



**Royal County of Berkshire
Yacht Club**

Rules

Version 6
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Rules

Section 1 - Name & objectives:

1. The name of the club shall be the "Royal County of Berkshire Yacht Club" (hereinafter referred to in the rules as "the club").
2. The objective of the club is to promote and facilitate the sport of yachting and boating in general and to also provide social and other facilities for members as may be from time to time determined.

Section 2 - Officers :

3. The officers of the club shall be full or family members of the club and may consist of a Club President, a Vice President, a Commodore, a Vice Commodore, a Rear Commodore, a Secretary, a Cruising Secretary and a Treasurer. Officers shall be elected at the annual general meeting in each year and shall hold office for one year, retiring at the commencement of the next annual general meeting. All officers of the club shall be eligible for re-election, subject to a tenure of five years as

an officer in any post. Officers may take on a role appropriate to their position and meeting the needs of the club.

Officers and duties

4. Officers and their duties are described below;

The officers shall;

- a) act as club diplomats;
- b) further the aims and objectives of the club by setting strategic plans.

The Commodore shall:

- a) be elected from among the most experienced members;
- b) give guidance and encouragement to less experienced members.

The Secretary shall:

- a) Conduct the correspondence of the club;
- b) Keep custody of all club documents;
- c) Keep full minutes of all meetings of the club, the management committee and sub-committees which; shall be confirmed and signed by the appropriate Chairman at the next following meeting of the club, the management committee or sub-committees, and shall be published to all management committee members
- d) Arrange the AGM of the Club

The Membership Secretary shall:

- a) keep a register of club members' names and addresses;
- b) conduct correspondence with newly elected members.

The Treasurer shall:

- a) Cause such books of accounts to be kept as are necessary to give a true and fair view of the state of the finance of the club;
- b) Cause all returns as may be required by law in relation to such accounts to be rendered at the due time;
- c) Prepare an annual balance sheet for the 31st December in each year and cause such balance sheets to be audited at least once annually and shall thereafter cause the same to be submitted to the annual general meeting.

d) Administer such insurance policy or policies as may be needed fully to protect the interests of the club, its officers and its members;

The Cruising Secretary shall:

a) Plan and organise a varied selection of boating events to improve our club members' skills on the water and provide a platform for training and learning these skills, whilst also having fun.

b) Be overall responsible and accountable for all cruising policies. Individual skippers are responsible for decision making whilst on trips.

Two honorary auditors shall:

a) be appointed at the annual general meeting in each year;

b) the auditors shall audit the accounts of the club when called upon to do so and shall give such certificate of assurance as to the accuracy of the said accounts as shall be required by law or by the management committee;

c) if either is unwilling or unable to act, inform the management committee who shall appoint a substitute to hold office until the termination of the next annual general meeting.

The roles fulfilled by officers / management committee members could include those dealing with training, cruising, charity, social events, library and website management

Section 3 - Management Committee:

Constitution and procedure

5. The management committee shall:

a) assist in the formulation of the club strategy;

b) implement the club strategy;

c) be accountable for day to day operational responsibility;

d) elect a Chairman for the term of office.

6. The management committee shall consist of the officers, ex officio, and not less than four nor more than 10 full or family members of the club elected at the annual general meeting each year to hold office until the commencement of the next annual general meeting.

7. Candidates for the election to the management committee shall be those members of the retiring management committee eligible to offer themselves for re-election and such other full or family members whose nomination with their consent shall have been received by the Secretary at least twenty eight days before the date of the annual general meeting in each year. Such nominations, together with the names of the proposer and seconder, shall be posted to the members at least fourteen days prior to the date of the annual general meeting. In the event of nominations not being

received in advance of the annual general meeting, nominations may be proposed and voted upon at the annual general meeting.

8. If the number of candidates for election is greater than the number of vacancies to be filled then there shall be a ballot.
9. 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 two thirds of those present at the annual general meeting, and entitled to vote, vote in favour of such election.
10. In the event of the ballot failing to determine the members of the management 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.
11. If, for any reason a casual vacancy shall occur, the management committee may co-opt a full or family member to fill such a vacancy until the next following annual general meeting.
12. A retiring Commodore shall serve as an ex officio member of the management committee in the year immediately following his retirement.
13. The management 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. The Chairman of the management committee, or his delegate, shall preside.
14. Voting shall be by show of hands. In the case of equality of votes the Chairman shall have a second and casting vote.
15. Five members personally present shall form a quorum at a meeting of the management committee.

Powers of the committee

16. The management committee shall manage the affairs of the club according to the current rules and shall cause the funds of the club to be applied solely to the objectives of the club or for a benevolent or charitable purpose nominated by the annual general meeting. The management committee may invest any surplus funds not immediately required for the club's objectives in such building society or bank deposit account(s) and/or in any National Savings & Investment product(s) as the management committee may from time to time determine. Any returns from such investments (including principal sums) shall be applied to the club's objectives.
17. The management committee shall make such regulations as it shall from time to time think fit and shall cause the same to be advised to members fourteen days before the date of implementation. Such regulations shall remain in force until approved or set aside by a vote at a general meeting of the club.
18. The management committee may appoint such sub-committees as it may deem necessary and may delegate such of its powers as it may think fair upon such terms and conditions as shall be deemed expedient and/or required by the law. Such sub-committees shall consist of such member or members of the management committee or of the club as the management committee may think fit. Officers of the club shall be ex officio members of all such sub-committees.

19. A member of the management committee, or a subcommittee or any officer of the club, in transacting business for the club, shall disclose to third parties that he is so acting.
20. The management committee, or any person or sub-committee delegated by the management committee to act as agent for the club or its members shall only enter into arrangements or contracts expressly authorised, by the management committee once all costings, income, expenditure and liabilities have been calculated, potential profit and loss identified and the event authorised by the management committee. No one shall, without the express authority of the membership in the annual general meeting or a general meeting, pledge the credit of the membership.
21. An organiser of an event authorised under rule 20, shall prepare a detailed balance sheet for such event and present this along with any residual monies to the Treasurer upon completion of the event.
22. In pursuance of the authority vested in the management committee or any sub committee by members of the club, members of such committees are entitled to be indemnified by the members of the club against any liabilities properly incurred by them or by 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 relevant committee has been authorised to exceed such limit by the annual general meeting or a general meeting of the club.
23. The management committee may nominate for election at an annual general meeting such honorary members as the committee may think fit. The total of such honorary members shall not, however, at any time, exceed five percent of the total number of members.
24. The election of honorary members shall be put to the vote at the annual general meeting each year and such honorary members shall be duly elected if two thirds of those present, and entitled to vote, vote in favour of election.

Section 4 - Membership :

Categories and rights of membership

25. There shall be the following categories of membership with power to vote at all annual general meetings or general meetings of the club as indicated hereunder. The rights and privileges of each category of members are as defined below:

FULL MEMBER being a person who, at the date of election, is of the age of eighteen years or over shall have one vote. A **FULL MEMBER** may participate in all of the club's activities and have full use of club facilities (subject to paying such fee or charge as the management committee may determine).

FAMILY MEMBER which expression shall include one or two adults and all children (if any) of the family unit twelve[#] years of age or over and under eighteen years of age. The family unit shall have one vote, exercisable by either adult. A **FAMILY MEMBER**, their partner and children as described above may participate in all of the club's activities and have full use of club facilities (subject to paying such fee or charge as the management committee may determine).

HONORARY MEMBER who shall be nominated and elected in the manner described in Rule 24 shall have no vote. AN **HONORARY MEMBER** may participate in all of the club's activities and have full use of club facilities (subject to paying such fee or charge as the management committee may determine).

TEMPORARY MEMBER being a person who, at the date of election, is of the age of twelve[#] years or over shall have no vote. A **TEMPORARY MEMBER** shall have access to such events as the management committee may determine (subject to paying such fee or charge as the management committee may determine).

IMPORTANT NOTE[#]: any child twelve years or older and under eighteen years of age must be accompanied by a responsible adult on agreed, designated activities.

26. The rate of entrance and subscription fee for each category of membership shall be proposed by the management committee to the members at the annual general meeting in each year. Any proposed changes shall be approved by a majority of those present and entitled to vote and shall become operative in a time scale proposed by the Management Committee and agreed at that meeting.

27. The membership other than Temporary Members and Honorary Members shall also make the following annual payments :

a) All members shall pay an annual membership subscription, of such an annual sum as shall from time to time be demanded, and thereafter on each anniversary of joining the club.

b) Part of this subscription shall include a sum to cover the club's subscription to the RYA as a fully affiliated club.

28. Every member shall furnish the Secretary or the Treasurer (as the case may be) 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. Every member shall be responsible for advising the Secretary or the Treasurer (as the case may be) of any changes to address, telephone or other contact numbers. Where a member has supplied to the Secretary or Treasurer (as the case may be) an e-mail address that may be used for communications from the club, the sending of the notice to the e-mail address so provided shall constitute delivery under this Rule.

Election and retirement of Members

29. Every candidate for membership other than Temporary Membership shall be proposed and seconded by full or family members of the club, both of whom should be personally acquainted with the candidate. Proposers and seconders shall so far as reasonably possible arrange for themselves and the candidate to attend the management committee meeting at which the candidate's membership is considered.

30. An application for membership other than Temporary Membership shall be in the form from time to time prescribed by the management committee, and shall include the name and address of the candidate, and signatures of the proposer and the seconder. An application for Temporary Membership shall be in such form as the management committee may from time to time approve.

- 31.** The election of all classes of members is vested in the management committee and (save in respect of Temporary Membership) shall be by a simple majority vote of those members present and voted at the relevant meeting of the management committee. The Membership Secretary shall inform each such candidate in writing of the candidate's election or non-election. He shall furnish an elected candidate with a copy of the current rules of the club or be directed to the Club website where the Rules are held. and make request for such payments as are necessary. The election of Temporary Members may be delegated by the management committee in accordance with Rule 18. A Temporary Member shall be supplied with a copy of the current rules only if he so requests or be directed to the Club website where the Rules are held.
- 32.** Upon election a candidate shall pay, within one calendar month, such entrance and other fees as shall be requested. In default of such payment, the election shall be void unless sufficient cause for delay be shown.
- 33.** A member desirous of retiring from membership shall give notice in writing to the Secretary and shall not then be liable to pay subscription for the following year.
- 34.** The management committee shall cancel, without notice being given, the membership of any member whose annual subscription and other annual fees are more than three months in arrears provided that the management committee may, at its discretion, reinstate such member upon payment of arrears. No member whose annual payments are in arrears may enter any club event nor vote at any meeting.

Conduct of Members

- 35.** Every member, upon election and thereafter, is deemed to have notice of, and undertakes to comply with, the club rules. Any refusal or neglect to do so, or any conduct which in the opinion of the management 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 management committee.

PROVIDED THAT, before expelling a member, the management 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 management committee, or of resigning.

A resolution to expel a member shall be carried by a simple majority vote by those members of the management committee present and voting on the resolution.

- 36.** 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 management committee or by the Secretary upon the instructions of the management committee.

Limitation of club liability

- 37.** Members, their guests and visitors are bound by the following rule.

Members of the club, their guests or visitors may participate in all of the club's activities and have full use of club facilities (subject to paying such fee or charge as the management committee may determine), entirely at their own risk and implicitly accept:-

- a) 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;
- b) The club will not accept any liability for personal injury arising out of the activities of the club, 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, committees or servants of the club.

38. 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 1998 (or any statute or statutory instrument re-enacting or amending the same).

Section 5 - Meetings of the Club:

39. An annual general meeting of the club shall be held each year in the month of January or February on a date to be fixed by the management committee. The Secretary shall, at least twenty eight days before the date of such meeting or of any general meeting as hereinafter mentioned, post or deliver to each member notice thereof and of the business to be brought forward thereat. Where a member has supplied to the Secretary or the Treasurer (as the case may be) an e-mail address that may be used for communications from the club, the sending of the notice of the business to be brought forward at the meeting to the e-mail address so provided shall constitute delivery under this Rule.

40. No business, except the passing of the accounts and the election of the officers, management committee, and honorary auditors, and any business that the management 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 by a member entitled to vote to the Secretary at least twenty one days before the date of the annual general meeting.

41. The management committee may at any time, upon giving twenty eight 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.

42. The management committee shall similarly call a general meeting upon a written request addressed to the Secretary by at least ten members. The discussion at such meeting shall be confined to the business stated in the notice sent to members.

43. At every meeting of the club a Chairman elected by those present shall preside.

44. Twenty one entitled to vote and personally present shall form a quorum at any annual general meeting or general meeting of the club.

45. Voting shall be by show of hands.

46. 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 management committee.

47. On any resolution properly put to a meeting of the club relating to the creation, repeal or amendment of any rule or regulation of the club such rule 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.

- 48.** A programme for any club dinner or annual ceremonial event, shall be approved by the management committee. Only topics directly concerning club events shall be permitted to be formally presented, debated and awarded.

Section 6 - Dissolution of the Club:

- 49.** The club is a non-profit making organisation. All profit and surplus shall be used for or towards the club's activities. No profit or surplus shall, on a winding up or dissolution of the club, be distributed to members of the club; it shall be distributed only to such non-profit making body or bodies as the club members, in general meeting, may determine.

Section 7 - Events and timescales :

- 50.** This section shows the various events detailed in these rules. The person responsible for the action is shown, the activity described and the number of days notice required by the rules.
- Notices for a general meeting or Annual General Meeting to be sent out by the Secretary to members at least 28 days in advance of the proposed meeting date
 - A member may request an issue be raised at an AGM giving at least 21 days' notice to the Secretary
 - Nominations for any member of the Committee to be received by the Secretary at least 14 days before the AGM
 - Secretary advises members of nominations 7 days before AGM; Agenda should be sent to members at least 7 days before the AGM
 - Nominations for the Committee can also be accepted from the floor at the AGM
 - If a Member wants to call a general meeting, and is supported by at least 10 members, at least 28 days' notice needs to be given to the Secretary