

RULES FOR THE WIX AND WRABNESS YACHT CLUB



The rules are divided into the following sections:

- 1 Name and Objects**
- 2 Officers**
- 3 Membership**
- 4 Management Committee**
- 5 Meetings of the Club**
- 6 Dissolution of the Club**
- 7 Byelaws, etc.**

Section 1 - Name and Objects

1. The name of the Club shall be “The Wix and Wrabness Yacht Club” (hereinafter referred to in these rules as “the club”).
2. The object for which the club is formed is to promote and facilitate the sport of yachting and also to 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 shall consist of a Commodore, a Vice-Commodore Cruising, Club 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 termination of the Annual General Meeting in each year. All Officers of the Club shall be automatically re-elected (provided they agree) unless another nomination for the post is received in writing by the Commodore prior to the Annual General Meeting. If this is the case, a vote by secret ballot will take place with all members (as outlined under membership below) having one vote.

Duties of Secretaries etc.

4. The Secretary shall:
 - (a) Keep a register of club members’ names and of addresses;
 - (b) Conduct the correspondence of the club;
 - (c) Keep custody of all club documents;
 - (d) Keep full minutes of all meetings of the club, the Committee and sub-committee which shall be confirmed and signed by the appropriate Chairman upon the agreement of the club, the Committee or sub-committee at the next following meeting of the club, the Committee or sub-committee;
 - (e) Administer such insurance policy or policies as may be needed fully to protect the interests of the club, its Officers and its members;
 - (f) Maintain contact with the club’s Legal Adviser to ensure that the club’s affairs are managed in accordance with current law.
 - (g) Maintain any such certificates or registrations, and complete any such nonfinancial returns, as may be required by law.

5. The Treasurer shall:-

(a) Cause such books of account to be kept as are necessary to give a true and fair view of the state of the finances of the club.

(b) 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 as at 31 December in each year and cause such Balance Sheet (and accounts as necessary) to be audited at least once annually and shall thereafter cause the same to be exhibited in the club premises (where appropriate) at least fourteen days before the date of the Annual General Meeting.

Section 3 – Membership

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

A FULL MEMBER – being a person who, at the date of election, is over the age of eighteen shall have one vote.

A FAMILY MEMBER – which expression shall include one or two parents (as may be) and all children under eighteen years of age. The family unit shall have one vote, exercisable by either parent.

A JUNIOR MEMBER – being a person who, at the date of election, is under the age of eighteen shall have no vote.

Such a member shall be one who at the commencement of the subscription year joins the club other than as a full member or a family member.

AN HONORARY MEMBER – who shall have no vote.

A SOCIAL MEMBER – who shall have no vote.

A TEMPORARY MEMBER – who shall have no vote.

No member except a TEMPORARY MEMBER may use the club premises (where appropriate), or any of the facilities of the club until forty-eight hours have elapsed from the date of posting of notice of election.

Candidates for membership shall have no privileges whatsoever in relation to the use of the club or premises (where appropriate).

7. The rate of Entrance and Subscription fee for each category of Membership shall be proposed by the 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 on the first day of April in the year following. The current rate of Entrance and Subscription fee shall be prominently displayed in the club premises (if applicable).

8. Members shall also make the following annual payments:-

(a) Such an annual sum as shall from time to time be demanded to defray the club's subscription to the RYA as a Fully Affiliated club.

All members shall pay the Entrance fee (if any) and their first annual subscription upon election to the club and thereafter on the first day of April in each year. Provided that a member elected after the first day of September in any year shall pay half the annual subscription applicable for that year and that a member elected after the first day of March in any year shall not be required to pay any subscription in respect of the year of election, but shall pay, on election, the Entrance fee and the annual subscription in respect of the year following election.

9. Every member shall furnish the Secretary with an up-to-date address which shall be recorded in the Register of Members and any notice sent to such address shall be deemed to have been duly delivered.

Election and retirement of members

10. Every candidate for membership (except Honorary Members) shall be proposed and seconded by a Full or Family member of the club, both of whom must be personally acquainted with the candidate.

11. An application for membership shall be in the form from time to time prescribed by the Committee, and shall include the name, address, and occupation of the candidate, and the signatures of the Proposer and the Secunder.

12. Upon receipt of an application for membership, the Secretary shall enter such application in a Register of Candidates and shall cause the application form to be prominently displayed in the club premises, if applicable, and on the website for at least fourteen days before the meeting of the Committee at which such application for membership shall be considered. The election of all classes of members is vested in the Management Committee and shall be by a simple unanimous vote of those members present and voting at the relevant meeting of the Management Committee. The Secretary shall inform each candidate in writing of the candidate's election or non-election. He shall furnish an elected candidate with a copy of the Rules and Byelaws of the club and make request for such payments as are necessary.

13. 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.

14. A member who, for any reason, anticipates inability to use the club or its facilities for the whole of any one year shall be excused payment of the annual subscription and other annual fees provided that notice in writing is given to the Secretary before the last day of March in the previous year. A member wishing to be re-instated during the year in question shall pay such portion of the annual subscription as the Committee shall require.

15. A member desirous of retiring from membership shall give notice in writing to the Secretary before the last day of March and shall not then be liable to pay the subscription for the following year. Upon re-application by a past member the Committee may, at its discretion, excuse the payment of an Entrance Fee.

16. The Committee may cancel, without notice given, the membership of any member whose annual subscription and other annual fees are more than three months in arrears provided that the Committee may, at its discretion, re-instate such member upon payment of arrears. No member whose annual payments are in arrears may enter any club event or regatta nor vote at any meeting.

Conduct of Members

17. Every member, upon election and thereafter, is deemed to have notice of, and impliedly undertakes to comply with, the Club Rules and the current byelaws and Regulations of the club. Any refusal or neglect to do so, or any conduct which, in the opinion of the Committee, is either unworthy of a member or otherwise injurious to the interests of the club, shall render a member liable to expulsion by the Committee.

PROVIDED THAT, before expelling a member, the Committee shall call upon such member for a written explanation of the member's conduct and shall give the member full opportunity of making explanation to the Committee, or of resigning.

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.

18. Members shall enter the names of all guests in the Visitor's Book. Not more than three guests may be introduced in any one day and the same guest may not be introduced more than six times in any calendar year.

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

20. A Member shall not cause any communication in whatever form to be exhibited on club notice boards or premises (where appropriate) without permission of the Secretary.

21. All suggestions shall be entered in the Suggestion Book and signed by the Member.

Limitation of Club Liability

22. Members, their guests and visitors are bound by the following Rule which shall also be exhibited in a prominent place within the club premises (if applicable):-

Members of the club, their guests or visitors may use the club premises, and any other facilities of the club, entirely at their own risk and impliedly accept:-

(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 use of the club premises, and any other facilities of the club either sustained by members, their guests or visitors or caused by the said members, guests or visitors whether or not such damage or injury could have been attributed to or was occasioned by the neglect, default or negligence of any of them, the Officers, Committee or servants of the club.

23. Membership of the club and acceptance of these rules by the member will be deemed to constitute consent to the holding of relevant personal data for the purposes of the Data Protection Act 1984.

Section 4 - Management Committee

24. The Management Committee (herein referred to as 'the Committee') shall consist of the Officers, ex officio, and not less than one nor more than eight Full or Family members of the club elected at the Annual General Meeting each year to hold office until the termination of the next following Annual General Meeting.

25. All Officers of the Club shall be automatically re-elected (provided they agree) unless another nomination for the post is received in writing by the Commodore at least 28 days prior to the Annual General Meeting. If this is the case, a vote by secret ballot will take place with all members (as outlined under membership below) having one vote.

26. Candidates for election to the Committee (not being Officers of the Club) shall be those members of the retiring Committee eligible to offer themselves for re-election (see rule 25 above) and such other Full or Family members whose nominations (duly proposed and to Committee seconded in writing by Full or Family members of the Club) 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 Secunder shall be posted in the club premises (where appropriate) at least fourteen days prior to the date of the Annual General Meeting.

27. If the number of candidates for election is greater than the number of vacancies to be filled then there shall be a ballot.

28. 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.

29. In the event of the ballot failing to determine the members of the Committee because of an equality of votes the candidate or candidates to be elected from those having an equal number of votes shall be determined by lot.

30. If, for any reason, a casual vacancy shall occur, the Committee may co-opt a Full or Family member to fill such a vacancy until the next following Annual General Meeting.

31. A retiring Commodore shall serve as an ex officio member of the Committee in the year immediately following his retirement.

32. The Committee shall meet at least every six months making such arrangements as to the conduct, place of assembly and holding of such meetings as it may wish. The Commodore or in his absence a Chairman elected by those present shall preside.

33. 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.

34. Three members personally present shall form a quorum at a meeting of the Committee.

Powers of the Committee

35. The Committee shall manage the affairs of the club according to the Rules and shall cause the funds of the club to be applied solely to the objects of the club or for a benevolent or charitable purpose nominated by General Meeting.

36. The Committee shall make such Byelaws and Regulations as it shall from time to time think fit and shall cause the same to be exhibited in the club premises (where appropriate) for fourteen days before the date of implementation. Such Byelaws and Regulations shall remain in force until approved or set aside by a vote at a General Meeting of the club.

37. The Committee may appoint such subcommittees as it may deem necessary and may delegate such of its powers as it may think fit upon such terms and conditions as shall be deemed expedient and/or required by the law. Such sub-committees shall consist of such members of the Committee or of the club as the Committee may think fit. Officers of the club shall be ex officio members of all such subcommittees.

38. A member of the Committee, of a sub-committee or any Officer of the club, in transacting business for the club, shall disclose to third parties that he is so acting.

39. The Committee, or any person or sub-committee delegated by the Committee to act as agent for the club or its members, shall enter into contracts only so far as expressly authorised, or authorised by implication, by the members. No one shall, without the express authority of the membership in General Meeting, pledge the credit of the membership.

40. In pursuance of the authority vested in the Committee by members of the club, members of the Committee are entitled to be indemnified by the members of the club against any liabilities properly incurred by them or any one of them on behalf of the club wherever the contract is of a duly authorised nature or could be assumed to be of a duly authorised nature and entered into on behalf of the club.

The limit of an individual member's indemnity in this respect shall be a sum equal to one year's subscription at the then current rate for that category of membership unless the Committee has been authorised to exceed such limit by a General Meeting of the club.

41. The 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 per cent of the total number of members nor shall the number of Honorary Members exceed at any one time six in number.

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.

Purchase and supply of excisable goods

42. The purchase for the club of excisable goods and the supply of the same upon club premises (if applicable) shall be exclusively and solely under the control of the Committee, or of a special sub-committee appointed by the Committee.

43. 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 sale 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 to be held in trust for the benefit of the club.

44. Proper accounts of all purchases and receipts shall be kept and presented at the Annual General Meeting in each year and such information as the Secretary or [Honorary] Auditors 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.

Section 5 - Meetings of the club

45. An Annual General Meeting of the club shall be held each year in the month of November on a date to be fixed by the Committee. The Secretary shall at least

fourteen 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.

46. No business, except the passing of the Accounts and the election of the Officers, Committee, Trustees and Honorary Auditors, and any business that the Committee may order to be inserted in the notice convening the meeting shall be discussed at such meeting unless notice thereof be given in writing by a member entitled to vote to the Secretary at least forty two days before the date of the Annual General Meeting.

47. The Committee may at any time, upon giving twenty one 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.

48. The Committee shall similarly call a General Meeting upon a written request addressed to the Secretary by at least 3 members. The discussion at such meeting shall be confined to the business stated in the notice sent to members.

[Note to Clause 48. For the purposes of the Licensing Act 1964 this Clause must be limited to a maximum of thirty members OR 1/5th of the total membership, whichever is least.]

49. At every meeting of the club the Commodore or, in their absence, a Chairman elected by those present shall preside.

50. Ten members entitled to vote and personally present shall form a quorum at any meeting of the club.

51. Only Full, Family and Honorary members shall vote at any meeting of the club. Other members may attend but are not entitled to vote.

52. Voting, except upon the election of members of the Committee, shall be by show of hands.

53. In the case of an equality of votes the Chairman shall have a second or casting vote, on any matter other than the election of members of the Committee.

54. On any resolution properly put to a meeting of the club relating to the creation, repeal or amendment of any Rule, Byelaw or Regulation of the club such Rule, Byelaw or Regulation shall not be created, repealed or amended except by a majority vote of at least two-thirds of those present and entitled to vote.

Section 6 - Dissolution of the Club

55. If, upon the winding up or dissolution of the club, there remains after the satisfaction of all its debts and liabilities any property whatsoever, the same shall not

be paid to or distributed amongst the members of the Club but shall be given or transferred to some other institution or institutions having objects similar to the objects of the club, such institution or institutions to be determined by the members of the club by Resolution passed at a General Meeting at or before the time of the dissolution and if and so far as, effect cannot be given to such provision then to some charitable object.

Section 7 – Byelaws

56. The present rights and privileges of each category of membership shall be as follows:-

A FULL MEMBER shall have the full use of all the club facilities.

A FAMILY MEMBER, his/her spouse and all children under the age of eighteen shall have the full use of all the club facilities.

A JUNIOR MEMBER shall have the full use of all the club facilities subject only.

AN HONORARY MEMBER shall have the full use of all the club facilities.

A SOCIAL MEMBER shall have the full use of the club-house facilities.

A TEMPORARY MEMBER (which expression may include members of another RYA recognised club or organisation) shall have the full use of the club facilities but:-

(a) Shall have no right to enter club races or regattas unless specifically authorized by the Secretary or Committee.

(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 club Rules, current Byelaws and Regulations as if he or she were a member of the club and so far as the said Rules, Byelaws and Regulations may be deemed to apply to such Temporary Member.

(e) Shall be liable to be expelled from the club premises (if applicable) or to be prohibited from using the club facilities if, in the opinion of the Secretary, he or she shall not have reasonably complied with the above conditions.

57. Cars may only be parked in areas designated for such parking so as not to cause an obstruction to other cars or to the approaches to the club premises (if applicable).