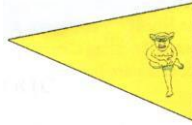


**NORTH LINCOLNSHIRE AND HUMBERSIDE SAILING CLUB
CONSTITUTION AND RULES OF MANAGEMENT**

2019 /20



CONTENTS

- 1 THE CLUB
- 2 GENERAL STATEMENTS
- 3 MEMBERSHIP DESCRIPTIONS
- 4 MEMBERSHIP ADMINISTRATION & SUBSCRIPTIONS
- 5 RESIGNATION OR REMOVAL OF MEMBERSHIP
- 6 ACCESS
- 7 SAFETY
- 8 MEETINGS & COMMITTEES
- 9 MANAGEMENT
- 10 TRUSTEES & OWNERSHIP

No.

- 1 THE CLUB**
- 1.1 The name of the Club is The North Lincolnshire and Humberside Sailing Club and the burgee of the Club shall be a green "Lincoln Imp" on a yellow triangular backcloth.
- 1.2 NL&HSC is an Association and Community Amateur Sports Club under the Finance Act 2002, schedule 18.
- 1.3 The objects of the Club are to promote, encourage and facilitate non-motorised water sport.
- 2 GENERAL STATEMENTS**
- 2.1 Membership of the Club shall be open to all persons interested in non-motorised water sport, whether craft owners or not, and irrespective of age, sex, ethnicity, nationality, sexual orientation, religion or beliefs, or of disability except as a necessary consequence of the requirements of their chosen water sport.
- 2.2 In the construction of these Rules words importing the male gender shall also include the female gender. Paragraph headings are for convenience and are not part of the Rules.
- 2.3 In these Rules 'child' or 'children' shall mean persons who have not attained the age of 18 years at the commencement of the subscription year, and 'sponsoring adult' shall mean an adult member who accepts (*vis a vis* the Club) parental responsibility for a child whilst that child is on Club premises.

- 2.4 A “Nominated Adult” is an adult willing to take responsibility for another adult's child and that fact is recorded on the 'Training Consent' form. (see 7.6)

3 MEMBERSHIP DESCRIPTIONS

- 3.1 The Club shall consist of Full Members, 18 – 25 Full Members, Honorary Members, Family Members, Non-participating Adult Members, Support Members, Junior Members, Student Members, Temporary Members, Fishing Members and Affiliated Members.
- 3.2 A Full Member shall mean an adult member who does not hold any other category of membership.
- 3.3 An 18 – 25 Full Member shall mean a Full Member who has not attained the age of 26 years at the commencement of the subscription year.
- 3.4 An Honorary Member shall mean a member who is elected at an Annual General Meeting on the recommendation of the General Committee as having given outstanding service to the Club. The total number of Honorary Members shall not exceed eight per cent of the total adult members of the Club.
- 3.5 A Family Member shall mean a member who is also a member of a family unit (consisting of either or both parents and their children) and who has also paid the subscription applicable to family membership.
- 3.6 A Non-participating Adult Member shall mean a parent or guardian (being the sponsoring adult) of a Junior Member. A Non-participating Adult Member shall not participate in any on-water activity at the Club unless this is to provide safety cover as a qualified powerboat driver.
- 3.7 A Support Member shall mean a Non-participating Adult Member who has previously held a club membership (Family, Full or Non-participating) and whose only participation in any on-water activity at the Club is to provide safety cover as a qualified powerboat driver.
- 3.8 A Junior Member shall mean a member who is the child of a Full Member who has chosen not to apply for family membership, or a child for whom there is a sponsoring adult.
- 3.9 A Student Member shall mean an adult member who is in full time education at the commencement of the subscription year.
- 3.10 A Temporary Member shall mean a Member who has been admitted to his chosen category of membership, including day membership, at the discretion of the General Committee, for a limited period. This includes for a limited period not exceeding 2 months those training to achieve RYA certification.

- 3.11 A Fishing Member shall mean an Adult Member who does not hold any other category of membership. A Fishing Member will have been a member of the Barrow Mere Fishing Syndicate for at least one year and be signed off as such on their application. A Fishing Member may use the clubhouse facilities, but has no right to use any of the clubs equipment.
- 3.12 An Affiliated Member shall mean a member of a bona fide non-profit making organisation that has been elected to Affiliated Membership. The terms and conditions, including entrance fees and subscriptions, of such membership shall be set by the General Committee and the normal privileges of such membership may be restricted.

4 MEMBERSHIP ADMINISTRATION & SUBSCRIPTIONS

- 4.1 A candidate for membership shall send to the Hon. Secretary or Membership Secretary a form setting out his name, address, and such other particulars as may be required by the General Committee. Membership shall be confirmed at the next General Committee meeting. Prospective members who have paid their subscriptions and submitted their membership forms shall be entitled to use the facilities of the Club whilst they await approval of their application at the next General Committee meeting.
- 4.2 Membership may be refused only for good and sufficient cause such as conduct or character likely to bring the Club or the appropriate watersport into disrepute.
- 4.3 There shall be an Entrance Fee of such sum as the General Committee may from time to time prescribe. Until otherwise prescribed it shall be £ NIL.
- 4.4 The annual Subscription, payable on election and on March 1st in each subsequent year shall be as follows:
Full Member £160
18 – 25 Full Member £80
Honorary Members £0
Family Member £190
Non-participating Adult Member £10 (parents/guardians)
Support Member £10
Junior Member £30
Student member £30
Day Membership (Applicant supplies his own insured craft) £10
A £15 discount is deductible **for existing** Family and Full members renewing before 31st March
- 4.5 A Full or Family Member elected after August 31st in any year shall be required to pay the following reduced subscription for that year, provided that the General Committee is agreed that such member has not used the facilities of the Club more than an average amount whilst awaiting approval of his application for membership by the General Committee.

Full Member £100

Family Member £120

- 4.6 Upon payment of the subscription a member will be issued with one or more 'subscription labels' which must be securely attached to transom(s) or windsurf rack allocation board(s) as appropriate. The General Committee may authorise the removal of any craft or board in breach of this rule and they will then be liable to be insecurely stored in the open air.
- 4.7 A member absent for a whole year shall not be liable for any subscription for that year provided that he shall have given to the Honorary Secretary previous notice in writing of his intention to be so absent.

5 RESIGNATION OR REMOVAL OF MEMBERSHIP

- 5.1 Any member desirous of retiring from the Club shall notify his intention to the Honorary Secretary on or before February 28th.
- 5.2 Any member who has not paid his subscription by May 1st shall have his name removed from the list of members. The General Committee may, at its discretion, and upon application by such ex-member for his name to be restored to the list of members, and upon payment of the entrance fee, provided that the current subscription and all arrears are paid up, restore his membership.
- 5.3 It shall be the duty of a member who has not renewed his subscription to remove his craft from the Club before May 1st. Thereafter the former member shall be sent a notice by email or by ordinary post to his last known address specifying the craft, and the date after which it is liable to be sold and the proceeds paid into Club funds. Unidentified craft shall be dealt with in the same way except that Notice of Intention to Sell the craft will be displayed on the Club notice board only. In the intervening period the craft shall be liable to be stored in the open air.
- 5.4 No ex-member shall be entitled to exercise any rights or privileges of membership.
- 5.5 Every member on joining the Club implicitly undertakes to comply with these Rules, and any refusal or neglect to do so, or any conduct which is injurious to the interests of the Club or likely to bring the Club or the appropriate water sport into disrepute shall render a member liable to expulsion from the Club.
- 5.6 Any such breach or misconduct brought to the attention of the General Committee shall not result in expulsion unless the member has first been given an opportunity to explain or defend himself and the vote on an expulsion resolution shall be by ballot and shall only be carried if not less than three-quarters of the members of the General Committee present at such meeting vote in favour of the resolution.

5.7 Any member so expelled shall be entitled to appeal to a duly convened General Meeting of the Club at which the decision to expel may be overturned on the vote of a simple majority.

6 ACCESS

6.1 Members may participate in water sports on any day of the year at the discretion of the General Committee.

6.2 A small fee is payable by members and their families using Club equipment. Such fees will be posted in the Clubhouse.

6.3 An Adult Member may introduce guests provided the member enters the name and address of each guest in the attendance record and remains on Club premises whilst the guest remains there. No guest may be introduced more than three times in a calendar year.

6.4 The Club may refuse admission to dinghies whose overall length is greater than 16ft.6ins. (5.03 metres).

6.5 All craft must be insured before being brought onto Club premises. All craft and their accessories are left on Club premises at the owner's risk. Owners should check their property regularly to ensure that it is safe and secure. Trailers are not allowed on the Club's premises unless placed on the member's berth. The Club reserves the right to remove any trailers left elsewhere on the Club's premises.

6.6 The amenities of the Club's premises shall, for the purpose of water sport activities, holding lectures, discussions, film shows, social gatherings etc, be available or open to members from 0600 to 2300. The Club may only be opened during the hours of 2300 and 0600 if an officer is present.

6.7 A member (and his partner and family) of any Club recognised by the relevant sport's governing body (a list whereof is contained in the Year Book of the said body) or a member of any Club or Association invited to compete or take part in any social or on-water activity may be authorised to use the premises of the Club. Such authorisation shall specify between which dates (not being more than 14 days apart) the said persons may so use the premises.

6.8 Any person who is a competitor in any race sponsored or organised by or on behalf of the Club, and any person who is a member of the crew of such competitor for the purpose of the race, may be permitted to use the Club's premises within a period of 24 hours before and after the race in which they are competing.

6.9 The Honorary Secretary or any other person who has received the authority of two members of the General Committee may expel temporarily or permanently any person who has the right to use the Club's premises only under Rules 6.7 and 6.8.

- 6.10 All craft competing in Club races must be owned or hired by a member of the Club. Craft owned by the Club or a member of the Club that are on hire cannot enter any Club race unless the hirer is also a member of the Club. In this Rule 'member' shall include a Temporary Member, but not an Honorary Member of the Club. Except with special permission from the Committee every craft must have a member of a recognised club aboard.
- 6.11 The Committee may enter into reciprocal arrangements with other clubs in the district whereby the members of those clubs may enter their craft in the Club's races without payment of subscriptions.
- 6.12 Dogs are allowed on the Club premises. However they must be kept on a lead and handled by the owner in a responsible manner. Any dog mess must be cleaned up immediately by the owner. Any person who is deemed not to be adhering to this rule will be asked to remove their dog from the premises.

7 SAFETY

- 7.1 All members must at all times make their own safety arrangements.
- 7.2 During winter months, November to March inclusive, unless safety boat cover is available, sailing is only permitted if there are at least 2 unpowered craft on the water.
- 7.3 Club equipment cannot be used for leisure sailing where wind speed is in excess of 25 mph.
- 7.4 Every person participating in Club water activities or while on board or operating the club's weed cutting boat and rescue or safety boats must wear an appropriate lifejacket or buoyancy aid, save that the use of personal buoyancy for the competent windsurfer while windsurfing is a matter of personal choice.
- 7.5 All children below the age of twelve must be made to wear an appropriate lifejacket or buoyancy aid when on the Club's jetties and slipways.
- 7.6 Any children on Club premises must have a parent or guardian, sponsoring adult, or Nominated Adult in attendance throughout. (Club coaches may decide at their own discretion if they are willing to be a Sponsoring or Nominated Adult). This rule may be waived for children of 16 years old or over who have lodged with the Hon. Secretary a 'Consent and Disclaimer' form. This form is to be signed by both the parent or guardian or sponsoring adult, and the child, and also by a Club coach of the appropriate discipline. The Club coach must, before signing, be confident that the child is of a sufficient skill level to be potentially sailing alone.
- 7.7 All craft participating in Club water activities are to carry adequate buoyancy.
- 7.8 The occupancy of the clubhouse shall be restricted to a maximum of 200

persons at any one time.

8 MEETINGS & COMMITTEES

- 8.1.1 An Annual General Meeting in each year shall be held on the second Monday in November.
- 8.1.2 The General Committee may at any time call an Extraordinary General Meeting for any specific business.
- (19.1)
- 8.1.3 Thirty members (or if the membership of the Club is less than 150 a fifth of the total) may also summon an Extraordinary General Meeting without the approval of the General Committee or Officers.
- 8.1.4 At any General Meeting all members shall be entitled to attend but only Full Members, adult Family Members, and 18-25 Full Members shall be entitled to vote.
- 8.2 The Honorary Secretary shall at least 14 days clear before the date of any General Meeting send by email or post, or deliver to each member Notice of such Meeting with an Agenda of the business to be discussed.
- 8.3 At the Annual General Meeting the Agenda shall include only the following business:
Passing of the Accounts
Election of the Officers and General Committee
Appointment of the Independent Examiner
Any business that the General Committee may order to be inserted in the Agenda.
Any business of which prior notice in writing, signed by the Proposer and Secunder, has been received by the Honorary Secretary by the last Monday in October.
- 8.4 At an Extraordinary General Meeting the business to be decided shall be confined to the Agenda set out in the Notice Convening the meeting.
- 8.5 At any General Meeting the business may be carried by a simple majority of the votes of the eligible members present EXCEPT THAT any proposal for an alteration to these Rules shall require a majority of two-thirds of such votes.
- 8.6 A General Meeting may at any time without reason given remove any member from the position he may hold within the Club.
- 8.7 The President and Vice President shall be elected annually at the Annual General Meeting and shall be classed as Honorary Members. These Honorary memberships are not to be included in the calculations for Honorary Members in Rule 3.4.

- 8.8 The Officers of the Club shall consist of: the Commodore, Rear Commodore (the immediate past Commodore), Vice Commodore, Honorary Secretary, Honorary Treasurer and Honorary Sailing Secretary. Officers shall be elected at the Annual General Meeting in each year, shall hold office until the Annual General Meeting following, and shall be eligible for re- election.
- 8.9 The offices of Commodore and Vice Commodore shall be held for no more than three consecutive years, unless at the General Committees' discretion, the period is extended on a yearly basis after year three.
- 8.10 The General Committee shall consist of Officers elected in General Meeting, Officers who retired at the previous Annual General Meeting, and the Honorary Bosun, Honorary Membership Secretary, Honorary Media Officer, Honorary Rescue Officer, Honorary Training Officer, Honorary Child Welfare Officer, the RYA Centre Principal and the Fleet Captains. The President and Vice President referred to in Rule 8.7 and the Trustees referred to in Rule 10.1 shall be ex officio members of the General Committee, but shall not have a vote at any meeting unless that person also holds another post on the General Committee.
- 8.11 The minimum number of committee members required to form a quorum at all club meetings is three.
- 8.12 Candidates for election to the General Committee shall be those members of the retiring committee who shall offer themselves for re-election and such other eligible members of the Club whose nominations, duly proposed and seconded by adult members of the Club in writing, shall have been sent to the Honorary Secretary 3 weeks before the Annual General Meeting.
Persons eligible for election to the General Committee: -
Full Members, adult Family Members and 18 – 25 Full Members, who have been members of the Club for at least 6 months.
- 8.13 If two or more members are proposed and seconded for a General Committee vacancy, an election shall be held by ballot at the Annual General Meeting.
- 8.14 A Dinghy Fleet Captain may be elected by dinghy sailing members to serve on the General Committee.
- 8.15 A Windsurfing Fleet Captain may be elected by windsurf members to serve on the General Committee.
- 8.16 If a casual vacancy occurs by death or resignation the General Committee may co-opt a member to fill the vacancy.

- 8.17 A 'Special Committee' means a committee consisting of not more than twelve members of the Club elected by the Club in General Meeting to sit on that committee until the conclusion of the next Annual General Meeting. Any Sub-rules applicable to the General Committee shall apply equally to a Special Committee.
- 8.18 The General Committee may appoint such sub- committees as it may think fit provided that not less than two-thirds of the members of any sub-committee are members of the General Committee and that the total number of members is not less than four, and that vacation of office on any sub- committee shall take place at the next Annual General Meeting.

9 MANAGEMENT

- 9.1 The affairs of the Club shall be wholly managed by the Officers and General Committee according to these Rules. The General Committee shall apply the funds of the Club in such manner as complies with Rules 1.3 and 10.2 and shall make such byelaws and regulations as thought fit as to the management of any Club premises. The members of the Club may in General Meeting reserve the management of such affairs as they think fit to the General Committee and/or a Special Committee.
- 9.2 All expenditure incurred on the Club's behalf must be authorised by the General Committee. There is no guarantee of reimbursement for purchase of goods or services without General Committee authorisation.
- 9.3 The annual accounts shall be drawn up to 30 September each year. At the Annual General Meeting in each year there shall be appointed an Independent Examiner whose duty it shall be to examine and check the accounts of the Club for the current year. A copy of the independently examined accounts shall be prominently displayed on the Club's premises prior to the Annual General Meeting or as soon as possible thereafter. In the event of the person appointed as Independent Examiner being unwilling or unable to act, the General Committee shall appoint a substitute.
- 9.4 It shall be the responsibility of the Honorary Treasurer to keep a complete and accurate account of the Club's finances. Cheques must be authorised by the signatures of any two mandated Officers of the Club nominated by the Committee.
The Honorary Treasurer may make payments on behalf of the Club via electronic transfer having received email confirmation to do so from one other mandated Officer of the Club. The Honorary Secretary will keep such confirmation emails as a record.
- 9.5 Only the Honorary Treasurer and the Honorary Membership Secretary will have access to the Club's Online Banking Facility.
- 9.6 The Club current account debit card must only be used for repeat payment

items or for payments made by the Honorary Treasurer, having received email confirmation to do so from one other mandated Officer of the Club. The Honorary Secretary will keep such confirmation emails as a record.

10 TRUSTEES & OWNERSHIP

- 10.1 The property of the Club (other than cash which shall be under the control of the Honorary Treasurer) shall be vested in not more than four trustees of the Club, to be dealt with by them as the General Committee shall from time to time direct by resolution (of which an entry in the Minute Book shall be conclusive evidence). The Trustees shall be Messrs. K.Lown, N.Morrison, J.Stamp and E.Robinson. The Trustees shall hold office until death or resignation, or until removed from office by a resolution of a General Meeting. Where by reason of such death resignation or removal it shall appear necessary to the General Committee for a new Trustee or Trustees to be appointed, such Trustee or Trustees shall be nominated by resolution of the General Committee. For the purpose of giving effect to such nomination the Commodore for the time being is nominated as the person to appoint new Trustees of the Club within the meaning of Section 36 of the Trustee Act 1925 and he shall by deed appoint the person or persons so nominated by the General Committee as the new Trustee or Trustees and the provisions of the Trustee Act 1925 shall apply to such appointment.
- Any statement of fact in any such Deed of Appointment shall in favour of a person dealing bona fide and for value with the Club or General Committee be conclusive evidence of the facts so stated.
- The Trustees shall be indemnified against risk and expense out of the Club's property and assets and, in the event of any shortfall therein, by all adult Full or Family Members of the Club at the time of such loss or at any time during the three years preceding such loss.
- 10.2 No money or property of the Club nor any gain arising from the carrying on of the Club shall be applied other than for the benefit of the Club, and in particular no surpluses or assets will be distributed to members (or to third parties) save as provided in the following sub-paragraph.
- 10.3 In the event of the dissolution of the Club any assets remaining after the discharge of all debts and liabilities shall not be paid to or distributed among the members, but shall be given or transferred to one or more of the following sporting or charitable bodies as may be approved in a General Meeting:
- (a) Another Club which is a registered Community Amateur Sports Club under the Finance Act 2002 Schedule 18 and has objects similar to those of the Club.
 - (b) The Royal Yachting Association for use by it for related community sports.
 - (c) A registered charitable organisation.

FOR AND ON BEHALF OF THE GENERAL COMMITTEE OF THE NORTH LINCOLNSHIRE
AND HUMBERSIDE SAILING CLUB.

Commodore
(Eric Robinson)

Honorary Secretary
(Emma Leaning)

Updated in accordance with resolutions at Annual General Meeting.

Last updated

13/11/2019