



# HILL HEAD SAILING CLUB RULES

*As approved by Extraordinary General Meeting in December 1998 and amended by AGMs in December 2000, December 2001, December 2002, December 2003, December 2004, December 2005 and December 2007, EGM 29 March 2008 and AGM December 2008*

## 1. NAME

The Club shall be called "HILL HEAD SAILING CLUB" and under this name it shall be affiliated to the "Royal Yachting Association".

## 2. PURPOSE

The purposes of the club are to promote the amateur sport of small boat sailing and racing off Hill Head and the local community participation in the same.

## 3. FLAG

A yellow triangular burgee on which is superimposed a double sided letter "H" in red.

## 4. MEMBERSHIP

4.1 Membership of the Club shall be open to anyone interested in the sport on application 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.

4.1.1. Membership is divided into eight categories – Sailing, Family, Student, Cadet, Associate, Social, Overseas and Life. Every member, upon election and thereafter, is deemed to have notice of, and thus undertakes to comply with, the Club Rules, the current Byelaws and Regulations of the Club.

4.1.2. **A SAILING MEMBER** is entitled to use all the facilities of the Club. Sailing Members must be 18 years of age or over.

4.1.3. **FAMILY MEMBERSHIP** is provided for a couple living together at one address and for their child or children, if there be any, under the age of 18 at the commencement of the Club year. It confers Sailing Membership on each of the couple and Cadet Membership on such a child or children. One of the couple shall be nominated to receive all correspondence from the Club.

4.1.4. **A STUDENT MEMBER** is conferred Sailing Membership, but must be between the ages of 18 and 24 years inclusive at the commencement of the Club year and be undergoing full time education without remuneration.

4.1.5. **A CADET MEMBER** is entitled to use all the facilities of the Club. Membership in this category is restricted to persons under the age of 18 at the commencement of the Club year.

4.1.6. **AN ASSOCIATE MEMBER** is entitled to make use of Club social activities and attend Club social functions, but is not entitled to keep a boat on Club property or



utilise the sailing facilities. Applicants for this category must have held Sailing membership for at least 8 years

4.1.7. **A SOCIAL MEMBER** is entitled to make use of Club social facilities and attend Club social functions, but is not entitled to keep a boat on Club property or utilise the sailing facilities. A Social Member does not have a vote at General Meetings. A Social Member wishing to change category to Sailing Membership shall apply in writing to the Hon Membership Secretary. A charge, being the difference between the current Sailing and Social Joining Fees, will be made on transfer.

4.1.8. **AN OVERSEAS MEMBER** is a full member who now resides and works outside the United Kingdom. Members in this category are entitled to use all Club facilities during short return visits or holidays and will pay a reduced subscription. An Overseas Member will revert to his or her former membership category on returning permanently to the United Kingdom and shall notify the Hon Membership Secretary in writing in this event.

4.1.9. **A LIFE MEMBER** may be elected by the Club in General Meeting, on the recommendation of the Management Committee, in recognition of long and dedicated service to the Club. A Life Member has all the rights of Sailing Membership, is absolved from paying an annual subscription, but is liable for all other charges.

4.1.10 For the purpose of these rules a **FULL MEMBER** of the Club shall be deemed to hold one of the following membership categories: Sailing Membership, Adult Family Membership, Student Membership, Associate Membership and Life Membership.

4.2 **APPLICATIONS FOR MEMBERSHIP** shall be made on the appropriate form. Applicants for all categories of membership must satisfy the management committee that they have a genuine interest in sailing matters and are willing to assist the club in the pursuance of the promotion of sailing, together with all club activities and events.

4.3 Applicants for membership shall be entitled to use all the facilities of the Club as Temporary Members, for a maximum period of three months, whilst waiting for their application to be approved, providing the following criteria are observed:

4.3.1 The appropriate subscription and joining fee has been received and cleared through the Club account by the Hon Membership Secretary.

4.3.2 The applicant has never been refused membership at a previous application nor had his or her membership terminated on a previous occasion by order of the Management Committee.

4.4 Election to membership will be by simple majority vote of the Management Committee.

4.5 The Honorary Membership Secretary shall inform all applicants of their election, or non-election, in writing. Successful applicants shall be forwarded a Membership Card, current copies of the Club Rules, Bye-Laws and Fixture List.

4.6 The limit on total membership numbers shall be determined by the members in General Meeting on recommendation of the Management Committee.



- 4.7 **INSURANCE** - It is a condition of membership that members insure their boats at all times whilst on Club property whether ashore or afloat, whilst using Club facilities or engaged in Club activities. The minimum acceptable level of insurance shall be £2,000,000 Third Party Cover. Documentary evidence of insurance shall be produced by members to Club officers when required, as directed by the Management Committee.
- 4.8 The Management Committee may refuse membership, only for good cause such as conduct or character likely to bring the Club or sport into disrepute. Appeal against refusal may be made to the members.

**5 SUBSCRIPTIONS AND FEES**

The club has different classes of membership and subscription rates and fees are set on a non discriminatory and fair basis. The club will keep subscriptions at levels that will not pose a significant obstacle to people participating.

- 5.1 **ANNUAL SUBSCRIPTION** - The rate of Basic Annual Subscription will be decided by the members in General Meeting on the recommendation of the Management Committee. The Annual Subscription for each membership category shall be:

Sailing.....	Basic Rate
Family.....	Basic Rate x 2
Student.....	Basic Rate x 0.5
Cadet.....	Basic Rate x 0.38
Associate.....	Basic Rate x 0.75
Social.....	Basic Rate
Overseas.....	Basic Rate x 0.5

- 5.2 **JOINING FEE** - A joining fee will be payable on application for membership to the following scale:

Sailing Basic Rate Subscription
Social Basic Rate Subscription x 0.25
Family Basic Rate Subscription

There shall be no Joining Fee in respect of Student and Cadet applications for membership.

- 5.3 **FEES FOR DINGHY PARKS, MOORINGS & WINTER LAY-UP** - The rate of Dinghy Park, Moorings and Winter Lay-up Fees will be decided in General Meeting on the recommendation of the Management Committee.

- 5.3.1 Dinghy Park fees shall be:

Club Side - 12 ft LOA and under.....	Basic Fee
Club Side - Over 12 ft LOA.....	Basic Fee x 1.25
Spit Side - 12 ft LOA and under.....	Basic Fee x 0.75
Spit Side - Over 12 ft LOA .....	Basic Fee



- Spit Side - Catamarans ..... Basic Fee x 1.25
- 5.3.2 Windsurfers - Club and Spit Side - Windsurfer fee.
- 5.3.3 Tenders - Club and Spit Side - Tender fee.
- 5.3.4 Moorings fees for Cruisers vary according to the size of boat and position in the Haven and cover the period from 1st January to 31st December.
- 5.3.5 Winter Lay-up fees - payable with subscriptions:  
**Dinghies** - 25% of appropriate fee.
- 5.3.6 Trailers/Trolleys/Cradles - Storage fee.
- 5.4 **The Club Year** is from 1st January to 31st December. Subscriptions are due on 1st January each year. Any new member applying to join between 1st May and 31st December shall pay a subscription appropriate to the membership category on a pro-rata monthly basis calculated from the 1st day of the month of application. The full Joining Fee will be applicable. **The Club financial year** for accounting purposes shall be from 1st October to 30th September.
- 5.5 Members who have not made their membership renewal and subscription payment cleared by the Club's bankers by the close of business on 1 February shall cease to hold membership. At the complete discretion of the Management Committee, those who wish to re-apply after this date may be charged an Administration Fee equal to 25% of the appropriate subscription, in addition to their appropriate full annual subscription.
- 5.6 **MEMBERSHIP CARDS** will be issued by the Hon Membership Secretary to all members on payment of the appropriate subscription and are valid until 31 December on the year of issue. Membership cards shall indicate class of membership and for cadets, date of birth.

**6. CLUB ASSETS AND LIABILITIES**

The assets of the Club are vested in all members in equal shares but no member, individually, shall be responsible for any Club liabilities beyond the payment of his or her own subscription and other Club fees.

- 6.1 The club is a non-profit making organisation. Any profit from the Club's activities shall be used for the benefit of the club which includes, but is not limited to, improving the club's facilities.

**7. FLAG OFFICERS**

- 7.1 The Flag Officers who shall be Full Members of the Club will consist of a Commodore, a Vice Commodore and a Rear Commodore. They will be elected each year at the Annual General Meeting.



- 7.2 At the time of election, the Vice Commodore and Rear Commodore will be nominated for, and assume special responsibility to the Management Committee for either the Sailing or House Committees and their associated work.
- 7.3 No member shall hold a particular Flag Rank for more than two consecutive years.
- 7.4. The Flag Officers shall be full members of the Management Committee and their own committee but ex-officio members of all other committees except where nominated by the Management to serve on, or chair, a committee.

## 8. ADMINISTRATIVE OFFICERS

The Administrative Officers are the Honorary Secretary, the Honorary Treasurer, the Honorary Secretary to the Sailing Committee, the Honorary Secretary to the House Committee, the Honorary House Treasurer, the Honorary Assistant House Treasurer, the Honorary Membership Secretary and the Honorary Harbour Master. The Administrative Officers shall be elected at each AGM.

## 9. COMMITTEES

- 9.1 All affairs of the Club shall be conducted by the Management Committee.
- 9.2 **The Management Committee** shall consist of the Flag Officers, Honorary Harbour Master, one Sailing Committee member, one House Committee member, one Haven Committee member, the Honorary Secretary, the Honorary Treasurer, the Honorary Membership Secretary and the Trustees who shall be ex-officio. Minutes of meetings shall be published.
- 9.3 The routine administration of Club Sailing, Club House affairs and the maintenance of the Haven, the Spit and the Club side Dinghy Parks shall be conducted by the Sailing, House and Haven Committees. Whilst the Management Committee is ultimately responsible for the Club Buildings, the Dinghy Parks, the Haven and the Moorings, it discharges its responsibility through the Club Committees and Sub-Committees who shall report to the Management Committee. Minutes of meetings shall be published.
- 9.4 **The Sailing Committee** shall consist of the appropriate Flag Officer, four Sailing Members, Honorary Sailing Secretary and one Cadet Member.
- 9.5 **The House Committee** shall consist of the appropriate Flag Officer, two Sailing Members, two Associate or Social or Sailing Members, the Honorary House Secretary, the Honorary House Treasurer, the Honorary Assistant House Treasurer and one Cadet Member.
- 9.6 **The Haven Committee** shall consist of the Honorary Harbour Master as chairman and three members, one of whom may act as secretary.
- 9.7 The Sailing Committee, House Committee and Haven Committee shall *each* nominate one of their *elected* members to serve on the Management Committee.
- 9.8 The members of the Management, Sailing, House and Haven Committees shall be elected at the Annual General Meeting. No member, except Flag Officers and Administrative Officers, may serve more than three years on any one committee unless so requested by the Management Committee in order to preserve continuity. The committees may co-opt further members for such a period as they think fit, but not beyond the next A.G.M. following such co-option.



- 9.9 **The Moorings sub-Committee** - The Management Committee, on election, shall appoint a Moorings Sub-Committee consisting of a Chairman, The Honorary Harbour Master, (in an advisory capacity only), and two further members. With the exception of the Honorary Harbour Master, members of the Moorings Sub-Committee shall not include any club member who may be deemed to be an interested party. The Moorings Sub-Committee is responsible to the Sailing Committee.
- 9.10 **Terms of Reference** for the Management Committee, Sailing Committee, House Committee, Haven Committee and Moorings Sub-Committee shall be prepared by the appropriate committees or Sub-Committees for approval by the Management Committee, then displayed in a Terms of Reference folder in the Club House. Terms of Reference shall be reviewed at regular intervals as required and at least annually.
- 9.11 50% of members of any committee or sub-committee personally present shall form a quorum at a meeting of that committee.

## 10. ANNUAL GENERAL MEETING

- 10.1 The Annual General Meeting shall be held in December at such time and place as the Management Committee shall appoint. The Honorary Secretary shall give 14 days notice in writing to every member of the date, time, place and agenda of the meeting. This notice shall also include a list of candidates for election as Flag Officers, Administrative Officers and committee members together with the names of their proposers and seconders.
- 10.2 The Honorary Secretary shall prepare the agenda and the following matters shall be attended to:
- 10.2.1 The consideration of the past year's Financial Statement, the Independent Assurance Report and the financial policy for the coming year.
  - 10.2.2 The Basic Rate of Annual Subscription, together with fees for Dinghy Parks, Moorings, Windsurfers, Tenders, storage of Trailers/Trolleys/Cradles and Winter Lay-up.
  - 10.2.3 The Sailing Committee Report.
  - 10.2.4 The House Committee Report.
  - 10.2.5 The Haven Committee Report
  - 10.2.6 The general programme for the following year
  - 10.2.7 Alterations and additions to the Club Rules
  - 10.2.8 Appointment of Independent Accountant(s)
  - 10.2.9 Election of Flag Officers for the following year
  - 10.2.10 Election of Administrative Officers for the following year
  - 10.2.11 Election of Committees for the following year



10.2.12 Any Other Business

- 10.3 A Preliminary Notice of the date of the Annual General Meeting shall be sent to all members not later than 16 October. This notice shall include a current list of Officers and Committee Members with a notation of those who are retiring or are not eligible for re-election.
- 10.4 The names of all candidates for election as Flag Officers, Administrative Officers, or to the Committees must be sent to the Honorary Secretary in writing together with the names of proposers and seconders. Alternatively, nominations with proposers and seconders may be appended to a list posted in the Club House by the Honorary Secretary. Nominations lists shall close on 1 November. The Honorary Secretary shall advise any member who enquires, the names, with proposers and seconders of any candidate for election to office at the A.G.M. If there is no candidate for any office or insufficient candidates for the committees, the Chairman shall call for nominations from the floor. If the number of candidates for any particular office or for the committees exceeds the number required, voting shall be by secret ballot.
- 10.5 **Voting** for the election of Flag Officers, Administrative Officers, Committee members and on propositions put to General Meeting shall be by simple majority. 30 eligible voting members shall form a **Quorum** for an AGM. If an individual member proposes alterations to Club Rules or Club facilities then the provisions of rules 10.7 and 10.8 apply.
- 10.6 **Voting Rights:** - All categories of membership carry equal voting rights at General Meetings with the exception of CADETS under the age of 14 years and SOCIAL MEMBERS who are not entitled to vote. Members may be requested to display Membership Cards whilst voting.
- 10.7 **ALTERATIONS TO CLUB RULES OR GENERAL FACILITIES** - Any member wishing to propose any alteration or addition to these rules or a material alteration to the facilities of the Club must propose such alterations in writing to the Honorary Secretary and name a seconder no later than 4 weeks before the date of the Annual General Meeting.
- 10.8 The Honorary Secretary shall give notice of the proposed alteration or addition in the notice of the General Meeting. The member concerned shall move the resolution at the meeting and if seconded a vote shall be taken. To carry the resolution, the number of votes in favour must be in the ratio 2 to 1 those votes against.
11. **EXTRAORDINARY GENERAL MEETINGS** - shall be convened by the Honorary Secretary as follows:
- (a) When directed by the Club Flag Officers
  - (b) On receipt of a requisition signed by not less than 15 members which shall state the object of the proposed meeting.

The Honorary Secretary shall give 14 days notice in writing to all members with the date, time, place and agenda for such an Extraordinary General Meeting. 30 eligible voting members shall form a **Quorum** for such a meeting.



## **12 CHAIRMEN AT GENERAL MEETINGS**

- 12.1 The Senior Flag Officer present shall take the chair at all General Meetings of the Club. In the event that no Flag Officer is present, the chairman shall be elected by the meeting.
- 12.2 The chairman shall have a casting vote should there be an equal division.

## **13. EXPULSION OF MEMBERS**

13.1 In the case of any member whose conduct and character is, in the opinion of the Management Committee, likely to bring the club or sport into disrepute or is injurious to the character and interests of the club, the Committee may, providing the member has been given sufficient and proper opportunity of explaining his or her conduct, on a minimum of 2/3 majority in secret ballot, terminate his or her membership. Any boat or property of an expelled member remaining on Club premises 3 months after the said expulsion shall be deemed to be abandoned and subject to the provisions of rule 29.

13.1.1 Appeal against termination of membership may be made to the members.

13.2 On ceasing to be a member of the Club for whatever reason, a person forfeits all rights and claims upon the Club and its property and funds.

## **14. CLUB FINANCIAL YEAR AND ACCOUNTS**

The Club financial year runs from 1st October. Accordingly the accounts of the Club shall be made up annually to the last day of September and an Independent Assurance Report will be prepared by a suitably qualified (Firm of) Accountant(s) appointed by the members in General Meeting.

## **15. TRUSTEES**

15.1 The Club Members shall in General Meeting elect three Trustees who shall remain in office until death or resignation or until the Members, in General Meeting, shall remove any or all of them.

15.2 All property of the Club shall be held by the Trustees for the time being, in their own names so far as it is necessary and practicable, on trust for the use and benefit of the Club. The Trustees shall deal with the property of the Club as directed by resolution of the Management Committee of which an entry in the minute book shall be conclusive evidence.

15.3 The Trustees shall be indemnified out of the assets of the Club from and against any liability, costs, expenses and payments whatsoever which may be properly incurred or made by them in the exercise of their duties or in relation to any legal proceedings, or which otherwise relate directly or indirectly to the performance of the functions of a Trustee of the Club.



- 15.4 The liability of the Trustees for the performance of any contractual or other obligation undertaken by them on behalf of the Club shall be limited to the assets of the Club.
- 15.5 All the Trustees shall be ex-officio members of the Management Committee but have no vote except when specifically requested to do so, on identified issues, when requested by a majority of the Flag Officers

## **16. GUESTS**

- 16.1 Members may introduce visitors as their guests into or onto Club premises provided that the following rules are observed:
- 16.1.1 The introducing member shall sign his/her guest(s) into the Visitors Book, kept for that purpose in the Club House.
- 16.1.2 The same visitor may not be introduced more than six times in any one year.
- 16.1.3 The introducing member shall be responsible for the behaviour of any guest(s) whilst on Club premises or when taking part in Club events.
- 16.1.4 No person whose membership has been terminated under Rule 13, (Expulsion of Members), shall be admitted as a guest.

## **17. MEMBERS OF RYA AFFILIATED CLUBS AS VISITORS**

- 17.1 A member of any club affiliated to the Royal Yachting Association or recognized sailing association may be authorized to use the premises of the club by any Committee Member. Such authorization shall specify between which dates (not being more than 14 days apart) the said person may also use the premises.
- 17.2 Any person who is a competitor or crew member in any race sponsored by, or on behalf of the club, is entitled to the use of the club's premises in a period of 24 hours before and after the race in which they are competing.
- 17.3 The Honorary Secretary, or any other person who has received the authority of two members of the Committee, may expel temporarily or permanently any person who has the right to use the club's premises under Rules 17.1 and 17.2.

## **18. THE CLUB BAR AND SUPPLY OF INTOXICATING LIQUOR**

- 18.1 The purchase for the Club and the supply by the Club of intoxicating liquor shall be exclusively controlled by the House Committee.
- 18.2 No person shall at any time be entitled to receive at the expense of the Club or of any member thereof any commission, percentage or similar payment on or with reference to the purchases of intoxicating liquor by the Club; nor shall any person directly or indirectly derive any pecuniary benefit from the supply of intoxicating liquor by or on behalf of the Club to members or guests apart from any benefit accruing to the Club as a whole and apart also from any benefit which a person derives indirectly by reason of the supply giving rise or contributing to a general gain from the carrying on of the Club.
- 18.3 **OPERATION OF THE BAR** - The Bar shall be operated by Bar Officers and their Assistants, all having been approved by the House Committee.



- 18.4 The permitted hours for the serving of intoxicating liquor in the Club House shall be from 11.00 am until 12.30 am the following morning.
- 18.5 The *actual* opening hours, within these permitted times will be decided by the House Committee and displayed on the Club Notice Board.
- 18.6 No person under the age of 18 may purchase or consume any intoxicating liquor on the Club premises.
- 18.6.1 After 20:00 hours and when the bar is open, no child under 16 years of age shall be allowed in the bar area, unless accompanied by an adult, except when passing to or from the training area.
- 18.7 The Duty Bar Officers may at their discretion refuse to serve any person without giving a reason and may close the bar at any time.
- 18.8 The Duty Bar Officer may not give credit or cash cheques out of club funds.

## **19. DUTY OFFICERS**

- 19.1 The rostered Race Officer and/or Bar Officer shall be deemed to be the Duty Officer(s).
- 19.2 The Duty Officer(s) on the day of their duty are responsible for the security of and good order in the Club House and on Club Property whilst undertaking their duty.

- 20. NOTICES** - A member shall not cause any communication in whatever form to be exhibited on club notice boards or premises without the permission of a committee member.

## **21. INTERPRETATION OF CLUB RULES**

All matters concerning the interpretation of these rules shall be dealt with by the Management Committee whose decision shall be final.

## **22. BYE-LAWS**

The Management Committee shall have power to make Bye-Laws for regulating the conduct and affairs of the Club provided the same are not inconsistent with these Rules. Bye-Laws shall be binding on all members.

## **23. RACING REGULATIONS**

All races will be governed by the current Racing Rules of Sailing (RRS), the Prescriptions of the RYA and the relevant Class Association Rules except where amended by HHSC Sailing Instructions for Club Racing and Open Meetings. The Sailing Committee is responsible for reviewing the Club Sailing Instructions as required and ensuring that these are prominently displayed in the Club House.



**24. CLUB CLASSES**

The adopted Club Classes shall be decided by the Sailing Committee and indicated in the Annual Fixture List.

**25. MOORINGS**

- 25.1 The maximum length of any boat on a mooring in the Haven shall be 25 feet LOA, (Length overall). This to include all fittings required for sailing such as bowsprit and rudder. Moorings will be allocated by the Moorings Sub-Committee with due regard to the date of application and the suitability of the applicant's boat to the available mooring. In the event of two or more separate mooring applications being submitted between two consecutive meetings of the Moorings Sub-Committee, consideration may be given to the applicant's length of membership and service to the Club before deciding the priority for mooring allocation or the waiting list as appropriate.
- 25.2 Where a boat with a berth in the Haven is in joint ownership, all owners shall be full sailing members of HHSC. This rule also applies to joint owners applying for a berth.
- 25.3 Payment of the appropriate berthing fee shall entitle the mooring holder to make use of the mooring for the period 1<sup>st</sup> January to 31 December. Mooring holders whose boats are removed from the Club premises during the period 1<sup>st</sup> November – 31<sup>st</sup> March will receive a refund of their fees on the basis of one twelfth of the annual rate for each complete month that the mooring is vacated, up to a maximum of three months. The intention to vacate a mooring must be notified in advance to the Chairman of the Moorings Committee in order for the refund to be payable. Provided the occupant of a mooring pays berthing fees at the due time, he/she shall have priority in its reallocation each year. The Management Committee reserves the right to require a member to relinquish his/her mooring if the use of the mooring does not justify its continued allocation.
- 25.4 Any applicant for a mooring, or the present occupant of a mooring, who wishes to change his/her boat must first apply to the Moorings Sub-Committee regarding the suitability of the boat for the Haven and/or the particular mooring. Berths in the Haven allocated to members may only be sublet by the Moorings Sub-Committee.
- 25.5 The Honorary Harbour Master must always be informed when cruiser owners plan to launch or recover their boats using club slipways in order to avoid conflict with other planned activities.
- 25.6 Allocated moorings shall be occupied by the 1st June each year. Members failing to occupy their allocated mooring by this time will be given notice that the Sailing Committee is minded to re-allocate the mooring to another member. The member may appeal the notice in writing to the Sailing Committee. Unless an appeal is pending, moorings still not occupied by 1<sup>st</sup> July each year will be permanently reallocated and the member reimbursed for 50% of the mooring fee.

**26. MOORINGS, TENDER AND DINGHY BERTHS**

- 26.1 Tender and Dinghy Park Berths will be allocated by the Sailing Committee. A numbered Dinghy Park Disc will be issued annually on payment of the appropriate



fee. This Disc must be permanently displayed on the outside of the transom of the craft for which it is allocated.

- 26.2 The fees paid for dinghy park spaces cover the period from 7 days before the first race of the season until 31 December, or last race of the season if later. An applicant's length of membership, service to the club, date of application and usage of the boat during the past season may be taken into consideration when boat spaces/moorings are allocated. Tender fees cover the period 1<sup>st</sup> January to 31<sup>st</sup> December
- 26.3 All dinghies are to be removed from the Dinghy Parks by 31<sup>st</sup> December, or after the last race of the season, if later. Dinghy Park berth holders whose boats are left in the Dinghy Park after the above date and for any part of the period to 7 days before the first dinghy race of the season shall be liable for an additional fee of one quarter of the appropriate berthing fee in accordance with Rule relating to winter lay-up fees.
- 26.4 The long term mooring of dinghies or cruisers for more than six hours alongside Haven walls and slipways is prohibited except with the permission of the Sailing Committee and/or Honorary Harbour Master.
- 26.5 All Boats, Launching Trolleys or Trailers placed in Dinghy Park Spaces without permission and when not allocated to them by the Sailing Committee, may be moved, by order of the Sailing Committee, to any other part of the Club premises without the Club being liable for any loss or damage howsoever caused.
- 26.6 Allocated dinghy, tender and trailer berths shall be occupied by the 1<sup>st</sup> June each year. Members failing to occupy their allocated dinghy, tender or trailer berths by this time will be given notice that the Sailing Committee are minded to re-allocate the dinghy, tender and trailer berths to another member. The member may appeal the notice in writing to the Sailing Committee. Unless an appeal is pending, dinghy, tender and trailer berths still not occupied by 1<sup>st</sup> July each year will be permanently reallocated and the member reimbursed for 50% of the berthing fee.

## **27. ROAD TRAILERS AND LAUNCHING TROLLEYS**

Road Trailers, Launching Trolleys and Hauling out cradles are only permitted on club premises during the sailing season provided that they are contained within their allocated park space. All other trailers may only be stored on club property with the approval of the Sailing Committee and a fee will be charged.

- 27.1 Launching trolleys must at no time be allowed to obstruct the Public Footpath across the top of the club side slipway. All club slipways must be kept clear at all times except for normal launching and hauling out.

## **28. WINTER LAY-UP BERTHS FOR CRUISERS**

- 28.1 Winter lay-up berths for cruisers must first be approved by the Sailing Committee for lay-up ashore. Notification must be made in writing to the Chairman of the Moorings Committee, who will present it to the Sailing Committee. Winter lay-up ashore covers the period 1<sup>st</sup> December until 7 days before the first dinghy race of the season, by which time the cruisers must be removed from the dinghy park to allocated moorings.



- 28.2 Any cruiser not removed in accordance with Rule 28.1 shall be liable to a charge of 2% of the annual mooring fee for each week over the prescribed period, in addition to the annual mooring fee.

## 29. **ABANDONED BOATS ON CLUB PREMISES**

- 29.1 All mooring, tender and dinghy park fees, including winter lay-up fees, are due on 1st January each year. If at any time any such fees payable to the Club by any member or former member shall be three months or more in arrears and a vessel, the property of a member or former member remains on the club premises, then the Management Committee may:
- 29.1.1 Move the vessel to any other part of the club premises without being liable for any loss or damage howsoever caused.
- 29.1.2 Give one month's notice in writing, served by recorded delivery, to the member or former member at his/her last known address as shown in the club register of members and thereafter shall sell the vessel and deduct (whether by way of arrears of subscription or annual payments, mooring or dinghy park fees or otherwise) from the net proceeds of sale before accounting for the balance (if any) to the member or former member.
- 29.1.3 Alternatively, if the vessel is un-saleable, after giving notice in writing as aforesaid, dispose of the vessel in any manner the Management Committee may think fit and deem the cost of doing and any arrears as aforesaid to be a debt owing to the club by the member or former member.
- 29.1.4 Further the club shall at all times have a lien over member's 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 of mooring fees or subscriptions or otherwise.
- 29.1.5 **PROVIDED ALWAYS THAT:** Proper evidence is available to show that all reasonable steps have been taken to trace a member or former member and that when and if the vessel is sold the proceeds of sale (less any indebtedness by the member or former member to the club) shall be placed upon bank deposit and retained against the eventuality of a claim by the owner (whether he/she be the said member or former member or otherwise) for a period of six years.

## 30. **PROPERTY AND FUNDS**

- 30.1 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 profit are reinvested in the Club.
- 30.2 The Club may provide sporting and related social facilities, sporting equipment coaching. Courses, insurance cover, medical treatment, post Open Event refreshments



and other ordinary benefits of Community Amateur Sports Clubs as provided for in the Finance Act 2002.

- 30.3 The Club may also in connection with the sports purposes of the Club:
- 30.3.1 Sell and supply food, drink and related sports clothing and equipment
  - 30.3.2 Employ members and remunerate them for providing goods and services, on fair terms set by the Management Committee without the person being present.
  - 30.3.3 Pay for reasonable hospitality for visiting teams and guests
  - 30.3.4 Indemnify the Management 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).
- 30.4 The Management Committee will have due regard to the law on disability discrimination and child protection.

## **31 WINDING UP**

- 31.1 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.
- 31.2 The Trustees in conjunction with the Management Committee shall then be responsible for the orderly winding up of the Club's affairs.
- 31.3 After settling all liabilities of the Club, the Trustees in conjunction with the Management Committee shall dispose of the net assets remaining to one or more of the following:
- 31.3.1 Another Club with similar sports purposes which is a registered charity and/or
  - 31.3.2 Another club with similar sports purposes which is a registered CASC and/or
  - 31.3.3 The Club's governing body for use by them for related community sports

## **32 PRIORITIES**

Where there is any conflict with Rules 2, 4.1, 4.8, 5, 13.1, 30, 31 & 32 (key rules) and any other rule or rules the key rule(s) 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).

2008 rule changes added 11 December 2008