

**PAPERCOURT SAILING CLUB**

**RULES**

**&**

**BYE-LAWS**

**2007**

## RULES

### 1. NAME AND OBJECT

- 1.1 The name of the Club is Papercourt Sailing Club and its burgee shall be white with a Blue Peter insert.
- 1.2 The object of the Club shall be to promote and facilitate the sport of sailing.
- 1.3 The Club property will be managed by Papercourt Sailing Club Limited.

### 2. CONSTITUTION

The Club shall be a members Club governed by a Committee elected annually.

There shall be sub-committees for Sailing, Training, House, Social, Bar and Sailability elected at a General meeting and responsible to the Committee.

## MEMBERSHIP

Anyone interested in sailing may apply to become a member of the Club and shall be considered for membership irrespective of race, colour, creed or religion.

- 3.2 Every applicant for membership shall give such particulars as the Committee may require.
- 3.3 No person may be admitted to membership or be admitted as a candidate for membership or to any of the privileges of membership without an interval of at least two days between their nomination or application for membership and their admission, and no person becoming a member without prior nomination or application may be admitted to the privileges of membership without an interval of at least two days between their becoming members and their admission.
- 3.4 Members (other than those elected under Rule 3.5) may be elected by the approval of the main Committee. The Committee may refuse to elect persons to membership without assigning a reason. It may also refuse to renew the membership of a member who does not fulfill the duties published in the sailing programme.
- 3.5 The Club, on the proposal of the Committee, may in a General Meeting elect honorary members.
- 3.6 The classes of members shall be as follows: -
  - Family Member* - a family group of husband and/or wife and children and cadets all with membership rights. The Committee will have the discretion to decide what constitutes a family group.
  - Individual Member* - an individual adult with full membership rights.
  - Honorary Member* - a member elected at a General Meeting with full membership rights.
  - Club Captain* - Members who are former Commodores may be appointed to the honorary title of Club Captain. They are to be elected at a general meeting of the Club.
  - Social Member* - a non sailing member.
  - Cadet Member* - aged between 5 and 18 years on the 1st January in any year or who, being under the age of 26, are in full time education. Cadets under 16 may not join as individuals except with an adult or adults joining in a non Social class of membership.
  - Country Member* - a member who moves and is resident more than 50 miles from the Club. A country member shall not have sailing rights. Winter Member - A Member who joins the Club on an individual basis for a winter season only (1st November to 31st March). Membership may include a nominated crew. Winter members shall not have any voting rights at a General Meeting of the Club but shall otherwise have full use of the Club' facilities during that Winter Season. They shall be elected at any Committee meeting.
  - Affiliated Club* - An outside organisation may be admitted as an affiliated club upon approval by the committee and acceptance of the regulations for affiliated clubs.
- 3.7 Every member on joining the Club shall undertake to comply with these Rules, the Bye-Laws and any conditions imposed by the Landlord. If any member refuses to do so, or in the opinion of the Committee, in any way prejudices the interests of the Club, the Committee may withdraw his membership after giving him the opportunity to make such representations as he may wish.
- 3.8 A member wishing to resign shall notify the Committee in writing.

- 3.9 If a member shall not have paid his subscription by the 1st February, he shall cease to be a member of the Club but shall remain liable for all sums due to the Club. A person may be reinstated as a member of the Club at the discretion of the Committee.
- 3.10 A member whose boat has not been sailed in at least five races during one calendar year may be required by the Committee to leave the Club at the end of the membership year.
- 3.11 In the event of a resignation by a member, membership termination or should the Landlord give notice of termination of the Club premises :-
- a. The Committee shall be entitled to move a member's or former member's boat and its equipment, trailer and trolley to any other part of the premises, or in the event of termination of the lease, to other premises, without being liable for any loss of or damage to the boat, its equipment, trailer and trolley, however caused.
  - b. The Committee shall be entitled, upon giving one month's notice in writing to the member or former member at his last known address as shown in the Register of Members, to sell the boat, its equipment, trailer and trolley and to deduct any monies due to the Club (whether by way of arrears, subscriptions, boat fees or otherwise) from the net proceeds of the sale before accounting for the balance (if any) to the member or former member.
  - c. 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 that 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 a member or former member.
  - d. Further, the Club shall at all times have a lien over members, or former members, boats or other chattels kept, parked or left on the Club's premises, lands or waters in respect of all monies due to the Club whether in respect of boat fees, subscriptions or otherwise.
- 3.12 Members, excluding Country classes, are required to carry out Club duties unless given exemption by the Sailing Committee. Duties will be notified by the Sailing Committee in the Race Programmes and, as far as practicable, will be commensurate with a member's skills and experience. If unable to perform an allocated duty a member must arrange in good time for that duty to be performed by another member.

#### **4. FEES AND SUBSCRIPTIONS**

- 4.1 The Entrance Fee shall be as determined at a General Meeting of the Club.
- 4.2 The Annual Subscription payable upon election and on the 1st January each year shall be determined at a General Meeting of the Club.
- 4.3 A boat fee is payable by members for each and every boat sailed or berthed at the Club for the use of the Club's facilities. It is payable upon approval of acquisition and on the 1st January each year and the rates shall be determined at a General Meeting. The boat fee attaches to the individual member by whom it has been paid and not to any particular boat; it is accordingly transferable between boats owned by a member (upon payment of any difference in the rate applicable), but not between members.
- 4.4 Upon payment of a boat fee a member may apply to the Berthing Officer for a berth in the dinghy park which, if available, will be allocated at the discretion of the Berthing Officer without further charge. With the approval of the Berthing Officer, a member may use any berth so allocated for any boat approved by the Committee for which a boat fee has been paid. Berths are not transferable between members.

- 4.5 No member shall be entitled to any rights or privileges of membership unless his Entrance Fee, Subscription and all sums due to the Club have been paid.
- 4.6 A member joining the Club after the 1st June shall pay the full entrance fee but shall have the Annual Subscription and any Boat Fees for that year reduced by:-  
25% after the 1st June and before the 1st October  
50% after the 1st October and before the 1st January.  
This rule shall not apply to winter members.
- 4.7 A past member shall pay an Entrance Fee calculated as the difference between the amount that is currently applicable to new members and the actual sum previously paid by the past member when he last became a member. However, such adjusted Entrance Fee shall not be less than 25% of the Entrance Fee current at the time of application
- 4.8 No fees or subscriptions shall be refunded unless the committee, in the exercise of its discretion, considers there to be special circumstances sufficient to justify an exception being made.
- 4.9 The committee shall have the discretion to reduce or waive all or any fees and subscriptions in cases of hardship.

## **5. COMMITTEE AND SUB-COMMITTEES**

- 5.1 The Committee shall consist of the Commodore, Vice Commodore, Rear Commodore, Secretary, Treasurer and Sailing Secretary.
- 5.2 The Committee shall manage the affairs of the Club according to the Rules and shall apply the funds of the Club to the object of the Club. They may delegate such powers as they think fit to Sub-Committees or to individual members of the Club.
- 5.3 The Committee shall make such Bye-Laws as they think fit for the regulation and management of the Club's affairs, amenities and the conditions attaching to the membership of affiliated clubs.
- 5.4 Members willing to serve on the Committee or a Sub-Committee shall be elected at a General Meeting of the Club. They shall retire at the next Annual General Meeting but subject to Rules 5.5, 5.9 and 5.10 shall be eligible for re-election.
- 5.5 No member of the Committee shall serve for more than three consecutive years in any one capacity or more than seven consecutive years in any two or more capacities, except that a Member who has already served seven years or less shall be eligible to be elected to the office of Commodore and complete a maximum of three years in that office.
- 5.6 The persons elected by the Club to serve in the capacities of Commodore, Vice Commodore, Rear Commodore, Secretary, Treasurer and Sailing Secretary shall be eligible to apply to be the Directors of Papercourt Sailing Club Limited and on appointment to such offices by the Club may apply to the Company for membership thereof.
- 5.7 Nominations, with a seconder, for the Committee shall be sent in writing to the Secretary to arrive at least fourteen days before the General Meeting.
- 5.8 The Committee may co-opt members to fill vacancies on the Committee or SubCommittees arising from resignation or decease. Any member co-opted to the Committee shall resign and submit to election at the Annual General Meeting following their co-option.
- 5.9 In addition, there shall be six Sub-Committees, namely:
- Sailing Sub-Committee*** - consisting of the Sailing Secretary as Chairman and not less than three members elected at a General Meeting of the Club. The responsibilities of the Sub-Committee shall include Race Programmes, Open Meetings, Duty Officer's Rosters, operation and control of Safety Boats, buoyancy requirements and trophies.
- Training Sub-Committee*** - consisting of a chairman and not less than three additional members elected at a general Meeting of the Club. The Sub-Committee shall be responsible for organising and/or coordinating, as appropriate, all formal training organised for the benefit of Club members and the allocation of resources thereto.
- House Sub-Committee*** - consisting of a Chairman and not less than five additional members, including three ladies, elected at a General Meeting of the Club. The responsibilities of the Sub-Committee shall include general housekeeping of all Club property, catering (other than for special occasions), berthing and the Club newsletter.

*Social Sub-Committee* - consisting of a Chairman and not less than five additional members elected at a General Meeting of the Club. The responsibilities of the Sub-Committee shall include organisation of social occasions and the catering arrangements therefore.

*Bar Sub-Committee* - consisting of a Chairman and not less than two other members elected at a General Meeting of the Club, to manage the purchase for and supply by the Club of intoxicating liquor.

*Sailability Sub-Committee* - consisting of a Chairman and not less than two other members elected at a General Meeting of the Club, to co-ordinate and promote sailing activities by disabled members and affiliated clubs for the disabled.

5.10 The Chairman of the Training Sub-Committee, the Chairman of the House SubCommittee, the Chairman of the Social Sub-Committee and the Chairman of the Bar Sub-Committee shall be elected at a General Meeting of the Club and shall not serve for more than three consecutive years in their appointed offices.

5.11 Nominations, with a seconder, for the Chairmen of the Training, House, Social and Bar Sub-committees respectively shall be sent in writing to the Secretary to arrive at least fourteen days before a General Meeting.

5.12 Each Sub-Committee shall keep the Club Secretary informed of any matter of which the Committee should be aware.

5.13 Any dispute concerning the interpretation of these Rules and Bye-Laws shall be resolved by the Committee.

5.14 The quorum of a meeting of the Committee shall be four. Each Committee member present shall have one vote. In the event of an equality of voting the same motion shall be put to a subsequent meeting held not less than fourteen days later. In the event of another equality of voting the Chairman shall have a second or "casting" vote.

5.15 A member of the Committee absent from three consecutive meetings shall cease to be a member of it unless he gives reasons for his absence which are accepted by the Committee.

## **6. GENERAL MEETINGS**

6.1 An Annual General Meeting' shall be held in the months of November or December at a place and time to be fixed by the Committee. The Secretary shall give at least twenty one days notice of the meeting and of the business thereof to each member.

6.2 The Committee may, on giving fourteen days notice, call an Extraordinary General Meeting for any specific business which shall be stated in the notice.

6.3 An Extraordinary General Meeting shall also be called by the Committee within twenty eight days of the Secretary receiving a written request from twelve members, or one fifth of the membership of the Club, whichever is the less, specifying the business to be discussed.

6.4 No business other than that specified in the notice convening the meeting shall be discussed at an Extraordinary General Meeting.

6.5 At a General Meeting all members shall be entitled to speak and (except members under eighteen years of age on the day of the meeting and affiliated organisations or their members) each shall have one vote. There shall be no second or "casting" vote.

6.6 The quorum for a General Meeting shall be fifteen.

6.7 The Treasurer shall present at the Annual General Meeting an audited statement of accounts of the year to 30th September.

6.8 Alteration or additions to the Rules shall only be made at a General Meeting and proposals shall be notified to the Secretary in writing in sufficient time to be incorporated in the notice of the meeting.

## **7. FINANCE AND ACCOUNTS**

7.1 All subscriptions and any other income of the Club shall be paid to the Club Treasurer or any other authorised member.

7.2 The income of the Club shall be paid in to an authorised bank account. Appropriate Club funds may be invested in such manner as may be approved by the Committee.

7.3 All orders for payment shall be signed by two of the signatories authorised by the Committee.

- 7.4 The Treasurer shall maintain proper books of account including expenditure and investments of the Club and shall prepare an Annual Statement at the end of the year ending 30 September, which shall be examined by the Auditor, approved by the Committee and presented to the Annual General Meeting.
- 7.5 An Honorary Auditor, who need not be a Registered Auditor, shall be appointed at a General Meeting of the Club. The Committee may co-opt an Auditor to fill a vacancy arising from resignation or decease.

## **8. BAR RULES**

- 8.1 Intoxicating liquor may only be supplied by or on behalf of the Club to members and their guests for consumption on the Club premises and to members only in person for consumption off the premises.
- 8.2 No guest shall be permitted to pay for any intoxicating liquor.
- 8.3 No intoxicating liquor may be sold to or for consumption by or sold by a person under the age of eighteen years.
- 8.4 Intoxicating liquor shall be supplied on the Club premises to members and on their order to guests during such hours as are fixed by the Committee in accordance with the terms of the Licensing Act 1964, as amended. The hours so fixed shall be displayed in the bar at all times.

## **9. LIMITATION OF CLUB'S LIABILITY.**

- 9.1 Members of the Club, their guests and visitors may use the Club premises and any other facilities of the Club entirely at their own risk and therefore accept that:-
- a. The Club will not accept 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 liability for personal injury arising out of the use of the Club premises, or out of participation in any race or event organised by the Club, whether sustained by Members, their 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 the Officers, Committee or servants of the Club.
  - c. The Club will not accept any liability for damage to health which may result from contact with toxic algae or any other contaminants which may be in the Club water.
  - d. Members will draw the attention of guests and visitors to this Rule before inviting them on to the premises or to participate in any events organised by the Club.

## **BYE-LAWS**

### **1. DEFINITIONS**

- 1.1 The Club - Papercourt Sailing Club.
- 1.2 Club Officers - Commodore  
Vice Commodore  
Rear Commodore  
Secretary  
Treasurer  
Sailing Secretary
- 1.3 OOD - Officer of the Day  
PRO Principal Race Officer  
SBO Safety Boat Officer.

### **2. GENERAL**

- 2.1 The Sailing Sub-Committee shall normally nominate members to act as PRO,SBO and OOD and such members shall in this capacity supervise and control sailing on the Club water and the use of the Club facilities by members and their guests.
- 2.2 When the PRO, SBO or OOD is not available or no PRO, SBO or OOD has been nominated, a responsible member shall act as OOD when the Club water and facilities are in use by Club members.
- 2.3 The OOD shall have authority to act for the Club Officers and may call upon any members to assist him in his duties.
- 2.4 Only members of the Club, or of an Affiliated Club, or specifically authorised visitors may sail on the Club water or use Club facilities.
- 2.5 Members may introduce guests in accordance with these Bye-Laws on payment of the appropriate fee, as determined by Club Officers. A guest so introduced may not visit the Club more than six times in any one calendar year, unless he or she has applied to become a member and is awaiting the result. Guests of under five years and over 65 years or handicapped are exempt from the six visit rule.
- 2.6 A member introducing a guest or guests shall: -
  - a. Enter his own name and the name(s) and address(s) of the guest(s) in the Visitors Book in the Clubhouse.
  - b. Pay the appropriate visitor fee(s) for their guest(s).
  - c. Accept responsibility for the guest(s) complying with the Bye-Laws and, where appropriate, the Sailing Instructions of the Club.
  - d. Meet all the charges incurred by the guest(s). Guests are not permitted to purchase any intoxicating liquor.
- 2.7 Should a guest in any way cause a nuisance or a disturbance the OOD, or a Club Officer, may ask him or her to leave the club premises. In such circumstances fees paid may be returned.
- 2.8 The privileges and obligations arising from the Club's lease will be displayed in the Clubhouse. Members shall not prejudice such terms by their conduct.
- 2.9
  - a. All children under the age of 16 years must be accompanied by an adult who shall be responsible for their conduct and observance of these Bye-Laws.
  - b. Children shall not play on the jetties or by the waters edge.
  - c. All children under the age of 10 years must wear personal buoyancy at all times when on the exterior of the club premises.
- 2.10 Cadets in the 16-18 age group may take part in Club activities without being accompanied by an adult (subject to Bye-law 3.2d) on the understanding that parents or guardians accept full responsibility for their conduct and safety.
- 2.11 Members will ensure that each boat or craft is insured under third party risk for a sum of not less than £2,000,000 at all times when on the Club premises or sailed on Club water.
- 2.12 Each class shall hold a general meeting annually. Additional meetings may be held as necessary. A Class Captain will be elected at a Class meeting.

2.13 Animals are not permitted within the area of the Club premises.

### **3. SAILING AND RACING.**

- 3.1 The decision to go afloat and to participate or continue in a race is solely that of the individual.
- 3.2 Members, and particularly parents and guardians, are warned the Club normally organises rescue facilities only on days on which there is Club racing and on Wednesday evening in summer. At all times members have sole responsibility for their own safety and that of their children and wards and for ensuring that their boats or craft are not sailed on the Club water unless all of the following requirements are met:-
- a. A safety boat is launched with a capable crew in readiness for rescue duties.
  - b. The member has checked that the boat or craft has adequate buoyancy. Visiting boats must have adequate buoyancy.
  - c. All persons afloat in a boat or craft are wearing effective personal buoyancy. In addition those sailing in the winter months (November to March inclusive) are wearing wet or dry suits.
  - d. An adult is present if persons under the age of 18 years are sailing.
  - e. The rights of fishermen are respected and the boat or craft keeps clear of lines or floats.
- 3.3 At the discretion of the PRO, SBO or OOD or a Club officer, and after payment of the necessary fee, a visiting boat or craft may be sailed on the Club water. The fee shall be determined by the Club Officers.
- 3.4 The PRO, SBO or OOD or Club Officer may suspend any boat from being used on the Club water until he or she is satisfied that it is seaworthy and has sufficient buoyancy properly maintained.
- 3.5 Deliberate capsizing shall not be practised unless under the supervision of a member authorised by the Club Officers.
- 3.6 Launching and landing are only permitted in areas of the Club premises so designated by the Club Officers. Landing elsewhere is only permitted in cases of emergency.
- 3.7 Power boats are prohibited, other than as approved by the Club Officers.
- 3.8 Classes of dinghies permitted to race shall normally be monohull of PY 1018-1646 inclusive.
- 3.9 Members wishing to add or change a boat shall submit a request in writing, giving details of the class and boat number, for approval by the Committee and amendment of the records. The change or addition shall only be effective after the approval of the Committee and payment any fee due.

### **4. BERTHING.**

- 4.1 A boat with road trailer or launching trolley may be left within the Club premises provided it is:-
- a. Left in the berth or place indicated by the Club's berthing officer.
  - b. Tied down securely to ensure it will cause neither damage nor injury.
- 4.2 A road trailer may only be left on the Club premises provided:-
- a. It is left in a place indicated by the Club's berthing officer.
  - b. It is securely locked.
  - c. The parking fee approved by the Club Officers has been paid.
  - d. Its ownership is clearly identified.

### **5. REGULATIONS FOR AFFILIATED CLUBS.**

- 5.1 An affiliated club shall undertake to ensure its members observe:-
- a. The Club's lease.
  - b. The Rules of the Club.
  - c. The Bye-Laws of the Club.
- 5.2 Upon affiliation, an Affiliated Club will be given:-
- a. A copy of the Bye-Laws of the Club.
  - b. Relevant details to enable its members to comply with the Bye-Laws 5.1 a and 5.1b.
  - c. Details of the Club facilities it may use.
  - d. The times at which it may use such facilities.
- 5.3 Members of an Affiliated Club are not permitted to invite guests to use the facilities of the Club unless specifically authorised under the terms of their affiliation agreement

- 5.4 a. The Club permits Schools Associations to sail as organised parties, under the control of their teachers who must also be members of the Schools Association. There must be at least one adult to four boats in use and the number of pupils present at any one time shall not exceed six per boat.
- 5.4 b. No pupil may be on the Club premises unless a teacher is present. Parents may attend solely for the purpose of setting down and picking up pupils.
- 5.5 An Affiliated Club will ensure that each boat or craft is insured under third party risk for a sum of not less than £2,000,000 at all times when on the Club premises or sailed on the Club water.
- 5.6 An official, leader or responsible member in charge shall be nominated when the Club facilities are used. He or she shall ensure that the Club facilities are left in a clean and serviceable condition. He or she will also see that normal procedures for securing the Club premises are carried out, and that 'OOD' procedure, in so far as it applies, is followed.
- 5.7 Affiliated Clubs must ensure that boats or craft sailing under their jurisdiction have adequate buoyancy.

**6. PRIVATE USE OF CLUB FACILITIES BY MEMBERS.**

- 6.1 Members who wish to use the Club Facilities for private functions are to submit a request in writing to the Committee at least two months prior to the event.
- 6.2 A charge to cover heating, lighting, use of kitchen and insurance will be made for the use of the facilities, the level to be set by the Committee.
- 6.3 The Member who books the Club facilities is responsible for the security of the clubhouse and is to leave the premises in a clean and tidy condition.
- 6.4 If the use of the bar is required this is to be indicated in the original request. The bar is to be run by an adult Club Member to be agreed with the Chairman of the Bar Sub Committee.
- 6.5 'Notes for Guidance' will be given to members hiring the facilities when approval has been granted by the Committee.

**7. CLUB POLICIES.**

- 7.1 Members shall observe and comply with the policies that the Committee may agree and publish from time to time to comply with appropriate guidance and regulation pertaining to the management of the activities and premises of the Club.