only with the business specified in the request.
- 7.5 At all General or Committee 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.
- 7.6 The Quorum for any General Meeting shall be one tenth of the membership eligible to vote or twenty members, entitled to vote, whichever is the lesser.
- 7.7 The Honorary Secretary shall no later than 24 hours before the date of the Annual General Meeting or any General Meeting notify the membership of the business to be brought forward.
- 7.8 At the Annual General Meeting or a General Meeting of the Club each voting member shall have one vote: Non-voting members shall be entitled to attend such meetings but shall have no vote.
- 7.9 In the case of an equality of votes the Chairman shall have a casting vote on any matter other than the election of members of the Committee, but shall have no vote otherwise.
- 7.10 On a resolution properly put to a General Meeting of the Club relating to the creation repeal or amendment of any Rule, Bye-law or Regulation 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.

- 7.11 A General Meeting may at any time without reason given remove any member from any position which he or she may hold within the Club or its Committees by a simple majority of those present and voting.

8 Supply of Intoxicating Liquor

- 8.1 The purchase and supply of intoxicating liquor for the Club shall be exclusively controlled by either the General Committee or a Special sub-committee of the General Committee elected by the General Committee. All of its members shall be members of 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 permitted hours for the supply of intoxicating liquor on the Club premises shall be Fixed in accordance with the terms of the Licensing Act 1964 by resolution of the General Committee and notified by the secretary to the Clerk to the Licensing Justices and the Local Chief Officer of Police and no resolution fixing the hours shall have effect until such notification has been given.
- 8.4 Intoxicating liquor may be sold for consumption on the premises by those persons over the age of eighteen who are entitled to the use of the premises of the Club in accordance with the Rules and PROVIDED THAT visitors names and addresses and the name of their introducer shall have been entered in the visitors book upon entry to the Club premises.
- 8.5 The Club house shall not be used for gambling or playing any games of chance or other unlawful games. The Committee shall have power to prohibit any games which in their opinion are unlawful games for the playing of 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 Bye-laws of this Club.
- 9.3 A copy of the Rules and any Bye-laws will be posted in the Club House and a copy of the Rules be available to all members.
- 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

The procedure for the dissolution of the Club requires all of the following conditions to be met:

- (a) Resolution passed at a General Meeting by a majority of the voting members present
- (b) Resolution passed by two thirds of the voting members present at a Special General Meeting composed of not less than one third of the voting members

The General Committee 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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