

LYME REGIS SAILING CLUB - Rules 2005

1 - NAME

The Club shall be called the Lyme Regis Sailing Club.

2 - BURGEE

The Club burgee shall be a gold lion on a red ground.

3 - OBJECT

The object of the Club shall be the encouragement of amateur sailing.

4 - OFFICERS

a) The Officers of the Club shall consist of the Commodore, Vice-Commodore, two Rear-Commodores, Sailing Secretary and a Flag Captain (Senior Officer of the Day).

b) They shall be elected at the Annual General Meeting (AGM) in each year and shall hold office until the next succeeding AGM, when they shall retire, but may be eligible for re-election.

c) Only Full/Partner/Family members shall be eligible for election to these Offices.

d) If insufficient nominations are received for a full compliment of officers at the AGM or if a vacancy occurs during the course of the year, the committee shall be empowered to make the necessary appointment(s) from those eligible without recourse to a general meeting.

5 - GENERAL COMMITTEE

a) The General Committee (hereinafter called "the Committee") shall consist of the Officers (ex officio) and six elected "Committee Members" (hereinafter called "Members"). Three of the six elected Members shall be helms and there shall be at least one lady and one gentleman Member. In addition, all Past Commodores shall be ex officio members of the Committee, but only the two most recent present at any Committee Meeting shall be entitled to vote.

Five members (excluding past Commodores) shall form a quorum of the Committee.

b) The Committee "Members" (not being Officers of the Club) shall be elected at the AGM each year and shall hold office until the next succeeding AGM, when they shall retire, but may be eligible for re-election.

c) Candidates for election to the Committee (both Officers and Members) shall be those members of the retiring Committee eligible to offer themselves for re-election and such other Full/Partner/Family members properly nominated. Nominations for Officer and Committee positions (duly proposed and seconded by Full/Partner/Family members) shall include the signature of the consenting nominee and shall be made in writing to the Club Secretary. The closing date for such nominations together with proposer and seconder shall be fourteen days before the date of the AGM. The nominations received shall be displayed in the Clubhouse for at least fourteen days prior to the AGM. If insufficient nominations are received for any defined post(s) by the closing date, then nominations (with proposer, seconder and nominee consent) for such post(s) may be taken from the floor at the AGM. If the number of candidates for election is equal to or less than the number of vacancies to be filled, then all candidates shall be deemed to be elected if two thirds of those present at the AGM and entitled to vote, vote in favour of such election. If the number of candidates for election is greater than the number of vacancies to be filled then there shall be a ballot.

In the event of a ballot failing to determine the members of the Committee because of an equality of votes, the candidates or candidate to be elected from those having an equal number of votes shall be determined by lot.

d) The Committee shall have the power to fill casual vacancies in the Committee by the appointment of other Full/Partner/Family members until the next AGM. Such appointed Members shall have the right to vote at Committee meetings.

e) The Committee may co-opt any Club member at its discretion, but co-opted members shall not have the right to vote at Committee meetings.

f) Officers and Members of the Committee are entitled to be indemnified out of the property of the Club against any liabilities properly incurred by them or any one of them 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.

g) If at any time, the Club in General Meeting shall pass a resolution authorising the Committee to borrow money, the Committee shall thereupon be empowered to borrow for the purposes of the Club, such amount of money either at one time or from time to time and at such rate of interest and in such form and manner and upon such security as shall be specified in such resolution and thereupon the Trustees shall at the direction of the Committee make all such dispositions of the Club property or any part thereof and enter into such agreements in relation thereto as the Committee may deem proper for giving security for such loans and interest. All members of the Club, whether voting on such resolution or not, and all persons becoming members of the Club after passing of such resolutions, shall be deemed to have assented to the same as if they had voted in favour of such resolutions.

6 - MANAGEMENT OF THE CLUB

a) The affairs of the Club shall be wholly managed by the Committee in accordance with the Club Rules. In particular, the Committee shall apply the funds of the Club subject to Rule 6(i).

b) The Committee shall make such rules and regulations as it thinks fit regarding the general management of any Club premises and deal with any situation not covered by the existing Club Rules. See also Rule 7 - BYELAWS.

c) The Committee shall ensure that records and Minutes of the proceedings at all General and Committee meetings are taken and maintained.

d) The Committee shall meet at least every two months, making such arrangements as to the conduct, place of assembly and holding of such meetings as it may wish. A Committee meeting shall be convened at the request of any two Officers or Committee Members if required.

e) The Club Committee shall, as soon as possible after the AGM, appoint a Secretary, Membership Secretary, Treasurer and Auditor/Independent Examiner.

f) The Club Committee may appoint Sub-Committees as it finds expedient and may delegate to those Sub-Committees such of the duties of the Club as it may determine. Sub-Committees may co-opt any member of the Club to assist them but those co-opted members shall not have the power to vote at Sub-Committee meetings. The Officers shall be ex officio members of all Sub-Committees.

g) The Senior Officer or Member present shall be the Chairman of all Committee and Sub-Committee meetings. In the event of equality of votes the Chairman shall have a second or casting vote on any matter other than the election of members of the Committee.

h) The Treasurer shall keep a complete and accurate account of the Club's finances and ensure that the books of account and relevant documents are made available to the Auditor/Independent Examiner appointed annually for that purpose. The Club Accounts shall be made up to the 31st August in each year and be submitted to the Club at the next Annual General Meeting.

l) No money or property of the Club or any gain arising from the operation of the Club shall be applied by the Committee otherwise than for the benefit of the Club or in accordance with the Rules and Object of the Club.

i) A Member of the Committee, of a Sub-Committee or any Officer of the Club in transacting business for the Club, shall disclose to the Committee that he/she is so acting.

7 - BYELAWS

The Committee may, from time to time, make, alter and repeal byelaws regulating the use of the Club premises (inc. Car and Dinghy parks), the holding of Regattas and generally for the good conduct of the affairs of the Club. All byelaws made by the Committee must be consistent with the Rules and shall be binding upon members until repealed by the Committee or by the Resolution of a General Meeting. Byelaws shall be recorded by the Secretary and circulated to members.

8 - GENERAL MEETINGS

8.1 Ordinary General Meetings

a) There shall be an Annual General Meeting (AGM) of the Club held each year in either October or November on a date fixed by the Committee. The business at such meeting shall be the election of the Officers and Committee, the passing of the Accounts for the previous financial year, the amount of Subscriptions and any business that the Committee may decide together with any other business which shall not require a vote as detailed in the notice convening the meeting. The appointment of Officers and Committee members shall become immediately effective upon their election. Copies of the accounts and minutes of the previous meeting shall be made available to all Full/Partner/Family members at least 14 days before the date of the meeting.

b) The Secretary shall, at least 14 days before the date of such meeting, make the Agenda available to every member.

c) No motion, except as required by these Rules and any business that the Committee may order to be inserted in the notice convening the meeting, shall be proposed at such meeting unless notice thereof be given, in writing to the Secretary, by a member entitled to vote, at least 28 days before the date of the meeting.

8.2 Extraordinary General Meetings

a) An Extraordinary General Meeting (EGM) may be called by a resolution of the Committee or shall be called as soon as possible upon written request, addressed to the Secretary, stating the business for discussion and signed by not less than twenty Full/Partner/Family members.

b) The Secretary shall, at least 14 days before the date of such meetings, make the Agenda available to every member.

c) The discussion at such a meeting shall be confined to the business stated in the notice sent to members.

d) Twenty per cent of the total number of Club members entitled to vote, including proxies, shall form a quorum at an Extraordinary General Meeting.

8.3 General Meetings - Administration

a) At every General Meeting of the Club the Commodore or the Vice-Commodore or, in their absence, a Chairman elected by those present, shall preside.

b) Any member absent from a General or Extraordinary General Meeting may vote by means of a proxy in writing, or by writing to the Secretary, on any business on the agenda.

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

9 - TRUSTEES

a) There shall be at least three Trustees of the Club who shall be appointed from time to time as necessary by the Committee of the Club from among Full, Partner/Family or Honorary Members who are willing to be so appointed. A Trustee shall hold office during his/her lifetime or until he/she shall resign, by notice in writing given to the Committee, or until a resolution removing him/her from office shall be passed at a meeting of the Committee by a majority comprising two-thirds of the members present and entitled to vote.

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 is necessary and practicable, on trust for the use and benefit of the Club. On the death, resignation, or removal from office of a Trustee, the Committee shall nominate a new Trustee in his/her place, and shall as soon as possible thereafter take all lawful and practicable steps to procure the vesting of all Club property into the names of the Trustees as constituted after such nomination. For the purpose of giving effect to any such nomination, the Secretary for the time being is hereby nominated as the person to appoint new Trustees of the Club within the meaning of Sect. 36 of the Trustee Act 1925 and shall by Deed duly appoint the person or persons so nominated by the Committee.

c) The Trustees shall in all respects act, in regard to any property of the Club

held by them, in accordance with the directions of the Committee; and shall have power to sell, lease, mortgage or pledge any Club property so held for the purpose of raising or borrowing money for the benefit of the Club in compliance with the Committee's directions (which shall be duly recorded in the Minutes of the proceedings of the Committee) but no purchaser, lessee or mortgagee shall be concerned to enquire whether any such direction has been given.

d) The Trustees shall be effectually 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 property of the Club vested in them, 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.

10 – MEMBERSHIP

10.1 Categories Of Membership

The categories of membership shall be as follows:-

a) FULL MEMBER: (i) Being a person aged 18 and over on January 1st of the Subscription year; FULL MEMBER (Student) (ii) Being a person aged over 18 and under 25 on January 1st of the subscription year and in full-time education, or at the committee's discretion; FULL MEMBER (OAP) (iii) Being a person of pensionable age on January 1st of the subscription year in line with the current government regulations.

All Full members shall each have one vote.

b) FAMILY/PARTNERSHIP MEMBER: Shall include two student, OAP, adult partners or combination thereof, or one or two parents (as may be) and all children under 10 years of age on January 1st of the Subscription year (the latter to be known as Junior members). Both partners/parents shall have the same rights and privileges as Full members.

d) JUNIOR MEMBER: Boy or a girl up to and including 17 years of age, but, in the case of a Junior neither of whose parents is a Club member, not less than 10 years of age on January 1st of the Subscription year. Junior members shall not be entitled to vote at Club General Meetings or to possess a Clubhouse key.

e) SOCIAL MEMBER: A non-sailing member who may only use the facilities available at the Clubhouse. A social member shall have only limited (as defined by the Committee) access to the Car Park facilities and shall not be entitled to sailing facilities or to vote at Club General Meetings.

f) CORPORATE MEMBER: Schools, Service Institutions and other similar bodies may be granted Corporate Membership on such terms and conditions as the General Committee shall determine. Corporate membership shall have one vote.

g) TEMPORARY MEMBER: Temporary membership, primarily intended for summer visitors, may be granted in categories similar to 1a-1d above. Such a member shall have full use of the Club facilities for a period not exceeding twenty-eight days in any one year, but:

i) Shall not have the right to take any part in the management of the Club (e.g. no admission to General Meetings nor entitlement to vote).

ii) Shall have no right to introduce guests or visitors to the Club or its facilities.

iii) Shall have no right to enter Club races except as specifically authorised by the Secretary or Committee.

h) TEMPORARY HONORARY MEMBER: Members of recognised Yacht and Sailing Clubs and representatives of visiting HM Ships visiting the Harbour whilst "on passage" (by yacht), may be granted Temporary Honorary membership for a period not exceeding ten days in any one year.

i) HONORARY LIFE MEMBER: Honorary Life membership, carrying with it all the rights and privileges of Full membership, may be conferred in recognition of outstanding achievement or service to the Club.

j) HONORARY MEMBER: An Honorary member shall be over 18 years of age, shall have full use of the Club facilities but, shall not be eligible to hold an office of the Club nor be eligible to vote at General Meetings.

k) OUT OF PORT MEMBER: Out of Port (OOP) membership is available to ex-

Full or Partner/Family members who leave the area. An OOP member will receive newsletters, be entitled to fly the Club Burgee, wear the Club badge or tie and display the initials LRSC on the transom of any boat that he or she may own. An OOP member may visit the Clubhouse for not more than three full weekends and, on those occasions, be entitled to use the Club facilities, other than the car and dinghy park. If staying in Lyme Regis, an OOP member may purchase a mid-week car parking ticket. An OOP member will have no voting rights and the Committee will have the right to cancel an Out of Port membership on a majority vote.

10.2 Application for Membership

a) FULL, PARTNER/FAMILY, JUNIOR, SOCIAL MEMBERSHIP: Every candidate for Full, Partner/Family, Junior and Social membership election shall complete the Application form (available from the Membership Secretary (or in the Club)). This form shall be signed by a proposer and a seconder, both of whom shall be Full members and acquainted with the candidate. The completed form, together with such fees and Subscriptions as are required, shall be returned to the Membership Secretary who shall display the application on the Club notice board for a minimum of 14 days. The Membership Secretary shall be notified of any objections during that period. If after this period the Membership Secretary has received no objection, the candidate shall be considered provisionally elected. New members shall then be elected by a simple majority vote of the Committee. Candidates for membership have no rights or privileges of membership until provisionally elected. In the event that provisional membership is not confirmed, fees and Subscriptions already paid shall be returned.

b) CORPORATE MEMBERSHIP: All applications for Corporate membership shall be dealt with by the Committee and the details of the Group and provisionally agreed terms for membership displayed on the Club notice board for a minimum of 21 days. The Membership Secretary shall be notified of any objections during that period. If after this period the Membership Secretary has received no objection, the Corporate group shall be considered elected.

c) TEMPORARY MEMBERSHIP: Candidates for Temporary Membership shall be proposed and seconded by Full members of the Club and admitted to membership on approval by any two officers of the Club. Applications for this category of membership shall be accompanied by the appropriate fees and subscriptions.

d) TEMPORARY HONORARY MEMBERSHIP: Candidates may become Temporary Honorary members by invitation of a Full member, and entering their details in the Visitor's Book with the countersignature of the introducing Full member.

e) HONORARY LIFE MEMBERSHIP: Election of candidates for this form of membership shall be by a majority vote at a General Meeting, following a recommendation from the Committee.

f) HONORARY MEMBERSHIP: Honorary members may be elected on an annual basis at the discretion and recommendation of the Committee and confirmed by the members at the next General Meeting. The total number of such Honorary members however, shall not at any time exceed five per cent of the total Club membership.

g) OUT OF PORT MEMBERSHIP: Out of Port membership (available only to ex Full or Partner/Family members of the Club) is applied for by simple request, in writing, to the Membership Secretary. Transfer to this category of membership shall be by simple majority vote of the committee.

h) It is the duty of Proposers and Seconders to introduce the new members whom they have sponsored to the Commodore and to as many of the Club Officers and members as possible.

10.3 Club Register of Members

Every member shall furnish the Membership Secretary with an up-to-date address which shall be recorded in the Register of Members and any notice sent to such address shall be deemed to have been duly delivered.

11 SUBSCRIPTIONS, ENTRY FEES, FACILITY CHARGES

11.1 Subscriptions and Entry fees

- a) Subscriptions and entry fees for the various categories of membership shall be fixed for the following year by a majority vote at the Annual General Meeting of the Club. The current rates shall be posted on the Clubhouse Notice Board.
- b) Subscriptions become due on 1st December in each year. Any member who has not paid his/her subscription by the 1st February in the following year shall automatically cease to be a member of the Club. A member for the preceding year offering his/her subscription after that date, may be required to pay a rejoining fee, in addition to the subscription for the current year.
- c) Any new member whose application has been submitted after the 1st September in any year, having been admitted to membership and paid his/her Entry Fee and Subscription shall not be required to pay a further subscription for the following year.
- d) No person shall be deemed a member of the Club until the appropriate subscription and entrance fee have been paid.
- e) Payment of these dues entitles a member to the advantages and privileges of membership and therefore shall be held to imply acquiescence in all the Club's Rules, Byelaws and Regulations.

11.2 Facility Charges

The Committee shall have the power to levy or vary charges for any Club facilities or services made available to any member. A list of such charges shall be posted on the Club notice board.

12 VISITORS AND GUESTS

- a) All Visitors and Guests shall sign the Visitors' Book. The entry shall be countersigned by the introducing Full member. Full members introducing guests are responsible for all payments on their behalf.
- b) Visiting yacht crews shall be signed in by the senior Officer or Full member present.
- c) No person may be a guest on more than six days in one year.
- d) Any person who is a competitor or crew member in any special event (as defined by the Committee) sponsored or organised by or on behalf of the Club, shall be entitled to the use of the Club premises including the bar, within a period of twenty four hours before and after the event in which they are partaking. These privileges may be withdrawn and any person enjoying the facilities of the Club under this Rule may be expelled from the Club premises on the authority of two members of the Committee.

13 - BOAT REGISTRATION

A Boat Register shall be maintained by the Committee. It is required that every boat owned by a Club member is entered in the Boat Register. Full particulars of any boat registered should be supplied on the appropriate form.

14 - CONDUCT

- a) Every member, upon election and thereafter is deemed to have notice of, and impliedly undertakes to comply with the Rules, current Byelaws and Regulations of the Club. Any refusal or neglect to do so, or any conduct which in the opinion of the Committee, is either unworthy of a member or otherwise injurious to the interests of the Club, shall render a member liable to expulsion by a resolution of the Committee, provided that, before expelling 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 Committee or of resigning. A Resolution to expel a member shall be carried by a simple majority vote by those members of the Committee present and voting on the Resolution. The decision of the Committee shall be final.
- b) A member expelled under this Rule shall forfeit all right in, and Claim upon, the Club and its property.

15 - LIMITATION OF CLUB LIABILITY

Members of the Club, their guests and visitors use the Club premises and any other facilities of the Club entirely at their own risk, and impliedly accept that:

- a) The Club will not accept any liability for personal injury arising out of use of the Club premises, and any other facilities of the Club, or out of participation in any

activity organised by the Club, whether sustained by members, their guests or visitors, or caused by the said member, guests or visitors, whether or not such damage or injury could have been attributed to or was occasioned by the neglect default or negligence of any of the Officers, Committee or servants of the Club.

b) The Club will not accept any liability for any damage to or loss of property belonging to members, their guests or visitors to the Club.

c) Before inviting any guests or Visitors onto the premises, or to participate in any event organised by the Club, members will draw their attention to this rule.

d) Parents and guardians are advised that the Club is only able to accept responsibility for Children whilst they are undergoing tuition or involved in an activity organised by the Club. At all other times sole responsibility for children rests with their parents or guardians. Parents and guardians are advised that the Club is only able to provide standby boat facilities during the hours of Club racing or other organised activities.

16 - CLUB PREMISES AND PROPERTY

16.1 General

a) The Club premises are for the convenience and enjoyment of all members and their guests. It is the duty of every member to help to keep the premises (in particular the Clubhouse) clean and tidy.

b) The clubhouse, car parks and all other Club property, owned or leased by the Club, is for the use of members only and shall not under any circumstances be used for pecuniary purposes except for the benefit of the Club.

c) A member shall not knowingly remove, injure, destroy or damage any property of the Club and shall make restitution for same if called upon to do so by the Committee or by the Secretary upon the instructions of the Committee.

16.2 Clubhouse and Car and Dinghy Parks

a) The Club Car Park, Clubhouse and adjoining dinghy park will be managed by a Sub-Committee under the general supervision of the Club Committee.

b) Members in possession of clubhouse keys are responsible for seeing that they do not leave the clubhouse unlocked if they are the last to leave, and that their keys are not handed to unauthorised persons.

c) Temporary members may be issued with keys on payment of a deposit, of which half will be refunded when the key is returned.

e) Those who wish to store their boats or other gear shall pay the charges as determined by the Club Committee.

f) For existing members, applications for space in the car and dinghy parks in any year shall be received by the Secretary by the end of the preceding season, and, in any case, not later than 1st January. In the case of winter storage, applications shall be made to the Secretary by 31st August.

g) When there is not sufficient space to accommodate all applicants the Committee shall allocate spaces for dinghies and car park badges on a combined basis of seniority of membership and participation in Club activities. Only those members allocated space may use the facilities; unauthorised boats and cars are liable to removal without notice.

e) All storage shall be at owner's risk.

17 - PURCHASE AND SUPPLY OF INTOXICATING LIQUOR

a) The purchase for the Club of intoxicating liquor and the supply of same by the Club shall be exclusively and solely under the control of the Committee, or of a special sub-committee appointed by the Committee.

b) Intoxicating liquor may only be sold for consumption on the Club premises to persons over the age of eighteen who are entitled to the use of the Club premises in pursuance of the Rules, Byelaws and Regulations for the time being in force. No Junior Member under the age of eighteen may purchase or attempt to purchase intoxicating liquor within the Club premises.

c) The consumption of intoxicating liquor shall be confined to the hours from time to time specified by the Committee, being the permitted hours for licensed premises sanctioned by the Licensing Justices for the district, or shorter hours as the Committee shall determine.

18 - RACES

a) Races may be Open Races or Club Races as determined by the Committee or Sailing Sub-Committee. Club races may be open to visitors and Temporary Members on payment of a predetermined racing fee but Club Trophies, unless specifically designated otherwise, may only be held by Full, Partner/Family, Intermediate or Junior Club members.

b) All boats must be steered by Club members or by members of a recognised Yacht or sailing club.

c) All races shall be sailed under the Current ISAF Racing Rules, the prescriptions of the RYA, and LRSC Sailing Instructions.

19 - AMENDMENT OF CLUB RULES

a) No alteration of or addition to these Rules shall be made except at a General Meeting duly summoned for this purpose.

b) No resolution altering of or adding to these Rules shall be deemed to have been passed unless it is carried by a majority of at least two-thirds of those members voting (both present and by proxy) thereon.

c) No proposal for an alteration to these Rules shall be considered at a General Meeting unless the same shall have been submitted in writing to the Committee not less than six weeks prior to the date of such General Meeting.

d) Amendments to Committee Proposals for alteration to the Rules at a General Meeting will be accepted provided..

i) The amendment relates directly to the proposed alteration. The ruling of the Chairman on this point shall be final.

ii) Notice of the amendment be furnished, in writing, to the Secretary at least three working days prior to the General Meeting.

20 - DISSOLUTION OF THE CLUB

The Club shall be dissolved if at an Extraordinary General Meeting held after not less than four weeks written notice has been given to each Full/Partner/Family member, two thirds of those present and entitled to vote pass a resolution for dissolution. 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 but shall be given or transferred to some other institution or institutions having similar objects to the objects of the Club in Lyme Regis. Such institution or institutions to be determined by the members of the Club by resolution passed at a General Meeting at or before the time of the dissolution and if and so far as effect cannot be given to such provision, then held in trust on behalf of a future Club.

21 - SUBSCRIPTION ARREARS

In addition to the powers given to the Committee under Rule 11, if at any time, any fees payable to the Club by any member or former member shall be six months in arrears, and a vessel the property of a member or any clothing or equipment belonging to a member or former member, remains upon Club premises, the Committee may:

a) Move the vessel or equipment to any other part of the Club premises without being liable for any loss or damage to the vessel or equipment howsoever caused.

b) Give one months notice in writing to the member or former member at his last known address as shown in the Club register, and thereafter sell the vessel or equipment and deduct any monies due to the Club (by way of arrears of subscription or annual payments, dinghy park fees or otherwise) from the net proceeds of sale, before accounting for the balance (if any) to the member or former member.

c) Alternatively, if the vessel or clothing or equipment is unsaleable the Committee may after giving notice as aforesaid, dispose of it in any manner the 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.

Rules updated 24September 2005 by Sally Holman, LRSC Secretary