

# ***WEIR WOOD SAILING CLUB***

*CLUB RULES AND BYE-LAWS*

*(revised January 2005)*

*NB The following rules marked with (\*) are essential so that the Club complies with the requirements of the Licencing Act.*

## **RULES**

### **Name and Objects**

- 1 The name of the Club shall be 'WEIR WOOD SAILING CLUB'.
- 2 The objects of the Club are to promote the sport of sailing and to maintain suitable premises for this purpose and to provide facilities for approved affiliated organisations.
- 3 The burgee of the Club shall be a triangular pennant with two broad horizontal bands, green at the head, black at the foot. Centrally there is a narrow white band over a narrower red band. On the green band are superimposed in white the letters W.W.
- 4 The Club shall be affiliated to the RYA and any other organisation approved by members with voting rights at a general meeting of the Club.

### **Membership**

5. Membership of the club shall be open to all persons irrespective of ethnicity, nationality, sexual orientation, religion or beliefs; or of age, sex or disability except as a necessary consequence of the requirements of sailing as a particular sport.

Qualifications for membership:-

- (a) Single Members being persons of at least 18 years of age at the first day of March (the beginning of the Club year) shall have one vote.
- (b) Family Membership. Is open to a single member, the spouse or partner and their children under the 18 years of age at the first day of March but if in full-time education up to the age of 21 as at 1<sup>st</sup> March. The single member and spouse or partner shall each have one vote.
- (c) Senior Members – age 60 and over.
- (d) A senior member shall have one vote.
- (e) Cadet Members
  - (i) A person, being under 18 years of age at the first day of March, not included within a Family Membership, or
  - (ii) A person being under 21 years of age at the first day of March and in full time education.

(f) Affiliated membership is open to approved organisations and subject to compliance of special rules deemed appropriate by the Main Committee.

(g) Honorary Members are entitled to one vote and are nominated and elected as follows:-

\*The Committee may nominate for election at an Annual General Meeting one or two Club members to become Honorary Members for a period of one, two or three years. In exceptional circumstances this period may be extended.

The election of Honorary Members shall be put at the Annual General Meeting each year and such Honorary Members shall be duly elected if two thirds of those present, and entitled to vote, vote in favour of election.

*NB. Candidates for membership shall have no privileges whatsoever in relation to the use of Club or premises.*

### **Club Officers**

6\* Officers shall be elected at the Annual General Meeting in each year and shall hold office for one year, retiring at the termination of the Annual Meeting in each year. All Officers of the Club shall be eligible for re-election. (It is recommended that Officers of the Club serve no longer than 3 years consecutively).

7\* The officers of the Club shall consist of a Commodore, Vice-Commodore, Honorary Secretary, Honorary Treasurer, Honorary Sailing Secretary and Honorary Membership Secretary.

8 The Main Committee of the Club may appoint a President and Vice-Presidents at their discretion, nevertheless there shall not be more than 4 Vice-Presidents at any one time.

### **Club Management**

9 The management of the Club shall be in the hands of a Main Committee comprising the Officers and up to ten other full members. Five shall form a quorum.

10\* 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 or for a benevolent or charitable purpose nominated by General Meeting.

## **Limitation of Club liability**

- 11 Members, their guests and visitors are bound by the following rule which shall also be exhibited in a prominent place within the Club premises:

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 implicitly 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 any liability for personal injury arising out of the 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 or caused by the said members, guests 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 members, the Officers, Committee or servants of the Club.
- (c) Before inviting any guests or visitors onto the premises or to participate in events organised by the Club, members will draw their attention to this Rule.

## **Management Committee**

- 12\* The Management Committee (herein referred to as 'the Committee') shall consist of the Officers, ex officio members and not less than two nor more than ten Voting Members of the Club elected at the Annual General Meeting each year to hold office until the termination of the next following Annual General Meeting. Five shall form a quorum.
- 13 At the Annual General Meeting each year two of the voting members shall retire in order of election or seniority. In the case of equal seniority the order of retirement shall, failing agreement between the members concerned, be determined by lot. Members retiring under this rule shall not be eligible for re-election to the Committee until the Annual General Meeting next following the meeting at which they retire.
- 14 Candidates for election to the Committee (not being Officers of the Club) shall be those members of the retiring committee eligible to offer themselves for re-election and such other voting members whose nominations (duly proposed and seconded in writing by voting members of the Club) with their consent shall have been received by the Honorary Secretary at least 28 days before the date of the Annual General Meeting in each year on the appropriate form provided with the Notice of Annual General Meeting. Such nominations, together with the names of the proposer and seconder shall be posted in the Club premises at least fourteen days prior to the date of the Annual General Meeting.

In addition, provided the full complement of voting members has not already been nominated, up to two nominations proposed and seconded from the floor of the Annual General Meeting will be considered and put to the vote of those members attending.

### **Powers of the Committee**

- 15 The Committee shall have the power to act as they deem fit should any matter arise which is not provided for in these rules. The said power includes the power to make and vary General Bye-laws, not inconsistent with these rules, in or about the management of the Club.
- 16 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 contracts only so far as expressly authorised, or authorised by implication, by the members. No one shall, without the express authority of the membership in General Meeting, pledge the credit of the membership.
- 17 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.

The limit of an individual member's indemnity in this respect shall be a sum equal to one year's subscription at the then current rate for that band of membership unless the Committee has been authorised to exceed such limit by a General Meeting of the Club.

### **Trustees**

- 18 There shall be at least three Trustees of the Club who shall be appointed from time to time as necessary by the Committee of the Club from among Single, Family or Honorary Members 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.

- 19 All 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 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 Honorary 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 Trustees Act 1925 and he shall by deed duly appoint the person or persons so nominated by the Committee.
- 20 The Trustees shall be 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 the 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.
- 21 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 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.

### **Annual General Meeting**

- 22 The Annual General Meeting of the Club shall be held on a date agreed by the Main Committee each year. At least 28 days notice shall be given to all members. At the Annual General Meeting the accounts will be presented for approval and an Accountant will be appointed for the ensuing year.

### **Special General Meeting**

- 23\* (a) On receipt of a requisition signed by 30 voting members, the Honorary Secretary shall call a Special General Meeting.
- (b) The Main Committee may at any time request the Honorary Secretary to call a Special General Meeting.
- (c) At least 21 days' notice of any Special General Meeting must be given to all voting members and must state the resolution to be put. No other business can be transacted at the Special General Meeting.
- (d) A Special General Meeting called pursuant to 23(a) above shall be held within 42 days of the receipt of the requisition.

## **Conduct of General Meetings**

- 24 Alteration of the rules may only be effected at the Annual General Meeting or a Special General Meeting of the Club convened in accordance with rules 22 and 23.
- 25 At each Annual General Meeting and any Special General Meeting, each member, being a voting member or an affiliated organisation, shall be entitled to one vote.
- 26 In the case of an equality of votes, the Chairman shall have a second or casting vote, on any matter other than the election of members of the Main Committee.
- 27 On any resolution properly put to a meeting of the Club relating to the creation, repeal or amendment of any rule of the Club, such rule shall not be created, repealed or amended except by a majority vote of at least two-thirds of those present and entitled to vote.

## **Sailing Sub-Committee**

- 28 (a) The sailing sub-committee shall comprise the Honorary Sailing Secretary, Class Captains and other co-opted members. Four shall form a quorum.
- (b) To maintain fleet status, each recognised class shall be represented by its own class captain on the sailing sub-committee.
- (c) Matters arising under the sailing rules shall be referred to this sub committee for decision.

## **Admission of Members**

- 29 (a) All applications for membership must be made in writing and must be signed by an applicant.
- (b) An Applicant may be accepted as a Member by the Main Committee at its sole discretion or by the Honorary Membership Secretary if the Main Committee shall have delegated to him/her the power to do so.
- \* (c) An interval of at least two days must elapse between submission of an application for membership and acceptance of that Applicant as a Member:
- (d) When the necessary fees and subscription shall have been paid the Honorary Membership Secretary shall enter the Applicants details in the Register of Members and shall furnish the Applicant with a copy of the Rules and Bye Laws of the Club.
- \* (e) Until an Applicant has been accepted as a Member they shall not be entitled to any of the privileges of the Club.

(f) At appropriate intervals new Member's details will be posted in the Clubhouse.

### **Fees and Subscriptions**

- 30 There shall be an entrance fee for each single member and first member of family membership and an entrance fee for each cadet and senior member and affiliated membership. These fees shall become due on election to the Club.

Fees and subscriptions shall be as recommended by the Main Committee and approved by the members at the AGM or SGM, for the following membership bands:-

Band 1	Family
Band 2	Single
Band 3	Senior Cadet
Band 4	Social Country
Band 5	Affiliated Association
Band 6	Sailboards
Band 7	Senior Family

Subscriptions shall be due on election or before March 1<sup>st</sup> following. Any member wishing to withdraw from the Club shall give notice in writing to the Honorary Membership Secretary before March 31<sup>st</sup>. Any member whose subscription is not paid by March 31<sup>st</sup> will be deemed to have resigned from the Club and must apply for re-election, in which case that person shall be liable to pay the appropriate entrance fee specified above or penalty.

### **Temporary Honorary Membership**

- 31 May be conferred on visitors as the Main Committee may decide. The numbers of temporary Honorary Members shall not at any one time exceed 20 per centum of the total at that time of full members.

### **Visitors**

- 32\* Members of the Club are entitled to introduce visitors provided that no one person is introduced more than 5 days in any one year. Host members must ensure that their visitors comply with rule 41. Neither visitors nor the host member shall use non-registered boats/boards. (See Bye-law 5.)

## **Expulsion**

- 33 Every member shall be held to have undertaken, on election to comply with the rules and bye-laws of the Club. Any conduct prejudicial to the interests of the Club or contrary to the rules and bye-laws of the Club shall render the member liable to expulsion or suspension from the Club by the Main Committee. PROVIDED THAT, before expelling 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.

A resolution to expel a member shall be carried by a simple majority vote by those members of the Main Committee present and voting on the resolution.

## **Complaints**

- 34 Complaints of any nature relating to the management of the Club shall be addressed in writing to the Honorary Secretary. Under no circumstances shall a servant of the Club be personally reprimanded by a member.

## **Use of the Premises**

- 35 This shall be restricted to members and their visitors as defined above subject to the terms of our lease dated 12<sup>th</sup> April 1988 between Weir Wood Sailing Club and Southern Water plc, and the bye-laws following.
- 36 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.
- 37 In the case of affiliated organisations, members of these organisations are only permitted to use the water when their activities are organised and under the direct control of a responsible official and in addition to complying with the rules and bye-laws of this Club they will in all circumstances comply with all rules of their own organisation.
- 38 (a) No craft shall be sailed on the Reservoir unless it is covered by a current insurance policy to a minimum cover level as stipulated by the Main Committee. Such cover shall include third party indemnity.
- (b) Only registered craft may be sailed and then only after the appropriate fees due have been paid.

## **Duties**

- 39 Members shall undertake duties allocated by the Main Committee. Such duties shall include inter alia Officer of the Day, Time Keeper, Race Officer, Safety Boat Crew and others. Failure to carry out these duties will render the member liable to expulsion from the Club. Members over the age of 75 shall not be required to do duties.

## **Use of the Club House**

- 40 The Main Committee may make, revoke or vary Club House Bye-Laws, not inconsistent with these rules, to regulate the use of the Club House. Subject to any such bye-law, all categories of member may use the Club House together with the President, Vice-Presidents, members of affiliated organisations, temporary Honorary members and visitors permitted by rule 32.

## **Purchase and supply of excisable goods**

- 41\* (a) 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 Main Committee, or of a special sub-committee appointed by the Main Committee.

Intoxicating liquor may only be sold for consumption on the Club premises to persons aged 18 years or older, who are entitled to the use of the Club premises in pursuance of the rules and bye-laws for the time being in force. No member, whatever their membership band under 18 years of age may purchase or attempt to purchase intoxicating liquor within the Club premises, nor may such a member under the age of 16 years purchase or attempt to purchase tobacco or cigarettes within the Club premises.

(b) No intoxicating liquor shall be supplied to members or to any other persons on the Club premises otherwise than by or on behalf of the Club. No intoxicating liquor shall be supplied for payment to any person on the Club premises other than a member.

(c) Subject to the requirements of the licensing authorities, the Main 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 in pursuance of these rules (except members, whatever their band, under the age of 18 years): provided that visitors' names and addresses and the name of their introducing member shall have been entered in the Visitor's Book upon entry to the Club premises.

(d) 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.

(e) 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 Secretary or Honorary 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.

### **Notices**

- 42 Each member entitled to vote at a General Meeting shall keep the Honorary Secretary informed through the Honorary Membership Secretary of that member's address to which communications and notices to convene General Meetings can be sent.
- 43 All notices shall be posted in the Club House and it shall be the duty of the Honorary Secretary to ensure that any such notice remains so exhibited throughout any period required by or under these rules.
- 44 Notice to convene a General Meeting shall be sent to members at their address as notified to the Honorary Secretary.

### **Abandoned Boats**

- 45 If at any time water access fees payable to the Club by any member or former member shall be three months or more in arrears:
- (a) The Committee shall be entitled to move the boat to any other part of the premises without being liable for any loss of or damage to the boat howsoever caused.
  - (b) The Committee shall be entitled upon giving one month's notice in writing to the member or former member, at his last known address shown in the register of members, to sell the boat and to deduct any monies due to the Club (whether by way of arrears of subscriptions or water access fees or otherwise), from the net proceeds of sale before accounting for the balance (if any) to the member or former member.
  - (c) Alternatively, any boat which in the opinion of the Committee cannot be sold may, upon such notice as aforesaid, be disposed of in any manner the Committee may think fit and the expenses recovered from the member or former member. Any arrears as aforesaid shall be deemed to be a debt owing to the Club by the member or former member.
  - (d) Further, the Club shall, at all times, have a lien over members' or former members' boats parked or moored on the Club's premises or moorings in respect of all monies due to the Club, whether in respect of arrears of water access fees or subscriptions or otherwise.

## **Dissolution of the Club**

- 46 In the event of the dissolution of the club, any assets remaining after the satisfaction of all debts and liabilities shall not be paid to or distributed among the members of the club, but shall be given or transferred to one or more of the following approved sporting or charitable bodies:
1. A registered charitable organisation (s).
  2. Another club which is a registered CASC.
  3. The sports national governing body for use by them for related community sports.

## **BYE-LAWS**

- 1 In no circumstances shall a boat be deliberately capsized (except for swamp tests required to prove buoyancy, etc.) unless carried out as part of instruction or recognised proficiency test.
- 2 No dogs or other pets shall be allowed on the Club premises. (This is also a Water Company rule).
- 3 No member or visitor shall commit any act which may result in the fouling of the premises, the reservoir or the water flowing into it.
- 4 (a) Sailing shall be restricted to those portions of the reservoir between the submerged Admirals Bridge and the dam. The western boundary of the Club's sailing area is marked by two white spherical buoys.  
  
(b) The sailing area is limited further on Sundays during the months of April to September, by an approximate line drawn through buoys 7 and 8. Club craft are not allowed west of this line after 1300hrs except to round buoys 7 and 8.  
  
(c) All craft, except those racing, must keep 50m clear of moored fishing boats. All craft must keep 50m clear of shore-based fishermen except in an emergency. Boats wishing to land may do so within the area between the dam and the bay to the east of Willow Point.  
  
(d) Rescue cover will be available on Saturdays, Sundays, Bank Holidays and, during the summer period, Wednesday evenings. When the red ensign is flown a safety boat(s) will be on duty. If conditions are very bad the OOD may stand down the safety boats but this will not prevent unsupervised sailing for those competent and brave enough.

**PLEASE NOTE:** If you are sailing when supervision finishes, the Club House will be shut and your personal items locked inside.

- (e) Unsupervised sailing may take place as follows:
- (i) any time during daylight hours for adult members (i.e. those over [sixteen] years.
  - (ii) for junior members under [sixteen] any time during daylight hours during the months of April to November but only if supervised by an adult.

No formal rescue facilities will be available. Unsupervised sailors should pay particular attention to the safety rules. If requested the Sailing Committee will test the competence of those sailors wishing to sail unsupervised and it is recommended that only those with at least RYA Level 3 or equivalent sail unsupervised or supervise junior members.

- 5 Every owner must notify the Honorary Membership Secretary of the type, name and sail number of any craft that will be used on the reservoir for including in the Club register. No craft may be substituted without informing the Honorary Membership Secretary. (Periodic checks are made by officials of the Club.)
- 6 No craft shall beach unless in an emergency except within the area between the dam extending along the south-eastern shore to the bay area adjacent to the moorings and west launching ramp.
- 7 Members shall be responsible for keeping the land around the Club premises including the boat parks and amenity areas, in a clean and tidy condition. Also, keep the area around their boat park space from becoming overgrown. However, the use of chemical controls is strictly forbidden.
- 8 Fishing by sailing Club members is not permitted.
- 9 No multi-hull craft shall be admitted to the Club.
- 10 No sailboards may be used on the water unless registered as belonging to a fully paid-up WWSC member. They should be clearly marked in a manner prescribed by the Committee for ease of identification.
- 11 All craft must display a current boat sticker in a prominent and accessible position at all times (i.e. dinghies should display the sticker externally on the transom or on the mast above the boat cover). Without a boat fee sticker properly displayed, the Committee may consider the craft to be abandoned and act in accordance with Rule 45.

## **CLUB HOUSE BYE-LAWS**

### **1 Notices**

Notices may only be posted in the Club House by an official of the Club. Other persons wishing to post a notice there must obtain the prior consent of the official with whose functions the notice is more closely connected. Failing such consent, the prior consent of the Vice-Commodore is required. Notices after posting may be removed as the Vice-Commodore decides.

### **2 Visitors**

Attention is drawn to the Club Rules 32, 35, 40 and 41. Members introducing visitors remain responsible for their visitor's behaviour and must, together with their visitors, sign the visitors' book.

### **3 Access**

The Club House may be opened and closed on any day under arrangements made by the Main Committee.

### **4 Licensing Laws**

The Main Committee shall ensure due observance of the relevant licensing laws. Every person using the Club House is required to give the Main Committee full co-operation in ensuring such observance insofar as that person or his visitors or any member of his family is concerned. Permitted licencing hours are posted in the bar area of the Clubhouse.

### **5 Drinking-Up Time**

The Main Committee may permit the consumption of intoxicants supplied during the permitted hours during the ten minutes next following the close of such hours during which the intoxicants in question were supplied.

### **6 Consumption**

The only part of the Club premises upon which intoxicants supplied by the Club may be consumed is the Club House and grass amenity areas immediately adjacent to the Club House.

### **7 Children**

Children are not allowed behind the bar.

### **8 The member operating the bar must comply with the Bar Rules as displayed in the bar area.**

9. Smoking

Smoking is prohibited in all enclosed areas of the clubhouse i.e. on the balcony or surrounding grounds smoking is permitted.

## **SAFETY RULES**

1 Personal Buoyancy

Adequate personal buoyancy must be worn by all persons going afloat including the use of pontoons, rescue craft, rafts, sailing craft, etc.

The following are the minimum standards required in respect of buoyancy aid:-

Adult - 13 lbs minimum positive buoyancy  
Child - 10 lbs minimum positive buoyancy

Buoyancy aids must be properly fitted and securely fastened.

2 Craft Buoyancy

All craft shall have securely fastened, or have been constructed with, positive buoyancy, sufficient to support both craft and crew. Class rules shall also have been complied with. Boats shall be subject to a buoyancy test at the Sailing Committee's discretion.

3 Safety Boat

When the red ensign is flying a safety boats(s) will be available to assist all sailors. This will normally be on Saturdays, Sundays, Bank Holidays and summer Wednesday evenings. If it comes to your assistance please comply with any crew request as quickly as you can so that it can move on to help others.

4 Rescue Boat

A powered Rescue Craft shall be provided and manned at all times when sailing is taking place except as provided in Bye-Law 4(d). It is the duty of the rescue boat crew to familiarise themselves with the Rescue Boat Operating Instructions.

5 Club members shall assist any crew in a craft which appears in distress.

## **NOTES**

Members' attention is drawn to the dangers of either immersion, or exposure when wet, during cold weather. It is obviously desirable that clothing be changed as soon as possible after immersion.

Whilst awaiting the rescue craft, keep as still as possible. Vigorous activity when in cold water dissipates body heat quicker than it can be generated.

The wearing of wet suits/dry suits is strongly recommended as an aid to comfort and safety.

Please remember that younger children are particularly vulnerable to cold and should be properly dressed (e.g. wetsuit/drysuit etc). Please do not take out a child when there is no rescue cover if you are unsure of your own competence.

## **SAILING INSTRUCTIONS**

- 1 The instructions are to be read in conjunction with the racing instructions which are published and may be revised from time to time.
- 2 All cruising craft and sail boards shall keep clear of the start and finish lines when racing is in progress.
- 3 Cruising craft are requested to give way to any craft racing.
- 4 All cruising craft must keep 50m clear of moored fishing boats. All craft must keep 50m clear of shore-based fishermen except in an emergency. Boats wishing to land may do so within the area between the dam and the bay to the east of Willow Point.