



# Eastbourne Sovereign Sailing Club

## Rules

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# **EASTBOURNE SOVEREIGN SAILING CLUB LTD**

## **RULES**

### **GENERAL**

1. The name of the club shall be "The Eastbourne Sovereign Sailing Club Limited", hereinafter referred to in these Rules as "the Club".
2. The objects for which the club is formed are to promote and facilitate community participation in the sport of sailing and to provide social and other facilities for members as may be from time to time determined; to foster the interest of youth organisations and young people in general in the sport with special emphasis on sail training seamanship and safety.
3. a) Words in these rules importing the singular only shall include the plural and vice versa.  
b) Words in these rules importing the masculine gender only shall include the feminine gender.
4. Where in these Rules the Club, any Officer, Committee Secretary, Boatswain, or Member of the Club or any servant or agent of the Club is under a duty to perform any act or discharge any obligation or procure such discharge or performance the same shall be performed or discharged or procured in a manner which is reasonable or reasonably practical having regard to all the circumstances and nothing elsewhere in these Rules shall be taken as requiring of any such person mentioned above that they perform such acts or discharge such duties or procure such performance or discharge to a standard which exceeds that which is reasonable or reasonably practical having regard to all the circumstances.

### **FLAG**

5. The flag of the Club shall be the chalk cliffs of Eastbourne Heritage Coast in white, green and blue encircled by the Club title, the whole bounded by a rope circlet in gold and set on a white ground

### **MEMBERSHIP**

6. Membership of the club shall be open to anyone interested in the sport of sailing on application regardless of sex, age, disability, ethnicity, nationality, sexual orientation, religion or other beliefs. Membership may however be limited according to available facilities on a nondiscriminatory basis.

Membership subscriptions will be kept at levels that will not pose a significant obstacle to people participating.

The club Committee may refuse membership or, subject to Rule 18, remove it, only for good cause such as conduct or character likely to bring the club or sport into disrepute. Appeal against refusal of membership may be made to the members.

7. There shall be the following categories of members:-  
Individual Members - 23 years of age or over at the commencement of the subscription year.

Family Members - which expression shall include one or two co-habiting adults and all children under 18 years of age at the commencement of the subscription year and those receiving full time education who are under 23 years of age at the commencement of the subscription year.

Young Adult Members – which expression shall include any person who is 18 years of age or over and under 23 years at the commencement of the subscription year and who joins the Club other than as a Family Member.

Junior Members - which expression shall include any person who is 14 years of age or over and under 18 years of age at the commencement of the subscription year and who joins the Club other than as a Family Member. Such persons will require their parent's or guardian's written consent.

Cadet Members - which expression shall include any person who is under 14 years of age at the commencement of the subscription year and who joins the Club other than as a Family Member. This category must be taken in conjunction with a Social or Individual Membership. Such persons will require the written consent of their parent or guardian to take part in sailing activities.

Under 14 Members - which expression shall include any person who is under 14 years of age at the commencement of the subscription year and who joins the Club other than as a Family Member. This category must be taken in conjunction with a Social or Individual Membership. They shall be entitled to the use of Club facilities other than sailing and boat parking.

Board sailing Members – This category includes Members whose sole sailing activity is non-racing boardsailing. They shall be entitled to board parking and the use of all non-sailing Club facilities (other than voting rights).

Honorary Members - On the recommendation of the Executive Committee, the Club may elect Honorary and Honorary Life Members in a General Meeting. Honorary Life Membership shall only be available to past active Club Members.

Group Membership - the Committee may at its discretion accept a group of members from other recognised clubs. The individual members of a group membership shall be approved by the Executive Committee and shall not include any person previously rejected for membership. At no time shall the total number of group members exceed 20% of Individual, Family and Junior membership.

Social Members - persons may be elected at the discretion of the Executive Committee. They shall be entitled to the use of Club facilities other than sailing and boat parking.

Associate Members - which expression shall comprise all members of other Clubs with which this Club has a written reciprocal arrangement. Such members shall enjoy the full

facilities of the club (other than voting rights) upon proof of current membership of their appropriate "home" club.

Temporary Members:

- (i) visitors for not more than four weeks in one year
- (ii) applicants for membership awaiting formal acceptance by the Executive Committee
- (iii) at the discretion of the Executive Committee any person not a Member of the Club who is either a competitor, crew member or their bona-fide guests in any race sponsored by or on behalf of the Club.

8. An application for Membership shall be in such form as the Executive Committee may prescribe and shall contain the name and address of the candidate.
9. All application forms for Membership shall be prominently displayed in the Club premises for at least twenty-one days before the Meeting of the Executive Committee at which the election takes place. This rule shall apply to changes in the Members of Group Membership.
10. New Members, other than Associate, Honorary and Honorary Life Members, but including individual Members of Group Membership, shall be elected at a duly convened meeting of the Executive Committee, and a simple majority shall decide. The Committee may require the presence of the applicant. The Committee may refuse applications only for good cause such as conduct or character likely to bring the Club into disrepute. The Membership Secretary shall inform each candidate in writing of the candidate's election or non-election.

Appeal against refusal to elect may be made to the members in General Meeting.

11. Members eligible to sail, other than Board sailing Members, are expected to carry out duties pertaining to the Club sailing programme as detailed by the appropriate Committee.
12. Every Member on joining the Club impliedly undertakes to comply with these rules and any bye-laws and regulations made hereunder. Should any Member refuse or neglect to comply with the provisions of the rules and bye-laws of the Club or be guilty of any conduct or omission in the opinion of the Executive Committee likely to be injurious to the Club, such Member shall be liable to expulsion by a resolution of the Executive Committee provided that at least one week before the Meeting at which such a resolution is passed, a notice shall have been despatched to the Member, by recorded delivery, at the address shown in the register of Members, stating the nature of the resolution and the time and place at which it will be considered, and intimating that the member may attend and, before such resolution is passed, give orally or in writing such explanation or defence as the Member may think fit. Alternatively the Executive Committee may suspend a Member for such period and on such terms as the Committee shall think appropriate. The Committee may, if they think fit and so specify in the notice, debar a member liable to expulsion from using Club premises pending consideration of such resolution. A Member expelled under this rule shall forfeit all rights in and claims upon the Club and its property. The vote on a resolution for expulsion shall be by ballot and the resolution shall be carried if not less than three-quarters of the Members of the Committee vote in favour of the resolution.

Appeal against expulsion may be made to the members in General Meeting

13. Every Member of the Club undertakes to contribute to the assets of the Club in the event of its being wound up during the time that he is a Member, or within one year afterwards, for payment of the debts and liabilities of the Club contracted before the time at which he ceases to be a member, such amount as may be required not exceeding £0.25p.
14. Every Member shall notify the Membership Secretary of his address, and all notices required by these Rules to be sent or given to Members shall be deemed to have been duly sent or given by sending it by post in a pre-paid letter to the Member at his registered address, or by posting it in a conspicuous place in an appropriate part of the club premises.

## **FEES**

15. Entrance Fee: An entrance fee of such sum and in respect of such categories of Member as the Annual General Meeting may prescribe becomes due upon election to the Club.
16. Annual Subscription: Members, other than Associate, Honorary and Honorary Life Members who are exempt, shall pay annual subscriptions of such sum as the Membership at a General Meeting may prescribe. Members, who have been through the Academy training scheme may, in the following subscription year only, be entitled to a reduction in the annual subscription of such sum as the Membership at a General Meeting may prescribe. Any changes, if passed by a majority vote of the Members present, shall become operative from the day following that meeting. Details shall be prominently displayed on the Club Notice Board. All Members shall pay their first annual subscription upon election to the Club. At their first renewal they will pay a fee pro rata to the number of months elapsing between the month of their election and the first day of February and thereafter their renewal will fall on the first day of February.
17. Boat Berth Fee: A boat berth fee of such sum and in respect of such categories of boats as the Annual General Meeting may prescribe becomes due upon election to the Club and thereafter on the anniversary of the member joining the Club.
18. Temporary Members may from time to time be admitted by the Executive Committee at such subscription (with or without entrance fee) as the Committee may prescribe. Their names shall be prominently displayed on the Club Notice Board.
19. The Executive Committee may make provision for payment of subscription and other fees by instalment.
20. Except for Social, Junior and cadet Members, prompt Membership renewal will benefit from a discount on the subscription due if paid or arranged on their Renewal Date or a lesser discount if this occurs one month later. Such discounts shall generally be 10% and 5% respectively but the Executive Committee may adjust these figures to ensure that whole number fees are levied. New Members will be entitled to the full discount on first joining the Club. If payment has not been received, or arranged, after three months from the Renewal Date, the membership will be deemed to have lapsed and rejoining will be necessary. No Member shall be entitled to exercise any rights or privileges of

Membership until an entrance fee (if any) and full subscription for that year have been paid or payments arranged.

## **OFFICERS**

21. The Officers of the Club shall consist of a Commodore, a Vice Commodore, a Rear Commodore, a General Secretary and the Treasurer. They shall be elected by the Annual General Meeting in each year to hold office until the conclusion of the next Annual General Meeting. The retiring Officers shall be eligible for re-election. The Commodore, Vice Commodore, Rear Commodore, General Secretary and Treasurer for the time being, shall be Directors of the Company.
22. The Club may from time to time in General Meeting elect a President and up to two Vice Presidents to hold office for three years. They shall be eligible for re-election. These offices shall not confer privileges beyond those of an Individual Member.

## **COMMITTEES**

23. The Commodore, General Secretary and Treasurer shall be Ex-officio members of all Committees.

The following Committees shall conduct the affairs of the Club:-

Executive Committee consisting of:-

Commodore, Vice Commodore, Rear Commodore, General Secretary and Treasurer and two Club Members.

Sailing Committee consisting of:-

Vice Commodore (Chairman), Sailing Secretary, Assistant Sailing Secretary, Boatswain, RYA Training Officer, three Club Members and one Junior Member.

Sail Training Sub-Committee consisting of:-

Vice Commodore (Chairman), Sailing Secretary, RYA Training Officer and Instructors co-opted by the Sailing Committee.

House Sub-Committee consisting of:-

House Secretary (Chairman) and two Club Members.

Bar Sub-Committee consisting of:-

Bar Secretary (Chairman) and two Club Members.

Social Sub-Committee consisting of:-

Social Secretary (Chairman) and two Club Members.

24. All Committees may co-opt additional Members subject to the Executive Committee's agreement.
25. Proper minutes shall be made of the proceedings of all Committee and Sub-Committee Meetings. Such minutes to be signed by the Chairman of the next succeeding Meeting.

## **DUTIES OF OFFICERS AND COMMITTEES**

### **THE EXECUTIVE COMMITTEE**

26. The Executive Committee shall manage the affairs of the Club according to the Rules and shall apply the assets of the Club to the Objects of the Club. In particular the Committee shall ensure that the property and funds of the club will not be used for the direct or indirect private benefit of members other than as reasonably allowed by the rules and that all surplus income or profits are re-invested in the club. The Committee shall make such bye-laws and regulations as they think fit as to the management of the Club or its premises.
27. The Executive Committee shall meet at least nine times a year. Special Meetings of the Executive Committee may be convened at the request of any Officer or any Committee Member, not being an Officer, by notice served in reasonable time upon the members of that Committee.
28. At the first Executive Committee meeting after the Annual General Meeting, the Committee shall decide the following financial limits:
  - a) The spend limit that four or more Members of the Executive Committee may make for emergency expenditure. Such spend shall be justified at the next meeting of the Executive Committee;
  - b) The total financial limits that the various Committees can spend each month;
  - c) The level of the Club's liquid reserve.
29. The Commodore shall be responsible for the general direction, development and management of the Club and shall ensure that its activities are conducted in the spirit of the Club rules. He shall take the chair of the Executive Committee.
30. The Vice Commodore shall assist the Commodore as directed and take command in his absence. In particular he shall be responsible for the organisation and management of all sailing activities of the Club, including the provision and maintenance of motor boats, communications, beach facilities etc.
31. The Rear Commodore shall assist the Commodore as directed and shall take command in the absence of the Commodore and Vice Commodore. In particular he shall be responsible for the organisation and management of all domestic, social and other activities of the Club including the maintenance of the Clubhouse and its contents. He shall be responsible for the provision and general running of the Galley and Bar.
32. The General Secretary shall produce typed or printed Minutes of proceedings of the Executive Committee and of General Meetings and shall maintain other records of the Club as directed. He shall make appropriate arrangements for General Meetings of the membership. He shall assist the Officers as directed with the general conduct of Club management and be responsible for the detail of its procedures.
33. The Membership Secretary shall be responsible to the General Secretary for processing new applications for membership. In collaboration with the General Secretary and the Treasurer he shall maintain a register of names and addresses of Members in each class of



Membership. The Communication Secretary shall be responsible to the General Secretary for all matters of internal and external advertising.

34. The Treasurer shall be responsible for keeping a complete and accurate account of the Club's finances. The books of account shall be open to inspection by the Executive Committee and Club Members at all reasonable times.
35. The income from revenue shall be kept by the Treasurer under the supervision of and in such place and manner as shall be determined by the Executive Committee. The Committee shall have the power to expend the income from revenue in such manner as these Rules and the Objects of the Club allow.
36. The Treasurer shall maintain the insurance policies of the Club as directed by the Executive Committee and shall report to the Annual General Meeting on the insurance held by the Club.
37. The Committee shall ensure that the Club is adequately insured against all reasonable risks, namely that:-
  - I. All buildings are insured for full re-installment value at all times.
  - II. The contents of all buildings are insured for full re-installment value to include fixtures, fittings, Club property, canteen and bar stocks.
  - III. Members of the Club engaged in duties or activities on behalf of the Club, e.g. motor boat crews, beach parties, canteen and bar staff are adequately protected against third party liability.
  - IV. The Club motor boats and their equipment are insured.
  - V. Public Liability and employers liability insurance is maintained.
38. A Member of the Committee and the General Secretary or Treasurer, in transacting business for the Club, shall disclose to third parties that he is so acting.
39. No Member shall incur expenditure on behalf of the Club without prior approval of the Executive Committee except for minor items paid from petty cash. Minor items must be authorised by the Officers authorised to hold petty cash before the expenditure is incurred.
40. Withdrawals from the Club's accounts and contractual agreements shall be signed by at least two nominated Officers of the Club.
41. The Committee, or General Secretary as agent for the Club and its Members, shall enter into contract only so far as they are expressly authorised, or authorised by implication, from these Rules. Neither the Committee nor the General Secretary shall, without the express authority of the Membership, pledge the credit of the Membership beyond the annual subscription payable by such Membership, in accordance with Rule 42 hereof.
42. 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 by the General Secretary on behalf of the Club wherever the contract is of a duly authorised nature and entered into on behalf of the Club. The limit of a Member's indemnity in this respect shall be a sum equal to one year's subscription at the then current rate unless the Committee has been authorised otherwise.

## **THE SAILING COMMITTEE**

43. The management of sailing and racing shall be entrusted to a Sailing Committee comprising the Vice Commodore, Sailing Secretary, Assistant Sailing Secretary, Boatswain, three Club Members and a Junior Member. The Sailing Committee shall have full control of the beaching of boats, and all matters affecting racing, including handicapping and the use of motor boats and shall discharge all powers and duties imposed on Sailing Committees by the racing rules of the International Yacht Racing Union and Royal Yachting Association.
44. The Sailing Secretary shall be responsible to the Vice Commodore for all aspects of sailing in accordance with the applicable Club rules or any laws, bye-laws, regulations etc., relating to the Club's activities ashore or afloat.
45. The Boatswain shall be responsible to the Vice Commodore. His duties shall comprise: the maintenance of motor boats and associated equipment used for sailing, provision of fuel, provision of instruction in the use of motor boats, maintenance of the winch house equipment and other duties which the Sailing Committee may from time to time prescribe.
46. At the discretion of the Sailing Committee, there shall be an annual boat owners meeting. Voting at this meeting shall be on the basis of one vote each for the helm and crew of a registered two-man dinghy and one vote for the helm of a registered single handed dinghy.
47. The Sailing Committee may classify boats for racing and may from time to time recommend to the Membership the number of boats of any class which may be permitted. The Sailing Committee may conduct spot checks on boats. All occupants of boats whilst afloat must wear adequate personal buoyancy correctly.
48. The Sailing Committee shall allocate space for parking boats. Members shall be responsible for securing boats against storm damage or damage to other parked boats.
49. No Rule.
50. It is a condition of Membership that all boats shall be equipped and used to the satisfaction of the Sailing Committee and in accordance with the sailing instructions for the time being published by the Committee.
51. The Sail Training Sub-Committee shall be responsible to the Sailing Committee for all aspects of RYA approved Sail Training at the Club.
52. An Officer of the Day shall be appointed by the Sailing Committee to cover all dates in the sailing programme. He has full authority to control all sailing activities and to enforce any safety precautions he may consider necessary. The details of the Officer of the Day's duties shall be specified in writing by the Sailing Committee.
53. The sailing rules under which all races shall be held shall be those of the International Yacht Racing Union and the Royal Yachting Association unless otherwise ordered by the Sailing Committee.

54. The Executive Committee may make, alter or repeal sailing regulations as recommended by the Sailing Committee which shall be binding on Members unless rescinded by the Club in General Meeting.
55. The Sailing Committee shall undertake such other duties as the Executive Committee shall direct.

### **THE HOUSE COMMITTEE**

56. The management of the Clubhouse shall be entrusted to a House Committee comprising Rear Commodore, Social Secretary, Bar Secretary, House Secretary. The House Committee's responsibilities shall include the maintenance of the Clubhouse and its fittings and equipment, the management of refreshment facilities and the organisation of all social activities. The House Committee shall undertake such other duties as the Executive Committee shall direct.
57. The Social Secretary shall assist the Rear Commodore, as directed, in all social and domestic matters.
58. The House Secretary shall be responsible to the Rear Commodore for all aspects of house maintenance.
59. The Bar Secretary shall be responsible to the Rear Commodore for the efficient day to day operation of the bar facilities. 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 General Secretary or 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.

### **SUPPLY OF INTOXICATING LIQUOR**

60. The purchase and supply by the Club of intoxicating liquor shall be exclusively controlled by the House Committee. It shall not enter into any agreement binding the Club to purchase intoxicating liquor from any one person or in any way part with its absolute control and that of Club Members of the supply of intoxicating liquor to the Club in accordance with the Licensing Acts. 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.
61. Intoxicating liquor may only be sold to or for consumption on the premises by persons 18 years of age or over, who are entitled to the use of the premises of the Club in pursuance of the Rules. No person under the age of 18 may purchase or attempt to purchase intoxicating liquor within the Club premises. Subject as aforesaid Junior, Cadet and Under 14 Members shall be entitled to the full amenities of the Club. The Executive Committee, in conjunction with the Licensee shall authorise which of the permitted hours granted by the licensing authority will be used by the Club at any given time.

## **VOTING ON COMMITTEES**

62. Each Member of the Executive Committee and Sailing and House Committees including co-opted Members shall have one vote. In the case of equality of votes the Chairman shall have a second vote which shall be the casting vote. Four Committee Members, including at least one Officer, shall constitute a quorum except for the House Committee where three Committee Members shall be sufficient.

## **AUDITORS**

63. At the Annual General Meeting in each year, properly qualified Auditors shall be appointed whose duty it shall be to audit the accounts of the Club for the current year. In the event that they are unwilling or unable to act the Executive Committee shall appoint a properly qualified substitute to hold office until the next General Meeting.
64. A copy of the audited accounts for the year shall be prominently displayed in the Club premises for at least twenty one days immediately prior to the Annual General Meeting and copies shall be circulated with the Agenda of the Annual General Meeting. The audit certificate shall be displayed and be available for inspection at the Annual General Meeting.

## **ELECTION OF COMMITTEE MEMBERS**

65. The Officers and Committee Members shall be elected by the Club in General Meeting to hold office until the conclusion of the next Annual General Meeting. Members under the age of 18 shall not be eligible for election to either the Executive Committee or Bar sub-committee.
66. Candidates for election to the Committee shall be those Members of the retiring Committee who may 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 and signed by the Candidate signifying his willingness to be elected shall have been sent to the General Secretary at least fourteen days before the date of the Annual General Meeting or entered in an appropriate notice displayed on the Club notice board.
67. If the number of candidates, duly proposed and seconded, exceeds the number of vacancies to be filled, the election shall be by a ballot of the Members present at that Annual General Meeting and entitled to vote. 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.
68. In the event of there being only one nominee for any one office or the correct number of nominees for election to any Committee, no vote will be taken at the General Meeting and those nominated will automatically be considered to have been elected to the post for which they were nominated.
69. In the event of there being insufficient nominations for election to any Committee, those

nominated will automatically be elected as Members of that Committee. The Chairman of the Meeting shall invite the Meeting to make further nominations for the remaining vacant positions on that Committee. Provided that the Members thus nominated accept nomination a Ballot vote for their election shall then be taken if the number or further nominees exceeds the number of positions on the Committee remaining to be filled. Otherwise those further nominated will be automatically elected to that Committee, subject to no objection being raised by the Meeting.

70. The Members may by resolution remove any Member of the Committee before the expiration of his period of office and may appoint another qualified Member in his stead; but any person so appointed shall retain his office so long only as the Member in whose place he is appointed would have held the same if he had not been removed.
71. If an unforeseen vacancy occurs by death or resignation the Executive Committee may appoint a member to fill the vacancy.

## **GENERAL MEETING**

72. An Annual General Meeting shall be held at the Clubhouse, on a date to be fixed by the Executive Committee. Not more than fourteen months shall elapse between the date of one Annual General Meeting of the Club and that of the next. At least forty-two days notice shall be given by means of an appropriate notice displayed on the Club Notice Board.
73. The General Secretary shall, at least twenty one clear days before any General Meeting, send to every member a notice stating the time and place it will be held and the business that will be brought before it, together with, in the case of an Annual General Meeting, a copy of the audited balance sheet.
74. Twenty-five Voting Members shall constitute a quorum at any General meeting. In the event of a quorum not being present at an Annual General Meeting, the meeting shall be declared void and the Committees and Auditors shall be deemed to be re-elected. If within half-an-hour from the time appointed for the holding of a General Meeting, a quorum is not present, the Meeting shall be dissolved.
75. At all General Meetings the chair shall be taken by the Commodore or the President or by some Member of the Executive Committee, or in the event of resignation of the Executive Committee or unavailability of the foregoing, someone of those present shall be chosen by the Meeting.
76. Every Motion (unless otherwise expressly provided by these Rules) shall be decided by a majority of votes. These votes may be taken by a show of hands or by a ballot and in the case of equality of votes, the Chairman shall have the casting vote.
77. At any Meeting a declaration by the Chairman that a Resolution has been carried by a particular majority, or not carried by a particular majority, shall be conclusive.
78. Any ten voting Members at a meeting may demand a ballot. It shall be taken by post, and the result shall be deemed to be the Resolution of the Meeting at which the ballot is demanded. No ballot shall be demanded on the election of a Chairman of a Meeting or on

any question of adjournment. The demand of a ballot shall not prevent the continuance of a Meeting for the transaction of any business other than the question on which a ballot has been demanded. The demand for a ballot may be withdrawn.

79. No business, except the passing of the Accounts and the election of the Officers, Committee, Auditors and any business that the Executive Committee may order to be inserted in the notice convening shall be discussed at such Meeting unless notice thereof be given to the General Secretary at least twenty-eight days before the date of the Annual General Meeting.
80. The Executive Committee may at any time, upon giving twenty one clear days notice 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 Meetings shall be confined to the business stated on the notice sent to Members.
81. The Chairman may, with the consent of any Meeting at which a quorum is present (and shall if directed by the Meeting), adjourn the Meeting from time to time and from place to place, but no business shall be transacted at any adjourned Meeting other than business which might have been transacted at the Meeting from which the adjournment took place. Whenever a Meeting is adjourned for thirty days or more, notice of the adjourned Meeting shall be given in the same manner as of the original Meeting. Save as aforesaid the Members shall not be entitled to any notice of an adjournment or of the business to be transacted at an adjourned Meeting.
82. The accidental omission to give notice of a Meeting to, or the non-receipt of such notice by any person entitled to receive notice thereof shall not invalidate any resolution passed or proceedings had at any Meeting.
83. The Executive Committee shall also call a General Meeting after the General Secretary has received a written request by at least ten voting Members. This written request shall state the reason for the request.
84. At a General Meeting of the Club, or in a Postal Referendum, providing the appropriate subscription and entrance fee (if any) is fully paid, voting shall be as follows:-

An Individual Member or Young Adult Member	1 vote
Family Membership 18 years of age or over	2 votes
One Member 18 years of age or over of a Group Membership	1 vote
85. Junior, Cadet, Under 14, Board sailing, Social, Associate, Temporary, Honorary Life and Honorary Members shall not be entitled to a vote, but shall be entitled to attend and speak at a General Meeting.
86. To be eligible to vote Members must be present (save in a Postal Referendum). No proxy votes are eligible at a General Meeting.
87. In the case of joint holders (e.g. Group Membership) the vote of the senior member who tenders a vote shall be accepted to the exclusion of the votes of the other joint holders, and seniority shall be determined by the order in which names of the holders stand in the register of members.
88. The Executive Committee may conduct a Postal Referendum of the voting Membership at

any time to seek Members votes on a specific resolution. The Referendum papers shall state the issue for members to vote upon, who will be acting as scrutineers and where the results of the Referendum will be published. To be valid, completed Referendum papers must be returned to the scrutineers within twenty-one days of the Member receiving such papers. (Rule 103 regarding postal time shall apply) The result of the votes cast shall be as valid and effectual as if the resolution had been put at a General Meeting.

## **GUESTS**

89. Any Member may introduce as his guest any person, provided that person has not been rejected for membership of the Club and that the Member so introducing enters the name and address of the said guest in a book kept for such purpose and at no time leaves the Club premises whilst the said guest is thereon. No Member may introduce more than five guests at any one time. No guest may make more than three appearances in any one year except as hereinafter provided.
90. Any person not a Member of the Club, who is a competitor or crew member in any race sponsored by or on behalf of the Club, or a competitor or crew member's bona-fide guest, is entitled to the use of the Club premises both during and within a period of twenty-four hours before and after the event in which they are competing if so authorised by a member of the Executive Committee.
91. The General Secretary or any person who has received the authority of two Members of the Executive Committee, may expel temporarily or permanently any person who has the right to the use of the Club premises only under Rules 90.

## **NEW RULES, AMENDMENTS AND ALTERATIONS**

92. These Rules may be altered or repealed or new Rules may be made at General Meetings or at an Extraordinary General Meeting duly summoned for that purpose.
93. Notice of any alteration or addition to the Rules intended to be proposed by a Member of the Club or by the Executive Committee shall be given to the General Secretary in writing at least thirty-five days before the same is to be proposed at the Annual General Meeting or any Extraordinary General Meeting. Full particulars of any such proposed alterations or additions shall be set out in the notice convening the Meeting given to Members twenty-one clear days before that meeting.
94. All such proposed alterations or additions and any amendments to them which may be proposed and seconded shall be put to the vote at the Meeting. The Resolution, with or without amendment, shall be incorporated in these rules provided a majority of not less than 75% of those voting Members present vote in favour of the Resolution (with or without amendments). Provided that no such change shall jeopardise the club's status as a Community Amateur Sports Club within the meaning of the Finance Acts, or in any event alter its objects or winding-up provisions.

## MISCELLANEOUS

95. Limitations of Liability. Members of the Club and their guests or visitors use the Club premises, boats, moorings and other facilities provided by the Club entirely at their own risk and impliedly agree to and accept the following limitation of liability:

The Club will not be responsible for any damage to or loss of property belonging to members, their guests or visitors, nor will the Club accept liability for personal injury sustained by Members, their guests or visitors arising out of the use of the Club premises, the Club boats (or any other facilities provided by the Club) or participation in any event organised by the Club, whether or not such damage or injury shall be occasioned by the neglect, default or negligence of any of the Officers, Committee or servants of the Club.

96. The Club's insurance policies do not cover Members or their property against any risks, except as provided for under Rule 37 (iii). It shall be the responsibility of individual Members to effect their own adequate insurance cover.
97. Clubhouse keys may only be issued to Adult members of the Club at the discretion of the Executive Committee. They must not be lent to non-members.
98. A Member may retire from Membership at any time by giving to the Secretary one week's notice thereof and surrendering his key, and any other Club property. No refund of subscriptions shall be made on resignation.
99. A Member on resignation from the Club shall, within one month, remove all his property including boats, spars and sails, from the Club premises and rented beaches. Property not so removed may be disposed of at the Executive Committee's discretion. A Member keeping a boat in a Club berth does so on the understanding that he uses the boat with reasonable frequency. If at any time any fees payable to the Club by any member or former member shall be three months or more in arrears: (i) The Committee shall be entitled to move the boat to any other part of the premises without being liable for any loss of or damage to the boat howsoever caused. (ii) The Committee shall be entitled upon giving three months notice in writing to the member or former member, at his last known address shown in the register of members, to sell the boat and to deduct any monies due to the club (whether by way of arrears of subscription, boat berthing or facility fees or otherwise) from the net proceeds of sale before accounting for the balance (if any) to the member or former member. (iii) Alternatively, any boat which, in the opinion of the Committee cannot be sold may, upon such notice as aforesaid, be disposed of in any manner the Committee may think fit and the expenses recovered from the member or former member. Any arrears as aforesaid shall be deemed to be a debt owing to the club by the member or former member.
100. The Club premises may not be used for the purposes of gambling other than raffles, lotteries or other activities duly authorised by the Executive Committee to raise funds for the Club or approved charities.
101. The Club room may be hired for a private party by a Member of the Club subject to the House Committee being satisfied of the legality and proper nature of the party. No approval may be given to any activity likely to be detrimental to the good name and image of the Club. The House Committee shall determine the condition of hire and appropriate fees, but at no time may other Club Members be denied normal access to



Club facilities. Attention of Club Members hiring the Club room is drawn to Rule 96 concerning insurance. In addition the hirer shall undertake to pay for or make good any loss or damage to Club property or stock.

102. Animals are not permitted in the Clubhouse, except a guide dog for a blind person.

103. Any notice, if served by post, shall be deemed to have been served on the day following

that on which the letter containing the same is put into the post, and in proving such service it shall be sufficient to prove that the letter containing the notice was properly addressed and put into the post office as a pre-paid letter.

104. Smoking is prohibited in all areas of the club premises except for the front patio and the boat park.

### **DISSOLUTION OF THE CLUB**

105. 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. The Committee shall dispose of the net assets remaining to one or more of the following:

- (i) to another club with similar sports purposes which is a charity and/or
- (ii) to another club with similar sports purposes which is a registered CASC and / or
- (iii) to the sport's national governing body for use by them for related community sports.

### **DOCUMENT PRECEDENCE**

106. These rules are derived from the Memorandum and Articles of Association of Eastbourne Sovereign Sailing Club Limited. The Memorandum and Articles of Association have precedence and nothing in these rules shall contradict those documents.