



THE RULES OF MUDEFORD SAILING CLUB

Mudeford Sailing Club Governing Document



MUDEFORD SAILING CLUB
STRIDES BOAT YARD, FISHERMANS BANK, MUDEFORD BH23 3NP



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Section 1- Name and Objects

1. The name of the Club shall be Mudeford Sailing Club (hereinafter referred to in these Rules as the Club).
2. The object for which the Club is formed is to promote and facilitate the sport of sailing and to provide social and other facilities for members as may be from time to time determined. All activities of the Club will be on a non-profit-making basis.

Section 2 - Officers

3. The Officers of the Club shall be full members of the Club and shall consist of the Flag Officers; (Commodore, Vice-Commodore, and Rear-Commodore) and the Officers: (Secretary, Membership Secretary, Treasurer, Sailing Secretary and Captain – Responsible for Juniors). Officers shall be elected at the Annual General Meeting in each year and shall hold office for one year, retiring at the termination of the Annual General Meeting in each year. All Officers of the Club shall be eligible for re-election except that no Commodore, having served three consecutive years, shall be eligible for re-election in that post until a period of at least one year has passed.
4. The Commodore shall:
 - a. Have overall responsibility for running the club in accordance with these rules and the wishes of the members.
 - b. Chair committee meetings.
 - c. Review the club safety policy annually.
5. The Vice Commodore shall:
 - a. Assist the Commodore with a view to future election as Commodore.
 - b. Provide new members with an induction into the club, including the location of the safety policy and other club information.
 - c. Liaise with the RYA and local Council on sailing matters
6. The Rear Commodore shall:
 - a. Oversee domestic running of the clubhouse.
 - b. Organize maintenance of the clubhouse, mooring lines, safety boats, and racing marks.
7. The Secretary shall:
 - a. Conduct the correspondence of the Club
 - b. Keep the custody of all Club documents.
 - c. Keep minutes of all meetings of the Club, the Committee and sub-committees which shall be confirmed and signed by the appropriate Chairman upon the agreement of the Club, the Committee or sub-committee at the next following meeting of the Club, the Committee or sub-committee.
8. The Membership Secretary shall
 - a. Deal with membership enquiries, bring new membership applications to the committee and process all new and renewal membership



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applications

- b. Keep a register of Club member's names and addresses.
- c. Furnish each new member with a copy of the Rules and Bylaws of the Club.
- d. In conjunction with the newsletter editor, distribute copies of the newsletter and other printed material for Club members
- e. Allocate Club dinghy spaces in a fair and equitable manner to those members who request them. Keep a record of allocations and pass details to the Treasurer for invoicing.

9. The Treasurer shall:

- a. Cause such books of account to be kept as are necessary to give a true and fair view of the state of the finances of the Club.
- b. Prepare an Annual Balance Sheet as at 31st March in each year and cause such Balance Sheet (and accounts as necessary) to be audited at least annually and shall thereafter cause the same to be exhibited in the Club premises at least fourteen days before the date of the Annual General Meeting.
- c. See to the maintenance of such insurance policy or policies as may be needed fully to protect the interests of the Club and its members.

10. Sailing Secretary shall:

- a. The planning and supervision of the Club's sailing programme for the year, liaison with the other Clubs and production of the sailing calendar and race officer roster. Maintenance of all items necessary for the running of racing by race officers. May be combined with:

11. Results Secretary shall:

- a. The production, recording and dissemination of results from Club racing. Consolidation of individual sailing records for the Treasurer, so that annual race fee invoices may be raised. Liaison with the RYA on dinghy race matters. Preparation of prize-winners lists and ordering suitable prizes for annual and regatta prize-giving.

12. Newsletter Editor Shall:

- a. Edit and producing the Club Newsletter ready for print.

13. Webmaster Shall:

- a. Edit and producing the website including dealing with service providers and hosts

Section 3 - Honorary Auditor

14. The Honorary Auditor shall:

- a. Be appointed at the Annual General Meeting in each year.
- b. The auditor shall audit the accounts of the Club when called upon to do so and shall give such certificate of assurances as to the accuracy of the said accounts as shall be required by the Committee.
- c. If he or she is unwilling or unable to act, inform the Committee who



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shall appoint a substitute to hold office until the termination of the next Annual General Meeting.

Section 4 - Membership

15. Membership of the Club is open to all the community and without discrimination on the grounds of ethnicity, nationality, sexual orientation, religion, beliefs, sex, age or disability except as a necessary consequence of the requirements of the sport of sailing.

There shall be the following categories of membership with power to vote at all meetings of the Club as indicated hereunder. The rights and privileges of each category of members are as defined in the latest edition of the Bylaws of the Club.

Full Member

- being a person who, at the date of election, is over the age of twenty-one shall have one vote.

Couple Membership

- being any two adults living at the same address paying a joint subscription and shall both be regarded as Full Members.

Family Membership

- being a family of two Full Members and up to four Junior members.

A Junior Member

- being a person who, at the commencement of the subscription year is under the age of eighteen. Only a Junior Member aged sixteen or over at the commencement of the subscription year shall have one vote.

A Youth Member

- being a person who, at the commencement of the subscription year, is between the ages of eighteen and twenty-one. A Youth Member shall have one vote.

A Life Member

- who shall be created in the manner described in Rule 50 shall have one vote.

A Social Member

- being a person who, at the date of election, is over the age of twenty-one shall have one vote.

A Temporary Member

- who shall have no vote.

16. The Rate of Entrance and Subscription Fee for each category of membership shall be proposed by the Committee to the members at a General Meeting. Any proposed changes shall be approved by a majority of those present and entitled to vote and shall become operative on the First day of January in the year following.

17. All members shall pay the Entrance Fee and their first Annual Subscription



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upon election to the Club and thereafter on the First day of January in each year. However, a member elected after the first day of August in any year shall pay half the Annual Subscription applicable for that year and that a member elected after the first day of October in any year shall not be required to pay any subscription in respect of the year of election but shall pay, on election, the Entrance Fee and the Annual Subscription in respect of the year following election. No member whose annual payments are in arrears may enter a Club event or vote at any meeting.

18. If the Annual Subscription for any category of membership is not paid before 1st April in any year membership will be terminated. Reinstatement will be subject to payment of the appropriate joining fee together with the Annual Subscription.
19. Every member shall furnish the Secretary with an up-to-date address, which shall be recorded in the Register of Members, and any notice sent to such address shall be deemed to have been duly delivered.

Election and retirement of members

20. Every candidate for membership (except Life Members) shall introduce themselves to a member of the Committee to discuss membership. If considered acceptable the Committee Member shall recommend acceptance and sign the application form to that effect.
21. An application for membership shall be in the form from time to time prescribed by the Committee.
22. The election of all classes of members is vested in the Committee and shall be by a simple majority vote of those members present and voting at the relevant meeting of the Committee
23. Membership of the Club and acceptance of these Rules by the Member will be deemed to constitute consent to the holding of relevant personal data for the purposes of the Data Protection Act.

Conduct of Members

24. Every member, upon election and thereafter, is deemed to have notice of and impliedly undertakes to comply with the Club Rules and the Current Bylaws and Regulations of the Club. Any refusal or neglect to do so or any conduct which, in the opinion of the Committee, is either unworthy of a member or otherwise injurious to the interests of the Club shall render a member liable to expulsion by the Committee.
25. Expulsion by the Committee
 - a. Provided that, before expelling a member, the Committee shall call upon such member for a written explanation of the member's conduct and shall give the member full opportunity of making explanation to the Committee or of resigning.
 - b. A Resolution to expel a member shall be carried by a simple majority



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vote by those members of the Management Committee present and voting on the Resolution.

- c. In the event of the extreme misconduct of a member a Flag Officer may temporarily suspend such member pending a decision by the Committee. Such suspension may not exceed a period of 48 hours.

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

27. A member of any Club recognised by the Royal Yachting Association (a list whereof is published by the said Association) may be authorised to use the premises of the Club by a member of the committee of the Club. Such authorisation shall specify between which dates (not being more than fourteen days apart) the said person may use the premises.

28. Any person who is a competitor or crew member in any race sponsored by or on behalf of the Club is entitled to the use of the Club premises within a period of 24 hours before and after the race in which they are competing.

Section 5 - Limitation of Club Liability

29. Members, their guests, and visitors are bound by the following Rule:

30. 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 impliedly accept:

31. 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.

32. The Club will not accept any liability for personal injury arising out of the use of the Club premises and any other facilities of the Club either 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 them, the Officers, Committee, or servants of the Club.

33. Rules 31. and 32 shall be exhibited in a prominent place within the Club premises.

Section 6 - Management Committee

34. The Management Committee (herein referred to as the Committee) shall consist of the Officers and a minimum of two and no more than six ordinary Voting members of the Club elected at the Annual General Meeting each year to hold office until the termination of the next following Annual General Meeting.

35. The Committee shall be elected at the Annual General Meeting in each year



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and shall hold office for one year retiring at the termination of the Annual General Meeting in each year. All members of the Committee shall be eligible for re-election.

36. Candidates for election to the Committee (not being officers of the Club) shall be those members of the retiring Committee eligible to offer themselves for re-election and such other Voting members who are duly proposed and seconded by Voting members of the Club and who have given their consent for election.
37. If the number of candidates, duly proposed and seconded, shall exceed the number of vacancies to be filled the election at the Annual General Meeting shall be by ballot.
38. If the number of candidates for election is equal to or less than the number of vacancies to be filled then all candidates shall be deemed to be elected if a majority of those present at the Annual General Meeting and entitled to vote, vote in favor of such election.
39. In the event of the ballot failing to determine the members of the Committee because of an equality of votes the candidate or candidates to be elected from those having an equal number of votes shall be determined by lot.
40. If, for any reason, a casual vacancy shall occur, the Committee may co-opt a Voting member to fill such a vacancy until the next following Annual General Meeting.
41. The Committee shall meet at least every three months making such arrangements as to the conduct, place of assembly and holding of such meetings as it may wish. The Commodore, or in his absence a Chairman elected by those present, shall preside.
42. Voting (except in the case of a resolution relating to the expulsion of a member) shall be by show of hands. In the case of an equality of votes the Commodore or Chairman (as the case may be) shall have a second and casting vote.
43. Seven members present shall form a quorum at a meeting of the Committee.

Powers of the Committee

44. The Committee shall manage the affairs of the Club according to the Rules and shall cause the funds of the Club to be applied solely to the objects of the Club, or for a benevolent or charitable purpose nominated by General Meeting.
45. The Committee shall make such Bylaws and Regulations as it shall from time to time think fit and shall cause the same to be exhibited in the Club premises for fourteen days before the date of implementation. Such Bylaws and Regulations shall remain in force until approved or set aside by a vote at a



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General Meeting of the Club.

46. The Committee 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 and/or required by the law. Such sub-committees shall consist of such members of the Committee or of the Club as the Committee may think fit. An Officer of the Club shall be a member of all sub-committees.
47. A member of the Committee, 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.
48. 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. No one shall, without the express authority of the membership in General Meeting, pledge the credit of the membership.
49. In pursuance of the authority vested in the Committee by members of the Club, members of the 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 wherever the contract is of a duly authorised nature or could be assumed to be of a duly authorised nature and entered into on behalf of the Club. The limit of an individual member's indemnity in this respect shall be a sum equal to one year's subscription at the then current rate for that category of membership unless the Committee has been authorised to exceed such limit by a General Meeting of the Club.
50. The Committee may create such Life Members as they may think fit.

Section 7 - Trustees

51. There shall be at least four (and not more than six) Trustees of the Club who shall be appointed from time to time as necessary by the Committee of the Club from among Full, Couple or Life Members who are willing to be so appointed. A Trustee shall hold office during his or her lifetime or until he or she shall resign by notice in writing to the Committee or until a resolution removing him or her from office shall be passed at a meeting of the Committee by a majority comprising of two-thirds of the members present and entitled to vote.
52. All the property of the Club including land and investments shall be held by the Trustees for the time being in their own names so far as it is necessary and practicable on trust for the use and benefit of the Club. In the event of the death, resignation, or removal from office of the Trustee the Committee shall nominate a new Trustee in his or her place and shall as soon as possible thereafter take all lawful and practicable steps to procure the vesting of all Club property in the names of the Trustees as constituted by such nomination. For the purpose of giving effect to any such nomination the Honorary Secretary for the time being is hereby nominated as the person to



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appoint new Trustees of the Club within the meaning of the Trustee Act 1925 and the Secretary shall by deed duly appoint the person or persons so nominated by the Committee.

53. The Trustees shall in all respects act in regard to any property of the Club held by them in accordance with the directions of the Committee and shall have power to sell, lease, mortgage or pledge any Club property so held for the benefit of the Club in compliance with the Committee's directions (which shall be duly recorded in the Minutes of the proceedings of the Committee) but no purchaser, lessee or mortgage shall be concerned to enquire whether any such direction has been given.
54. The Trustees shall be effectually indemnified by the Committee out of the assets of the Club from and against any liability, costs, expenses and payments whatsoever which may be properly incurred or made by them in the exercise of their duties or relation to any property of the Club vested in them or in relation to any legal proceedings or which otherwise relate directly or indirectly to the performance of the functions of a Trustee of the Club.
55. The liability of the Trustees for the performance of any contractual or other obligation undertaken by them on behalf of the Club shall be limited to the assets of the Club.

Section 8 - Meetings of the Club

56. The Annual General Meeting of the Club shall be held each year in the month of October or November on a date to be fixed by the Committee. The Secretary shall, at least fourteen days before the date of such meeting or any General Meeting as hereinafter mentioned, post or deliver to each member notice thereof and of the business to be brought forward thereat.
57. The Committee may at any time, upon giving fourteen days' notice in writing, call a General Meeting of the Club for any special business, the nature of which shall be stated in the summons convening the meeting and the discussion at such meeting shall be confined to the business stated in the notice sent to members.
58. The Committee shall similarly call a General Meeting upon a written request addressed to the Secretary by at least 10 voting members. The discussion at such meeting shall be confined to the business stated in the notice sent to members.
59. At every meeting of the Club the Commodore or, in his or her absence a Chairman elected by those present, shall preside.
60. Twenty members entitled to vote and personally present shall form a quorum at any meeting of the Club.
61. Voting shall be by show of hands.



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62. 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.
63. On any resolution properly put to a meeting of the Club relating to the creation, repeal or amendment of any Rule, Bylaw or Regulation of the Club such Rule, Bylaw or Regulation shall not be created, repealed, or amended except by a majority vote of those present and entitled to vote.

Section 9 - Finance

64. All moneys collected by the Club are to be used exclusively to further the aims and objects of the club and for no other purpose whatsoever.

Section 10 - Dissolution of the Club

65. If, upon the winding up or dissolution of the Club, there remains after the satisfaction of all its debts and liabilities any property or assets whatsoever, the same shall not be paid to or distributed amongst the members of the Club but shall be given or transferred to some registered Community Amateur Sports Club or Clubs, any registered charity or charities or the Royal Yachting Association Such recipients to be determined by the members of the Club by Resolution passed at a General Meeting at or before the time of the dissolution.

Section 11 - Bylaws

- a. The present rights and privileges of each category of membership shall be as follows: Full, Youth, Junior, Social and Life members shall have full use of all Club facilities
- b. The Committee may approve Temporary Membership as required. Temporary members have no rights or privileges within the Club. They are to comply with Club Rules and Bylaws and are to be governed by them. Temporary Membership shall be granted for a maximum period of 28 days.
- c. In addition to the powers given to the Committee under Rule 23 and Rule 45 hereof if, at any time, any fees payable to the Club by any member or former member shall be three months or more in arrears and a vessel the property of a member or former member remains on the Club premises the Committee may:
- Move the vessel to any other part of the Club premises without being liable to any loss or damage to the vessel howsoever caused.
 - Give one month's notice in writing to the member or former member at his last known address as shown in the Club Register and thereafter sell the vessel and deduct any monies due to the Club (whether by way of arrears of subscription or annual payments, mooring, dinghy park fees or otherwise) from the proceeds of sale before accounting for the balance (if any) to the member or former member.
 - Alternatively, if the vessel is unsaleable, after giving notice in writing as aforesaid, dispose of the vessel in any manner the Committee may think fit and deem the cost of so doing and any arrears as aforesaid to



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- be debt owing to the Club by the member or former member.
- Provided that proper evidence is available to show that all reasonable steps have been taken to trace a member or former member and that when and if the vessel is sold the proceeds of sale (less any indebtedness by the member or former member of the Club) shall be placed upon bank deposit account and retained against the eventuality of a claim by the owner (whether he or she be the said member or former member or otherwise) for a period of six years.
- d. No notice, periodicals, publications, ware, gear, or other property of the Club shall be removed from the Club premises without the authority of a Flag Officer or the Secretary.
- e. Any breakages or damage caused to the Club property by a member shall be paid for by such member if requested to do so by the Committee.
- f. No act shall be done by a member on the water or on the Club premises which shall cause or be likely to cause annoyance or damage to any person or persons or to the Club property.
- g. Any complaint shall be made in writing, signed by the member making it, to the Secretary who, if unable to deal with it satisfactorily, shall refer it to the Committee whose decision shall be final.
- h. No smoking shall be allowed within the Club premises (to include e cigarettes and vapor cigarettes).

April 2015

(Approved unanimously at the AGM)