

Sidmouth Sailing Club



Rules

1 Title

The Club shall be called the Sidmouth Sailing Club.

2 Burgee

The Club Burgee shall be a yellow cross on a white ground on a blue field.

3 Objects

The objects of the Club shall be:

- to promote and facilitate community participation in the sport of sailing to provide social and other facilities for members for participation in the sport at all levels and
- to foster sportsmanship through sailing.

4 Membership

4.1 Membership of the Club shall be open to anyone interested in the sport of sailing on application regardless of sex, age, disability, ethnicity, nationality, sexual orientation, religion or other beliefs. Membership may however be limited according to available facilities on a non-discriminatory basis.

4.2 Membership subscriptions will be kept at levels that will not pose a significant obstacle to people participating.

4.3 The General Committee may refuse membership or, subject to Rule 4.4.5, remove it, only for good cause such as conduct or character likely to bring the Club or sport into disrepute. Appeal against refusal of membership may be made to the members in General Meeting.

4.4.1 A new member who has completed a valid Application Form for membership and has paid the appropriate Entrance Fee and Subscription shall be admitted as a Probationary Member of the Club until his or her election is confirmed or otherwise by the General Committee. If the General Committee votes not to confirm the election of the Probationary Member as a Member of the Club the Entrance fee and Subscription paid by the Probationary Member shall be returned forthwith.

4.4.2 The General Committee may refuse applications only for good cause such as conduct or character likely to bring the Club into disrepute.

4.4.3 Appeal against refusal to elect may be made to the members in General Meeting.

4.4.4 Every member, upon election and thereafter, is deemed to have notice of, and undertakes to comply with, the Club Rules and any Byelaws and Regulations of the Club.

4.4.5 Any breach of Rule 4.4.4 or any conduct which, in the opinion of the General Committee, is either unworthy of a member or otherwise injurious to the interests of the Club, shall render a member liable to disciplinary action by the General Committee, which may include suspension for a specified period of time or expulsion.

Before taking such disciplinary action against a member, the Committee shall call upon such member for a written explanation of the member's conduct and shall give the member full opportunity of making explanation to the General Committee, or of resigning.

A Resolution to apply any sanction shall be carried by a simple majority vote by those members of the General Committee present and voting on the resolution.

Appeal against suspension/expulsion may be made to the members in General Meeting.

Upon suspension/expulsion the member/former member shall not be entitled to have any part of the annual membership fee refunded and must return any Club or external body's trophy or trophies and any keys to the Club's premises including lockers forthwith.

Upon expulsion of a member, the General Committee may dispose of the former member's boat and/or trailer in accordance with Rule 14.

4.5 Classes of Membership shall be as indicated on the matrix at Appendix 1 attached with clarifications as follows:

4.5.1 Honorary Life Members who may be appointed for outstanding services to the Club. Such appointments shall only be made at an Annual General Meeting.

4.5.2 Individual Adult shall be open to any person who shall have attained the age of 18 years at the date of the election.

4.5.3 Family Membership which expression shall include one or two co-habiting adults and all children within their guardianship under the age of eighteen years or twenty-one years in full time education and may comprise Family Membership with one Sailing Member or Family Membership with two or more Sailing Members. The family unit shall have one vote per adult.

[Note: a family membership considers parents and children to count as Sailing Members when they participate in any form of club sailing, including training.]

4.5.4 Junior Membership which shall be open to those up to the age of 16 years and who shall not otherwise be part of a Family Membership and shall have no vote.

4.5.5 Cadet Membership which shall be open to those aged 16 years up to the age of 25 years and who shall not otherwise be a part of a Family Membership and who at the date of the election is under the age of eighteen shall have no vote.

4.5.6 Non-Sailing Member which shall be open to those Adults who do not sail but want to support the Club as an Officer or Committee Member and assist with race officer and patrol boat duties or any position which is generally open only to Full or Family Members.

4.5.7 Temporary Membership which shall be open to those requiring temporary association with the Club. An Officer of the Club or Member of the General Committee may accept a temporary member, but must notify the Honorary Membership Secretary, as soon as

possible.

5 Subscriptions, Fees and Charges

New Members shall pay an Entrance Fee. Entrance Fees and Subscriptions shall be such sums per annum as shall be determined at the Annual General Meeting.

Subscriptions shall be payable immediately on joining the Club. They shall be renewable on or before 1st March each year and if not paid by 1st May in the same year the General Committee shall decide whether membership shall continue, pending this decision, the Member will not be allowed to sail, to use the boat park or use the Club premises (including the Bar).

If membership lapses for a period of twelve months, the lapsed Member shall, unless otherwise decided by the General Committee, pay a Re-joining Fee.

Any new Member joining after 1st October in any year shall not be required to pay a subscription in the following year. The General Committee shall fix fees and charges in respect of boat parking and their matters under such conditions as it considers necessary. The Honorary Secretary shall forward to each new Member a copy of the rules.

6 Officers

The Officers of the Club shall be Honorary Life, Individual Adult, Family, Cadets over the age of eighteen or Non-sailing members of the Club and shall consist of the President, Commodore, Vice-Commodore, Rear Commodore, Honorary Secretary, Honorary Sailing Secretary, Honorary Membership Secretary and Honorary Treasurer. They shall be elected at the Annual General Meeting and shall hold office until the cessation of the next Annual General Meeting, but shall be eligible for re-election. The Commodore, Vice-Commodore and Rear Commodore shall be ex officio members of all Committees and Sub-Committees.

Any vacancy occurring otherwise than at the Annual General Meeting may be filled by the appointment of another officer by the General Committee, who shall hold office until the next Annual General Meeting, when they shall retire but shall be eligible for re-election.

The Officer's duties are as set out on Appendix 2 attached

[Note: it is hoped that all the Offices of the Club will normally be held for a period of three years.]

7 General Committee

The General Management of the Club shall be administered by a General Committee consisting of the Officers named in Rule 6 and not less than three and not more than six Full, Family or Non-sailing Members who have attained the age of eighteen years at and are elected at the Annual General Meeting who shall hold office until the cessation of the next Annual General Meeting but shall be eligible for re-election.

[For the 2016 season until the 2017 Annual General Meeting this Rule is amended to allow a maximum of eight Members to be General Committee Members and at the 2017 Annual General Meeting the Rule will revert to allow a maximum of six Members.]

Any Vacancy occurring among the elected Members of the Committee other than at the

Annual General Meeting may be filled by the appointment of another Member of the Club by the General Committee who satisfies the aforementioned criteria.

The General Committee shall meet at least every three months.

Voting (except in the case of a resolution relating to the expulsion of a member) shall be by a show of hands. In the case of equality of votes the Commodore or Chairman (as the case may be) shall have a second or casting vote.

Four Members of the Committee including at least two officers named in Rule 6 shall form a quorum.

The General Committee shall be authorised to set up Sub-Committees for specific purposes. Such Sub-Committees shall be responsible to the General Committee.

The General Committee shall be authorised to appoint Members to positions to include Principal Club Race Officer, RYA Training Centre Principal, Funding Officer, Club Development Officer and Welfare Officer and such other positions as the General Committee shall consider necessary and appropriate to be responsible for particular functions connected with the administration and running of the Club and which said positions shall not be Officers of the Club (for the avoidance of doubt such positions shall not have a vote at any meeting of the General Committee or Sailing Committee but the Member is not precluded from voting in another capacity if entitled) and shall be responsible to the General Committee and in the case of the Principal Club Race Officer shall also be responsible to the Sailing Committee and it shall not be necessary for the holders of the positions to be members of either the General or Sailing Committees. The duties of the positions shall be specified by the General Committee.

Authority to incur expenditure on behalf of the Club remains with the General Committee but the Commodore in consultation with at least two of either the President, Vice-Commodore or Treasurer shall have authority to incur expenditure on behalf of the Club up to a maximum of £500 for any one occurrence. If the Commodore is temporarily unavailable and unable to undertake the Commodore's duties due to illness, holidays or work commitments or if the position of Commodore is vacant then the President shall have the authority given by this Rule in consultation with at least two of either the Vice-Commodore, Treasurer or Rear-Commodore.

In particular the General Committee shall ensure that the property and funds of the Club will not be used for the direct or indirect private benefit of members other than as reasonably allowed by the Rules and that all surplus income or profits are re-invested in the Club.

The General Committee shall appoint Sub-Committees to be responsible for the organisation of World, European or National Championships including qualifiers for such Championships. The Sub-Committee shall be chaired by a Member appointed by the General Committee and be made up of such Members as the General Committee shall appoint.

8 Sailing Committee

The Sailing Committee shall consist of the Vice-Commodore, Rear Commodore, Honorary Sailing Secretary, Fleet Captains elected or co-opted under Rule 11 hereof,

and not less than three and not more than six Members elected at the Annual General Meeting who shall hold office until the cessation of the next Annual General Meeting but shall be eligible for re-election. To provided additional assistance in the planning and management of extra special sailing events and subject to the General Committee's overall agreement to the need for additional members and the number to be co-opted the Sailing Committee may co-opt additional members to the Sailing Committee with voting rights for the period to the next Annual General Meeting when the Rule shall revert to allow a maximum of six Members.

For the 2016 season until the 2017 Annual General Meeting this Rule is amended to allow a maximum of nine Members to be Sailing Committee Members and at the 2017 Annual General Meeting the Rule will revert to allow a maximum of six Members.

Any vacancy occurring among the elected Members of the Sailing Committee otherwise than at the Annual General Meeting may be filled by the appointment of another Member of the Club by the Sailing Committee.

Three Members of the Sailing Committee including at least two officers named in the first paragraph of this Rule shall form a quorum.

The Sailing Committee shall be responsible for the general management of Club sailing including Club racing, for hearing and deciding protests, fixing handicaps and keeping results and records, and may appoint official measurers to act on its behalf.

The Sailing Committee shall be responsible for the organisation of Open Championships and shall have power to appoint Sub- Committees to deal with the arrangements with power to co-opt from the Club's membership and the General Committee members if necessary and appropriate.

The Sailing Committee shall be responsible for the arrangements for the provision of all training undertaken by the Club.

All Races and all Boats sailing shall be under the direction of the Sailing Committee but in accordance with the Club's safe sailing policy and the rules contained or referred to in Clause 13 of these Rules.

The decisions made by the Sailing Committee and its Sub-Committees shall be reported to for approval by the General Committee.

9 General Meeting

An Annual General Meeting shall be held upon a dated fixed by the General Committee at some time between 1st November and 1st March of the following year.

A Special General Meeting may be held at any time if the General Committee consider it necessary, or if it is required to do so by a requisition signed by not less than six members, which requisition shall set out the object of such Meeting shall be held as soon as possible after receipt of the requisition by the Honorary Secretary.

Notice of the date, place, time and purpose for a General Meeting shall be sent to each member of the Club at least three days before the date fixed.

Only Honorary Life, Individual Adult, Family, Cadet Members over the age of eighteen and Non-Sailing Members as defined in Rule 4 shall vote at any meeting of the Club.

Other members may attend but are not entitled to vote.

In the case of an equality of votes the Chairman shall have a second or casting vote, on any matter other than the election of members of the General Committee.

10 Chairman of Meetings

The President shall take the chair at every Annual General or Special General Meeting. The Commodore shall take the chair at every General Committee Meeting. If the President or the Commodore is absent the Senior Officer present shall take the meeting and if all the Senior Officers are absent, a Chairman shall be elected by the Members present.

The Vice-Commodore shall take the Chair at all meetings of the Sailing Committee, or if absent, the Sailing Secretary. If both are absent, a Chairman shall be elected by the Members present.

Sub-Committees shall be chaired by the Sub-Committees appointed Chairman or if absent by the Senior Officer present or if all are absent a Chairman shall be elected by the Members present.

11 Class Boats

A Racing Dinghy Class shall only be adopted after it has been confirmed at an Annual General Meeting. A Dinghy in an adopted class shall conform to its own rules when racing with the Club. The owners of adopted class boats may meet as a Committee and may elect a Fleet Captain to represent their interest whom shall be a member and serve on the Sailing Committee and if no Fleet Captain is so elected then the Sailing Committee may appoint a Fleet Captain and co-opt on to the Sailing Committee. The Fleet Captain so elected or co-opted who has attained eighteen years of age shall have the right to vote at Sailing Committee meetings.

12 Accounts

Proper account books and financial records shall be maintained by the Honorary Treasurer. The Annual Accounts made up to 31st October in each year shall be produced at every Annual General Meeting of the Club. They shall have been examined by some person or persons who shall be elected at each Annual General Meeting. Such person or persons shall be someone who, in the opinion of the General Committee, is suitable to act in that capacity. The General Committee shall have power to appoint someone to examine the Annual Accounts should a vacancy occur other than at the Annual General Meeting.

13 Racing Rules

All races shall be sailed under current the Racing Rules of Sailing as Published by ISAF including the Royal Yachting Association prescriptions, except as they may be varied by the Club's local sailing instructions (if any).

The Principal Club Race Officer shall be responsible for the making of any local sailing instructions and at least annually reviewing any local sailing instructions and making any necessary or appropriate amendment. The local sailing instructions shall be approved and published by the Sailing Committee.

14 Boat Parking

In this Rule where the context demands or admits the expression 'Boat' shall include Dinghy, Kayak or any other boat powered by sail, engine, paddles or oars and the expression 'boat parking space' shall include a space on the Kayak Storage Rack provided by the Club.

Boat Parking is available only to Honorary Life, Individual Adult, Cadet and Junior Members of the Club who have paid the Membership subscription and any other fees requires under Rule 5 and are in good standing.

Boat Parking shall be managed by the General Committee and shall be subject to:

- (a) such rules and regulations as the General Committee may reasonably make from time to time for the better management of the Boat Park and any such rules and regulations shall be exhibited in the sail store and on the Club's website and;
- (b) availability of a vacant boat parking space.

Application for a boat parking space must be made to the Honorary Membership Secretary at the beginning of each Sailing season or when joining the Club. Boat parking fees shall be paid immediately on the allocation of a space, and shall be valid until 31 October in each year. Members who leave their boats in the Boat Park after the 31 October in any year are liable to pay a winter boat parking charge as set by Sidmouth Sea Angling Club, who has use and control of the Boat Park between the 1 November and 1 April in each year. The charge is collected by the General Committee and is payable on demand.

In allocating boat parking spaces, preference shall be given to those members whose Dinghies are likely to be sailing regularly. If a Dinghy is occupying a boat parking space and is not being sailed regularly the General Committee shall have power to remove the boat and re-allocate the space after having given fourteen days notice of the intention.

If, at any time, any fees payable to the Club by any member or former member (whether by arrears of subscription or boat parking fees or otherwise) shall be one month or more in arrears and/or a boat (which expression includes a kayak(s)) and/or trailer the property of a member or former member remains upon the Club premises one month or more after the Club has given the member or former member notice to remove the boat and/or trailer then the member or former member shall remove the boat and/or trailer from the Club immediately. If the member or former member fails to remove the boat and/or trailer then the General Committee may:

- (a) Move the boat and/or trailer to any part of the Club premises or such alternative storage which may be outside of the boat park or Club premises as the General Committee may think fit and without liability for any loss or damage to the boat and/or trailer howsoever caused.
- (b) Give three months' notice in writing by registered post to the member or former member at his last known address as shown in the Club Register and thereafter sell the boat and/or trailer and deduct any monies due to the Club from the net proceeds of sale before accounting for the balance (if any) to the member or former member.

(c) Alternatively, if the boat and/or trailer is unsaleable, after giving notice in writing as aforesaid, dispose of the boat and/or trailer in any manner the General Committee may think fit and deem the cost of doing so and any arrears as aforesaid to be a debt owing to the Club by the member or former member.

(d) The Club reserves the right to charge storage for the boat and/or trailer until such time as the owner collects the boat and/or trailer or until the General Committee has accounted to the member or former owner under Rule (b) above.

15 Alteration of Rules

No alteration shall be made in the Club Rules except at a General Meeting, the notice convening which must contain or be accompanied by a statement of the exact nature of the proposed alteration. Alteration in the rules so passed shall be notified to all Members.

Provided that no such change shall jeopardise the Club's status as a Community Amateur Sports Club within the meaning of the Finance Acts, or in any event alter its purposes or winding-up provisions.

16 Limitation of Club liability

All references to the Club in this Rule shall mean each and every individual member of the Club from time to time.

Members are bound by the following Rule:

“Members of the Club may use the Club premises, and any other facilities of the Club, entirely at their own risk and impliedly accept:

(a) The Club will not accept any liability for any damage to or loss of property belonging to members

(b) The Club will not accept any liability for personal injury arising out of the use of the Club premises, any facilities of the Club either sustained by members or caused by the said members whether or not such damage or injury could have been attributed to or was occasioned by the neglect, default or negligence of any of them, the Officers, Committees, Trustees or Servants of the Club.

17 Dissolution of the Club

If, upon the winding up or dissolution of the Club, there remains after the satisfaction of all its debts and liabilities any property whatsoever, the same shall not be paid to or distributed amongst the members of the Club. The General Committee shall dispose of the net assets remaining to one or more of the following:

(a) To a charity and/or

(b) To another Club with similar sports purposes which is registered CASC and/or

(c) To the sport's national governing body for use by it for related community sports.

18 Miscellaneous

18.1 Any notice to be sent to Members by virtue of these Rules shall be validly sent if sent by ordinary post or email to the last postal address or email address as appropriate for the relevant Member as notified by them to the Honorary Membership Secretary.

- 18.2 Membership of the Club and acceptance of these Rules by the member will be deemed to constitute consent to the holding of relevant personal data for the purposes of the Data Protection Acts.
- 18.3 A member of the General Committee, or a sub-Committee or any officer of the Club, in transacting business for the Club, shall disclose to third parties that he is so acting.
- 18.4 The General Committee, or any person or sub-Committee delegated by the Committee to act as agent for the Club or its members, shall enter into contracts only as far as expressly authorised, or authorised by implication, by the members. No one shall, without the express authority of the membership in General Meeting, borrow money or incur debts on behalf of the Club or its membership.
- 18.5 In pursuance of the authority vested in the General Committee by members of the Club, members of the General Committee shall be indemnified by the members of the Club out of the assets of the Club from and against any liability, costs, expenses or payments whatsoever which may be properly incurred or made by them or any one of them in the exercise of their duties on behalf of the Club wherever the contract is of a duly authorised nature or could be assumed to be of a duly authorised nature and entered into on behalf of the Club.
- Should the assets of the Club be insufficient to satisfy such liability, costs, expenses or payments the General Committee shall be entitled to a personal indemnity from the individual members of the Club.
- The limit of any individual member's indemnity in this respect shall be a sum equal to one year's subscription at the then current rate of that category of membership unless the General Committee has been authorised to exceed such limit by a General Meeting of the Club.
- 18.6 The members acknowledge that these Rules constitute a legally binding contract to regulate the relationship of the members with each other and the Club.

Adopted 7 October 1996 J.E.P Eaton – Hon. Secretary
Amended 8 January 2008 A.S.W. Pyle – Hon. Secretary
Amended 8 January 2010 K. Brodie – Commodore
Amended 13 January 2012 O. Salter – President
Amended 16 January 2013 O. Salter – President
Amended January 2015 S. White – Commodore
Amended 29 February 2016 S. White – Commodore

Appendix 1: Matrix of Membership Categories

Membership Category	Membership of different categories provides members with eligibilities/benefits as indicated								
	Sailing	Officer (members over 18)	Voting rights (members over 18)	Safety & race officer duties, subject to club rules	Training helpers	Boat hire available at additional cost	Social	SSC member to member insurance	Additional notes
Individual adult	Y	Y	Y	Y	Y	Y	Y	Y	Race fees included, boat parking during racing season additional fee applicable, off season boat parking fees levied by Angling Club.
Family one sailing	Y	Y	Y	Y	Y	Y	Y	Y	As above
Family two or more sailing	Y	Y	Y	Y	Y	Y	Y	Y	As above
Junior	Y	N	N	N	Y	Y	Y	Y	As above
Cadet	Y	Y	Y	Y	Y	Y	Y	Y	As above
Non-sailing member	N	Y	Y	Y	Y	N	Y	Y	This category is to enable individuals to support the Club as an Officer or committee member and safety boat/race officer duties. The fee will include similar benefits for spouse/partner.
Temporary N (introduction)	N	N	N	N	N	N	Y	Y	Individual and family members may introduce new members as crews for up to three sessions per season. These temporary members may helm a Club boat at the discretion of an officer of SSC. After three sessions new members must become individual, family, junior or cadet members.
Temporary T (training)	N	N	N	N	N	N	Y	Y	Subscriptions for training will be determined as required. Membership for the duration of training course only.
Temporary H (holiday 28 days)	Y	N	N	N	N	N	Y	Y	Race fees and boat parking for period of temporary membership up to 28 days.

Appendix 2: Sidmouth Sailing Club Officer Duties — December 2011

President

Figurehead

Chair Annual General and Special General Meetings

Keep abreast of Club activities and Club standing in community

Commodore

Overall responsibility for running and development of Club

Chair general committee meetings

Represent the Club at official engagements

Ex officio at all committees

Support and monitor other officers' performance

Ensure regular news updates are circulated

Report to Annual General Meetings ("AGM")

Vice Commodore

Chair sailing committee meetings

Overall responsibility for sailing development and training including equipment

Assist with preparation of sailing calendar with sailing sec

Ensure Club sailing proceeds co-ordinating OOD and safety cover

Overall responsibility for the organisation and delivering open meetings

Overall responsibility for boat park

Responsible for collection of boat hire and training fees

Treasurer

Keep records of income and expenditure

Maintain Club bank accounts and investments

Manage Club insurance and interface with insurers

Provide details of current position to general committee meetings

Prepare summary of annual accounts and present at AGM

Make recommendations on membership fees

Make projections of income and expenditure for following season

Negotiate winter boat parking fees with Angling Club

Rear Commodore

Overall responsibility for coordinating catering and social events

Chair and encourage social committee

Delegate Wednesday evening catering

Make provision for Club, sailing and open events catering

Secretary

Take minutes of general committee meetings and circulate in timely manner

Receive and distribute correspondence

Reply to correspondence on behalf of general committee

Maintaining the club and sail store key list including records of the member's key deposits and having keys cut as necessary.

Prepare AGM documents, take AGM minutes and present to meeting

Keep Custody of all Club Documents

Maintaining the locker key list including records of the member's key deposits and

keeping the master keys and having keys cut as necessary.

Maintain any certificates or registrations and complete any non-financial returns as may be required by law

Sailing Secretary

Take minutes of sailing committee meetings and circulate in timely manner

Reply to correspondence on behalf of sailing committee

Keep records and compiling of sailing results (may be delegated)

Keep records of trophy winners

Arrange retrieval, engraving, cleaning and distribution of trophies annually

Preparation of sailing calendar with Vice Commodore assistance

Prepare OOD and safety boat duty rotas

Apply for necessary Ham use permission for events

Publish notice of race for open events

Keep stationary supply up-to-date in the crows nest

Oversee open event on shore duties

Membership Secretary

Send out renewal notices

Issue membership cards

Keep record of members and boat parking

Provide membership details to Port Royal

Keep financial records of income

Bank income

Maintaining data base for distribution lists

Keep records of members' qualifications

Tabulate and distribute details of members offers of help

Send out AGM material

Send application forms to potential members

Produce membership report for AGM

Other positions and duties

National events to be organised by separate committee including event entries

Fleet Captains: promote development of class and class events

Safety boat officer: oversee maintenance and condition of safety boats and equipment and organise crews for open events

Training Centre Principal: including being involved in arranging the training sessions and on-board/ instructor development

Principal Race Officer: to oversee Club Racing and Open and National events and SI's

Senior instructor

Bosun: maintaining club boats and equipment

Press officer: writing Herald and other reports; take photos of racing and events

Results secretary: to keep sailing results up to date

Funding officer: applying for sponsorship and funding

Child protection officer: keeping abreast of current legislation

18.7 Newsletter editor