

# Club Rules as amended at the 2016 AGM

## **1 Name and Purposes of the Club.**

The Club shall be known as “St Denys Sailing & Rowing Club”.  
(hereinafter referred to in these rules as The Club.)

The purposes of The Club are:

to promote and facilitate the enjoyment of a broad range of small boating activities including but not exclusively, rowing, canoeing, kayaking, dinghy sailing, coastal cruising, motor boating.

to provide suitable boats and facilities and make these easily accessible to its members.

to maintain a relaxed and informal atmosphere which is family friendly, accessible and affordable for all the community.

## **2.Trustees.**

There shall be four Trustees appointed by an Annual General Meeting in whose names the property and assets of the Club shall be held or invested. After appointment a Trustee shall continue in office without being required to stand for re-election, but may at any time resign the appointment. A Trustee may only be removed from office by resolution of an Annual General Meeting passed by three quarters of the membership.

The Trustees shall be the persons to sue or be sued on behalf of the Club. The Trustees and their executors, administrators, estates, and effects shall be and are hereby indemnified out of the assets of the Club from and against all losses, charges, damages, and expenses which they may incur or sustain when acting on behalf of The Club on the authority of the Committee.

The Trustees may attend all meetings of The Management Committee and take part in any discussion on any matter brought before The Committee but shall not be entitled to vote thereon,

except in regard to any matter relating to the investment of The Club funds.

### **3. Not For Profit Clause.**

The Club is a Not for Profit Organisation. 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 and that all surplus income or profits are re-invested in the Club.

### **4. Dissolution Clause**

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;

- A registered charity to be nominated by the Committee at the time of dissolution.
- Another club with similar sports purposes, to be nominated by the Committee at the time of dissolution.

### **5. Annual General Meeting.**

An Annual General Meeting (AGM) of The Club shall be held during the month of March on a date to be fixed by the committee. The Agenda for the AGM and the Accounts for the preceding year made up to 31st December shall be published and issued to the members not later than fourteen days previous to the date of the AGM.

Propositions for inclusion on the Agenda for the AGM [other than propositions emanating from the Committee] shall be in writing, signed by the proposer and a seconder and submitted to the Secretary by not later than the first Monday in February in each year. The Chairman at the AGM shall not be required to place before the meeting any matter not appearing on the Agenda in accordance with the foregoing but at his sole discretion may do so if the matter appears to be in the best interest of the members.

At the AGM in each year the members present shall elect the officers of the Club;

President, Treasurer, Secretary, Membership Secretary, Captain. These officers together with seven other members also elected at the AGM shall be the Club Management Committee [elsewhere in these rules referred to as The Committee]”.

The annual subscription for all members and the entrance fee for new members shall be decided by the AGM. Annual subscriptions shall become due for payment on 1st April each year. The Committee shall have power to remit any part of the annual subscription in the case of membership starting after 1st April in any year.

On the recommendation of The Committee an AGM may elect as Honorary Life Members, without payment of any further subscription, any member who has in the opinion of the Committee rendered extraordinary service to the Club.

Special General Meetings of the members may be called by resolution of the Committee or shall be called upon the written requisition of not less than twenty members.

The President shall preside over all General and Committee meetings but, in the event of their inability so to do, the members present at such meetings shall proceed to elect a Chairman. At all meetings the Chairman shall have a casting or additional vote in the event of an equality of votes.

At Annual and Special General Meetings not less than ten members shall be present to form a quorum. In the event of less than ten members being present within one half-hour of the time set for the commencement of an Annual General Meeting, the meeting shall be adjourned for fourteen days. At the adjourned meeting such number of members as may be present may proceed to deal with all the items on the Agenda of the Annual General Meeting, subject to there being present not less than five Officers. In the event of less than ten members being present within one half-hour of the time set for the commencement of a Special General Meeting, the President or any Officer acting on behalf of the President may

determine whether to proceed with the Agenda or abandon the meeting.

## **6. Management Committee.**

The Committee shall meet monthly on a date to be decided by The Committee [five to form a quorum] and shall be responsible for the management of The Club, to which end The Committee shall formulate rules and procedures, hereinafter referred to and generally known as The Boating Code, for the use and upkeep of all Club property and for the conduct and benefit of members. The Boating Code shall not form part of these Rules and may be amended, revised, adapted, or rescinded at any time by The Committee without reference to a General Meeting. The Committee shall cause The Boating Code and any amendments thereto to be prominently displayed on the Club notice board and all the members shall abide by the same.

The Committee shall be empowered to employ a Solicitor and an Auditor to act on behalf of the Club.

The Committee shall arrange appropriate banking facilities in the name of The Club. Three committee members including the Treasurer shall be mandated to operate the bank accounts. All cheques issued on these accounts will require two signatures. The Committee will be responsible for auditing the bank accounts from time to time.

In the event of the death or resignation of any Officer during the period between one AGM and the next, The Committee shall be empowered to elect any one of their number to fill the Office for the remainder of the period.

The Committee shall be empowered to co-opt any member of the Club to fill any vacancy which occurs on the committee between one AGM and the next.

## **7.Membership.**

The membership of the Club shall be composed of persons aged eighteen years and over whose admittance to membership shall be conditional upon completion of an application form approved by The Committee and payment of the specified entry fee and subscription. The Committee may require the applicant to attend the meeting at which the application is to be considered. The decision of the Committee shall be final and the Committee shall not be required to state reasons for refusing to accept any candidate for membership.

Membership of the Club shall be open to anyone on application, regardless of sex, disability, ethnicity, nationality, sexual orientation, religion or other beliefs. Membership may however be limited according to available facilities on a non discriminatory basis.

The Club will develop and maintain a Safeguarding Policy to ensure the protection of Children and Vulnerable Adults. The publication and implementation of this policy will be the responsibility of The Management Committee.

All members shall pay the joining fee and their first annual subscription within one month of election to the Club and thereafter on the first day of April in each year.

All members shall furnish the Membership Secretary with an up-to-date address which shall be recorded in the membership list and any notice sent to such address shall be deemed to have been duly delivered.

A member using the Club premises or Club property shall produce a valid Club membership card if and when requested by any Officer or Committee member.

Club Members using boats may be accompanied by children under the age of eighteen providing the member takes full responsibility for their safety and well being.

Club Members using boats may invite guests over the age of eighteen subject to the member being responsible for the conduct of these visitors. No individual visitor should use the club more than five times in each year.

The Committee or any Sub-Committee so authorised by the Committee may require any member to attend before it to explain or justify any action of that member thought by the Committee to be detrimental or prejudicial to the interests of the Club and in the event of any breach of the Management Code or any other serious misdemeanour the Committee may suspend the membership of any member for such period as the Committee may decide or until the next AGM when the Committee may ask for the expulsion of the member. Pending a meeting of the Committee the Captain shall have the power to temporarily suspend a member. Members under suspension or not in compliance with these Rules or any section of the Management Code including non-payment of subscription or visitors fees shall not be permitted to enter the Club premises or use any Club property.

Members wishing to retire from the Club should inform the membership Secretary in writing and return their key.

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

The Members acknowledge that these Rules constitute a legally binding contract to regulate the relationship of the members with each other and the Club.

### **8.Limitation of Club Liabilities.**

All reference to The Club in this rule shall mean each and every member of the Club from time to time.

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 as far as expressly authorised or authorised by implication, by the members. No one shall, without the express authority of the membership in General Meeting, borrow money or incur debts on behalf of the Club or its membership.

The Committee shall endeavour to ensure that the following clause is incorporated in every contract, lease, licence or other agreement entered into by the Committee and/or Trustees of the Club, as appropriate.

“The liability of the Trustees, Officers and Committee 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.”

Members of the Club may use the Club premises and any other facilities of the Club entirely at their own risk and impliedly accept;-

The Club will not accept any liability for any damage or loss of property belonging to members.

The Club will not accept any liability for personal injury arising out of the use of the Club premises, any other facilities of the Club either sustained by members or caused by the said members 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, Trustees or Servants of the Club.

No alteration or amendment to these Rules shall be valid unless placed before an Annual General Meeting and carried by a majority of the members present at that meeting.

These Rules and Constitution adopted by the Annual General Meeting of The Club. March 2016.