



Club Rules

These rules are made in accordance with, and in addition to the Constitution. If there is a conflict, the Constitution will prevail.

1.0 OFFICERS

1.1 The Flag Officers are the Senior Officers of the Club being Commodore, Vice Commodore and Rear Commodore.

1.2 The Commodore shall be a responsible senior member of the Club with not less than one (1) years Administration, Sailing, or House Committee service prior to the time of election. The Vice and Rear Commodores shall be responsible senior members.

1.3 Other Officers of the Club are Patron, Immediate Past President, President (who shall be the retiring Commodore), Vice Presidents and Solicitor (all of whom shall be entitled to the privileges of the Club).

2.0 ADMINISTRATION COMMITTEE

2.1 The affairs of the Club shall be administered by an Administration Committee.

2.2 The Administration Committee shall consist of 5 members minimum elected at the AGM and include the three Flag Officers.

2.3 The Administration Committee may appoint up to four (4) additional members (one of whom may be a youth member sixteen (16) years of age or over with voting rights to serve on the Administration Committee.

2.3.1 The Administration Committee may co-opt a non-member with special expertise to serve on the Administration Committee during their term if it is considered in the Club's interest.

2.3.2 Persons appointed as per Rule 2.3.1 shall have speaking but no voting rights at meetings.

2.4 The President may be an Ex Officio member of the Administration Committee should he/she so desire.

2.5 The Administration Committee shall have full power and control over the entire management of the Club.

2.6 Control of Funds

2.6.4 The Club Manager shall present a current financial statement to each regular Administration Committee Meeting.

2.6.5 All payments out of the funds of the Club shall be authorised by the Administration Committee and withdrawals from any of the Club's accounts shall be signed by two Administration Committee members or as the Administration Committee shall from time to time direct.

2.6.5.1 Any payments made to a member of the organisation or person associated with a member must be for goods or services that advance the charitable purpose and must be reasonable and relative to payments that would be made between unrelated parties.

2.6.6 The Administration Committee shall be entitled, on reasonable notice, to request any fleet or association comprising members of the Club to provide the Administration Committee with financial statements in respect of the affairs of that fleet or association.

2.6.7 Members responsible for the conduct of regattas (or events) held from the Club shall provide the Administration Committee with financial statements in respect of the conduct of such regattas (or events).

2.7 The Administration Committee may, if it considers it expedient, delegate any of its functions to the Club Manager, any committee constituted under these rules or to any committee duly constituted by it for any purpose.

2.8 The Administration Committee may appoint, employ or contract an individual or company to provide services to the Club and to remunerate in such manner as the Administration Committee shall consider expedient. Notwithstanding such delegation the Administration Committee will be responsible for the actions of any such duly designated, appointed, employed or contracted person or company or committee.

2.9 The Administration Committee may make, alter and rescind by-laws including local sailing rules.

2.10 The Administration Committee shall appoint a member to fill any vacancy or office occurring during its term of office.

2.11 The Administration Committee may employ a Club Manager to fill either or both the Secretary/Treasurer offices if it deems fit.

2.13 A meeting of the Administration Committee may be called by the Commodore or three (3) other members of the committee, these three (3) having given notice to the Secretary/Administrator in writing.

2.15 Any member of the Administration Committee failing to attend three consecutive meetings shall cease to be a member thereof unless he/she shall first have obtained leave of absence for a definite period or have a legitimate reason for such absence.

3.0 HOUSE COMMITTEE (incorporating Social Committee)

3.1 The House Committee shall be responsible to the Administration Committee for the management of the Clubrooms (buildings), all improvements, bar and associated facilities and fittings, stock, social functions and any other matters which the Administration Committee may consider expedient.

3.2 The House Committee shall be chaired by the Rear Commodore and consist of a Secretary, who may be the Club Manager or Administrator and three (3) other responsible senior members and may co-opt members with special expertise to assist in carrying out its functions.

3.3 The House Committee shall keep an up-to-date asset register relevant to its functions.

3.4 The House Committee shall present a written report to each regular Administration Committee Meeting.

4.0 SAILING COMMITTEE

4.1 The Sailing Committee shall be responsible to the Administration Committee for the running of the Club's sailing programme and the issue of local sailing instructions, subject to Rule 2.9.

4.2 The Sailing Committee shall be chaired by the Vice Commodore and consist of the Sailing Secretary (who may be the Club Manager / Administrator), Senior Race Officer, Sailing Master/Coach, Club Safety Officer (who may be one of the above) and one (1) member representing each of the classes of yachts for which the Club offers races or sailing or training in its sailing programme.

4.2.1 The Sailing Committee may appoint the Sailing Master, Sailing Secretary and the Senior Race Officer.

4.3 The Sailing Committee shall have the right to appoint up to four (4) other senior members to assist it in carrying out its functions. However one of these senior members may be replaced by a youth member 16 years of age or over.

4.3.1 The Sailing Committee may co-opt a non-member with special expertise to serve on the Sailing Committee, during their term, if it is considered in the Club's interest.

4.3.2 Persons appointed as per Rule 4.3.1 shall have speaking but no voting rights at meetings.

4.4 The Sailing Committee shall meet whenever they deem it necessary but not less than once a calendar month during the sailing season or upon requisition by the Vice Commodore, Senior Race Officer, Safety Officer or any three (3) members of the Committee.

4.5 The Sailing Committee shall keep an up-to-date asset register relevant to its functions.

4.6 The Sailing Committee shall present a written report to each regular Administration Committee meeting.

4.7 At meetings of the Sailing Committee five (5) members shall form a quorum.

5.0 ELECTION OF OFFICERS AND COMMITTEES

5.1 At the Annual General Meeting there shall be elected the Patron, the Vice Presidents, the three (3) Flag Officers, and a minimum of the two (2) members of the Administration Committee.

5.2 The offices of Secretary/Treasurer may not be required to be elected if the duties are carried out by an employed Club Manager or Administrator.

5.3 All nominations must be on the official nomination form, in writing, bear the signature of the nominator, seconder and the nominee who must all be financial members of the Club.

6.0 MEETINGS

6.1 Only financial members for the year ending on the previous May 31 or new members elected after June 1 who have paid the current subscription are eligible to vote or be elected to office at such meeting.

6.2 If a conflict of interest is perceived that may give a personal advantage to any member or his/her family at any meeting, that member shall declare such interest, the Chairman shall rule as to the members right to speak to and or vote on the matter under discussion.

6.2.1 No member of the Club, or anyone associated with a member, is allowed to take part in, or influence any decision made by the organisation in respect of

payments to or on behalf of the member or associated person of any income, benefit or advantage.

7.0 MEMBERSHIP APPLICATION

7.1 A candidate for membership shall complete the official membership application form and pay the relevant membership fee and satisfy any other precondition.

7.2 Upon satisfactory completion of the requirements in clause 12.1, the candidate may immediately enjoy the benefits and privileges of club membership. However, such privileges shall be temporary until such time as they are elected by a majority vote of the Administration Committee in the candidate's favour.

7.3 If the candidate is not elected, their subscription shall be returned less any balance due for the difference in member/non-member prices for products or activities already booked or completed.

8.0 FINANCIAL YEAR

The financial year of the Club commences on June 1st in each year.

9.0 DUES

9.1 All members' subscriptions, rentals or other dues for the season shall be paid to the Club Manager by October 1st of that year.

9.2 Members may make arrangements with the Commodore for regular spread payments.

9.3 In the case of those becoming members during the currency of any financial year of the Club and at such date that they are precluded from enjoying the privileges of membership for a full financial year, the Administration Committee at its discretion, may permit the payment by such persons of a reduced sum by way of subscription or other dues for the remainder of such financial year.

10.0 ARREARS

10.1 Any member failing to pay their subscription, rental or other dues by October 1st as aforesaid subject to Rule 9.2 may have their Membership terminated by resolution of the Administration Committee.

10.2 Such defaulter may be reinstated if such member justifies the delay to the satisfaction of the Administration Committee.

10.3 The termination of membership by any defaulter shall be without prejudice of the Club's right to recover any subscription or other money then owing by such member.

10.4 No member whose subscription, rental or dues are in arrears and whose notice has been brought to the fact shall be entitled to the privileges of the Club.

10.5 Members who are in payment default will not be allowed to access Club premises for any purpose until such moneys are paid or arrangements as per Rule 9.2 are entered into.

11.0 BURGEES

11.1 The Club Burgee shall be a royal blue pennant with a gold cross and a red square at the intersection of the cross.

11.2 The Commodore's flag shall be a swallow-tail of similar design to the Burgee.

11.3 The Vice Commodore's flag shall be similar to the Commodore's with one gold ball in the inner upper canton.

11.4 The Rear Commodore's flag shall be similar to the Commodore's with two gold balls in the upper inner canton.

11.5 The Secretary's flag shall be similar to the Commodore's with a gold star in the upper inner canton.

11.6 The Past Commodore's flag shall be similar to the Commodore's with a gold maltese cross in the upper inner canton.

11.7 Honorary Life Members shall have a flag similar to the Commodores with a gold maltese cross in the inner upper and inner lower canton.

12.0 VISITORS

Members have the privilege of introducing visitors. A member introducing a visitor/s shall enter his/her/their name in the Visitors Book.

12.1 The introducing member shall be held responsible for the conduct of such guest/s while on Club Premises.

12.2 The same visitors may not be introduced more than once a month except on guest nights.

13.0 CLUB PROPERTY

13.1 No member shall remove any property of the Club from Club premises except under by-laws made by the Administration Committee or with the permission of the officer in charge of such property.

13.2 Members shall pay the full cost of replacing any Club property lost or damaged by them.

14.0 OBJECTIONABLE AND UNACCEPTABLE BEHAVIOUR

14.1 The following behaviours are considered objectionable or unacceptable while participating in Club activities and may result in action being taken against a member or other person

- Offensive, abusive or insulting language
- Bullying
- Violence or threats thereof
- Harassment including sexual harassment
- Inappropriate behaviour towards or involving another person
- Unauthorised gambling or betting
- Using or attending the club while affected by illegal substances, or bringing such substances onto the club's premises
- Being intoxicated
- Wilfully damaging club property or other persons property at the club
- Any other behaviour that may bring the Club into disrepute

14.2 Intoxicating liquor may only be sold on Club premises subject to the Club's Liquor License and consumed in accordance with the terms of the license. Persons under the minimum legal age of consumption are not to be provided with or consume alcohol on the Club premises.

15.0 DISCIPLINARY PROCEDURE AND PENALTIES

15.1 The Administration Committee may initiate disciplinary proceedings against any member or crew or visitor to the club if

- The Committee becomes aware of a breach of Rule 14 or any other offence; or
- On receipt of a complaint in writing from another member or member of the public

15.2 The Administration Committee will advise the member or other person in writing of the allegation or the complaint against them and ask for an explanation in writing. The letter will draw their attention to the available penalties set out in Rule 15.11.

15.3 The Administration Committee may decide to undertake an enquiry into the alleged conduct. It may appoint an independent person to investigate the matter, and to report back to it.

15.4 The Administration Committee will consider the explanation and any report as provided under Rule 15.3, and make a decision as to whether or not further action is required. If the decision is that no action is required, the Administration Committee will advise the member or other person, and any complainant accordingly.

15.5 If the decision is that further action is required, the Administration Committee may, at its sole discretion,

- Decide on what action is to be taken against the member or other person in terms of Rule 15 and notify him or her in writing, or
- Convene a hearing before the Administration Committee.

15.6 If a hearing is convened, both the complainant and the person complained against will be advised in writing at least 14 days prior to the hearing date. The parties will be advised in writing:

- Of the date, time and location of the meeting, and
- That they are entitled to be represented at the hearing, and
- That they are entitled to call witnesses to give evidence on their behalf, and
- That they or their representative are entitled to cross examine each other and the witnesses, and
- Of the possible consequences set out in Rule 15.11 if the complaint against them is proven

15.7 Unless excused by the Administration Committee, the parties will notify the Administration Committee of the names of their representatives and witnesses, if any, at least 7 days prior to the hearing.

15.8 If the allegation or complaint was initiated by the Administration Committee, one Committee Member or another person appointed by the Administration Committee will present the Committee's case. That person may ask questions of any of the parties and their witnesses. The Administration Committee may, if it considers it necessary, also appoint an independent person to chair the proceedings. Such person shall not have a vote on any resolution.

15.9 Any member of the Committee who is a complainant shall not take part in the deliberations or vote on the outcome.

15.10 The Administration Committee shall have power to regulate the conduct of the inquiry as it sees fit, but must observe accepted common law principles of natural justice and fairness.

15.11 The Administration Committee after a fair hearing shall have power by a resolution passed by a majority of no less than 75% of the members of the Committee entitled to vote impose one or more of the following penalties on the person:

- The production of an acceptable (to the Administration Committee) letter of apology,
- Censure the person and remind them of their obligation to comply with Rule 14,
- Formally warn them that a repeat of the behaviour complained of may result in more serious action being taken against them. Such warnings will include an expiry date,
- Impose a monetary penalty of a maximum of twice the senior membership subscription,
- Suspend the person from sailing and/or taking part in sailing related or social activities or other privileges for a specified period,
- If a member, suspending their membership for a specified period,
- If not a member, excluding them from the club's premises for a specified period,
- Expelling the member or permanently excluding the person from the premises.

15.12 The deliberations and discussions shall remain confidential between all the parties subject to Rule 15.13.

15.13 The Administration Committee shall inform the parties of the decision.

15.14 Any member who feels they were not fairly treated or heard may ask the Administration Committee to review its decision. The member must present their request in writing giving clear reasons to support their request. The Administration Committee has full discretion to determine what its response will be ranging from no action to a reconvening of the hearing. The Administration Committee's decision will be binding with no further right of appeal.

16.0 NOTICES

No notice shall be posted on the Clubs noticeboard without the Authority of the Club Manager or the relevant Committee Secretary or Flag Officers.

17.0 MEMBERS PROPERTY

17.1 The Club will not be responsible for the property of any member left on the Club premises

17.2 Members may rent boat/equipment storage at the Club subject to availability.

17.3 Boats and gear are stored in rental spaces at OWNER'S RISK.

17.4 Members found interfering with or misappropriating other member's property will be subject to action under Rule 15.

17.5 The penalty for a member found stealing property will be expulsion.

18.0 MOTOR VEHICLES, BICYCLES AND OTHER VEHICLES

18.1 Motor vehicles are not permitted on the deck or in close proximity to boats in any designated boat storage or rigging area at any time. On race days vehicles are only allowed in the rigging area for the purpose of loading or unloading boats and must be kept clear of the entrance.

18.2 Bicycles and other vehicles are not permitted on the deck or in close proximity to boats in any designated boat storage or rigging area at any time. A designated area is provided for bicycles.

19.0 ANIMALS

Dogs, pets or other animals are not permitted on Club premises.

20.0 ALTERATION TO RULES

20.1 No addition to, alteration, amendment or revision of these rules shall be made except at a special general meeting

20.2 A majority in proportion of four (4) to three (3) members present and voting is required to carry the resolution.

20.3 All members shall be notified of such General Meeting and the notice shall set out the proposed addition, alteration, amendment or revision.

21.0 WINDING UP

By a majority vote of the members present at a Special General Meeting called for the purpose, the Club may be wound up in accordance with the Club's Constitution.

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