



LIVERPOOL SAILING CLUB

**CLUB RULES
November 2017**

EQUITY POLICY STATEMENT

LIVERPOOL SAILING CLUB

- This club is committed to ensuring that equity is incorporated across all aspects of its development. In doing so it acknowledges and adopts the following Sport England definition of sports equity:

Sports equity is about fairness in sport, equality of access, recognising inequalities and taking steps to address them. It is about changing the culture and structure of sport to ensure it becomes equally accessible to everyone in society.

- The club respects the rights, dignity and worth of every person and will treat everyone equally within the context of their sport, regardless of age, ability, gender, race, ethnicity, religious belief, sexuality or social/economic status.
- The club is committed to everyone having the right to enjoy their sport in an environment free from threat of intimidation, harassment and abuse.
- All club members have a responsibility to oppose discriminatory behaviour and promote equality of opportunity.
- The club will deal with the incidence of discriminatory behaviour seriously, according to club disciplinary procedures.

Liverpool Sailing Club

is registered with

H.M. Revenue & Customs

as a

Community Amateur Sports Club

**for the purposes of Schedule 18
Finance Act 2002**

**CASC Registration Number CASC
03450**

Effective from 20th. November 2005

LIVERPOOL SAILING CLUB

GENERAL RULES adopted 28th June 1968, as amended
November 1981, November 1984, November 1985, November 1997, November 2002
November 2003, May 2005, November 2005, November 2007, June 2008, November 2008,
November 2009, November 2012, November 2013, May 2014 and November 2017

1. NAME AND OBJECT.

The Club shall be called the Liverpool Sailing Club and the object of the Club is to provide facilities for and to promote participation of the whole community in the sport of Sailing and all watersports.

2. BURGEE.

The Club Burgee shall be yellow with a black Liver Bird one third of the distance from the hoist.

3. MEMBERSHIP.

Members shall be elected to one of the following categories in accordance with the rules:-

Full Member	Youth Member
Honorary Member	Associate Member

4. YOUTH MEMBER.

A Youth Member shall be a boy or girl whose 18th birthday is not reached before 1st October in the year of Membership. Anybody proposed for Youth Membership shall give the date of his or her birth on the proposal form.

On reaching the age limit a Youth Member may apply for Full or Associate Membership.

5. HONORARY MEMBERS / LIFE MEMBERS

- a) The Club on the recommendation of the General Committee may in General Meeting elect Honorary Members.
- b) The Club may from time to time offer Adult Life Membership, at a subscription to be determined by the Club in General Meeting
- c) This subscription shall be a lump sum, and no further subscriptions will then be payable.
- d) If there are applications for Life Membership in excess of the number of vacancies, the General Committee may establish a Waiting List.
- e) The total number of Honorary and Life Members shall be limited to that number which shall be decided by the General Committee from time to time, following a review of the total number of members. The total number of Honorary Members shall not exceed 5% of the total adult membership, and Life Members 15% of the total adult membership. Life Members at 1st. January 1999 (to be known and recorded in future as Senior Life Members) shall not be included when calculating the maximum limits available to be offered
- f) Children of those purchasing Family Life Membership shall become liable to pay subscriptions upon reaching 18 years of age.

6. ADMISSION OF MEMBERS.

A candidate for Membership shall send to the Membership Secretary a form setting out his or her name and address and any other particulars the General Committee shall require. Persons who are candidates for Membership have no privileges whatsoever in relation to the use of the Club or its premises for a period of not less than two days from application.

The number of Associate Members shall be limited to that number which shall be decided by the General Committee from time to time, following a review of the number of Associate Members. After that limit has been reached priority in allocating vacancies, as they arise, shall be given chronologically in order of application.

New applicants for Membership shall be admitted as either Associate Members or, if their age is appropriate, Youth Members. After a minimum period of 6 months Associate Members can apply to the General Committee, through the Membership Secretary, for transfer to Full Membership. Transfer to Full Membership shall only be permitted if the General Committee is satisfied that the Member has taken an active part in sailing and/or Club activities. This shall also apply to Youth Members upgrading to adult membership upon reaching age 18, when they transfer to either Full Membership or Associate Membership as appropriate.

Membership of the Club shall be open to all persons irrespective of the ethnicity, nationality, sexual orientation, religion or beliefs; or of age, sex or disability.

The Club may refuse membership only for a good and sufficient cause, such as conduct or character likely to bring the Club or sport into disrepute. An appeal against such a decision may be made to the Club's members and decided by a majority vote.

7. EXCLUSION OF MEMBERS.

Every Member on joining the Club impliedly undertakes to comply with these rules and any refusal or neglect to do so or any conduct which in the opinion of the General Committee is either unworthy of a Member or injurious to the interests of the Club shall render a member liable to expulsion by the General Committee provided that before expelling a Member, the General Committee shall call upon him for an explanation of his conduct and shall give him an opportunity to be heard. The vote on a resolution for expulsion shall be by ballot and the resolution shall only be carried if not less than three quarters of the Members of the General Committee present vote in favour of the resolution. Notice of the decision of the General Committee shall be sent to the Member concerned and if the decision is against him such member shall ten days from the posting of such notice cease to be a Member of the Club, but such former Member shall nevertheless be liable for all subscriptions and other money owing to the Club. An appeal against such a decision may be made to the Club's members and decided by a majority vote.

8. PRIVILEGES OF MEMBERS.

a) Honorary and Full Members shall be entitled to the full amenities of the Club and at the Annual General Meeting or other General Meeting of the Club shall have one vote.

b) Associate Members shall be entitled to the full amenities of the Club but shall not be entitled to speak or vote at any General Meeting of the Club, to call for an Extraordinary General Meeting, to receive notice of any such meetings or to serve on any Committee, or as an Officer.

c) Youth Members shall be entitled to the full amenities of the Club but shall have no right to vote, to call for an Extraordinary General Meeting or serve on the Committees or as an Officer, excepting as covered under Rule 11 (G).

9. RETIREMENT OF MEMBERS.

Any member wishing to retire from the Club shall do so by giving to the Membership Secretary written notice before 31st December.

10. ENTRANCE FEES AND SUBSCRIPTIONS.

a) On election to Membership each new Member other than Honorary and Junior Members shall pay an Entrance Fee to be determined from time to time by the Club in General Meeting. Associate Members shall pay the same Entrance Fees and Subscriptions as Full Members.

b) Youth Members shall not be required to pay an Entrance Fee either upon joining or when they subsequently transfer to either Full Membership or Associate Membership.

c) Subscriptions shall be due on 1st January each year and shall cover the period until the following 31st December. Each Member, not being an Honorary or Life Member, shall pay an annual subscription as determined from time to time by the Club in General Meeting.

Family Membership shall include any one or two co-habiting adults and all children within their guardianship under 18 years of age.

d) Where a first time application for membership is made part way through that year the subscription for that year may be reduced by a sliding scale, the details of which are to be determined from time to time by the General Committee. At the discretion of the General Committee such a scale may include the provision that near to the end of the year the applicant pays the fees for the following year at the time of application.

e) Any person whose Subscription remains unpaid on 1st March shall be debarred from using the facilities of the Club and from having a voice or vote upon any subject connected with the Club until the Subscription has been received by the Membership Secretary.

f) 1) The General Committee shall have the authority to waive the whole or part of a Member's annual subscription.

2) A Member shall, without any loss of privilege, only be liable for half their annual subscription if:

(a) after three years continuous membership their place of normal residence does not lie within a radius of 50 miles from the Clubhouse; or

(b) after three years continuous membership they are serving members of any of H.M. Forces and are not stationed within a radius of 50 miles from the Clubhouse; or

(c) after three years continuous membership they are serving afloat in either the Royal or Merchant Navy; or

(d) after three years continuous membership they are 65 years of age and retired; or

(e) they are full time students in Further/Higher Education

These grounds for discount are not cumulative, and no member shall be entitled to more than one such 50% discount in any one year, irrespective of the number of grounds on which they may qualify for that discount.

(3) Any member who before 31st December in any year notifies the Membership Secretary in writing, that during the ensuing 12 months or longer period they will be unable to make use of any of the Club's facilities may be placed on the Absent List. Members in the Absent List shall be debarred from using any of the Club's facilities until such time as they resume active membership by payment of the subscription or any part thereof at the discretion of the General Committee.

(4) Any former Member who applies for re-admission shall not be liable for a further Entrance Fee when he/she re-joins the Club. This Rule shall not apply to any former Member excluded from the Club under Rule 10(i).

g) Neither the Entrance Fee nor the Subscription may be altered without a resolution authorising such alteration being passed at a duly convened General Meeting.

h) In February each year the Membership Secretary shall post a letter or reminder to those Members whose Subscriptions are in arrears. Twenty-one days thereafter the Membership Secretary may on authority of the General Committee post on the Club noticeboard in the Clubhouse a list of Members whose Subscriptions are still unpaid stating that under the terms of Rule 10 (e) they are debarred from using the facilities of the Club and from having a voice or vote upon any subject connected with the Club.

i) A Member whose subscription remains in arrears after 1st April each year shall automatically cease to be a Member unless the General Committee decides otherwise.

j) The co-habiting partner of a Full or Associate Member shall be allowed to join the Club on payment of an Entrance Fee equal to the difference between that currently payable by a single applicant and that payable by a couple joining at the same time plus the normal yearly Subscription

11. MANAGEMENT OF THE CLUB.

a) The Management of the Club shall be vested in the General Committee. It shall be assisted by; Sailing Committee, Social Committee, Property Committee, Bar Committee and Youth Committee. (See guidance Note 1)

b) The General Committee shall consist of:

The Commodore who shall be Chairman.
The remaining Officers.
Not more than four members who subject to Rule 12 shall be elected annually.

c) The Sailing Committee shall consist of:

The Officers, one of whom shall be Chairman.
The Treasurer.
The Sailing Secretary.
Not more than eight members who subject to Rule 12 shall be elected annually.

The Sailing Committee shall conduct its affairs in accordance with the policy and budget prepared by the General Committee. RYA training excepted, it shall wholly control the day to day sailing activities of the Club and fully maintain the sailing equipment of the Club including all buoys, marks, etc., and the Club safety boats and work boats.

d) The Social Committee shall consist of:

The Officers, one of whom shall be Chairman.
The Treasurer.
The Social Secretary.
Not more than eight members who subject to Rule 12 shall be elected annually.

The Social Committee shall conduct its affairs in accordance with the policy and budget prepared by the General Committee. It shall wholly control the day to day Social activities of the Club including catering and dining arrangements.

e) The Property Committee shall consist of:

The Officers, one of whom shall be Chairman.
The Treasurer.
Property Secretary.
Not more than eight members who subject to Rule 12 shall be elected annually.

The Property Committee shall conduct its affairs in accordance with the policy and budget prepared by the General Committee, shall maintain and control the Club premises and advise the General Committee on extensions and alterations to the Club premises.

f) The Bar Committee shall consist of:

The Officers, one of whom shall be Chairman,
The Treasurer,
The Bar Secretary,
Not more than eight members who subject to Rule 12 shall be elected annually.

1) The Bar Committee shall conduct its affairs in accordance with the policy and budget prepared by the General Committee. It shall wholly control the purchase for or the supply by the Club of intoxicating liquor and shall arrange for a physical stocktaking of all Bar Stocks at the end of each quarter. The Stocktaking Report, which shall include the opening and closing values of Bar stocks, the value of purchases and sales together with the gross profit, shall be tabled at the meeting of the General Committee held during the months of October, January, April and July.

2) An incoming Committee shall agree Bar Stocks with the outgoing Committee before assuming office, likewise the outgoing Committee must agree Bar Stocks with the incoming Committee or such persons as shall be nominated by the General Committee before going out of office.

g) The Youth Committee shall consist of:-

A Chairman,
A Secretary,
A Treasurer,
Not more than eight members.

Youth Members shall hold an Annual General Meeting for the purpose of electing the above Committee.

The Youth Committee shall conduct its affairs in accordance with the policy and budget prepared by the General Committee. It shall look after the interests and needs of the Junior Members and arrange for representation upon other Club Committees if requested to do so by the General Committee.

(h) General

- 1) Each of the Committees may appoint and dismiss sub-committees.
- 2) In the case of a sub-committee appointed by the Bar Committee not less than two thirds of the members (or in the case of a sub-committee having less than four members or being concerned with the purchase for or the supply by the Club of intoxicating liquor, all of them) shall be properly elected members of the parent Committee and who go out of office in the sub-committee on ceasing to be members of the Bar Committee.
- 3) Each Committee has power to appoint a member to fill any vacancies within its authorised establishment. Members so appointed shall retire at the next Annual General Meeting of the Club but in all other respects shall be regarded as duly elected Members of the Committee.
- 4) Each Committee may co-opt additional Members up to half its authorised number.
- 5) The General Committee is charged with endeavouring to ensure maximum use of the clubhouse and grounds, by members and community groups, not necessarily restricted to sailing and watersports activities.
- 6) Other than Secretary, Membership Secretary and Treasurer no Officer or elected member shall serve for more than four successive years in any one Office, Post or as an elected Member of any Committee and shall not be eligible for re-election to the same Office, Post or as an elected member to the same Committee until they have been out of Office from that Office, Post or that Committee for at least one year.
- 7) The Treasurer shall not chair any committee or sub-committee, and shall not hold any other office

(i) The management of the Training Section shall be under the full control of the Training Centre Principal, who shall be appointed by the General Committee. The Principal will report directly to the General Committee and will conduct the affairs of the Training Section in accordance with the policy and budget prepared by the General Committee and the requirements of the RYA.

12. ELECTION OF COMMITTEES.

Candidates for election to the Committees shall be those Members of the retiring Committee who shall offer themselves for re-election and such other Members of the Club whose nominations duly proposed and seconded by Members of the Club in writing shall have been sent to the Honorary Secretary before 1st October. Subject to the provisions of this Rule, any Member, not being an Associate Member or Junior Member, may be nominated for election to the Committees in accordance with this Rule.

This Rule shall not apply to the Youth Committee.

13. OFFICERS OF THE CLUB.

a) The Officers of the Club shall be:

Commodore, Vice-Commodore(s), Rear-Commodore(s), the Immediate Past- Commodore, Secretary, Assistant Secretary, Treasurer, Assistant Treasurer and Membership Secretary. If members so desire the positions of Assistant Treasurer and Assistant Secretary may be left vacant; equally either or both may be filled by the General Committee during the course of the year by seconding a member to the office.

b) All Officers shall retire annually, but subject to Rule 11 h) 6) be eligible for re-election at the Annual General Meeting.

c) .No candidate for election to any Office (other than the retiring Officers) shall be proposed unless the names of such candidate and his proposer and seconder shall have been sent to the Secretary before 1st October.

d) If a casual vacancy occurs by death or resignation the General Committee may co-opt a Member to fill the vacancy provided that this Rule shall not apply to the President(s) and Vice President(s).

e) If the number of candidates proposed and seconded exceeds the number of vacancies to be filled the election shall be by ballot.

14. PRESIDENTS AND VICE-PRESIDENTS

a) These positions are not Offices and carry no executive powers or rights

b) Upon a new Commodore taking office the outgoing Immediate Past Commodore will become the President of the Club and will remain in office until such time as his successor leaves the office of Immediate Past Commodore.

c) The position(s) of Vice-President(s) are reserved for those who have given exceptional service to the Club and shall be for life.

d) Nominations for Vice-President shall be decided by the General Committee and put to the membership at the Annual General Meeting as a proposal.

e) If the Members so desire the position of Vice-President may be left vacant.

f) Presidents and Vice-Presidents may only serve on any Committee following due election subject to Rule 12.

g) Presidents and Vice-Presidents may only serve on, or be co-opted to, any Sub-Committee, as defined in Rule 11(H), with the permission of the General Committee.

15. BYE-LAWS.

The General Committee may from time to time make, alter or repeal Bye-Laws relating to the use of the Clubhouse or premises by Members the admission of guests and all matters relating to the good conduct of the Club and such Bye-Laws shall, provided that they are not inconsistent with the Rules for the time being of the Club, be binding on all Members and construed as part of the Rules of the Club.

16. ANNUAL GENERAL MEETINGS.

a) The Annual General Meeting shall be held not later than 30th November in each year and the Officers and Committees shall serve from 1st January following the Annual General Meeting until 31st December of the same year.

b) The Annual General Meeting shall be summoned by the Secretary giving not less than ten days' notice in writing to each member entitled under rule 8 to receive notice of the meeting.

c) No business (except the passing of the accounts and election of the Officers, Committees and Auditors and any business the General Committee may order to be inserted in the notice convening the Meeting) shall be discussed at such Meeting unless notice thereof in writing be given to the Secretary before 1st October prior to such Meeting.

17. EXTRAORDINARY GENERAL MEETINGS.

a) The General Committee may on giving fourteen days notice call a General Meeting of the Club for any specific 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 so stated.

b) The General Committee shall also call a General Meeting on the written request of twelve Full or Honorary Members, or if the total Full Membership plus Honorary Membership is less than sixty, one fifth of the said total.

18. ACCOUNTS.

a) The Club financial year shall commence on 1st July but the Subscription year shall run from the following 1st January.

b) The funds of the Club shall be kept by the Treasurer who shall keep a correct account of all monies received and disbursed by him on account of the Club.

c) The Treasurer shall prepare a statement of receipts and expenditure and a Balance Sheet made up to 30th June in each year, which shall be submitted to the Club at the next Annual General Meeting.

A copy of these accounts shall be sent to every Member with the notice convening the Meeting. Such statement of accounts and Balance Sheet shall before the Meeting be examined and signed by two Account Scrutineers appointed from amongst the Members at the previous Annual General Meeting. In the event of any casual vacancy in the office of Account Scrutineer it shall be filled by the General Committee.

19. QUORUM.

Ten Members entitled to vote shall form a quorum at a General Meeting and five at a Committee Meeting.

20. CHAIRMANSHIP.

The Commodore or in his absence the senior Officer present shall take the chair at all General Meetings of the Club, and in the event of no Officer being present it shall be imperative upon such Member as shall be elected to preside.

21. MINUTES.

The Secretary shall keep correct Minutes of the proceedings at the General Committee Meetings and at all General Meetings. The Secretaries of the other Committees shall keep correct Minutes of the proceedings of their respective Committees. The Minutes shall be produced and submitted for confirmation at the respective succeeding Meetings.

22. TRUSTEES AND INDEMNITIES.

(A) There shall be not less than two nor more than four Trustees of the club who shall be appointed from time to time as necessary by the Committee of the club from among Full, Family or Honorary Members who are willing to be so appointed. A Trustee shall hold office during his lifetime or until he shall resign, by notice in writing given to the Committee, or until a resolution removing him from office shall be passed at a meeting of the Committee by a majority comprising two-thirds of the members present and entitled to vote.

(B) 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 death, resignation, or removal from office of a Trustee, the Committee shall nominate a new Trustee in his place, and shall as soon as possible thereafter take all lawful and practicable steps to procure the vesting of all club property into the names of the Trustees as constituted after 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 appoint new Trustees of the club within the meaning of Section 36 of the Trustee Act 1925 and he shall by Deed duly appoint the person or persons so nominated by the committee.

(C) Powers of Trustees. 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 purpose of raising or borrowing money 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.

(D) Indemnity of Trustees from club. 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.

(E) Limitation of Liability of Club Trustees. (To be incorporated in every contract, lease, licence or other agreement entered into by the Trustees of the Club). 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.

(F) The Trustees are to be protected by indemnity insurance to be taken out by the Club.

23. INDEMNITY OF OFFICERS.

The Committees, the Secretary and other Officers of the Club for the time being acting in discharge of their duties, and all members working on behalf of the club in any capacity approved either by the General Committee or by the Club in General Meeting, shall be indemnified by the Club against all costs losses and expenses which they may incur or to which they may become liable, and shall be defended against any legal action which may be taken against them, by reason of any act or deed done by them in that capacity or any contract entered into on behalf of the Club, and they are additionally to be protected by indemnity insurance taken out by the Club.

24. GUESTS.

a) Members may introduce their friends as guests, but no one person may be introduced as a guest more than three times in one year and no Member may introduce more than six guests at any one time. The General Committee has the right to exclude without stating any reason any non-member whether introduced by a Member or not and the exercise of such right shall not be held to be an imputation against any person or persons excluded.

b) Children under the age of fourteen years are required to be continuously under the supervision of an adult at all times when on the Club premises.

25. AMENDMENT OF RULES.

(A). Notice of alteration or addition to the Rules intended to be proposed by a Member of the Club shall be given to the Secretary in writing before 1st October, if the same is to be proposed at the Annual General Meeting at which the same is to be brought forward and full particulars of any such proposed alterations or additions shall be set out in the notice convening such Meeting.

(B). All such proposed alterations and/or additions and any amendments to them which shall be proposed and seconded shall be put to the vote of the Meeting and provided that on a show of hands or if demanded on a poll a majority of two thirds of the votes shall be cast in favour of any proposed alterations or additions or amendments then the same shall be deemed to be carried.

26. AFFILIATION OF YOUTH CLUBS ETC.

The General Committee may at its absolute discretion allow any recognised Youth Club or other Organisation to be affiliated to the Club on such terms as it thinks fit.

27. DISSOLUTION.

The Club may be dissolved by a resolution passed by a two thirds majority of those present at a General Meeting of the Club of which twenty one days notice specifying the intention to propose the resolution has been given in writing to all those members entitled to attend and vote. A notice posted to the last known address of a member shall be deemed to be properly given.

In the event of the dissolution of the Club, any assets remaining after the settlement 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:

1. A registered charitable organisation(s).
2. Another Club which is a registered CASC
3. The sports national governing body for use by them for related community sports.

28. NOTICE TO MEMBERS ETC.

In all cases where notice has to be given to members where two or more Members reside at the same address it shall be sufficient if notice is given to one of them and when such notice has been given it shall be deemed to have been given to all those Members residing at that address. Members may elect to receive all notices via email by registering with the Honorary Secretary

29. SUPPLY OF INTOXICATING LIQUOR.

The purchase by the Club and supply by the Club of intoxicating liquor shall be exclusively controlled by the Committee elected for this purpose.

The permitted hours for the supply of intoxicating liquor shall be within the permitted hours fixed from time to time by the Licensing Authorities for the licensed premises in the City of Liverpool. No intoxicating liquor shall be sold to any person under the age of eighteen.

30. VISITING YACHTSMEN.

a) A Member of any Club recognised by the Royal Yachting Association (a list of which is contained in the Year Book of the Association) may be authorised to use the premises of the Club by any member of the General Committee of this Club such authorisation shall specify between which dates not being more than fourteen days apart the said person may use the premises.

b) Any person who is a participant in any event sponsored or organised by or on behalf of the Club, and any person who is a member of the crew of such participants for the purpose of the event, will be deemed to be a Member of the Club for the period starting twenty-four hours before the event and ending twenty-four hours after the event.

This includes events ashore as well as those afloat

c) The 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 use the Club only under this rule.

31. DISPOSAL OF CLUB FUNDS.

The Income and Property of the Club shall be applied solely towards promoting the Club's objects as set forth in this constitution and no portion thereof shall be paid or transferred, directly or indirectly, to the Members of the Club.

32. TEMPORARY MEMBERS.

a) The General Committee may elect temporary members for such periods and on such terms as the General Committee may decide providing that such period shall not exceed one month at any one time.

b) Temporary Members, whether elected under this Rule or admitted under Rule 29, have the same rights and limitations of rights as Associate Members. Specifically, they are not entitled to either speak or vote at any General Meeting of the Club, to receive notice of such meetings, or to serve on any Committee, or as an Officer.

33. SAILING HANDBOOK.

Those mandatory paragraphs of the published Sailing Handbook which appertain to safety on the water may not be varied unless the Sailing Committee requests and The General Committee approves the variation.

34. BOAT PARK

Abandoned Boats and/or Trailers

If, at any time, any fees payable to the Club by any member or former member (whether by way of arrears of subscription or facilities fees, Boat Park fees or otherwise) shall be one month or more in arrears and/or a boat and/or trailer the property of a member or former member remains upon the Club premises one month or more after the club has given the member or former member notice to remove the vessel then the member or former member shall remove the boat and/or trailer from the Club immediately. If the member or former member fails to remove the boat and/or trailer then the Committee may: -

(a) Move the boat and/or trailer to any part of the Club premises without being liable for any loss or damage to the vessel howsoever caused.

(b) Give three months' notice in writing by registered post to the member or former member at his last known address as shown in the Club Register and thereafter sell the boat and/or trailer

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.

(c) Alternatively, if the boat and/or trailer is unsaleable, after giving notice in writing as aforesaid, dispose of the boat and/or trailer in any manner the Committee may think fit and deem the cost of doing and any arrears as aforesaid to be a debt owing to the Club by the member or former member.

(d) The Club reserves the right to charge storage for the boat and/or trailer until such time as the owner collects the boat and/or trailer or until notice has been served under Rule (b) above.

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 is sold, if the Club is unable to account to the member or former member for the balance of the proceeds of sale pursuant to Rule (b) above 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.

The Committee shall be entitled to treat any of the following as an abandoned or unauthorised boat and/or trailer:

- (a) a boat and/or trailer located in the Boat Park and for which the boat park fee not been paid or other arrangements made;
- (b) a boat and/or trailer located otherwise than in its properly allocated space;
- (c) a boat and/or trailer that remains in the Boat Park for more than one month after any date advised by the -Committee by which boats and/or trailers must be removed to allow for maintenance works of the Boat Park or the end of the season date (where applicable);
- (d) a boat and/or trailer which is the property of a member or former member which remains on club premises after any fees payable to the club by any member or former member (whether by way of arrears of subscription or facilities fees, dinghy park fees or otherwise) are more than one month in arrears; (e) a boat and/or trailer which is the property of a member or former member which overstays by more than a month following the termination of the storage agreement; (f) a boat and/or trailer which is the property of a former member which overstays by more than a month following the termination of their membership.

Lien

The Club shall at all times have a lien over members' or former members' boats and/or trailers parked on the Club's premises in respect of all monies due to the Club, whether in respect of arrears of facilities fees or subscriptions or otherwise and shall be entitled to retain possession of the boat and/or trailer until such time as all monies due to the Club have been paid in full.

GUIDANCE NOTES

(1) Rule 11. As a matter of good practice ideally no more than 50% of those members should retire annually.

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