

COLDHAM HALL SAILING CLUB

Est. 1951

RULES

(Revised December 2010)

SECTION 1

NAME AND OBJECTS

- 1.1 The name of the Club shall be "Coldham Hall Sailing Club" ("the Club").
- 1.2 The object of the Club is to promote and facilitate the sport of sailing on the River Yare and to provide social and other facilities for the members as may be from time to time determined.
- 1.3 The Club burgee shall be a white flag outlined in red with an emblem in red showing a ferry man carrying a leg of ham in a boat.

All races shall be sailed under the ISAF Racing Rules, the prescriptions of the RYA and the Sailing Instructions of the Club, as in force from time to time.

SECTION 2

OFFICERS

- 2.1 The Officers of the Club shall consist of President, Commodore, Vice-Commodore, Rear-Commodore, Race Officer, Honorary Secretary, and Honorary Treasurer.
- 2.2 All the Officers of the Club shall be full, family or life members of the club, over the age of 16.
- 2.3 A member may hold more than one office at the same time
- 2.4 Officers shall be elected at the Annual General Meeting in each year and shall hold office for one year retiring at the end of the Annual General meeting in the following year.
- 2.5 All Officers of the Club shall be eligible or re-election.
- 2.6 If a vacancy shall occur in the Officers, the Committee may co-opt a full or family member or life member to fill such vacancy until the end of the next Annual General Meeting.
- 2.7 Each Officer shall have such duties as shall be determined by the Committee from time to time

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Section 3 ACCOUNTS

- 3.1 The Accounts of the Club shall be maintained by the Honorary Treasurer for each year commencing on 1 November and shall be presented for approval at the Annual General Meeting in the following year
- 3.2 Examination of Accounts
 - 3.2.1 The accounts will be independently examined annually and will be available for inspection upon request with reasonable notice.

SECTION 4

MEMBERSHIP

4.Categories of Membership

- 4.1 There shall be the following categories of membership with power to vote at all meetings of the Club as indicated hereunder:
- 4.2 **A FULL MEMBER** - being a person who at the date of election is over the age of eighteen shall have one vote.
- 4.3 **A FAMILY MEMBER** - which expression shall include each of two spouses, civil or domestic partners, together with any children of either such adult member under 18 years of age at the commencement of the membership year. Each adult who is a Family Member shall have one vote. .
- 4.4 **A SOCIAL MEMBER** - being a person who wishes to be associated with the Club for social purposes.
 - 4.4.1 A Social Member shall not be entitled to vote, become an Officer of the Club, a member of the Committee, use any of the facilities of the Club for the launching, storage or mooring of boats nor participate as helmsman in any race organised by the Club other than an Open Event.
- 4.5 **INTRODUCTORY MEMBER** A person may be invited by the Committee to become an introductory member and to participate in Try/Start Sailing Courses. Introductory membership terminates on 31st March of the following year at which point full membership may be applied for.
 - 4.5.1 Such members shall have no vote but shall otherwise enjoy the privileges and duties of Membership. A single joining Fee shall be payable on acceptance of the invitation by persons over eighteen years of age.

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- 4.6 **A JUNIOR MEMBER** - being a person who, at the date of election, is under the age of eighteen years and shall have no vote. Such a member shall be one who at the commencement of the subscription year joins the club other than as a full member or family member and upon reaching the age of 18 during that subscription year shall become a full member
- 4.6.1 An adult responsible for a minor or minors will be required to remain at the Club whilst that minor or minors is or are engaged in any activity.
- 4.7. **A LIFE MEMBER** - who shall be nominated and elected in the manner described in Rule 9.7 shall have one vote and shall not be required to pay any annual membership subscription but shall otherwise be subject to the rules of the club.
- 4.8 **Limitation on the number of members**
- 4.8.1 The aggregate numbers of all classes of membership shall be reviewed annually by the Committee and any new members for any particular class may be restricted for the following year .

SECTION 5.

Membership Subscription Fees

- 5.1 The rate of subscription fee for each category of membership (other than life membership) shall be approved by the members at the Annual General Meeting in each year.
- 5.1.1 The approved rates shall apply from the first day of January in the year following.
- 5.2 Each member who keeps or wishes to keep a boat on the club's premises or moorings shall pay, at such time as shall be determined by the Committee, an annual boat permit fee of such sum as the Committee shall from time to time prescribe.
- 5.3 All members shall pay their first annual subscription upon election to the club and thereafter by the First day of April in each year: provided that if a member is elected after the first day of September in any one year they shall be required to pay 50% of any subscription (membership and boat permit fee) and after the first day of December required to pay no fees whatsoever in respect of the year of election.

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- 5.4 Every member shall furnish the Honorary Secretary with an up-to-date postal address, email address and contact telephone number which shall be recorded in the Register of Members and any notice sent by post or email to such address shall be deemed to have been duly delivered.

SECTION 6

Election and Retirement of Members

- 6.1 Every candidate for membership (except Life Members) shall be proposed and seconded by a full or family member of the Club.
- 6.2 An application for membership shall be in the form from time to time prescribed by the Committee, and shall include the name and address of the candidate and the signatures of the proposer and a seconder.
- 6.3 The election of all categories of membership (except life members) is vested in the Committee and shall be by simple majority vote of those members present and voting at the meeting of the Committee at which the application is considered.
- 6.4 The Honorary Secretary shall notify each candidate in writing of the candidate's election or non-election and shall furnish an elected candidate with a copy of the Rules and Byelaws of the Club and make request for such payments as are necessary to be made. If such payments are not made within one calendar month of notification, the election shall be void unless sufficient cause for delay is shown.
- 6.5 It is the duty of members proposing and seconding a new member to introduce such new member to the Commodore and to as many of the Club Officers and members as possible.
- 6.6 A member desirous of retiring from membership shall give notice of one month in writing to the Honorary Secretary.
- 6.7 The Committee may cancel, without notice given, the membership of any member where annual subscription or other annual payments are more than one month in arrears provided that the Committee may, at its discretion, re-instate such member upon payment of arrears.
- 6.8 No member whose annual payments are in arrears may enter any club event or regatta, use any Club facilities or vote at any meeting.

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SECTION 7.

Conduct of Members

- 7.1 Every member, upon election and thereafter, is deemed to have notice of and impliedly undertakes to comply with the Club rules and the Bye-laws and Regulations of the Club as in force from time to time.
- 7.2 Any refusal or neglect to do so, or any conduct which, in the opinion of the Committee, is injurious to the interests of the Club or brings or is likely to bring the Club into disrepute shall render a member liable to expulsion by the Committee. 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 oral explanation to the Committee.
- 7.3 A resolution to expel a member shall be carried by a majority of at least two thirds of those members of the Committee present and voting on the resolution.

SECTION 8

COMMITTEE

- 8.1. The Committee shall consist of the Officers of the Club, the immediate past Commodore (providing that he/she remains a member of the club) and six other full, family, or life members over the age of 16, elected by simple majority each year at the Annual General Meeting.
- 8.1.2 The committee may elect two of their number to be social secretary and boson to carry out such functions as the Committee may from time to time determine .
- 8.2 Should for any reason a vacancy occur on the Committee during the year, the Committee shall have power to co-opt a full adult family member or life member for the remainder of the year. .
- 8 3 The Committee shall meet at such times and places as they may wish. The Commodore shall take the chair or in the absence of the Commodore, the Vice Commodore shall take the chair and in the absence of both a chairman elected by those present shall preside.

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- 8.4. Voting shall be by show of hands. In the case of an equality of votes the chairman shall have a second and casting vote.
- 8.5. Five members present personally shall form a quorum at a meeting of the Committee. Provided that for any meeting at which a resolution is proposed pursuant to Rule 7 (Conduct) ten members present personally shall form a quorum.

SECTION 9

POWERS OF THE COMMITTEE

- 9.1. The Committee shall be responsible for administering and managing the affairs of the Club
- 9.2. Byelaws:- The Committee may, from time to time, make, alter and repeal byelaws regulating the use of the Club premises and facilities), 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.
- 9.3. The Committee shall determine the duties of the Officers of the Club and may appoint such sub-committees as it may deem necessary and may delegate such of its powers as it may think fit upon such terms and conditions as shall be deemed expedient.
 - 9.3.1 Such sub-committees shall consist of such members of the Committee or the Club as the Committee may think fit.
- 9.4. A member of the Committee, or a sub-committee, or any Officer of the Club, in transacting business for the Club, shall disclose to third parties that he or she is so acting.
- 9.5. The Committee, or any person or sub-committee delegated by the Committee to act as agent for the club or its members, shall enter into contracts only so far as expressly authorised, or authorised by implication, by the members.
 - 9.5.1 No one shall, without the express authority of the membership in General Meeting, pledge the credit of the membership.

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- 9.6 Members of the Committee or any sub-committee are entitled to be indemnified by the members of the club against any liabilities properly incurred by them or any one of them on behalf of the Club whenever 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.
- 9.6.1 The limit of an individual member's indemnity in this respect shall be a sum equal to one year's subscription at the current rate for that category of membership unless the Committee has been authorised to exceed such limit by General Meeting of the Club.
- 9.7 The Committee may nominate for election at an Annual General Meeting any member who in their opinion shall have rendered exemplary service to the Club to be a Life Member (to hold membership for the rest of his/her life) and such person shall be duly elected if two-thirds of those present at the relevant Annual General Meeting and entitled to vote, vote in favour of such election.

SECTION 10

MEETINGS OF THE CLUB

- 10.1. An Annual General Meeting of the Club shall be held each year on a date to be fixed by the Committee.
- 10.2 The Honorary Secretary shall at least ten days before the date of such meeting or any General Meeting as hereinafter mentioned, post, email or deliver to each member, notice thereof and of the business to be conducted thereat.
- 10.3. No business except the passing of the accounts and the election of the Officers, Committee and Honorary Accounts Examiner, and any business that the Committee may order to be inserted in the notice convening the meeting shall be discussed at such meeting unless notice thereof be given in writing to the Honorary Secretary **at least thirty days** before the date of the Annual General Meeting.
- 10.4 The Committee may at any time and shall upon request in writing by not less than ten full or family members detailing the object of the meeting, call a General Meeting of the Club for any special business, the nature of which shall be stated in the notice convening the meeting, such notice to be given in writing at least ten days before the meeting.

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- 10.5 At every meeting of the Club the Commodore, or in his or her absence, a Chairman elected by those present shall preside and ten members entitled to vote and personally present, shall form a quorum of any meeting of the club.
- 10.6 Voting shall be by show of hands (except upon the election of members of the Committee or the Officers of the Club which shall be by secret ballot, if secret ballot is requested by five members present), In the case of an equality of votes, the Chairman shall have a second or casting vote on any matter other than the election of members of the Committee or the Officers of the club.
- 10.7 On any resolution properly put to a meeting of the Club relating to the creation, repeal or amendment of any Rule, Bye-Law or Regulation of the Club, such Rule, Bye-Law or Regulation shall not be created, repealed or amended except by a majority vote of at least two thirds of those present and entitled to vote.

SECTION 11

MISCELLANEOUS

- 11.1 In all Club races, helmsmen must be members of the Club. Visiting helmsmen, who are members of bona fide Sailing Clubs, or helmsmen who have applied for membership may be accepted as honorary members for the day by permission of the Officer of the Day or for such longer period as may be agreed by the Committee.
- 11.2 In addition to the powers given to the Committee under Rule 6.7, if at any time any fees payable to the Club by any member or former member shall be one month or more in arrears, and any boat other items belonging to such member or former member remains upon Club premises, the Committee may move the boat or items to any other part of the Club premises or elsewhere without being liable for any loss or damage to the boat howsoever caused.
- 11.3 The Committee shall be entitled upon giving one month's notice in writing to the member or former member, at his or her last known address shown in the register of members, to sell the boat and other items and to deduct any monies due to the Club (whether by way of arrears of subscriptions or mooring fee or otherwise) from the net proceeds of sale before accounting for the balance (if any) to the member or former member.
- 11.4 Alternatively any boat or other items which in the opinion of the Committee cannot be sold may, upon such notice as aforesaid, be disposed of in any manner the Committee may think fit and the expenses recovered from the

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member or former member. Any arrears as aforesaid shall be deemed to be a debt owing to the Club by the member or former member.

- 11.5 A Boat Register shall be maintained by the Committee. Every boat owned by a Club member and kept or sailed at the Club is entered in the Boat Register. Full particulars of any boat registered should be supplied on the appropriate form.

11.5 PREMISES

- 11.5.1 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.

- 11.5.2 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. Any use must be authorised by the committee.

- 11.5.3 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.

- 11.5.4 The Club premises are leased on behalf of the Club by Coldham Hall Sailing Club (2009) Limited ('the Company') – a company limited by guarantee. The members and directors of the Company shall be such of the officers of the Club as the Committee shall from time to time decide and such officers shall exercise all their powers and duties in relation to the Company as directed by the Committee and shall be entitled to be indemnified by the club for all expenses and liabilities properly incurred in the performance of such powers and duties.

11.5.5 Dissolution

In the event of the dissolution of the Club, any assets remaining after the satisfaction of all debts and liabilities shall not be paid to or distributed among the members of the Club, but shall be given or transferred to one or more of the following approved sporting or charitable bodies:

- A registered charitable organisation(s).
- Another Club which is a registered Community Amateur Sports Club.
- The Sport's national governing body for use by them for related community sports.

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11.5.6 **Limitation of Liability**

Members, their guests or visitors are bound by the following rule which shall also be exhibited in a prominent place within the Club premises:

Members of the Club, their guests or visitors may use the Club premises, and any other facilities of the Club, entirely at their own risk and impliedly accept that the neither Coldham Hall Sailing Club nor Coldham Hall Sailing Club (2009)Limited will accept any liability for any damage to or loss of property belonging to members, their guests or visitors to the club whether or not such damage or loss could have been attributed to or was occasioned by the neglect, default or negligence of any of the Officers or other members of the Committee or of the Club or the company