

# THORNTON STEWARD SAILING CLUB LTD.

## RULES inc amendments 26/02/2020

### 1. NAME

The name of the Club shall be the THORNTON STEWARD SAILING CLUB LIMITED.

### 2. OBJECTS

The objects for which the Club is formed shall be the encouragement and promotion of amateur sailing.

### 3. MEMBERSHIP

3.1 All persons of either sex, whether the owners of a yacht or dinghy, or not, shall be eligible to be members of the Club.

#### **Members shall be either:**

- (a) **Full Members.** Individual membership, 18 years or over on 1<sup>st</sup> March of sailing season. Such membership carries the right to act as an Officer of the Club, and to vote at the AGM such membership also carries the responsibility to carry out duties to the Club as set by the Management Committee.
- (b) **Family Members.** Co-habiting adults together with any of their children under 18 years on 1<sup>st</sup> March of sailing season. (Any other family configuration must be agreed by the Management Committee). Such membership carries the right for either or both adults to act as an Officer of the Club and the membership shall have one vote at the AGM. Such membership also carries the responsibility to carry out duties to the Club as set by the Management Committee.
- (c) **Junior Members.** Children below age 18 on 1<sup>st</sup> March of sailing season whose parent/carer is prepared to be present at all times that such a junior is on Club premises or whose parent/carer has nominated an adult member as being in "loco parentis" on the application form held by the Membership Secretary or has given written permission for an adult member to act in "loco parentis" for a specific event/occasion. The membership confers the right for the parent/carer to have access to shore facilities.
- (d) **Cadet Members.** Young persons aged 18 to maximum of 22 years on 1<sup>st</sup> March of sailing season who are not in full time employment. (Proof of such status may be required). Such membership carries the right to act as an Officer of the Club and to vote at the AGM. Such membership also carries the responsibility to carry out duties to the Club as set by the Management Committee.
- (e) **Social Members.** Persons aged 18 years or over on 1<sup>st</sup> March of sailing season who wish to limit their rights and responsibilities within the Club. Such members may not vote at the AGM. They will be informed of all Club events

and may carry out duties if they wish to do so but may only use the water under the same terms as Guests – see 5 below. Social members are entitled to participate in racing and may win events and any relevant trophy. However, their results are discounted for the purpose of awarding points for races. Qualified Instructors who wish to transfer to social membership may act as an Instructor at the request of the Principal without prejudice to their right to use the water under the same terms as a Guest.

- (f) **Honorary Members.** Members elected as Honorary Members by the Club in Annual General Meeting on the recommendation of the Management Committee.
- (g) **Temporary Members.** Persons who pay a fee (as authorised by the Committee) to participate in an event/occasion authorised by the Club. Temporary membership shall cease at the end of such an event/occasion.
- (h) **Affiliated Members.** Affiliated group membership is open to organisations that wish to use the water for the benefit of persons who do not own their own equipment but ONLY use equipment provided by the Group or Club. All such equipment must be clearly identifiable and registered with the Membership Secretary. Any such group must have a named representative who is prepared to accept responsibility for the activities of the group. Any member of such a group who wishes to use personally owned craft (including boards and rigs) will be expected to take out membership as detailed in sections a) to d). If it can be shown that such a member has been a group member for more than 2 seasons the joining fee may be reduced to one half.

Individuals admitted under all classes of membership shall observe and be subject to these Rules and the Clubs Bye-laws as if they were Full Members.

Junior, Social, Affiliated and Temporary Members shall not be entitled to receive notice of or vote in, a General Meeting of the Club.

- 3.2 A candidate for membership shall send to the Membership Secretary a signed form setting out his/her name and address and any other particulars the Committee shall require. The Membership Secretary may accept the candidate as a Member on the agreement of six Committee Members.
- 3.3 Any member desirous of resigning from the Club shall notify the Secretary of the Club in writing of their intentions and upon receipt by the Secretary of such notice, the rights of such a person, as a member of the Club shall cease.
- 3.4 If any member shall refuse or neglect to comply with these Rules or the Bye-laws of the Club, or shall be guilty of misconduct or omission in the opinion of the Committee, likely to be injurious to the Club, such a member shall be liable to expulsion by a resolution of the Committee, provided that at least one week before the meeting at which such resolution is passed, a notice shall have been dispatched to the member at the address shown in the register of members, stating the nature of the resolution and the time and place at which it will be considered and intimating that the member may attend and, before such resolution is passed, give orally or in writing such explanation as the member may think fit. The Committee may if they think fit, and so specify in the notice, debar a member liable to expulsion from using Club premises

pending consideration of such resolution. A member expelled under this rule shall forfeit all rights in and claims upon the Club and its property. The vote on a resolution for expulsion shall be by ballot and the resolution shall only be carried if not less than two thirds of the members of the Committee vote in favour of the resolution.

- 3.5 A member of the Club shall also cease to be a member on their resignation, bankruptcy or death.
- 3.6 No person who has been expelled from membership shall be re-elected or admitted to the Club as a guest without the sanction of the members of the Club in General Meeting.

#### **4. ENTRANCE FEE, SUBSCRIPTION AND PAYMENT OF DUES**

- 4.1 There shall be an entrance fee of such sum as the Committee may from time to time prescribe. There shall be no entrance fee for Junior and Cadet.
- 4.2 All members shall pay an annual subscription of such sum or sums as the Committee may from time to time prescribe which shall become due in advance of election and on the 1<sup>st</sup> day of February in each year.
- 4.3 Any member whose dues and subscriptions are unpaid on the 1<sup>st</sup> day of June in any year shall be deemed to have resigned. A member shall not be entitled to sail until such dues and subscriptions have been paid and such annual dues and subscriptions shall be deemed to cover the period from 1<sup>st</sup> January to 31<sup>st</sup> December in each year.
- 4.4 No member shall in any year be entitled to exercise any rights or privileges of membership until their entrance fee and subscriptions for that year have been paid.
- 4.5 A member elected after the 1<sup>st</sup> day of October in any year, who shall have paid their subscription for that year, shall not be required to pay any subscription for the following year.
- 4.6 Boat owners may pay a boat-parking fee to reserve a parking berth each year.
- 4.7 **LATE RENEWALS:** Members who fail to renew by the specified date may be charged a re-joining fee.
- 4.8 All persons present on the club premises are required to sign in. All craft on the water must be identifiable either by class sail number or by club allocated sail number as prescribed by the Membership Secretary. Any unidentifiable craft can be asked to leave the water by any member.

#### **5. GUESTS**

Any member may introduce as their guest any person providing that the member enters their own name and the name of their guest in the book kept for such purposes, and at no time leaves the Club premises while the said guest is thereon.

Members shall be held responsible for ensuring that the behaviour of their guests is acceptable to other members and for their compliance with the Rules and Byelaws of the Club and shall pay all moneys due to the Club in respect of any such guest. No member may introduce more than two adult guests in any one day, and the same guest may not be introduced on more than four occasions in any one year, irrespective of who introduces them.

Guests shall have the same rights as Social Members in relation to racing and can enter and win races and any relevant trophy. However, their results are discounted for the purposes of awarding points for races.

## **6. GENERAL MEETINGS**

- 6.1 An Annual General Meeting shall be every calendar year and at no more than 15 months following the previous **one**. Any members wishing to insert business into the AGM agenda must give the Secretary notice at least 6 weeks before the date of the AGM.
- 6.2 No business (except the passing of accounts, receiving reports, the election of officers, members of the committee, the appointment of the Auditor and any business that the Committee may order to be inserted in the notice convening the meeting) shall be discussed at such meeting.
- 6.3 One-tenth (and no less) of the total number of full members may join together to serve a notice of requisitioning and Extra-ordinary General Meeting, such notice to be delivered to the Secretary of the Club stating the objects of the meeting.
- 6.4 The Secretary shall, at least 30 days before the date of the Annual General Meeting, or 14 days before the date of any other General Meeting, post and deliver to each full member notice thereof and of the business to be brought forward thereat.
- 6.5 Full and one Family Member are entitled to vote and General Meetings.
- 6.6 The Commodore if present shall preside as Chairperson at every General Meeting of the Club or in their absence the Senior Flag Officer or failing them a Senior Member of the Committee present.
- 6.7 The procedures for election, proxy voting for business at General and Committee meetings is defined in the Articles of Association.

## **7. OFFICERS**

- 7.1 The Officers shall be elected at the Annual General Meeting. (Rear Commodores (as required – retiring Commodore could be a consideration), Commodore, Vice-Commodore, Secretary, Treasurer and Sailing Secretary). The retiring Officers shall be eligible for re-election but should consider retiring from that position after 3 consecutive years if at any Annual General Meeting any other member stands validly nominated to that position.
- 7.2 No candidate for any office (other than the retiring officers) shall be proposed unless the name of such candidate and their proposer shall have been sent to

the Secretary 14 clear days before the Annual General Meeting, together with a signed statement of their willingness to stand for election.

## **8. COMMITTEE**

- 8.1 Up to a maximum of 15 members, the Committee shall consist of the Officers and 6 full members of the Club, elected by the Club at the Annual General Meeting. The number required for a quorum shall be 4 except in the case of meetings dealing with business under Rule 3.4 when not less than two-thirds of the Committee shall form a quorum.
- 8.2 Meetings may be convened by any member of the Committee.
- 8.3 Candidates for election to the Committee shall be those members of the retiring Committee who shall offer themselves for re-election, a member recommended by the Committee and such other full members of the Club whose nominations, duly proposed and seconded by full members of the Club in writing, and accompanied by a signed statement of willingness to stand for election, shall have been sent to the Secretary not less than 14 days before the Annual General Meeting.
- 8.4 A full list of candidates shall be e-mailed to all members at least 7 days before the date of the Annual General Meeting.
- 8.5 If a casual vacancy occurs by death or resignation, the Committee may fill the vacancy by co-opting a full member to serve until the conclusion of the next Annual General Meeting. In the case of co-opted members offering themselves for re-election, nomination by a proposer and seconder shall be required but no statement of willingness to serve will be necessary.
- 8.6 If the number of candidates duly proposed and seconded exceeds the number of vacancies to be filled, the election shall be by ballot. If the number of votes cast for any two or more candidates shall be equal, the person presiding at the meeting shall exercise a second or casting vote.
- 8.7 The retiring Committee members shall be eligible for re-election but should consider retiring from that position after 3 consecutive years if at any Annual General Meeting any other member stands validly nominated to that position.
- 8.8 Subject to the provisions of Rule 4, hereof any full member may be nominated for election to the Committee in accordance with this rule.

## **9. SUB COMMITTEES**

- 9.1 The Committee may appoint such Sub-Committees, as it thinks fit, provided that there shall be not less than one Committee Member on each Sub Committee who shall be Chairperson.
- 9.2 The Sub Committees shall keep proper minutes of their proceedings (if required by the Committee) and these shall be submitted to the Committee at its meeting next following the meeting of the said Sub Committee.

## **10. MANAGEMENT**

- 10.1 The Management of the Club shall be solely in the hands of the Committee and in accordance with the Club Rules.
- 10.2 The Committee shall make such Byelaws as it thinks fit as to the Management of the Club premises.
- 10.3 The Committee may meet together for the dispatch of business, adjourn or otherwise regulate their meetings as they think fit, the quorum necessary for the transaction of business being in accordance with these Rules. Questions arising at any meeting shall be decided by a majority of votes and in the case of an equality of votes, the Chairperson shall have a second or casting vote.
- 10.4 It shall be the responsibility of the Committee to cause to be kept proper books of account that shall give a true and fair view of the state of affairs of the Club, and to explain its transactions.

## **11. AUDITOR**

At the Annual General Meeting each year there shall be appointed a properly qualified Auditor whose duty it shall be to audit the accounts of the Club for the then current year. A copy of the audited accounts shall be prominently displayed in the Club premises for at least 7 days immediately prior to the Annual General Meeting. In the event of the person appointed Auditor being unwilling or unable to act, the Committee shall appoint a substitute.

## **12. NEW RULES**

Notice of any alteration or addition to these Rules, intended to be proposed by a Full Member of the Club, shall be given in writing to the Secretary at least 6 weeks before the date of the Annual General Meeting and full particulars of any such proposed alterations or additions shall be sent out in the Notice convening the Meeting. Members shall be given adequate advance notice of the Annual General Meeting to enable this timetable to be followed.

## **13. TEMPORARY FEES (EVENTS)**

- 13.1 If the Committee agrees to the use of the Club premises for training, racing or other contests in sailing boats, they shall fix such fees for temporary membership for the persons concerned with such events as they see fit.
- 13.2 The Secretary or any person, who has received the authority of two members of the Committee, may expel temporarily or permanently any person who has the right to temporary use of the Club.

## **14. EQUIPMENT (FORMER MEMBERS)**

If a boat or any gear belonging to a person who has ceased to be a member is not removed from the Club within 30 days of notice from the Secretary requiring such removal, such former member shall be liable to the Club to payment for storage as determined by the Committee and the Club shall be entitled to a lien for such storage charge, or for any other sum due to the Club, on any such boat or gear. Unless a

boat or gear is removed within 12 months of such notice, the Committee may in its absolute discretion dispose of such boat or gear in any manner it thinks fit, without accounting to the owner.

## **15. STORAGE OF BOATS**

15.1 Any member wishing to keep a boat in the Boat Park shall apply to the Membership Secretary for consent, giving such details as may be required.

15.2 When a boat is jointly owned, it shall be deemed to be kept at the Club by one of its joint owners only, who shall be so nominated in the application for consent.

15.3 The membership Secretary who shall maintain a register, a copy of which shall be displayed in the Club premises, shall allocate a boat berth.

15.4 A member ceasing to keep a boat at the Club, or exchanging one boat for another, shall inform the Membership Secretary, and the register shall be amended accordingly.

15.5 The Committee has the right to refuse a berth in the Boat Park.

## **16. ROYAL YACHTING ASSOCIATION**

The Committee shall take such action as may be required so that the Club shall be a recognised Member Club of the Royal Yachting Association.

## **17. CHANGE OF ADDRESS**

Every member shall keep the Membership Secretary informed in writing of any changes in their names and addresses for entry in the Register of Members and any notice required by these Rules to be sent or given to any member or former member, shall be deemed to have been duly given or sent by ordinary prepaid post to the last address appearing in the Register of Members.

## **18. LIABILITY**

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 impliedly accept that:

18.1 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.

18.2 The Club will not accept any liability for personal injury arising out of the use of Club premises, and any other facilities of the Club, or out of participation in any race organised by the Club, whether sustained by members, their 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 was occasioned by the neglect, default or negligence of any of the Officers, Committee or Servants of the Club.

18.3 Before inviting any guests or visitors onto the premises or to participate in events organised by the Club, members will draw their attention to this Rule.

- 18.4 No member of the Club under 18 years of age is permitted to sail at Thornton Steward Reservoir unless accompanied by their parent or guardian or by an adult (in loco parentis) nominated by their parent or guardian whose name has been registered with the Membership Secretary.

All members, including parents and guardians, are warned that the Club is only able to provide Support Boat Cover during the hours notified in the Sailing Programme. Outside these hours, parents and guardians have sole responsibility for their children and wards and must appreciate that the Club cannot be expected to exercise supervision for children or any other persons not engaged in racing. All members should note that neither the Club nor any of its members can accept any liability arising from non-provision of support boat cover on any particular occasion.

## **19 INSURANCE**

All boats shall be insured against third party claims in such sums as the Committee may from time to time prescribe and all members owning or using a boat/board at the Club shall sign a declaration in such terms as the Committee may from time to time prescribe in respect of each boat/board to be used at the Club before the boat/board is used in that calendar year.

## **20 ARTICLES OF ASSOCIATION**

All members of the Club shall abide by and conform with the Articles of Association of Thornton Steward Sailing Club Limited and with the Agreement with Yorkshire Water Services Limited copies of which shall be kept by the Secretary and may be inspected on reasonable notice.

## **21 DISSOLUTION**

Every member of the Club undertakes to contribute to the assets of the Club in the event of it being wound up during the time they are a Member, or within one year afterwards, for the payment of the debts and liabilities of the Club contracted before the time at which they cease to be a Member, and of the costs, charges and expenses of winding up the same, and for the rights of the contributories amongst themselves, such amount as may be required not exceeding £5.00.

## **22 INTERPRETATION**

The decision of the Committee upon any question of the interpretation of these Rules, or upon any matter affecting the Club not provided for by these Rules, shall be final and binding upon Members, provided always that any such interpretation or decision shall be in accordance with the Articles of Association of the Club.