

RULES OF ORFORD SAILING CLUB  
(REVISED APRIL 2009)

1. NAME AND INSIGNIA

- 1.1 The Club shall be called “Orford Sailing Club” (“the Club”).
- 1.2 The Club Burgee is blue with a silhouette of white of Orford Castle in the centre.
- 1.3 The Commodore’s flag is a swallow-tail burgee but otherwise the same design as the Club burgee; retired Commodores shall add a white bar below the Club insignia. The Vice-Commodore’s flag is similar to the Commodore’s but one white ball in the upper canton of the hoist.

2. OBJECTS OF THE CLUB

The objects of the Club are the encouragement of amateur sailing, seamanship, and dinghy and yacht racing, and the protection of the interests of amateur yachtsmen. The Club is a non-profit making organisation. All profits and surpluses will be used to maintain or improve the Club’s facilities. No profit or surplus will be distributed. On the dissolution of the Club, any net assets are to be applied for such of the following purposes as may be approved by the members in general meeting or by the Committee

- the purposes of the governing body of amateur sailing for use in related community sailing activities
- the purposes of another community amateur sports club
- the purposes of a registered charity

3. MEMBERSHIP

3.1 CATEGORIES OF MEMBERSHIP

Membership of the Club shall comprise the following categories: -

- 3.1.1 Single Membership, open to an individual from 1<sup>st</sup> January following his/her 25<sup>th</sup> birthday, (or such other age as the Committee shall decide).
- 3.1.2 Double Membership, open to an individual and his/her spouse, or partner.
- 3.1.3 Family Membership, open to an individual and his/her spouse or partner, and all his/her/their children under the age of 18 on the 1<sup>st</sup> January and/or a student in full-time education.
- 3.1.4 Junior Membership, open to an individual until 31<sup>st</sup> December following his/her 18<sup>th</sup> birthday or until he/she ceases to be a student in full-time education, if later.
- 3.1.5 Young Person Membership, open to an individual (not qualifying for Family Membership or Junior Membership) until 31<sup>st</sup> December following his/her 25<sup>th</sup> birthday (or such other age as the Committee shall decide).
- 3.1.6 Senior Membership (Single or Joint) open to any member (and his/her spouse or partner) who has attained 65 years of age.
- 3.1.7 Life Membership, which shall be granted only following a single majority vote of the eligible members present at a General Meeting on a proposal by the Committee. (The total number of Life Members shall not at any time

exceed 5% of the total number of all members). Life Members shall be subject to the same conditions and shall enjoy the same privileges as Single Members but shall pay no annual subscription.

- 3.1.8 Honorary Membership, which shall be granted or terminated by unanimous vote of the Committee. Honorary Members shall pay no entrance fee or annual subscription.
- 3.1.9 Guest Membership, available to
  - (a) Crews of visiting yachts lying in the River Ore who are members of a recognised Yacht Club and who apply to and are accepted by a member of the Committee.
  - (b) Competitors racing with the Club, by invitation of the Committee for a period not exceeding 7 days in a season.Guest Members shall pay no entrance fee or annual subscription.
- 3.1.10 Temporary Membership, open to those to whom such membership is offered by the Committee acting through not less than two of its members, including at least one Flag Officer. No person may be a Temporary Member for a period exceeding 3 weeks in a season. Temporary Membership shall not be granted to an individual or individuals on more than one occasion. Temporary Members shall pay a temporary member's subscription as decided by the Committee.
- 3.1.11 Overseas Membership, open to those members whose permanent address is outside the United Kingdom.
- 3.1.12 Dormant Membership, open to an individual on leaving any other category of membership. A Dormant Member shall have the right to resume full membership at any time without payment of a further entrance fee. On payment of the relevant subscription a Dormant Member may resume any other relevant membership category at any time.

## 3.2 MEMBERS ENTITLEMENTS

- 3.2.1 Except as stated below, all members shall enjoy all the rights, privileges and facilities of the club.
- 3.2.2 Single Members, Double Members, Family Members (except those under 18 years), Young Person Members, Senior Members and Life Members shall be entitled to vote at General Meetings; to offer themselves for election to the Committee; no member shall be entitled to vote at a General Meeting if his/her annual subscription is then due but unpaid.
- 3.2.3 Junior Members, Family Members under the age of 18 years, Honorary Members, Guest Members, Temporary Members and Overseas Members shall not be entitled to vote at General Meetings; nor be elected to the Committee.
- 3.2.4 Dormant Members shall have no rights or privileges other than the right to resume full membership of the Club without payment of a further entrance fee.

## 3.3 ELECTION PROCEDURE FOR SINGLE, DOUBLE, FAMILY, JUNIOR AND YOUNG PERSON MEMBERS

- 3.3.1 A candidate for membership shall be proposed by one member and seconded by another, both of whom must themselves be entitled to vote at General Meetings. The proposer and seconder shall not belong to the same family membership, and shall each have been a member of the Club for at least one year.

- 3.3.2 The proposal shall be made on the appropriate form that will be sent to the Honorary Secretary. The proposer shall support the application by giving particulars of the candidate in writing to the Flag Officer of the Club.
- 3.3.3 The proposal form shall be displayed in the Clubhouse for at least 14 days and shall thereafter be considered at the next meeting of the Committee. An application shall be accepted if two thirds of the members of the Committee present and voting are in favour.
- 3.3.4 Successful applicants shall be notified of their acceptance by the Honorary Secretary and shall pay the entrance fee and annual subscription within one calendar month of the issue of such notification. The applicant shall not have the rights and privileges of membership until the entrance fee and annual subscription have been paid.
- 3.3.5 Membership of the Club is limited. Candidates who fail to obtain membership only because of this restriction shall be placed on a waiting list and admitted as vacancies become available.

#### 3.4 CEASING TO BE A MEMBER

A member shall, on ceasing to be a member, forfeit all rights to the property, funds and privileges of the Club.

#### 3.5 EXPULSION

Acceptance of the Rules and Bye-Laws of the Club is implicit in membership of the Club. A member who fails to comply with the Rules or whose conduct in the opinion of the Committee appears to be detrimental to the interests of the Club shall be summoned to a meeting of the Committee to explain his/her conduct. If he/she fails to satisfy the Committee he/she shall be expelled from the Club. The Committee shall also have the power to reinstate an expelled member.

#### 4. FEES AND SUBSCRIPTIONS

- 4.1 All members shall be required to pay the entrance fees and annual subscriptions fixed from time to time in accordance with the Rules, except Life Members, Honorary Members, and Guest Members, who shall pay no entrance fee or annual subscription.
- 4.2 At each Annual General Meeting the entrance fees and annual subscriptions payable by all Members for the year from 1<sup>st</sup> April in the year of that Annual General Meeting to 31<sup>st</sup> March in the following year, shall be decided by a simple majority vote of those members entitled to vote present and voting on a proposal of the Committee.
- 4.3.1 The annual subscription payable by a Senior Member claiming the privilege of Senior Membership shall be as follows: -
  - For those born before 1<sup>st</sup> November 1944 it shall be the less of either:
    - (i) The full subscription payable in the year in which he/she attained the age of 65; or
    - (ii) One half of the full subscription payable in the current year.
- 4.3.2 For those born on or after 1 November 1944 it shall be the three quarters of the full subscription payable in the current year.
- 4.4 Temporary Members, Overseas Members, and Dormant Members shall pay such subscriptions as shall be decided by the Committee from time to time.

- 4.5 The annual subscriptions shall be due and payable within four weeks of the issue of the request for such subscriptions by the Honorary Treasurer.
- 4.6 Any member failing to pay his/her annual subscription within such a time may at the discretion of the Committee be deemed to have resigned his/her membership of the club with effect from the previous 31<sup>st</sup> March.
- 4.7 The Committee shall have the discretion, in exceptional circumstances, to waive or reduce any fee or annual subscription or other payment due to the Club from a member.

## 5. VISITORS

Visitors may be introduced to the Club by members who are themselves entitled to vote at General Meetings, who shall enter the visitor's name in the register provided and shall sign the entry. The member shall be responsible for the visitor's conduct. No visitor may be introduced on more than four days in one calendar year. A member may introduce not more than four visitors at any one time.

## 6. OFFICERS

The Officers of the Club shall be: -

- (a) A President and such number of Vice Presidents as may be proposed by the Committee and approved by a simple majority vote of those members entitled to vote present and voting at an Annual General Meeting.
- (b) The Flag Officers, who shall be a Commodore, a Vice Commodore and such number of Rear Commodores as may be proposed by the Committee and approved by a simple majority vote of those members entitled to vote present and voting at an Annual General Meeting.
- (c) An Honorary Secretary, an Honorary Sailing Secretary, and Honorary Social Secretary and an Honorary Treasurer.

## 7. TRUSTEES

- (a) There shall be not more than four or less than two Trustees of the Club. They shall be members of the Club and shall be elected by a simple majority vote of those members entitled to vote present and voting at a General Meeting on a proposal by the Committee. They shall hold office until death or resignation or until removed from office by a resolution passed at a General Meeting of the Club. The property of the Club shall be vested in the Trustees and they shall deal with such property as directed by resolution of the Committee (of which an entry in the minutes shall be deemed proof).
- (b) The Trustees shall be indemnified by the members of the Club out of the assets of the Club from and against liability, costs, expenses, and payments whatsoever which may be properly incurred by them in relation to the exercise of their duties or in relation to any property of the Club vested in them, or in relation to any legal proceedings, or which relate directly or indirectly to the performance of the functions of the Trustees of the Club.

## 8. COMMITTEE

- (a) There shall be a Committee (referred to in these Rules as "the Committee") that shall have charge of the management of the Club, according to these Rules, and shall apply the funds of the Club to objects of the Club. The Committee and Officers, as agents for the Club and its members, shall enter into contracts only in

so far as they are expressly authorised to do so, or are authorised by implication from these Rules.

- (b) Under the authority vested in the Committee by members of the Club, the members of the Committee and the Officers are entitled to be indemnified by the members of the Club against any liabilities properly incurred by them on behalf of the Club. The limits of a Club member's indemnity shall be a sum equal to one year's subscription at the currently prescribed rate, unless the Committee has been expressly authorised at a General Meeting of the Club to pledge the credit of the Club beyond this limit.
- (c) The Committee shall consist of Flag Officers, Honorary Secretary, Honorary Sailing Secretary, Honorary Social Secretary and Honorary Treasurer (ex-officio), and not less than four or more than eight elected members. The President and Vice-Presidents shall be entitled to be present and to speak but not to vote at meetings of the Committee. The Senior Flag Officer present shall take the Chair and shall have a casting vote in addition to his/her ordinary vote as a member of the Committee.
- (d) A quorum shall be three Officers and three elected members.
- (e) The Committee shall make the Bye-Laws that shall regulate the use of the Club premises and property; it shall decide any question or dispute referred to it.
- (f) The Honorary Treasurer shall be the Officer who is empowered to draw on the Club's funds, as authorised by the Committee.
- (g) The Honorary Secretary shall call Committee Meetings at the request of a Flag Officer by issuing a notice stating the business to be transacted at least three clear days before the meeting. The Honorary Secretary shall keep minutes of all the meetings that shall be approved by the Committee and signed by the Senior Flag Officer present. The Committee shall meet with such frequency, as it shall decide.
- (h) The Committee may appoint, from the members of the Club, Sub-Committees for specified purposes. Sub-Committees shall report to the Committee.

## 9. ELECTION OF PRESIDENT AND VICE-PRESIDENTS

The President and Vice-Presidents shall be elected annually by a simple majority vote of those members entitled to vote present and voting at an Annual General Meeting of the Club, on a proposal by the Committee, without limitation of tenure.

## 10. ELECTION OF OFFICERS AND A COMMITTEE

- (a) Election Procedure. Elections shall take place annually at the Annual General Meeting of the Club. The Senior Flag Officer present shall take the Chair and shall be the Returning Officer except where he is a candidate for the office to be filled; in this instance, the President or a Vice-President shall take his place. The Returning Officer shall have the sole and absolute charge over the conduct of the election within these rules. Nominations shall be in writing, supported by the signatures of the proposing and seconding members and the signed agreement of the nominee to stand for office. Nominations must reach the Honorary Secretary at least fourteen days before the Meeting. When nominations are unopposed, voting shall be by a show of hands. If nominations exceed vacancies there shall be a secret ballot for which the Returning Officer shall appoint tellers. In the event of a tie, the Returning Officer shall have a casting vote in addition to his normal vote.
- (b) The Commodore, Vice Commodore and Rear Commodores shall be elected annually. The Commodore and Vice Commodore shall be eligible for re-election for up to three years in office in each rank. Each Rear Commodore shall be eligible for re-election without limitation of tenure.

- (c) The Honorary Secretary, Honorary Sailing Secretary, Honorary Social Secretary and Honorary Treasurer shall be elected annually and shall be eligible for re-election without limitation of tenure. The Committee shall submit a nomination for each Office at each Annual General Meeting.
- (d) Elected Members of the Committee. At each Annual General Meeting, two elected members of the Committee with the longest service since their last election shall retire but shall be eligible for re-election unless they have served continuously for five years, in which case they shall not be eligible to serve on the Committee for one year.
- (e) Casual vacancies. The Committee shall have the power to co-opt a member or members of the Club to serve on the Committee if the number of elected Committee Members should fall below six. Co-opted Members shall resign at the next Annual General Meeting. Members of the Club shall similarly be co-opted to act as Honorary Secretary, Honorary Sailing Secretary, Honorary Social Secretary or Honorary Treasurer if the need arises between Annual General Meetings. In the event of retirement of the Commodore or Vice Commodore, the next senior Flag Officer shall act until the next Annual General Meeting; in the event that all Flag Officers retire, the Committee shall elect an acting Commodore who shall hold office until the next Annual General Meeting.

## 11. ACCOUNTS

- (a) The Club's accounting year shall run from 1<sup>st</sup> November to 31<sup>st</sup> October in the following year.
- (b) The Honorary Treasurer shall keep an accurate account of the Club's finances. The accounts for each accounting year, comprising a balance sheet and an income and expenditure account shall be prepared by the Hon. Treasurer, submitted to the committee for approval and (if approved) signed by the Commodore and the Hon. Treasurer before being submitted to the Auditors for certification. The certified accounts shall be submitted to the members not less than fourteen days before the Annual General Meeting at which they are to be presented.

## 12. ANNUAL GENERAL MEETINGS

- (a) The Annual General meeting of the Club shall be held in the Spring of each year for the conduct of the Elections and for the presentation of the Accounts. The Honorary Secretary shall notify all members at least twenty-eight days before the Meeting and shall request nominations for the Officers and the Committee. The notice shall give the names of retiring Officers and Committee Members and shall specify any nominations made by the Committee. Any other items of business shall be specified in the notice.
- (b) The Honorary Secretary on the instruction of the Committee shall call a Special General Meeting whenever the Committee feels it desirable. Not less than twenty-eight days' notice of such a meeting shall be sent to all members entitled to vote stating the time, place and subject of the meeting.
- (c) An Extra-Ordinary Meeting shall be called by the Honorary Secretary if requested to do so by the Committee, or at the written and signed request of not less than six members entitled to vote (no two of who shall belong to the same Family Membership) stating the purposes of the meeting. Not less than fourteen days' notice of such meeting shall be sent to all members entitled to vote stating the time, place and subject of the meeting.
- (d) A quorum at any General Meeting of the Club shall be twenty members entitled to vote and a quorum of the Committee (see Rule 8).

13. SAILING COMMITTEE

The Committee shall after their election each year, select not fewer than four members of the Club who, with the Flag Officers, and the Honorary Sailing Secretary shall form the Sailing Committee. They shall have the sole management of the Races and the Sailing Rules.

14. DISMISSAL OF THE COMMITTEE

In the event that at a properly convened General Meeting of the Club a motion, published at least fourteen days in advance, that the members have no confidence in the Committee is proposed, seconded and carried by a simple majority vote of those members entitled to vote present and voting, the Committee shall resign. Thereafter the President and Vice-Presidents shall make arrangements for the Club to elect new Officers and Committee Members.

15. EXCLUSION OF LIABILITY

- (a) Neither the Club nor its Officers, Committee, members, servants or agents will accept liability for:
- (i) Damage (direct or consequential) to, or loss of, property belonging to members, guests or visitors, or other persons.
  - (ii) Personal injury (direct or consequential) arising out of the use of the Club premises and any other facilities of or used by the Club, whether sustained by members, guests, visitors or other persons whether or not such damage or injury could have been attributed to or was occasioned by the act, neglect, default or negligence of the Officers, Committee, members, servants or agents of the Club.
- (b) Before inviting any guests or visitors onto Club premises or to use Club facilities or to participate in events organised or authorised by the Club, members will draw their attention to this Rule.

16. CLUB SAFETY POLICY

The Club shall adopt and keep under review a Safety Policy, current details of which will be posted in the Clubhouse for inspection. All members, guests and visitors shall be deemed to have read the Safety Policy and shall abide by its terms.

17. ABANDONED BOATS

If at any time any dinghy fees payable to the Club by any member or former member in respect of a boat owned or believed to be owned by that member or former member shall be three months or more in arrears:

- (a) The Committee shall be entitled to move the boat to any other parts of the Club's premises without being liable for any loss of damage to the boat howsoever caused.
- (b) The Committee shall be entitled upon giving one month's notice in writing to a member or former member, at his last known address shown in the register of members, to sell the boat and deduct any monies due to the Club (whether by way of arrears of subscription or dinghy park fees or otherwise) from the net proceeds of sale before accounting for the balance (if any) to the member or former member.
- (c) Any boat that in the opinion of the Committee cannot be sold may, upon such notice as foresaid, be disposed of in a manner that the Committee may think fit and the expenses recovered from the member or former member. Any arrears as

foresaid shall be deemed to be a debt owing to the Club by the member or former member.

- (d) The Club shall, at all times, have a lien over members' or former members' boats parked on the Club's premises in respect of all monies due to the Club, whether in respect of arrears of dinghy park fees or the subscriptions or otherwise.

18. DATA PROTECTION

It is a condition of membership that a member agrees that his/her personal data may be held by the Club (whether in manual form or on computer or in any other form of storage medium) and consents to the disclosure of such data in connection with the Club's purposes and publications.

19. INTERPRETATION OF THE RULES

The Committee are the sole authority for the interpretation of these Rules, on which the decision of the Committee shall be final and binding. Every member, guest or visitor shall be deemed to have agreed to be bound by these Rules and any regulations made by the Committee.

20. ALTERATION OF THE RULES

These rules may be repealed, amended or added to by resolution passed by two-thirds' majority of those members entitled to vote present and voting at a General Meeting of the Club. The text of any proposed alterations must be sent to the Honorary Secretary at least three months before a General Meeting. The proposed alterations shall be circulated with the notice calling the General Meeting. At the meeting the chairperson may at his/her discretion accept an amendment to the proposed repeal, amendment or new Rule.

21. The Club is a non-profit making organisation. All profits and surpluses will be used to improve the Club's facilities. No profit or surplus will be distributed.