

The Hamble River Sailing Club  
Club Rules, 2017 Edition



**1. Name**

The name of the club is "Hamble River Sailing Club" and the burgee of the club shall be white with a blue fly and letter 'H' in red on the white background.

**2. Objects**

The objects of the club are to encourage, promote and facilitate the sport of sailing and boat racing and to foster, encourage and facilitate the social and recreational activities for all members.

**3 Requirements & Well-being**

The Club depends upon Members' goodwill and volunteer support to sustain its ideals, activities and viability.

**4. Terms & Conditions**

Throughout these Rules, the following defined terms will be used:

- a) "The Club" shall mean the Hamble River Sailing Club.
- b) "The Committee" shall mean the General Committee of the Club.
- c) "The Rules" shall mean these rules governing the conduct of the Club.
- d) "The Register of Members" shall mean the register of all members of the Club with their names and full contact details.
- e) "The Club Secretary", shall mean the duly elected Honorary Secretary or duly appointed Secretary, as the case may be, of the Club and "the Club Treasurer" shall mean the duly elected Honorary Treasurer or duly appointed Treasurer, as the case may be. The "Sailing Secretary" shall be the duly elected Honorary Sailing Secretary or duly appointed Sailing Secretary as the case may be.

**5. Trustees**

- a) There shall be at least three Trustees of the Club who shall be appointed from time to time as necessary by the Committee from among Full members over the age of 25 who are willing to be so appointed. Trustee shall hold office during their lifetime or until they shall resign, by notice in writing given to the Committee, or until a resolution removing them from office shall be passed at a meeting of the Committee by a majority comprising two thirds of the members present and entitled to vote.
- b) All the property of the Club, including land and investments, shall be held by the Trustees for the time being, in their own names so far as it is necessary and practicable, on trust for the use and benefit of the Club. On the death, resignation, or removal from office of a Trustee, the Committee shall nominate a new Trustee in his place, and shall as soon as possible thereafter take all lawful and practicable steps to procure the vesting of all club property into the names of the Trustees as constituted after such nomination. For the purpose of giving effect to any such nomination, the Secretary for the time being is hereby nominated as the person to appoint new Trustees of the club within the meaning of Section 36 of the Trustee Act 1925 and shall by Deed duly appoint the person or persons so nominated by the Committee.
- c) The Trustees shall in all respects act, in regard to any property of the club held by them, in accordance with the directions of the Committee and shall have power to sell, lease, mortgage or pledge any club property so held for the purpose of raising or borrowing money for the benefit of the Club in compliance with the Committee's directions (which shall be duly recorded in the Minutes of the proceedings of the Committee) but no purchaser, lessee or mortgagee shall be concerned to enquire whether any such direction has been given.
- d) The Trustees shall be effectually indemnified by the Committee out of the assets of the club from and against any liability, costs, expenses and payments whatsoever which may be properly incurred or made by them in the exercise of their duties or relation to any property of the Club vested in them, or in relation to any legal proceedings, or which otherwise relate directly or indirectly to the performance of the functions of a Trustee of the Club.
- e) The following shall be incorporated in every contract, lease, licence or other agreement entered into by the Trustees of the Club. "The liability of the Trustees for the performance of any contractual or other obligation undertaken by them on behalf of the Club shall be limited to the assets of the Club".

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### 6. Officers

- a) The Flag Officers shall consist of a Commodore, a Vice Commodore, and not more than two Rear Commodores, all of whom shall be full members and be elected at the Annual General Meeting. Flag Officers shall be elected each year and may not, in general, hold office of the same rank for more than three consecutive years. However this may be extended should a General Meeting so agree. A Commodore after serving the term of office, in general, shall not stand for election to any Flag Officer position or to the Committee for a period of two years.
- b) A Club Treasurer, a Club Secretary and Sailing Secretary shall be elected or appointed annually at the Annual General Meeting. The term of office of the Club Treasurer, Club Secretary and Sailing Secretary shall not be limited.
- c) All nominations for election to any office must be received by the Club Secretary in writing 4 weeks prior to the Annual General Meeting, with the names of the Proposer and Secunder who shall be full members.

### 7. Duties of Club Secretary, Sailing Secretary, and Treasurer

- a) The Club Secretary and Sailing Secretary shall: -
  - i. Maintain and update the Register of Members.
  - ii. Conduct the correspondence of the Club.
  - iii. Keep custody of the Club documents.
  - iv. Keep full minutes of the proceedings of all meetings of the Club, Committee and sub-committee(s), which shall be confirmed and signed by the appropriate Chairman upon agreement of the Club, the Committee or sub-committee (s) at the next following meeting of the Club, committee or sub-committee(s).
  - v. Keep a record logbook of all races.
  - vi. Administer such insurance policies as may be needed to fully protect the interests of the Club, its Officers, Trustees and its members.
  - vii. Maintain contact with the Club's Legal Advisers to ensure that the Club's affairs are managed in accordance with the law.
  - viii. Maintain any such certificates or registrations, and complete any such non-financial returns, as may be required by law.
  - ix. Account to the Club Treasurer for all monies collected.
  - x. Notify all members of meetings and carry out such other duties that may from time to time be requested.
  - xi. Furnish each elected Member with a copy of the Rules and make request for such payments as are due.
  - xii. While continuing to be accountable, as appropriate, delegate these roles and responsibilities to the Club Administrator.
- b) The Club Treasurer shall: -
  - i. Cause such books of account to be kept as are necessary to give a true and fair view of the state of the finances of the Club.
  - ii. Cause such returns as may be required by law in relation to such accounts to be rendered at the due time.
  - iii. Prepare an Annual Balance Sheet as at 31st December in each year and cause such Balance Sheet, and accounts as necessary, to be audited at least once annually
  - iv. There shall be an auditor appointed unless the Club Treasurer is a qualified accountant. The auditor shall audit the accounts of the Club annually and shall give such assurance as to the accuracy of the said accounts as shall be required by law or the Committee. When the Club Treasurer is a qualified accountant, then the accounts shall be approved by the Committee for the current year.
- c) The Director of Cadets and Training will report to the General Committee and shall
  - i. Maintain a strategic overview of the Cadet and Training programme to meet the relevant objectives as stated within the club business plan.
  - ii. Promote the Cadet and Training programmes to members and to potential external customers

## 8. Membership

The following classes of membership shall be recognised:

### a) Full membership

Full membership shall, upon payment of the prescribed entrance fee and annual subscription, be open to:

- (i) Family members  
Open to all persons over the age of 18 comprising of husband and wife, or two partners living together, or single parent, with any children of theirs under the age of 21.
- (ii) Single members  
Open to all persons over the age of 25.
- (iii) Young members  
Open to all persons aged between 18 – 25
- (iv) Honorary Life members  
Honorary Life membership shall be awarded for life in exceptional circumstances to a person with a long-term interest in and having made a significant and active contribution to the Club.

A Member shall become an Honorary Life Member on his appointment as a Club Trustee.

### b) Cadet membership

Cadet membership shall, upon payment of the prescribed entrance fee and annual subscription, be open to all people up to the age of 18 who are not covered by family membership.

### c) Overseas membership

Overseas membership shall, upon payment of the prescribed entrance fee and annual subscription, be open to any person residing overseas.

### d) Honorary Membership

Honorary Membership may be awarded in special circumstances for a specified period.

All categories of Honorary Membership must be proposed by a Full Member and seconded by at least one member of the Committee and approved by the Committee.

The number of Honorary Life Members and Honorary Members shall not normally exceed ten or three per cent of the total number of Full Members, whichever is the highest, plus those appointed as Trustees.

Honorary Life Membership shall include their spouse or partner and children under the age 21, and an Honorary Membership who is already a Family Member shall include their spouse or partner and children under the age 21.

### f) Temporary Membership

Temporary Membership shall be open to such persons and for such periods and subscription as the Committee shall think fit.

### g) Group Membership

Group membership shall be open to schools, youth clubs, Scouts, Guides, university sailing clubs or other sailing associations, companies, corporate bodies and organisations as approved by the Committee and their membership entitlements, entrance fees and subscription rates shall be as the Committee may determine.

## 9. Election to Membership

- a) Candidates for membership shall send to the Club Secretary a form setting out their name and full contact details and any other particulars the Committee shall require. The form shall also contain the signature of two full members in support as proposer and seconder to whom the candidate must be personally known. The candidate's name together with those of the proposer and seconder shall be prominently displayed in the club premises for at least seven days before the election takes place.
- b) Election of candidates to membership shall take place at a Committee meeting. Candidates may on request of any one member of the Committee be elected by ballot. Election shall be by simple majority.
- c) Candidates shall upon being notified of their election to membership, be provided with a copy of the rules, and on payment of an entrance fee and subscription shall become a member.

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- d) Subject to their election by the Committee, Cadet Members may if they wish be elected to Full Membership on attaining the age of 18 and shall not be liable to a further entry fee or membership fee for that year.
- e) Every member shall furnish the Club Secretary with up-to-date full contact details, as per their Application or Subscription renewal form, which shall be recorded in the Register of Members. Any notice sent to such Members by post or email shall be deemed to have been duly delivered.

### **10. Termination of Membership**

- a) Every member joining the Club by implication undertakes to comply with these rules and any refusal or neglect to do so, or any conduct, which in the opinion of the Committee is either unworthy of a member, or otherwise injurious to the interests of the Club, shall render the member liable to expulsion by the Committee. Provided that before expelling a member such Committee shall call upon the member for an explanation of their conduct and shall give the member an opportunity of defending themselves or resigning from membership.
- b) The vote on a resolution for expulsion shall be by ballot and the resolution shall only be carried if not less than three quarters of the members of the Committee vote in favour of the resolution.

### **11. Voting Rights**

At any General Meeting of the Club, each Full Member (Family Membership has up to two votes if two adults are present), Honorary Life Member, Honorary Member or Group Representative shall be entitled to one vote. Cadet Members shall be entitled to attend and speak in any General Meeting. The cadet section and any associated bodies may each appoint a representative who shall each have one vote

### **12. Data Protection Act**

Membership of the Club and acceptance of these rules by a Member will be deemed to constitute consent to the holding of relevant personal data for the purposes of the Data Protection Act 1998 or as amended by statute. Personal details may be published in the Club Handbook unless otherwise instructed in writing by the member. Personal details will not be passed to a third party outside the Club unless required in an emergency or to a protesting party.

### **13. Clubhouse Security**

Detail security instructions as issued by the Committee from time to time shall be adhered to as set out in the Club Bylaws

### **14. Entry Fees and Subscriptions**

- a) There shall be entrance fees and annual subscriptions of such sums as the Committee decide. Annual subscriptions are due on the first day of January. Any changes to an annual subscription caused by a change in the rules at the Annual General Meeting, shall not come into effect until the following year.
- b) -Members over 65 years of age shall have their subscription rate frozen for all the subsequent years of their membership at the rate current for the year in which they advise-the Committee that they qualify under this rule.
- c) The Committee shall have the power to elect and define the entitlements of Temporary Members (this excludes voting rights or taking part in the business of the Club) for such periods as the Committee shall think fit but not normally exceeding four weeks. The Committee may delegate this power to the Flag Officers or Club Secretary.
- d) Any member who has not renewed their annual subscription by the 28<sup>th</sup> February of any year is liable to have their name removed from the Register of Members by the Committee. After that date, in order to re-join the Club, they will be required to be re-elected, pay a re-joining fee and a full annual subscription.
- e) No member shall in any year be entitled to exercise any rights or privileges of membership until their entrance fee and or subscription for that year and all arrears (if any) are paid.
- f) The subscription of a Full Member elected after 1<sup>st</sup> October in any year, shall be valid until the end of December of the following year.
- g) Any Family or Single Member may pay their annual subscription by monthly standing order on application to the Club Secretary. A sum shall be included in the standing order to cover administration costs.
- h) Current subscription rates are those set out in the Club bylaws.

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### 15. Management of the Club

#### A) The Committee

- a) The affairs of the Club shall be wholly managed by the Committee, which shall consist of the Flag Officers, the Club Secretary, the Club Treasurer and not more than six full members elected at the Annual General Meeting. The six full members shall be elected to serve for a period of three years.
- b) All nominations for election to the Committee must be received by the Club Secretary in writing four weeks prior to the A.G.M., with the names of the proposer and seconder who shall be Full Members.
- c) The Committee may co-opt a member to fill a vacant position on the Committee until the next A.G.M.
- d) If the number of candidates for the Committee, duly proposed and seconded, exceeds the number of vacancies to be filled the election shall be by ballot at the A.G.M.

#### B) Sub-Committees

- a) The Committee may appoint such sub-committees as it may think fit in addition to the standing sub-committees. The total number of members of each sub-committee shall not be less than three.
- b) There shall be the following standing sub-committees:
  - (i) The Sailing Committee which shall comprise of not more than four Full Members appointed by the Committee and not more than six Full Members to be elected at the A.G.M and a Sailing Secretary, if appointed or elected. All Class Captains or their approved deputies are entitled to attend Sailing Committee meetings. The Class Captain being the elected representative of any class of yacht or dinghy section established at the Club.
  - (ii) The House, Social and Bar and Catering Committee (to be known as the House Committee) shall consist of not more than three Full Members appointed by the Committee and four Full Members to be elected at the A.G.M. All Class Captains or their approved deputies are entitled to attend House Committee meetings. The Class Captain being the elected representative of any class of yacht or dinghy section established at the Club.
- c) All nominations for election to the standing sub-committees must be received by the Secretary in writing four weeks prior to the A.G.M., with the names of the proposer and seconder who shall be Full members.
- d) No member shall be elected to more than two sub-committees.
- e) No member shall be elected to a standing sub-committee if they are a member of the Committee though he may be appointed by the Committee.
- f) The Committee may co-opt a member to fill a vacant position on any sub-committee until the A.G.M.

#### C) Management

The affairs of the Club shall be managed by the Committee in accordance with the whole of these rules.

- a) The Committee shall apply the funds of the Club and shall make such bylaws, rules and regulations as it thinks fit for the management of the Club.
- b) The Committee shall have the power to raise money by borrowing or other means.
- c) No money or property of the Club shall be applied otherwise than for the benefit of the Club.
- d) Any surplus of the Club shall be applied in the manner the Committee consider best (i) in the interests of the Club, or (ii) in assisting any other non-profit making body as the Committee considers appropriate and no surplus funds shall be distributed among Members.
- e) Committee meetings shall be held as required. There shall be a minimum of six such meetings in any one year. They shall be convened by the Club Secretary or by one of the Flag Officers and a Notice of Agenda shall be sent to members of the Committee at least three days prior to the meeting. The senior officer present shall take the chair and have a casting vote in the event of an equal division and shall decide whether any item shall be taken in matters which do not appear on the Agenda. Five members shall form a quorum.

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- f) The Committee shall consult with and give due consideration to sub-committee recommendations.
- g) The Club shall not be used for commercial transactions or advertising except with the approval of the Committee.
- h) The purchase for the Club of excisable goods and the supply of the same upon Club premises shall be exclusively and solely under the control of the Committee or of a sub-committee appointed by the Committee. Intoxicating liquor may only be sold for consumption on the premises in pursuance of the Rules, Bylaws and regulations for the time being in force. No Member, visitor or guest may purchase or attempt to purchase intoxicating liquor within the Club premises for consumption by a person under the age of eighteen.
- i) Subject to the requirements of the licensing authorities, the Committee shall cause the Club bar to be opened at convenient times (and such times shall be prominently exhibited in the Club premises) for the sale of excisable goods to persons who are entitled to the use of the premises of the Club in pursuance of these rules (except persons under eighteen, as aforesaid) provided that visitors or guests' names and addresses and the name of their introducing Member shall have been entered in the Visitor's Book upon entry to Club premises.
- j) 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 sale 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.
- k) Proper accounts of all purchases and receipts shall be kept and presented at the Annual General Meeting in relating to each year and such information as the Secretary or Auditors may require shall be furnished to enable any statutory return or statement and the payment of excise or other duty or tax to be made

### **16. General Meetings**

- a) An A.G.M. shall be held on or before the 1<sup>st</sup> of April each year, on a date to be fixed by the Commodore, to pass accounts, appoint an auditor, and to elect Officers of the Club, members of the Committee and standing sub-committees. At least six weeks in advance of the A.G.M. the Club Secretary will advise all members of the date of the A.G.M.
- b) No business shall be conducted or resolution taken at the A.G.M. other than the business specified above, together with any business the Committee may order to be inserted in the notice convening the meeting, unless notice be given to the Club Secretary four weeks prior the A.G.M.
- c) The Committee may at any time call a Special General Meeting of the Club for any specific business. The discussion at such general meeting shall be confined to the business stated in the notice sent to members.
- d) Thirty members may join together to summon or cause the Club Secretary to summon by notice as hereinafter mentioned a Special General Meeting.
- e) The Club Secretary shall at least 14 days clear before the date of any General Meeting, email, post or deliver to each Member notice thereof and of the business to be brought forward there at, including the names of all candidates proposed for election as Flag Officers or as members of the Committee or any standing sub-committees together with the names of the proposers and seconders and the audited annual accounts.
- f) At any General Meeting, decisions, other than those concerning Club rules shall be carried by majority vote.
- g) In the case of equality of votes the chairman shall have a second or casting vote.
- h) The quorum for a General Meeting shall be 21.
- i) A General Meeting may at any time, without reason given, remove or reinstate any member from any position, which they may hold in the Club or on its committees.

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### 17. Guests

Any member may introduce, as their guest, any person (except a person who has been refused membership or expelled from membership) provided that the member so introducing enters the full contact details of the said guest in a book kept for such purpose. The member introducing the guest shall be personally responsible for the conduct of the guest whilst he or she is on club premises. No member may introduce more than two guests in any one day and may not introduce the same person as a guest (other than the wife or children of members) more than once in any one week without the consent of the Club Secretary or an Officer of the Club. No guest shall be introduced on more than ten occasions in any calendar year without the Committee's prior consent.

### 18. Visitors

- a) A member of any club recognised by the R.Y.A. may be authorised to use the premises of the H.R.S.C. by any member of the Committee. Such authorisation shall specify a period not normally exceeding fourteen days for such use.
- b) Any person who is competing in a Club event is entitled to use the Club premises for the duration of the event.
- c) Intoxicating liquor may be sold to or for consumption on the premises by those persons over 18 years of age who are entitled to use the premises of the Club to conform with the current Licensing Act or as amended by statute.
- d) Any member who has received the authority of two members of the Committee or the Club Secretary may expel temporarily or permanently any person who has the right to the use of the Club premises under subparagraphs 17(a) & (b) above.

### 19. Sailing Activities

- a) All boats owned or sailed by members must be adequately insured against third party risks.
- b) The safety of a boat and its entire management, including insurance, shall be the sole responsibility of the owner/competitor who must ensure that the boat is fully found, thoroughly seaworthy and manned by a crew sufficient in number and experience that are physically fit and competent to face bad weather. The owner/competitor must be satisfied as to the soundness of the hull, buoyancy where appropriate, spars, rigging, sails and all gear. They must ensure that all safety equipment is properly maintained, stowed and in date, and that the crew know where it is kept and how it is used.
- c) All boats competing in Club races must have a member of Hamble River S.C., or with the approval of the Race Officer, a guest under Rule 17 on board and in charge. Guests are not eligible for Club trophies.
- d) Any special reciprocal arrangements with other clubs or events may be specified in the Club By-laws from time to time.

### 20. Limitation of Liability

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 shall 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 use of the Club premises and any other facilities of the Club or out of participation in any race 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 caused by the neglect, default or negligence of any of the Officers, Committee or servants of the Club.
- c) Before inviting guests or visitors onto the premises or to participate in events organised by the Club members will draw their attention to this rule.

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### **21. New Rules, Amendments and Alterations**

- a) Notice of any alteration or addition to the rules intended to be proposed by a member of the Club, or the General Committee, shall be given to the Club Secretary in writing at least four weeks before any general meeting at which it is to be brought forward. Full particulars of the proposed alterations or additions shall be set out in the notice convening the meeting.
- b) Any proposed alterations or additions and any amendments to them must be proposed and seconded by a full member and shall be put to the vote of the meeting. Voting will be by a show of hands unless a poll is demanded by not fewer than three of the Full Members present.
- c) A majority of two thirds of the votes of those members present and voting in favour of any proposed alterations or amendments shall be required to carry the same.
- d) At the discretion of the Committee a web-based/ internet ballot may be used to determine the opinion of Members.

### **22. Group Membership**

As defined in Rule 8g, Group Members shall comply with the foregoing club rules in all respects and shall enjoy all the privileges of membership unless otherwise determined by the Committee with the following modifications: -

- a) Each Group shall appoint a Representative or Leader over the age of 18 who shall have the voting rights of a full single member, and shall be fully responsible for the actions of and any matters relating to their group. Other group members shall have no voting rights.
- b) Each group shall furnish the Club with the full contact details of all members of their Group, and shall inform the Club immediately of any changes.
- c) Group membership shall not extend to the families of Group Members.
- d) Groups may not invite guests or visitors to the Club, except with the express permission of the Committee.
- e) Groups may, with prior permission and under the advice and control of the Sailing Sub-committee or nominated person, organise their own training sessions, team events, regattas and the like.
- f) Adult Group members may be requested to undertake club duties and assist at open meetings, if required.
- g) Club dinghies may be hired by the groups at an agreed rate with the prior permission of the Club Secretary, as defined in Club bylaws.
- h) On each and every visit the Group Representative shall sign in the book provided, completing the information required, including the number of Group members involved.
- i) Group Representatives or Leaders shall be fully responsible for ensuring the safety of their group members whilst at the Club and on the water.

### **23. Dissolution of the Club**

If, at any Annual General Meeting or Extraordinary General Meeting, a resolution for the dissolution of the Club is passed the Committee must immediately, or at such future date as is specified in the resolution, proceed to realise the property of the Club and, after the discharge of all the liabilities, must distribute such property to any non-profit making body as the Committee or General Meeting consider appropriate and on completion the Club will be dissolved.