

**BYE LAWS**  
**OF**  
**PAPERCOURT SAILING CLUB LIMITED (“THE CLUB”)**

6<sup>TH</sup> AUGUST 2014

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**PART 1: INTERPRETATION**

**1 INTERPRETATION**

1.1 These Bye Laws are made pursuant to the Articles.

1.2 In these Bye Laws, unless the context requires otherwise:

**Articles** means the articles of association of the Club from time to time and **Article** refers to a particular provision in them;

**Associate Member** means a member of the Club who is not a Club Member, and who therefore neither has voting rights at general meetings nor any other rights to which members of companies are entitled under the Articles or the Companies Acts, and **Associate Membership** shall be interpreted accordingly;

**Boating** means sporting, recreational and other activities carried out in or on water or related thereto;

**Bye Laws** means these bye laws of the Club made pursuant to Article 13.4.2, and **Bye Law** refers to a particular provision in them;

**Club Facilities** means the Clubhouse, all premises of the Club, the land and water owned by the Club, any equipment made available by the Club (whether for a fee or without charge), all changing and washing facilities, all storage facilities and any other facilities made available (whether for a fee or without charge) at the Clubhouse or on the Club's premises

from time to time;

**Clubhouse** means the clubhouse situated at Polesden Lane, Ripley, Surrey, GU23 6JX

**Club Member** means a company member of the Club, as that term is defined by section 112 of the Companies Act 2006, and **Club Membership** shall be interpreted accordingly;

**Fees** shall have the meaning given in Bye Law 6.1;

**Member** means all members of the Club, whether Club Members or associate members, and **Membership** shall be interpreted accordingly; and

**Royal Yachting Association** means the Royal Yachting Association, a company limited by guarantee registered in England and Wales with registered company number 00878357.  
and **RYA**

- 1.3 These Bye Laws are supplemental to the Articles. Nothing in these Bye Laws is intended to contradict the Articles or the provisions of the Companies Acts and, in the event of any inconsistency between any provision of these Bye Laws and any provision of the Articles, the Articles will prevail.
- 1.4 Unless the context otherwise requires words or expressions contained in this document bear the same meaning as in the Articles.
- 1.5 Unless expressly provided otherwise, a reference to a statute, statutory provision or subordinate legislation is a reference to it as it is in force from time to time, taking account of any subordinate legislation from time to time made under it, and any amendment or re-enactment and includes any statute, statutory provision or subordinate legislation which it amends or re-enacts.
- 1.6 The Members acknowledge that these Bye Laws constitute a contract to regulate the relationship of the Members with each other and the Club.
- 1.7 These Bye Laws may be amended by the directors from time to time, except as defined in Article 13.4.2.

## **PART 2: MEMBERSHIP**

### **2 MEMBERSHIP**

- 2.1 Membership shall be open to anyone interested in the sport of Boating on application, regardless of sex, age, disability, race, sexual orientation, gender reassignment, pregnancy or maternity, religion or belief. Membership may, however, be limited according to available facilities on a non-discriminatory basis.
- 2.2 Article 11.5 gives the directors the power to create different classes of Membership, and to decide who will be eligible for admission to them and what their rights and obligations will be. For the avoidance of doubt, Associate Membership conveys neither Club Membership nor any of the rights or privileges of Club Membership under the Articles or the Companies Acts.
- 2.3 There shall be the following classes of Club Membership; in all cases the individuals must have attained the age of 18 years:
- 2.3.1 Full Members;
  - 2.3.2 Family Members;
  - 2.3.3 Cadet Members having attained the age of 18 years;
  - 2.3.4 Honorary Members;
  - 2.3.5 Life Members.
- 2.4 There shall be the following classes of Associate Membership:
- 2.4.1 Additional Family Members (all those in a member family under the age of 18);
  - 2.4.2 Cadet Members who have not attained the age of 18 years;
  - 2.4.3 Winter Members;
  - 2.4.4 Affiliated Clubs and, if appropriate, their members;
  - 2.4.5 Country Members

2.4.6 Social Members; and

2.4.7 Temporary Members.

### **3 ELIGIBILITY FOR MEMBERSHIP**

3.1 **Full Membership** is open to any individual aged 18 or over who is interested in the sport of Boating. Full Members are **Club Members** with the right to attend and vote at general meetings in accordance with the Articles and the Companies Acts.

3.2 **Family Membership** is open to each of the members of a family grouping of one or two adults, together with any number of children within their guardianship under the age of 18, who are interested in the sport of Boating. The family grouping will pay a single family subscription. Members of a family grouping who have attained the age of 18 years shall be Club Members. Those under 18 are not Club Members and have no right to attend or vote at general meetings; For the avoidance of doubt, only the lead adult will have the right to receive notice of any general meeting but all adult members who have attained the age of 18 years may attend and vote.

3.3 **Cadet Membership** is open to any individual between the ages of 5 and 18 on 1 January on any year, and those up the age of 26 and in full time education who is interested in the sport of Boating. Cadets under 16 may not join as individuals except with an adult joining in a non-social class of members. Cadet Members under 18 have no right to attend or vote at general meetings.

3.4 **Honorary Membership** may be awarded to individuals as a mark of distinction. The directors may nominate for election at an AGM such persons as Honorary Members as they think fit. The election of any new Honorary Members shall be put to the vote at the AGM each year and such persons shall be granted Honorary Membership if approved by resolution of the Club Members at the AGM.

3.5 **Social Membership** is open to any individuals with an interest in the sport of Boating, but who wish to attend the Clubhouse for social purposes only and do not wish to participate in Boating activities. Social Members are Associate Members, and as such have no right to vote at general meetings.

3.6 **Winter membership** – a member who joins the club on an individual basis for the winter season only, from (1 November to 31 March).

- 3.7 **Country membership** - a member who is resident more than 50 miles from the Club.
- 3.8 **Affiliated club** – An organisation may be admitted as an affiliated club upon approval by the directors and acceptance of the provisions for affiliated clubs below and such other provisions as the directors may decide.
- 3.9 **Temporary Membership** is open to members of other RYA recognised clubs or organisations. Temporary Members are **Associate Members**, and as such have no right to attend or vote at general meetings.
- 3.10 For the avoidance of doubt, where the type of Membership available to, or subscription payable by, an individual is related to age it will be determined by the age of the individual on the date of registration of his Membership, or its renewal date.

#### 4 **BECOMING A MEMBER**

- 4.1 An application for Membership shall be in the form from time to time prescribed by the directors, and shall include the name and address of the applicant.
- 4.2 The directors have sole discretion to decide whether or not to accept an application for Membership.
- 4.3 The directors may refuse applications for Membership for good cause, such as conduct or character likely to bring the Club or the sport of Boating into disrepute. Appeals against the directors' decision to reject an application for Membership may be made to the Club Members in general meeting.
- 4.4 The Membership Secretary (who is appointed by the directors) shall inform each applicant in writing as to whether or not the applicant's application for Membership has been approved by the directors, and shall provide successful applicants with access to a copy of the Articles and these Bye Laws (e.g. via the club notice board), and shall also request payment of any applicable fees.
- 4.5 Every successful applicant shall, upon becoming a Member, provide the Membership Secretary with an up-to-date address e-mail address and telephone number which shall be recorded in the register of Members, and any notice sent to any such address shall be deemed to have been duly delivered.

4.6 For the avoidance of doubt, those purchasing fishing rights are not members of the club.

## **5 RIGHTS AND PRIVILEGES OF MEMBERSHIP**

5.1 The rights and privileges of each class of Membership shall be as follows, subject in each case to the provisions of the Articles and these Bye Laws:

5.1.1 Full Members, Family Members, Cadet Members, Winter Members Honorary Members and Life members shall have the full use of all the Club Facilities;

5.1.2 Social Members and Country Members shall have the use of the Clubhouse only;

5.1.3 Members of Affiliated Clubs shall have access in accordance with that club's written agreement with the club;

5.1.4 Temporary Members shall have full use of the Club Facilities, but they:

(a) shall have no right to enter Club races or regattas unless specifically authorised by the directors;

(b) shall have no right to bring guests to the premises of the Club;

(c) shall have no right to take any part in the management of the Club;

(d) are deemed to have notice of and impliedly undertake to comply with the Articles and these Bye Laws; and

(e) shall be liable to be expelled from the Clubhouse and/or prohibited from using the Club Facilities if, in the opinion of the directors, they have not reasonably complied with the conditions set out in the Articles and these Bye Laws in force from time to time.

5.2 Applicants for Membership whose applications have not yet been approved shall have no rights or privileges whatsoever in relation to the use of the Club Facilities.

## **6 MEMBERSHIP SUBSCRIPTIONS AND FEES**

- 6.1 The following fees (the **Fees**) shall be payable by Members, as applicable in accordance with this Bye Law 6:
- 6.1.1 an entrance fee on joining the Club;
  - 6.1.2 an annual subscription fee in respect of their Membership;
  - 6.1.3 for those Members wishing to use their own boats on the water controlled by the Club, an annual boat permit fee, which shall entitle a Member to sail or otherwise propel his or her own boat on the water controlled by the Club and a space in the Club's boat park; and
  - 6.1.4 such other fees as may be determined by the directors.
- 6.2 Under the Articles the Fee rates for each class of Membership are proposed by the directors to the Club Members at the AGM in each year. Any proposed changes have to be approved by a majority of those present and entitled to vote and become operative on the first day of January in the year following.
- 6.3 The current Fee rates shall be prominently displayed in the Clubhouse and on the Club's website.
- 6.4 Fees will be kept at levels that will not pose a significant obstacle to people participating.
- 6.5 Subject to Bye Laws 7.1 and 7.2 all Members shall pay the applicable Fees for their first year of Membership within one calendar month of becoming a Member, and thereafter on the first day of January in each year.

## **7 EXCEPTIONS TO THE REQUIREMENT TO PAY FEES**

- 7.1 Upon re-application by a person who has been a Member within the past two calendar years the directors may, at their sole discretion, waive the usual entrance fee. Other past members 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.
- 7.2 Any person who becomes a Member during the year may be subject to lower fees as agreed by the directors.

- 7.3 A Member who, for any reason, anticipates inability to use the Club Facilities for the whole of any one year shall be excused payment of Fees for that year, provided that notice in writing is given to the Membership Secretary before the last day of November in the previous year.
- 7.4 Any Member whose fees have been suspended pursuant to Bye Law 7.3 shall have no rights to use any of the Club Facilities for the duration of the year in respect of which Fees have been suspended. A Member wishing to be re-instated during the year in question shall pay such portion of the applicable Fees as the directors shall require.
- 7.5 The Main Committee shall have the discretion to reduce, amend or waive all or any fees and subscriptions in cases of hardship and for other reasons.

## **8 TERMINATION OF MEMBERSHIP**

- 8.1 If a Member fails to pay any applicable Fees that are due within one calendar month of becoming a Member, their Membership may be terminated.
- 8.2 A Member wishing to cancel their Membership shall give notice in writing to the company via the membership secretary before the last day of November and shall not then be liable to pay the subscription for the following year. A Member who retires in accordance with this Bye Law shall not be entitled to have any part of their Fees refunded.
- 8.3 The directors may cancel, without notice being given, the Membership of any Member whose Fees are more than three months in arrears (in whole or in part), provided that the directors may, at their sole discretion, re-instate any such Member upon payment of arrears. No Member whose Fees are in arrears (in whole or in part) may enter any Club event or regatta or (if applicable) vote at any general meeting.
- 8.4 Appeal against termination or non-renewal of Membership may be made to the Club Members by submitting a written notice to the Membership Secretary, who shall, upon receipt of such a notice, include the appeal on the agenda for the next general meeting.
- 8.5 Any person who has been expelled from Membership shall not be entitled to have any part of their Fees refunded and must immediately return any trophy or trophies held.



8.6 Upon expulsion of a Member, the directors may dispose of the former Member's boat and/or trailer in accordance with Bye Law 15.2.

## **9 CONDUCT OF MEMBERS & DISCIPLINARY ACTION**

9.1 Every Member is deemed to have notice of, and undertakes to comply with, the Articles and these Bye Laws.

9.2 Any breach of Bye Law 9.1 or any conduct which, in the opinion of the directors, 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 directors, which may include expulsion or non-renewal of Membership.

9.3 Before taking any disciplinary action against a Member, the directors shall ask the Member in question to provide a written explanation of their conduct and shall give the Member the opportunity to explain their conduct to the directors or to voluntarily cancel their Membership.

9.4 The directors (or any person to whom the directors shall delegate this power) may temporarily suspend or exclude a Member from particular training sessions, racing and/or other Club activities, if they consider in their sole discretion that such action is in the best interests of the Club.

9.5 A Member shall not knowingly remove, injure, destroy or damage any property of the Club and shall make restitution for the same if called upon to do so by the directors.

9.6 A Member shall not cause any communication in whatever form to be exhibited on Club notice boards or premises without permission of a Director.

9.7 A Member shall settle any indebtedness for refreshment or otherwise before leaving the Club premises.

9.8 All suggestions shall be entered in the OOD log and signed by the Member.

9.9 Complaints of any nature relating to the management of the Club shall be addressed in writing to the Secretary. Under no circumstances shall a servant of the Club be personally reprimanded by a Member.

## **10 GUEST MEMBERS ("GUESTS")**

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

- 10.2 A member of any club affiliated to the Royal Yachting Association (a list of which is published by the Royal Yachting Association) may be authorised to use the Club Facilities by any director. Such authorisation shall specify the dates on which that person may use the Club Facilities.
- 10.3 Any person who is a competitor or crew member in any race sponsored by or on behalf of the Club is entitled to the use of the Club Facilities within a period of 6 hours before and after the race in which they are competing.
- 10.4 The Secretary or any other person who has received the authority of two directors, may expel, temporarily or permanently, any person who has the right to the use of the Club Facilities under this Bye Law 10.

## **11 LIMITATION OF CLUB LIABILITY**

- 11.1 The club is set up as a company limited by guarantee, with consequent limitation on members' liability.
- 11.2 Members use the Club Facilities entirely at their own risk and accept that:
- 11.2.1 the Club will not accept any liability for any damage to or loss of property belonging to Members;
  - 11.2.2 the Club limits its liability to the fullest extent permitted by law in respect of personal injury to Members or their guests arising out of the use of the Club Facilities; and
  - 11.2.3 Membership will be deemed to constitute consent to the holding of relevant personal data for the purposes of the Data Protection Act 1998 (as amended).

## **PART 3: MANAGEMENT**

### **12 OFFICERS**

- 12.1 Only Club Members shall be eligible to stand for election as Officers, to be appointed in accordance with Article 6.
- 12.2 The Secretary shall:
- 12.2.1 ensure a register of Members' names and addresses is kept, including the class of Membership for each Member;

- 12.2.2 conduct the correspondence of the Club;
  - 12.2.3 keep custody of all Club documents;
  - 12.2.4 minutes:
    - (a) keep full minutes of all directors' meetings, general meetings (including AGMs);
    - (b) ensure that meetings of any committees and sub-committees established by the directors from time to time are properly minuted;
    - (c) ensure that all minutes are confirmed and signed by the appropriate chairman upon the agreement of the members of that committee at the next following meeting;
  - 12.2.5 ensure such insurance policy or policies as may be needed fully to protect the interests of the Club, its directors, Officers, employees, and Members are kept;
  - 12.2.6 maintain contact with the Club's legal advisor (if any) to ensure that the Club's affairs are managed in accordance with all applicable laws;
  - 12.2.7 maintain any such certificates or registrations, and complete any such non-financial returns as may be required by law, including Companies House records and returns;
  - 12.2.8 Ensure such licences as the club requires are maintained, including, without limitation TV, music, bar.
- 12.3 The Treasurer shall:
- 12.3.1 cause such books of account to be kept as are necessary to give a true and fair view of the state of finances of the Club, in compliance with all legal requirements applicable to companies;
  - 12.3.2 cause all returns as may be required by law in relation to the accounts of the Club to be rendered at the due time; and
  - 12.3.3 prepare for members the annual report and accounts as at 30 September in each year, the same to be exhibited in the Clubhouse.

### 13 DIRECTORS AND MANAGEMENT OF THE CLUB

- 13.1 The following rules support the relevant articles relating to Directors and Management.
- 13.2 The directors may at any time co-opt any individual who is a Club Member to fill a vacancy in their number or as an additional director, but a co-opted director holds office only until the next AGM.
- 13.3 Candidates for election as directors shall be those Club Members whose nominations (duly proposed and seconded by other Club Members) have (with their consent) been received by the Secretary before the date of the AGM in each year. Such nominations, together with the names of the proposer and seconder shall be made available to Club Members at the AGM.
- 13.4 If the number of candidates for election as directors at any AGM is equal to or less than the number of vacancies to be filled then all candidates shall be elected if two thirds of those present in person and entitled to vote at the AGM vote in favour of such election.
- 13.5 If the number of candidates for election as directors at any AGM is greater than the number of vacancies to be filled then there shall be a ballot. If the ballot fails to determine the directors to be appointed 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.
- 13.6 The directors shall meet in accordance with the provisions of the Articles.
- 13.7 The directors may invite specific other members involved in running the activities of the club, or other advisers, to attend the Main or Full Committee meetings but they shall not have voting rights.
- 13.8 The Directors may establish Committees and Sub-Committees consisting of a chairman and not less than two additional members. Committee members and Sub-committee members are to be elected at the next AGM of the Club, or approved if co-opted. They may, inter alia, include:
- 13.8.1 **Sailing Committee** – chaired by the Sailing Secretary. Class Captains are automatically members of this committee. The responsibilities of the Committee shall include Race Programmes and results, Open Meetings, duty team's responsibilities and rosters, operation and control of Safety Boats, buoyancy requirements,

trophies and winter evening sailing related events. Each class where a Class Captain is elected or appointed shall hold a general meeting at least annually. A Class Captain will be elected at a Class meeting or may be appointed by the Sailing Secretary.

- 13.8.2 **Training Committee.** The Committee shall be responsible for organising and/or coordinating, as appropriate, all formal training organised for the benefit of Members and the allocation of resources thereto.
  - 13.8.3 **House Committee** - the responsibilities of the Committee shall include general housekeeping of all Club property within the clubhouse and compound, catering (other than for special occasions), and berthing
  - 13.8.4 **Social Committee** - the responsibilities of the Committee shall include initiation and organisation of social occasions and the catering arrangements therefore.
  - 13.8.5 **Bar Sub-Committee** - to manage the purchase for and supply by the Club of intoxicating liquor.
  - 13.8.6 **Sailability Committee** - to coordinate and promote sailing activities by disabled members, visitors and clubs for the disabled.
  - 13.8.7 **Events Sub-Committee** - the responsibilities of the sub committee are to develop and implement approaches to fund raising outside membership fees and fishing.
  - 13.8.8 **Estates Committee** - the responsibilities of the committee are to manage the area owned by the club outside of the Sailing Club compound, Clubhouse, boat park and car park. To organise and oversee the fishing. The Committee shall have authority to appoint others to assist in the management of the estate and who shall not become members as a consequence of that role.
- 13.9 Management of Committees and Sub-committees:
- 13.9.1 The Chairman of Committees shall not serve for more than three consecutive years in their appointed offices unless otherwise agreed by the Club Members in general meeting.

- 13.9.2 Nominations, with a seconder, for the Committee and Sub-committee Chairman and members shall be sent in writing to the Secretary to arrive at least seven days before a General Meeting
- 13.9.3 Each Committee and Sub-Committee shall keep the Directors informed of any decision they make by maintaining a record in their minutes, which shall be sent to the responsible director and the Secretary and reported by the Chairman or responsible director not later than the next Full Committee meeting.
- 13.10 Duties:
  - 13.10.1 Members over the age of 16, excluding Country members, are required to carry out Club duties unless given exemption by the Sailing Committee.
  - 13.10.2 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.
  - 13.10.3 If unable to perform an allocated duty a member must arrange in good time for that duty to be performed by another member.
  - 13.10.4 On a day to day basis the Principal Race Officer (PRO) of the day or any Officer shall have authority to act for the Club Officers and may call upon any members to assist him in his duties.
- 13.11 Sailing, safety and insurance:
  - 13.11.1 Only members of the Club, their guests, or of an Affiliated Club, participants in Papercourt Sailability or specifically authorised visitors may sail on the Club water or use Club facilities.
  - 13.11.2 At the discretion of the PRO, Safety Boat Officer (SBO) or Officer of the day (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.
  - 13.11.3 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 Byelaws. Children are not permitted to play on the jetties or by the water's edge.

- 13.11.4 The decisions to go afloat and to participate or continue in a race is solely that of the individual.
- 13.11.5 Members must 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.
- 13.11.6 At all times members have sole responsibility for their own safety and that of their children and wards of whatever age, for ensuring that suitable buoyancy aids are worn on pontoons and 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. The Club normally organises rescue facilities only on days on which there is Club racing and on Wednesday evening in summer.
  - (b) The boat or craft has adequate buoyancy.
  - (c) All persons afloat in a boat or craft are wearing effective personal buoyancy.
  - (d) Those sailing in the winter months (November to March inclusive) are wearing wet or dry suits.
  - (e) An adult is present if persons under the age of 16 years are sailing.
- 13.11.7 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.
- 13.11.8 Deliberate capsizing shall not be practised unless under the supervision of a member authorised by the Club Officers.
- 13.12 Power boats are prohibited, other than as approved by the Club Officers.
- 13.13 Domestic animals and pets are not permitted in the clubhouse or in the Club compound.
- 13.14 Classes of dinghies permitted to race shall be as agreed by the Directors.

13.15 The rights of fishermen should be respected and boats should keep clear of lines or floats.

13.16 Berthing:

13.16.1 A boat with road trailer and/or launching trolley underneath 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; and,
- (c) Each element has a current berthing label displayed prominently, on the transom or an appropriate place if on the trolley/trailer.

13.16.2 An empty 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) The parking fee approved by the Club Officers has been paid.
- (c) It has a current berthing label displayed prominently.

13.16.3 Any boats or parts, trailers or parts or any other property whatsoever left on or in communal areas or vacant berths may be disposed of by the club in whatever way it sees fit. See also byelaw 15.2 in relation to ex members' property.

13.16.4 Members wishing to add or change a boat or road trailer shall submit details in writing, to the Membership secretary for the amendment of the records. The change or addition shall only be effective after payment of any fee due. A berth is personal to the member not their boat and neither the berth or deemed payment of any berthing fee may be transferred to another member upon the sale of the boat.

13.17 Affiliated clubs.

13.17.1 An affiliated club shall be solely responsible for the safety and actions of its members at all times whilst on the Club premises including the



lake and shall ensure that it is fully insured. An affiliated club may not use the Club facilities until such time as an agreed subscription for that year has been paid.

13.17.2 It shall undertake also to ensure its members observe

- (a) The Articles, Rules and Bye Laws of the Club.
- (b) Any agreement between the Club and the Affiliated Club.
- (c) Any instruction or request by any officer of the Club.

13.17.3 Upon affiliation, an Affiliated Club will be given:

- (a) A copy of the Articles and Byelaws of the Club.
- (b) Details of the Club facilities it may use.
- (c) The times at which it may use such facilities.

13.17.4 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 or by a director.

13.17.5 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 on Club water, and is fitted with adequate buoyancy.

13.17.6 An official, leader or responsible member in charge shall be nominated when the Club facilities are used. He shall ensure that the Club facilities are left locked with the alarm set where they have had access to the alarmed portion of the clubhouse or it has been left for them to lock up and in a clean and serviceable condition.

13.17.7 Affiliated clubs that participate in sailing must ensure that they adhere to Royal Yachting Association guidelines and that boats or craft sailing under their jurisdiction have adequate buoyancy and that each member on the water or a pontoon has adequate clothing and equipment and wears a buoyancy aid or lifejacket. Other affiliated clubs must adhere to guidelines of national governing bodies as appropriate to their activity.

13.18 Private use of club facilities by members.

- 13.18.1 Members who wish to use the Club Facilities for private functions are to submit a request to the relevant Officer, preferably at least two months prior to the event.
  - 13.18.2 A charge will be made for the use of the facilities, the level to be set by the relevant Official.
  - 13.18.3 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.
  - 13.18.4 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 Committee.
- 13.19 Use of club facilities by non-members shall be carried out in a manner approved by the directors.

#### **14 SALE OF INTOXICATING LIQUOR**

- 14.1 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 directors, or of a special committee appointed by the directors.
- 14.2 Intoxicating liquor may only be sold for consumption in the Clubhouse to persons not under the age of eighteen who are entitled to the use of the Clubhouse in accordance with the Articles and these Bye Laws.
- 14.3 The directors shall cause the bar in the Clubhouse to be opened at convenient times (and such times shall be prominently exhibited in the Clubhouse) for the sale of excisable goods to persons stated in Bye Law 14.2 and in accordance with the law, any restrictions placed upon the Club by the licensing authority and any rules made by the Bar Committee
- 14.4 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.

- 14.5 Proper accounts of all purchases and receipts shall be kept and such information as the Treasurer or other official may require shall be furnished to enable the accounts of the club to be maintained any statutory return or statement and the payment of excise or other duty or tax to be made.
- 14.6 The permitted hours for the supply of intoxicating liquor are as follows:
- 14.6.1 Monday – Saturdays: 11:00 – 24:00
- 14.6.2 Sundays, Good Friday and Christmas Day: 11:00 – 23:00
- 14.7 The bar in the Clubhouse will be open at the hours set out in Bye Law 14.6 or at such other hours as may be decided by the directors or Bar Committee, subject to any restrictions imposed from time to time by the Licensing Authority.

**15 PART 4: MISCELLANEOUS**

- 15.1 The Clubhouse shall be open to Members at such times as the directors shall direct.
- 15.2 If, at any time, any Fees payable to the Club by any Member or former Member shall be one month or more in arrears and a boat and/or trailer and/or any other property of a Member or former Member remains upon the Club premises then that Member or former Member shall remove the boat and/or trailer and/or any other property from the Club immediately. If the Member or former Member fails to remove the boat and/or trailer and/or any other property then the directors may:
- 15.2.1 move the boat and/or trailer and/or any other property to any part of the Club premises without being liable for any loss or damage howsoever caused;
- 15.2.2 give six weeks' notice in writing by registered post to the Member or former Member at his last known address as shown in the register of Members and then either:
- (a) sell the boat and/or trailer and/or any other property without any obligation to obtain a fair or best price and deduct any monies due to the Club from the net proceeds of sale before accounting for the balance (if any) to the Member or former Member only if requested within 12 months of the disposal of the asset; or

- (b) if the boat and/or trailer and/or any other property is unsaleable, dispose of the boat and/or trailer and/or any other property in any manner the directors may think fit and deem the cost of doing so and any arrears to be a debt owing to the Club by the Member or former Member; and
- 15.2.3 the Club reserves the right to charge storage for the boat and/or trailer and/or any other property until such time as the owner collects the boat and/or trailer and/or any other property or until notice has been served under Bye Law 15.2.2,
- 15.3 In addition to Bye Law 15.2, the Club shall at all times have a lien over Members' or former Members' boats and/or trailers belonging to Members or former Members parked on the Club's premises or other property in respect of all monies due to the Club, whether in respect of arrears of Fees or otherwise and shall be entitled to retain possession of the boat and/or trailer and/or any other property until such time as all monies due to the Club have been paid in full.
- 15.4 If the owner of an asset cannot be readily identified then the Directors shall have authority to dispose of the asset as they deem appropriate without being liable to make any payment to the owner.