

**WILSONIAN SAILING CLUB
HOO ~ KENT
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wilsoniansc.org.uk



July 2010

RULES OF THE CLUB

Revised July 2010

1. Name and Object

The Club shall be called "The Wilsonian Sailing Club" and its object shall be the promotion and encouragement of the amateur sport of sailing on the River Medway, and community participation in the same.

2. Officers and General Committee of Management

- (a) The Officers of the Club shall consist of a Commodore, Vice-Commodore, Rear-Commodore, being the Flag Officers, Honorary Secretary and Honorary Treasurer who shall be elected annually and retire at the Annual General Meeting but shall be eligible for re-election, subject to these Rules.
- (b) No member shall be eligible for election to the office of Commodore unless they have held the office of Commodore, Vice-Commodore or Rear-Commodore for a period of at least 12 consecutive months during their membership.
- (c) No member shall be eligible for election to the office of Vice-Commodore or Rear-Commodore unless they have been a member of the General Committee for at least 12 months during their membership.
- (d) No member shall be eligible for election to the office of Honorary Secretary unless they have been a member of the General Committee for at least 12 consecutive months during their membership.
- (e) The General Committee of the Club shall consist of Officers, ex-officio, the House Secretary, the Sailing Secretary, the Club Bosun and six members of the Club elected by the Club in General Meeting to hold office until the conclusion of the next Annual General Meeting, but shall be eligible for re-election. Six shall form a quorum. (No Flag Officer shall be eligible for more than three consecutive years in the same position.)
- (f) A member with full voting rights may propose a similar member or members for the positions of Officers, House Secretary, Sailing Secretary and Club Bosun and for the General Committee by sending their nomination(s) in writing, together with the name of the seconder and providing the nominee has agreed to stand, to the Honorary Secretary to be received at least fifteen days before the Annual General Meeting. Ten days before the Annual General Meeting a list of the members so proposed shall be prepared by the Honorary Secretary and posted to all members. If the total number of proposed members from the General Committee does not exceed six (exclusive of the House Secretary, Sailing Secretary and Club Bosun), then such members shall be deemed to be duly elected to the positions for which they have been respectively proposed. If the number proposed for the General Committee (exclusive of the House Secretary, Sailing Secretary and Club Bosun) exceeds six, or if more than one member is proposed for any position then the vacancies shall be filled by a ballot of the members present at the Annual General Meeting. At least 50% of the elected members of the General Committee must be boat owners in the Club.
- (g) The General Committee shall have the power without reference to a General Meeting to appoint Assistant Officers if necessary. They shall be ex-officio members of the General Committee.
- (h) The Flag Officers, Honorary Secretary and Honorary Treasurer are ex-officio members of all Committees.
- (i) In the event of a vacancy occurring in any position normally elected or appointed, at an Annual General Meeting, or a vacancy being declared by the General Committee, the General Committee shall have the power to fill the vacancy forthwith. In the event of a vacancy occurring in the General Committee (or any sub-committee) the vacancy may be filled by the General Committee at their next meeting.
- (j) An Officer shall take the chair at all meetings of the Club but in the event of no Officers being present it shall be incumbent upon any member who shall be elected to take the chair.

- (k) In the event of the voting on any proposal being equally divided, the Chairman shall have a second or casting vote.
- (l) Should there be no member eligible and willing to stand for election under the terms of the foregoing rules, the post shall be filled by a nominee from the general membership at a General Meeting.

3. Management of the Club

- (a) The affairs of the Club shall be wholly managed by the General Committee according to these Rules. Such Committee shall apply funds of the Club in such a manner as complies with Rule 20, and shall make bye-laws, rules and regulations as it thinks fit to the management, operation and activities of the Club.
- (b) The members of the Club may in General Meeting reserve the management of such affairs as they think fit to a General Meeting.
- (c) It shall be the responsibility of the Honorary Treasurer to keep a complete and accurate account of the Club's finances.

4. Honorary Auditor

- (a) At the Annual General Meeting in each year there shall be appointed an Honorary Auditor whose duty it shall be to audit the accounts of the Club for the then current year.
- (b) A copy of these audited accounts shall be circulated to every member prior to the Annual General Meeting.
- (c) In the event of the person appointed as Auditor being unwilling or unable to act, the General Committee shall appoint a substitute.

5. Annual/Special General Meeting

- (a) The financial year of the Club shall end on 31st December.
- (b) The Annual General Meeting of the Club shall be held not later than the last day of February. At this meeting the Officers and General Committee shall be elected by ballot, if necessary, and they shall take office immediately after this meeting.
- (c) The Honorary Secretary shall at least 28 days before the date of the Annual General Meeting post or deliver to each member notice thereof. Proposals for inclusion on the Agenda, which have been duly seconded, must be received by the Honorary Secretary in writing at least 15 days prior to the date of the meeting. Ten days before the meeting the Honorary Secretary shall post or deliver to each member notice of the business to be brought forward thereat.
- (d) At the Annual General Meeting of the Club each eligible member shall have one vote. Other members entitled to attend such meetings shall have no vote. Twenty shall form a quorum.
- (e) In the case of an equality of votes the Chairman shall have a second or casting vote.
- (f) A General Meeting of the Club may at any time without giving any reason remove any member from any position which he or she may hold within the Club or its Committees.
- (g) The General Committee may at any time call a General Meeting of the Club for any specific business. The discussion at any such General Meeting shall be confined to the business stated in the notice sent to members. Thirty members (or if the total of the Club is less than 150, one fifth of the said total) may join together to summon or cause the Secretary to summon by notice as previously mentioned a General Meeting.

6. Sub-Committees

- (a) The General Committee may appoint such sub-committees as it may think fit provided that at least one member of the sub-committee is a member of the General Committee and that the vacation of office on the General Committee shall also involve vacation of office on any sub-committees.

(b) It shall be the duty of all sub-committees to report periodically to the General Committee to whom they are subordinate and whose sanction must be obtained for all bye-laws, regulations and expenditure.

7. Sailing Committee

The Sailing Committee shall consist of the Honorary Sailing Secretary, the elected Fleet Captains, the Club Bosun, the Cruising Secretary and ex-officio members. The Sailing Committee shall have the power to co-opt additional members when necessary.

The following members (or their representative) of the Sailing Committee shall have voting rights:

- The Sailing Secretary
- The Fleet Captains
- The Club Bosun
- One representative of the ex-officio members of the club
- The Cruising Secretary

Four members with voting rights to form a quorum.

8. House Committee

The House Committee shall consist of the House Secretary and five members elected by the Club in General Meeting who with ex-officio members shall draft the house bye-laws, regulate the tariff of charges and generally manage the internal arrangements of the House Premises and Property of the Club. Three to form a quorum. The members of this committee shall be elected annually and retire at the Annual General Meeting but shall be eligible for re-election.

9. Class Captains

Class Captains shall be elected annually and retire at the Annual General Meeting but shall be eligible for re-election. Only members who are boat owners in a particular class shall be eligible to vote for the Class Captain of that class.

10. Membership

- (a) Membership of the Club shall be open to anyone interested in the sport of sailing regardless of sex, age, disability, ethnicity, nationality, sexual orientation, religion or other beliefs. However, limitation of membership according to available facilities is allowable on a non-discriminatory basis.
- (b) The Club may have different classes of membership and subscription on a non-discriminatory and fair basis. The Club will keep subscriptions at levels that will not pose a significant obstacle to people participating.
- (c) The General Committee may refuse membership, or remove it, only for good cause such as breach of any Club Rule(s) or conduct or character likely to bring the Club or sport into disrepute. Appeal against refusal or removal may be made to a minimum of two Flag Officers and two Trustees. An individual whose membership has been removed or refused shall not be permitted to participate in open events held at the Club nor be introduced to the Club as a guest.
- (d) Applicants for membership shall send the application form completed and duly signed, with appropriate fees and subscriptions, to the person nominated by the General Committee. Membership shall remain provisional until notification of election or rejection by the General Committee. Subject always to paragraphs 10(a), 10(b) and 10(c) above, the General Committee may, at their discretion, require to interview an applicant before election to membership. Applicants shall be subject to approval by a simple majority at a General Committee Meeting. The successful applicant shall become members 48 hours after they are approved by the General Committee.

(i) Full Members

A Full Member shall be 18 years of age or over on the 1st January, shall enjoy the full amenities of the Club and shall have the power to vote.

(ii) Family Members

Family Membership shall consist of cohabiting partners, or a single parent, and their children up to the age of eighteen years on the 1st January. Each cohabiting partner, or single parent, shall be deemed a Full member.

(iii) Student Members

Student Membership is open to persons aged 18 years or over on the 1st January receiving full-time education. Student Members shall enjoy all the rights and privileges of Full Membership. This class of membership may be extended to persons in a recognised low paid training post such as an apprenticeship at the General Committee's discretion.

(iv) Junior Members

Junior Membership is open to those up to the age of eighteen years on the 1st January. A Junior Member shall be entitled to the amenities of the Club, but shall have no power to vote. Before a candidate is nominated for Junior Membership a parent or guardian must sign a form absolving the Club of any liability in the event of injury or accident.

(v) Country Members

An existing member may apply to be transferred to Country Membership on moving from the district and whose normal address is then over 75 miles from the Club. A Country Member shall be entitled to the amenities of the Club, with the exception of the allocation of a space in the dinghy park.

(vi) Temporary Members

At the discretion of the General Committee, Temporary Members may be elected upon payment of such subscriptions as shall be fixed by the General Committee from time to time and shall be entitled to the amenities of the Club. No Temporary Member shall be entitled to attend or vote at any General Meeting. Visitors to Open Meetings shall be treated as Temporary Members. Except for Open Meetings the number of Temporary and Provisional Members shall not exceed 20% of the Club membership.

(vii) Honorary Members

The Club, on the recommendation of the General Committee, may in General Meeting elect Honorary Members but the total number of such Honorary Members shall not at any time exceed five per cent of the total number of members.

(viii) Life Members

At the discretion of the General Committee members may be elected to Life Membership (including Family Life Membership) on payment of such single subscription as the General Committee shall at the time determine, provided that the total number of such Life Memberships shall not at any time exceed ten. Applicants for Life Membership shall have been full members of the Club for at least twelve consecutive months immediately prior to their election to Life Membership. Life Members shall enjoy all the rights and privileges of Full Membership and for the purposes of Rule 11 their subscription shall be considered to have been paid on 1st January each year. The qualification for and rights of Family Life Membership shall be the same as those stated under Rule 10(ii) (Family Membership).

(ix) Associate Members

Associate membership may be offered to, for example, a member of ten or more years standing who is retiring from regular sailing because of age or ill-health. Applications for Associate Membership may be granted at the discretion of the General Committee on such terms as they may determine from time to time.

(x) Guardian Members

At the discretion of the General Committee, Guardian membership may be offered to any parent(s) or adult guardian(s) of a Junior member under their guardianship (hereinafter referred to as the "Junior"). Such Guardian member shall:

- a) be entitled to the amenities of the Club, subject to d) below and subject to any terms or conditions that the General Committee may determine from time to time;
- b) not be required to pay any subscription over and above that paid by or on behalf of the "Junior";
- c) not be required to undertake Club duties, but would be expected to assist where necessary or appropriate when accompanying the "Junior" on to the Club's premises;
- d) have no power to vote at any General Meeting of the Club;

NOTE: Postal contact can be maintained with the Club on such terms and conditions and upon payment of such subscription as shall be determined by the General Committee from time to time.

11. Annual Subscriptions

- (a) Annual fees and subscriptions shall be as decided by the General Committee from time to time. Subscriptions shall be payable on application for membership and subsequently on 1st January in each year. Entry fees shall be payable on application for membership. Dinghies shall not be left on Club premises without the permission of the Dinghy Park Secretary and the appropriate fee shall be payable in advance. After 31st July applicants shall be elected at half the annual subscription rate. Where dinghies have not been left in the dinghy park prior to 1st August, any dinghy park fee shall be charged at half the normal rate.
- (b) Any member not having paid the current subscription shall not have the power to propose or second or speak to a motion or vote at a General Meeting.
- (c) Any member who has not paid their subscription by 31st January following the date that it was due shall be requested to pay the same. Failure to pay the subscription by the following 28th February shall exclude the member from the Club. The General Committee may however at any time reinstate such a defaulting member, if they consider such a course desirable, on payment of such a fee as they may from time to time determine.

12. Entry Fee

All applicants for membership of the Club will pay an entrance fee as decided by the General Committee from time to time. Such fee is not payable by applicants for Junior Membership, or by members changing from Junior to Full Membership.

13. Retiring Members

A member may retire from the Club by informing the Honorary Secretary in writing.

14. Impropriety of Conduct of Members

Every member on joining the Club undertakes to comply with these Rules and any refusal or neglect to do so or any conduct which in the opinion of the General Committee, is either unworthy of a member or otherwise injurious to the interests of the Club shall render a member liable to expulsion by the General Committee provided that, before expelling a member, such committee shall call upon him/her for an explanation of his/her conduct and shall give him/her an opportunity of defending himself/herself or of resigning 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 members of the General Committee present vote in favour of the resolution.

15. New Rules or the Alteration of Existing Rules

- (a) Any proposal for formulating new rules, the amendment or repeal of existing rules shall be sent in writing to the Honorary Secretary and endorsed by not less than twelve members. Such notice shall be posted in the Club headquarters for one month and at the expiration of such period the Honorary Secretary shall call a Special Meeting for the purpose of considering such proposals, or they may be dealt with at the Annual General Meeting.
- (b) The General Committee shall have the power on their own resolutions to propose new rules or alterations of existing rules and the same procedure as above shall apply.
- (c) The time and place of such a meeting and particulars of the proposed amendments, repeal or new rules shall be notified to all members seven days beforehand.
- (d) A two thirds majority in a vote by ballot of members present at the meeting shall cause the proposals to become operative.

16. Interpretation of Rules

In the event of any doubt arising as to the interpretation of any of these Rules, the matter shall be referred to the General Committee whose decision shall be final.

17. Supply and Sale of Intoxicating Liquor

The purchase for the Club and supply by the Club of intoxicating liquor shall be the sole responsibility of the House Committee. Intoxicating liquor may only be sold to Members of eighteen years of age or over.

18. Licensing Hours

The permitted hours for the supply of intoxicating liquor shall be from 12:00 noon until 11:00pm on Mondays to Saturdays, and from 12:00 noon until 10:30pm on Sundays and at such other times as the licensing justices may from time to time permit. On Christmas Day the permitted hours are 12 noon to 3pm and 7pm to 10:30pm.

19. Trustees

- (a) There shall be four Trustees of the Club appointed by a General Meeting who shall act in accordance with the Trust Deed and as the General Committee shall from time to time direct by resolution (of which an entry in the General Committee minute book shall be conclusive evidence).
- (b) If a vacancy for a Trustee occurs between General Meetings the General Committee, after consulting with the remaining Trustees, shall have the power to fill the vacancy forthwith. The appointed Trustee will serve until the next General Meeting, when they will be eligible for re-appointment.

20. Property and funds

- (i) The property and funds of the Club cannot be used for the direct or indirect private benefit of members other than as reasonably allowed by the Rules and all surplus income or profits are reinvested in the Club.
- (ii) The Club may provide sporting and related social facilities, sporting equipment, coaching, courses, insurance cover, medical treatment and other ordinary benefits of Community Amateur Sports Clubs as provided for in the Finance Act 2002.
- (iii) The Club may also in connection with the sports purposes of the Club:
 - (a) sell and supply food, drink and related sports clothing and equipment;
 - (b) employ members (though not for sailing) and remunerate them for providing goods and services, on fair terms set by the General Committee without the person concerned being present;
 - (c) pay for reasonable hospitality for visitors and guests;
 - (d) indemnify the General Committee and members acting properly in the course of the running of the club against any liability incurred in the proper running of the Club (but only to the extent of its assets)

(iv) The General Committee will have due regard to the law on disability discrimination and child protection.

21. Visitors from Other Clubs

A member of any club recognised by the Royal Yachting Association unless they have been refused membership of the Club or whose name has been struck off the list of members for any reason may be authorised 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 premises. The person shall during that time be deemed to be a Temporary Member.

22. Any Officer of the Club or any other person who has received the authority of two members of the General Committee may expel temporarily or permanently any person who has the right to use the Club premises under Rule 21 and/or Rule 25.

23. Duties

Members will perform their allocated duties in accordance Bye-Law 16

24. Insurance

No craft shall be brought on to the Club premises without having adequate Third Party Insurance cover.

25. Guests

Any member may introduce as his or her guest any person providing that the member so introducing enters the name and address of the said guest in a book kept for such purposes and at no time leaves the Club premises while the said guest is thereon. No member may introduce more than four guests in any one day. No person may be introduced as a guest more than six times between 1st January and 31st December in any one year other than for social events. No member may introduce any person who, to their knowledge, has been refused membership of the Club, or whose name has been struck off the list of members for any other reason. No guest may bring a boat to the Club other than to participate in an open event held by the Club.

26. Winding Up the Club

(a) The members may vote to wind up the Club if not less than three quarters of those present and voting support that proposal at a properly convened general meeting.

(b) The General Committee will then be responsible for the orderly winding up of the Club's affairs.

(c) After settling all liabilities of the Club, the General Committee shall dispose of the net assets remaining to one or more of the following:

(i) to another club with similar sports purposes which is a charity, and/or,

(ii) to another club with similar sports purposes which is a registered CASC, and /or,

(iii) to the Club's national governing body for use by them for related community sports.

27. Priority

Where there is any conflict between Rules 1, 10 (a), 10 (b), 10 (c), 20 and 26 ("Key Rules"), and any other rules or Bye-Laws, the Key Rules will take priority. Interpretation of all the Rules must be consistent with the statutory requirements for CASCs (which means Community Amateur Sports Clubs as first provided for by the Finance Act 2002)

BYE-LAWS

1. Members of the Club, their guests and visitors, may use the Club premises, and any other of the facilities of the Club, entirely at their own risk and impliedly accept that:
 - (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 the use of the Club premises, and any other facilities of the Club, or out of participation in any race organised by the Club, whether sustained by members, guests or visitors, or caused by the said members, guests or visitors, whether or not such damage or injury could have been attributed to or occasioned by the neglect, default or negligence of any of the officers, committee or servants of the Club.
 - (c) Before inviting any guests or visitors onto the Club premises or to participate in events organised by the Club, members will draw their attention to this Bye-Law.
 - (d) Members, parents and guardians are warned that the Club is only able to provide rescue facilities during the hours of Club racing. Outside these hours, members, parents and guardians have sole responsibility for their children and wards and must appreciate that the Club cannot be expected to exercise supervision or control. Even during Club racing the Club cannot accept responsibility for children, or other persons not engaged in racing.
2. Members must wear personal buoyancy while in the Club boats.
3. Dogs are not permitted in the Clubhouse.
4. Dogs must be kept on a lead while in or on the Club premises or property.
5. The bar may be opened with the permission of the Chief Duty Officer or a member of the General or House Committees within the terms of Rule 18.
6. Members are responsible for returning all Club property used by themselves and their guests to the Clubhouse.
7. Any charges or expenses incurred by members must be settled before departure from the Club premises.
8. Dinghy park spaces may be allocated to single hull dinghy classes, provided the overall length of the boat does not exceed 5.5 metres and the Portsmouth Yardstick Number does not exceed 1386. Optimists will also be accepted for training, under 16 Junior Fleet and Saturday Club activities only.

The Sailing Committee will consider the first of any class of dinghy within the overall constraints. If accepted then subsequent applications for that type of dinghy will be accepted.

The Sailing Committee may however accept boats outside these constraints only after consideration of each application. Acceptance of these boats may be on a permanent or yearly only basis.

Other boats, sailboards and canoes may only be brought onto the Club's premises with the permission of the Sailing Secretary and providing they have insurance cover against third party risks.
9. The owner and/or skipper of any boat launching from the club shall be responsible for:
 - (a) the seaworthiness of that boat, and
 - (b) ensuring the boat has adequate insurance against third party risks.

All boats participating in racing shall, in addition, comply with their class measurement rules.
10. The annual fee (1st January to 31st December) must be paid in advance for boats kept in the dinghy park. Failure to do so may result in a dinghy park space not being available. Dinghy park spaces may not be sub-let. If the allocated dinghy park space has not been used by the end of May, the General Committee reserves the right to reallocate that space and refund the dinghy park fee *pro rata*.

11. Boat trolleys must be returned to the boat space in the dinghy park and not left at the foreshore or slipways.
12. Members not on official business must not enter the race control office without the permission of the Race Officer.
13. Members must inform the Honorary Secretary of any change in their address or membership status. Any notice or communication sent to the member's last notified address will be deemed to have been correctly posted or delivered.
14. Permission must be obtained from the Sailing Secretary before a member changes his class of dinghy to be kept in the dinghy park.
15. Members entering Club races must abide by the current Sailing Instructions.
16. (a) Members scheduled for Club duties shall carry out those duties in accordance with any relevant Standing Orders for the time being in force.

A member may arrange a suitable substitute provided that each respective CDO and the Duty List Secretary are informed in writing at the time the change is made. It is the member's responsibility to find their own substitute.

All members on duty shall help clean and close the Club at the end of the day and shall not stand down without the CDO's consent.

Members under 16 years of age shall not be required to do duties.
- (b) Members shall be required to undertake at least one work party annually as advised by the General Committee.
17. Members' vehicles must display a current Club membership sticker.
18. Guests' cars must display a note indicating the hosting member's name.
19. Cars are only permitted down the track from car park to dinghy park if delivering or removing dinghies, or on official Club business with the Chief Duty Officer's permission, and they must be returned to the car park immediately.
20. No vehicles are permitted in the dinghy park except on specific Club business with an Officer's permission.
21. A maximum speed limit of 15 mph must be observed on all estate and Club roads.
22. When a boat or other property left on Club premises is owned by a person who is not a current member of the Club, or where the conditions on which boats may be left in the dinghy park have not been met, the General Committee may:
 - (i) move the property to any other part of the Club's premises without being liable for any loss or damage to that property, howsoever caused,
 - (ii) having given one month's notice to the owner at his or her last known address, thereafter sell the property and deduct from the proceeds any monies due to the Club.
23. Keys to the dinghy park and car park may be obtained from the Honorary Treasurer on payment of such returnable deposit as the General Committee may from time to time determine. Keys will not be issued to Junior members. Keys are issued on condition that:
 - (i) they remain the property of the Club,
 - (ii) they must be returned on demand and, in any event, on ceasing to be a member of the Club,
 - (iii) members using keys to enter or leave Club premises will lock up behind them, and
 - (iv) keys will not be made available to non-members in any circumstances without the authority of the General Committee, or transferred to another member without the permission of the Honorary Treasurer.

(The deposit is forfeit where a key is not returned to the Honorary Treasurer within one month of membership lapsing.)

24. Road trailers left on Club premises should be kept in the designated area for trailers at the owner's risk, clearly marked with the owner's name. However, members may with permission from the General Committee, keep them under their boat on payment of the additional fee. Where these conditions are not met, the General Committee under Bye-Law 22 may deal with the trailer in the same way.
25. Members of the Club under the age of 18 years may only attend the Club with an adult who is a member of the Club and who will be fully responsible for them while they are on Club premises or enjoying the use of the Club's facilities or taking part in events organised by the Club. Members under 18 years of age attend the Club and participate in Club events on the strict understanding that the Club can in no circumstances accept liability in case of injury.
26. Safety boats must only be operated in accordance with the Standing Orders for Safety Boats.
27. (a) No one under the age of 16 years is permitted behind the kitchen or bar counters.
(b) No one under the age of 18 years is permitted behind the bar counter.
(c) No person will be permitted behind the kitchen or bar counters without the permission of the CDO.