

# STOKES BAY SAILING CLUB

## RULES AND BYE-LAWS 2012

### RULES

**1. CLUB NAME**

The Club shall be known as "Stokes Bay Sailing Club".

**2. CLUB FLAG**

The Club Flag shall be a pennant of blue and yellow divided horizontally by a bar coloured red.

**3. OBJECTS**

The objects of the Club shall be to encourage boat sailing, racing and good sportsmanship, to provide accommodation and to ensure storage facilities so far as available space will permit.

**4. OFFICERS**

The Officers of the Club shall be a Commodore, Vice-Commodore, Rear-Commodore, Hon. Treasurer, Hon. Secretary, Hon. Sailing Secretary, Hon. House Officer, Hon. Social Secretary, Hon. Bar Secretary, Hon. Marketing Officer & Membership Liaison Officer, and Hon. Assistant Sailing Secretary.

The Officers shall be elected at the Annual General Meeting and shall hold office until the next succeeding Annual General Meeting when they shall retire but shall be eligible for re-election except that no Member shall serve as a Flag Officer in the same rank for more than three consecutive years.

In the case of any casual vacancy occurring, the Committee may appoint a member to act until the next General Meeting.

All nominations for election of Officers shall be made in writing, signed by the Proposer and Secunder and their Nominee and addressed to the Hon. Secretary and delivered to the clubhouse letterbox not later than noon, two days before the date of the Annual General Meeting. If such a nomination is not received for an office, then nominations for that office duly proposed and seconded and accompanied by the consent of the Nominee may be received at the Annual General Meeting either in writing or in person.

**5. COMMITTEES**

**a. Management Committee**

i. The affairs of the Club shall be entrusted to a Management Committee composed of the Officers, the immediate Past Commodore and other Committee Members, namely the Galley Secretary and the Compound Officer. The final decision on all financial matters shall be made by this Committee.

ii. The Management Committee may from time to time make, alter and repeal bye-laws regulating the use of the Clubhouse by Members and Cadets, the admission of guests to the Clubhouse, the storage of boats within the Club compound and the fees to be charged therefor, and generally for the good conduct of the affairs of the Club. Such bye-laws shall, provided they are not inconsistent with the Rules of the Club, be binding on all Members and construed as part of the Rules of the Club until they are rescinded or varied by the Club in General meeting.

**b. Sailing Committee**

Matters concerned with sailing and racing, as authorised by the Management Committee, shall be administered by a Sailing Committee composed of one of the Flag Officers appointed

by the Management Committee who shall be Chairman, the Hon. Sailing Secretary, Hon. Assistant Sailing Secretary, four additional Committee Members and the Class Captains appointed under Rule 18 f.

**c. Social Committee**

Matters concerned with the organisation of social events at the Club, as authorised by the Management Committee, shall be administered by a Social Committee composed of the Social Secretary who shall be Chairman and four additional Committee Members.

**d. General**

i. Rules 4 b., c. and d. shall apply to the election of Committee Members except that nominations may be received at the Annual General Meeting in any event.

ii. Committees may co-opt Members as they require.

iii. Committees may appoint sub committees as they require.

**6. MEETINGS**

**a. General Meetings**

i. An Annual General Meeting of Members shall be held not later than the 7th December in each year. Seven days' notice of such a meeting shall be given.

ii. Special General Meetings shall be called within seven days and held within twenty eight days of receipt by the Hon. Secretary of a requisition to that effect signed by twenty Members and stating the object for which the Meeting is called. No other business shall be transacted at such meetings. Seven days' notice of meetings shall be given.

iii. Twenty full adult Members shall form a quorum.

**b. Committee Meetings**

i. Management Committee Meetings shall be called as required by the Hon. Secretary in consultation with the Flag Officers. A Management Committee meeting shall be called within seven days of receipt by the Hon. Secretary of a requisition to that effect signed by two Committee Members stating the object for which a meeting is called.

ii. Five Members shall form a quorum.

iii. Four days notice of meetings shall be given.

iv. Rules i. to iii. shall apply to the conduct of the Sailing and Social Committees with the necessary modifications except that three members shall form a quorum.

**c. Procedure**

At all meetings of the Club and at all social and public functions connected with it, the senior Flag Officer present shall take the chair. If none of the Flag Officers is present, some other member of the Management Committee shall be appointed Chairman by those present.

**d. Voting**

The Chairman of any Meeting shall have the right to vote as a Member and in the case of equality shall have the casting vote.

**e. Minutes**

Minutes of all meetings shall be kept and confirmed at the next succeeding meeting.

**7. MEMBERSHIP AND GUESTS**

**a. Full Membership**

i. It is open to Candidates who are at least 18 years old at the beginning of the Club year. If eligible the spouse of such a Member may join as a Full Member but at a reduced fee.

- ii. Full Members may vote on any matter and hold any office.

**b. Life Full Membership**

It is open to Full Members or candidates entitled to apply for Full Membership upon payment of fifteen times the annual subscription for a Full Member and Spouse provided that the number of Life Full membership shall not exceed 5% of the total of Full Memberships.

**c. Social Membership**

- i. It is open to Candidates who are at least 21 years old at the date of application, and interested in furthering the objects of the Club but who do not intend to sail at Stokes Bay. If eligible the spouse of such a Member may join as a Social Member but at a reduced fee.
- ii. Social Members shall not be entitled to vote on alterations or additions to these Rules nor be eligible for election as a Flag Officer but shall be entitled to vote and hold office otherwise.

**d. Cadet Membership**

- i. It is open to the children of Full or Social Family Members upon the application of the parent or guardian.
- ii. It is also open to Candidates who have attained the age of 13 years subject to an acknowledgement by the Candidate's parent or guardian that he has seen a copy of the Cadet Sailing Rules, that the Candidate is able to swim and that he will be responsible for the Candidate's good behaviour and adherence to all the Club Rules.
- iii. Cadet Membership is subject to annual renewal and advancement from Cadet to Full Member is subject to confirmation at the first Management Committee Meeting after 31st December. The names of the Cadets whose membership is renewed or advanced shall be posted upon the Club notice board.
- iv. Cadets shall not be entitled to vote (except at Cadet Meetings and at Class Meetings) hold office or serve on a Committee (except under rule 10) nor to call a special General Meeting under rule 6a. ii.

**e. Election of Full, Social and Cadet Members**

- i. Application for membership shall be made to the Management Committee on a form prescribed by it and shall be considered at any of its meetings when it may elect or reject a Candidate.
- ii. Candidates must be proposed and seconded by Full, Social or Honorary Members to whom they are personally known or must provide such references as the Committee may require.
- iii. The name and address of the Candidate together with the names of his proposer and seconder shall be posted on the Club notice board for at least 2 days before the application is considered.
- iv. Notice of election shall be sent to each successful candidate together with a copy of the Club Rules and subject to the payment of the entrance fee (if any) and the first subscription, he shall become a Member of the Club.
- v. Candidates for membership have no privileges in relation to the use of the Club premises or to the Club generally.

**f. Honorary Membership**

The Club in General Meeting may elect Honorary Members. Such Members shall be entitled to all privileges and benefits of membership.

**g. Temporary Membership**

Persons may be admitted to Temporary Membership for not more than five single periods in any year.

**h. Guests**

Any Full, Social or Honorary member may introduce as his guest any person who is in no way ineligible for membership providing that the member so introducing enters the name and address of the guest in a book kept for such purpose and at no time leaves the Club premises while the Guest remains there. No Guest shall be introduced for more than seven days in any one year or for more than three days in any one month. Guests introduced under this Rule may buy alcohol. Guests who wish to take part in racing a boat not belonging to a Member of the Club may be authorised to compete on such terms as may be laid down by the Management Committee. Unless specially authorised by the Management Committee or unless the Guest is introduced by a Full Member as above on the Cadets behalf, no Cadet may introduce a guest.

**i. Members of Other Clubs**

The Management Committee may at its discretion afford the facilities of the Club to visitors who are members of other Clubs. Such visitors, if they are members of a Qualifying Club as defined in the Licensing Act 2003, shall be entitled to buy alcohol. When such facilities are afforded to competitors in any Championship, Regatta, Rally or other open sailing meeting held at the Club they will be limited to the period of such event and for one day before and one day after. Such visitors may also introduce not more than three Guests on any one such occasion.

**8. ENTRANCE FEE**

An entrance fee shall be charged to Full Members. No entrance fee shall be charged to Social Members, Full Members under 22 years, spouses of Full Members, Cadets or to Temporary Members.

**9. SUBSCRIPTIONS**

- a. A Member elected to membership of the Club after 31<sup>st</sup> July but before 31<sup>st</sup> October in any year shall pay half the standard subscription for that year. Members elected after 1<sup>st</sup> November but before 31<sup>st</sup> January shall be required to pay the standard subscription at the rate for the ensuing year but shall not be required to pay a further subscription until 1<sup>st</sup> February which follows 12 months after date of election.
- b. The rate of entrance fee and subscription and the related terms and obligations for each category of membership shall be proposed by the Management 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 1<sup>st</sup> February in the year following. The current rate of entrance fee and subscription shall be prominently displayed in the Club premises.
- c. A member who for any reason anticipates an 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 before 1<sup>st</sup> March of that year. A member wishing to be reinstated during the year in question shall pay subscriptions in accordance with rule 9.
- d. A member whose subscription and any other dues are not paid by 31<sup>st</sup> March shall be notified thereof by letter and if payment is not received by 1<sup>st</sup> May following shall cease to be a Member. Re-admission will be in accordance with Rule 9 (e).
- e. The Committee may at any time re-admit such persons to Membership on such terms as it may decide, such terms may include the giving of a satisfactory explanation, the payment of a further entry fee, and the payment of all arrears of subscription then due.

**10. CADET SECTION**

- a. A General Meeting of Cadet Members shall be held within two months following the Club

Annual General Meeting when they shall elect a Cadet Captain, a Cadet Hon. Secretary and six Committee Members who together shall compose the Cadet Committee which manage the affairs of the Cadet Section of the Club. These Cadet Officers and Committee Members shall be subject to approval of the Management Committee.

- b. The Flag Officer in charge of the Cadet Section appointed annually by the Management Committee, shall in conjunction with the Cadet Captain administer the Cadet Section within the Rules and bye-laws of the Club.

## **11. RESIGNATION AND CANCELLATION OF MEMBERSHIP**

- a. Members desirous of resigning from membership shall give notice in writing before 1<sup>st</sup> March and shall not then be liable to pay the subscriptions and other fees for that membership year. Upon re-application by a past member, the Management Committee may in its discretion excuse the payment an entrance fee.
- b. A Member may be expelled from the Club by the Management Committee for conduct considered to be sufficiently detrimental to the welfare of the Club to warrant such a step, but the member concerned shall have the opportunity of attending before the Committee and explaining his case before a vote of expulsion is taken. Such a resolution shall only be passed if voted for by a majority of not less than three fourths of those entitled to attend and vote. A Member so expelled by the Committee may, if he so desires, appeal against the decision at a Special General Meeting, when the matter shall be put to the vote, and unless a majority votes that the decision of the Management Committee be rescinded, the decision shall stand. A Member who has lodged an appeal shall be entitled to all the privileges of membership pending his appeal unless the Management Committee consider that his conduct warrants the immediate withdrawal of some or all of such privileges.

## **12. ACCOUNTS**

- a. The financial year of the Club shall end on 30<sup>th</sup> September. All subscriptions and monies generally of the Club shall be paid to the Hon. Treasurer and all payments on behalf of the Club shall be made by any two of the following, namely the Flag Officers, the Hon. Treasurer and the Hon. Secretary.
- b. The Hon. Treasurer shall produce a balance sheet and revenue accounts at each Annual General Meeting, both having previously been examined by a professional accountant who shall be appointed at each Annual General Meeting.
- c. Statements as to the exact financial standing of the Club shall be available at each Management Committee Meeting.

## **13. SUPPLY OF INTOXICATING LIQUOR**

The purchase for the Club and the supply of intoxicating Liquor shall be exclusively controlled by the Management Committee which shall have the power to appoint a sub-Committee for this purpose. The hours of serving drinks shall be published in the Club bye-laws. No person under the age of 18 years shall be permitted to purchase intoxicating liquor.

## **14. USE OF CLUB PROPERTY**

No money or property of the Club or any gain arising from the activities of the Club shall be applied otherwise than for the benefit of the Club or for a charitable purpose to be nominated by a General Meeting.

## **15. OBSERVANCE OF RULES ETC**

Every member upon election is deemed thereafter to have notice of and undertakes to comply with the Club Rules and the current bye-laws and regulations of the Club. Any refusal or neglect to do shall render a member liable to expulsion in accordance with Rule 11.

## **16. DISPOSAL OF PROPERTY OF MEMBERS IN ARREAR**

If at any time any berthing or storage fees or subscription payable to the Club by any Member or former member shall be three months or more in arrears:

- a. The Management Committee shall be entitled to move the boat, trailer or other property of any such Member or former member (subsequently referred to as "the Property") to any part of the Club premises without being liable for any loss of or damage to the Property howsoever caused.
- b. The Committee shall be entitled upon giving one month's notice in writing to the Member or former member at his address as shown in the register of members, to sell the Property and to deduct any monies due to the Club (whether by way of subscription, berthing or storage fees or otherwise) from the net proceeds of sale before accounting for the balance (if any) to the Member or former member. If the owner or person having custody of the Property cannot be identified, the Committee shall give such notice as aforesaid by displaying the same upon the Club premises.
- c. Alternatively any Property which in the opinion of the Committee cannot be sold may, upon such notice as aforesaid, be disposed of in any manner the Committee may think fit and the expenses recovered from the Member or former member. Any arrears as aforesaid shall be deemed 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' and former members' Property on the Club's premises in respect of all monies due to the Club whether in respect of arrears of subscription, berthing or storage fees or otherwise.

## **17. LIABILITY OF THE CLUB**

Members of the Club, their guests and visitors may use the Club premises and any other facilities of the Club entirely at their own risk and will accept that:

- a. The Club will not accept 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 liability for any personal injury arising out of the use of the Club premises and any other facilities of the Club or out of participation in any race or other event authorised by the Club whether sustained by Members, their guests or visitors or caused by Members, their guests or visitors whether or not such damage or injuries could have been attributed to or occasioned by the neglect default or negligence of any other Officers, Members or servants of the Club.
- c. Before inviting any guests onto the Club premises or to participate in events organised by the Club, Members shall draw attention to this Rule.

## **18. CLASS SECTIONS WITHIN THE CLUB**

- a. A Class section within the Club may be formed or disbanded when, in the opinion of the Management Committee, the formation or disbandment of such a Section will further the objects of the Club.
- b. The affairs and conduct of a Class section shall be subject to the approval and control of the Committee in all respects.
- c. The objects of the Class section shall be:
  - i. To promote the sport of sailing by boats of the Class
  - ii. To advise the Sailing Committee of the needs and interest of the Class
  - iii. To arrange, subject to the approval of the Management Committee, events for the

Class additional to those on the Club Fixture List.

- d. Every Member owning a boat within the Class (but no other person) shall be a member of the Class Section.
- e. All business of the Class Section shall be conducted at Class meetings when every member (or in his absence his nominee) shall have the right to attend, and of which the Hon. Secretary and the Hon. Sailing Secretary and every member shall be given not less than seven days notice. The Management Committee shall if it thinks fit, appoint a representative (who shall not be a Member of the Class) to attend any Meeting and he may speak but not vote on any question. No person other than a Class member or in his absence his nominee may speak or vote at a Class meeting and in the event of two or more owners owning a boat jointly, not more than one of them may vote.
- f. At the Annual General Meeting, each class shall elect a Class Captain to hold office until the next succeeding Annual General Meeting. In the case of a vacancy occurring, the Class may elect a Captain to serve until the next Annual General Meeting.
- g. Records kept of proceedings of the Class shall be produced to the Sailing Committee if called for.

## **19. BORROWING**

Subject to the approval of the Members at a General Meeting, the Management Committee are empowered to borrow on behalf of the Members a sum or sums not exceeding two and one half times the total of the annual subscription of the Club for the preceding financial year on such terms as the Committee shall determine.

## **20. MEMBERS INDEMNIFICATION OF COMMITTEE**

- a. In pursuance of the authority vested in the Management Committee by the Members, members of this committee are entitled to be indemnified by the Members of the Club against any liabilities properly incurred by them or any one of them 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.
- b. The limit of an individual Member's liability in this respect shall not exceed a sum equal to the current year's subscription at the then current rate applicable to him unless the Committee have been authorised to exceed such limit by a General Meeting of the Club.

## **21. ALTERATIONS OF RULES**

Any alteration of, or addition to, these rules shall be made at the Annual General Meeting or at a General Meeting specially convened for the purpose, seven days notice of which shall be given. The proposed amendment in detail shall be displayed on the Club Notice Board for seven days prior to the Meeting and in addition every member shall have forwarded to him with his notice of the meeting, a copy of the amendment in detail.

## **22. CLUB PROFITS**

The Club is a non-profit making organisation. All profit and surpluses will be used to maintain or improve the Club's facilities. No profit or surplus will be distributed other than to another non-profit making body or to members on winding-up or dissolution of the Club.

## GENERAL BYE-LAWS

1. Dogs are permitted in the Clubhouse provided that they are kept under control and are well behaved.
2. No vehicles shall be parked in the compound except the cars of the Bar Steward, the Club Cleaner and other persons authorised by the Management Committee.
3. Vehicles shall not be brought into the compound except for the purposes of delivery and collection, but under no circumstances shall vehicles drive onto the grass or on to the concrete ways beyond the concrete apron adjoining the premises.

## BERTHING BYE-LAWS

1. All craft brought into the Club Compound whether owned by Club Members or not shall be subject to the Club Rules and these bye-laws. All craft, trailers, trolleys and equipment on the Club premises are brought in and left at the owner's risk.
2. No member may bring a craft into the compound or leave it there until he has applied for and granted a berth. Applications must be made in writing and must be accompanied by the Member's subscription and berthing fee.
3. Except where the Management Committee has granted an exemption, the following types of craft are not acceptable and will not be granted berthing facilities:
  - a. Any craft having a mechanical means of propulsion
  - b. Any craft having a fixed keel or keels or a ballasted centre board
  - c. Any craft whose weight and or physical dimensions render it necessary to use mechanical power in its launch, recovery or movement in or out of the compound.
  - d. Classes and types of craft other than those listed above specified by the Management Committee from time to time as unacceptable but if an owner of such a craft holds a berth for it, his application for berthing will be renewed as long as he continues to own the craft, or one of the same class.
4. Berthing Applications will be considered in the order that they are received at the Clubhouse except that a Member who has held a berth in the previous year may reserve equivalent berthing space if he applies for it and pays his dues before 1<sup>st</sup> March. Should the demand for berths exceed the supply, a waiting list will be established in order of receipt of application. Members who change craft during the season must apply to bring their new craft into the compound and pay any difference in berthing fees. They may not transfer their old craft's berth to another Member without the consent of the Management Committee which will only be granted where the former owner does not require the use of a berth, or spare berths are available. The Management Committee may refuse to renew a members berth if their boat has not been used at all during the previous membership year. A surcharge of 25% will be charged for boats used less than five times during the previous membership year.
5. Upon acceptance of an application for a berth, a berthing sticker will be issued and shall be displayed on the mast outside the cover or on the transom where the mast is not stepped. Sailboard stickers may be affixed to the board or designated berthing rack.
6. Craft must be placed in the berth allotted and secured when unattended. Members' wishes as to allocation will be followed as far as possible but Members may be asked to change berths if considered necessary by the Management Committee.

7. Craft not bearing a current berthing sticker or not stowed in its allotted berth may be removed from the compound without notice, but a craft identified as belonging to a Member will only be removed after 1<sup>st</sup> March in a membership year and then placed in the area designated by the Management Committee; after 30<sup>th</sup> April it may be removed from the compound. Any craft or equipment liable to be removed from the compound may be sold by the Club and the proceeds of the sale used to defray any money owing to the Club or otherwise disposed of.
8. Visitors  

Non-members who are competing in an open event organised by the Club must berth their craft in an area designated for visitors. Other non-members may leave their craft only with the permission of and in a space designated by a member of the Management Committee who must record the particulars in the Visitor's book.
9. Members shall keep their berths tidy and the grass cut.
10. Members are advised to mark their ownership of their craft, trailers, trolleys and all equipment.
11. Trailers and trolleys shall be left in the member's berth only, otherwise they may be removed from the compound and or sold or otherwise disposed of.
12. No craft may be placed inside Club buildings without the prior permission of the Management Committee.
13. Berthing Fees are set by the Management Committee and published in the Club house.
14. All craft left in the compound must be insured against third party risks and liabilities of not less than £3,000,000 and are recommended to be insured comprehensively.
15. The Management Committee, without liability for any breach of duty or the negligence of itself, the Club, Members, Club Servants or Agents may authorise the movement of craft, trolleys and trailers and ancillary gear in and around and into and out of the compound, or take any such action to enforce the Club Rules and these bye-laws, or where in their absolute discretion they consider it unnecessary in the interests of the management of the Club or safety to persons or property.

## **BYE-LAWS FOR THE OPERATION OF THE BAR**

1. The responsibility for the day to day running of the bar is delegated to the Hon. Bar Secretary.
2. The Hon. Bar Secretary shall be responsible for:
  - a. The maintenance and improvement of the bar and its equipment
  - b. Overseeing the duties of the Bar Steward
  - c. The appointment of additional bar staff in the absence of or to assist the Bar Steward, subject to the approval of the Management Committee.
  - d. The maintenance of such accounts and records as may be required by the Management Committee
3. Subject to directions given by or on behalf of the Management Committee, the responsibilities of the Bar Steward include :-
  - a. the orderly running and security of the bar
  - b. the purchase of stock
  - c. the cleanliness of the bar and its equipment
  - d. the collection and accounting of all monies received and paid
  - e. the maintenance of records
  - f. such other duties as may be specified from time to time
4. The Bar Steward and any employed stewards shall only be appointed or dismissed by the Management Committee.
5. Stocks shall only be purchased from sources approved by the Management Committee and the fixing of prices shall be subject to the approval of the Management Committee.
6. Stewards shall not give any credit. Cash back can be given, up to the value of £50, when a purchase is made using a UK debit card.
7. Stewards may refuse to serve any person without giving a reason and may close the Bar at any time.
8. As authorised by the Management Committee, the Bar may be opened in line with the Club's licensing arrangements.

## CADET SAILING RULES

### 1. FLOATATION

All craft sailed by cadets must have adequate buoyancy whether specified by Class Rules or not. Adequate buoyancy means sufficient buoyancy to support the craft when swamped and its crew.

### 2. PERSONAL BUOYANCY

Any Cadet sailing from Stokes Bay shall wear a suitable life jacket or buoyancy aid at all times when afloat.

### 3. CRUISES

Unless organised by the Sailing Committee and accompanied by a Club Patrol Boat, a cruise beyond the normal racing marks in Stokes Bay carried out by one or more boats sailed by Cadets shall conform with the following conditions:

- a. Before embarking on a cruise, each cadet taking part shall obtain permission from his parents.
- b. Personal buoyancy shall be worn at all times whilst afloat by each cadet member. Adequate clothing shall be worn or carried in case weather conditions change.
- c. Each boat must carry anchor and warp, bailer (unless the craft self drains), paddles (or oars and rowlocks), torch and mobile phone.
- d. The destination of the cruise shall be decided having regard to the prevailing conditions of tide, wind and weather. The cruise shall be planned to ensure that each boat returns to the clubhouse before dusk. A change of destination after departure should be avoided.
- e. Boats must remain in company throughout the cruise for mutual assistance.
- f. Before departure, the identity of each boat taking part, and the names of every member of each crew must be recorded on the Club notice board together with the destination, time of departure and estimated time of return. On return the notice should be removed.
- g. If a boat is unable to return to Stokes Bay before dusk, every endeavour must be made to contact by telephone an Officer of the Club or a parent of one of the Cadets taking part to avoid unnecessary anxiety and the initiation of search and rescue action.

### 4. SCOPE

These rules are solely intended for the safety of Cadet members. All Cadets are put on their honour to observe them strictly, and any breach can only result in curtailment of the wide facilities enjoyed by cadet members which the Management Committee is anxious not to restrict.