

# THE CALSHOT SAILING CLUB

## RULES AND CONSTITUTION



ISSUED : JANUARY 1987  
REV.1 : NOVEMBER 1990  
REV.2 : NOVEMBER 1993  
REV.3 : DECEMBER 1994  
REV.4 : DECEMBER 1998  
REV.5 : NOVEMBER 2000  
REV.6 : NOVEMBER 2001  
REV.7 : DECEMBER 2002  
Rev.8 : NOVEMBER 2003  
Rev.9 : NOVEMBER 2004  
Rev.10 : NOVEMBER 2005  
Rev.11 : NOVEMBER 2006  
Rev.12 : NOVEMBER 2008  
Rev.13 : NOVEMBER 2010  
Rev. 14 : March 2012  
Rev. 15 November 2013  
Rev 16. November 2014

# THE CALSHOT SAILING CLUB

## NAME AND OBJECTS

- 1** The name of the Club shall be "The Calshot Sailing Club", hereinafter referred to in these Rules as "The Club".
- 2** The object for which the club is formed is to promote and facilitate the sport of dinghy sailing and also to provide social and other facilities for members as may be from time to time determined.
- 2 (a)** For the purpose of Rule 2 the definition of "dinghy" shall include mono-hull dinghies, multi-hull dinghies and sailboards.

## MEMBERSHIP

- 3 (a)** There shall be the following categories of membership:
  - Ordinary Members: members over the age of 18 years, except as provided for below.
  - Family Members: comprising a member, his/her spouse or partner and if applicable, any children up to the age of 18, or 25 if in full-time education.
  - Student Members: members over the age of 18 but under 25 and in full-time education.
  - Junior and Youth Members: members aged up to 16 years and 16 to 18 years who are part of a family membership.
  - Independent Junior and Independent Youth Members: members aged up to 16 years and 16 to 18 years who are sponsored by a non-sailing parent or guardian.
  - Honorary Members: as under Rule 5.
  - Temporary Members: as under Rule 12(b).
- (b)** The conduct of members under the age of 18 shall be the responsibility of the respective parent/guardian.
- (c)** All classes of member shall be entitled to use the full amenities of the club except as limited by these Rules or by any specific Regulation of the Committee.
- 4** Any person, whether or not the owner of a yacht or boat, who is keen and interested in sailing is eligible as a candidate for membership.
- 5** The Club, on the recommendation of the committee, may in General Meeting elect Honorary Members, but the total number of such Honorary Members shall not, at any one time, exceed five percent of the total number of all members.
- 6** Members, other than Honorary Members, shall be elected at a meeting of the committee. Candidates may, and on the request of any one member of the committee, shall, be elected by ballot. A simple majority will secure membership to the club.
- 7 (a)** Every member on joining the club impliedly undertakes to comply with these Rules and any Bylaws and Regulations appended hereto and any refusal or neglect to do so or any conduct which, in the opinion of the committee, is either unworthy of a member or otherwise injurious to the interest of the club, shall render a member liable to expulsion by the committee: Provided that, before expelling a member, the committee should call upon him for an explanation of his conduct and shall give him an opportunity of defending himself or of resigning his membership. The vote on a resolution for expulsion shall be by ballot and the resolution shall only be carried if not less than three-quarters of the committee present vote in favour of the resolution.
- (b)** All Adult and Youth Members shall be prepared to carry out such fair and reasonable duties necessary for the operation of the club.
- 8** The official register of members of the club, containing such pertinent details as the committee may from time to time decide, may be recorded on a computer system, or computer sub-system.

## **BURGEE**

**9** The burgee and other distinctive articles of dress shall be approved by the committee.

## **ENTRANCE FEES**

**10** An entrance fee of such sum and in respect of such categories of member as the committee may from time to time prescribe shall be payable upon election to the club.

**11 (a)** Members shall pay an annual subscription of such sum as the committee may from time to time prescribe specific to their membership categories. All members shall pay their first annual subscription upon election to the club and thereafter on the first day of March in each year.

A member elected on or after:

- the first day of August in any year shall be required to pay half the annual subscription and boat parking fee for the year of election;
- the first day of October in any year shall be required to pay a full annual and boat parking fee if applicable, to cover membership in respect of the year of election, and the subsequent year.

**12** 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 a space in the club's boat park.

**(b)** Such an annual sum as shall from time to time be demanded to defray the club's subscription to the RYA as a Fully Affiliated Club.

**13 (a)** All annual subscriptions and boat permit fees are due on the first day of March each year. A member who has not paid his dues by the first day of April shall be liable to have his name removed from the list of members by order of the committee and no such member shall in any year be entitled to exercise any rights or privileges of membership until his entrance fee (if any), subscription for that year, boat permit fee and all arrears (if any) have been paid.

**(b)** Existing members renewing their membership after the first day of April may, at the decision of the committee, be placed on the boat space waiting list, in the order that renewals are received. Existing members who have rejoined already who were previously on the waiting list will be ahead of those members who have rejoined late. Boat spaces will then be allocated to members in the order that they appear on the list. New members will be added to the boat space waiting list at the date of their acceptance into the club.

**(c)** If at any time any boat parking fees payable to the club by any member or former member shall be two or more months in arrears, the committee shall be entitled to move the boat to any other part of the club premises without being liable for any loss or damage howsoever caused; the committee shall also be entitled upon giving one month's notice in writing to the member or former member, at his last known address as shown in the club register of members, to sell or otherwise dispose of the boat and to deduct any monies due to the club, including costs incurred in the sale or otherwise disposal of the boat, from the net proceeds of the sale or otherwise disposal before accounting for the balance (if any) to the member or former member.

## **OFFICERS**

**14 (a)** The Officers of the club shall consist of a Commodore, a Vice Commodore, a Rear Commodore, the Honorary Secretary and the Honorary Treasurer, who shall be elected at the Annual General Meeting in each year to hold office until the conclusion of the next Annual General Meeting. The retiring officers shall be eligible for re-election.

**(b)** No candidate for election to any office (other than the retiring officers) shall be proposed unless the name of such candidate and his proposer shall have been sent to the Honorary Secretary at least twenty-one days before the date of the Annual General Meeting.

## TRUSTEES

**15 (a)** There shall be at least three Trustees of the club who shall be appointed from time to time as necessary by the committee of the club from among ordinary or honorary members who are willing to be so appointed. A Trustee shall hold office during his lifetime, until he reaches the age of seventy or until he shall resign, by notice in writing given to the committee, or until a resolution removing him 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.

**(b)** All 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 is necessary and practicable, on trust for the use and benefit of the club. On the death, resignation, or removal from office of a Trustee, the committee shall appoint 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 appointment.

**(c)** 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, but no purchaser, lessee or mortgagee shall be concerned to enquire whether any such directions has been given.

**(d)** The Trustees shall be effectually indemnified by the committee out of the 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 in 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.

**(e)** 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.

## COMMITTEE

**16** The committee shall consist of the officers, ex- officio and not more than eight members of the club elected by the club in General Meeting to hold office until the conclusion of the next Annual General Meeting. Temporary and Junior Members shall not be eligible for election as officers or committee members.

**17** Candidates for election to the committee shall be those members of the retiring committee who shall offer themselves for re-election and such other members of the club whose nominations have been duly proposed and seconded by members of the club.

**18** If a casual vacancy occurs by death or resignation the committee may co-opt a member to fill the vacancy.

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

**20 (a)** The committee manages the affairs of the club according to the rules and shall apply the funds of the club to the objects of the club, and shall make such bylaws, rules and regulations, as they think fit as to the management of the club of its premises. The committee, or Honorary Secretary as agent for the club or its members, shall enter into contracts only so far as they are expressly authorised, or authorised by implication, from these rules. Neither the committee nor the Honorary Secretary shall, without the express authority of the membership, pledge the credit of the membership beyond the subscription payable by such membership in accordance with Rule 24 hereof.

**(b)** The committee shall meet as and when necessary but not less than 4 times a year in order to manage the affairs of the club. A meeting shall only be considered quorate if at least 50 per cent of the total of officers and ordinary committee members are in attendance. All decisions shall be made by a simple majority vote.

**21** A member of the committee, and the Honorary Secretary or Honorary Treasurer, in transacting business for the club, shall disclose to third parties that he is so acting.

**22** In perchance of the authority vested in the committee by members of the club, members of the committee are entitled to be indemnified by the members of the club against any liabilities properly incurred by them or by the Honorary Secretary on behalf of the club wherever the contract is of a duly authorised nature or could reasonably be assumed to be of a duly authorised nature and entered into on behalf of the club. The limit of a member's indemnity in this respect shall be a sum equal to one year's subscription at the current rate unless the committee has been authorised otherwise by a meeting called under Rule 29 hereof.

**23 (a)** It shall be the responsibility of the Honorary Treasurer to keep a complete and accurate account of the club's finances.

**(b)** Cheques must have two signatures of persons approved by the committee as outlined in a bylaw under Section 21.

## HONORARY AUDITOR

**24 (a)** At the annual meeting in each year a member or other person shall be appointed as Honorary Auditor whose duty it shall be to audit the Accounts of the club for the current year. In the event that he is unwilling or unable to act the committee shall appoint a substitute to hold office until the next Annual General Meeting.

**(b)** A copy of the audited Accounts shall be sent to each member at least fourteen days immediately prior to the Annual General Meeting.

## GENERAL MEETING

**25** An Annual General Meeting shall be held during the months of October, November or December. The committee shall provide at least 56 days notice.

The Honorary Secretary shall at least fourteen days before the date of such meeting or any General Meeting as hereinafter mentioned post or deliver to each member notice thereof and of the business to be brought forward thereat.

**26** No business, except the passing of the Accounts and the elections of the officers, committee, Trustees and Honorary Auditor and any business the committee may order to be inserted in the notice convening shall be discussed at such meeting unless notice thereof be given to the Honorary Secretary at least twenty one days before the date of the Annual General Meeting.

**27** The committee may at any time, upon giving fourteen days notice, call a 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 on the notice sent to members.

**28** The committee shall also call a General Meeting on a written request addressed to the Honorary Secretary by at least twelve members. Any such meeting should be held within 42 days of receipt of the request.

**29** At a General Meeting of the club, providing the appropriate subscription, entrance fee (if any), and boat permit fee (if any) is fully paid, the following shall have one vote each:

Ordinary members

Adult and Youth Family members

Student members

Independent Youth members

Junior members, Temporary members and Honorary members shall not be entitled to vote, but shall be entitled to attend a General Meeting.

**30** Those entitled to vote at a General Meeting of the club shall vote by a show of hands, except as provided in Rule 19. In the case of an equality of votes the chairman shall have a second or casting vote.

## SUPPLY OF INTOXICATING LIQUOR

**31** The purchase for the club and the supply by the club of intoxicating liquor shall be exclusively controlled by General Meeting or the committee, or by a special committee. Intoxicating liquor may only be sold to or for consumption on the premises by persons over the age of eighteen, who are entitled to the use of the premises of the club in pursuance of these rules. No Junior Member may purchase or attempt to purchase intoxicating liquor within the club premises.

## MISCELLANEOUS

**32** Any member other than a Junior member may introduce as his or her guest any person provide that the member, so introducing, enters the name and address of the said guest in a book kept for such purpose and at not time leave the club premises whilst the said guest is thereon. No member may introduce more that two guests in any day and may not introduce the same person as a guest more than six times in any year, except as hereinafter provide.

**33** A member of any club recognised by the Royal Yachting Association (a list whereof 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 (not being more than fourteen days apart) the said person may so use the premises.

**34** 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 twenty four hours before and after the race in which they are competing.

**35** The Honorary 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 35 and 36.

**36 (a)** The club operates as a non-profit-making club. No money or property of the club or any gain arising from the carrying on of the club shall be applied otherwise than for the benefit of the club or for a benevolent or charitable purpose to be nominated by General Meeting.

**(b)** If, upon the dissolution or winding up 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 but shall be given or transferred to some other institution or institutions having objectives similar to the objectives of this club. Such institution or institutions to be determined by the members of the club by resolution passed at a General Meeting at or before the time of dissolution, and if and so far as effect cannot be given to such provision, then to some charitable institution. 39 Club owned or managed boats shall be used only during recognised club activities.

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

**37** Notice of any alteration or addition to the rules intended to be proposed by a member of the club or by the committee shall be given to the Honorary Secretary in writing at least twenty eight days before the same is to be proposed at the Annual General Meeting, or at least one month before any special General Meeting at which the same is to be brought forward and full particulars of any such proposed alterations or additions shall be set out in the notice convening the meeting.

**38** All such proposed alterations or additions and any amendments to them which may be proposed and seconded shall be put to the vote at the meeting and provided that on a show of hands a majority of two-thirds of the votes of those members present and entitled to vote shall be cast in favour of any proposed alterations, additions or amendments, then the same shall be deemed to be carried.

**39** The committee may at any time make Regulations regarding the running of the club. Such Regulations shall be consistent with the Rules and Constitution of the club. Any such Regulation will come into force twenty-eight days after it is posted on the club Notice Board. Any such Regulation may subsequently be incorporated in the Rules and Constitution of the club in accordance with Rule 40, or may be rescinded by action at a General Meeting.

- Issued January 1987
- Revision 1 November 1990
- Revision 2 November 1993
- Revision 3 December 1994
- Revision 4 December 1998 (Rule 39 added)
- Revision 5 November 2000 (Rule 16 (e) added)
- Revision 6 November 2001 (Rule 14a - changed, 14b - added, 14b now renumber to 14c)
- Revision 7 December 2002 (Rule 3a changed, Rules 14a, b, c changed, Rule 42 correction)
- Revision 8 November 2003 (Rule 3a changed)
- Revision 9 November 2004 (Appendix introduced)
- Revision 10 November 2005 (Rules 3a, 3c and 12a minor changes)
- Revision 11 November 2006 (Rule 38a addition to).
- Revision 12 November 2008 (many minor changes and clarifications)
- Revision 13 November 2010 (Rules 12 & 14 change to membership year)
- Revision 14 March 2012 (Clause 6 Removed, subsequent clauses renumbered)
- Revision 15 November 2013 (Changes to Rule 11)
- Revision 16 November 2014 (addition of Appendix B)

## **APPENDICES**

### **By-Laws**

#### **A. Road Trailers in the Compound**

It is the policy of the club not to have road trailers permanently stored within the compound. It is permitted for members to bring their road trailers into the compound, and store their boats briefly on them in order to ease the moving of their boat into and out of the compound. In exceptional circumstances, the committee will consider a written request to store a road trailer under a boat within the compound, providing the following criteria are met. The trailer fits within the width of the member's boat / launching trolley, does not produce a hazard by increasing the length of the boat / trailer combination, and the road trailer is immobilised in the compound so it cannot immediately be used to transport a boat. In addition to the above, a fee will be charged as prescribed by the committee from time to time. Road trailers not complying with the above may be immobilised along with the member's boat by the committee until either approved for storage or arranged for removal from the compound.

Introduced: November 2004

#### **B. Identification of Belongings**

Any member wishing to leave boats, equipment or belongings at the club shall ensure that they are labelled with the member's name. Any items not labelled may be subject to removal from the club by the committee.

Introduced: November 2014