

CLUB BYE LAWS
OF
SOUTH CERNEY SAILING CLUB (SCSC or “The Club”)

Approved by the Membership at the AGM of 11th December 2016
Effective from 12th December 2016

PART 1: INTERPRETATION, LIMITATION OF LIABILITY, CLUB SITUATION

1 DEFINED TERMS

1.1 In these Bye Laws, unless the context requires otherwise:

Act means the Companies Act 2006

AGM means an Annual General Meeting of the Club

Articles means the Articles of Association of the Club

Associate Member means a member of the Club who is not a Club Voting Member, and who therefore neither has voting rights at general meetings nor any other rights to which members of companies are entitled under the Articles or the Companies Acts, and Associate Membership shall be interpreted accordingly

Bye Laws means these Bye Laws

Club Facilities means the Clubhouse, all premises of the Club, the water controlled by the Club, any equipment made available by the Club (whether for a fee or without charge), all changing and washing facilities, all storage facilities, all Club boats, and any other facilities made available (whether for a fee or without charge) at the Clubhouse or on the Club's premises from time to time

Clubhouse means the Clubhouse at Lake 16, Station Road, South Cerney GL7 5TH

Club Voting Member means an individual or organisation that has been admitted as a company member of the Club and therefore has voting rights and is a guarantor to the value of £1, and Club Voting Membership shall be interpreted accordingly

Committee of Management means the Committee of Management of the Club, comprising the Executive Committee (directors elected by the Club Voting Members at general meeting plus any other Club Members co-opted onto the Executive Committee (in a non-voting capacity) by the directors, for a period of up to 12 months through to the next AGM) and any other Committees to which the Executive Committee delegates responsibilities

Non-Sailing Craft means craft other than sailing craft

Group Voting Member means an organisation (company, unincorporated association or other body) admitted to the Club with one vote for the organisation, to cover all members in the group. A Group Voting Member is not, unless specifically stated in these Bye Laws entitled to other rights and benefits of individual Club Voting Members

Group Terms means terms of Membership offered to a group (company, unincorporated association or other body) to allow a block of individual members of the group to take out individual memberships of SCSC under different terms than would apply if they each joined the club individually.

Members means all members of the Club, whether Club Voting Members, (including Group Voting Members) or Associate Members, and Membership shall be interpreted accordingly

Ordinary Resolution means a resolution passed by a simple majority of Club Voting Members

Sailing means sporting, recreational and other activities carried out in water-borne craft of any description powered by the wind

Sailing Craft means dinghies, wind-surf boards, and any other sailing boats permitted from time to time by the Committee of Management and detailed in the Sailing Instructions

Special Resolution means a resolution of Club Voting Members passed by a majority of not less than 75%

- 1.2 These Bye Laws are supplementary to the Articles.
- 1.2.1 Unless the context otherwise requires, other words or expressions contained in these Bye Laws bear the same meaning as in the Articles
- 1.2.2 Unless expressly provided otherwise, a reference to a statute, statutory provision or subordinate legislation is a reference to it as it is in force from time to time, taking account of any subordinate legislation from time to time made under it, and any amendment or re-enactment and includes any statute, statutory provision or subordinate legislation which it amends or re-enacts
- 1.2.3 Nothing in these Bye Laws is intended to contradict the Articles or the provisions of the Companies Acts, and, in the event of any inconsistency between any provision of these Bye Laws and the Articles, the Articles will prevail
- 1.2.4 Any other question of the interpretation of these Bye Laws, or upon any other matter affecting the Club and not provided for by these Bye Laws shall be by decision of the Committee of Management and their decision shall be final and binding on members
- 1.3 Both the Articles and these Bye Laws are binding on all Members of the Club

2 LEGAL STATUS OF THE CLUB AND LIABILITY OF CLUB MEMBERS

- 2.1 SCSC (the Club) is a Private Company Limited by Guarantee.
- 2.1.1 As a Private Company SCSC is not required to appoint a Company Secretary, and shall not appoint one
- 2.1.2 As a small company SCSC is not required to arrange a full audit of accounts; however, either a full audit or an independent assurance review shall be carried out each year. The proposed method shall be approved by an ordinary resolution of the club voting membership at each AGM, and shall be carried out on the next set of accounts, by a suitably qualified practitioner. (The directors may use their discretion to select a suitably qualified practitioner offering a reasonable price). The resulting report shall be published to the Club Voting Members, along with the Accounts, at least 14 days before the next AGM
- 2.1.3 SCSC is currently neither a Community Amateur Sports Club (CASC) nor a Charity. The Committee of Management may apply for CASC or Charity status in the future, subject to any required changes to the Articles and/or these Bye Laws being approved by Club Voting members.
- 2.1.4 Profits and property of the Club shall be applied solely according to Articles 21 and 22
- 2.1.5 Financial Year End is 30th September
- 2.2 Club Members are either **Club Voting Members** or **Associate Members**, as detailed in the Membership Section (Part 3):
- 2.2.1 **Club Voting Members** are members of the company, and as such
- Are entitled to notice of, and to attend and vote at AGMs and other general meetings.
 - Have one vote on each resolution dealt with in general meeting or in writing
 - Have guarantor liability to the value of £1 in the event of the Club being wound up
 - Individual Club Voting Members (joining SCSC within individual or family memberships) can vote in person or by proxy at general meetings, for any organisations admitted as Group Voting Members, the authorised representative is entitled to vote on behalf of the organisation
 - Group Voting Members **do not unless explicitly stated** have other rights and benefits covered in these Bye Laws, in particular a Group Voting Member cannot stand as a director, and cannot introduce guests to the club
- 2.2.2 Associate Members have no voting rights and no liability

3 CLUB FOCUS AND IDENTITY (Supplementary to the OBJECTS of ARTICLE 3)

- 3.1 SCSC primarily seeks to promote and facilitate interest and participation in sailing and to provide instruction in the art of sailing and seamanship to young persons and others by
 - 3.1.1 Welcoming sailors and prospective sailors of all abilities (generally from age 8+), wishing to participate in training, racing or cruising
 - 3.1.2 Seeking to provide a competitive racing programme and training and cruising opportunities for adults and juniors in an open and friendly environment
- 3.2 In support of and alongside club sailing, SCSC also seeks to
 - 3.2.1 Offer RYA Power Boat Courses, primarily for but not limited to members wishing to gain the qualifications necessary to drive power-boats to support on-water club activities
 - 3.2.2 Host Open Meetings and other events in support of our historic, most popular and up and coming classes
 - 3.2.3 Offer an interesting social programme, mainly but not exclusively focussed around the sailing programme
 - 3.2.4 The Executive Committee has discretion to suspend/restart these ancillary activities from time to time, and also to initiate other ancillary activities, subject to the procedures of 5.1.3
- 3.3 The burgee of the Club is a white pennant on which is imposed a black Coot. The same black Coot shall whenever possible be incorporated in all Club publications, badges, logos

4 SITUATION OF THE CLUB

- 4.1 SCSC operates as a Sailing Club based on Lake 16 in the Cotswold Water Park, with a 99 year lease on Lake 16 (including management rights) and the Club grounds through to 2093.
- 4.2 Within the terms of this lease:
 - 4.2.1 We share the lake with fishermen and except along the club shoreline and shorelines alongside our dinghy and powerboat launch areas craft must except in an emergency make best endeavours to keep 20m clear of fishermen fishing from the banks
 - 4.2.2 The use of powerboats is restricted to use in support of sailing-related and lake management activities (including training)
 - 4.2.3 There are some limitations on social events [covered in the Hire of Club House Policy]
 - 4.2.4 Craft must keep clear of the nature reserve at the SE tip of the small part of the Lake and keep 20m clear of nesting birds (terms of CDC environmental management plan)
 - 4.2.5 Lodge owners on Lake 16 are entitled and obliged to take out Lodge Owner Family Memberships at standard family fees, with fees paid 3 monthly on invoice to the landlord or landlord's agents Jetties of length not more than 8 metres from the shore (other than shores alongside club grounds and club dinghy and powerboat areas) may be constructed, and must be maintained as fit for purpose
- 4.3 Other shore-side properties on Lake 16
 - 4.3.1 Redrow - A number of privately owned shore-side properties with jetties have been built by Redrow Homes along the west shore of Lake 16. Householders purchasing these properties are entitled and obliged to take out House-holder Family Memberships within the terms of their house purchase transfer document. This document contains limitations and obligations regarding the construction, maintenance and use of any jetties and jetties must be maintained as fit for purpose and only used for seasonal mooring (not permanent).
 - 4.3.2 In the event of any further shore-side properties with jetties or any form of direct access to Lake 16 being built, the Committee of Management shall make reasonable endeavours to secure similar contracts.
- 4.4 While the Club operates a Club Bar, and sells intoxicating liquor under a Club Premises Licence, Licensing Laws require that:

- 4.4.1 The purchase for the Club of excisable goods (alcoholic drinks) and the supply of the same upon Club premises shall be exclusively and solely under the control of the directors, or of a special committee appointed by the directors.
- 4.4.2 The accounts of the Bar are incorporated in Club annual accounts and they will be subject to an assurance review or audit as part of the Club accounts under BL 2.1.2.
- 4.4.3 No person shall take commission, percentage or other such payment in connection with the purchase of alcoholic drinks for the Club. Any profit deriving from the supply of such goods shall (after deduction of the costs of providing such goods for the benefit of the Club) be applied to the provision of additional amenities or the purchase of property to be held in trust for the benefit of the club
- 4.4.4 Proper accounts of all purchases and receipts shall be kept and presented at the AGM each year and such information that the Treasurer may require shall be furnished to enable any statutory return or statement and the payment of excise or other duty or tax to be made
- 4.4.5 There must be an interval of at least 2 days between receipt of an application for membership, and the consideration of the application by the directors
- 4.4.6 The directors have discretion as to whether or not the Club continues to operate a bar
- 4.5 The following documents, referenced in this section are held by the Secretary
 - 4.5.1 Club Lease and associated plan
 - 4.5.2 Redrow Arrangement

PART 2: Management of the Club (Supplementary to Part 3 DIRECTORS section of the Articles)

5 Directors' Powers and Bye Laws

5.1 Bye Laws may be added/changed/repealed as follows:

5.1.1 Changes/Additions to

PART 1 (Bye Laws 1-4) -Ethos, Legal Set up and Long-Term Obligations of the Club

PART 2: Management of the Club (Bye Laws 5 – 11)

PART 3: Membership Structure of the Club (Bye Laws 12 – 15)

require a special resolution of the Club Voting Members:

5.1.2 Bye Laws within PART 4 (Regulations Section) may be added/changed/repealed at the discretion of the Executive Committee after bringing proposed changes to the attention of members by posting on the club notice board and on the members' area of the club web-site.

5.1.3 **Safety-related changes** come into effect immediately on posting

For **other changes** a notice period of at least one calendar month shall apply before proposed changes come into effect. If within the notice period more than 10% of the voting club membership express concerns in writing to the Executive Committee, proposals shall be reconsidered, withdrawn, or taken to the membership at general meeting; otherwise the proposed change will come into effect at the end of the specified notice period

5.2 Club Voting Members wishing to propose changes to the Bye Laws should put their proposal in writing to the directors in the first instance. They may also put a proposal forward to the Club Voting Membership at the AGM by sending their proposal in writing to the [secretary] at least 28 days before the AGM (Article 15.2.2)

5.3 The Committee of Management may also set and change club policies from time to time, to meet any external requirements, assist with directors' decision making and/or regulate activities carried out on club premises. A list of any such policies shall be included in the regulations section, with new/revised policies brought to members' attention as necessary (ref 5.1.3)

6 Eligibility and Election of Directors and Flag Officers

6.1 Club Voting Members (other than Group Voting Members) may stand for election, subject to Bye Laws 6.2 and 6.3, by submitting a written nomination (including signatures of or email confirmations from proposer, seconder and candidate for election) to the Secretary 28 clear days before the date of the AGM. They can apply for one of the following positions:

Flag Officer (Commodore, Vice Commodore, Rear Commodore)

Treasurer

Secretary

Executive Committee Member (8 positions)

6.1.1 Applications for Flag Officers, Treasurer and Secretary should state the post applied for

6.1.2 Applications for Committee positions should include details of any specific responsibilities that the applicant is offering to carry out while a committee member

6.1.3 The specific responsibilities of the 8 committee members may be varied from time to time according to the needs of the club, but will normally include:

Membership Secretary (responsible for handling membership applications, renewals and other issues, and for maintaining the list of company members)

RYA Training Principal (responsible for overseeing the RYA Sailing and Powerboat Courses)

Youth Squadron Class Captain (responsible for and in charge of the Club Cadet Squadron)

Social Secretary, who co-ordinates Club social activities

Sailing Secretary who gives administrative support to the Vice Commodore and the Sailing Committee, including co-ordinating on-the-water duties

- 6.2 The following eligibility criteria applies to the different positions:
- 6.2.1 Flag officers are (re)-elected each year at AGM and can hold the same rank for a maximum of 3 successive years. Applicants for flag positions should ideally have previous flag or executive committee experience
 - 6.2.2 The Treasurer and Secretary shall be (re)-elected each year at AGM and can hold the same position for a maximum of 4 consecutive years
 - 6.2.3 Committee members can serve for a maximum term of 4 consecutive years without standing for re-election, subject to re-affirmation of their continuing in post at each AGM
 - 6.2.4 Directors may serve a maximum of 4 consecutive years on the Executive Committee (across any positions held during that time) except that if a Vice or Rear Commodore wishes to stand for promotion to Commodore at the end of the 3 year term, he/she may (if elected) serve up to 3 further years as Commodore, to a maximum of 6 consecutive years as a director
- 6.3 Directors must stand down at the end of their term, for a period of at least 12 months before applying for re-election as a director
- 6.4 A full list of candidates, together with the list of directors continuing in post shall be included in the notice of AGM. The directors may also, at their discretion, include any special resolutions they consider appropriate to ensure a workable executive committee for the coming year (for example to set aside the 28 day application period) If the list of candidates changes after the issue of the notice of AGM (due to a candidate withdrawing, or another candidate coming forward to stand in the event of a Special Resolution being approved prior to the election of directors), an updated list of candidates will be posted in the clubhouse and on the club website 14 days before the AGM
- 6.5 If the number of candidates for Flag Officers, Treasurer, Secretary and Committee Member posts at any AGM is equal to or less than thirteen then the complete list of all directors standing for election or re-election, or continuing in post within their term of office, shall be put to the Club voting membership on block [as a single ordinary resolution]
- 6.6 If there are more applicants or if the resolution detailed in 6.5 is not passed then
- 6.6.1 The election, re-election, or affirmation of continuance in post of each director shall be conducted separately, in the following order: Flag Officers by Rank, Treasurer, Secretary, Committee Members
 - 6.6.2 The elections shall be by ballot
 - 6.6.3 Each director shall be elected if a simple majority of Club voting Members present in person or proxy vote in favour of his or her election
 - 6.6.4 Any candidate not elected to the post they have applied for may if they wish be included as an applicant for a lower-ranked position, in the same order as in 6.6.1 above

7 Termination of Office

- 7.1 If at any time the number of directors falls below a minimum of 5, the remaining directors shall only act to carry out legal and contractual obligations of the club, while they convene a general meeting so that the Club Voting membership can appoint more directors

8 Directors' Proceedings

8.1 Meetings and Decision-Making

- 8.1.1 Seven participating directors entitled to vote on a matter shall form a quorum, unless otherwise decided by the directors, but the quorum must always be at least one more than half the number of elected directors
- 8.1.2 A director may not appoint an alternate director or anyone to act on his or her behalf at meetings of the directors, except that an Assistant Treasurer or Assistant Secretary may be asked to attend and report to the meeting on behalf of the Treasurer or Secretary, but only in a non-voting capacity

8.2 Responsibilities

- 8.2.1 The Executive committee as a whole is responsible for the policy, management and administration of the club, running finances, insurance and legal matters, membership, promotion of the club, health and safety and child protection.
- 8.2.2 In addition, the **Flag Officers** have specific responsibilities as follows:
 - The **Commodore** chairs the Executive Committee
 - The **Vice Commodore** chairs the Sailing Committee which manages sailing and on-the water activities
 - The **Rear Commodore** chairs the House Committee which manages shore-side facilities, the grounds and property, the galley, the bar and social activities
- 8.2.3 The **Treasurer** runs the club's financial affairs as detailed in Bye Law 8.4. In the absence of an elected treasurer and/or suitable expertise within the executive committee, a suitably qualified assistant treasurer may be co-opted (non-voting) to carry out the financial responsibilities
- 8.2.4 The **Secretary** handles club correspondence and administration for the Executive Committee and normally also deals with any responsibilities re Companies House (Bye Law 8.3). In the absence of a secretary, the executive committee may co-opt (non-voting) an Assistant Secretary, or allocate the secretarial responsibilities within themselves
- 8.3 The directors have collective responsibility for ensuring that the secretarial legal requirements are met. The Secretary or another nominated director, on behalf of the directors shall ensure that:
 - 8.3.1 Changes of directors or directors' details are notified to Companies House within 28 days
 - 8.3.2 Any returns required by Companies House are made up to the correct dates and filed within the time periods allowed (currently the annual Confirmation Statement is made up to 2nd October and filed within 14 days and the Annual Accounts are filed within nine months of the Financial Year End)
 - 8.3.3 Any changes to the Articles are filed with Companies House within 10 days of coming into effect
- 8.4 The directors have collective responsibility for ensuring that the following financial requirements must be met. The Treasurer on behalf of the Directors shall ensure that:
 - 8.4.1 Books or accounts must be kept as necessary to give a true and fair view of the state of the finances of the club
 - 8.4.2 The annual report and accounts as at Financial Year End in each year shall be prepared and either an audit or an assurance review arranged at least once annually, and both the accounts and the audit/assurance report shall then be placed on the Club's website (in the Members Area) and exhibited in the Clubhouse for at least 14 days before the AGM
 - 8.4.3 All returns as may be required by Law in relation to the accounts of the Club must be rendered at the due time
- 8.5 In addition to the accounts required under the Companies Act
 - 8.5.1 A Financial Report shall be prepared and made available to Members at the same time, and in the same manner as the Accounts, and this report shall include evidence that the Club is a going concern

- 8.6 If none of the appointed directors have elected to take on the responsibilities of any of the following: Membership Secretary, RYA Training Principal, Youth Squadron Captain, Social Secretary or Sailing Secretary, then either the Executive Committee can co-opt a Club Voting Member onto the Exec for up to 12 months to the next AGM to carry out the role in a non-voting capacity, or, if no such co-option is made the responsibilities fall to the relevant Committees:

Membership – **Exec Committee**

RYA Training, Youth Squadron, Sailing Secretary – **Sailing Committee**

Social – **House Committee**

- 8.7 The executive committee may also co-opt additional non-voting members for special duties for a period of up to 12 months (through to the next AGM, at which point the co-opted member may (if eligible and willing) stand for election as a director, or the new incoming exec may at their discretion renew the co-option), [including but not limited to Officials to advise on items such as Child Protection and Health and Safety – such officials should be Club Voting Members]

9 Delegation

- 9.1 The duties of the Sailing Committee shall embrace all matters pertaining to sailing and the use of the water. Matters of major policy such as the Racing Programme or expenditure of monies, etc. shall be subject to Executive Committee approval
- 9.2 The duties of the House Committee shall embrace all matters pertaining to the social and domestic activities of the Club together with the responsibility for the carrying out of developments and maintenance of Club premises and amenities on land including landing stages, slipways and berths.
- 9.2.1 Projects for major development and expenditure of monies, etc. shall be subject to Executive Committee approval.
- 9.2.2 The Chairman of the House Committee may, with the approval of the Executive Committee, appoint sectional Sub-Committees to deal with particular activities, e.g. catering, social events, constructional work, etc.
- 9.3 The minutes from meetings of delegated committees shall be made available to the Executive Committee
- 9.4 The Club bar shall either be managed by the Rear Commodore and Social Secretary or the Rear Commodore may be delegate this responsibility to bar manager(s). The bar shall be operated according to the Licensing Laws

10 Directors' Remuneration and Expenses

- 10.1 Directors may be paid for 'non-executive' services to the club (for example a qualified instructor can be paid normal rates for instructing while holding a director post) but shall not be paid for being a director or for carrying out tasks that fall within their remit as a director and/or officer of the club. In particular, the treasurer shall not be eligible for payment for producing the accounts and the other financial/legislative returns that fall within his responsibility.
- 10.2 There must at all times be a majority of directors who have not received remuneration for services to the club
- 10.3 The Club may pay any reasonable expenses which the directors properly incur in connection with the discharge of their responsibilities in relation to the Club

11 Conflicts of Interest

- 11.1 Directors must declare any conflicts of interest and must not participate in or vote on any proposals in which they are conflicted

PART 3: MEMBERSHIP

12 Membership Policies, Classes, Rights and Obligations, and Application/Approval Processes

- 12.1 Membership shall be open to anyone interested in the sport of Sailing on application, regardless of sex, age, disability, race, sexual orientation, gender reassignment, pregnancy or maternity, religion or belief, except that
- 12.1.1 Membership may be limited (on a non-discriminatory basis) according to available facilities
- 12.1.2 The directors may refuse an application for membership if, acting reasonably and properly, they consider this to be in the best interests of the Club

Annual Memberships for Individuals and Families

- 12.2 The following classes of Annual Membership are available for individuals and families:
- 12.2.1 Family Memberships (one or two adults and the dependent juniors (<18 at the start of the membership year) of either/both, all at the same contact address)
- 12.2.2 Individual Memberships (for one adult and his/her dependent juniors (<18 at the start of the membership year), all at the same contact address)
- 12.2.3 Junior Memberships (one junior (<18 at the start of the membership year), sponsored by an adult member of SCSC within another Family or Individual Membership, that sponsorship having been approved in writing by the parent or guardian of the junior), may be approved by the executive committee in exceptional circumstances
- 12.3 Adults within these memberships are **Club Voting Members**; juniors are **Associate Members**. Juniors turning 18 during the membership year shall not be required to take out an Individual adult membership until the following membership year, but must do so if they wish to change from an **Associate** to a **Club Voting** Member
- 12.4 The Executive Committee shall have discretion, subject to 12.5
- 12.4.1 To define sub-classes within the above classes
- 12.4.2 To suspend/re-start both classes and sub-classes from time to time.
- 12.4.3 To set the subscription levels) for classes and sub-classes from time to time
- 12.5 Details of available classes and sub-classes, any restrictions/additional benefits, and fees shall be maintained in the Regulations section of these Bye Laws, with all changes subject to the procedures of 5.3.1
- 12.5.1 Fees will be kept at levels that will not pose a significant obstacle to people participating
- 12.6 The Executive Committee has discretion to vary fees for an individual, on an occasional basis in exceptional cases; any such variation shall be reviewed at least annually

Honorary Memberships

- 12.7 Adult club members, may be granted Honorary Membership for life, in recognition of exceptional services to the Club, by an ordinary resolution of Club Voting Members (when they are no longer taking an active part in the management of the Club) Honorary Members shall be **Club Voting Members**, subject to their signed acceptance either on appointment or before taking a vote at a general meeting

Group Terms Arrangements

12.8 A group of members from a recognised organisation may be admitted, subject to 12.10, under group terms where:

12.8.1 Group Objectives match Club Purposes

12.8.2 Group can be accommodated (numbers, fairness to existing membership)

12.8.3 Group beneficial to Club as a whole and to existing Membership

12.8.4 Advantages of admitting group outweigh any additional administrative overheads

12.9 Terms may be particular to each individual Group, but

12.9.1 shall be arranged to be fair and equitable to both the group and to the existing membership

12.9.2 shall be detailed in a Group Terms Agreement

12.9.3 shall include provisions to ensure that the group does not become a 'club within a club' (this is a key club principle and also a condition of our lease)

12.10 The list of Groups admitted to the Club, along with the Member Classifications and any restrictions/additional benefits shall be maintained in the Regulations section of these Bye Laws, and subject to the procedures of 5.3.1

Temporary and Absentee Members

12.11 The Executive Committee may permit Temporary Members on payment of any appropriate fees and/or Absentee Memberships. Any temporary and absentee members shall be Associate members

Guests of the Club

12.12 The following may be admitted as guests of the club, at the discretion of the directors, subject to the provision of name and address details on either the guest sheet or on the event form

12.12.1 Visiting sailors from another RYA registered club

12.12.2 Competitors (and their supporters) involved in an Open Event or Competition, including 24 hours before and 24 hours after that event or completion.

Applying for Membership

12.13 Membership Applications shall be completed on the appropriate application form for the type of membership required, and shall include:

12.13.1 A UK Contact address for the Membership (which shall be used for any written notices)

12.13.2 Names and signatures of all adults applying to become Club Members

12.13.3 Names of any junior dependents of these adults, also to be included in the membership, and a parental/guardian signature for each/all junior(s)

12.13.4 Details of any sailing and other craft to be used at the club, along with details of insurance and any storage requests for any of these craft

12.14 Additional information may be required for group memberships, including

12.14.1 Name, contact details and signature of at least one Group Contact

12.14.2 Procedures and responsibilities for adding additional members to the Group Membership

Approval of Membership Applications

- 12.15 A simple approval process applies to both initial and renewal applications. At the discretion of the executive committee, individuals, families and groups who have submitted an applications may be permitted to use relevant club facilities as guests of the club while their application is processed
- 12.15.1 Directors may refuse initial applications under the conditions of 12.1
 - 12.15.2 Directors may refuse renewal applications under the conditions of 13.3
 - 12.15.3 Directors shall consider all **new applications** for Annual Memberships (individuals, families and Groups) and all **group changes/renewals**, decisions being by a simple majority vote
 - 12.15.4 Directors may at their discretion delegate decisions regarding membership changes/renewals to the Membership Secretary, and/or the approval of new Associate Members joining within Group Term arrangements to the appointed Group Contact, reserving the right to revoke such authorisations at their discretion
 - 12.15.5 Applications for temporary membership can be authorised by any director including any variation of fees and/or specification of time period
- 12.16 Successful applicants shall be provided with or given access to a copy of the Articles and Byelaws, and shall be members subject to payment of any applicable fees within one month
- 12.17 Members are responsible for ensuring that the Membership Secretary has an up-to-date contact address for their Membership; this address shall be used in the register of members, and any notice sent to such address shall be deemed to have been duly delivered
- 12.17.1 Members may also choose to register an email address with the Membership Secretary, which will be used for any notices distributed electronically

13 Termination of Membership

- 13.1 Fees become due on acceptance of new applications for membership, and at the start of the new membership year (1st November) for membership renewals
- 13.1.1 If payment for a new membership is not received within one month of acceptance the membership shall be terminated without notice
 - 13.1.2 If payment for a renewal of membership is not received within one month of the start of the membership year, then a reminder shall be sent to the contact address, requesting payment within a further 14 days or by the AGM (if earlier); in the absence of such payment being received the membership shall be terminated without further notice. The directors may at their discretion re-instate the membership in the light of any explanation offered, subject to fees being paid
 - 13.1.3 Such termination of membership does not release the ex-member from their obligations to pay any accumulated arrears, nor does it release the ex-member from further charges, particularly where property is left on site (see Bye Law 13.4)
- 13.2 Members can resign from the club with a minimum of 7 days' notice, and all boats, trailers, other property must be removed from the site within the notice period. Members are not entitled to any refund of fees.
- 13.3 Every member is deemed to have notice of, and undertakes to comply with the Articles and these Bye Laws
- 13.3.1 Any breach of above or any conduct which in the opinion of the directors 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 directors, which may include expulsion . Before taking any disciplinary action the directors shall ask the Member in question to provide a written explanation of their conduct and shall give the Member the opportunity to explain their conduct, or to voluntarily cancel their Membership
 - 13.3.2 Any person expelled from membership shall not be entitled to have any part of their fees refunded and must immediately return any trophy or trophies held

13.3.3 The club maintains a grievance procedure, including procedures to deal with any grievance a member has against the Committee of Management

13.4 Members' Property.

If at any time any fees payable to the club by a member or former member shall be three months or more in arrears:

13.4.1 The committee shall be entitled to move the member's boat(s) (or any related equipment) to any other part of the premises without being liable for any loss or damage to the boat howsoever caused.

13.4.2 The committee may (after one month's notice in writing to the member or former member at the last known address shown in the register of members) sell the boat (or related equipment) 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.

13.4.3 Alternatively, any boat or related equipment, which in the opinion of the committee cannot be sold, may (after notice as above) be disposed of as the committee think fit and the expenses recovered from the member or former member. Any arrears shall be deemed to be a debt owing to the club by the member or former member.

13.4.4 Further, the club shall at all times have a lien over members' or former members' boats on the premises in respect of all monies due.

14 Rights and Obligations of Membership

14.1 Individual Club Voting Members (not Group Voting Members) may:

14.1.1 Stand for election as a director (Article 6.1)

14.1.2 Attend and vote at general meetings, and vote on resolutions in writing (Article 14)

14.1.3 Put forward agenda items for the AGM (Article 15.2.2)

14.1.4 Participate with other Club Voting Members (including Group Voting Members) to request the directors to call a general meeting (which the directors must comply with if the request comes from at least 10% of the Club Voting Membership (Article 14.3.2))

14.2 Group Voting Members (organisations) may nominate an authorised representative to

14.2.1 Vote on behalf of the organisation at meetings or on written resolutions

14.2.2 Put forward agenda items on behalf of the organisation for the AGM

14.2.3 Participate with other Club Voting Members to request a general meeting as in 14.1.4

14.3 Associate Members have none of the rights of 14.1 or 14.2. In addition, Temporary and Absent Members granted Associate Membership

14.3.1 Have no right to take part in the management of the club

14.3.2 Have no right to bring guests to the club

14.3.3 Are deemed to have had notice of and undertaken to comply with the Articles and Bye Laws

14.3.4 Can be prohibited from using Club facilities if in the opinion of the directors they have not reasonably complied with the Articles and Bye Laws

14.3.5 Must sign in as a guest if they wish to use the bar, or participate in any club event or course

14.4 Other details relating to members' rights to the use of club facilities and their obligations in relation to these rights can be set and varied from time to time by the Committee of Management within the Regulations section, subject to procedures of that Section, but shall normally include

14.4.1 A requirement for adults who sail themselves, or whose children sail with the Cadet Squadron to carry out duties to support club or Cadet Activities as appropriate

14.4.2 The right for adults within annual individual or family memberships to introduce an occasional guest to the club

15 LIMITATION OF CLUB LIABILITY

- 15.1 Members use the Club Facilities entirely at their own risk and accept that
- 15.1.1 The Club will not accept any liability for any damage to or loss of property belonging to Members
 - 15.1.2 Members are responsible for any injury, damage or loss to the extent caused by their own actions or omissions
 - 15.1.3 Membership and acceptance of the Articles and these Bye Laws will be deemed to constitute consent to the holding of relevant personal data for the purposes of the Data Protection Act
- 15.2 The Club is only able to provide rescue facilities during the hours of club racing. Parents and guardians have sole responsibility for their children and wards and must supervise them at all times.
- 15.3 It is a basic rule of sailing that a helm (or owner) is solely responsible for deciding to sail or to continue sailing. That decision is based on the helm's opinion of the capability of helm, crew (if any) and the boat, relative to conditions at the time. The fact that others are sailing (or not) may be a guide but does not remove the responsibility from the individual helm.

PART 4: REGULATIONS SECTION

16 Joining the Club

- 16.1 Under Article 12 Membership is open to any individual interested in the sport of Sailing; the directors may establish different classes of Membership, and decide who will be eligible for admission to these classes, and their rights and obligations
- 16.1.1 Under Bye Law 12, the main classes of Membership are Family and Individual. Both these Classes of Membership include dependent juniors (<18) of either/both adult, all living at the same contact address
- 16.1.2 Within both Family and Individual Membership Classes SCSC offers 3 top-level sub-classes of membership (sub-divisions) which in all cases reflect the current sailing preferences of the adult(s) within the membership. These sub-divisions are:
- a) Dinghy Sailor (most suitable for the majority of our membership) – for adult(s) wishing to sail their own boat in any/all of the dinghy sailing activities (cruising, training, club racing, open events)
 - b) Crew/Windsurfer – suitable for adult(s) who wish to only sail windsurfers and/or to crew for other members or sail under supervision while gaining dinghy experience through club training
 - c) Social – suitable for adult(s) who do not wish to sail themselves, but who have an interest in sailing and wish to support their children learning to sail, to watch the sailing activities, and/or to participate in the social activities offered by the club
- 16.1.3 Within the 3 subdivisions, reduced price memberships are available for senior members (>65), young adults (>18 but <23) and students (>18 and in full time education). In all cases where eligibility depends on age, the age applicable is as at application or renewal-due date for the membership
- 16.2 Families and Individuals wishing to join SCSC should choose the most appropriate Membership option to suit their circumstances, complete the application form accordingly and submit the form to the Membership Secretary. In signing the form adults indicate willingness to become a company member of the club, acceptance of the obligation to adhere to Club Articles and Bye Laws, and (if applicable) grant parental/guardian permission for any juniors to participate in Cadet and/or other activities at the club. Initial fees are due within one month of the application being accepted, and renewal fees within one month of the renewal-due date (1st November) – Bye Law 13
- 16.3 The Current membership Structure and fees are detailed on the Membership Fee Structure and the Membership Application form (see Bye Law 24.4). The executive committee reviews and revises fees as necessary each year, in advance of Membership Renewals. Proposed changes shall be communicated to Members at least one month before the start of the new membership year (1st November), according to Bye Law 5.1.3
- 16.4 Under Bye Law 4.2 owners of Lodges bordering Lake 16 are entitled and obliged to take out family memberships, with fees being paid through the annual maintenance charges
- 16.5 Under Bye Law 4.3 owners of houses bordering Lake 16 are entitled and obliged to take out family memberships, with fees paid annually direct to the club
- 16.6 A simple approval process applies and memberships will only be refused in extreme circumstances or for reasons of space.
- 16.7 According to the requirements of Bye Law 4.4.5, upon receipt of an application for membership the Membership Secretary shall enter the details of the application in a register of applicants and there shall be an interval of at least two days before the application for membership is considered by the directors

- 16.7.1 Applicants wishing to make use of club facilities during the application process may, at the discretion of the Membership Secretary, be accepted as Temporary Members during the Application period
- 16.7.2 Applicants will be informed of the result of their application by the Membership Secretary, along with allocation (if applicable) of any storage spaces granted

17 Benefits of Membership (varied from time to time by the Committee of Management)

17.1 All adults within Individual and Family Memberships may:

17.1.1 Use club shore facilities and the clubhouse (when open)

17.1.2 Participate in/attend social events

17.1.3 Bring occasional guests to the club, within the provisions of 17.5 below

17.1.4 Participate in courses run at/by the club under members' rates if available

17.1.5 Apply for a junior dinghy storage space for any dependent junior participating in Cadet Squadron or other Club Youth Activities. The executive committee, at their discretion and subject to space, may offer a number of junior berths free of charge

17.2 Adults within Individual and Family Memberships who choose to be 'sailing' members may also:

17.2.1 Apply to the Membership Secretary for (additional) adult berth(s) in the boat park

17.2.2 Sail boats registered with the Membership secretary (whether stored on site or trailed in) on the lake at any time, subject to any safety rules in place from time to time see Bye Law 21 below

17.2.3 Sail club boats, subject to a minimum qualification to Level 2 RYA or equivalent experience and any applicable fees – see Bye Law 17.6 below

17.2.4 Use suitable rowing boats/canoes/kayaks, insured and registered with the Membership secretary on the lake. However, specific canoeing/kayaking memberships are **not available**

17.2.5 SCSC does not offer stand-alone junior memberships, but under Bye Law 12.2.3 may occasionally and in exceptional circumstances permit an adult sailing member to act as a sponsor for a junior who is not his/her dependent. Anyone wishing to act as a sponsor should contact the Membership Secretary in the first instance

17.3 Adults within Individual and Family Memberships who choose to be 'social' members may, in addition to the benefits of 17.1, participate in on-water activities on up to 4 occasions (days) before upgrading their membership to become a 'sailing' member

17.4 Juniors within Individual and Family Memberships may (under the on-site supervision of their parent/guardian)

17.4.1 Participate in all suitable club activities, and make use of all club facilities

17.4.2 Participate in Cadet Squadron and any other youth activities

17.4.3 Use club boats at reduced fee or in some cases free of charge – see 17.6 below

17.5 Members' Guests

17.5.1 Guests wishing to use the clubhouse or participate in club activities on the water must be signed in by the accompanying member and in signing acknowledge acceptance of Articles and Bye Laws as a temporary member

17.5.2 Guests may sail in boat(s) belonging to the accompanying member, but if sailing as a helm, they will not be eligible for prizes, and their results will not be included

17.5.3 Guests may attend the club on 4 occasions (days) before taking out membership

17.5.4 Non-members may **not** bring and sail their own boats as a guest of a club member

Members wishing to bring a friend to the club, with the friend sailing his/her own boat should contact the Membership Secretary or any other director, who will be able to arrange temporary membership, subject to the visiting boat falling within the range permitted on the lake, and the provision of up to date insurance details

17.6 Hire of Club Boats

A list of available boats, together with hire charges and any minimum qualification levels is included in Bye Law 24.4

18 Duty Obligations

- 18.1 SCSC is a members' club, and relies on members' support for the activities provided. Adults joining the club select to participate as 'sailing' members or 'social' members, and also indicate whether any juniors wish to participate in the organised youth activities run by the Cadet Squadron
- 18.1.1 Adults with juniors participating in Cadet Squadron activities are expected to carry out duties as required to support these activities; these duties are organised and specified within the Cadet Squadron
- 18.1.2 Adults selecting to be 'sailing' members, and not carrying out duties under 18.1.1, are expected to carry out duties in support of the club activities, as specified from time to time by the Executive Committee. A limited number of duty buy-outs may be available to members who prefer this option
- 18.1.3 Adults selecting to be 'social' members, and not carrying out duties under 18.1.1 are welcome to volunteer for duties but are not currently obliged to do so
- 18.1.4 Juniors are not required to carry out duties
- 18.1.5 Temporary members are not required to carry out duties
- 18.2 The executive committee has discretion to vary the type of duties carried out from time to time and in exceptional circumstances (including but not limited to duties carried out under group memberships)

19 Obligations to Make Good Use of Allocated Storage Space on Club Grounds

- 19.1 Adult members offered an additional berth for a boat must pay the relevant fee within one month of the berth being allocated.
- 19.1.1 A member to whom storage space on club grounds has been allocated who has not used the dinghy or windsurfer on the club water within a membership year may, in the absence of a satisfactory explanation, be required to surrender his/her berth or windsurf storage space
- 19.1.2 Members are expected to maintain any allocated berth(s) to a reasonable standard; the Executive committee may charge a maintenance fee for any berths becoming overgrown

20 GROUP MEMBERSHIPS

- 20.1 Occasionally, subject to space, capacity and a good fit with the objectives of the club, the executive committee may consider applications from an organisation where a number of individuals all wish to join the club, and may, at their discretion, offer Group Terms, that vary from, but are equitable with, terms applicable to Individual and Family Members, under a Group Terms Agreement Anyone wishing to enquire about Group Membership should contact the Membership Secretary in the first instance
- 20.2 There is currently only one Group Member: **REME Sailing Club**:
- 20.2.1 REME Sailing Club (the organisation) is a **Group Voting Member** with one vote at general meetings, to be taken by a nominated group contact. All individual members joining within the Group Terms agreement are **Associate Members**, with no individual voting rights.
- 20.2.2 Associate members sign in on each visit; the authorisation of new Associate Members is delegated to the Group Representatives
- 20.2.3 The group shall carry out group duties as arranged from time to time, except that if an individual member or his/her children participates regularly in club activities, they shall instead carry out standard or Cadet Squadron duties as appropriate
- 20.2.4 REME Sailing Club has funded the new 'REME' garage, and has the right to the use of this garage throughout the term of their membership. REME may also apply for dinghy berths at the standard prices, such berths being allocated subject to space and use, as for all members
- 20.2.5 Fees are arranged annually to reflect the average numbers of REME Sailing club Members using the Club
- 20.2.6 Subject to the provisions in the Group Terms Agreement, Individual REME Members may introduce their spouse/partner as a guest, subject to guest rules of 4 visits a year

21 SAILING REQUIREMENTS (Sailing Committee)

- 21.1 Members using the Club water must sail in accordance with the International Rules for the Prevention of Collision at Sea, except that when racing members will sail in accordance with the RYA/ISAF Racing Rules of Sailing and the Club Sailing Instructions as regards other boats racing.
- 21.2 Members are responsible for ensuring that their boats have adequate buoyancy at all times.
- 21.3 No craft shall use the Club water unless it is insured (minimum £2000 000) against Third Party Claims. Such policy shall be produced for inspection if requested by an officer of the Club. (Members are, however, advised in their own interest to hold a comprehensive insurance cover.)
- 21.4 Buoyancy aids must be worn at all times on any boat which is afloat. Buoyancy aids must also be worn by windsurfers who are juniors (under 18) or adults who are inexperienced windsurfers. Buoyancy aids must be worn by all children (under 14) when on jetties, slipways, or on the beach and bank sides.
- 21.5 Participation in all activity, including sailing alone, is at the sole and absolute discretion of the owner or helm of the boat concerned. Full length wet or dry suits must be worn by all on the water from the start of November until the end of March.
- 21.6 Sailing is not permitted within 20 m of the bank where angling is taking place; nor within 20 m of any lodges. Sailors must also keep 20m clear of any nesting wild-life and must avoid sailing in the area right at the tip of the South corner of the lake which is designated as a nature reserve area.
- 21.7 The Officer of the Day when on duty is in charge of the use of the water and any orders he/she may give in respect of the above regulations or to deal with exceptional circumstances must be observed.
- 21.8 Jetties, slipways and catwalks are out of bounds to children under 14 years of age except when entering or leaving boats. Children must not be left unsupervised.
- 21.9 Members using the Club water but not racing must take reasonable action to keep clear of members racing, particularly when open meetings are in progress.
- 21.10 Parents are responsible for ensuring that junior sailors adhere to the Junior Safety Policy as defined and updated from time to time by the Executive/Sailing Committees.
- 21.11 Members can sail dinghies falling within the range of craft defined by the Sailing Committee as being suitable for use on the lake, this criteria being varied from time to time by the same committee.

22 USE OF THE BAR (House Committee) –

- 22.1 Intoxicating liquor may only be sold for consumption in the Clubhouse [and immediate surrounds] to SCSC members over the age of 18, guests of Club Voting Members and guests of the club, No junior member may purchase or attempt to purchase alcoholic liquor within the Clubhouse. The Club shall not purchase or sell tobacco products
- 22.2 No member may purchase drinks in the first 48 hours of membership. A list of club members is to be kept behind the bar.
- 22.3 The directors or bar managers shall cause the bar in the clubhouse to be opened, at convenient times and at their discretion, within the de maxima hours clearly posted in the bar, for the sale of alcoholic drinks to persons stated in 22.1, provided that guests names, addresses and the name of their introducer shall have been entered in the guest book
- 22.4 The de maxima bar hours are as General Licensing Hours, i.e. 10am – 11pm Monday – Saturday, 12 noon – 10.30pm Sunday (Closed on Christmas Day)

23 GENERAL (Executive Committee)

- 23.1 Members bringing portable or car radios on to the Club grounds, water, or premises are required to keep the volume low to avoid disturbing other members.
- 23.2 Members bringing dogs to the Club grounds are required to keep them on a leash and prevent them fouling the grass banks. Dogs are not allowed in the Club House.
- 23.3 Members and guests must park their cars or motorcycles in the main car park or other areas designated by organisers of an event. Weather permitting, camper vans may be parked on the grass adjoining the car park. Cars are not normally permitted on the beach or in the boat park unless authorised by a member of the executive committee.
- 23.4 The lake is designated for the purpose of sailing under the terms of our lease. Members may also use rowing boats, kayaks, canoes, and other non-powered craft (e.g. rowing boats and paddleboards) provided that such craft keep clear of all sailing craft (dinghies and wind-surfers) at all times. Inflatable versions are allowed provided they are toughly made, multi-chambered and constructed to an equivalent high standard of safety as their rigid counterparts.
- 23.5 All Bye Laws regarding sailing craft shall also apply to these craft.
- 23.6 Swimming and the use of beach toys of any sort is prohibited.
- 23.7 Road trailers must not be left at the Club premises overnight unless they are adequately immobilised and in the member's space, or in an area designated for trailers (and identified as required by the Membership Secretary)

24 Changes to this Regulations Section of the Bye Laws (relating to Bye Law 5)

- 24.1 The Executive Committee, or the Sailing and House Committees with the approval of the Executive Committee, may, from time to time, make or change Bye Laws within this section, governing matters within the responsibility of the Committee concerned, according to the procedures of 5.3.1 and providing that there is no conflict with the Articles, the Act, or the other sections of the Bye Laws.
- 24.2 Such additions and changes shall be posted in the Clubhouse, signed by the chair of the Committee concerned, and may also be communicated to members via the club web site and/or club newsletter
- 24.2.1 Shall apply from the date of posting (changes to do with safety) or, subject to the provisions of Article 5.3.1, after a minimum notice period of one calendar month
- 24.2.2 Shall be Included in the next revision of the Bye Laws by 1st January after next AGM
- 24.3 Any club member wishing to propose a change to these regulations should contact the Secretary or any member of the Executive Committee in the first instance – see also Bye Law 5.2 above
- 24.4 The following policies and forms are supplementary to these Bye Laws and available on request. New and revised policies shall be added from time to time and an outline of the new policy/changes brought to Members' attention according to 5.1.3. Full copies are available on request from the contacts listed below
- 24.5 Nothing in these policies is intended to contradict the Bye Laws, and, in the event of any inconsistency between any provision of these policies and the Bye Laws, the Bye Laws will prevail

Policy	Responsible Committee	Reviewed	Copy available on request from:
Health and Safety	Executive Committee	Annually	Health and Safety Advisor
Child protection	Executive/Sailing committee		Child Protection Officer
Hire of Clubhouse	Executive/House committee		Secretary
Financial	Executive		Treasurer
[Disciplinary and] Grievance	Executive		Secretary
Powerboat policy	Sailing Committee		Sailing Secretary
Junior Safety Policy	Sailing Committee		Sailing Secretary

SI and NOR	Sailing Committee		Annual Yearbook
Accident and Emergency Procedures	Executive Committee		Annual Yearbook
Notes for Directors	Executive Committee	Every 3 years	Secretary
Membership Structure	Executive Committee	Every 3 years	Membership Secretary or Secretary
Hire of Club Boats	Executive Committee	Annually	Training Principal
Other Sailing Committee Documents to be added...	Sailing Committee	Annually	Sailing Secretary
Other House Committee Documents to be added...	House Committee	Annually	Rear Commodore or Secretary

24.6 The following documents include most of the information required regularly by most club members. As for the policies listed in 24.5, nothing in these information documents is intended to contradict the Bye Laws, and, in the event of any inconsistency, the Bye Laws will prevail

Annual Year Book (What's going on in the Club)	Executive Committee	Annually	Secretary
Membership Application Form(s) – including fees and duty requirements	Executive Committee	Annually	Membership Secretary