

Rules and Bye Laws



East Lancashire Sailing Club

Rules and Bye Laws

(amended 2004)

- 1) The club shall be named East Lancashire Sailing Club.
- 2) Its objectives are to:
 - a) encourage sailing of class dinghies.
 - b) provide facilities for beginners.
 - c) afford hospitality and assistance to visitors.
 - d) provide and maintain a clubhouse for members by all members.
- 3) **The Committee**
 - a) An executive committee (hereinafter called the Committee) shall be elected at each Annual General Meeting. The Committee shall consist of Commodore, Sailing Captain, the Trustees, Vice Sailing Captain, Honorary Secretary, Honorary Treasurer, Membership Secretary, Bar Secretary, Maintenance Officer, House Captain, Safety Boat Officer, Social Secretary, Quartermaster and Boatswain. Co-options shall be at the discretion of the Committee. Job descriptions for the Committee are to be found at Annex A.
 - b) The Committee can appoint an Honorary President whose office shall terminate on death or resignation. In the event of any causes arising, to require the removal of an Honorary President, a Special General Meeting shall be called on the instruction of the Committee.
 - c) The property of the club shall be vested in the names of not more than four nor less than three Trustees and the Trustees are to be permanent officials who shall respectively hold office until death or resignation and may only be removed from office by a vote of the majority of the Committee at a Special General Meeting of the Committee convened for that purpose. The Trustees shall deal with the property of the Club as the Committee shall, from time to time, direct by resolution (of which entry in the Minute Book shall be conclusive evidence) and the Trustees shall be indemnified out of the Club's assets against all risks and expense howsoever arising in the performance of their duties and, in particular, against all costs, claims and demands arising out of the lessees covenants contained in the Lease of the Club's premises.
 - d) In the event of the death, resignation or removal of one or more of the Trustees, the Committee shall, by resolution, nominate such person or persons as shall be approved, in writing, by the surviving Trustees, to be appointed the new Trustee or Trustees. For the purpose of giving effect to such nomination, the

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Commodore is, hereby, appointed as the person to appoint the new Trustees of the Club within the meaning of Section 36 of the Trustees Act 1925 and he shall, by deed, duly appoint the person or persons so nominated by the Committee as the new Trustee or Trustees of the Club and the provisions of the Trustees Act, 1925 shall apply to any such appointed. Any statement of fact in such Deed of Appointment shall, in favour of a person dealing bona fide and for value with the Club or the Committee, be conclusive evidence of the fact so stated.

e) Any two members of the Club may nominate any member for the Committee in which case they must send written notice of their nomination, signed by the nominees, to the Honorary Secretary at least seven days before the Annual General Meeting. The candidates, up to the number of vacancies, who shall receive most votes shall be declared elected. If two or more candidates receive an equal number of votes, the Chairman of the Annual General Meeting shall have a second or casting vote.

f) Five members shall form a quorum at meetings of the Committee and the Commodore or whosoever takes the chair in his absence shall have a casting vote in all cases.

g) The Committee shall have the power to add not more than two to their number to serve until the next Annual General Meeting and to fill up vacancies among Officers and Committee. Any member filling such a vacancy shall serve for the unexpired period of such vacancy.

h) In all matters relating to the club the authority of the Committee shall be paramount until overborne by a General Meeting except that any Trustee or, if more than one be present, those Trustees present and acting together at any meeting of the Committee may veto any resolution before the Committee at any such meetings which involves the disposal of the Club funds or property to the value of more than TEN pounds.

i) Dissolution

Should it become necessary to dissolve East Lancashire Sailing Club it shall be done at a Special General Meeting of which not less than 21 days notice shall be given along with the terms of the proposal.

If the proposal is confirmed by a two thirds majority of those present and voting, the Executive shall have the power to realise any assets held by or on behalf of the Club. Any assets remaining after the satisfaction of any proper debts and liabilities shall not be paid or distributed to the members but shall be given to an institution or institutions having similar objects to those of East Lancashire Sailing Club. Such institution or institutions to be determined by Resolution passed at the said Special General Meeting. If, and in so far as, effect cannot be given to such provision then the assets remaining shall be given to the Royal National Lifeboat

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Institute.

4) **Auditor**

The Committee shall arrange each Annual Audit and appoint a professional Auditor, the accounts to be circulated to members at least seven days before the Annual General Meeting.

5) **Meetings**

a) The Annual General Meeting of the Club for passing the accounts, electing Officers and Committee, revising the rules and other general business shall be held as near to November 30th as possible each year. Seven days notice of the Annual General Meeting specifying the business to be transacted thereat and accompanied by a copy of the accounts shall be sent to every member.

b) Special General Meetings may be called by the Committee or on requisition sent to the Honorary Secretary signed by not fewer than 10 fully paid up members. Seven days notice of any Special General Meeting specifying the business to be transacted thereat shall be sent to every member.

6) **Election of Members**

a) The election of Members shall be in the hands of the Committee. The name, address and occupation of every candidate for membership must be provided in the form prescribed by the Committee. Membership of the Club shall be open to all who are interested in sailing regardless of sex, age, disability, ethnicity, nationality, sexual orientation or religion.

b) All candidates for membership shall fill in the prescribed application form which will be considered at the next meeting of the Committee following the date of application.

c) A candidate shall only be elected by a vote of a majority of those present at the Committee Meeting.

d) Any person under the age of eighteen shall not be eligible for election to the Club except as a Junior Member.

e) Persons up to eighteen years of age may be elected as Junior Members in the same way as full members except that an application for membership must be endorsed by the parent or guardian of the candidate.

f) A Junior member shall not vote on any matter relating to the Club nor have any share in the property of the Club.

g) The Committee may elect any person to be an Honorary Member of the Club for life or for such other period as the Committee may deem expedient. Honorary Members shall be entitled to all the privileges of membership, except voting rights, without the payment of fees providing the Committee may rescind the

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election of any Honorary Member.

h) No member shall be admitted to membership, or as a candidate for membership, to any privilege of membership, without an interval of, at least, two days between their nomination or application for membership and their admission.

i) The Committee may refuse membership for a good reason such as conduct detrimental to the good standing of the Club. Potential members will have the right of appeal to the Committee against such a decision.

7) **Expulsion of a Member**

a) The Committee shall have the power, at a Special Meeting called for the purpose, of their own authority or on a requisition signed by not fewer than six members, to remove the name of a member from the list if, in the opinion of a majority (which shall be by ballot) if that member has by his/her conduct forfeited his/her right of membership. Before removing the name of a member from the list under this rule the Committee shall communicate with that member to give him/her the opportunity of attending before them and giving them any explanation touching or palliating his/her conduct or of withdrawing from the Club. In all cases, where the name of a member has been removed from the list under this rule, that member shall have no remedy against the Club or Committee or any Officers of the Club.

b) Any member wishing to withdraw from the Club shall give notice, in writing, to the Secretary and, at the same time, shall pay all sums owing by him/her to the Club. The Secretary shall report such resignation to the Committee at the next Committee Meeting following its receipt.

8) **Subscriptions and Entrance Fees**

a) The Club will have different levels of subscription on a non discriminatory and fair basis and will keep such subscriptions to an affordable level.

b) These and other fees shall be fixed at the Annual General Meeting for the year following that meeting.

c) The definition of a Junior Member – for subscription purposes this is under the age of 18 at the beginning of the season and for racing this is under 16 on January 1st of the current season.

d) Half price membership shall be payable by anyone joining after August 31st.

e) The Club will follow the RYA recommended rules for abandoned boats (copy available in the clubhouse).

f) The club year for all purposes, including subscriptions, shall begin on January 1st and end on December 31st.

g) All surplus income or profits shall be reinvested in the Club. No surpluses

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or assets will be distributed to members or to third parties.

9) **Default of Payment of Dues**

Any member, group or school defaulting the payment of entrance fee or subscriptions within three months of notice being sent for such monies shall cease to be members.

10) **Safety Regulations**

a) Each craft shall be suitably insured against all damages to itself or other craft and Third Party Insurance. The Club cannot be held responsible for any damage and/or injury to members and/or their craft used on Club waters or whilst berthed at the Club.

b) All members must wear buoyancy aids when on the water or on the jetties; all junior members must wear buoyancy aids when adjacent to or on the water and all sailing dinghies must carry full regulation buoyancy.

11) **Club Premises**

a) The Club shall not be liable to any member in damages for negligence or otherwise for any injury howsoever occasioned to person or property arising out of the activities of the Club or in connection with the use of Club premises, property or moorings except in so far as the Club is at the material time insured against the liability in question and to the extent of such insurance.

b) The Club premises shall not be used for any unlawful gaming.

c) Every member shall be bound by and submit to the Rules and Bye-Laws regulating the use of the Club and the Committee shall be the sole authority for the interpretation of the Rules and Bye-Laws.

d) The Committee may, from time to time, make, alter or repeal Laws regulating the use of the Club premises and facilities by members, the admission of guests to the Club premises, the holding of regattas, sailing competitions and generally for the good conduct of the affairs of the Club. Such Bye-Laws shall, providing they are not inconsistent with the Rules of the Club, for the time being, be binding on all members and be construed as part of the rules of the Club until they are rescinded or varied by the Club in General Meeting.

12) **Licensing Hours**

Intoxicating liquor will only be supplied to adult members and guests of members between the following hours:-

Monday to Saturday 11 am to 11 pm

Sunday 12 noon to 3 pm and 5 pm to 7.30 pm

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13) **Alteration of Rules**

The rules of the Club may be altered by a two thirds majority of the members voting at the Annual General Meeting or at a Special General Meeting convened for that purpose. Notice of any proposed alteration of the Rules (except as suggested by the Committee) must be given to the Secretary not less than fourteen days before such meeting who shall forward a copy of the proposed alterations to the members

14) **Visitors and Guests**

Any member, except a social or group/school member, shall be entitled to introduce a visitor, guest or prospective member to any function of the Club, providing that no such visitor, guest or prospective member shall be entitled to participate in any sailing activity of the Club on more than three occasions in any one season. Such a visitor, guest or prospective member wishing to participate in racing will pay the appropriate fee.

15) **Restricted Class of Boats**

The adopted classes of craft are:-

International Fireball, Enterprise, and Laser, GP14,

Topper, Mirror, Sailboards

Handicap Fleet, PY rating 900-1646 at the Committee's discretion.

As amended at 29th November 2004

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Annex A

JOB DESCRIPTIONS

Commodore	to represent the club at meetings, chair committee meetings and any relevant sub committees.
Secretary	to deal with the day to day correspondence of the club and to take the minutes at meetings.
Treasurer	to account for the overall monies for the club and to liaise with the auditor when necessary.
Sailing Captain	to see to the year's sailing programme and to oversee the allocation of berths. The sailing captain shall act as Vice Commodore.
Vice Sailing Captain	to deputise for the Sailing Captain. The Vice Sailing Captain of one year shall be Sailing Captain for the following year.
Board Sailing Captain	to see to the board sailing programme.
Social Secretary	to organise any social events which may be held during the year.
Public Relations Officer	to continually promote the club to the public, to seek positive publicity whenever possible, to deal with any publications or advertising the club may publish and to liaise with the local media.
Membership Secretary	to see to the issuing of membership certificates and, in conjunction with the Treasurer, be responsible for the collection of subscriptions.
Bar Secretary	to be responsible for the stocking of the bar, establishing rotas for functions and seeing to the general upkeep of the bar.
Maintenance Officer	to see to the upkeep of the club's exterior – the outside of the clubhouse, boat and car parks, slipways, jetties, berths and outbuildings.
House Captain	to see to the maintenance of the interior of the clubhouse and to oversee the cleaning rotas
Safety Boat Officer	to see to the upkeep of the safety boat
Quartermaster	to see to the ordering of stock (including fuel) in conjunction with the Treasurer and other relevant person (Maintenance Officer, Bar Secretary, House Captain, Safety Boat Officer).
Boatswain	to oversee the club's dinghies, masts and spars, rigging and sails