

# FLUSHING SAILING CLUB RULES

These Rules are a supplement and clarification of the Flushing Sailing Club Constitution of our Charitable Incorporated Organisation and all references to Clauses refer to this.

## ABBREVIATIONS

Club	Flushing Sailing Club
AGM	Annual General Meeting
SGM	Special General Meeting
Committee	The Management Committee
CIO	Charitable Incorporated Organisation

## SECTION 1 - NAME AND OBJECT

### 1 NAME

The name of the Club shall be Flushing Sailing Club.

### 2 OBJECT

See Clause 3

## SECTION 2 – OFFICERS AND CHARITY TRUSTEES

### 3 OFFICERS AND CHARITY TRUSTEES

- a The Officers and Charity Trustees of the Club can be any Member of the Club, except children of Family Members, Associate Members and Outport members. They shall consist of:

Non-executive President:

Charity Trustees:

There will be no fewer than 3 and no more than 11 Charity Trustees. Charity Trustees may also hold one of the following positions.

Flag Officers:

Commodore

Vice-Commodore

Rear-Commodore

Officers:

Secretary

Treasurer

Sailing Secretary

Membership Secretary

- b Appointment of Charity Trustees see Clause 13.

- c Officers and Charity Trustees shall be elected at the AGM, and shall hold office for one year. All Officers shall be eligible for re-election, but the Commodore and Charity Trustees should retire at the end of their third successive year. Nominees for the post of Commodore shall be:

- i Any of the other retiring Flag Officers.
- ii Any Member who has previously been a Flag Officer.
- iii Any Member who has served on the Committee for any three years.

### 4 DUTIES OF CHARITY TRUSTEES

- a See Clause 12.

### 5 DUTIES OF FLAG OFFICERS

- a Commodore: The Commodore shall be Chairman of the Committee and shall be responsible for every aspect of the Club's management and ensure the overall efficient functioning of the Club in accordance with the rules and wishes of the Membership.

- b Vice-Commodore: The Vice-Commodore shall act as the Commodore's deputy and have overall responsibility for Club sailing activities and domestic issues in the management of the Club.
- c Rear-Commodore: The Rear-Commodore shall be responsible to the Committee for all aspects of the Club's house activities.

#### 6 DUTIES OF SECRETARY

The Secretary shall:

- a Conduct the correspondence of the Club.
- b Keep custody of all the Club's historic documents.
- c Keep full minutes of all meetings of the Club and the Committee, which shall be confirmed and signed by the appropriate Chairman upon the agreement of the Club or the Committee at the next meeting of the Club or the Committee.
- d Ensure that the Club's affairs are managed in accordance with current law.

#### 7 DUTIES OF TREASURER

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, certificates or registrations as may be required by law to be rendered at the due time.
- c Follow procedures of Clause 25.
- d Administer such insurance policy or policies as may be needed to fully protect the interests of the Club, its Officers and its Members.

#### 8 DUTIES OF THE SAILING SECRETARY

The Sailing Secretary shall:

- a Keep the minutes of any Sailing Sub-Committee meetings.
- b Be responsible for the administration of all aspects of the Club's sailing activities.

#### 9 DUTIES OF THE MEMBERSHIP SECRETARY

The Membership Secretary shall:

- a Keep a register of Club Member's contact details including addresses, phone numbers and where possible email addresses.
- b Conduct all administration relating to new and existing Members.
- c Assist with Club promotions and Open days.
- d Ensure that all Members are communicated with appropriately.

#### 10 DUTIES OF THE REPORTING ACCOUNTANT

The Reporting Accountant shall:

- a Be appointed at the AGM each year.
- b Audit the accounts of the Club when called upon to do so and shall give such certificate of assurance as to the accuracy of the said accounts as shall be required by law and the CIO Constitution.
- c Not be a Member of the Committee or any Sub-Committee of the Club.

### SECTION 3 – MEMBERSHIP

#### 11 MEMBERSHIP

- a Membership of the Club shall be open to anyone interested in the sport of sailing regardless of sex, disability, ethnicity, age, nationality, sexual orientation, religious or other beliefs.
- b Boat ownership is not a requirement of membership.

#### 12 MEMBERSHIP CATEGORIES

There shall be the following categories of membership.

SINGLE	A person who, at the date of election is over the age of eighteen.
FAMILY	One or two co-habiting adults living at the same address, who at the date of election are over the age of eighteen and any children of their immediate family who are twenty five years old or less.
PENSIONER	A person over the age of 70.
PENSIONER FAMILY	Two co-habiting adults living at the same address, both of whom are over the age of 70.
OUTPORT	A person domiciled beyond the county boundaries.
LIFE	A person who shall be nominated and elected in the manner described in Rule 34.
ASSOCIATE	Any member of the RYA or a member of any Club affiliated to the RYA, or where affiliation has been agreed by the Committee.

### 13 MEMBERSHIP RIGHTS

All Members shall have full use of all the Club facilities.

### 14 VOTING

With the exception of decisions that must be taken in a particular way as highlighted in Clause 10, all Members shall be entitled to vote at all meetings of the Club except Members under 18 years old, children of Family Members and Associate Members. At present FSC does not support either electronic voting or postal voting.

### 15 SUBSCRIPTIONS

The Management Committee of the Club is permitted to increase the subscriptions for the following year at their discretion to become operative on the first day of January in the following year. Any proposal from Members relating to subscriptions and voted on and agreed by the majority at the AGM shall not take effect until the first day of January in the year following. The current rates of subscription shall be prominently displayed in the club premises.

### 16 CONTACT DETAILS

Every Member shall furnish the Membership Secretary with up-to-date contact details, which includes postal address and where possible email address, which, will be recorded in the Register of Members, solely for the purposes of Club business. Any Club notices sent to such addresses shall be deemed to have been duly delivered.

### 17 NEW MEMBERS

- a Application for membership shall be in the form, from time to time, prescribed by the Committee and shall include the name and contact details of the candidate(s), including address, phone number and where available email address(es). Names and date of birth should also be given of children included within the Family Membership.
- b New Members shall pay their first annual subscription to the club on application and thereafter, on the first day of January in each year. They shall be deemed Members and have full rights and privileges 48 hours after their application and payment has been received.
- c If a new Member shall join the Club after the 31st August in any year, the subscription payable shall cover membership until the 31st of December of the following year.
- d All new Members will be furnished with a copy of the Club CIO Constitution, Rules and Byelaws.

## 18 RESIGNATION OF MEMBERS

See Clause 9.

## 19 ASSOCIATE MEMBERS

- a Shall have no right to take any part in the Management of the Club.
- b Is deemed to have notice of and impliedly undertakes to comply with the CIO Constitution, Rules and Byelaws as if he or she were a Member of the Club.
- c Shall be liable to be expelled from the Club premises or to be prohibited from using the Club facilities if, in the opinion of a Club Officer, he or she shall not have reasonably complied with rule 19b.

## 20 GUESTS

Guests are adults and accompanied children who may be invited by a Member or the Club to use its facilities.

## 21 CONDUCT OF MEMBERS

- a Every Member is deemed to have notice of and undertakes to comply with the Club CIO Constitution, Rules and Byelaws.
- b A Member shall not knowingly remove, injure, destroy or damage any property of the Club and shall make restitution if called upon to do so by the Committee.
- c A Member shall not cause any communication in whatever form to be exhibited on Club notice boards or premises without permission of one of the Club Flag Officers.
- d A Member shall settle any monies owed for refreshment or otherwise before leaving the Club premises.

## 22 DISCIPLINE

- a Any conduct which in the opinion of the Charity Trustees or Committee, is either unworthy of a Member or otherwise injurious to the interests of the Club, shall render a Member liable to disciplinary action by the Committee, which may include suspension for a specified period of time or expulsion.
- b All disciplinary action will follow Clause 9 4b.
- c Upon suspension or expulsion, the Member/former Member shall not be entitled to have any part of the annual membership fee refunded and must return any Club trophies held immediately.

## 23 COMPLAINTS

- a Complaints of any nature relating to:
  - i the Management of the Club
  - ii Members of the Club
  - iii Staff of the Clubshall be addressed in writing to the Club Secretary.
- b Under no circumstances should a Servant of the Club be personally reprimanded by a Member or Guest.

## 24 CLUB LIABILITY

Everyone using Club premises and any other facilities of the Club do so entirely at their own risk and impliedly accept:

- i The Club will not accept any liability for any damage to or loss of property belonging to members.
- ii The Club will not accept any liability for personal injury arising out of the use of the Club premises, or other facilities of the Club either sustained by Members or caused by Members whether or not such damage or injury could have been attributed to or was occasioned by the neglect, default or negligence of any Member, Officer, Charity Trustee or Servant of the Club.

These statements shall also be exhibited in a prominent place within the Club Premises.

## 25 DATA PROTECTION

Membership of the Club and acceptance of the CIO Constitution and Rules by the Member, will be deemed to constitute consent to the holding of relevant personal data for the purposes of the current legislation dealing with Data Protection.

## SECTION 4 - MANAGEMENT COMMITTEE

### 26 THE COMMITTEE

The Committee shall consist of Officers, ex officio, and not less than four, nor more than eight Members of the Club, elected at the AGM each year to hold office until the termination of the next following AGM. At least one Charity Trustee shall attend all Committee and Sub-Committee meetings.

### 27 ELIGIBILITY

All Members are eligible to stand for election to the Committee at the AGM, except children of Family Members, Associate Members and Outport Members.

### 28 ELECTION OF CANDIDATES

- a Charity Trustees will be elected as per Clause 13.
- b Candidates for Charity Trustee or election to the Committee shall be those Members of the retiring Committee eligible to offer themselves for re-election and such other Members whose nominations, (duly proposed and seconded in writing to the Committee by Members of the Club), with their consent, shall have been received by the Secretary by January 31st. Such nominations, together with the names of the Proposer and Secunder, shall be posted in the Club premises at least fourteen days prior to the date of the AGM. The Committee's own list of candidates for election at the next AGM shall be displayed prominently within the Club by 31st December.
- c If the number of candidates for election is greater than the number of vacancies to be filled, there shall be a ballot at the AGM.
- d 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 AGM, and entitled to vote, vote in favour of such election.
- e 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.
- f If for any reason, a casual vacancy shall occur, the Committee may co-opt an eligible Member to fill such a vacancy until the next following AGM.

### 29 COMMITTEE MEETINGS

- a The Committee shall meet at least twelve times a year, 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.
- b Five Members personally present, shall form a quorum at a meeting of the Committee, provided that at least one of those present shall be an Officer of the Club.
- c 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.
- d Additional Charity Trustee meetings will follow Clause 19 guidelines.

### 30 POWERS OF THE COMMITTEE

- a The Committee shall manage the affairs of the Club under the guidance of the Charity Trustees according to the CIO Constitution and Rules.
- b The Committee shall make Byelaws and Regulations as it shall, from time to time, think fit and cause the same to be exhibited in the Club premises 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.

- c The Committee may appoint Sub-Committees as it may deem necessary and may delegate its powers as it may think fit upon such terms and conditions as shall be deemed expedient and/or required by law. Sub-Committees shall consist of at least one Charity Trustee, and such Club Members as the Committee may think fit. The Committee shall ensure that the terms of reference for Sub-Committees are clearly defined and understood.

### 31 DISCLOSURE OF INTERESTS

A Member of the Committee, of a Sub-Committee or any Charity Trustee or Officer of the Club, in transacting business for the Club, shall disclose to third parties that he is so acting.

### 32 POWERS OF CIO

Full details of the powers of the CIO can be seen in Clauses 4-8.

### 33 LIFE MEMBERS

- a The Committee may nominate for election at an AGM, such Life Members as the Committee may think fit. Such election is a mark of esteem and should be limited to Members who have distinguished themselves through services to sailing or by long and meritorious service to the Club.
- b The total of such Life Members shall not exceed four.
- c Life Members shall pay no subscriptions but shall have all the privileges of Family Membership.
- d The election of Life Members shall be put to the vote at the AGM each year and such Life Members shall be duly elected if two thirds of those present and entitled to vote, vote in favour of election.

### 34 EXCISABLE GOODS

- a The purchase for the Club of excisable goods and the supply of the same upon Club premises shall be exclusively and solely under the control of the Committee or of a special Sub-Committee appointed by the Committee.
- b Intoxicating liquor may only be sold for consumption on the Club premises to persons over the age of eighteen who are entitled to the use of the Club premises in pursuance of the Rules, Byelaws and Regulations in force. No Member or Guest under the age of eighteen may purchase intoxicating liquor within the club premises. Nor shall a Member or Guest purchase intoxicating liquor for those under the age of eighteen.
- c The Committee shall allow the Club bar to be opened (subject to terms of the Club premises certificate) at convenient times (and such times shall be prominently exhibited in the Club premises) for the sale of excisable goods to persons who are entitled to the use of the Club premises in pursuance of these Rules.
- d The permitted hours for the sale of intoxicating liquors are subject to restrictions imposed by the Licensing Justices. Permitted hours for sale are listed in the Club Byelaws
- e 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 supply 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.

### 35 ACCOUNTS

Proper accounts of all purchases and receipts shall be kept and presented at the AGM in each year and such information as the Secretary or Reporting Accountant 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 – CHARITY TRUSTEES

See Clause 13.

## SECTION 6 - MEETINGS OF THE CLUB

### 36 AGM NOTICE

An AGM of the Club shall be held each year in the month of March, on a date to be fixed by the Committee. At least fourteen days before the date of the meeting the Secretary shall arrange for the notice and agenda to be emailed, posted or otherwise delivered to each member. Such notice shall state that the current Annual Balance Sheet will be on the Club website with a copy sent to each member.

### 37 AGM BUSINESS

No business, except the passing of the Accounts and the election of the Officers, Committee, Charity Trustees and the Reporting Accountant 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 by the 31<sup>st</sup> January in that year.

### 38 SPECIAL GENERAL MEETING

- a The Committee may at any time, upon giving twenty-one days notice to be emailed, posted or delivered, call a SGM 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.
- b The Committee shall call an SGM, upon written request addressed to the Secretary by at least 10 Members. The discussion at such meeting shall be confined to the business stated in the notice sent to Members. Members will be notified within 21 days of a request.

### 39 MEETING PROCEEDINGS

- a At every Meeting of the Club, the President or the Commodore or, in their absence, a Chairman elected by those present shall preside.
- b Twenty Members entitled to vote and personally present shall form a quorum at any Meeting of the Club.
- c All Members may attend a Meeting of the Club, but only those eligible, may vote.
- d Voting shall be by a show of hands, except when relating to the expulsion of a member, where voting will be by private ballot.
- e In the case of equality of votes, the Chairman shall have a second or casting vote on any matter other than the election of Members of the Committee.
- f A 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, shall not be created, repealed or amended except by a majority vote of at least two-thirds of those present and entitled to vote.
- g Changes to the CIO Constitution will abide by the rules in Clause 28.

## SECTION 7 – DISSOLUTION OF THE CLUB

### 40 DISSOLUTION

See Clause 29 dissolution.

## SECTION 8 – MISCELLANEOUS

### 41 GUIDE DOGS

Guide dogs and Assistance dogs may be brought into premises. Other dogs are allowed into Club premises at the discretion of Club Officers and must be controlled at all times.

### 42 PARKING

Vehicles must be parked so as to cause no obstruction to other vehicles or to the approaches to the Club. Vehicles shall not be parked on any part of New Quay.

43 OPENING TIMES

The Club premises shall be open to Members and Guests at such times as the Committee may from time to time establish.

44 USE OF FACILITIES

The use of New Quay Flushing and its facilities is permitted only in accordance with the terms of the Club's lease of the quay and subject to such regulations as the Committee may from time to time establish.

SECTION 9 – BYLAWS

45 BYLAWS

The Club premises shall be open as the Committee shall direct.

The permitted hours for the sale of intoxicating liquors are as follows:

Monday to Saturday	11:00am to 11:00pm
Sunday	12:00 noon to 10:30pm

46 NEW BYLAWS

The Club may adopt such Byelaws or Regulations as it considers appropriate for the good management of the Club and its facilities.

Revised March 2019