

# www.wycWhitstable Yacht Club Rules – March 26<sup>th</sup> 2010

## Section 1 – Name and Objects

1. The name of the Club is Whitstable Yacht Club.
2. The objects of the Club are:-
  - (a) To promote and facilitate the sport of sailing and to encourage sail racing in accordance with International (ISAF), National (RYA) and Whitstable Yacht Club sailing instructions.
  - (b) To provide and maintain a Club House for the use of members of the Club and any other properties deemed necessary for the future of the Club.
3. The Burgee of the Club shall be the Canterbury Cross in red on a white shield with a blue background. The burgee may be flown by any member.
4. The Club is an unincorporated association and non-profit making organisation with all profit and surpluses used to maintain or improve the Club's facilities.

## Section 2 – Official Appointments

5. The Officers of the Club shall be Full or Family members of the Club and shall consist of a Commodore, a Vice-Commodore, Rear Commodore House (House), Rear Commodore (Sailing) (being the Flag Officers) an Honorary Sailing Secretary, an Honorary Secretary and an Honorary Treasurer. Officers shall be elected at the General Meeting in each year and shall hold office for one year, retiring at the termination of the General Meeting in each year. All Officers of the Club shall be eligible for re-election.
6. No candidate may be proposed as an Officer unless he shall have served as a member for one year on the General Committee or have been duly elected at the preceding General Meeting to serve on the General Committee for the ensuing year.
7. The Club may on the recommendation of the General Committee at a General Meeting elect annually a President to serve the Club in an honorary capacity.

### Duties of Officers

8. The Commodore shall lead the Club in order to achieve the objects of the Club and is an ex-officio member of all committees.
9. The Vice Commodore shall deputise for the Commodore whenever the Commodore is unavailable and is an ex-officio member of all committees.
10. The Rear Commodore (House) shall have delegated to him the daily management of the Club House.
11. The Rear Commodore (Sailing) shall have delegated to him the daily management of the Club's sailing activities.
12. The Honorary Secretary or another person as nominated by the General Committee shall:-
  - (a) Ensure that the Club keeps a register of the Club's members' names and of addresses;
  - (b) Ensure that the Club's correspondence is properly conducted;
  - (c) Ensure proper custody of all Club documents;
  - (d) Keep full minutes of all meetings of the Club and General committee. Ensure that the minutes are confirmed and signed by the appropriate Chairman upon the agreement of the Club, Committee and sub-committee at the next following meeting of the Club, committee or sub-committee. Ensure that proper minutes of all Club, committee and sub-committee meetings are properly filed;
  - (e) Ensure that copies of minutes of the General Committee are prominently displayed in the Club;
  - (f) Ensure that such insurance policy or policies are maintained as may be needed fully to protect the interests of the Club, its officers and its members;
  - (g) Maintain contact with the Club's legal adviser to ensure that the Club's affairs are managed in accordance with the law;
  - (h) Ensure that any such certificates or registrations are maintained, and complete any such non-financial returns, as may be required by law.

13. The Honorary Treasurer or another person as nominated by the General Committee shall:-
- (a) Cause such accounting records to be kept as are necessary so that the financial position of the Club can with reasonable accuracy, be disclosed at any time;
  - (b) Cause all returns as may be required by law in relation to such accounts to be rendered at the due time;
  - (c) Ensure the preparation of an Annual Balance Sheet and Income and Expenditure account as at 30th September in each year and cause such accounts to be examined by an Independent Examiner at least once annually and shall thereafter cause the same to be exhibited in the Club premises at least fourteen days before the Annual General Meeting.
14. The Honorary Sailing Secretary shall ensure that the Club meets its sailing objectives and conforms to all sailing obligations as may be required by law.

### **Section 3 - Membership**

#### Categories of Membership and Votes

15. Eligibility as a candidate for membership of the club is open without discrimination on the grounds of ethnicity nationality sexual orientation religion beliefs sex age or disability except as a necessary consequence of the requirements of sailing to any person, whether the owner of a yacht, boat, sailboard or not. However limitation of membership according to available facilities is allowed on a non-discriminatory basis. There shall be the following categories of membership with power to vote at all meetings of the Club as indicated hereunder:-
- (a) FULL MEMBERSHIP shall be persons over the age of 18 years at the date of election shall have all the rights and privileges of membership of the Club including one vote.
  - (b) FAMILY MEMBERSHIP shall consist of one or two parents or cohabiting couple and their children up to and including the age of 10 years at the date of election and the adults shall have all the rights and privileges of Full Members including two votes.
  - (c) LADY MEMBERSHIP is closed and shall have no vote.
  - (d) STUDENT MEMBERSHIP shall be members in full time education and shall have no vote.
  - (e) CADET MEMBERSHIP shall be members under the age of 18 years at the date of election and shall have no vote. Children reaching their 11th birthday must become a Cadet member. Members' children over the age of 11 years brought into the Club and not being a Cadet member must conform to visitors' rules. Parents remain responsible at all times for the safety and actions of their children.
  - (f) COUNTRY MEMBERSHIP is closed as at 30<sup>th</sup> September 2004.
  - (g) OVERSEAS MEMBERSHIP shall comprise of members as listed under (a) and (b) being resident outside of Great Britain and shall have no vote.
  - (h) HONORARY MEMBERSHIP shall be members who have in General Meetings on the recommendation of the General Committee been elected honorary members for 1 year and shall have one vote. The total number at any one time shall not exceed 5% of the number of members with voting rights.
  - (i) TEMPORARY MEMBERSHIP shall be members for a period of not more than 3 months or employees during the duration of their employment and shall have no vote.
  - (j) SENIOR MEMBERSHIP shall comprise of members who have attained the age of 60 years and have enjoyed uninterrupted membership for at least 10 years on the date of election who may elect to continue membership without loss or reduction of existing rights and privileges at a reduced fee of one half of the annual subscription currently fixed for that member's class.
  - (k) LIFE MEMBERSHIP in exceptional circumstances shall be awarded by the General Committee on terms fixed by the General Committee at its absolute discretion. The total number at any one time shall not exceed 10 members.
  - (l) BLOCK MEMBERSHIP shall be available to Educational, Sporting or Charitable Organisations having a common interest with the Club in sailing and shall have one representative vote. A list of such members covered by a block membership shall be made available to the Club at the beginning of the month in which fees are due each year. Any change in membership shall be notified immediately to the Honorary Secretary. Any additions to the list of members shall be advertised to the Club and posted on the notice board at least seven days before those additional

members are eligible to use the Club facilities. Block membership shall be awarded by the General Committee on terms fixed by the General Committee at its absolute discretion.

(m) Any member belonging to a membership category that is closed by a rule change may continue to be a member of that class.

(n) A member of any club affiliated to the Royal Yachting Association may be authorised in writing to use the premises of the Club by any member of the General Committee. Such authorisation shall specify between which dates, not being more than fourteen days apart, the said person may use the Club premises as a temporary member.

(o) Any person who is a competitor in any Open Meeting sponsored or organised by or on behalf of the Club in any race starting or finishing at Whitstable, and any person who is a member of a crew in any such competition for the purpose of the race is entitled to the use of the Club premises within a period of twenty-four hours before and after the race on which he is competing as a temporary member.

(p) Any member who is an employee of the Club may not vote or be a member of any Club committee during the term of their employment.

(q) SOCIAL MEMBERSHIP shall be members over the age of 18 years at the date of election and shall have no vote

#### Membership Fees

16. The subscription fee for each category of Membership for the subscription year 1<sup>st</sup> October to the 30<sup>th</sup> September the following year shall be proposed by the General 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 October. The current rate shall be prominently displayed in the Club premises.
17. All members shall pay the fees upon election to the Club and thereafter in full by the 31<sup>st</sup> October of each year.
18. Members shall also make the following annual payments as agreed at the Annual General Meeting:-
  - (a) An annual boat/board parking/anchorage fee which shall entitle a member to one parking/anchorage space.
  - (b) An annual sailing facility fee which shall entitle a member to use the Club sailing facilities is payable by any boat/board owner. This does not include fees for storage facilities.
  - (c) All other fees as shall be agreed from time to time.
19. A new member elected after 31<sup>st</sup> March and before 1<sup>st</sup> September shall receive a discount of 25% on the total fees payable for that current subscription year. A new member elected during the month of September may, at his or her election, either receive a discount of 75% on the total fees payable for the current subscription year, or pay the fees due for the following complete subscription year prior to the commencement of that year.
20. Any member rejoining the club after an absence of less than two years shall pay the full annual fees.
21. A temporary member shall pay such fee (if any) as directed by the General Committee.

#### Election and Retirement of Members

22. Every candidate for membership (except Honorary Members) shall be proposed by a Full or Family member of the Club who must have been personally acquainted with the candidate for not less than one year.
23. An application for membership shall be in the form from time to time prescribed by the General Committee.
24. The candidate shall forward the completed membership proposal to the Honorary Secretary with a remittance for the fees. Pending the confirmation of an application for membership from the General Committee and subject to a period of two days having elapsed from date of receipt of the application the applicant will be deemed to be a temporary member of the Club and enjoy the facilities granted under Rule 15 (i).

25. Upon receipt of an application for membership the application shall be prominently displayed in the Club premises for not less than seven days preceding the day when the candidate comes up for election.
26. Every proposal for membership shall be submitted to the General Committee at their first meeting after the candidates' particulars have been posted as required by Rule 25 and at such meeting, if there be a vacancy in the membership of the Club the General Committee shall proceed to the election or rejection of the candidate. The candidate shall be elected by a simple majority vote of those members present and voting at the relevant meeting of the General Committee.
27. The candidate shall be informed in writing of his election or non-election. If elected a copy of the Rules and Bye-laws of the Club shall be given to him.
28. Any candidate for membership who is not known to a member of the Club shall become a temporary member for 3 months after which the application for membership will be reviewed by the General Committee.
29. Temporary membership shall be granted by the General Committee on a written application.

#### Arrears of Fees

30. Any member who has not paid his fees by the first day of November in any year shall receive a reminder from the Club which shall attract an administration charge at a rate agreed by the General Committee and shall cease to be entitled to use the Club premises or to enjoy any of the facilities or privileges of the Club nor enter any Club event or regatta nor vote at any meeting as long as his fees are in arrears.
31. The General Committee may at their discretion and as they see fit impose a charge on owners of craft parked or stored on Club premises whether owned or leased where his fees have not been paid by the first day of November in any year. The General Committee may also have the right to waive these charges on payment of the fees together with arrears.
32. The General Committee may cancel without notice given the membership of any member who is in payment arrears by the first day of November and his name shall be posted on a notice board of the Club. The General Committee may at its discretion re-instate such member upon payment of arrears.
33. The General Committee may at any time when there is a vacancy in the Club membership re-admit a member subject to suspended membership upon his giving a satisfactory explanation and paying all arrears of fees due.

#### Retirement

34. 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 any other fees provided that notice in writing is given to the Honorary Secretary before 30<sup>th</sup> September. A member wishing to be re-instated during the year in question shall pay the annual subscription in full.

#### Cessation of Membership

35. Any person ceasing to be a member of the Club shall forfeit all right to a claim upon the Club or its property and no part of his fees shall be returned.

#### Conduct of Members

36. Every member, upon joining the Club and thereafter, is deemed to have notice of, and impliedly undertakes to comply with, the Club Rules and current Byelaws and Regulations of the Club. Any refusal or neglect to do so, or any conduct that, in the opinion of the Committee, is a nuisance interfering with the rights of other members or visitors or in a manner injurious to the interests of the Club, shall render a member liable to expulsion by the General Committee.
37. Every member shall ensure that the Honorary Secretary is provided with up to date information regarding their home address, contact telephone numbers, email address and boat details. Members' personal information will be used only for the activities of the Club and may not be given to outside parties without the written permission of the member/members. Any notice sent to such address shall be deemed to have been duly delivered.

## Complaints

38. Any complaint by a member shall be made to the Chairman of the appropriate committee and a member shall not be entitled to rebuke any member of staff of the Club.

## Expulsion of Members

39. Provided that before expelling a member, the General Committee or any specifically designated sub-committee, being a sub-committee composed of an odd number of at least three members of the General Committee and appointed by it, shall call upon the member for a written explanation of the member's conduct and shall give the member full opportunity of making explanation in person, or of resigning. A Resolution to expel a member shall be carried by a simple majority vote by those members of the General Committee (or the designated sub-committee if so appointed by the General Committee to deal with the matter) present and voting on the Resolution. Any member so expelled and desiring to be re-admitted to the Club shall be required to apply for membership in accordance with the provisions of Rule 22 hereof.
40. Any member who is a nuisance by interfering with the rights of other members or visitors to the Club may forthwith be suspended from membership by an officer of the Club and be requested to leave the Club premises. A report of such suspension shall be made at the next available meeting of the General Committee for confirmation. The General Committee (or any specifically designated sub-committee constituted in accordance with Rule 39 above) will then call upon the member for a written explanation of the member's conduct and shall give the member full opportunity of making explanation in person, or of resigning, before considering whether to continue the suspension until some specified date or event or expelling the member in accordance with Rule 39
41. Any member who has received the authority of two members of the General Committee may expel temporarily or permanently any person who has the right to the use of the Club premises under Rules 15 (n) and 15 (o) hereof.
42. 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 General Committee.
43. Members shall have the privilege of introducing visitors. A member introducing a visitor shall on entering the Club premises insert the visitor's name and address in the visitors' book and sign the entry. The member introducing shall be answerable for the conduct of their guest while the guest is on Club premises. Non-members shall not visit the Club premises more than six times in any one year. A member of the General Committee may cause admittance to be refused to any visitor, or require any visitor to leave the Club premises should the visitor's presence on the Club premises be in their opinion undesirable.
44. Any member under suspension, or who has resigned at the request of the General Committee or has not paid arrears due to the Club, or whose membership has been terminated shall not be introduced to the Club premises as a visitor.

## Limitation of Club Liability

45. Members, their guests and visitors are bound by the following Rule which shall also be exhibited in a prominent place within the club premises:-  
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:-
  - (a) 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;
  - (b) The Club will not accept any liability for personal injury arising out of use of the Club premises, and any other facilities of the Club either sustained by members, their 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.
46. Membership of the Club and acceptance of these Rules by the member will be deemed to constitute consent to the holding of relevant data for the purpose of the Data Protection Act 1988.

## Section 4 – Committees

### Constitution of General Committee

47. The General Committee of whom no fewer than seven shall form a quorum shall be composed of the Officers of the Club, the Chair of each standing Committee and a maximum of TEN other voting members. The Officers and all members of the General Committee shall be elected annually at the General meeting. The officers and all members of the General Committee shall serve for one year from the first meeting of the General Committee immediately following the General Meeting.
48. In case of any vacancy the General Committee may appoint one of themselves or some other voting member of the Club to fill the vacancy until the next General Meeting but the proceedings of the General Committee shall not be invalidated in consequence of there being fewer than the prescribed number of members.

### Powers of the General Committee

49. The General 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 objects of the Club. For the avoidance of doubt the General Committee is enabled to raise funds not in excess of £25,000 as may be necessary to carry out its duties. Any funds so raised will be disclosed at the AGM and members' approval required to continue with such funds. The General Committee shall appoint such sub-committees and employees as deemed necessary in order to fulfil its duty to manage the affairs of the Club properly.
50. The General Committee shall make such bye-laws and regulations as they think fit for the management and good order of the Club provided that such bye-laws are not inconsistent with these Rules. Such byelaws shall be binding on all Club members and shall be prominently posted in the Club premises.

### Sailing Committee

51. The General Committee shall support the Rear Commodore (Sailing) and the Honorary Sailing Secretary to form a Sailing Committee as a sub-committee, five members to form a quorum.
52. The election of all members shall be annually to serve for a term of one year from election.
53. The Sailing Committee shall have the sole management of the sailing and related activities and shall formulate the rules connected therewith and shall have the power to incur reasonable expenses in connection with their duties up to such limit as shall be laid down by the General Committee. The Sailing Committee shall report monthly to the General Committee.

### House Committee

54. The General Committee shall support the Rear Commodore (House) to form a House Committee as a sub-committee, three members to form a quorum.
55. The election of all members shall be annually to serve for a term of one year from election.
56. The House Committee shall have the sole management of the Club House and those buildings owned by the Club and shall have the power to incur reasonable expenses in connection with their duties up to a limit as shall be laid down by the General Committee. The House Committee shall report monthly to the General Committee.

### Bar , Catering and Social Committee

57. The General Committee shall appoint a sub-committee, three members to form a quorum.
58. The election of all members shall be annually to serve for a term of one year from election.
59. The Bar Committee shall monitor bar activities, staff, income and expenditure and shall have the power to incur reasonable expenses in connection with their duties up to a limit as shall be laid down by the General Committee. The Bar Committee shall report monthly to the General Committee.

Rules 60, 61 and 62 revoked at AGM 2007

## Cadet Committee

63. The General Committee shall appoint a sub committee as the Cadet Committee and a Cadet Representative. Up to six members may be adult members and a further six Cadet members appointed by such meeting. The Chairman of the Cadet Committee shall be an adult member, two adults and one cadet to form a quorum.
64. The election of all members shall be annually to serve for a term of one year from election.
65. They shall encourage and monitor both the sailing and social activities of Cadet members.

## Committee Procedure

### Election of Committee Members

66. Any candidate for election to any office of the Club and to the General Committee shall be duly proposed and seconded in writing to the Office Administrator at least fourteen clear days before the said General Meeting. All nominations received must be posted prominently in Club premises fourteen days before the meeting.
67. If the number of candidates for election is greater than the number of vacancies to be filled then there shall be a ballot. Any ballot paper not showing votes for as many candidates as there are vacancies to fill on the General Committee shall be treated as a spoilt paper. The retiring members shall be eligible for re-election.

### No contest for election

68. 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 General Meeting, and entitled to vote, vote in favour of such election.

### Equality of votes

69. In the event of the ballot failing to determine the Officers and members of the General 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.

### Chairman and officers of committees

70. Each committee shall elect its own Chairman and such officers as it may deem necessary. The committees shall have powers to co-opt members on such terms and conditions as the General Committee may from time to time prescribe to assist in the management of the Club, provided that the number of co-opted members shall not exceed one-half of the duly appointed members of a committee. Any member who is absent from three consecutive meetings of any committee without first obtaining leave of absence from the Chairman of the said committee shall be deemed to have resigned from the said committee. The remaining members of the committee then have power to co-opt another member to serve on the committee for the remainder of the year.

### Voting at Committee

71. Voting at all committee meetings shall be by a show of hands except in the case of a resolution relating to the expulsion of a member when it shall be by secret ballot. In the case of equality of votes the Commodore or Chairman (as the case may be) shall have a second and casting vote.

### Disclosure of interest to third parties

72. A member of any committee transacting business for the Club shall disclose to third parties that he is so acting.

### Limitation of Members' liability

73. Any committee or person delegated by a committee to act as agent for the Club or its members shall enter into contracts only so far as expressly authorised or authorised by implication to do so. No one shall without the express authority of the membership in General Meeting pledge the credit of the membership.

#### Members' indemnification of Committee

74. Members acting on behalf of the Club in expressly appointed roles by the members at General Meeting or the General Committee by its delegated powers are entitled to be indemnified by the members of the Club against any liabilities properly incurred by them or any one of them on behalf of the Club and wherever the contract is of a duly authorised nature and entered into on behalf of the Club.

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

#### Members' personal interest

75. In any matter referred to any committee or meeting in which any committee member has a pecuniary or business interest he shall declare his interest and resign from the relevant committee. Such interest and resignation shall be recorded in the minutes of the meeting.

### **Section 5 - Purchase and Sale of Excisable Goods**

#### Purchase and Sale of Excisable Goods

76. 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 General Committee, or of a special sub-committee appointed by the General Committee, and is subject to the prevailing laws.

#### Hours of sale of excisable goods

77. Subject to the requirements of the licensing authorities, the General Committee shall cause the Club bar to be open 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.

#### Profits from sale of excisable goods

78. 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 sale 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

79. 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 Honorary Treasurer or Auditors 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.

#### Use of bar and bar lounge

80. The Bar in the Clubhouse is strictly reserved for members and guests over the age of sixteen years. The dining area may be used by children accompanied by an adult.

81. The General Committee may, if it sees appropriate, limit the number of persons who can attend any specific event. The General Committee will give 14 days notice of any such designated event. At such an event entry will be refused to any member or person without a valid ticket.

### **Section 6 - Trustees**

#### Terms of reference

82. The General Committee shall appoint Trustees from time to time as necessary, who shall be a Full member, Family member or other appropriate body who are willing to be so appointed. A Trustee shall hold office for his lifetime or until he shall resign by notice in writing given to the



General Committee or until a resolution removing him 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.

#### Property of Club vested in Trustees

83. 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. On the death, resignation or removal from office of a Trustee, the General Committee shall nominate a new Trustee in his 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 Commodore 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 shall by Deed duly appoint the person or persons so nominated by the General Committee.

#### Powers of Trustees

84. 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 General Committee, such directions to be communicated by the General Committee by means of a copy resolution signed by the Commodore and one other Club officer, 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 General Committee's directions (which shall be duly recorded in the Minutes of the proceedings of the General Committee) but no purchaser, lessee or mortgagee shall be concerned to enquire whether any such direction has been given.

#### Indemnity of Trustees from Club

85. The Trustees shall be effectually indemnified by the General Committee out of assets of the Club from and against any liability, costs, expenses and payments whatsoever which may be properly incurred or made by them in the exercise of their duties or relation to any property of the Club vested in them, or in relation to any legal proceedings, or which otherwise relate directly or indirectly to the performance of the functions of a Trustee of the Club.

#### Limitation of Liability of Club Trustees

86. (To be incorporated in every contract, lease, licence or other agreement entered into by the Trustees of the Club.) The liability of the Trustees for the performance of any contractual or other obligation undertaken by them on behalf of the Club shall be limited to the assets of the Club.

### **Section 7 - Meetings of the Club**

#### Annual General Meeting

87. An Annual General meeting shall be held not later than March each year. The business of such meeting shall be the election of an Independent Examiner, the approval of accounts, setting members' subscriptions and fee levels payable the following 1st October, Commodore's report, appointment of officers and the General Committee and resolutions of which written notice shall have been given to the Office at least 14 days preceding the meeting. No substantive alteration to a resolution may be made at the meeting. Only in the case of ambiguous wording may a resolution be modified, and then upon direction from the chair.
- All members will be sent an agenda together with a copy of the Examiner's report, income and expenditure account and balance sheet extracted from the accounts at least 21 days preceding the meeting and a copy of the accounts shall be displayed prominently in the Clubhouse for at least 21 days immediately prior to the Annual General Meeting. Any member may request a full copy of the accounts.

The Chair for all General Meetings shall be taken by the senior officer present, or if no officer be present by a Full or Family member chosen by the meeting. The quorum for all General Meetings is 30 voting members or 15% of the members eligible to vote whichever is the lesser.

#### General Meeting

88. revoked 29<sup>th</sup> August 2008

#### Special General Meeting

89. The General Committee may at any time upon giving reasonable notice to all members or on the written requisition of 10% of the voting members or of no fewer than 30 voting members whichever is least, stating the business or resolution for which it is required convene a Special General Meeting 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. The number of members shall be defined as the number of voting members on the day the requisition is received by the office. No substantive alteration to a resolution may be made at the meeting. Only in the case of ambiguous wording may a resolution be modified, and then upon direction from the chair.

#### Notification of members of Special General Meeting

90. A notice of such meeting shall be sent to every voting member accompanied by a postal voting form at least twenty one days before any Special General Meeting stating the time and place where it will be held and the business that will be brought before it. No resolution shall be brought forward at any Special General Meeting unless notice thereof shall have been duly given as hereinbefore provided. Any resolution received must be posted on the notice board 21 days before the meeting.

91. Postal votes will be valid for Annual General Meeting only if received by the office at least 48 hours before the meeting.

#### Procedure of Special General Meetings

92. At Special General Meetings the Chair shall be taken by the senior officer present, or if no officer be present by a full member or family member chosen by the meeting. Every question shall be decided by a majority of votes indicated by a show of hands unless otherwise directed by the General Committee (except as provided in Rule 95 for the alteration of Rules). In case of equality of votes, the Chair shall have a casting (or second) vote and shall state clearly the manner in which it is being used. The quorum at Special General Meetings shall be 50 voting members present in person.

93. Only Full, Family, Country and Honorary members shall vote at any Special General Meeting of the Club. Other members may attend but are not entitled to vote.

94. At any Special General Meeting (unless a poll is demanded by ten members) a declaration by the Chair that a resolution has been carried or carried by a particular majority or lost or not carried by a particular majority shall be conclusive.

#### Voting on Rule change

95. These Rules may be altered or repealed or new Rules may be made by resolution at the Annual General Meeting or at a Special General Meeting, duly summoned for the purpose, provided that no such resolution shall be deemed to have been passed unless it is carried by a majority of at least two-thirds of the members present and entitled to vote, voting thereon.

### **Section 8 - Dissolution of the Club**

#### Dissolution of Club

96. The members may vote to wind up the Club if not less than three quarters of those voting support that proposal at a properly convened Special General Meeting.

The General Committee will then be responsible for the orderly winding up of the Club's affairs. After settling all liabilities of the Club, the General Committee shall dispose of the net assets remaining to one or more of the following:

1. to another Club with similar sports purposes which is a charity and/or
2. to another Club with similar sports purposes which is a registered CASC.

Interpretation

97. Words importing the masculine gender in these Rules shall include the feminine gender.

## **Section 9 - Bye-laws**

- i. All freehold and leasehold property and investments of the Club are vested in the Trustees as approved by the General Committee.
- ii. The Club shall be open daily from 09.00hrs until the bar closes with the exception of Monday to Friday when the Club will remain open during the afternoon.
- iii. Special arrangements should be made with the Club Administrator for access to the Club premises at other times.
- iv. On special occasions the General Committee may vary the hours of opening and closing.
- v. All intoxicating liquor consumed on the Club premises must have been purchased from the Club unless otherwise agreed by the General Committee.
- vi. If challenged by an employee/officer/member of the club, sufficient information must be provided to prove membership to the Club.
- vii. All persons using the bar and lounges of the Club are expected to be suitably dressed. The dress code is relaxed, but men should wear shirts and women should wear the same or equivalent appropriate clothing. Sailing clothing is acceptable only at the wet end of the bar.
- viii. Mobile telephones may not be used in the bar or lounge area of the clubhouse.
- ix. Dogs are welcome in the Sea Room only and must be kept on a lead at all times.
- x. No newspaper, book periodical or any other article belonging to the Club shall be removed from the Club premises.
- xi. All approaches by the Press, other than those relating to race results, must be directed to the Club's official spokes-person, be that a Public Relations Officer, Event Co-ordinator or an Officer.
- xii. In addition to the powers given to the General Committee under Rule [cancellation of membership for arrears of subscription] and Rule [general power to manage Club affairs] hereof 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 the vessel of the member or former member remains upon the Club premises, the General Committee may itself or instruct the Sailing Committee to do so:-
  - (a) Move the vessel to any other part of the Club premises without being liable for any loss or damage to the vessel howsoever caused.
  - (b) Give one month's notice in writing to the member or former member at his last known address as shown in the Club Register and thereafter sell the vessel and deduct any monies due to the Club (whether by way of arrears of subscription or annual payments, mooring, dinghy park fees or otherwise) from the net proceeds of sale before accounting for the balance (if any) to the member or former member.
  - (c) Alternatively, if the property is unsaleable, after giving notice in writing as aforesaid, dispose of the vessel in any manner the General 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) Further the Club shall at all times have a lien over members' or former members' vessel left parked or moored on the Club premises or Club moorings in respect of all monies due to the Club, whether in respect of arrears of mooring fees or subscriptions or otherwise.

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 any property is sold the proceeds of sale (less any indebtedness by the member or former member to the Club) shall be placed upon separate 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.
- xiii. Bunk room lettings and other charges must be paid in advance.
  - xiv. The winner of any trophy wishing to remove it from the Club shall give a receipt for it before taking the particular trophy away. All sailing trophies, unless won outright, must be returned to the Club in time for presentation the following year. Modifications and engraving of trophies may be carried out only by the club.
  - xv. All craft under the aegis of the Club must bear and maintain third party insurance to the minimum of £3,000,000.00.
  - xvi. Any member or person entitled to use the Club premises who believes he/she has lost personal property in WYC premises should report the loss immediately to the office either personally, by post or telephone. Full details must be given together with contact details. A list of lost property will be displayed prominently in the Club premises. Lost property that has not been claimed within three months will be sold or given to charity and any money accruing from such activities will be retained by the Club after the payment of any expenses incurred. Persons reclaiming lost property from the Club will be asked to provide proof of identity before the said property is released.
  - xvii. Cadets shall wear a buoyancy aid at all times whilst afloat in a boat. Cadets under 17 years of age shall wear a buoyancy aid at all times whilst windsurfing unless participating in an organised event and have been given permission not to do so by the event organiser.