

Club Rules effective from 11th February 2017

Rule 1. Club Name

The name of the club shall be “Poolbeg Yacht & Boat Club”

Rule 2. Club colours and insignia

The club’s colours shall be depicted as a blue pennant with a red insignia of Poolbeg Lighthouse. The club’s ensign shall be an Irish blue ensign defaced by a red insignia of Poolbeg Lighthouse.

Rule 3. Club objectives

The object of the club is the promotion and encouragement of sailing, motor boating, rowing, training, marine activities and social reunion among its members. To assist in achieving these objectives the club shall be affiliated to the ISA.

Rule 4 New Members

All candidates for membership, (except honorary) shall be elected by ballot at a committee meeting. The name, address and contact details of every candidate together with the names of their proposer and seconder (who shall be Ordinary, Family or Senior members in good standing) shall be submitted on an official application form to the Hon. Registrar for processing and must be accompanied by the appropriate annual fee. In a ballot 2/3 of the committee present and voting must be in favour of accepting the candidate for membership. In the event of a any committee member not voting in favour of accepting the candidate for membership those committee members shall be obliged to explain their reason to the committee meeting.

Rule 5 Members

The club membership shall consist of the following categories

Ordinary Members; Ordinary members will be aged 18 years and over. They shall enjoy full rights and privileges within the boundaries of the club.

Family Members; This category shall be comprised of a couple and their children and/or children under their guardianship who are aged under 18years. They shall enjoy full rights and privileges within the boundaries of the club and the children shall be deemed to be junior members provided their names have been notified to the club registrar on their annual renewal form. On reaching 18 years the children may apply for Cadet or Ordinary membership.

Senior Members; This category will apply to members who have been ordinary or Family members

for a minimum of 10 years. The minimum age for entry into this category shall be 65 years.

Cadet Members; This membership may apply to persons between the ages of 18 years and 25 years who are in full time education. Evidence of Full Time Education shall be provided when requested.

Junior Members: This membership shall apply to persons between the ages of 10 years and 18 years.

Crew Members; This membership shall apply to persons who actively crew on club members boats. It may be availed of only once and at the end of 3 consecutive years the member shall automatically become an Ordinary member at the Ordinary membership rate. This category shall apply to crew members only and may not be availed of by boat owners.

Country/ Overseas Members; This membership shall be available to persons whose place of residence is not less than 120 kilometres from the club.

Honorary Members: The committee will have power, at its discretion, to elect persons who have given outstanding service to the club as honorary members for such period as may be deemed appropriate.

Pavilion Members: This category of membership is available to persons who wish to associate themselves with the club in a social capacity.

Temporary Members: Persons attending at Club Regattas and visiting yachtsmen and their crews shall enjoy temporary membership for the duration of their stay. Non-members who are berthed on the marina under berthing agreements may not avail of temporary membership.

Rule 6. Voting Rights and Privileges

Ordinary members shall have the right to propose or second nominations for committee and motions for proposal. They may attend and vote at club meetings. They shall be entitled to one vote. They shall have all rights, privileges and obligations as laid down in club regulations

Family Members shall have the right to propose and second nominations for committee and motions for proposal. They may attend and vote at club meetings. The adult members shall be entitled to 2 votes provided both are present at the meeting. They shall have all rights, privileges and obligations as laid down in club regulations. Child members shall be treated as junior members provided they are included on each annual renewal form

Senior Members shall have the right to propose or second nominations for committee and motions for proposal. They may attend and vote at club meetings. They shall be entitled to one vote. They shall have all rights, privileges and obligations as laid down in club regulations.

Cadet Members shall have the right to attend at club meetings. They will not be entitled to vote.

Junior Members shall not be entitled to attend or vote at club meetings but may collectively nominate a person for the position of Junior Convenor should such a position arise. That person nominated must then be successfully elected to committee to fill that position.

Crew Members shall be entitled to attend at club meetings. They will not be entitled to a vote nomination or proposal.

Country/Overseas Members shall be entitled to attend at club meetings. They will not be entitled to vote.

Honorary Members shall be entitled to attend at club meetings. They will not be entitled to vote.

Pavilion Members shall not be entitled to attend or vote at club meetings

Temporary Members shall not be entitled to attend or vote at club meetings

Rule 7 Subscriptions and Fees

All annual subscriptions shall fall due to be paid on 1st January each year except for Pavilion membership which shall fall due on the anniversary of joining.

The annual subscription for all categories shall be set by the membership at the AGM or at a SGM.

All fees must be paid in full by 30th April each year unless a member sets up a schedule of payment with the Hon. Registrar and Hon. Treasurer before 31st January. Each committee shall set out the payment terms for the following year during the last quarter of the year. In the future other methods of payment may be determined by the committee.

Any member who fails to pay their fees or defaults on any arrangement shall be removed from the club register.

The committee may grant leave of absence, in exceptional circumstances, to members for up to a maximum of 5 years, during which period those members will be relieved of responsibility of paying their annual subscription and will not be entitled to the rights and privileges, including voting rights, associated with their category of membership. This leave of absence will not apply to Pavilion Members and application must be made in advance. Retrospective applications will not be dealt with. Leave of absence periods shall not count towards the time required as a member to qualify for Senior membership.

Rule 8 Trustees

A Trustee must not serve on committee while holding the role of Trustee.

The property and assets of the club shall be vested in four or more trustees who will be appointed by the committee and they will hold office until their death, resignation or removal from office by resolution of an AGM or SGM.

The trustees will deal with the property and assets of the club as directed by resolution of the

committee.

The trustees shall be responsible for the effective governance of the club and shall ensure compliance with legislation.

The trustees shall be indemnified by the club membership against all liability and expense incurred by reason of their position as Trustees.

Each year the club trustees shall meet with the committee on at least 2 (two) occasions. The normal meeting with the club auditor prior to AGM shall not be considered as one of these meetings¹. On receipt of a written request for a meeting with the committee, signed by at least 50% of the trustees, a meeting shall be held.

Rule 9 Flag Officers & Committee

The club shall have as Honorary Officers a, Commodore, Vice-Commodore, Secretary and Treasurer, all of whom shall be elected annually and they shall not hold the same office for more than 3 consecutive terms. A person seeking election to any of the above positions must have served at least 1 (one) full term on Committee in order to meet eligibility conditions.

The affairs of the club shall be managed by a committee consisting of 16 members, elected annually by members of the club and shall hold office until their successors are elected at the next AGM. At the AGM the 5 longest serving members and co-opted members shall retire and the other members to retire shall be determined by lot. Any committee member who has served 4 years without re-election must retire for at least 1 year.

A committee member who retires shall be eligible for re-election except if that committee member has been elected to the committee on two successive occasions prior to retiring, that committee member shall not be eligible for a period of 1 year.

All vacancies due to the retirement of the 5 longest serving members and co-opted members shall be filled by secret ballot.

At each the results and ballot papers should be handed to the Hon. Secretary who shall read out to the meeting the results and note them.

In the event of a position becoming vacant on the committee during the ensuing year, the next highest polling candidate who did not succeed in being elected to the committee shall fill that position. In the event of further vacancies occurring during the year the same procedure shall apply. Any member being elected to the committee in that manner shall be deemed to have been co-opted. The committee may, at the request of the Hon. Secretary and with their approval appoint a committee member to the post of Assistant Hon. Secretary

Rule 10 Quorum

At any committee meeting seven (7) committee members shall form a quorum. In the event of a committee member not attending at six (6) consecutive committee meetings or six meetings in any calendar year, that committee member shall be deemed to have resigned from the committee and shall be replaced in the normal manner.

¹

Rule 11 Committee Powers and Proceedings

The committee shall manage the running of the club on behalf of the members and may create sub committees for distinct issues. The sub committees shall be chaired by a committee member who shall report back to the committee at intervals that shall not exceed two months². Non members who have specific proven expertise may be requested to sit on sub committees for their duration.

In the event of a matter arising during the year that requires an alteration or addition to these rules the committee, in consultation with the trustees may implement the necessary changes and seek retrospective approval at the next AGM.

When the specific task that a sub committee was dealing with has been either achieved or in the view of the committee cannot be achieved, the sub committee shall be disbanded.

Rule 12 Accounts & Finances

The committee will have control and management of the club's finances on behalf of the members.

The committee shall at all times ensure that proper insurances for all club property and activities is in place and maintained up to date.

The committee will ensure that accurate records are maintained of sums of money received and expended by the club and the manner in which such receipts and expenditure takes place.³

The Committee will ensure that accurate records are maintained of sums of money received and expended by the club on an accruals basis, and, of the purpose for which such receipts and expenditure takes place⁴

The committee will ensure that accurate records are maintained of the clubs assets and liabilities.

The Committee will ensure proper books of account are maintained by the club, by implementing the necessary policies and procedures for recording transactions and the appointment of competent accounting personnel with appropriate expertise and the provision of adequate resources to the financial function⁵

The Committee will submit the clubs accounts and balance sheet to a professional auditor for audit each year.⁶

The Committee will submit the club accounts and balance sheet to an independent Chartered Accountant for independent review each year who will prepare the accounts in accordance with Technical Statement M48⁷

² Added by 2016 AGM

³ Removed 2015 AGM on advice of Club Auditor

⁴ Replaced previous removal wording by Auditor

⁵ Added on advice of Auditor

⁶ Removed 2015 AGM on advice of Auditor

⁷ Added on advice of Auditor 1-5 Incl amendments etc passed by membership at AGM

The Committee shall distribute a copy of the clubs balance sheet and accounts each year at its AGM.

The flag officers shall meet with the trustees prior to the AGM accompanied by the balance sheet and club accounts.

Any member of the committee who has a financial interest or whose immediate family has a financial interest in any item for discussion or decision at a committee meeting must excuse themselves from the meeting while that issue is being discussed and shall not be allowed vote on that specific item. All committee members shall be required to advise the committee of any and all potential conflicts of interest.

Rule 13. Minutes

All resolutions and proceedings of committee, sub committee, AGM & SGM must be minuted and maintained along with a list of those attending.

The committee shall ensure that full and proper minutes of meetings are maintained.

A minute signed by the Chairman of the meeting to which the minutes relate or by the chairman of a subsequent meeting and passed by committee will be sufficient evidence of the facts stated therein.

Rule 14 Borrowings

The committee shall be empowered to borrow up to a maximum of 50% of the annual subscription (nett of I.S.A. headage portion) of the previous year in addition to any borrowings previously sanctioned at AGM or SGM at its discretion on behalf of the club. The total amount borrowed in this manner must not exceed 50% of the previous years subscriptions (nett of I.S.A. headage portion)

Subject to approval at an AGM or SGM the committee may borrow sums in whatever manner for the purposes of the club and give security over club assets as required. Such borrowings will be in the name of the trustees who may enter into whatever borrowing security or related arrangements as the committee may deem appropriate.

Rule 15 Annual General Meeting

The AGM of the club shall be held before the last day of February in each year. At this meeting the annual reports and audited financial statement of the outgoing committee shall be read and the election of committee members and officers for the ensuing year shall take place. All elections shall be by secret ballot and only persons who are members of the club in accordance with the rules may attend and vote.

Notices of motion and nomination of committee members, together with the names of proposers and seconders must be made in writing to the Hon. Secretary at least 21 days before the date of the AGM and shall be posted on the club notice board at least 14 days before the date of the AGM. Each nomination must be made individually (no block nominations) and shall not be valid unless accompanied by the written consent of the nominee.

At any meeting (AGM or SGM) no alteration, addition or deletion shall be made to the rules unless it is with the consent of 2/3 of the members present and eligible to vote and all changes to rules are subject to the registration of clubs acts.

The members of the club shall elect an Hon. Sailing Secretary, an Hon. Mooring Officer an Hon. Safety Officer and an Hon. Training Officer annually. The members holding these offices may, subject to the approval of the committee, make such regulations and bye-laws relating to their office as they may deem necessary.

Candidates for election as committee members or officers shall not be eligible to act as tellers at any election at which they are candidates.

In the event of an adjournment to any meeting no additional materiel, business, nominations or motions may be introduced at the re-convened meeting

Rule 16 Special General Meeting

The Hon. Secretary shall arrange to hold a SGM within 30 days of Instruction of the committee

OR

On receipt of a requisition stating the object of the meeting and signed by at least 20 members with voting rights.

Discussion at any SGM shall solely deal with the matter proposed.

Rule 17 Notices of Meetings

The following notice shall be given to eligible members

In the case of an AGM at least 30 days notice shall be given

In the case of a SGM at least 14 days notice shall be given

With the exception of notice of AGM or SGM all notifications can be sent to members by electronic means. AGM and SGM notification will in the first instance be notified by post.

All correspondence sent to the last notified address (electronic or otherwise) of a member should be deemed to have been delivered.

In the event of a postal dispute notification of AGM and SGM by electronic means and notification on the club website will suffice.

Rule 18 Resignation

Any member wishing to resign from the club should advise the Hon . Registrar of their intention.

Rule 19 Discipline

Should any member

- Behave in a manner that breaches club rules, regulations, or bye laws
- Act in a manner that brings the club into disrepute
- Behaves in a manner that is contrary to the interests of the club or its members.
- Brings a guest or guests to the club or to a club event who behave in an unacceptable manner.

The committee shall have power to instigate disciplinary proceedings against that member or members involved.

All proceedings shall be carried out in accordance with the disciplinary bye laws of the club, a copy of which shall be available on request to any club member.

Rule 20 Regulations and Bye Laws

The ancillary officer with responsibility for a specific area of activity in the club shall, where necessary, draw up regulations or bye laws specific to their area of interest and upon acceptance by the committee they shall form part of the club rules and bye laws.

Rule 21 Sale of Excisable Liquors

The function and operation of the club bar must be in accordance with prevailing legislation.

Rule 22 Acceptable Behaviour

Each member and their guests must treat all members, staff and visitors in a courteous and dignified manner.

Rule 23 Child Protection

All adult members and volunteers engaged with Junior Sailing and all other Junior Activities must be “Garda Vetted” in accordance with current legislation before engaging in such activities.⁸

Note:

Items in red are items that have been removed from club rules

Highlighted items are items placed into original (2014) rules. They either replace the items in red or are new items.

⁸ Added to Rules at 2016 AGM

