

# BROADSTAIRS SAILING CLUB RULES

## 1. TITLE

The Club shall be called the Broadstairs Sailing Club

## 2. BURGEE

The Club Burgee shall be red, bearing a blue ball on a white shield.

## 3. OBJECTS

The objects of the Club shall be to promote interest in sailing

## 4. CONSTITUTION

The Club shall consist of all persons interested in sailing, whether or not they have any connection with Broadstairs or the Isle of Thanet.

## 5. MEMBERSHIP

Membership shall consist of

### (i) FULL MEMBERS

- a) Single Members
- b) Single Parent – Single parents with children and/or extended family under 18 years of age.
- c) Joint Members
- d) Family Members – Family members with children and/or extended family under 18 years of age.

For the purpose of this Rule, 'Extended Family' can include - Niece, Nephew, Foster child, Legal Ward, Grandchild or Fostered Grandchild under the age of 18. Such children will be subject to the same rules and restrictions as described in Rule 5 (i) b, Rule 5 (i) d and Rule 5 (ii). Applications for membership that fall outside this definition may be approved at the discretion of the Executive Committee providing such decision is unanimous. Each such application will be considered on its merits and the Committee decision will be final.

### (ii) JUNIOR MEMBERS (11-17)

### (iii) STUDENT MEMBERS

### (iv) HONORARY MEMBERS

### (v) AFFILIATED SCHOOL MEMBERS

### (vi) TEMPORARY MEMBERS

### (vii) OPEN DAY MEMBERSHIP PACKAGE

### (viii) OVERSEAS MEMBERS

### (ix) VISITORS AND GUESTS

### (i) (a) SINGLE MEMBERS

Any persons, desirous of becoming a full member must complete an application for membership on the Club's printed form accompanied by the appropriate entrance fee and subscription. The candidate shall be invited to a welcome meeting with at least one Flag Officer where the objects of the Club and responsibilities of members will be explained. Such applications will be considered at the next meeting of the Executive Committee, provided nevertheless, that this rule shall not apply to persons elected in accordance with the provisions of Rule 5 (iv) 5 (vi) 5 (vii) and 5 (viii). Each full member shall be supplied with a copy of these rules, and his or her acceptance thereof shall be deemed to be a declaration of submission to them. If any member is excluded from membership through non-payment of subscription, in accordance with Rule 7, he or she may make application again, but will be subject to the same conditions as defined above. If, for any reason, a person has ceased to be a member, he or she shall be eligible for re-election as a member if, in the opinion of the Executive Committee, the circumstances are so exceptional that a deviation from the rule is desirable.

### (i) (b) SINGLE PARENT

Application may be made by single parents with children and/or grandchildren under the age of eighteen. Such application shall be in accordance with and subject to Rule 5 (i) (a). Children shall have neither vote nor right or

privilege of debate. On 1st January following the eighteenth birthday of any child included in a family membership that child shall be required to become either a student or full member.

**(i) (c) JOINT MEMBERS**

Joint members, residing at the same address, to be elected in accordance with procedures for single members.

**(i) (d) FAMILY MEMBERS**

Application may be made for family membership by joint members, residing at the same address, with children and/or grandchildren under the age of eighteen. Such application shall be in accordance with, and subject to, Rule 5 (i) (a). Children shall have neither vote nor right or privilege of debate. On 1st January following the eighteenth birthday of any child included in a family membership that child shall be required to become either a student or full member.

**(ii) JUNIOR MEMBERS**

Any person over the age of eleven but under eighteen desirous of becoming a Junior Member must make application in accordance with, and be subject to, Rule 5 (i) (a) with the exception that payment of the entrance fee be waived until such time they obtain full membership. Such application must be made on the Club's printed form, which embodies acknowledgement, by the parent or guardian, of the risks involved and the level of responsibility, of the parent or guardian, required by the Club. Such parents or guardians must undertake to ensure that a parent, guardian or nominated responsible adult is available for immediate supervision of the Junior Member (aged 11 to 15) as may become necessary during all Club sailing or training activities or events. The total number of Junior Members elected shall be at the discretion of the Executive Committee. Junior Members may attend General Meetings but shall have neither vote nor right or privilege of debate.

**(iii) STUDENT MEMBERS**

Any person aged eighteen and over, and still receiving full time education, desirous of becoming a student member must make an application in accordance with and subject to Rule 5 (i) (a) with the exception that payment of the entrance fee be waived until such time that they obtain full membership. On 1st January following the eighteenth birthday of a Junior Member who remains in full time education that Junior Member may apply to the Executive Committee to become a Student Member. Student Members may attend General Meetings but shall have neither vote nor right or privilege of debate. The fee for a Student Member shall be the same as for a Junior Member.

**(iv) HONORARY MEMBERS**

The Annual General Meeting shall have power, without the necessity of compliance with the provisions of Rule 5 (i) (a) to elect Honorary Life Members, provided that the resolution at a prior meeting of the Executive Committee has been unanimous. Honorary Members may be elected to the Executive Committee.

**(v) AFFILIATED GROUP MEMBERS**

Local youth groups may apply through the Staff Member or Officer in charge for affiliation to the Club, such application being subject to the following limitations:

- a) That one teacher, member of staff or Officer shall be responsible for a maximum of fifteen group members at any one time and that the teacher, member of staff or Officer shall become a full member of the Club as defined in Rule 5 (i) (a).
- b) That the group members included in the affiliation shall be nominated each year in writing to the Membership Secretary of the Club and personal details, as shall from time to time be required, shall be supplied to the Club. Any such details shall be subject to the Club policy on Data Protection.
- c) That the appropriate fee, as shall be determined by a majority vote of the Executive Committee, for each group or group member nominated shall be paid to the Club at the time that the application to the Club for affiliation is submitted. There shall be no Entrance Fee payable.

- d) That the facilities offered are those of sailing, associated dinghy and equipment storage, changing facilities and access to general Club facilities during events which the group may be involved in and, at the discretion of the RYA Principal, appropriate instruction.
- e) Specific details, limitations and restrictions of affiliation for individual groups shall be determined by a majority vote of the Executive Committee following any necessary meetings with representatives of the group. Any such details should, wherever possible, be mutually beneficial to both the Club and the affiliating group.

**(vi) TEMPORARY MEMBERS**

The Executive Committee shall have the power without the necessity of compliance with the provision of Rule 5 (i) (a) to elect persons as Temporary Members for a period of not longer, in the first instance, than fourteen days, provided that not more than one member of the Executive Committee present dissents from such election. Such period of fourteen days may, as the Executive Committee thinks fit, be made to commence without the formalities described in Rule 5 (i) (a) provided that no Temporary Member may be elected to such membership until at least two days shall have elapsed since the nomination or application for such membership and admission thereto. The Executive Committee may deliberate on the matter once at least twelve hours have elapsed from the time of such nomination or application for membership. Such period of fourteen days may be extended by the Executive Committee for two further periods of seven days each. Each temporary member shall pay such subscriptions as may from time to time be decided upon by the Executive Committee and he or she shall be entitled to all the privileges of the Club, including the right to purchase and be served intoxicating liquors, subject to at least two days having elapsed between nomination or application for member and admission as described above.

**(vii) OPEN DAY MEMBERSHIP PACKAGE**

The Executive Committee shall have the power without the necessity of compliance with the provision of Rule 5 (i) (a) to offer persons taking part in a BSC Open Day an Open Day Membership Package for a limited period and at a subscription rate determined by the Executive Committee. Such membership package should provide for variable periods of membership up to the end of the current membership year and will only apply to applications made during, or within 14 days of any Club Open Day. Such membership packages may, as the Executive Committee thinks fit, be made to commence without the formalities described in Rule 5 (i) (a). Each 'Open Day' member shall pay such subscriptions as may from time to time be decided upon by the Executive Committee and he or she shall be entitled to all the privileges of the Club, including the right to purchase and be served intoxicating liquors.

**(viii) OVERSEAS MEMBERS**

Members who are resident outside of the UK may continue their membership of the Club at the discretion of the Executive Committee. The subscription for such membership will be determined by the Executive Committee.

**(ix) VISITORS AND GUESTS**

**(a) VISITORS**

- a) Visiting members of any Sailing or Yacht Club, which is a member or is recognised by the Royal Yachting Association (RYA) may utilise the facilities of the Club or Club House including the privilege of purchasing or being served intoxicating liquors for one day only, free of subscription and without reference to the Executive Committee provided that the visitors have been introduced to at least two members of the Executive Committee who shall be satisfied with the bone fide of the said visitors; the provision of this enabling visitors to purchase and be served with intoxicating liquors is in compliance with the Licensing Act 2003.
- b) Visitors attending the Club for Private Functions, approved by the Executive Committee, do not need to be signed-in and may purchase intoxicating liquors in compliance with the Licensing Act 2003.

**(b) GUESTS**

Members may bring guests into the Club House provided that they are signed into the Visitors Book. The same guest may not be brought into the Club House on more than six occasions in any twelve-month period except where the guest is attending a Club Social Event. Such guests are permitted to purchase alcoholic drinks. No member under the age of eighteen shall bring any guest into the Club House without first introducing that guest to a Committee Member, who will be responsible for counter-signing the entry in the Visitors Book.

**6. ENTRANCE FEES**

Entrance fees shall be payable at the time of election, according to the schedule below, at the rate decided for the current year at the Annual General Meeting or at a Special General Meeting called for the purpose of determining the rate for Entrance fees.

**6.1 Entrance Fees schedule;**

- a) **Single Members** – should pay an Entrance fee as decided under Rule 6.1. Should a Single Member subsequently become a Joint Member their spouse or partner would be liable to pay the Single Member Entrance fee unless he or she had previously been a Single Member in his or her own right.
- b) **Joint Members** – should pay an Entrance fee as decided under Rule 6.1. Should either or both members in a Joint Membership subsequently become Single Members, no further Entrance fee will be payable.
- c) **Single Parent members** – should pay an Entrance fee as decided under Rule 6.1. Should any children who are part of a Single Parent Membership attain Full Single Membership on reaching the age of 18, no further Entrance fee is payable. Should a Single Parent Member subsequently become a Joint Member their spouse or partner would be liable to pay the Single Member Entrance fee unless he or she had previously been a Single Member in his or her own right.
- d) **Family members** – should pay an Entrance fee as decided under Rule 6.1. Should any children who are part of a Family Membership attain Full Single Membership on reaching the age of 18, no further Entrance fee is payable. Should either or both adult members in a Family Membership subsequently become Single Members, no further Entrance fee is payable.
- e) **Junior Members** – the Entrance fee is waived until such time as they attain Full Single Membership, at which time an Entrance fee as decided under Rule 6.1 is payable.
- f) **Student Members** - the Entrance fee is waived until such time as they attain Full Single Membership, at which time an Entrance fee as decided under Rule 6.1 is payable unless the Student member has previously been part of a Single Parent or Family membership where an Entrance fee was paid.
- g) **Extended Family** – children included as extended family in a Single Parent or Family membership who reach the age of 18 will be eligible to apply for Student membership as defined in Rule 6.2 (f); or full Single membership at which time an Entrance fee as decided under Rule 6.1 is payable.
- h) **Re-joining Members** – the Entrance fee for members re-joining after a period of absence may be waived at the discretion of the Executive Committee. Each such application will be considered on its merits and the Committee decision will be final.

**7. SUBSCRIPTIONS**

- a) Subscriptions for the year commencing 1st January will become payable on 1st January at the rate for the year decided at the Annual General Meeting. Any member, who pays before the last day in January, will benefit from a 10% discount. If any member is in arrears at 1st April the Executive Committee may determine that membership.
- b) Members who have attained state pensionable age, or joint member in which one has attained this age, with 10 years previous membership will be allowed, on application to the Executive Committee, to continue their membership at half the full subscription rate.
- c) Any person elected during the subscription year will pay 1/12th of the full subscription for each remaining full or part month.

## **8. MANAGEMENT AND OFFICERS**

### **(a) EXECUTIVE COMMITTEE**

The affairs of the Club shall be vested in a Committee called the Executive Committee consisting of the ex-officio members and six members elected by ballot at the Annual General Meeting, the quorum to be five. Should a quorum not be present with half an hour of the time appointed, the Chairman shall have the power to call another meeting. The Committee shall have the power to co-opt up to three additional members at any meeting where such co-option appears to be desirable. In all disputes questions referred to them or matters not provided for in these Rules, or if any doubt arises as to the interpretation of these Rules, the same shall be determined by the Executive Committee whose decision will be final. The Executive Committee may appoint sub-committees to advise on or conduct any special matters relating to the Club or its members.

### **(b) OFFICERS**

The Officers shall consist of the Commodore, Vice-Commodore, Rear-Commodore, Secretary, Treasurer, Membership Secretary, Bar Treasurer, Facilities Officer, Social Secretary, Sailing Secretary, Race Officer, Patrol Boat Officer, Sail Training Officer and Dinghy Park Officer all of who shall be ex-officio members of the Executive Committee. The Flag Officers, Secretary and Treasurer to be ex-officio members of any sub-committee appointed.

All Officers shall be elected by ballot at each Annual General Meeting. The Commodore shall be elected annually for a maximum term of three years. On his retirement, he shall serve ex-officio for one year on the Executive Committee, after which time he shall be eligible for re-election.

## **9. CHAIRMAN**

**Duties and Powers.** The senior Flag Officer present shall preside at all meetings. When Resolutions are not expressly required to be unanimous the Chairman shall have a casting vote in the event of voting on any question being equal.

## **10. TREASURER**

- a) **Duties of.** He shall receive all subscriptions, pay all debts due by the Club, and give receipts for all monies paid to him on behalf of the Club. All monies received by him shall be paid to the credit of the account of the Club at the Club's bank. All accounts due by the Club shall be paid by the cheque signed by him and counter-signed by a Flag Officer. He shall be assisted in matters concerning collection of subscriptions by the Membership Secretary, who will also keep a register of names and addresses. He shall also be assisted in matters concerning the collection of dinghy park fees by the Dinghy Park Officer, who will also keep a register of all boats and allocated boat park spaces.
- b) The Accounts of the Club shall be made up to 31st July each year and shall be examined and certified or reported on by Auditors or Reporting Accountants and shall be submitted at the Annual General Meeting. The Auditor or Reporting Accountant shall be appointed at the Annual General Meeting and shall have access to the books of account at all reasonable times and power to demand the production of vouchers for all receipts and payments. Should the Auditor or Reporting Accountant neglect or be unable or unwilling to act, the Executive Committee shall appoint others to act instead.

## **11. SECRETARY**

**Duties of.** He shall take minutes of the proceedings of meetings of the Club and the Executive Committee, conduct all relevant correspondence and issue all requisite notices. He shall keep a register of the names and addresses of members.

## **12. SAIL TRAINING OFFICER**

**Duties of.** He shall be suitably RYA qualified. He shall promote sailing within the Club and arrange training sessions as required by the committee.

### **13. PATROL BOAT OFFICER**

**Duties of.** He is responsible for the general duties of a Patrol Boat Officer. He shall also be empowered, on behalf of the Executive Committee, to ensure that all members' boats racing comply with their respective Class rules.

### **14. MEETINGS**

- a) Executive Meetings shall take place in the Club House at least once every calendar month at such time and date as may be determined. Any member of the Club wishing to raise any matter for the consideration of the Executive Committee shall inform the Secretary in writing, who will place the matter before the Committee. Alternatively, such requests may be entered in the Club suggestion book.
- b) ANNUAL GENERAL MEETINGS shall be held once in every year as soon as possible after the end of the Club year. The Agenda shall be arranged by the Commodore and the Secretary. Notice of any resolution or any matter to be proposed or raised by a member, unless it be such resolution or matter as is contemplated by Rule 16 shall be given in writing to the Secretary at least fourteen days before the meeting. The Secretary shall circulate the Agenda to all members not less than seven days before the meeting.
- c) No other motion shall be moved except to amend the motion before the meeting, such amendment shall be either to leave out or to insert words but this shall not have the effect of introducing a new proposal or negating the motion before the meeting. Every amendment shall be relevant to the motion on which it is moved. A further amendment shall not be moved until the meeting shall have disposed of every amendment previously moved. Only members who have paid the current years subscription may attend the meeting.
- d) SPECIAL GENERAL MEETINGS shall at any time upon the request of the Commodore or of the Executive Committee be called by the Secretary. He shall also, within fourteen days of the receipt of a written requisition signed by not less than twenty-five full members, call an Extraordinary General Meeting of all members, giving at least seven days notice of such meeting. Every such requisition and notice convening the meeting shall state the nature of the business proposed to be transacted at such meeting and no other business whatsoever shall be discussed. Twelve members, of who at least three must be Officers of the Club, shall constitute a quorum at such Extraordinary General Meeting. Only members who have paid the current years subscription may attend the meeting.

### **15. GENERAL CONDUCT**

The Executive Committee shall have power to reprimand, suspend or expel any member guilty of any act prejudicial, in their opinion, to the wellbeing of the Club. In the event of a resolution for expulsion, seven days' notice shall be given to the offending member inviting him to appear before the Committee to explain his conduct after which the Committee may, by a majority of those present, expel or suspend the member in question.

### **16. ALTERATION OF RULES**

No alteration or addition shall be made to the foregoing rules except by a resolution passed by a majority of not less than two thirds of the members present at the Annual General Meeting or at a Special General Meeting convened for that purpose. Any member wishing to put forward a motion for such alteration or addition to the rules must give notice to the Secretary at least twenty-one days before the Annual or Special General Meeting who shall circulate (with the Agenda) all members with notice of the said motion. Such motion shall be debated in accordance with the rules of debate stated in Rule 14.

### **17. BYE-LAWS**

The Executive Committee shall have the power to make Bye-Laws provided that they are not contrary to the letter or spirit of these Rules. Such Bye-Laws to be automatically cancelled unless revived by the Executive Committee meeting following the Annual General Meeting.

## **18. INDEMNITY**

The members agree jointly and severally to indemnify and hold harmless the Officers and Committee from and against all and any liability imposed or sought to be imposed upon the Officers and Committee or any person or persons in respect of any act of, or omission by, the Officer or Committee of any person or persons in their employ or any member or members done, omitted or suffered or alleged or purported to be done omitted or suffered in the course of their of his or her conduct of the affairs or purposes of the Club or in the course of sailing or navigating any ship, boat or vessel or as the result or ownership of any ship, boat or vessel.

## **19. CLUB HOUSE**

- a) The normal hours of opening shall be Thursday evening, Sunday lunchtime and additionally as advertised.
- b) Smoking is not permitted in the Clubhouse.

## **20. BAR OPENING HOURS**

Bar opening hours shall be during permitted licensing hours. An Officer of the Club or member of the Executive Committee may open the Club bar during the general licensing hours granted to the Club by Thanet District Council provided that that person is responsible for ensuring that the bar is closed and premises secured at the appropriate time.

## **21. CLUB PROPERTY**

- a) Trustees shall be appointed to have put in their names the Title to any freehold or leasehold property owned by the Club and such other investments or Club property as the Club in General Meeting shall decide. There shall normally be four such Trustees and the first four persons shall be appointed by Resolution of the Club in General Meeting. Such property as shall be vested in them shall be dealt with as the Club or Executive Committee shall from time to time direct but the Executive Committee shall only take action in an emergency and normally the actions of the Trustees shall be governed by Resolution duly passed by the Club in General Meeting. The Trustees shall be indemnified against risk and expense arising out of the Club property. The Trustees shall hold office until death or resignation or until removed from office by a Resolution of the Club in General Meeting, who may for any reason, which may seem sufficient to a simple majority present at the meeting in question, remove any Trustee or Trustees from that office.
- b) Where, by reason of any such death, resignation or removal, it shall appear necessary to the Club that a new Trustee or Trustees be appointed, the Club shall by Resolution nominate the person or persons to be appointed the new Trustee or Trustees. For the purposes of giving effect to such nomination the Commodore is hereby nominated as the person to appoint new Trustees of the Club within the meaning of Section 36 of the Trustee Act 1925 and he shall by deed duly appoint the person or persons so nominated and the provision of the Trustee Act 1925 shall apply to any such appointment.
- c) If required by the Club, the Trustees shall execute a Declaration of Trust showing the terms on which they hold such Club property.
- d) In the event of the Club dissolving and the assets distributed to the members, the Club undertakes to pay for the current year the business rate for which rate relief was given. The Club also undertakes to refund any grant that has been awarded in that same year. Any wholly grant funded equipment remaining at the time of dissolution will be offered to the Royal Yachting Association (RYA) for use by another sailing club.

## **22. ABANDONED BOATS**

If at any time any dinghy park fees or subscriptions payable to the Club by any member or former member shall be more than three months in arrears

- a) The Committee shall be entitled to move the boat to any other part of the premises without being held liable for any loss or damage to the boat howsoever caused.
- b) The Committee shall be entitled, upon giving one month's notice in writing to the member or former member at his last known address shown in the register of members, to sell the boat and to deduct any

- monies due to the Club (whether by way of arrears of subscriptions or mooring fees or otherwise) from the net proceeds of sale before accounting for the balance (if any) to the member or former member.
- c) Alternatively, any boat, which in the opinion of the Committee cannot be sold, may, upon such notice as aforesaid, be disposed of in any manner the Committee may think fit and the expenses recovered from the member or former member.

Further, the Club shall at all times, have a lien over members or former member's boats parked or moored on the Club's premises or club moorings in respect of all monies due to the Club whether in respect of arrears or mooring fees or subscriptions or otherwise.

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