

Christchurch Sailing Club

Founded 1874

Rules

and

By-Laws

APRIL 2011

RULES

1. The Name of the Club shall be THE CHRISTCHURCH SAILING CLUB and its object the encouragement of Yacht Sailing and Racing especially in Christchurch Harbour and Bay. Its station shall be Christchurch and Headquarters the Club House, The Quay, Christchurch.

2. BURGEE

Blue, three red lozenges on white shield.

3. COMPOSITION

The Club shall consist of:

- (a) Flag Officers: Commodore
Vice Commodore
Rear Commodore
- (b) Officers: Hon. Secretary
Hon. Treasurer
Hon. Sailing Secretary
- (c) Members: Single Members
Family 2 Members
Family 3 Members
Veteran Members
Veteran Family 2 Members
Junior Members
Youth Members
Associate Members
Temporary Members
Hon. Members

4. (a) **TRUSTEES**

There shall be three Trustees (members of the Club) who shall be ex-officio non voting members of the Committee, in whose names all property, real and personal, shall be vested and by whom all purchases or sales of such shall be effected. The Trustees shall have power to borrow money upon the security of the Club property. Nevertheless, all property shall be subject solely to the disposition of the Committee. The orders in writing (authorised by a duly constituted meeting of the Committee) of the Chairman and one Member of the Committee, countersigned by the Hon. Secretary- shall be obligatory upon a justification to the Trustees, in respect of any purchase, sale, investment, borrowing or disposal.

A vacancy in the Trusteeship shall be filled by a nomination or nominations from the Members. Nominations shall be submitted to the Hon. Secretary in writing and posted on the Club Notice Board not less than seven days before the Annual or Special General Meeting.

Each nomination shall be duly proposed and seconded by members and have the consent of the person so nominated. Only those names so proposed and seconded shall be submitted for election at the Annual or Special General Meeting.

A Trustee ceasing to be a Member shall ipso facto cease to be a Trustee. Subject thereto, Trusteeship shall continue until death, resignation or removal.

The liability of each and every Trustee shall be limited to the extent of such funds of the Club as shall be actually received by him.

4. (b) SALE OF CLUB PREMISES

There shall be no sale of freehold or leasehold land of the Club where the same exceeds 5% of such land as owned by the Club in the name of its Trustees as on the 1st January in any year without the consent of three fourths of Full Members testified by their signatures.

4. (c) BORROWING POWERS

If, at any time, the Club in a General Meeting shall pass a resolution authorising the Trustees and Committee to borrow money the Trustees and 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 a 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 there to as the Committee may deem proper for giving security for such loans and interest.

After the passing of such Resolution all members of the Club shall be deemed to have assented to the same as if they had voted in favour of such resolution.

5. ELECTION OF MEMBERS

All Members shall be elected by the Committee. Candidates for Membership shall make application in writing, and such application shall be signed by the proposer and seconder who

shall be Full Members of separate Memberships of the Club. The proposer and seconder, either of whom may be requested to be present when the application is considered by the Committee, shall ensure that prior to the consideration of the application by the Committee the applicant is introduced to not less than three members of the Committee, at a meeting duly convened for that purpose.

The Committee shall have the power to elect, reject, or place on a waiting list, any applicant. Notice of the application shall be posted in the Club House seven days before the day of election and shall be submitted to the next meeting of the Committee. Election shall be by a majority of at least 75% of the Committee Members present at the meeting

6. ASSOCIATE MEMBERS

All candidates for membership shall be elected Associate Members before becoming eligible as Full Members. The form of election shall be as set out in Rule 5.

The Committee may elect candidates for such membership from the date of election for a period up to twelve months and may extend such membership from year to year.

The Committee shall before the expiry of the time for which an Associate Member has been elected either:

(i) Notify the Associate that the membership has been terminated or extended for a further period of twelve months.

(ii) Offer Full Membership of the Club,

An Associate Member shall not be entitled to speak or vote at a General Meeting nor shall be eligible for election to any Committee of the Club.

7. HONORARY MEMBERS

Honorary Members may be elected for a period of one year by the Committee. Honorary Members may be re-elected annually.

8. TEMPORARY MEMBERS

Applicants may be elected Temporary- Members, for a period not exceeding one month, on being proposed in writing by one Member and seconded by another. At least forty-eight hours shall elapse between the time of nomination and the actual time of election of a Temporary member. The name and address of such Temporary Member with his or her proposer and seconder shall be placed and remain on the Notice Board during such Temporary Membership.

Temporary Members shall possess no privilege connected with the Club beyond personal use of the Club. The Committee shall have power to rescind the election of a Temporary Member or to terminate the membership at any time. The proposer of any Temporary Member shall be liable to the Club for the appropriate subscription. Any skipper of a yacht visiting Christchurch Harbour, being a member of a Club recognised by the Royal Yachting Association, may be permitted with crew to use the Club as Temporary Members for not more than seven days on being introduced by a Member who shall enter their names in the Visitors' Book. Under special circumstances the Committee are empowered

to accept Temporary Members for a period exceeding one month at such subscription as they shall deem just Temporary Members, including visiting Yachtsmen/women as defined above, shall with the Sailing Committees permission, be eligible to take part in Club Races, but not take trophies or prizes.

9. JUNIOR MEMBERS

Persons under 18 years of age on 1st May in any year, may be elected as Junior Members upon payment of the appropriate subscription and without the Entrance Fee. Junior Members under the age of 12 must at all times be supervised by an adult member while on Club premises or while taking part in Club activities. Members under the age of eighteen have no power to vote at any meeting.

YOUTH MEMBERS

Persons aged 18 to 23 years inclusive as at 1st May in any year may be elected as Youth Members on payment of the appropriate subscription and without the Entrance Fee. Junior Members, who have been Club Members for at least 12 months, shall, at the age of 18, be granted full adult voting rights and become Youth Members.

New applicants over the age of 18 may be elected as Associate Members upon payment of the Youth rate of membership.

10. MEMBERS BOUND BY RULES

Every duly elected member is bound to abide by the Rules, regulations and By-Laws of the Club and also by any modifications thereof made in conformity with such Rules.

11. USE OF CLUB PENDING ELECTION

The Hon. Secretary may, if in his/her opinion the circumstances justify- such a course, authorise candidates for election as Members to use the Club pending election.

12. NUMBER OF MEMBERS

The number of Members shall be unlimited until such time as the Members resolve at an Annual General Meeting to fix a limit. The Annual General Meeting may, however, delegate its power under this Rule to the Committee for the ensuing year.

13. ENTRANCE FEES AND SUBSCRIPTIONS

The Committee shall place before the Members for approval at the Annual General Meeting any proposals for a change in the Entrance Fees and Subscriptions to take effect from the First of May following the Annual General Meeting.

A list of rates so approved shall be displayed on the Notice Board.

(a) The following categories of Membership will apply:

Single Member

Junior Member (See Rule 9)

Youth Member (See Rule 9)

Family (2) Two adult members of a family in one household including children under the age of 8 years.

Family (3) Two adult members of a family in one household plus children aged 8 years upwards. Children admitted under a family subscription shall, on attaining the age of 23, pay the prescribed adult subscription, but no Entrance fee.

Temporary Member

Absentee Member (resident out of Great Britain between March and October in any year)

Veteran Member (over the age of sixty-five and of not less than ten years membership)

(i) Single

(ii) Two Members of a family in one household

(b) Single and Family Members elected to membership of the Club before First March 1967 and resident outside a radius of fifty miles from the Club House shall pay one half of the relevant subscription provided that this reduction shall not apply to any Member residing within ten miles of the Club House for a period exceeding four weeks in the aggregate between March and October inclusive or who owns or maintains wholly or in part a boat within ten miles of the Club House.

(c) Associate Members will pay the Subscription for the Category of Membership to which they are elected. The Entrance Fee is payable in two parts, 60% on election to Associate Membership and 40% on transfer to Full Membership.

(d) Associate members elected after 31st October in any year shall pay one half subscription for that year.

14. (a) Subscriptions are due payable on 1st May each year.

(b) Membership will cease if a subscription or any other debt to the Club remains unpaid after 14 days from the issuance of a notice of default sent by prepaid letter post to the Member's last known address.

Juniors, who were Family Members, may, before the age of 25 and at the absolute discretion of the Committee, be re-elected as Members with the entrance fee waived or reduced.

(c) On the election of an Associate Member the Hon. Secretary shall notify him/her and forward him/her a copy of the Rules with a request to remit the amount of his/her Entrance Fee and Subscription. No newly-elected member shall be permitted to vote on any occasion whatever, or to enjoy any of the privileges of the Club, until he/she shall have paid his/her entrance fee and subscription.

(d) Should a newly-elected member not have paid his/her entrance fee and subscription within one month of advice of his/her election such election shall be considered void unless he/she can explain the delay to the Committee's satisfaction.

15. **RESIGNATION**

Any Member wishing to resign his/her Membership shall give notice in writing of his/her desire to the Hon. Secretary on or before the thirtieth of April in any year, failing which he/she shall be liable to pay his/her Subscription for the following year. Any Flag Officer or Officer of the Club ceasing to be a Member, shall cease to hold Office.

16. ADMINISTRATION

- a) The general management, conduct and direction of the Club shall be vested in the Committee. The Committee may make, alter or amend the By-Laws of the Club from time to time,
- b) and notice of the same shall be posted on the Notice Board and thereupon become operative.
- c) An Officer or member of the Committee shall declare any pecuniary or business interest prior to any consideration by the Committee of any transaction or arrangement. The Committee may exclude the Officer or member from the meeting.

17. THE COMMITTEE

- (a) The Committee shall consist of the Flag Officers, the Officers, the Chair of the Social Committee, the Trustees (non-voting) and eight Members of the Club.

At the General Meeting the Flag Officers and Officers shall retire and shall be eligible for re-election.

For the year following retirement, the Past Commodore shall be invited to attend the Committee meetings as an ex officio member.

- (b) The remaining Members of the Committee (excluding the Trustees) shall be elected annually at the Annual General Meeting, or at a Special General Meeting to be called for that purpose.

(c) Nominations in respect of Flag Officers, Officers and other voting members of the Committee (and Trustees if there is a vacancy) shall be submitted to the Hon Secretary* in writing and posted on the Club Notice Board not less than seven days before the Annual General Meeting or Special General Meeting called for that purpose.

In the event of a vacancy for the position of Trustee, nominations shall be submitted to the Honorary Secretary as above.

Each nomination must be duly proposed and seconded by Full Members and have the consent of the person so nominated.

Only those names so proposed and seconded shall be submitted for election at the Annual General Meeting or at a Special General Meeting called for that purpose.

(d) The Committee may fill any vacancies occurring during the year amongst the Flag Officers, Officers and other elected members of the Committee until the Annual General Meeting or a Special General Meeting called for that purpose.

18. SAILING COMMITTEE

There shall be a Sailing Committee, responsible to the General Committee consisting of the Flag Officers, Honorary Sailing Secretary, Assistant Sailing Secretary and ten members, consisting of the Captains of Classes adopted by the Club for racing and such other members who shall be elected by ballot at the Annual General Meeting to make up that number. The Sailing Committee shall decide which classes are to be adopted for racing; these classes will each

hold an annual meeting and elect a class captain who shall represent the class on the Sailing Committee. The Sailing Committee shall manage all matters connected with sailing. They shall have the power to add to their number and make by-laws connected with sailing but shall have no power to expend Club funds without the consent of the General Committee. They shall after election, appoint their own Chair. The nomination and election of the Sailing Committee shall conform to that provided for in Rule 17(c) for the election of the Committee.

19. SOCIAL COMMITTEE

There shall be a Social Committee, responsible to the Committee consisting of two Members of the Committee and nine Members. The nine Members shall be elected by ballot at the Annual General Meeting. The Social Committee will organise and manage the Club's social programme and they shall have power to co-opt as the occasion demands, and will be responsible for managing a Social Committee Account from which all expenditure must be covered. They shall have no power to commit Sailing Club money and shall keep accounts to the satisfaction of the Honorary Treasurer. They shall, after election, appoint their own Chairman. The nomination, and election of the Social Committee, shall conform to that provided for in Rule 17 (c) for the election of the Committee.

20. QUORUMS AND VOTING AT MEETINGS

(a) The quorum for a General Meeting shall be 20 full voting Members present in person: for a Committee meeting 8 full

voting members and for a Sailing Committee meeting 3 full voting Members.

(b) All Full Members are entitled to one vote. Voting shall be by a show of hands at all General and other meetings (except under Rules 20 (d) and 21). In the case of an equality of votes, the Commodore or Chairman (as the case may be) shall have a second or casting vote.

(c) At General meetings the Chair shall be taken by the Senior Flag Officer present. Except as expressly provided by these Rules any-" Single or Family Member (If over the age of 18 years) and Veteran Members shall have one vote. Voting will be by a simple majority.

(d) In the case of election of Officers, Committee Members and or Trustees all Full Members (as defined above and present) shall be issued with a voting paper. When voting for Committee Members a cross is to be placed against the names of candidates for not less than 50 % of the places to be filled to ensure a valid vote.

Voting for ail other motions, shall in the first instance, be by a show of hands. A ballot, either before or immediately after any vote by a show of hands, may be demanded by any person entitled to vote at the meeting, in which case all Full members present shall be issued with a voting paper. The vote by a show of hands will be disregarded in the event of any subsequent vote by ballot.

21 SUSPENSIONS AND EXPULSIONS

(a)In the event of an alleged grave breach by a Member of the Rules, Regulations or By-Laws of the Club or of conduct on the part of a member rendering it desirable that he/she should

cease to be a member, a meeting of the Committee shall be convened, at which such member shall be invited to attend, to enquire whether a cause for expulsion has arisen or not.

(b) In the event of any member being, in the opinion of the Committee, guilty of misbehaviour involving conduct which the Committee may consider unsportsmanlike or prejudicial to the interests of motor boating or yachting or to the character and interest of the Club, failing a satisfactory explanation, he/she may be cautioned, suspended, required to resign, or expelled except by resolution supported by at least two thirds of the Members of the Committee present at the meeting of the Committee.

(c) Any Member expelled or suspended by the Committee in accordance with these Rules, or otherwise ceasing to be a Member of the Club, shall have no right of appeal (other than prescribed by Law) and shall forfeit all rights to or claim upon the Club or its property or funds.

22. ANNUAL GENERAL MEETING

(a) The Annual General Meeting shall be held not later than fifteenth April each year.

(b) Notice of the date fixed for the Annual General Meeting shall be affixed to the Notice Board forty-two days before the Meeting.

(c) *Notices of motion for the Annual General Meeting must be received by the Hon. Secretary not less than twenty-eight days before the Meeting.

(d) Not less than fourteen days before the Annual General Meeting the Hon. Secretary shall send to each member {in the case of two or more members of a family one notice shall suffice):-

(i.) A notice convening the meeting stating the time and place of such meeting.

(ii.) A Statement of Accounts for the previous year.

(iii.) A notice inviting nominations for Flag Officers, Officers and Members of the Club Committee, Sailing Committee and Social Committee, and Trustees where there is a vacancy.

(iv.) An Agenda paper showing the business to be transacted at the meeting.

No resolution or business not included in this Agenda shall be passed at the Annual General Meeting.

Notice of any amendment to any resolution included in the Agenda must be received by the Hon. Secretary not less than seven days before the meeting. This shall include nominations in Rule 22(d) above.

(e) The following business shall be transacted at the Annual General Meeting:

(i) The consideration and adoption of the Annual report.

(ii) The passing of the accounts and balance sheet of the Club for the last year.

(iii) The election of the Flag Officers, Officers and Committees.

(iv) The consideration of resolutions proposed by the Committee.

(v) The consideration of Notices of Motion.

*For the purposes of these Rules, the "Hon. Secretary" shall be deemed to include any Flag Officer or the Assistant Secretary. A written record of any submission shall be kept in the Official records.

23. SPECIAL GENERAL MEETINGS

A Special General Meeting may be convened at any time by the direction of the Committee or on a requisition addressed to the Hon. Secretary by not less than thirty Full Members or 5% of the full voting Membership. The Hon. Secretary shall give to each Member seven days' notice of such meeting specifying the business to be considered and the proceedings shall be confined to the matter specified in such Notice.

24. ALTERATION OF RULES

The Rules of the Club as they stand at the termination of the Annual General Meeting in each year, or any Special General Meeting, shall remain in force until and during the following Annual Meeting, or Special General Meeting, and all future alterations shall commence immediately they are passed or at

such other dates as may be determined by the Meeting. Any Member wishing to propose any alteration of the Rules must give twenty-eight days' notice in writing to the Hon. Secretary giving particulars of such alterations.

25. VISITORS

Visitors may be introduced to the Club by any Member other than a Temporary or Junior Member who shall enter the name and address of such visitor or visitors in the Visitor's Book, but so that no persons shall be introduced into the Club more than seven times in any one year. No person shall be introduced as a visitor who has been a candidate for Membership and black-balled by the Committee, or who has ceased to be a Member of the Club under Rules 14(b) or 21.

26. CLOSING OF THE CLUB

The Committee may close the Club premises or part thereof for any period.

Notice of such closing shall be placed on the Notice Board for seven days.

27. LOSS OF MEMBERS' PROPERTY

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

(i) 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.

(ii) 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 race organised by the Club, whether sustained by Members, their guests or visitors, or caused by the said Members, 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.

(iii) Before inviting any guests or visitors onto the premises or to participate in any events organised by the Club, members will draw their attention to this Rule.

28. SUPPLY OF INTOXICATION LIQUOR

The purchase for the Club and the supply by the Club of intoxicating liquor shall be exclusively controlled by the General Meeting of the Committee or a special committee. Intoxicating liquor shall not be supplied otherwise than to Adult Members of the Club and their bona-fide guests. Only adult Members are permitted to purchase intoxicating liquor.

29. PROFITS

The Club is a non-profit making organisation. All profits and surpluses will be used to maintain or improve the Club's facilities. No profit or surplus will be distributed.

30. PERMITTED HOURS

Intoxicating liquor shall be supplied on the Club premises to members and on their order to guests in accordance with the permitted hours laid down in the Licensing Act 1964 or subsequent legislation and fixed by the General Committee under the By-Laws of the Club.

The hours so fixed shall be posted up in the Clubroom at all times.

Written notice of the hours so fixed shall be given by the Secretary of the Club to the Clerk of the Justices and no change of hours shall be effective until such notice has been given.

31 NO SMOKING

Smoking is not permitted within any buildings of the club (except the flat), used by its employees, members or visitors.

BY-LAWS

CLUB HOUSE

1. The Club shall open and close at such times and hours as the Committee may from time to time appoint. (The hours during which the sale of intoxicating liquors is permitted are posted in the Club Room.)

2. The Club Room, premises and grounds, are for the use of Members as a whole.

(a) No function, entertainment of any kind, playing of radios, music or musical instruments, or game of any kind shall take place without the sanction of the Committee.

(b) No Members shall enter the Club Room improperly dressed: e.g. in wet sailing clothes, or bathing attire, or with bare feet etc.

3. Members who take chairs, tables etc. on to the veranda are responsible for returning them to the Club Rooms. Upholstered chairs must not be removed from the Club Rooms.

4. No notices, advertisements or publications shall be placed in the Club premises without the authority of the Hon. Secretary.

5. No papers, periodicals, books, ware, gear or other property of the Club shall be removed from the Club premises without authority in writing from the Hon. Secretary.

6. Any breakage or damage caused to the Club premises or property thereon by any Member or visitor introduced by a Member shall be paid for by such Member.

7. No act shall be done by a Member which shall cause or be likely to cause any nuisance, annoyance or damage.

8. No dog shall be brought into or allowed to be in the Club Rooms or balcony.

9. No mobile telephones shall be used in the Club Room.

GEAR AND GROUNDS

10. No boats, •sails or gear shall be deposited or left on the Club grounds except in places authorised by the Hon. Secretary, without his/her sanction, or be left or stored in the Club Rooms and premises (except in lockers) without such sanction.

11. No petrol is to be kept, other than in motor vehicles, outboard engines and boat engines, in any Club building, except in such places as may be authorised in writing by the Hon. Secretary.

12. The Rules governing the use of the slipways and concrete apron, are at the discretion of the Committee and will be posted on the Notice Board as circumstances warrant. The hose pipes are not to be used for washing of cars.

13. The Club dinghies are for the use of Members as a whole. They may be used only for ferrying to and from a moored boat and must in no circumstances be left on a mooring or be used for pleasure purposes.

14. All boats, masts, spars, oars and gear stored in the Club buildings or on Club land must be plainly and visibly marked with the boat's or owner's name.

STAFF

15. Staff of the Club are forbidden to receive gratuities directly from Members. Any employee found guilty of a breach of this By-law will be liable to dismissal.

16. No employee is empowered to give credit.

17. Instruction to the Club Staff may only be given through the Hon. Secretary, Hon. Treasurer, or Flag Officers. In no instance shall an employee of the Club be reprimanded directly by a Member.

CAR PARKING

18. Members' vehicles may be left in the Main Car Park (in front of the Club House) restricted to the spaces provided for parking and for short periods only, and so as not to cause an obstruction to other vehicles or to the approaches to the Club premises and slipways.

Only the rear Car Park may be used for overnight parking and should also be used for "all day" parking.

Visitors' cars cannot be accommodated in either Car Park at weekends or busy periods.

Additional facilities which may be available from time to time will be advised, by way of a notice, posted in the Club House.

Members vehicles, whilst on Club premises must display a Christchurch Sailing Club "sticker" or badge.

19. Any complaint shall be made in writing, signed by the member making it, to the Hon. Secretary who if unable to deal with it satisfactorily him/herself, shall refer it to the Committee, whose decision shall be final.

THESE BY-LAWS agreed THE COMMITTEE Up to and including April 2011, supersede any previous By-Laws.