



MARCH 28, 2024

HASTINGS MOTOR BOAT AND YACHT CLUB



THE RULEBOOK

HASTINGS MOTOR BOAT & YACHT CLUB
Rock-a-Nore Rd, Old town, Hastings, TN34 3DW

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(Revised 2024)

1. NAME

The name of the club shall be "THE HASTINGS MOTOR BOAT AND YACHT CLUB".

The Headquarters of the club shall be at The Clubhouse, Rock-a-Nore Road, Hastings, or at such other address as the club may determine in a general meeting.

2. OBJECTS

The objects of the club shall be:

- a) To further and encourage the interest of boating of all kinds.
- b) To provide facilities for instruction in watermanship, sailing and navigation.
- c) To provide a clubhouse and other social amenities for use by members and their guests.
- d) To provide facilities for the launching and recovery of boats, storing and dry standings.
- e) To provide such other non-political, sporting, social and recreational activities as the general committee may deem desirable from time to time.

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3. MEMBERSHIP

a) Membership of the club is open to any person who has been proposed, seconded and duly elected by the general committee. Names and addresses of all new members proposed for election must be prominently displayed at the club premises for not less than 48 hours before election, including temporary membership.

b) A decision by the general committee shall be final in this matter.

c) The following are classes of membership: Honorary members, life members, full member, social members, junior members (17 years of age or under) and temporary members.

d) A president, vice president and not more than six honorary members who shall not be liable to pay any entrance fees or subscription but shall be entitled to all privileges of membership may be elected by the club in general meeting.

e) The club membership shall be from 1st January until 31st December of the same year.

f) A guest invited to a specific function shall become a temporary member of the club for the duration of that function only. No fee will be levied for this *(Cont'd)*

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membership, nor will this membership have any voting rights whatsoever. This class of membership shall be able to purchase alcohol during the function.

g) membership of the club and acceptance of its' rules by the member will be deemed to constitute the consent to holding their name, address and telephone number for the purpose of the Data Protection Act 2018.

4. COMMITTEE AND OFFICERS

a) The General Committee shall consist of:

The Commodore *(Required)*
Vice Commodore (one only)
Rear Commodore
Honorary Secretary *(Required)*
Honorary Treasurer *(Required)*
Trustees *(Required x 3)*

Not less than 6 and no more than 9 ordinary members.

a.1) It is recommended that from the ordinary members'

One acts as Berthing Master,

One as Membership Secretary,

One as Minutes Secretary,

and others as required by the General Committee in order to share the work load for the benefit of the efficiency of the club's activities (including the deputisation of Hon roles (10.02.19).

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This does not preclude one person undertaking more than one activity if it is seen, by the majority of the General Committee, to be beneficial to HMBYC's activities.

b) The current general committee members and officers can indicate that they are willing to serve a further term, but this will not absolve them from completing the nomination form circulated to all members by the Secretary. This form must be duly completed showing proposer, seconder and signed by the nominee. This form must be submitted to the current Club Secretary no later than 31st December, the end of the club year. Late nominations will not be accepted except under Amendment No 7.

c) Five members of the general committee shall form a quorum. A quorum should only be required in a circumstance requiring an instance decision effecting the existence or operation of the club, not, for instance, to decide to purchase capital items. Any decision taken by this method must be put to the next full committee meeting for ratification or not.

d) the general committee shall have the power to appoint sub-committee's and co-opt other members as required, and may from time to time make, vary and revoke bye-laws (not consistent with these rules) for the *(Cont'd)*

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regulation of internal affairs of the club and the conduct of members and bye-laws for the time being in force shall be binding on all members.

e) The wine committee, whose sole responsibility is to decide which drinks and price they are sold in the club bar, shall consist of three members whom will be elected at the club Annual General Meeting from both full and social members and shall remain in office from the AGM of one year to the AGM of the following year.

5. CLUB SECTIONS

a) all club sections holding or raising monies on behalf of the club and/or its' members must have a committee of not less than five club members which is elected at the section Annual General Meeting.

b) Keep minutes of all section meetings.

c) Keep proper accounts.

d) Notice of a section Annual General Meeting must be displayed at the clubhouse not less than 7 days before the date of the meeting.

e) Any section that fails to have an Annual General Meeting and elect a committee shall have the management of that section monies and assets taken over by the club committee without further reference.

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f) The decision of the General Committee will be final in any matter not covered by these rules.

6. SUBSCRIPTIONS AND FEES

a) The relevant subscriptions in force at the time are due and payable to the Honorary Secretary on or before the 1st January each year.

b) Members' spouse/partner who participates in boating shall become a full member and pay the relevant fee. If they do not participate in boating, they shall be regarded as a social member for the only purpose of attending the clubhouse and to use its' facilities without payment of the relevant social membership fee. See also rule 11(i).

c) Life membership should always be available at the rate of 20 times the current full membership fee.

d) A junior member of less than 18 months standing as such will be required to pay a transfer fee of £2 on reaching the age of transferring to Full membership.

e) The berthing fee is for boats parked in the club compound, use of winch and compound facilities.

f) The fee for trailing members is for the use of the club winch for boats which are not berthed in the compound and whose owners use the facilities of the compound.

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g) Only full members who own boats, general committee members and employed staff are allowed to park their vehicles within the club premises.

h) A member who has failed to pay their subscription or pay the current berthing fee by the 1st January in any year shall be notified by letter at their last known address and in the event of non-payment within 14 days shall be required to apply again for membership or berthing space. See also rule 6(m).

i) If at any times any berthing fees payable to the club by any member or former members shall be three months or more in arrears the committee shall be entitled to move the boat to any other part of the premises without being liable for any loss or damage to the boat however so caused.

j) the committee shall be entitled upon giving one months' 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 deduct any monies due to the club (whether by way of arrears of subscription or berthing fees or otherwise) from the net proceeds of the sale before accounting for the balance (if any) to the member or former member.

k) Alternatively, any boat which in the opinion of the committee cannot be sold may upon such notice (*Cont'd*)

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as aforesaid be disposed of in any manner the committee may think fit and the expenses recovered from the member or former member. Any arrears as aforesaid shall be deemed a debt owing to the club by the member or former member.

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

m) Any member who has not renewed his subscription before the posted time of the AGM shall not be eligible to vote or propose or second or support a motion or requisition, or take part in any discussion at that meeting. See also rule 6(h).

(n) Ordinary members elected after 1st October in any year shall pay the subscription effective at the 1st January of the following year.

7. TRUSTEES

(a) There shall be three trustees of the club who shall be appointed from time to time as necessary, by the club in general meeting from among ordinary or honorary membership who are willing to be so appointed. *(Cont'd)*

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A trustee shall hold office during his life or until he shall resign by notice in writing to the general committee or until the resolution removing him from office shall be passed at a general meeting of the club by a majority comprising of two thirds of the members present and entitled to vote. A trustee shall be a member of the general committee in his own right and shall not count against the number elected under rule 4 (b).

b) All property of the club, including land and investments shall be held by the trustees for the time being in their own names so far as necessary and practical for the use and benefit of the club. On the death, resignation or removal from office of a trustee, the general committee shall take steps to procure the appointment by the club in general meeting of a new trustee in his place and shall as soon as possible thereafter take all lawful and practical steps to procure the vesting of all club property in the names of the trustees as constituted after the said appointment.

c) The trustees shall have the power to sell, lease or mortgage or pledge any club property for the purpose of raising or borrowing money for the benefit of the club with the consent of the general committee but no purchaser, lease or mortgagee shall be concerned to enquire whether such consent has been given. The trustees *(Cont'd)*

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shall be indemnified against risk and expense out of the club property.

8. SALE OF ALCOHOL

a) The supply of alcohol in the club premises will be permitted during normal permitted hours throughout the district. No alcohol shall be supplied to members or to any other persons on the club premises otherwise by or on behalf of the club. No alcohol shall be supplied for payment to any person on the club premises other than a member. No member shall derive any pecuniary benefit from the sale of alcohol unless it for the club as a whole. The general committee shall arrange the supply of alcohol by the club to members and to other persons on the club premises and shall secure the due observance of the provisions of the Licensing Act 2003 and all acts relating thereto and of any condition attached to any registration certificate granted in respect of the club premises.

9. USE OF CLUBHOUSE

a) Subject to the authority being granted by the club committee the clubhouse may be used for a limited number (12) of functions in a twelve month period (*Cont'd*)

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held by bona fide clubs, professional organisations and businesses. On these occasions the guests invited to the function will be accorded the status of temporary members.

b) Subject to the authority being granted by the club committee the clubhouse may be used by a member of the club to celebrate a personal occasion. No more than thirty such occasions will take place in any twelve month period. On these occasions the guests invited to the function will be accorded the status of temporary members.

10. CONDUCT OF MEMBERS

a) the general committee may suspend or determine the membership of any member whose conduct, whether on the premises or elsewhere is or has been in the opinion of the committee contrary to the interests of the club damaging to its reputation but for the purpose of this rule a majority of not less than two-thirds of the general committee who are present and voting shall be necessary. Upon determination of membership under this rule, the subscription paid for the current year may be returned wholly or in part at the discretion of the general committee.

b) Dogs will not be allowed into the clubhouse.

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- c) No motor vehicle is to be driven onto the ramp or beach for the launching and recovery of boats.
- d) Any member found accepting payment for the use of their boat will have their membership instantly revoked.
- e) Gutting fish is not allowed within the club premises.
- f) It is advised that all boats should have a valid "third party" risk insurance before going afloat.

11. BOATS, BERTHS AND GOING AFLOAT

- a) All boats going afloat must carry suitable anchor and rope suitable for its purpose, in-date flares, oars or paddles, compass, lifejacket or buoyancy aids for each person in the boat and the boat to be kept in a seaworthy condition
- b) Two or more general committee members may inspect any boat going afloat to check the items mentioned in rule 11a above and they may request that it does not go to sea until the items are present.
- c) Members must display their berth or trailer number on their boats, trailer and cover and the destination book must be completed by all members going to sea.
- d) The last member ashore to put the winch gear away, to cover winches and to ensure that all gates to the compound are locked and secure.

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- e) No member shall water ski within 400 yards of the beach except on special organised club events which must have prior permission from the general committee.
- f) Members diving at sea must have a permanently manned boat on the surface and display an "A" flag and not within 400 yards of the beach used by the club for boat launching and recovery.
- g) Berths in the club compound are not to be lent, borrowed or transferred.
- h) All berths must be kept in a tidy and clean state and free from weeds.
- i) A guest may not be taken afloat on more than three occasions in any one calendar year. See also rule 6(b).
- j) The boat owner is responsible for ensuring that all crew members' names are clearly entered in the destination book on each occasion of the boat going afloat.
- k) Any member that immobilises their boat and/or trailer within the club compound is to deposit the relevant keys with the berthing master. Any boat and/or trailer that is immobilised within the compound and to which the relevant keys have not been deposited with the berthing master may be released or forced by any appropriate means if the committee shall deem it necessary. In this event the club will not be liable for any loss or *(Cont'd)*

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damage that may result, furthermore, the club shall not be bound to inform the boat owner that such action has been taken.

l) All boats and/or trailers must be kept in a proper state of repair so they can be simply moved or relocated as deemed necessary by the committee.

m) Members boats are accepted subject to the approval of the general committee or its nominee.

12. VISITORS

a) Members (excluding temporary members) may bring personal guests to the clubhouse and must be responsible for them and enter their names in a book provided for the purpose which both the member and the guest will sign.

b) A personal guest or visitor may not remain on the club premises after the introducing member has left. No person whose membership has been terminated under rule 7 or whose application for membership has at any time been rejected shall be introduced as a guest, nor shall any member entertain on the premises more than two guests at any one time nor introduce as a guest the same person on more than three occasions in any one calendar year unless they are members of his family.

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c) Guests may participate in any event organised by the club provided the organisers stipulate this before the event.

13. NOTICES

a) each member shall keep the Secretary, Treasurer, or if the general committee have delegated one member as Membership Secretary (see Rule 4), informed at the Secretary's office on the club premises of that members private address or of some other address to which communications may be addressed to him. Never the less, it shall not be necessary to send any notice intended for members generally to any member, by post or otherwise except in the case of the notice convening any general meeting for any of the purposes of rule 15.

b) All notices shall be posted by being affixed in a prominent position on the club premises in a part of the club which is frequented by members and it shall be the duty of the Secretary to ensure that any such notice remains so exhibited throughout the period required in that behalf by or under these rules.

c) All club correspondence will be sent to the clubhouse addressed to the Honorary Secretary.

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14. ALTERATION OF RULES.

These rules may be revoked, added to or altered by a majority comprising two-thirds or more of the members present at and entitled to vote at a general meeting of the club of which notice has been duly given under rule 15 specifying the intention to propose the revocation, addition or alteration together with full particulars thereof.

15. GENERAL MEETING

An annual general meeting shall be held each year between the dates of January 1st and February 28th to transact the following business.

- a)** To receive and if approved to adopt the statement of the clubs' accounts for the previous financial year.
- b)** To appoint officers and other members of the general committee. See rule 4(b).
- c)** To appoint an honorary auditor or auditors and an honorary solicitor.
- d)** To deal with any matter requiring consideration by the members who may wish to raise any matter for discussion or propose a resolution duly seconded shall so (*Cont'd*)

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inform the Honorary Secretary in writing before 31st December in any year and it shall be included on the agenda for the Annual General Meeting. Only in an emergency and then at the discretion of the Commodore may a matter be raised from the floor at an Annual General Meeting.

e) a Special General Meeting may be convened at any time by the general committee within 35 days from the receipt by the Secretary of the requisition in writing signed by not less than ten (10) members specifying the object of the meeting to deal with any special matter which the general committee or the members requiring the meeting may desire to place before the members.

f) notices convening an Annual General Meeting or special general meeting shall be sent by post to all members at their registered address in the club register of members not less than 7 days before the meeting and shall specify the matters to be dealt with.

g) At special general meeting, 25 members shall form a quorum.

h) at any general meeting of the club every member of the club shall be entitled to be present and every ordinary member shall be entitled to vote upon every question raised unless he is barred from voting under (*Cont'd*)

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rule 6 (h) in the case of equality of voting, the chairman of the meeting shall have a second or casting vote.

i) The Secretary, or if the general committee have delegated one member as Minutes Secretary (see Rule 4), shall take minutes of the proceedings at all general meeting of the club.

j) The wine committee shall be elected at the A.G.M. and that all classes of membership have equal voting rights for the wine committee only. The wine committee have the responsibility for the purchasing of alcohol. See rule 4(e).

16. CHAIR AT MEETINGS

At committee meetings and general meetings the chair shall be taken by the Commodore or Vice Commodore, or by any officer of the club or in the absence of any officer of the club by a member selected by the meeting.

17. DISSOLUTION

a) if the number of ordinary members of the club shall at any time fall below ten or if at any time the club shall pass in general meeting by a majority comprising two-thirds or more of the members present and entitled to vote a resolution *(Cont'd)*

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(in this rule called "the first resolution) of its intentions to dissolve, the general committee, or failing them, the trustees, shall take immediate steps to convert into money all the property of the club with power however to postpone or delay the conversion of any particular property if the club in general meeting shall so authorise.

Out of the proceeds of such conversions, the Trustees shall discharge all debts and liabilities of the club including the expenses of such conversions, and any balance remaining in their hands shall be disposed of by them as the club in general meeting shall resolve and thereupon the club shall for all purposes be dissolved.

Provided that the club shall not with six months after the date of resolution, resolve upon the disposition of any such balance, remaining in their (the Trustees) hands shall be disposed of by them to a recognised charity or charities nominated by the club membership at an E.G.M. and passed by a 2/3rd majority of the members votes, thereupon the club shall be for all purposes dissolved.

b) a copy of this notice convening any general meetings under this rule shall be sent by the Secretary by post to every member at his address last notified to the Secretary under rule 13 not less than fourteen days before the date appointed for the meeting, but any accidental *(Cont'd)*

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omission to send such copy or the non-receipt of the same shall not invalidate any proceedings or resolutions.

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HASTINGS MOTOR BOAT AND YACHT CLUB (BY-LAWS)

(Date shown in brackets is the date the by-law was agreed)

- 1) **BERTHING:** Single berthing only is allowed (28.04.72)
- 2) **SOCIAL MEMBERS:** Club shall admit social members at a fee agreed by the current committee per year. These members will be allowed to attend club functions and assist full members in launching and recovering their boats, also the facilities of the clubhouse will be extended to them. They shall have no say in the running of the club, neither shall they be empowered to use the compound for their vehicles or boats or leave belongings in the clubhouse or compound. (19.05.72)
- 3) **CO-OPTED MEMBERS:** Co-opted members shall have, for the term of office they serve on the committee, have full committee authority and voting powers. (21.07.72)
- 4) **GRATUITIES:** Club members are not empowered to obtain gratuities on behalf of the club from outside sources (21.07.72)

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- 5) **ENTITLEMENT TO VOTE:** All committee members including officers of the club and Trustees are entitled to vote at committee meetings. (21.10.77)
- 6) **CLUBHOUSE USE:** The clubhouse can continue to be used by other associations subject to no expense to this club. All meetings to be entered into the diary behind the bar. (03.02.78)
- 7) **WINE COMMITTEE:** Wine committee of three (3) members to be formed. This is a police requirement. (02.02.79)
- 8) **DISPLAY OF RULES:** A copy of the rules to be displayed in the foyer. (02.02.79)
- 9) **REMOVAL OF BOATS:** That written authority is required by a member before a boat could be taken from the compound by a third party. (30.03.79)
- 10) **COMMERCIAL BOAT USE:** Any member found accepting payment for the use of their boat will have their membership instantly revoked. (22.06.79)
- 11) **CORRESPONDENCE ADDRESS:** All correspondence to be sent to the clubhouse. (19.11.79)
- 12) **BERTHING REQUESTS:** Berthing Master (BM) must be advised of all berthing requests. BM should have sole control of berths. (19.11.79)

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- 13) **PARKING:** Only boat owners and committee are allowed to park in the compound (must have a Parking permit) Social members must pay for parking. Barrier to be kept locked at all times. (02.06.80)
- 14) **NON-MEMBER WINCH USE:** Bona fide members of other clubs wishing to use the winch can do so but discretion to be used as to boat size. (02.02.81)
- 15) **SECTION ACCOUNTS:** All sections must keep proper accounts and minutes. (10.02.81)
- 16) **NEW BOATS:** Any member buying a new boat must obtain approval for the boat before brought into the club. All boats must be vetted by the committee. (16.01.84)
- 17) **GUTTING OF FISH:** Fish will not be gutted in the compound as it encourages vermin and blocks the drains. (04.03.85)
- 18) **NO STRUCTURE,** permanent or temporary, is to be erected on or near any berth without applying for permission and written consent from the HMBYC committee, (03.09.12) the approval of an agreed structure is based on the provision that it is maintained and secured at all times and its contents kept out of view' (03.06.24)

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- 19) EMPTY BERTHS:** Any berth that has been let must be filled within 2 calendar months or returned to the berth available list with no refund. In extenuating circumstances the berth holder may advise the Committee in writing of the situation and an agreed extension of time may be given by the Committee. (08.07.13)
- 20) JUNIOR MEMBER** - upon receipt of a junior member application for a kayak or boat berth it shall be the duty of the full committee to ensure it is given consideration provided it meets all of the following three criteria:
- a)** A signed statement of responsibility to adhere to all current rules is received with or prior to the application by the Junior Member's parent or legal guardian.
 - b)** The Junior Member has been a member of HMBYC for a minimum of two full years.
 - c)** The Junior Member is aged 16 or over. (03.06.13)
- 21) Licensing Act 2003:** No member shall derive any pecuniary benefit from the sale of alcohol unless it is for the club as a whole. (12.07.18)
- 22) Amendments:** Minor alterations made to rules 3(g) and 8(a) to reflect changes in legislation. (12.07.18)
- 23) Amendments:** Minor alterations to Bye law No 2 regarding change from Associate member to *(Cont'd)*

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Social Member and the fees to be as agreed by current committee. (12.07.18)

- 24) BOAT REPAIRS:** No major works to boats be carried out in yard. (minor or running repairs only) (03.06.24)
- 25) BOAT = KAYAK:** Any rule or by-law that make a reference to boat or berth is inclusive of kayak and kayak berth where practicable or stated below:

Rule 11.a) addendum for kayaks:

- I. A reachable means of summoning help
- II. lifejacket or buoyancy aid
- III. leashed paddles/oars
- IV. compass
- V. a tow line, and
- VI. suitable anchor and rope suitable for its purpose (03.06.24)

- 26) PERSONAL ITEMS** – no personal items of value are to be left on display, all property is to be maintained within your vessel and where a boat cover is used the cover must be secured at all times. (03.06.24)
- 27) Amendment:** Addition to existing by-law 18) is amended to include 'the approval of an agreed structure is based on the provision that it is maintained and secured at all times and its contents kept out of view' (03.06.24)

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AMENDMENTS TO CLUB RULES

Dates in brackets is the date of the A.G.M. at which the amendment was made.

- 1) **MEMBERSHIP RENEWALS:** Rule 6(a) date of 28th February changed to 1st January (04.02.05)
- 2) **NEW RULE:** Life membership shall always be available at 20 times the current full membership fee.
- 3) **NEW RULE:** With regards to record keeping and lack of available historical information for HMBYC a mandatory requirement that where practical all data and records are maintained within the club premises and where it is not practical to do so that all Officers, Honorary roles and Committee members will return all records to the club when they leave the Management Committee, failure to do so may result in expulsion from the club or legal action with acceptance of all costs incurred. (11.02.17)
- 4) **NEW RULE:** The minimum size of a boat has been lowered to 8' (Feet) to further the objectives of the club. (11.02.17)
- 5) **NEW RULE:** Internet banking to be implemented inclusive of altering existing banking arrangements. (11.02.17)

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5a) Amendment to Rule 5: To provide the ability to the Honorary Treasurer to apply and implement Internet banking, Managing Committee to provide approval if required to altering existing banking arrangements to facilitate Internet banking.

Minuted at the club Annual General Meeting 2019.

5b) Amendment to rule 5: Internet banking to be implemented for the purposes of, BACS payments, membership payment plans, reduce delays in account reporting to Committee and members of the club and generally more effective management of the club finances by the Honorary Treasurer inclusive of altering any existing banking arrangement (09.02.20)

- 6) **NEW RULE:** the application and use of a debit card by the Honorary Treasurer on behalf of HMBYC. (11.02.17)
- 7) **NEW RULE:** Shortfalls of minimum committee applications below the requirement of Rule 4(a)
 - (i) Notice to be placed by Honorary Secretary at the earliest convenience identifying any shortfall in committee applications after 31st Dec
 - (ii) Any application for a vacancy identified above will only be accepted in writing up to 7 days prior to an AGM

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- (iii) Any applicants regarding above must be a continuous Full member for a minimum of 12 months without outstanding monies.

(11.02.18)

- 8) Amendment to rule 6 Part M:** 'Any member who has not renewed his subscription before the posted time of the AGM shall not be eligible to vote or propose or second or support a motion or requisition, or take part in any discussion at that meeting. See also rule 6(h)'.

(09.02.20)

- ~~**9) NEW RULE:** In recognition of time given voluntarily by serving Committee Members as a new by-law their annual membership fee is to be waived for the following year provided that they are an effective committee member by attending a minimum of 10/12 meetings (09.02.20)~~

- 10) Amendment to rule 9:** The revocation of 9) NEW RULE: on the grounds that any member wishing to volunteer for the committee should do so without the incentive of free membership. (18.02.23)

- 11) NEW RULE:** Due to the Managing Committee meeting on a monthly basis only, the committee reserve the right to a period of 35 days to respond to any requests for information that may require a review and decision

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to be made, this is to allow sufficient convening of an ordinary meeting. (18.02.23)

12)

Useful Contact information

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berthing@hmbyc.co.uk

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Tel: Clubhouse: 01424 429779

Website: <https://www.hmbyc.co.uk/our-club>

Media: <https://www.facebook.com/groups/168612973905>