

Burnham on Sea Motor Boat and Sailing Club Constitution

SECTION 1 - NAME AND PURPOSES

1. The name of the Club shall be 'The Burnham-on-Sea Motor Boat and Sailing Club' (hereinafter referred to in these rules as 'the Club').

2. The purposes for which the Club is formed are to promote and facilitate community participation in all amateur water sports activities and to provide social and other facilities for members as may be from time to time determined in Burnham on Sea, Somerset and District.

SECTION 2 - OFFICERS

Officers of the Club

3. The Officers of the Club, **with the exception of the President who may be an honorary member**, shall be Full or Family members of the Club and shall consist of a President, Commodore, Vice-Commodore, Rear-Commodore, Secretary, Treasurer, **Membership Secretary, Mooring Officer and Compound Officer**. Officers shall be elected at the Annual General Meeting in each year and shall hold office for one year, retiring at the termination of the Annual General Meeting in each year. All Officers of the Club shall be eligible for re-election.

NARRATIVE

1. *The current constitution requires that the President be a full or family member. In practise the President is often an honorary member. Proposal is to add in this exception.*

2. *The proposed additional officers (shown in red) are positions which have existed for more than 40 years and are expected to exist in the foreseeable future so this proposal simply recognises this.*

Duties of Secretaries etc.

Duties of Secretary

4. The Secretary (and/or the Assistant Secretary) shall:- (a)

Keep a register of Club members' names and addresses;

(b) Conduct the correspondence of the Club;

(c) Keep custody of all Club documents;

(d) Keep full minutes of all meetings of the Club, the Committee and any sub-Committee which shall be confirmed and signed by the appropriate Chairman upon the agreement of the Club, the Committee or any sub-Committee at the next following meeting of the Club, the Committee or any sub-Committee;

(e) Administer such insurance policy or policies as may be needed fully to protect the interests of the Club, its

Officers and its members;

(f) Maintain contact with the Club's Legal Advisor to ensure that the Club's affairs are managed in accordance with current law.

(g) Maintain any such certificates or registrations, and complete any such non-financial returns, as may be required by law.

Duties of Treasurer

5. 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 finances of the Club.

(b) Cause all returns as may be required by law in relation to such accounts to be rendered at the due time.

(c) *Prepare an Annual Balance Sheet as at 31 December in each year and cause such Balance Sheet (and accounts as necessary) to be reviewed at least once annually and shall thereafter cause the same to be exhibited in the Club premises at least fourteen days before the date of the Annual General Meeting. (d) Present the Annual Balance Sheet to the Club at its Annual General Meeting.

Duties of Reviewer

6. The Reviewers shall:-

- (a) **Constitute the professional accountants employed from time to time to audit the Club's accounts and also the duly appointed Finance Sub-Committee members;**
- (b) The Reviewers shall review the accounts and Annual Balance Sheet of the Club when called upon to do so and shall give such certificate of assurance as to the accuracy of the said accounts as shall be required by law or by the Committee;
- (c) If either 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

NARRATIVE

The current constitution states that the reviewers are to be club members. In practise, the club now has professional accountants who act as auditors or reviewers.

SECTION 3 - MEMBERSHIP

Categories and votes of Membership

7. There shall be the following categories of membership with power to vote at all meetings of the Club as indicated hereunder.

A FULL MEMBER – being a person who, at the date of election, shall have attained the age of eighteen years shall have one vote.

A FAMILY MEMBER - which expression shall include one or two co-habiting adults and all children within their guardianship under eighteen years of age. The family unit shall have one vote per adult.

A STUDENT MEMBER – being a person aged between 18 and 21 who is in full-time education or other recognised training scheme. They shall have no vote.

A JUNIOR MEMBER - being a person who, at the date of election, is under the age of eighteen shall have no vote.

Such a member shall be one who at the commencement of the subscription year joins the Club other than as a full member or a family member.

AN HONORARY MEMBER - who shall have no vote.

A SOCIAL MEMBER - who shall have no vote.

A TEMPORARY MEMBER - who shall have no vote.

Affiliated Members - who shall be members of school groups or organisations accepted for affiliation by a General Meeting at such entrance fee and subscription as shall be determined either by a General Meeting or by the Management Committee. Affiliated Members shall have no vote.

No member may use the Club premises, or any of the facilities of the Club until forty-eight hours have elapsed from the date of posting of notice of election.

NARRATIVE

At the 2022 EGM we added in 'student member' so this simply reflects this fact.

Rights and privileges of Members

8. The rights and privileges of each category of membership shall be as follows:- A

FULL MEMBER shall have the full use of all the Club facilities.

A FAMILY MEMBER, his/her co-habitee (if any) and all the children within their guardianship under the age of eighteen shall have the full use of all Club facilities subject only to Rule 47.

A STUDENT MEMBER shall have the full use of all club facilities subject only to rule 47.

A JUNIOR MEMBER shall have the full use of all Club facilities subject only to Rule 47.

AN HONORARY MEMBER shall have the full use of all Club facilities.

A SOCIAL MEMBER shall have the full use of the Club-house facilities.

A TEMPORARY MEMBER (which expression may include members of another RYA recognised Club or organisation) shall have the full use of Club facilities but:-

(a) Shall have no right to enter Club races or regattas unless specifically authorised by the Secretary or Committee.

(b) Shall have no right to introduce visitors to the Club or the facilities thereof.

(c) Shall have no right to take any part in the management of the Club.

(d) Is deemed to have notice of and impliedly undertakes to comply with the Club Rules and any Byelaws or Regulations as if he or she were a member of the Club and so far as the said Rules, Byelaws and Regulations may be deemed to apply to such Temporary Member.

(e) Shall be liable to be expelled from the Club premises or to be prohibited from using the Club facilities if, in the opinion of the Secretary, he or she shall not have reasonably complied with the above conditions.

Candidates for membership shall have no privileges whatsoever in relation to the use of the Club or premises.

NARRATIVE

Addition needed in line with addition to rule 8

Membership Entrance and Subscription Fee

9. The rate of Entrance and Subscription fee for each category of Membership shall be proposed by the Committee to the members at the Annual General Meeting in each year. Any proposed changes shall be approved by a majority of those present and entitled to vote and shall become operative on the first day of APRIL in the membership year following. The current rate of Entrance and Subscription fee shall be prominently displayed in the Club premises **and/or on the club website**.

(a) Membership of the Club shall be open to anyone interested in water sports on application regardless of sex, age, disability, ethnicity, nationality, sexual orientation, religion or other beliefs. Membership may however be limited according to available facilities on a non-discriminatory basis.

(b) Membership subscriptions will be kept at levels that will not pose a significant obstacle to people participating.

NARRATIVE

Additional wording to reflect the reality that the website is mainly use for this information.

(c) The Club Committee may refuse membership or, subject to Rule 17, remove it, only for good cause such as conduct or character likely to bring the Club or sport into disrepute. Appeal against refusal of membership may be made to the members.

Members shall also make the following annual payments:-

(a) An annual boat permit fee of such a sum as the Committee shall from time to time prescribe which shall entitle a member to moor his or her own boat on the water controlled by the Club.

All members shall pay the Entrance fee (if any) and their first annual subscription upon election to the Club and thereafter on the first day of APRIL in each membership year. Provided that a member elected after the first day of SEPTEMBER in any membership year shall pay half the annual subscription applicable for that membership year and that a member elected after the first day of JANUARY in any membership year shall not be required to pay any subscription in respect of the membership year of election, but shall pay, on election, the Entrance fee and the annual subscription in respect of the membership year following election.

NARRATIVE

Word changed from sail to moor. The end of the same sentence is proposed be deleted as it appears to suggest that a boat permit (river licence) is required for boats in the club compound.

Members' duty to provide an up to date address

10. Every member shall furnish the Secretary with an up-to-date address which shall be recorded in the Register of Members and any notice sent to such address shall be deemed to have been duly delivered.

Application for membership

11. An application for membership shall be in the form from time to time prescribed by the Committee, and shall include the name, address, and occupation of the applicant.

Election of Members

12. Upon receipt of an application for membership, the Secretary shall enter such application in a Register of Applicants and there shall be an interval of at least two days before the meeting of the Committee at which such application for membership shall be considered. The election of all classes of members is vested in the Committee and shall be a simple majority vote of those of the Committee.

The Committee may refuse applications only for good cause such as conduct or character likely to bring the Club into disrepute.

The Secretary shall inform each applicant in writing of the applicant's election or non-election. He or she shall furnish an elected applicant with a copy of the Rules and Byelaws of the Club and make request for such payments as are necessary.

Appeal against refusal to elect may be made to the members in General Meeting.

Payment of Fees upon Election

13. Upon election, an applicant shall pay, within one calendar month, such Entrance and other fees as shall be requested. In default of such payment, the election shall be void unless sufficient cause for delay be shown.

One year's temporary absence of member

14. A member who, for any reason, anticipates inability to use the Club or its facilities for the whole of any one year shall be excused payment of the annual subscription and other annual fees provided that notice in writing is given to the Secretary before the last day of JANUARY in the previous membership year. A member wishing to be re-instated during the year in question shall pay such portion of the annual subscription as the Committee shall require.

Retirement of a member

15. Upon reapplication by a past member the Committee may, at its discretion, waive any Entrance Fee. A member who retires in accordance with this Rule shall not be entitled to have any part of the annual membership fee or any other fees refunded.

NARRATIVE

It is proposed that the initial sentence of this rule (not shown above) is deleted as in practise it is unenforceable. The remainder of the rule is slightly re-written to reflect this.

Arrears of Subscription

16. Where any member is in excess of two months arrears of any fee or subscription the Committee may at its discretion impose a surcharge of such amount as it deems reasonable in the circumstances prevailing. The Committee may cancel, without notice being given, the membership of any member whose annual subscription and other annual fees are more than three months in arrears provided that the Committee may, at its discretion, re-instate such member upon payment of arrears. No member whose annual payment is in arrears may enter any Club event or regatta or vote at any meeting.

NARRATIVE

The club has an ongoing issue in that a small number of members are frequently late in paying their dues. This addition will give club officers greater leverage when seeking to address those few members although it is expected that the application of this penalty will be rare in practise.

Conduct of Members

Under-taking by members to comply with rules

17. Every member, upon election and thereafter, is deemed to have notice of, and undertakes to comply with, the Club Rules and any Byelaws and Regulations of the Club.

Disciplinary action against members

18. Any breach of Rule 17 or any conduct which, in the opinion of the Committee, is either unworthy of a member or otherwise injurious to the interests of the Club, shall render a member liable to disciplinary action by the Committee, which may include suspension for a specified period of time or expulsion.

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

A Resolution to apply any sanction shall be carried by a simple majority vote by those members of the Committee present and voting on the Resolution.

Appeal against suspension/expulsion may be made to the members in General Meeting.

Upon suspension/expulsion the member/former member shall not be entitled to have any part of the annual membership fee refunded and must return any Club or external body's Property held forthwith.

Upon expulsion of a member, the Committee may dispose of the former member's Property in accordance with Rule 67.

Guests in the Club

19. Members shall enter the names of all guests in the Visitor's Book. Not more than three guests may be introduced by any one member in any one day and the same guest may not be introduced more than six times in any calendar year.

Damage to Club property

20. 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 Secretary upon the instructions of the Committee.

Exhibiting of notices

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

Settlement of Accounts

22. A member shall settle any indebtedness for refreshment or otherwise before leaving the Club premises, or in accordance with any byelaw relating to the settlement of such indebtedness.

Suggestions

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

Complaints

24. Complaints of any nature relating to the management of the Club **or other matters within the remit of the Committee** shall be addressed in writing to the Secretary. **Any complaint adjudged by the Committee to be of a serious nature will be dealt with in accordance with the Club's 'Complaints Procedure' as may be amended from time to time.**

NARRATIVE

This addition reflects the fact that a new complaints procedure has been put in place by the Committee and widens the scope of those complaints which previously covered only the club premises.

Members of other RYA Clubs

25. A member of any Club affiliated to the Royal Yachting Association (a list of which is published by the said Association) may be authorised to use the premises of the Club by any member of the Committee of the Club. Such authorisation shall specify between which dates the said person may so use the premises.

Competitors in Club races

26. Any person who is a competitor or crew member in any race sponsored by or on behalf of the Club is entitled to the use of the Club premises within a period of 24 hours before and after the race in which they are competing.

Power to expel those admitted under rules 25 and 26 hereof

27. The Secretary or any other person who has received the authority of two members of the Committee, may expel, temporarily or permanently, any person who has the right to the use of the Club premises only under Rules 25 and 26.

Limitation of Club liability

Limitation of Club liability

28. All references to the Club in this Rule shall mean each and every individual member of the Club from time to time.

Members are bound by the following Rule which shall also be exhibited in a prominent place within the Club premises:-

Members of the Club may use the Club premises, and any other facilities of the Club, entirely at their own risk and impliedly accept:-

(a) The Club will not accept any liability for any damage to or loss of property belonging to members. (b)

The Club will not accept any liability for personal injury arising out of the use of the Club premises, any other facilities of the Club either sustained by members or caused by the said members 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, Trustees or Servants of the Club.

Data Protection

29. Membership of the Club and acceptance of these Rules by the member will be deemed to constitute consent to the holding of relevant personal data for the purposes of the Data Protection Acts.

SECTION 4 - MANAGEMENT COMMITTEE

Constitution of Committee

30. The Management Committee (herein referred to as 'the Committee') shall consist of the Officers ex officio, and not less than six nor more than twelve Full or Family Members (who have attained the age of eighteen years) elected at the Annual General Meeting each year to hold office until the termination of the next following Annual General Meeting.

NARRATIVE

The numbers above have been changed to reflect a change that was agreed at a previous AGM but were omitted when the constitution was re-published.

Retirement of members of the Committee

31. At the Annual General Meeting each year two of the Full and Family members should ideally retire in order of election or seniority. In the case of equal seniority the order of retirement shall, failing agreement between the members concerned, be determined by lot. Members retiring under this Rule shall not be eligible for re-election to the Committee until the Annual General Meeting next following the meeting at which they retire.

Candidates for election to Committee

32. 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 whose nominations (duly proposed and seconded in writing by Full or Family members of the Club) with their

consent shall have been received by the Secretary at least twenty eight days before the date of the Annual General Meeting in each year. Such nominations, together with the names of the Proposer and Seconder shall be posted to the Club premises at least fourteen days prior to the date of the Annual General Meeting.

Election of Committee by ballot

33. If the number of candidates for election is greater than the number of vacancies to be filled then there shall be a ballot.

No contest for election

34. If the number of candidates for election is equal to or less than the number of vacancies to be filled then all candidates shall be deemed to be elected if two thirds of those present at the Annual General Meeting, and entitled to vote, vote in favour of such election.

In the event of the ballot failing to determine the members of the Committee because of an equality of votes the candidate or candidates to be elected from those having an equal number of votes shall be determined by lot.

Casual vacancy

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

Retiring Commodore

36. A retiring Commodore shall serve as a member of the Committee in the year immediately following his retirement and shall have no vote.

Committee Meetings

37. The Committee shall meet at least every 2 months making such arrangements as the conduct, place of assembly and holding of such meetings as it may wish. The Commodore or in his absence a Chairman elected by those present shall preside.

Voting at Committee

38. Voting (except in the case of a resolution relating to the expulsion of a member) shall be by show of hands. In the case of equality of votes the Commodore or Chairman (as the case may be) shall have a second and casting vote.

Quorum

39. Seven members personally present shall form a quorum at a meeting of the Committee.

Powers of the Committee

Management of Club by Committee

40. The Committee shall manage the affairs of the Club according to the Rules and shall cause the funds of the Club to be applied solely to the purposes of the Club or for a benevolent or charitable purpose nominated by General Meeting.

In particular the Committee shall ensure that the property and funds of the Club will not be used for the direct or indirect private benefit of members other than as reasonably allowed by the Rules and that all surplus income or profits are re-invested in the Club.

Appointment of sub-Committees

41. The Committee may appoint such sub-Committees as it may deem necessary and may delegate such of its powers as it may think fit upon such terms and conditions as shall be deemed expedient and/or required by the law. Such sub-Committees shall consist of such members of the Committee or of the Club as the Committees may think fit. Officers of the Club shall be ex officio members of all such sub-Committees.

Disclosure of interest to third parties

42. A member of the Committee, of a sub-Committee or any officer of the Club, in transacting business for the Club, shall disclose to third parties that he is so acting.

Limitation of Committee's authority

43. The Committee, or any person or sub-Committee delegated by the Committee to act as agent for the Club or its members, shall enter into contracts only as far as expressly authorised, or authorised by implication, by the members. No one shall, without the express authority of the membership in General Meeting, borrow money or incur debts on behalf of the Club or its membership.

Members' indemnification of Committee

44. In pursuance of the authority vested in the Committee by members of the Club, members of the Committee shall be indemnified by the members of the Club out of the assets of the Club from and against any liability, costs, expenses or payments whatsoever which may be properly incurred or made by them or any one of them in the exercise of their duties on behalf of the Club wherever the contract is of a duly authorised nature or could be assumed to be of a duly authorised nature and entered into on behalf of the Club.

Should the assets of the Club be insufficient to satisfy such liability, costs, expenses or payments the Committee shall be entitled to a personal indemnity from the individual members of the Club.

The limit of any individual member's indemnity in this respect shall be a sum equal to one year's subscription at the then current rate of that category of membership unless the Committee has been authorised to exceed such limit by a General Meeting of the Club.

Contractual Liability

45. The Committee shall endeavour to ensure that the following clause is incorporated in every contract, lease, licence or other agreement entered into by the Committee and/or Trustees of the Club, as appropriate.

“The liability of the Committee/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.”

Nomination of Honorary Members by Committee

46. The Committee may nominate for **selection** at an Annual General Meeting such Honorary Members as the Committee may think fit. The total of such Honorary Members shall not, however, at any time, exceed 10 per cent of the total number of members.

The election of Honorary Members shall be put to the vote at the Annual General Meeting **as deemed appropriate by the Committee** and such Honorary Members shall be duly elected if two thirds of those present, and entitled to vote, vote in favour of election.

NARRATIVE

The current constitution requires honorary members to be elected/re-elected each year. In practise this does not happen and this change reflects this.

Purchase and supply of excisable goods

Purchase and Supply of Excisable Goods

47. The purchase for the Club of excisable goods and the supply of the same upon Club premises shall be exclusively and solely under the control of the Committee, or of a special sub-Committee appointed by the Committee.

Intoxicating liquor may only be sold for consumption on the Club premises to persons over the age of eighteen who are entitled to the use of the Club premises in pursuance of the Rules, Byelaws and Regulations for the time being in force. No Junior Member under the age of eighteen may purchase or attempt to purchase intoxicating liquor within the Club premises.

NARRATIVE

It is proposed that the final sentence in this rule is deleted as it refers to the sale of tobacco products and is no longer applicable.

Hours of Sale of Excisable Goods

48. The Committee shall cause the Club bar to be opened (subject to terms of the Club premises certificate) at convenient times (and such times shall be prominently exhibited in the Club premises) for the sale of excisable goods to persons who are entitled to the use of the premises of the Club in pursuance of these Rules (except Junior Members as aforesaid) PROVIDED THAT visitors' names and addresses and the name of their introducer shall have been entered in the Visitor's Book upon entry to Club premises.

Profits from Sale of Excisable Goods

49. No person shall take a commission, percentage or other such payment in connection with the purchase of excisable goods for the Club. Any profit deriving from the supply of such goods shall (after deduction of the costs of providing such goods for the benefit of the Club) be applied to the provision of additional amenities or the purchase of property to be held in trust for the benefit of the Club.

Accounts relating to excisable goods

50. Proper accounts of all purchases and receipts shall be kept and presented at the Annual General Meeting in each year and such information as the Secretary or Reviewers may require shall be furnished to enable any statutory return or statement and the payment of excise or other duty or tax to be made.

SECTION 5 – TRUSTEES

Number of and terms of reference

51. There shall be at least three Trustees of the Club who shall have full voting rights. Trustees shall be appointed from time to time as necessary by the Committee of the Club from among Full, Family or Honorary Members who are willing to be so appointed.

A Trustee shall hold office for a maximum term of 25 years, or until he or she shall resign by notice in writing given to the Committee or until a resolution removing him or her from office shall be passed at a meeting of the Committee by a majority comprising two-thirds of the members present and entitled to vote.

Property of Club vested in Trustees

52. All the property of the Club, including land and investments, shall be held by the Trustees for the time being, in their own names so far as it is necessary and practicable, on trust for the use and benefit of the Club. In the event of the death, resignation, or removal from office of a Trustee, the Committee shall nominate a new Trustee in his or her place, and shall as soon as possible thereafter take all lawful and practicable steps to procure the vesting of all Club property into the names of the Trustees as constituted after such nomination. For the purpose of giving effect to any such nomination, the 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 Trustee Act 1925 and he or she shall by Deed duly appoint the person or persons so nominated by the Committee.

Powers of Trustees

53. The Trustees shall in all respects act, in regard to any property of the Club held by them, in accordance with the directions of the Committee and 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 in compliance with the Committee's directions (which shall be duly recorded in the Minutes of the proceedings of the Committee) but no purchaser, lessee or mortgagee shall be concerned to enquire whether any such direction has been given.

Indemnity of Trustees from Club

54. In pursuance of the authority vested in the Trustees by the members of the Club, the Trustees shall be indemnified by the members of the Club out of the assets of the Club from and against any liability, costs, expenses or payments whatsoever which may be properly incurred or made by them or any one of 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.

Should the assets of the Club be insufficient to satisfy such liability, costs, expenses or payments the Trustees shall be entitled to a personal indemnity from the individual members of the Club. The limit of any individual member's indemnity in this respect shall be a sum equal to one year's subscription at the then current rate of that category of membership unless the Trustees have been authorised to exceed such limit by a General Meeting of the Club.

SECTION 6 - MEETINGS OF THE CLUB

Annual General Meeting

55. An Annual General Meeting of the Club shall be held each year in the month of FEBRUARY on a date to be fixed by the Committee. The Secretary shall at least fourteen days before the date of such meeting post or deliver to each member notice hereof and of the business to be brought forward thereat.

Business at Annual General Meeting

56. No business, except the passing of the Accounts and the election of the Officers, Committee, Trustees and Reviewers, and any business that the Committee may order to be inserted in the notice convening the meeting shall be discussed at such meeting unless notice thereof be given in writing by a member entitled to vote to the Secretary at least twenty eight days before the date of the Annual General Meeting.

Special General Meeting

57. The Committee may at any time, upon giving twenty one days' notice in writing, call a Special General Meeting of the Club for any special business, the nature of which shall be stated in the summons convening the meeting, and the discussion at such meeting shall be confined to the business stated in the notice sent to members.

Special General Meeting upon request of members

58. The Committee shall call a Special General Meeting upon a written request addressed to the Secretary by at least 20 members. The SGM must be called within 21 days of a request. The Committee shall give twenty one days' notice in writing of any such Special General Meeting. The discussion at such meeting shall normally be confined to the business stated in the notice sent to members. No business other than such Agenda items shall be discussed unless events occur too late to meet the above calendar. Such events may be tabled at the meeting as an emergency Motion and should have a proposer and seconder. The Commodore (or meeting Chairman) will rule as to the emergency nature of such a motion.

Chairman at Meetings

59. At every meeting of the Club the President or the Commodore or, in their absence, a Chairman elected by those present shall preside.

Quorum at Meetings

60. Fifteen members entitled to vote and personally present shall form a quorum at any meeting of the Club.

Entitlement to vote at Meetings

61. Only Full and Family members shall vote at any meeting of the Club. Other members may attend but are not entitled to vote.

Voting at Meetings

62. Voting, except upon the election of members of the Committee, shall be by show of hands.

Equality of Votes

63. In the case of an equality of votes the Chairman shall have a second or casting vote, on any matter other than the election of members of the Committee.

Voting on Rule Change

64. On any resolution properly put to a meeting of the Club relating to the creation, repeal or amendment of any Rule, Byelaw or Regulation of the Club such Rule, Byelaw or Regulation shall not be created, repealed or amended except by a majority vote of at least two-thirds of those present and entitled to vote.

SECTION 7 - DISSOLUTION OF THE CLUB

Dissolution of the Club

65. Any decision to wind up the club - unless by court order - will require confirmation by at least 75% of all members who are eligible to vote.

If, upon the winding up or dissolution of the Club, there remains after the satisfaction of all its debts and liabilities any property whatsoever, the same shall not be paid to or distributed amongst the members of the Club. The Committee shall dispose of the net assets remaining to one or more of the following:

- (i) to a charity and/or
- (ii) to another Club with similar sports purposes which is a registered CASC and/or (iii) to the sport's national governing body for use by it for related community sports.

SECTION 8 - MISCELLANEOUS

Opening of Club premises

66. The Club premises shall be open to members at such times as the Committee shall direct. The permitted hours for the supply of intoxicating liquor are as follows:- Monday – Saturdays 10:00 – 23:00

Sundays, Good Friday and Christmas Day 12:00 – 22:30

and also on New Year's Eve from the end of permitted hours to the start of permitted hours on the following day and the bar will be open at these hours or at such other hours as may be decided by the Committee subject to any restrictions imposed from time to time by the Licensing Authority.

Abandoned Boats Trailers and any other Property

67. If, at any time, any fees payable to the Club by any member or former member (whether by way of arrears of subscription or facilities fees, dinghy park fees or otherwise) shall be one month or more in arrears and/or a boat and/or trailer the property of a member or former member remains upon the Club premises one month or more after the club has given the member or former member notice to remove the vessel then the member or former member shall remove any property, boat and/or trailer from the Club immediately. If the member or former member fails to remove the boat and/or trailer then the Committee may:-

(a) Move the boat and/or trailer to any part of the Club premises without being liable for any loss or damage to the vessel howsoever caused. (b) Give **one** months' notice in writing by registered post to the member or former member at their last known address as shown in the Club Register and thereafter sell the boat and/or trailer and deduct any monies due to the Club from the net proceeds of sale before accounting for the balance (if any) to the member or former member.

(c) Alternatively, if the property, boat and/or trailer is unsaleable, after giving notice in writing as aforesaid, dispose of the property, boat and/or trailer in any manner the Committee may think fit and deem the cost of doing and any arrears as aforesaid to be a debt owing to the Club by the member or former member. (d) The Club reserves the right to charge storage for any property, boat and/or trailer until such time as the owner collects the boat and/or trailer or until notice has been served under Rule (b) above.

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 and if the boat and/or trailer is sold, if the Club is unable to account to the member or former member for the balance of the proceeds of sale pursuant to Rule (b) above then the balance of the proceeds of sale shall be placed upon bank deposit account and 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 six years.

NARRATIVE

Change from 3 months notice to one months notice.

Lien

68. In addition to Rule 67 the Club shall at all times have a lien over members' or former members' boats and/or trailers parked on the Club's premises in respect of all monies due to the Club, whether in respect of arrears of facilities fees or subscriptions or otherwise and shall be entitled to retain possession of the boat and/or trailer until such time as all monies due to the Club have been paid in full.

Byelaws

69. The Club may adopt such Byelaws or Regulations as it considers appropriate for the good management of the Club and its facilities.

Acknowledgement

70. The Members acknowledge that these Rules constitute a legally binding contract to regulate the relationship of the members with each other and the Club.

Burgee

71. The burgee of the Club shall be blue bearing a white lighthouse and beam.

Financial Signatories

72. All financial transactions must be signed by 2 people from the following group:

Treasurer

Trustees

And/or other nominated officers of the Club

NARRATIVE

The club's financial management was severely impaired during the year when, within a short time period, the Treasurer and two of the three Trustees resigned (for differing reasons) leaving the club with only one authorised signatory when two are required. This change widens the possible selection of bank signatories.

Surplus income

73. All surplus income or profits are to be reinvested in the Club. No surpluses or assets will be distributed to members or third parties

Open Forum

74. There shall be two open Forum meetings per year, one in the Spring after crane-in and one in the Autumn after crane-out. These will be used for general discussion on all Club activities.

Based on RYA Model dated 16 June 2015

Constitution Approved at SGM on 6/11/15

Joining Fees Removed at AGM on 17/2/16

Constitution Changes made at AGM in FEB 2017 ADDED

Changes made in July 2020 added

Changes proposed in 2023 to be approved at AGM