



# DELL QUAY SAILING CLUB

30 November 2014

DQSC Reference: DQSC/02/05/02/Current

## BYE LAWS

OF

## DELL QUAY SAILING CLUB LTD (THE "CLUB")

(As adopted at the Extraordinary General Meeting of Members held on 23<sup>rd</sup> March 2014)

### Record of Amendments

Date	Meeting	Affect Rules	Amendment
30 November 2014	AGM	Definition	Family Membership (addition of grandchildren)
		5. Becoming a Member	Open Membership
		16.4 Candidates for election to committees.	change of notice period to Hon Secretary
29 November 2015	AGM	17.6 Candidates for election to the Sailing, House and Cruising Committees	change of notice period to Hon Secretary
27 November 2016	AGM	14.1 Officers	Add; the Honorary Cruising Secretary,
		17.3 Other Committees And Subcommittees	Add; the Honorary Cruising Secretary,
3 December 2017	AGM	1 Interpretation 4 Categories of and eligibility for Membership 6 Rights And Privileges Of Membership 7 Membership subscriptions and fees 10 Conduct of Members & disciplinary action	Changes to Membership Categories.
24 June 2018	EGM	16. Directors and The General Committee 17 Other Committees and Sub Committees	16.1 Make Up of General Committee 17.1/2/3/ remove Commodore/GC members



# DELL QUAY SAILING CLUB

## INDEX OF BYE LAWS

<b>PART 1: INTERPRETATION .....</b>	<b>3</b>
<b>1 INTERPRETATION.....</b>	<b>3</b>
<b>PART 2: BURGEE.....</b>	<b>6</b>
<b>2 BURGEE.....</b>	<b>6</b>
<b>PART 3: MEMBERSHIP .....</b>	<b>7</b>
<b>3 MEMBERSHIP .....</b>	<b>7</b>
<b>4 CATEGORIES OF AND ELIGIBILITY FOR MEMBERSHIP .....</b>	<b>7</b>
<b>5 BECOMING A MEMBER.....</b>	<b>8</b>
<b>6 RIGHTS AND PRIVILEGES OF MEMBERSHIP.....</b>	<b>9</b>
<b>7 MEMBERSHIP SUBSCRIPTIONS AND FEES .....</b>	<b>10</b>
<b>8 EXCEPTIONS TO THE REQUIREMENT TO PAY FEES .....</b>	<b>11</b>
<b>9 TERMINATION OF MEMBERSHIP .....</b>	<b>12</b>
<b>10 CONDUCT OF MEMBERS &amp; DISCIPLINARY ACTION .....</b>	<b>12</b>
<b>11 GUESTS.....</b>	<b>14</b>
<b>12 LIMITATION OF CLUB LIABILITY .....</b>	<b>14</b>
<b>PART 4: MANAGEMENT.....</b>	<b>15</b>
<b>13 PRESIDENT AND VICE PRESIDENTS .....</b>	<b>15</b>
<b>14 OFFICERS .....</b>	<b>15</b>
<b>15 THE HONORARY REPORTING ACCOUNTANT .....</b>	<b>16</b>
<b>16 DIRECTORS AND THE GENERAL COMMITTEE.....</b>	<b>17</b>
<b>17 OTHER COMMITTEES AND SUB-COMMITTEES .....</b>	<b>18</b>
<b>PART 5: MISCELLANEOUS .....</b>	<b>20</b>
<b>18 SALE OF INTOXICATING LIQUOR .....</b>	<b>20</b>
<b>19 RULES .....</b>	<b>20</b>
<b>20 MISCELLANEOUS.....</b>	<b>21</b>



# DELL QUAY SAILING CLUB

## Part 1: Interpretation

### Interpretation

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

<b>Act</b>	means the Companies Act 2006;
<b>Adult Member</b>	Adult Member means a person aged 25 or over on 1st September in the year preceding the membership year who has agreed to become a company member of the Club;
<b>AGM</b>	means an annual General Meeting of the Club;
<b>Articles</b>	means the articles of association of the Club, and <b>Article</b> refers to a particular provision in them;
<b>Associate Membership</b>	has meaning given in these Bye Laws;
<b>Bye Laws</b>	means bye laws of the Club from time to time proposed by the General Committee and approved by the Members in accordance with Article 14.6;
<b>Club</b>	means the company regulated by the articles of association of the Club;
<b>Club Member</b>	Club Member means every person whose name is entered in the Club's register of Members as an Adult Member or Young Adult Member, in accordance with section 112 of the Act, and <b>Club Membership</b> shall be interpreted accordingly;
<b>Commodore</b>	the Commodore of the Club as elected or co-opted in accordance with these Bye Laws;
<b>Companies Acts</b>	means the Companies Acts (as defined in section 2 of the Act), in so far as they apply to the Club;



## DELL QUAY SAILING CLUB

<b>director</b>	means a director of the Club, and includes any person occupying the position of director, by whatever name called;
<b>document</b>	includes, unless otherwise specified, any document sent or supplied in electronic form;
<b>electronic form</b>	has the meaning given in section 1168 of the Act;
<b>Family Membership</b>	has meaning given in the Bye Laws;
<b>Flag Officers</b>	the Commodore, Vice Commodore, Rear Commodore Sailing, Rear Commodore Cruising and Rear Commodore House;
<b>General Committee</b>	the General Committee of the Club as described in these Bye Laws, which is made up of the directors of the Club;
<b>General Meeting</b>	a general meeting of the Club Members;
<b>Honorary Life Membership</b>	has meaning given in these Bye Laws;
<b>Honorary Member</b>	has meaning given in the Bye Laws; an Honorary Member is not a Club Member, and 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 <b>Honorary Membership</b> shall be interpreted accordingly;
<b>Honorary Secretary</b>	means the company secretary of the Club, if appointed;
<b>Junior Member</b>	means a person aged under 18 on 1 <sup>st</sup> September in the year preceding the membership year;
<b>Member</b>	Member means all members of the Club, including, Junior Members, Honorary Members or Temporary Members, and Membership shall be interpreted accordingly



## DELL QUAY SAILING CLUB

<b>Officers</b>	has the meaning given in Article 6.1;
<b>Operations Manual</b>	means a collection of Club policies, procedures and any other documents or information deemed necessary by the General Committee for the effective running of the Club;
<b>ordinary resolution</b>	means a resolution passed by a simple majority of the Club Members;
<b>Rear Commodore Cruising</b>	the Rear Commodore Cruising of the Club as elected or co-opted in accordance with these Bye Laws;
<b>Rear Commodore House</b>	the Rear Commodore House of the Club as elected or co-opted in accordance with these Bye Laws;
<b>Rear Commodore Sailing</b>	the Rear Commodore Sailing of the Club as elected or co-opted in accordance with these Bye Laws;
<b>Royal Yachting Association and RYA</b>	means the Royal Yachting Association, a company limited by guarantee registered in England and Wales with registered company number 00878357.
<b>Single Membership</b>	has meaning given in these Bye Laws;
<b>special resolution</b>	means a resolution of the Club Members passed by a majority of not less than 75%;
<b>Subscriptions</b>	the subscriptions and fees payable by the Members in accordance with these Bye Laws;
<b>Temporary Member</b>	Temporary Member has meaning given in the Bye Laws; a Temporary Member is not a Club Member, and 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 <b>Temporary Membership</b> shall be interpreted



## DELL QUAY SAILING CLUB

accordingly

**Vice Commodore** the Vice Commodore of the Club as elected or co-opted in accordance with these Bye Laws;

**writing** means the representation or reproduction of words, symbols or other information in a visible form by any method or combination of methods, whether sent or supplied in electronic form or otherwise.

**Young Adult Member** means a person aged 18 or over and under 25 on 1st September in the year preceding the membership year who has agreed to become a company member of the Club.

**Young Adult Membership** has meaning given in the Bye Laws;

- 1.2 These Bye Laws are supplemental to the Articles. 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 any provision of the Articles, the Articles will prevail.
- 1.3 Unless the context otherwise requires words or expressions contained in this document bear the same meaning as in the Articles.
- 1.4 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.

### Part 2: Burgee

## 2 BURGEE

- 2.1 The Club burgee shall be top half yellow and bottom half red.



# DELL QUAY SAILING CLUB

## Part 3: Membership

### 3 MEMBERSHIP

3.1 Membership of the Club shall be open on application to anyone interested for pleasure purposes in all forms of sailing and the use for pleasure purposes of power craft, regardless of sex, age, disability, ethnicity, nationality, sexual orientation, religion or other beliefs. Membership is however limited to 850 in total on a non-discriminatory basis.

### 4 CATEGORIES OF AND ELIGIBILITY FOR MEMBERSHIP

The categories of Membership, eligibility and power to vote at all meetings of the Club are indicated hereunder.

4.1 **SINGLE MEMBERSHIP** – consists of one Adult Member. A Single Membership shall have one vote.

4.2 **FAMILY MEMBERSHIP** – consists of one or two co-habiting Adult Members and either:

- all Junior Members or Young Adult Members within their guardianship, or
- all grandchildren meeting the criteria as Junior or Young Adult members.

Each Adult Member and Young Adult Member within a Family Membership shall have one vote.

4.3 **JUNIOR MEMBERSHIP** – consists of one Junior Member aged 10 or over on 1st September in the year preceding the membership year and whose parents/guardians are not Adult or Young Adult Members of Dell Quay Sailing Club. A Junior Member within a Junior Membership shall have no vote.

4.4 **YOUNG ADULT MEMBERSHIP** – consists of one Young Adult Member. A Young Adult Member within a Young Adult Membership shall have one vote.

4.5 **HONORARY MEMBERSHIP** – consists of a flag officer or officer of any Category “A” member club of the Chichester Harbour Federation, together with the officers of the Federation or any person nominated by the General Committee. Honorary Membership may be conferred for a period of one year, renewable annually. Persons holding the category of Honorary Membership shall have no vote.



## DELL QUAY SAILING CLUB

- 4.6 **HONORARY LIFE MEMBERSHIP** – consists of an Adult Member nominated by the General Committee in recognition of substantial service to the Club over many years and approved at an AGM. An Adult Member within an Honorary Life Membership shall have one vote
- 4.7 **TEMPORARY MEMBERSHIP** – is granted to a visiting sailor from a recognised sailing club; any person participating in an event sponsored by the Club; any volunteer (who has been approved by a Flag Officer) assisting with or leading an event sponsored by the Club, such Membership shall apply throughout the period of that event and any preparatory planning period prior thereto; a visiting sailor (who has been approved by a Flag Officer) from a recognised sailing club who wishes to hold Temporary Membership for a period longer than seventy-two hours but not exceeding four weeks. Persons holding the category of Temporary Membership shall have no vote.
- 4.8 **ASSOCIATE MEMBERSHIP** – consists of an Adult Member who, for reasons agreed by the General Committee can no longer participate in on the water activities. An Adult Member within an Associate Membership shall have one vote.
- 4.9 Members wishing to change their category of Membership shall make written application to the General Committee via the Honorary Data Services Secretary.
- 5 BECOMING A MEMBER**
- 5.1 An application for Membership shall be in the form from time to time prescribed by the General Committee, and shall include the name and address of the applicant, and the signatures or traceable agreement by electronic means of the applicant.
- 5.2 Upon receipt of an application for Membership a nominated member of the General Committee shall approve the application on behalf of the General Committee unless he believes that there may be a case for refusing the application in accordance with Bye Law 5.3, in which case he shall refer that application to the General Committee for a decision.
- 5.3 The General Committee may refuse applications only for good cause such as conduct or character likely to bring the Club into disrepute.
- 5.4 Appeals against the General Committee's decision to reject an application for Membership may be made to the Club Members in General Meeting.





## DELL QUAY SAILING CLUB

- 5.5 A nominated member of the General Committee shall inform each applicant in writing as to whether or not his application for Membership has been approved, and shall provide successful applicants with a copy of the Articles and these Bye Laws, and shall make request for such payments as are necessary.
- 5.6 Upon approval, a candidate shall pay such joining and other fees as shall be requested. In default of such payment, the approval shall be void unless sufficient cause for delay be shown.
- 5.7 Every successful applicant shall, upon becoming a Member, provide the Honorary Data Services Secretary with an up-to-date address and contact details which shall be recorded in the register of Members, and any notice sent to such address or electronic mail address shall be deemed to have been duly delivered.
- 5.8 The election of Honorary Members shall be made by special resolution at the AGM each year.

### 6 RIGHTS AND PRIVILEGES OF MEMBERSHIP

- 6.1 The rights and privileges of each category of Members shall be as follows, subject in each case to the provisions of the Articles and these Bye Laws:
- 6.1.1 An **ADULT MEMBER** shall have the full use of all the Club facilities and may invite guests.
- 6.1.2 A **YOUNG ADULT MEMBER** shall have the full use of all the Club facilities and may invite guests.
- 6.1.3 A **JUNIOR MEMBER** s shall have the full use of all the Club facilities subject only to Bye Law 18.2. A Junior Member may not invite guests (including their parent(s)/guardian). A parent/guardian, who must be a member of DQSC, shall be expected to accept responsibility for the Junior Member at all times and, for Junior Members aged under 14, is expected to be in attendance whilst the Junior Member is using the Club facilities. For Junior Members within a Junior Membership, the parent/guardian must nominate a member of DQSC to act as sponsor to perform this role, and both the parent/guardian and sponsor need to sign a declaration to such effect. .



## DELL QUAY SAILING CLUB

- 6.1.4 An **HONORARY MEMBER** shall have the use of the Club facilities except boat storage facilities and may not compete for trophies for Club racing. An Honorary Member may not invite guests.
- 6.1.5 A **TEMPORARY MEMBER** shall have the full use of the Club facilities but:
- (a) shall have no right to compete for trophies for Club racing;
  - (b) shall have no right to introduce visitors to the Club or the facilities thereof;
  - (c) shall have no right to take any part in the management of the Club;
  - (d) is deemed to have notice of and impliedly undertakes to comply with the Bye Laws or Rules as if a member of the Club and so far as the said Bye Laws and Rules may be deemed to apply to such Temporary Member;
  - (e) shall be liable to be expelled from the Club premises or to be prohibited from using the Club facilities if, in the opinion of an Officer of the Club or his nominated deputy, the Temporary Member has not reasonably complied with the above conditions.
- 6.2 Applicants for Membership whose applications have not yet been approved shall have no rights or privileges whatsoever in relation to the use of the Club facilities.

## 7 MEMBERSHIP SUBSCRIPTIONS AND FEES

- 7.1 The following fees shall be payable by Members as applicable, in accordance with this Bye Law 7:
- 7.1.1 a joining fee on joining the Club;
  - 7.1.2 an annual subscription fee in respect of their Membership; and
  - 7.1.3 an annual fee of such a sum as the General Committee shall from time to time prescribe which shall entitle a Member to a space in the Club's dinghy park or in other Club boat storage areas, or to a Club mooring.



## DELL QUAY SAILING CLUB

- 7.2 The General Committee shall determine the annual subscription and joining fee for the different categories of Membership, provided that:
- 7.2.1 any increase from the previous year for the Single Membership fee does not exceed the increase in the Retail Price Index excluding mortgages; and
  - 7.2.2 the Family Membership fee is 150% of the Single Membership fee; and
  - 7.2.3 the Young Adult, Associate and Junior Membership fees are 50% of the Single Membership fee.
- 7.3 Subscription fees for each category of Membership not in accordance with Bye Law 7.2 shall be proposed by the General Committee to the Club Members at the AGM in each year. Proposed changes shall be approved by an ordinary resolution of those Club Members present and shall become operative on 1st January in the year following.
- 7.4 The current fees shall be prominently displayed in the clubhouse and on the Club's website.
- 7.5 Subscriptions are due on 1st January in each year. Any Member whose subscription remains unpaid on 21st January shall be notified in writing of the fact and if the subscription remains unpaid on 7th February shall cease forthwith to be a Member of the Club and may be reinstated only at the discretion of the General Committee and after paying the subscription plus a 5% late payment charge.
- 7.6 Subject to Bye Laws 8.1, 8.2 and 8.3 all Members shall pay the applicable fees for their first year of Membership within one calendar month of becoming a Member, and thereafter on 1st January in each year.

### **8 EXCEPTIONS TO THE REQUIREMENT TO PAY FEES**

- 8.1 Upon re-application a person who has been a Member within the past three calendar years will be required to pay only half the appropriate joining fee, providing that he resigned without owing any dues.
- 8.2 A Member elected after 1st September in any year shall pay half the annual subscription applicable for that year, and a Member elected after the AGM in any year shall not be required to pay any subscription in respect of the year



## DELL QUAY SAILING CLUB

of election but shall pay, on election, the joining fee and the annual subscription in respect of the year following election.

8.3 A Member who, for any reason, anticipates inability to use the Club facilities for the whole of any one year may at the discretion of the General Committee be excused payment of fees for that year, provided that notice in writing is given to the Honorary Data Services Secretary before the final date by which membership must be paid.

8.4 Any Member whose fees have been suspended pursuant to Bye Law 8.3 shall have no rights to use any of the Club facilities for the duration of the year in respect of which fees have been suspended. A Member wishing to be re-instated during the year in question shall pay the fees applicable at the time of re-instatement.

### **9 TERMINATION OF MEMBERSHIP**

9.1 If a Member fails to pay any fees that are due within one calendar month of becoming a Member, his Membership shall be automatically terminated.

9.2 Appeal against termination or non-renewal of Membership may be made to the Club Members by submitting a written notice to the Honorary Secretary, who shall, upon receipt of such a notice, include the appeal on the agenda for the next General Meeting.

9.3 Any person who has been expelled from Membership shall not be entitled to have any part of his fees refunded and must immediately return any trophy or trophies held.

9.4 Upon expulsion of a Member, the General Committee may dispose of the former Member's boat and/or trailer if left on Club property, in accordance with Bye Law 20.1.

### **10 CONDUCT OF MEMBERS & DISCIPLINARY ACTION**

10.1 Every Member is deemed to have notice of, and undertakes to comply with, the Articles and these Bye Laws.

10.2 Any breach of Bye Law 10.1 or any conduct that, in the opinion of the General Committee, 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 General Committee, which may include expulsion or non-renewal of Membership.



## DELL QUAY SAILING CLUB

- 10.3 Before taking such disciplinary action against a Member, the General 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 General Committee or of resigning.
- 10.4 A resolution to apply any sanction shall be carried by a simple majority vote of those members of the General Committee present and voting on the resolution.
- 10.5 The General Committee or any person to whom the General Committee shall delegate this power, may temporarily suspend or exclude a Member from any or all Club activities, if they consider in their sole discretion that such action is in the best interests of the Club.
- 10.6 The Honorary Secretary or any other person who has received the authority of two members of the General Committee may expel, temporarily or permanently, a Temporary Member.
- 10.7 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 General Committee or by the Honorary Secretary upon the instructions of the General Committee.
- 10.8 A Member shall not cause any communication in whatever form to be exhibited on Club notice boards or premises without permission of the Honorary Secretary or a Flag Officer.
- 10.9 A member shall settle any indebtedness for refreshment or otherwise before leaving the Club premises, or in accordance with any Bye Law relating to the settlement of such indebtedness.
- 10.10 All suggestions shall be entered in the suggestion book and signed by the Member.
- 10.11 Complaints of any nature relating to the management of the Club premises shall be addressed in writing to the Honorary Secretary.
- 10.12 Under no circumstances shall a servant or a Member of the Club undertaking a voluntary duty be personally reprimanded by a Member.
- 10.13 All Adult and Young Adult Members shall carry out a minimum of two Club duties in any calendar year, as requested by the Club, unless otherwise agreed by the General Committee, apart from Adult Members within



## DELL QUAY SAILING CLUB

**HONORARY LIFE** and **ASSOCIATE MEMBERSHIPS**, who may opt out of Club duties. Adult Members within **Associate Memberships** may not conduct duties on the water.

- 10.14 Every Member shall furnish the Honorary Data Services Secretary with an up-to-date address and contact details which shall be recorded by the Club and any notice sent to such address or electronic mail address shall be deemed to have been duly delivered.

### 11 GUESTS

- 11.1 Members eligible to invite guests shall enter the names of all guests in the visitors' book. The same guest may not be introduced more than four times in any calendar year.
- 11.2 A member of any club affiliated to the RYA (a list of which is published by the RYA) may be authorised to use the Club facilities by any member of the General Committee, or any Member who has been delegated that power by the General Committee. Such authorisation shall specify the dates on which that person may use the Club facilities.
- 11.3 Any person who is a competitor in any race sponsored by or on behalf of the Club is entitled to use the Club facilities within a period of 48 hours before and after the race in which he is competing.
- 11.4 The Honorary Secretary or any other person who has received the authority of two members of the General Committee may expel, temporarily or permanently, any person who has the right to the use of the Club facilities under this Bye Law 11.

### 12 LIMITATION OF CLUB LIABILITY

- 12.1 Members use the Club facilities entirely at their own risk and accept that:
- 12.1.1 the Club will not accept any liability for any damage to or loss of property belonging to Members;
- 12.1.2 the Club limits its liability to the fullest extent permitted by law in respect of personal injury to Members or their guests arising out of the use of the Club facilities; and



## DELL QUAY SAILING CLUB

- 12.1.3 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 1998 (as amended).
- 12.2 Bye Law 12.1 shall be exhibited in a prominent place within the clubhouse.

### Part 4: Management

#### 13 PRESIDENT AND VICE PRESIDENTS

- 13.1 The Club in AGM may elect a Member to be President or a Vice President as a special mark of respect or in appreciation of exceptional service to the Club.

#### 14 OFFICERS

- 14.1 Only Club Members shall be eligible to stand for election as Officers, who shall consist of a Commodore, a Vice Commodore and three Rear Commodores (Sailing, Cruising and House) who shall be Flag Officers, an Honorary Secretary, an Honorary Membership Secretary, an Honorary Treasurer, an Honorary Data Services Secretary, an Honorary Sailing Secretary, the Honorary Cruising Secretary, and an Honorary Social Secretary.
- 14.2 Officers shall be elected by the Club Members at the AGM in each year and shall hold office for one year, retiring at the termination of the AGM in each year. All Officers of the Club shall be eligible to stand for re-election. No Club Member can be re-elected more than twice to the role of Commodore or Vice Commodore.
- 14.3 If either unwilling or unable to act, an Officer shall inform the Committee who may appoint a substitute to hold office until the termination of the next AGM.
- 14.4 The Honorary Secretary shall:
- 14.4.1 keep a register of Members' names and addresses, including the category of Membership for each Member;
  - 14.4.2 conduct the correspondence of the Club;
  - 14.4.3 keep custody of all Club documents;



## **DELL QUAY SAILING CLUB**

- 14.4.4 keep full minutes of all General Committee meetings, General Meetings, and meetings of any committees established by the General Committee from time to time, and all minutes shall be confirmed and signed by the appropriate chairman upon the agreement of the General Committee, Club Members or relevant committee (as appropriate) at the next General Committee meeting, General Meeting or relevant committee meeting;
  - 14.4.5 ensure that minutes of all meetings referred to in Bye Law 14.4.4 are made available to Club Members;
  - 14.4.6 administer such insurance policy or policies as may be needed fully to protect the interests of the Club, its General Committee, employees and Members;
  - 14.4.7 maintain contact with the Club's legal advisor to ensure that the Club's affairs are managed in accordance with all applicable laws;
  - 14.4.8 maintain any such certificates or registrations and complete any such non-financial returns as may be required by law; and
  - 14.4.9 maintain the Operations Manual.
- 14.5 The Honorary Treasurer shall:
- 14.5.1 cause such books of account to be kept as are necessary to give a true and fair view of the state of finances of the Club, in compliance with all legal requirements applicable to companies;
  - 14.5.2 cause all returns as may be required by law in relation to the accounts of the Club to be rendered at the due time; and
  - 14.5.3 prepare or cause to be prepared annual accounts for the year to 31st March in accordance with applicable accounting and reporting standards and to cause them to be reported upon by the Honorary Reporting Accountant and published at least fourteen days before the date of the AGM.
- 15 THE HONORARY REPORTING ACCOUNTANT**
- 15.1 The Honorary Reporting Accountant shall:
- 15.1.1 be appointed at the AGM in each year and shall be appropriately qualified; and





## DELL QUAY SAILING CLUB

15.1.2 report on the annual accounts confirming their accuracy and compliance or otherwise with applicable accounting and reporting standards and such report shall be included with the annual accounts.

### **16 DIRECTORS AND THE GENERAL COMMITTEE**

16.1 The board of directors (herein referred to as 'the General Committee') shall consist of: the Flag Officers, the Honorary Secretary, the Honorary Treasurer, the Honorary Data Services Secretary, and three elected Club Members of which no more than one shall be Associate Members. No member of the General Committee may stand for election for any sub-Committee of the General Committee.

General Committee members elected at the AGM each year shall hold office until the termination of the next AGM.

16.2 The General Committee may at any time co-opt any individual who is a Club Member to fill a vacancy in its number (subject to the maximum stated in Bye Law 16.1) as an additional member, but a co-opted member holds office only until the next AGM.

16.3 At the AGM each year one member of the General Committee (not being Officers of the Club) shall retire in order of election. In the case of same date of election the order of retirement shall, failing agreement between the members concerned, be determined by lot. General Committee members retiring under this Bye Law shall not be eligible for re-election to the General Committee until the AGM following the meeting at which they retire.

16.4 Candidates for election to the General Committee (not being Officers of the Club) shall be those members of the retiring General Committee eligible to offer themselves for re-election and such other eligible Club Members whose nominations (duly proposed and seconded by Club Members) with their consent shall have been received by the Honorary Secretary at least forty days before the date of the AGM in each year. Such nominations, together with the names of the proposer and seconder, shall be displayed at the Club premises at least fourteen days prior to the date of the AGM.

16.5 If the number of candidates for election to the General Committee at any AGM is equal to or less than the number of vacancies to be filled then all candidates shall be elected if elected by a single special resolution of those present at the AGM and entitled to vote in favour of such election.



## DELL QUAY SAILING CLUB

- 16.6 If the number of candidates for election to the General Committee at any AGM is greater than the number of vacancies to be filled then there shall be a ballot. If the ballot fails to determine the members of the General Committee to be appointed 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.
- 16.7 The General Committee shall meet at least every two months making such arrangements as to the conduct, place of assembly and holding of such meetings as it may wish in accordance with the Articles. The Commodore or, if absent, a chairman elected by those present shall preside.
- 16.8 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 equality of votes the Commodore or chairman (as the case may be) shall have a second and casting vote.
- 16.9 The quorum for meetings of the General Committee shall be five members of the General Committee.

### 17 OTHER COMMITTEES AND SUB-COMMITTEES

- 17.1 There shall be a Sailing Committee of the Club consisting of [-] the Rear Commodore Sailing, the Honorary Sailing Secretary, [-] and not more than eight other Members, plus those class captains together with the Principal Race Officer not already elected to the Sailing Committee. The chairman of the Sailing Committee shall be elected by the members of the Sailing Committee and approved by the General Committee. The Sailing Committee shall have full control over the sailing activities of the club and shall also be responsible for organising annual elections of class captains.
- 17.2 There shall be a House Committee of the Club consisting of [-] Rear Commodore House, the Honorary Social Secretary, [-] and not more than twelve other elected members. The chairman of the House Committee shall be elected by the members of the House Committee and approved by the General Committee. The House Committee shall have full control of the social activities of the Club including the management of the galley and bar. The House Committee shall have full control over the purchase of intoxicating liquor for supply by the Club, which shall be at its absolute discretion, and shall also be responsible for complying with the "Club Premises Certificate" regulating the supply of alcohol on licensed premises.



## DELL QUAY SAILING CLUB

- 17.3 There shall be a Cruising Committee of the Club consisting of [-] Rear Commodore Cruising, the Honorary Cruising Secretary, [-] and not more than eight other elected members. The chairman of the Cruising Committee shall be elected by the members of the Cruising Committee and approved by the General Committee. The Cruising Committee shall have full control of the cruising activities of the Club.
- 17.4 The members of the Sailing, House and Cruising Committees shall be elected at the AGM each year and shall hold office until the termination of the following AGM.
- 17.5 The Sailing, House and Cruising Committees may co-opt any individual who is a Club Member to fill vacancies in their number subject to the maximum number stated in these Bye Laws. A co-opted member holds office only until the termination of the next AGM.
- 17.6 Candidates for election to the Sailing, House and Cruising Committees shall be those members of the retiring Sailing, House and Cruising Committees offering themselves for re-election and such eligible Club Members whose nominations (duly proposed and seconded by Club Members) with their consent shall have been received by the Honorary Secretary at least forty days before the date of the AGM in each year. Such nominations, together with the names of the proposer and seconder, shall be displayed at the Club premises at least fourteen days before the date of the AGM in each year.
- 17.7 If the number of candidates for election to the Sailing, House or Cruising Committees at any AGM is equal to or less than the number of vacancies to be filled then all candidates shall be elected by a single special resolution of those present at the AGM and entitled to vote at the AGM vote in favour of such election.
- 17.8 If the number of candidates for election to the Sailing, House or Cruising Committees at any AGM is greater than the number of vacancies to be filled then there shall be a ballot. If the ballot fails to determine the candidates to be appointed 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.
- 17.9 The General Committee and the Sailing, House and Cruising Committees may appoint such sub-committees as they may deem necessary and may delegate such of their powers as they may think fit upon such terms and conditions as shall be deemed expedient and/or required by the law. Such



## DELL QUAY SAILING CLUB

sub-committees shall consist of such Members of the Club as the Committee or Sailing, House and Cruising Committees may think fit. Officers of the Club shall be ex officio members of all such sub-committees.

### Part 5: Miscellaneous

#### 18 SALE OF INTOXICATING LIQUOR

- 18.1 The purchase for the Club of excisable goods and the supply of the same upon Club premises shall be exclusively and solely under the control of the House Committee.
- 18.2 Intoxicating liquor may be sold for consumption in the clubhouse only to persons over the age of eighteen who are entitled to the use of the clubhouse in accordance with the Articles, these Bye Laws and Rules for the time being in force.
- 18.3 The General Committee shall cause the Club bar to be opened (subject to terms of the Club premises certificate) at convenient times for the sale of excisable goods to persons who are entitled to the use of the premises of the Club in pursuance of these Bye Laws, PROVIDED THAT visitors' names and addresses and the name of their introducer shall have been entered in the visitors' book upon entry to Club premises.
- 18.4 No person shall take a commission, percentage or other such payment in connection with the purchase of excisable goods 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 for the benefit of the Club.
- 18.5 Proper accounts of all purchases and receipts shall be kept. The accounts shall be reported in each year in accordance with Bye Law 14.5.3 and such information as the Honorary Secretary or Honorary 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.

#### 19 RULES

- 19.1 The General Committee may make and repeal such Rules as it considers appropriate for the good management of the Club and its facilities provided that such Rules are not inconsistent with the Articles or Bye Laws of the Club. All members shall be bound by such Rules.



## DELL QUAY SAILING CLUB

19.2 The Rules along with other policies and information that the General Committee may approve from time to time shall be contained in the Club's Operations Manual.

### 20 MISCELLANEOUS

20.1 On termination of Membership for any reason or 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 a boat and/or trailer and/or any other property of a Member or former Member remains upon the Club premises then that Member or former Member shall remove the boat and/or trailer and/or any other property from the Club immediately. If the Member or former Member fails to remove the boat and/or trailer and/or any other property then the General Committee may:

20.1.1 move the boat and/or trailer and/or any other property to any part of the Club premises without being liable for any loss or damage howsoever caused;

20.1.2 give one month's notice in writing by registered post to the Member or former Member at his last known address as shown in the register of Members and then either:

(a) sell the boat and/or trailer and/or any other property 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; or

(b) if the boat and/or trailer and/or any other property is unsaleable, dispose of the boat and/or trailer and/or any other property in any manner the General Committee may think fit and deem the cost of doing and any arrears to be a debt owing to the Club by the Member or former Member.

20.1.3 reserve the right to charge storage for the boat and/or trailer and/or any other property until such time as the owner collects the boat and/or trailer and/or any other property or until notice has been served under Bye Law 20.1.2,

PROVIDED ALWAYS 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 boat and/or trailer and/or any other property is sold, if the Club is unable to account to the Member or former Member for the



## DELL QUAY SAILING CLUB

balance of the proceeds of sale, then the balance of the proceeds of sale shall be placed upon bank deposit account and retained against the eventuality of a claim by the owner (whether he be the said Member or former Member or otherwise) for a period of six years.

- 20.2 In addition to Bye Law 20.1, the Club shall at all times have a lien over boats and/or trailers and/or any other property of Members or former Members that remain upon the Club premises in respect of all monies due to the Club, whether in respect of arrears of fees or otherwise, and shall be entitled to retain possession of the boats and/or trailers and/or any other property until such time as all monies due to the Club have been paid in full.
- 20.3 The clubhouse shall be open to Members at such times as the General Committee shall direct.
- 20.4 Members acknowledge that these Articles, Bye Laws and Rules constitute a legally binding contract to regulate the relationship of the Members with each other and with the Club.