

Amended A.G.M 2010
Wakering Yacht Club Rule Book



1. The name of the Club is **WAKERING YACHT CLUB** and the burgee shall be a white Pelican on a blue background
2.
 - (a) The object to which the Club is formed is to promote and facilitate the sport and pastime of boating
 - (b) All persons who are interested in boating are eligible for Membership, provided they are not professional yachts men or yachts women
 - (c) The categories of membership are:
 - I. Family (husband and wife and children under 16)
 - II. Single (any person over the age of 16)
 - III. Junior (any person aged 16 to 18)
 - IV. Honorary
 - V. Temporary
 - VI. Non Boating
 - (d) One boat, one membership
3. The constitution of the 'Wakering Yacht Club' hereafter referred to as the Club, shall be a number of persons who freely elect their governing body Flag Officers, Honorary Officers and Committee Members at an Annual General Meeting to which all members are summoned with due notice No person who has not been duly elected to membership or who is default of payment of dues may attend such meetings. Non boating members elected after the 1st November 1999, Honorary or Junior members may attend such meetings but are not entitled to vote on any Club matters.
4. A candidate for membership shall send to the Honorary Secretary a form setting out name, address and any other particulars that the General Committee shall require and carrying the signatures of two adult Members in support as Proposer and Seconder. The said form shall be prominently displayed in the Club premises for a period of one month or until the next due General Committee Meeting (which ever is the longer period) before the application is considered. During that period the applicant is permitted temporary membership facilities provided 48 hours has elapsed from the time of submitting their application form for membership, and shall present him or herself at the Clubhouse to meet at least two Committee members.
Boating members will pay a non refundable joining fee of £350.00.
5. Election of candidates to membership shall take place at a meeting of the General Committee. Candidates shall be elected following an open discussion, closed vote in confidence. Majority decision decides.
6.
 - (a) On application for membership, the applicant shall pay the joining fee and the first annual subscription or part of as notified before the application is displayed on the notice board (**rule 4**). These monies will be refunded if the application is unsuccessful.
 - (b) Junior members may move to full membership automatically and pay the applicable subscription fee only when the next annual subscription is due.
7. Every member shall abide by the rules, bylaws and published General Committee rulings.
Any breach of the above, or conduct which may bring the club into disrepute, will render that member subject to the disciplinary procedure as detailed below.
On receipt of a written complain accusing a member of contravention of the above, the accused member will appear before the Flag Officers to explain the circumstances of the complaint.
The Flag Officers will consider the matter and take action based on the following sanctions.
 - 7.1 Take no further action
 - 7.2 Issue a verbal warning
 - 7.3 To issue a final written warning, stating that in the event of any further disciplinary issues with the member within a 2 year period, sanctions 4,5 & 6 will be considered
 - 7.4 To place the member on probation for a fixed period of time
 - 7.5 To exclude the member from the clubhouse, when the bar is open, for a fixed period.
 - 7.6 If permanent expulsion is considered, the matter will be referred to the general committee
8.
 - (a) Any member so disciplined according to **Rule 7** will have the right of appeal to the General Committee, in writing, within a period of 14 days following the date of the ruling by the Flag Officers. Except where expulsion is considered, a simple majority will decide the decision of General Committee. Where permanent expulsion is being considered, not less than 75% of the General Committee present must vote in favour of the resolution.
 - (b) Where the General Committee have decided upon permanent expulsion of a member, that the member will be given an opportunity to explain their conduct to the general Committee, within 14 days of the decision. The general Committee will consider the matter further and either confirm expulsion or apply any of the sanctions available within **Rule 7**
9.
 - (a) The amounts of annual subscription shall be determined at the Annual General Meeting and shall be due on that date or on election and the subscriptions so determined shall stand until the date of the next Annual General Meeting. Adjustments to subscriptions to be made in accordance with the auditors recommendations. A minimum increase in line with percentage cost of living, as at November each year, will be applied.
 - (b) A financial commitment to membership must be made within fourteen days of the AGM by completion of a renewal of membership form and payment in accordance with **rule 9.1** "Methods of payment". Any member in default of this will be removed from the list of members by General Committee.
 - (c) No member shall be entitled to exercise any rights of membership until the subscription for that year and arrears (if any) are paid

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- (d) Members will be on probation for 12 months from time of joining
- (e) Upon joining, a £5.00 returnable deposit will be required for key to premises.
- (f) Renewal of membership constitutes a financial commitment to membership of Wakering Yacht Club.
- (g) If a membership is terminated during the course of the year all outstanding monies become immediately payable.

- 9.1 Methods of payment for membership fees to be as follows:
- a) One Payment for full annual fee
 - b) First payment (of six) at the AGM followed by five equal payments, by standing order. Standing order mandate must be completed within fourteen days of the AGM.
10. (a) The Flag Officers of the Club shall consist of: Commodore, Vice Commodore, Rear Commodore who shall be elected at the Annual General Meeting from the body of retiring Officers and Committee and who shall hold office until the conclusion of the next Annual General Meeting. The retiring Flag Officers shall be eligible for re-election to any post.
- (b) All members who serve on committee must attend all meetings for all of the 12 months of their term of office except for unforeseen circumstances ie ill health or work commitments.
- 11 The General Committee shall consist of Flag Officers (3), Honorary Treasurer, Honorary Secretary and up to twelve other Members of the Club. The persons elected by the Club at the Annual General Meeting will hold office until the next Annual General Meeting. A quorum for a meeting of the General Committee shall consist of 60% of voting members. No candidate for election to the General Committee (other than the retiring Committee) shall be proposed unless the name of such candidate and of their proposers shall have been given to the Honorary Secretary 18 days before the Annual General Meeting.) To provide continuity the retiring Commodore can choose to automatically become a member of the next committee for a 1 term period.
- 12 At the Annual General Meeting each year there shall be appointed an Auditor whose duty it shall be to audit the accounts of the Club for the then current year. Audited accounts shall be presented at the Annual General Meeting and a copy made available to all Members. In the event of the person appointed as Auditor being unwilling or unable to act, the General Committee will appoint a substitute
- 13 The affairs of the Club shall wholly be managed by the General Committee according to the Rules. Such Committee shall apply the funds of the Club in such a manner as complies with **Rule 15** and shall make such regulations as thinks fit as to the management of the Club premises. Any major capital expenditure must be approved by the Club membership at a General Meeting as complies with **Rule 18**.
The Members of the Club may in General Meeting reserve the management of such affairs as they think fit to General Meeting and/or Special Committee
14. It shall be the responsibility of the Honorary Treasurer to keep complete and accurate accounts of the Club's Finances.
15. No money or property of the Club or any gain arising from the carrying on of the Club shall be applied otherwise than for the benefit of the Club or for a benevolent or charitable purpose to be nominated by the General Committee.
- 15.1 Any commercial enterprise carried out on the club premises requires the prior approval of committee.
Prior notification to be given to two committee members of work to be undertaken on members boats.
16. An Annual General Meeting should be held in either October or November, the General Committee shall nominate date and 28 days notice of such Meeting shall be given. No business (except the passing of accounts, the election of Officers and the General Committee, the appointment of an Auditor, the determination of 'Subscriptions' and any business that the General Committee order to be inserted in the notice convening the meeting) shall be discussed at such a meeting unless notice thereof be given to the Honorary Secretary 18 days prior to such meeting. The quorum shall be 30% of the total voting membership.
17. (a) Notice to any alteration to the Rules intended to be proposed by a Member of the Club shall be given to the Honorary Secretary 18 days before the date of any General Meeting at which the same be brought forward, and full particulars of any proposed alterations or additions shall be set out in notice convening the meeting
- (b) All such proposed alterations or additions and any amendments to them, which must be proposed and seconded, shall be put to the vote of the meeting and that provided with a show of hands or if determined a poll, a majority of 65% of the Members present and voting shall cast in favour of any proposed alteration or additions or amendments, then the same shall be deemed to be carried.
18. (a) The General Committee may at any time call a General Meeting of the Club for any specific purpose. The discussion at such General Meeting shall be confined to the business stated in the notice sent to Members.
- (b) 15% of the Club Membership may join together to call upon the honorary secretary to summon by written notice the membership to a general meeting
- NB. The quorum for a General Meeting shall be 30% of the total membership of the Club.
- 19 The purchase for the Club and the supply of the Club of intoxicating liquor shall be exclusively controlled by the General Committee (or House Committee)
- 20 There shall be at least three Trustees of the club who will be appointed from time to time as necessary by the committee from full time or honorary members. A trustee shall hold office during his/her lifetime until resignation by written notice to the



committee or until a resolution removing the member from office by a committee majority of two thirds of voting members Trustees shall be signatories of Agreements, Leases and/or letters for the duration of such documents, entered into in the name of the club. The liability of trustees shall be limited to the assets of the club

- 21 The General Committee shall raise (publish) Bye-Laws from time to time for the general well being of the Club, which shall not revise, amend or reverse the rules of the Club.
- 22 All Members of this Club are expected to assist with the duties of the Club as and when requested by the General Committee. The duties will be within their capabilities.
- 23 All Members taking part in Club events, races competitions do so at their own risk and that the decision of the organising Committee is final.
- 24 Members will be responsible for a bar duty in accordance with a published rosta.
- 25 Any boating or social membership not holding a specific responsibility within the club must attend two work parties per year.
- 26 It is a member's responsibility to inform the club of any change to address or phone number
- 27 a) Any member changing boats will be able to keep a second boat in the yard for up to a period of six months subject to committee approval on space and cost.
b) Any member selling a boat to a non member must accompany the prospective new owner at all times until vessel is sold.
- 28 **House**
 - (a) Intoxicating liquor may be supplied to and consumed by Members over the age of 18 years on the Club premises including Members guests and those authorised to use the Club under **Rule 30**
 - (b) Permitted hours expire ten minutes after the authorised time for closing the bar
 - (c) All drinks consumed on the premises must be supplied by the Club at bar or Galley prices.
- 29 Club staffs are under the control of the House Committee to whom all requests or complaints regarding their duty or behaviour should be addressed.
- 30 The Club premises will be available for private hire. Terms and Conditions will be set by General Committee

Guests

- 31 Member of any Club recognised by the Royal Yachting Association (a list whereof is contained in the Year Book of this said Association) may be authorised to use the Club by any Member of the General Committee of this Club; such authorisation shall specify between which dates, not being more than fourteen days apart, the said person may use the Club.
- 32 Every Member shall be permitted to introduce guests. The name and address and the name of the Member introducing them shall be written in the visitor's book kept on the premises for that purpose. The Member accepts responsibility for the guests and they shall not remain in the Club longer than the Member that introduced them. No member may introduce any individual as a guest more than once in any one month. The Committee shall have the power to regulate the introduction of guests.
- 33 Any two members of the General Committee may require any guest or Members of the Club to leave the premises if unseemly conduct or contravention of the Club Bye-Laws is in evidence. Any refusal to comply with the Committee Members request (**Rule 22**) shall be made to the General Committee and considered for record of action by the Committee

Children

- 34 Children brought into the Club shall be under the immediate control of an adult who shall be responsible for their behaviour and safety. No children are allowed to play on the dartboard or pool table unless they are under the supervision of a responsible adult.

Fire Precautions

- 35 (a) Fire fighting appliances are to be used solely for the fighting of fires. Anyone discovering a fire should at once :
 - i Raise the alarm
 - ii Endeavour to put the fire out without risking one's safety
 - iii Call the Fire Brigade if the Fire is out of control
- (b) No petrol, paraffin or other flammable liquids or materials shall be brought into the Clubhouse.
- 36 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 impliedly except that :
 - (a) The Club will not accept any liability for any damage to or the loss of property belonging to Members, their guests or visitors to the Club
 - (b) The Club will not accept any liability for personal injury out of the use of the Club premises or any other facility of the Club or out of participation in any race organised by the club whether sustained by Members, their guests or visitors, or caused by the said Member, their guest or visitors, whether or not such damage or injury could have been attributed to or was occasioned by the neglect, default or negligence of any of the Officers, Committee or servants of the Club.



- (c) Before inviting any guest or visitor onto the premises or to participate in events organised by the Club, Members will draw their attention to this Rule.

Yard Pontoon and Jetties

- 37 The yard, pontoons and jetties are under the immediate control of the Boson and Moorings Officer. Any defects to be reported to the committee.
- 38 No vessel of any description is to be brought into the yard without prior knowledge and consent of the Boson and / or Moorings Officer.
- 39 No vessel will be hauled out or launched unless all fees for doing so are paid to the Club in advance. Vessels hauled at owner's risk. Owner to ensure insurance cover
- 40 Mooring rights are granted at the discretion of the Moorings Officer and will continue from year to year provided :
- (a) The mooring holder agrees to transfer to an alternative site if the need arises.
 - (b) The mooring is used by a named craft or another of a similar class or size uses the mooring.
 - (c) The craft remains the property of the mooring holder.
 - (d) Any Member in disagreement with the Moorings Officer has a right to appeal to the General Committee.
 - (e) The mooring has not been vacated for more than 1 year, unless approval has been given by the General Committee.
 - (f) All moorings are non residential.
 - (g) Priority will be given to existing boating members when berths become available
- Automatic termination of mooring rights may result from non-compliance with any part of **Rule 40**
- 41 Pontoon berth holders are to keep their pontoons tidy and in good repair.
- 42 Launching and hauling equipment is under the direct control of the Boson and/or Moorings Officer. Only designated persons under the direct control of the Boson and/or Moorings Officer or a designated Flag Officer will use the Club's equipment.
- 43 Boat storage in the yard is to a maximum of three months. At the end of this period a weekly charge of £5.00 will apply. Any Member in default of the time allocated to them will have their fees increased by 100% per week until the vessel is removed. If the vessel is not removed within one calendar month of the time allocated, it will be impounded until all fees are paid up to the time of the vessels removal. If all fees are not paid and the vessel is not removed after three months of the allocated time, it will become the property of the Club.
- 44 The slipway must be kept clear of obstructions at all times.
- 45 Application for long term storage must be applied for in writing to the Honorary Secretary. The Honorary Secretary will respond with the committee's decision quoting **Rule 43**. The progress of the repairs being undertaken will be monitored by the Boson at 3 monthly intervals.
- 46 Allocation of the pontoon / jetty moorings will operate on a list basis displayed in the Clubhouse. Only members that pay mooring fees are eligible to be on the pontoon / jetty allocation waiting list.
- 47 Boats that are over 35ft in length are subject to committee approval before mooring can be provided / re-allocated
- 48 Members requiring boats to be lifted in or out must be accompanied by a team of at least four people before their boat is moved
- 49 Fuel from the Waking yacht club fuel tank is only available to club members. No fuel deliveries by tanker are permitted other than those scheduled by General Committee. Small cans, for members own use is permitted.
- 50 Lift out/in shall be restricted to one per boating member per year. Additional lifts must be approved by committee. A charge may be applied.

BYE LAWS

The general Committee of the Club shall be responsible for Bye-Laws for the general observance of Rules, regulations and Bye-Laws of the Club.

- 1 All owners of boats using the Club facilities shall carry insurance, in accordance with Crouch Harbour regulations, which shall be produced if required.
2. For safety reasons, there will be no fishing allowed from the pontoons
- 3 Lift out will take place at the end of October/beginning of November (dependant on tides)
- 4 If a mooring is vacant for a period of time the moorings officer may allocate it on a temporary basis to a member on the waiting list .
- 5 Boat owners are responsible for de-rigging the trailer.