

EMSWORTH SLIPPER SAILING CLUB



RULES

Jan 2022

The Rules of the Emsworth Slipper Sailing Club are divided into the following sections:-

RULES

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Note.
or 'hers'. In the following Rules the expression 'he' shall be used to mean 'he' or 'she' and 'his' shall mean 'his'

RULES

SECTION 1 – NAME ADDRESS AND OBJECTS

1. The name of the Club shall be the Emsworth Slipper Sailing Club (hereinafter referred to as the Club).
The address of the Club is The Quay Mill, South Street, Emsworth, Hampshire PO10 7EQ.
2. The burgee of the Club shall be a white slipper on a green field.
3. The object of the Club is to encourage amateur sailing and boating and to provide and maintain a Clubhouse and social facilities.
4. The Club is a non-profit making organisation. All profit and surplus is used to maintain or improve Club facilities.

SECTION 2 – OFFICERS

5. The Officers of the Club shall be Members of the Club and shall be: -
President
Vice President (who shall be the immediate past Commodore)
The five Flag Officers comprising:
Commodore
Vice Commodore
Rear Commodore (Sailing)
Rear Commodore (Administration)
Rear Commodore (House)
Supported by:
Honorary Secretary
Honorary Treasurer
Honorary Membership Secretary
Honorary Dinghy Secretary
Honorary Cruiser Secretary
Honorary Bosun
Honorary Social Secretary
Honorary Youth Co-ordinator
Honorary Junior Co-ordinator
Honorary Training Principal
6. With the exception of the President and Vice President, Officers shall be elected at one Annual General Meeting and shall hold office for one year, retiring at the termination of the next Annual General Meeting. All Officers of the Club shall be eligible for re-election.
7. All former Commodores, with the exception the President and Vice President shall be Honorary Vice Presidents for Life whilst they are Members of the Club.

Duties of the Honorary Secretary, Honorary Treasurer or Member nominated by the Committee

8. The Honorary Secretary or a Member nominated by the General Committee (hereafter referred to in these Rules as 'the Committee') to undertake some of the duties of the Club the Honorary Secretary shall:-
 - 8.1 Conduct the correspondence of the Club;
 - 8.2 Keep custody of all Club documents;
 - 8.3 Keep full minutes of all Committee and Annual General Meetings of the Club, which shall be confirmed and signed by the appropriate Chairman upon the agreement of that Committee or Meeting, at the next following meeting of the Committee or the Club as shall be the case.
 - 8.4 Administer such insurance policy or policies as may be needed to fully protect the interests of the Club, its Officers and its members;
 - 8.5 Maintain contact with the Club's legal advisors to ensure that the Club's affairs are managed in accordance with current law.
 - 8.6 Maintain any such certificates or registrations, and complete any such non-financial returns, as may be required by law.
 - 8.7 Keep a register of members' names and addresses.
9. The Honorary Treasurer shall:-
 - 9.1 Cause such books of account to be kept as are necessary to give a true and fair view of the state of finances of the Club.
 - 9.2 Cause all returns as may be required by law in relation to such accounts to be rendered at the due time.
 - 9.3 Prepare Annual Accounts to include a balance sheet as at 30th September in each year and cause such accounts to be examined or audited (as may be determined by the Club from time to time) at least once annually and shall thereafter cause the same to be exhibited in the Club premises or on the website at least seven days before the date of the Annual General Meeting.
10. The Club's Auditor(s) shall:-
 - 10.1 Be appointed by the Committee each year.
 - 10.2 The Auditors shall inspect the accounts of the Club when called upon to do so and shall give such certificate of assurance as to the accuracy of the said accounts as shall be required by law or by the Committee.

SECTION 3 – MEMBERSHIP

11. There shall be the following categories of membership with power to vote at all meetings of the Club as indicated hereunder. The rights and privileges of each category of member are as defined in the latest edition of the By-Laws of the Club.
- 11.1 Each Adult Member - being a person who, at the date of election, is over the age of eighteen and who shall have one vote.
- 11.2 A Life Member – being a person elected from the Full Membership at the absolute discretion of the Committee and who shall have one vote.
- 11.3 A Youth Member - being a person who, on January 1st, is aged twelve or over but under the age of eighteen and who shall have no vote.
- 11.4 A Junior Member - being a person who, on January 1st, is aged eight years or over but under the age of twelve and who shall have no vote.
- 11.5 An Honorary Life Member - who shall have no vote.
- 11.6 An Honorary Member - who shall have no vote.
- 11.7 An Overseas Adult Member shall have one vote
- 11.8 Senior Members Aged over 65 years with 20 years membership and shall one vote
- 11.9 Senior Couple Members Aged over 65 years with 20 years membership and shall have one vote
- 11.10 A Temporary Member - who shall have no vote, may be proposed by any member by notification in writing to the Membership Secretary for temporary membership of the Club. The Proposal must be received by the Membership Secretary seven days before it is considered by the Committee.
- 11.11 Probationary Member, Probationary Junior and Probationary Youth Member – who shall have no vote, shall remain as such for a minimum period of twelve months from the date of such election.
- 11.12 Affiliate Membership: members ("Member of ERS") of Emsworth Radio Sailors ("ERS") (a separately constituted group participating in radio sailing) shall be entitled to affiliate membership of the Club. Such affiliate membership shall entitle Members of ERS to use the outside grounds of the Club and in particular the south dinghy park and any associated pontoons accessed therefrom and the WC facilities within the Club buildings for the purpose only of participating in events organised by ERS and sanctioned by the General Committee. Affiliate Membership shall not allow or permit any person to use any other facilities within or belonging to the Club or to participate in any Club activity or property.
- 11.13 A person falling into the categories defined in 11.1 to 11.9 shall for the purpose of these Rules be defined as a 'Member'.
The term 'member' shall apply to a person holding any category of membership of the Club.
12. Candidates for membership shall have no privileges whatsoever in relation to the use of the Club or premises other than to be permitted to visit the Club on no more than SIX occasions in any one calendar year. On such occasions these persons must be signed into the visitors' book by a Full Member.

Membership Entrance and Subscription Fees

13. The rate of the Entrance Fee and annual Subscription Fees for each category of membership will be linked to the retail prices index (RPI). Should any increases be required that are greater than the RPI they will be proposed at the AGM. Any such change shall be approved by a majority of those present and entitled to vote and they shall become operative when subscription requests are next raised. The current rate of Entrance and Subscription fees shall be prominently displayed in the Club **premises** or on the Club's **Website**. In certain circumstances the subscription fees may be waived or reduced for an individual member at the absolute discretion of the Commodore.
14. The members shall make the following annual payments:-
- 14.1 All members, except Junior, Youth, Honorary and Temporary members shall pay the Entrance Fee and their first Annual Subscription upon election to the Club and thereafter pay an Annual Subscription by the first day of January in each year. A member elected after the first day of March shall pay the full Entrance Fee and a pro rata Annual Subscription for that year.
- 14.2 The Committee may cancel, without notice given, the membership of any member whose annual subscription and other annual fees are more than fourteen days in arrears provided that the Committee may, at its discretion, re-instate such member upon payment of arrears. No member whose annual payments are in arrears may enter any Club event or regatta or vote at any meeting. The rate of Entrance and Subscription Fee for each category of membership shall be proposed by the Committee to the members at the Annual General Meeting in each year. Any proposed changes shall be approved by a majority of those present and entitled to vote and shall become operative on the first day of January in the year following. The current rate of Entrance and Subscription fee shall be prominently displayed in the Club premises or on the **website**.
- 14.3 If allocated storage space, members shall pay an annual boat storage fee of such a sum as the Committee shall from time to time prescribe which shall entitle a member to a space in the Club's boat park during the period stated in the current Club Handbook.
15. Every member shall notify the honorary membership secretary with an up to date postal address and where possible an email or other electronic data contact. Postal addresses, email or other data contacts shall be recorded in the register of members and any notice sent to any such address email or data contact so notified shall be deemed to have been duly delivered.

Election of members

16. Every candidate for membership (except Temporary Members, Honorary Members and Honorary Life Members) shall be proposed and seconded by two Members of the Club, both of whom must be personally acquainted with the candidate and one of whom must be a serving member of the Committee.
17. An application for membership shall be in the form from time to time prescribed by the Committee, and shall include the name, address, and occupation of the candidate and other details required by the Club, and the signatures of a Proposer and a Secunder.
18. Upon receipt of an application for membership, the Honorary Membership Secretary shall enter such application in a Register of Candidates and shall cause relevant sections of application form to be prominently displayed in the Club premises and in the members area on the website for at least seven days before the meeting of the Committee at which such application for membership shall be considered. With the exception of Honorary Life Members, the election of all classes of members is vested in the Committee. If one quarter or more of Committee present vote against a candidate that candidate shall not be elected. The Honorary Membership Secretary shall inform each candidate in writing of the candidate's election or non-election and shall make request for such payments as are necessary. Upon receipt of the full payment, he shall furnish the elected candidate with a 'Starter pack' which will include the Rules and By-Laws of the Club, a Handbook, a 'History of the Club' booklet and other items which will be determined by the Committee from time to time.
19. Upon election, a candidate shall pay, within one calendar month, such entrance and other fees as shall be requested. In default of such payment, the election shall be void unless sufficient cause for delay is accepted by the Committee.
20. Every candidate to be an Adult Member, Probationary Youth Member or Probationary Junior Member as the case may be who is elected in accordance with the preceding rule (19) shall become a Probationary Adult Member, Probationary Youth Member or Probationary Junior Member as the case may be and shall remain as such for a minimum period of twelve months from the date of such election.
21. At the first Committee meeting or such subsequent meeting as the Committee shall in its absolute discretion deem fit after the said period of twelve months shall have elapsed, the nomination of the Probationary Adult Member, Probationary Youth Member or Probationary Junior Member shall again be considered by the Committee. At such meeting, the Committee shall, proceed to elect or reject the candidate by ballot by show of hands, three or more votes cast for rejection to exclude.
22. The Probationary Adult, Youth or Junior Member having been elected in accordance with the preceding Rule 21 shall become an Adult Member, Youth Member or Junior Member as the case may be.

Conduct of Members

23. Every member, upon election and thereafter, is deemed to have notice of, and impliedly undertakes to comply with, the Club Rules and the current By-Laws of the Club. Any refusal or neglect to do so, or any conduct which, in the opinion of the Committee acting reasonably in the interests of the Club, is prejudicial to the interests of the Club, shall render a member liable to expulsion by the Committee.
- 23.1 PROVIDED THAT, before considering the expulsion of a member, the Committee shall call upon such member for a written explanation of the member's conduct and shall give the member full opportunity of making explanation to the Committee, or of resigning.
- 23.2 A Resolution to expel a member shall be carried by a simple majority vote by those members of the Committee present and voting on the Resolution.
24. Members and Probationary Full Members shall enter the names of their guests in the Visitor's Book and shall accompany the guest at all times whilst on Club property. Not more than 6 guests may be introduced by a Club Member or Probationary Full Member in any one day unless by prior agreement and the same guest may not be introduced more than six times in any calendar year.
25. A member shall not knowingly remove, injure, destroy or damage any property of the Club and shall make restitution for the same if called upon to do so by the Committee or by the Honorary Secretary upon the instructions of the Committee.
26. A member shall not cause any communication in whatever form to be exhibited on Club notice boards or premises or the website without the permission of a Flag Officer or Club Officer responsible for that board.
27. All suggestions shall be entered in the Suggestion Book and signed by the member concerned.
28. Complaints of any nature relating to the management of the Club premises shall be addressed in writing to the Honorary Secretary. With the exception of the Commodore or his delegated representative, no member shall engage in any discussion as to terms of employment or performance with a servant of the Club.
29. The Club may admit as a visitor any member of a recognised yacht or sailing club visiting Emsworth and any such person shall sign the Visitors Book stating the name of their club. These visitors may purchase refreshments and intoxicating liquor while on the Club premises in accordance with the Club Premises Certificate issued under the Licensing Act 2003.

30. Any person who is a competitor or crew member in any race sponsored by or on behalf of the Club is entitled to the use of the Club facilities within a period of 24 hours before and after the race in which they are competing.
31. A member of the Committee, acting reasonably, may expel, temporarily or permanently, any person who has the right to the use of the Club premises only under Rules 29 and 30.

Limitation of Club Liability

32. The members, their guests and visitors are bound by the following Rules which shall also be exhibited in a prominent place within the Club premises: -
- 32.1 The members of the Club, their guests or visitors may use the Club premises, and any other facilities of the Club, entirely at their own risk and accept:-
- 32.1.1 The Club will not accept any liability for any damage to or loss of property belonging to members, their guests or visitors to the Club.

SECTION 4.-.GENERAL COMMITTEE

33. 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 Acts.
34. The Committee shall consist of the Officers, the Chairman, Junior captain(s) and ten Members of the Club, at least eight of whom shall permanently reside within fifteen miles of the Club premises and who shall be elected at the Annual General Meeting each year to hold office until the termination of the next Annual General Meeting.
35. At the Annual General Meeting, with the exception of the President, the Vice President and the Junior Captain(s), the Officers and Committee members shall be elected from the Members of the Club.
36. Candidates for election to the Committee shall be Members whose nominations (duly proposed and seconded in writing by Members of the Club) with their consent shall have been received by the Honorary Secretary at least seven days before the date of the Annual General Meeting in each year. All such nominations, together with the names of the Proposer and Seconder shall be posted at the Club **and in the members area on the website six days** prior to the date of the Annual General Meeting and should also be entered into a book maintained for that purpose by the Honorary Secretary.
37. If the number of candidates for election is equal to or less than 10 then all candidates shall be elected subject only to Rule 39.
38. Normally, if the number of candidates for election is greater than 10 then there shall be a secret ballot. Exceptionally, if there are 11 candidates, the Members at that Annual General Meeting may choose to elect all candidates without the need for a ballot.
39. If more than 2 candidates reside permanently at a distance greater than 15 miles from the Club there shall be a secret ballot to determine which 2 of those candidates are elected.
40. In the event of the ballot failing to determine the members of the Committee because of an equality of votes, the candidate or candidates to be elected from those having an equal number of votes shall be determined by lot.
41. The Committee may appoint such Sub-committees from the Members of the Club as it thinks fit. The decisions of such Sub-committees shall be subject to ratification by the Committee.
The Committee may co-opt onto itself any Member of the Club in its discretion.
42. The Committee and Sub-Committees shall meet on the dates decided at the first Committee meeting in January each year.
At the first meeting of the Committee held after the Annual General Meeting the Committee shall elect a Chairman from amongst its members to preside at their meetings and at General Meetings. In addition to his own vote, the Chairman shall have a casting vote in the event of an equality of votes at Committee meetings.
In the absence of the Chairman, the Commodore shall chair the meetings.
43. Voting (except in the case of a resolution relating to the expulsion of a member) shall be by show of hands. In the case of equality of votes the Chairman of the meeting shall have a second and casting vote.
44. Nine members present shall form a quorum at a meeting of the Committee.

Powers of the Committee

45. The Committee shall manage the affairs of the Club according to the Rules and shall cause the funds of the Club to be applied solely to the objects of the Club.
46. The Committee shall make such By-Laws as it shall from time to time think fit and shall cause the same to be exhibited in the Club premises or on **the members area on the website** for fourteen days before the date of implementation. Such By-Laws shall be binding as if they were embodied in the Rules.
47. The Committee shall appoint such sub-committees from members of the Club as it may deem necessary and shall delegate such of its powers to them as it thinks fit.

48. A member of the Committee, of a sub-committee or any officer of the Club, in transacting business for the Club, shall disclose to third parties that he is so acting.
49. The Committee, or any person or sub-committee delegated by the Committee to act as agent for the Club or its members, shall enter into contract only as far as expressly authorised, or authorised by implication, by the Members.
50. In pursuance of the authority vested in the Committee by members of the Club, members of the Committee are entitled to be indemnified by the members of the Club against any liabilities properly incurred by them or any one of them on behalf of the Club wherever the contract is of a duly authorised nature or could be assumed to be of a duly authorised nature and entered into on behalf of the Club.
51. The limit of any individual member's indemnity in this respect shall be a sum equal to one year's subscription at the then current rate of that category of membership unless the committee has been authorised to exceed such limit by a General Meeting of the Club.
52. The Committee may in its discretion elect any person to be an Honorary Member of the Club. Such person shall be nominated by one Committee Member and seconded by another and any such nomination shall be displayed in the Club or on the **website** for a period of seven days before it is considered by the Committee.
53. The Committee may nominate for election at an Annual General Meeting such Honorary Life Members as the Committee think fit.
The election of Honorary Life Members shall be put to the vote at the Annual General Meeting at which he is proposed and such Honorary Life Members shall be duly elected if two thirds of those present, and entitled to vote, vote in favour of election.

Purchase and supply of Excisable Goods

54. The purchase for the Club of excisable goods and the supply of the same on or off Club premises shall be exclusively and solely under the control of the Committee, or of a special sub-committee appointed by the Committee. Intoxicating liquor may only be sold for consumption on or off the Club premises to members over the age of eighteen who are entitled to the use of the Club premises in accordance with the Rules or By-Laws for the time being in force. No Junior/Youth Member under the age of eighteen may purchase, attempt to purchase or consume intoxicating liquor within the Club.
55. 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 **or on the website**) for the sale of excisable goods to persons who are entitled to the use of the premises of the Club in accordance with these rules.
56. 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 general funds of the Club.
57. Proper accounts of all purchases and receipts shall be kept and presented at the Annual General Meeting in each year and such information as the Honorary Treasurer 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.

SECTION 5 – TRUSTEES

58. There shall be not more than four Trustees of the Club who shall be appointed by the Committee of the Club from among the Members of the Club who are willing to be so appointed. A Trustee shall hold office during his lifetime or until he shall resign, by notice in writing given to the Committee, or until a resolution removing him 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.
59. The Trustees shall be entitled to attend all meetings of the Committee with power to vote.
60. The Trustees shall notwithstanding the provisions of Rule 65 and Rule 66 be entitled to call an Extraordinary General Meeting should they deem such a meeting necessary in the interests of the Club.
61. 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. In the death, resignation, or removal from office of a Trustee, the Committee shall appoint 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.
62. 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 Committees' 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.
- 62.1 The Trustees shall be fully and effectually indemnified by the Committee out of the assets of the Club from and against any liabilities, costs, expenses and payments whatsoever which may be properly incurred or made by them in the exercise of their duties or in relation to any property of the Club vested in them, or in relation to any legal proceedings, or which otherwise relate directly or indirectly to the performance of the functions of a Trustee of the Club.

- 62.2 (To 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.

SECTION 6 – MEETINGS OF THE CLUB

63. An Annual General Meeting of the Club shall be held each year in the month of December on a date to be fixed by the Committee. The Honorary Secretary shall at least fourteen days before the date of such meeting or of any General Meeting as hereinafter mentioned email, post or deliver to each member notice hereof and of the business to be brought forward thereat.
64. No business, except the passing of the Accounts and the election of the Officers and Committee, and any business that the committee may order to be inserted in the notice convening the meeting shall be discussed at such meeting unless notice thereof be given in writing by a member entitled to vote to the Honorary Secretary at least forty two days before the date of the Annual General Meeting.
65. The Committee may at any time, upon giving twenty one days notice in writing, call a General Meeting of the Club for any special business, the nature of which shall be stated in the notice convening the meeting, and the discussion at such meeting shall be confined to the business stated in the notice sent to members.
66. The Committee shall similarly call an Extraordinary General Meeting upon a written request addressed to the Honorary Secretary by at least twenty members. The request shall state the exact purpose for which the meeting is to be called. Notice of an extraordinary General Meeting shall be sent to every member of the Club at least seven days prior to the date of such meeting. The discussion at such meeting shall be confined to the business stated in the notice sent to members.
67. At every General Meeting of the Club the Chairman or, in his absence, a Chairman elected by those present shall preside.
68. Thirty members entitled to vote and personally present shall form a quorum at any General meeting of the Club.
69. Only Full Members and Life members shall vote at any meeting of the Club. Other members may attend but are not entitled to vote.
70. Voting shall be by show of hands except at the Annual General Meeting where, if the position of an Officer of the Club or a Committee member is contested, it shall be decided by a secret ballot.
71. In the event of an equality of votes on any proposal put to a General Meeting that proposal shall be considered lost there being no casting vote.
72. On any resolution properly put to a meeting of the Club relating to the creation, repeal or amendment of any Rule, such Rule shall not be created, repealed or amended except by a majority vote of at least three quarters of those present and entitled to vote. At least fourteen days notice of a proposal to amend the Rules shall be circulated to all members.

SECTION 7 – DISSOLUTION OF THE CLUB

73. If, upon the winding up or dissolution of the Club, there remains after the satisfaction of all its debts and liabilities any property whatsoever, the same shall be paid to or distributed to the Full Members of the Club or to another non-profit making body nominated by the final General meeting of the Club.

Amendments

1. Re-written in RYA format 03.12.08
2. Rule 5 amended to include Rear Commodore (House) following the 2009 AGM 04.01.10
3. Change to Rule 15 following 2013 AGM
4. Change to rules 13 and 14 following Dec 2015 AGM

Sections Changed

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