



NEWTOWNARDS SAILING CLUB RULES AND CONSTITUTION¹

(December 2010, amended December 2012)

1. Name of Club

The name of the Club shall be 'Newtownards Sailing Club'.²

2. Objects

The objects of the Club are;

- a. To provide an organisation and facility for all in the community who love boating.
- b. To endeavour to interest everyone, and especially young people, in boating activities.
- c. To encourage yacht and dinghy racing.
- d. To encourage coastal and ocean cruising
- e. To promote and encourage the study of the techniques, theory and rules of sailing and to provide coaching facilities, especially for young people.
- f. To promote safety at sea and to encourage good seamanship.
- g. To encourage an appreciation of the marine environment in general, and of Strangford Lough in particular.
- h. To provide social and other facilities for members as may be from time to time determined

3. Board of Trustees

- a. The Trustees of the Club, who shall number at least three, and not exceed eight, shall be elected at any General Meeting of the Club, and shall hold office until death or resignation or removal from office by resolution of the Club at a General Meeting.
- b. The names of the Trustees shall be displayed on the Club's website and Club notice board.
- c. The Club's property shall be vested in the Trustees. They shall deal with the Club property as directed by resolution of the Club and they shall be indemnified against risk or expense occasioned by these duties out of the Club's property.
- d. No business shall be transacted by the Board of Trustees unless there is a quorum of three members.
- e. The responsibilities and rights of the Trustees are to:

¹ Any reference to the male gender in these rules shall be deemed to apply equally to the female gender

² Hereinafter called 'the Club'.

- i. Liaise with the Club Hon Treasurer regarding the Club's finances, and report their findings to the Commodore.
 - ii. Have an ex-officio non-voting presence at Club committee meetings and other such properly convened meetings.
 - iii. Have a representative at each Club AGM/EGM who can, if required, present an oversight report on the Club's affairs.
- f. A member of the Board of Trustees may serve on the Committee if properly elected in accordance with Rule 4a

4. Executive Committee

- a. The Executive Committee (hereinafter called the Committee) shall be elected at a General Meeting of the Club. Nominations for any office of the Club must be submitted in writing to the Honorary Secretary not later than 31st October and such nominations must be notified to the members in the notice convening the Annual General Meeting. Nominations must be proposed and seconded by paid-up members. In circumstances where there are no nominations submitted in writing according to the Constitution for the positions of an Officer or Member of the Committee of the Club, the Presiding Officer, during the election at the Annual General Meeting, shall accept nominations, proposed and seconded verbally from Members of the Club on the floor of the meeting.
- b. The Structure of the Committee shall consist of the Officers and Ordinary members as shown in paragraphs 5 and 6 below, each having as a minimum the specific responsibilities stated.
- c. The Commodore shall have the power to appoint ad hoc Committees which he deems necessary for the proper functioning of the Club.
- d. The Committee shall have the power to fill vacancies on the Committee by co-option. Co-opted members shall have full voting rights. The Committee may also appoint ex-officio members who shall not have voting rights.
- e. The Committee shall normally meet monthly on a date and time agreed at its previous meeting.
- f. The Committee is empowered to negotiate with schools and educational bodies, arrangements by which properly supervised groups of young people may use the facilities of the Club. Any such arrangements are to be reported to the Annual General Meeting.
- g. No member of the Committee may have a pecuniary interest in the supply of goods or services to the Club and a member may not be paid for the work he does on behalf of the Club, except for the re-imbusement of expenses actually and necessarily incurred.

5. Club Officers

- a. President.
 - i. This is an Honorary post and the incumbent has no right to vote or decide any matter concerning the running of the Club.
 - ii. The incumbent shall be elected at an AGM and will normally remain in post for life unless he resigns.
- b. Commodore
 - i. The Commodore is chairman of the Club's Committee and is responsible for overseeing the proper running of the Club.

- ii. He shall not hold the office of Commodore for more than three consecutive years.
- c. Vice Commodore
 - i. The Vice Commodore is in charge of 'On The Water' matters including overall control of sailing, windsurfing and power boats.
 - ii. He is to ensure that teaching courses for novices, both adults and children, are facilitated as required and that proper records are maintained.
 - iii. He shall not hold the office of Vice Commodore for more than three consecutive years.
 - iv. He is responsible for safety on the water.
- d. Rear Commodore
 - i. The Rear Commodore is in overall charge of 'Shore Side' matters including the buildings, the boat yard, the bar, social events and the protection of children.
 - ii. He is to maintain the Social Diary.
 - iii. He is to maintain a property book to include all items of the club's property.
- e. Sailing Secretary

He is responsible to the Vice Commodore for the overall supervision and organisation of the club's sailing activities.

 - i. He is to coordinate the annual sailing programme. He is to liaise with other sailing clubs around Strangford Lough ³ to arrange mutually suitable regatta days.
 - ii. He is responsible for arranging racing on those days selected for racing, and for ensuring that sufficient safety cover is provided and all safety precautions are observed.
 - iii. He is to ensure that a chart of the Club's racing marks is displayed on the notice board and that copies are available to racing boat crews.
 - iv. He is to ensure that new members are introduced to the club's sailing facilities and endeavour to get them crewing places if required.
- f. Honorary Secretary
 - i. He is in charge of the Club's administration.
 - ii. He is to advise the Commodore and the Committee about the observance of Club rules and is to carry out such duties as those rules lay down for his position.
 - iii. He is to convene and take the Minutes of the Annual General Meeting and of any Extraordinary General meetings.
 - iv. He is to take the Minutes of the Committee meetings and distribute them without undue delay after the meetings. The Minutes are show what action (and by whom and by when as appropriate) has been agreed at the meetings.
 - v. He is to deal with any correspondence as required.
 - vi. He is to maintain the various Club licences ensuring that they are renewed as required and held in a safe place.

³ He will normally be the NSC representative on the Strangford Lough Race Committee

- vii. He is to maintain a list of the Club's insurance policies and ensure that they are renewed as required.
 - viii. He will control the Club Notice Board.
 - ix. He will receive email enquiries and arrange for them to be answered promptly.
- g. Honorary Treasurer
- i. He is in charge of the Club's financial accounts.⁴
 - ii. He is to take in and hold safe all monies given to his care, and he is to bank cash and cheques when these total more than £500.
 - iii. He is to pay ⁵ all authorised ⁶ bills within 30 days. No payments are to be made in cash.
 - iv. He is to maintain the Club's account book and associated records – keeping all records in safe keeping (on the club premises) for a period of six years from the auditor's report.
 - v. The Club's financial year shall end on 30th September after which he is to prepare the accounts for audit by an auditor of the Club.
 - vi. He is to prepare a summary of the accounts. This summary and a report are to be
 - a). Posted on the club notice board not less that four weeks before the AGM.
 - b). Copied to the sub-divisional commander of the Newtownards Police within three months of the end of the financial year.
 - vii. He is to prepare a brief written summary of the Club's financial state to all meetings of the Committee for inclusion its Minutes.

6. Ordinary Members

- a. GP14 Class Secretary
 - i. He is to assist the Sailing Secretary to organise all GP14 racing and training.
 - ii. He is to select the Club's teams when team racing against other Clubs or in other events.
 - iii. He is the Club's liaison point with the GP14 Class Associations.
- b. 1st Officer, Windsurfing
 - i. He is to coordinate all windsurfing activities at the club.
 - ii. He is to organise windsurfing training as required at all levels.
 - iii. He is to take charge of all windsurfing equipment owned by the club, to keep it inventoried, secure and to ensure that it is properly maintained.
 - iv. He is the Club's liaison point with the Irish Windsurfing Association.

⁴ The accounts are to be maintained in accordance with Statutory Rule 1997 No.333 Registration of Clubs (Accounts) Regulations (Northern Ireland) 1997, as from time to time amended.

⁵ The approval of the Committee is normally required for expenditure over £50. In exceptional circumstances a greater sum may be approved by the Commodore or, in his absence, the Vice Commodore, who will report the circumstances at the next Committee meeting.

⁶ Invoices and DDs for approved expenditure must be authorised for payment by the Committee member responsible and passed to the Hon Treasurer at the earliest opportunity. The Hon Treasurer is to record on the invoice the date it was received by him and the date payment was made.

c. Social Secretary

- i. He is responsible to the Rear Commodore for all aspects of the club's social calendar.
- ii. He is the chair-person of the Social sub-Committee which shall comprise the Bar Captain, two Ordinary Members (Social Assistants), and such other Officers or Ordinary members who may from time to time be required.
- iii. The social events organised shall be designed to benefit all members of the club who wish to participate and shall be so arranged as to leave the club in profit on each occasion.
- iv. He is to ensure that before any function takes place on behalf of a member or other organisation, an agreement has been drawn up with the user on a form agreed by the Committee, and that the Committee is informed.

d. Bar Captain

He is responsible to the Rear Commodore for all aspects of the bar.

These duties will include:

- i. Purchasing stock and arranging for its reception and safe keeping.
- ii. The safe keeping of all cash taken at the bar until it is lodged. (The bar takings are to be lodged at least once a month. If at any time the takings held exceed £1000 they are to be lodged at the next possible opportunity. The bar lodgement book is to show cash and cheque lodgements separately. A duplicate copy of any lodgement made is to be sent to the Hon Treasurer at the earliest opportunity. All monies not lodged are to be secured in the Club safe. The bar records are to kept by the Bar Captain separately from the takings.)
- iii. The pricing of bar stock to ensure that the profit margins required by the Committee are maintained.
- iv. Carrying out a stock check every quarter, preparing a reconciliation and having the result checked by another committee member (normally the Rear Commodore).
- iv. Producing bar bills for members on a monthly basis. These are due for payment immediately. He is to report the names of members who are more than one month in arrears to the Committee which at its discretion may withdraw credit facilities until the outstanding account is settled.
- v. Coordination of the bar staff, ensuring that their hours are correctly recorded and that they are paid as agreed.

e. Membership Secretary

- i. He is to maintain a record of all members together with their home addresses and contact details. A copy of this document is to be kept available for inspection on the Club premises.
- ii. He is to maintain a record of those members who store property on the club's premises and to raise invoices for storage and other charges.
- iii. He is to accept applications for membership. He is to deal with them as shown in Para 7.
- iv. He is to control the issue of gate passes.

- f. Website Manager
 - i. He is to edit the Club's website at:
www.newtownardssailingclub.co.uk, ensuring that it is kept up-to-date.
 - ii. He is to develop the website to improve its appearance and usefulness to members and to the public
- g. Buildings' Member
He shall be responsible to the Rear Commodore for the maintenance of the Club's buildings, fixtures and fittings.
- h. Safety Boats' Member
 - i. He shall be responsible to the Vice Commodore for the upkeep and maintenance of the Club's rescue boats.
 - ii. He is responsible for ensuring that no person is given authority to take a rescue boat on to the water unless properly qualified.
 - iii. He is to endeavour to ensure that the Club has a pool of qualified safety boat drivers and assistants adequate to provide safety cover for the Club's water activities
- i. Social Assistant Member 1
He shall assist the Social Officer and shall serve on the Social sub-Committee.
- j. Social Assistant Member 2
He shall assist the Social Officer and shall serve on the Social sub-Committee.
- k. Assistant Bar Captain
He shall assist the Bar Captain.

7. Membership

- a. 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.
- b. Applications for membership of the Club must be made on the appropriate form obtainable from the Honorary Membership Secretary. The completed application form must be supported by two members of the Club, and accompanied by the appropriate entrance fee and the appropriate first year's annual subscription.
- c. Before being considered by the Committee, the applicant's name, together with the name of the proposer and seconder, shall be displayed in a conspicuous place on the Club notice board for at least one week before their election, and an interval of not less than two weeks shall elapse between the nomination and the election of ordinary members. Any member who wishes to object to the admission of the applicant may do so in writing to the Honorary Membership Secretary. Such objections shall be treated in confidence.
- d. The Committee shall, at its discretion, determine the admission of applicants. Voting by the Committee on applications for Membership shall be decided by a simple majority vote. The Club may refuse membership only for good and sufficient cause, such as a known record of conduct or character likely to bring the Club or sport into disrepute. An appeal against such a decision may be made to the Club's members and decided by a majority vote.
- e. An applicant whose application is refused will have his fee reimbursed.
- f. If persons are elected as members by a procedure which does not comply with paragraph 7c they shall not be admitted to any of the privileges of

membership until the expiration of a period of at least two days from their election.

g. Persons shall not be admitted in such numbers to membership not carrying rights of voting in relation to the affairs of the Club as will result in the number of members not having such rights being more than 3 times the number of members having such rights.

8. Membership Categories

a. Ordinary Members. Open to anyone over the age of 18 years.

b. Family Members. Open to two adults and their children under the age of 18 years on 1st March

c. Social Members. Social Members shall not have voting rights and may have their membership terminated by the Committee if it is decided that they are abusing the category of Social Membership.

d. Honorary Members. The Committee, at which not less than half the Members thereof shall be present, may elect any person to be an Honorary Life Member of the Club. Honorary Life Members of the Club shall neither be liable to pay any fee or sum upon admission as an Honorary Life Member nor to pay an annual subscription to the Club.

e. Life Members. May be admitted from existing adult members who have been adult members at least five years on a payment of ten times the adult membership subscription at the time of acceptance. All applications shall be in writing from the applicant to the Honorary Membership Secretary and shall be accompanied by the full fee. There shall be not more than 25 such Members. The Committee shall at its discretion, determine the admission of applicants and priority shall be given to those applicants who have given exceptional service to the Club. The Committee need not give any reason for refusal to grant Life Membership to any applicant. An applicant whose application is refused will have his fee reimbursed.

f. Outport Members. These must live at least 70 miles by road away from the Club premises.

g. Teenager Members. Aged 10 - 17 years on 1st March.

h. Students and Young Workers. Must be aged 18-25 years on 1st March.

i. Senior Members. Over the age of 65 years on 1st March

j. Temporary Members. May be admitted to the Club for a period not exceeding one month during the summer sailing season and not exceeding five months during the winter season. Temporary Members shall be entitled to all privileges of Membership except voting.

k. All regular members of HM Forces stationed in Northern Ireland, and Flag Officers for the time being of all recognised Yacht Clubs which extend like privileges to the Officers of the Club, shall be deemed to be temporary Honorary Members and shall be entitled to all privileges of Membership except voting.

l. The Committee shall accept for affiliation any Club having similar objects to those of Newtownards Sailing Club, on such terms or conditions as shall be acceptable to both parties. Affiliated Clubs shall be restricted to two in number at any one time.

9. Entrance Fees

Applicants for membership aged 18 or over on 1st March shall pay an entrance fee as may from time to time be agreed at the Annual General Meeting. This fee shall be published on the Club's website and on the Club notice board.

10. Annual Subscriptions

- a. The annual subscription payable by Members shall be agreed at the Annual General Meeting and published on the Club's website and on the Club's notice board.
- b. Annual subscriptions shall be due and payable to the Membership Secretary by 1st March.
- c. The Committee may, on an annual basis, declare that subscriptions paid before 31st March will be eligible for a discount.
- d. The membership of any member, whose subscription remains unpaid on 30th April each year, shall be deemed to be automatically cancelled and it shall be necessary for that person to re-apply for membership - unless this requirement is waived by the Committee because of special circumstances. If the requirement to re-apply is waived, the member will be required to pay the sum of £5 in addition to the annual subscription.
- e. Any member who fails to pay his annual subscription by 30th April shall, up to the date of actual payment, forfeit the right to any points, scores, or suchlike gains of any type achieved by them in relation to participation in any event, race, or like activity in anyway related to membership of the Club.
- f. When a new member joins after 1st August, he shall pay a subscription reduced pro-rata to the number of months remaining in the subscription year.
- g. Any person applying for re-admission to membership shall pay the amount of the lapsed subscriptions or such part thereof as shall be determined by the Committee.
- h. Members resigning after March 1st in any year shall be liable for the full current year's subscription.

11. Other charges

- a. Parking for boats, trailers, launching trolleys, cradles etc shall be paid for in advance at an annual rate. The annual rate and the surcharge rate shall be subject to review or alteration at the Annual General Meeting and published on the Club's website and on the Club's notice board.
- b. If a boat is not launched by 30th June of any year, the owner shall be liable for a surcharge in addition to the annual boat parking fee. Boats that might reasonably be expected to be capable of lying at moorings must be launched for at least four weeks. Other boats are expected to be used. In exceptional circumstances the Committee shall have the power to waive the surcharge. Such a waiver will normally only be applied for one year. The rate of surcharge shall be decided by the Committee and published on the Club's website and on the Club's notice board.

12. Surplus Funds

The Committee shall ensure that the property and funds of the Club will not be used for the direct or indirect private benefit of members other than as

reasonably allowed by the rules and that all surplus income or profits are re-invested in the Club.

13. Voting

- a. Members with voting rights shall be entitled to one vote at all General Meetings of the Club.
- b. An affiliated Club shall be restricted in the number of its votes at any meeting to such a number as shall be arrived at by dividing the annual subscription (in whole pounds sterling) paid by the affiliated Club, by the amount of the individual adult membership of the Newtownards Sailing Club, but in any case the affiliated Club shall not be allowed more than twenty votes at any meeting.
- c. Proxy voting shall not be allowed at any meeting.

14. Annual General Meeting

The Annual General Meeting of the Club shall be held annually on a date to be fixed by the Committee and in any case not later than 31st December. 14 days' notice in writing is to be given to Members, stating the business to be considered. The business of such a meeting shall include:

- a. To receive a report from the Committee.
- b. To receive a report on the previous financial year from the Hon. Treasurer.
- c. To elect Members of the Committee for the ensuing year.
- d. To vote on any resolution submitted by a member of the Club provided notice of such a motion is given in writing to the Honorary Secretary not later than October 31st preceding the AGM.
- e. To amend, remove or add to the rules of the Club: a clear two thirds majority of the Members present and entitled to vote is required to alter and amend the rules in any way.

15. Extraordinary General Meetings

If the Committee shall deem it necessary to consider any special item for the better or more efficient running of the Club, an Extraordinary General Meeting shall be called, providing that seven clear days' notice in writing is given to members, stating the date, time and the business to be considered.

16. Activities at the Club

- a. All activities that take place within the club's premises and grounds shall be held under the overall control of the Club committee. Such activities include social events held for club members or for outside organisations such as weddings, charities, social clubs or any other, and all training activities.
- b. All such activities are subject to approval in advance by the Committee which is to be given full details of the event in writing. (Urgent approval for an event may be obtained by applying in writing to the Social Secretary or the Vice Commodore as applicable.)
- c. All income due to the Club is to be reported on a Club 'Income and Expenditure Report' in a format as required by the Committee and given to the Hon Treasurer without delay.
- d. All training shall be conducted in accordance with the Newtownards

Sailing Club 'Operating Procedures Manual'. Copies of this document are held in the office and in the hallway desk of the main club building, and must be studied before any training takes place

17. Joint Boat Ownership

If a vessel is the property of more than one person, all the joint owners must be members of the Club before the vessel shall be entitled to the full privileges of the Club.

18. Visiting Crews

Crews of vessels visiting Strangford Lough, or the crews of yachts competing in regattas at the Club, shall be entitled to the use of the Club premises for the duration of their visit.

19. Visitors

- a. A member may introduce a visitor to the Club for a day. The same visitor shall not be admitted as a guest of a member on more than five days in any period of 12 months. The member must accompany the visitor and enter the name, address of the visitor and the date of the visitation in the visitors' book kept in the Club premises ⁷ for that purpose. The member accompanying the visitor will be responsible for the counter-signing of the book, showing the date of each visit.
- b. A member shall be responsible for his guest strictly observing the rules and shall not leave the Club premises before his guest.

20. Intoxicating Liquors

- a. The Club having made an application for, and having been granted by the Court, a Certificate of Registration under the provisions of the Registration of Clubs (NI) Order, 1996, may serve intoxicating liquor on the Club premises during such hours as are legally permitted.
- b. A visitor shall not be supplied with intoxicating liquor in the Club premises unless upon invitation and in the company of a member.
- c. No official, and no manager or servant employed in the Club, shall have any personal interest in the supply of intoxicating liquor in the Club or in the profits arising from such supply.
- d. No person shall be paid at the expense of the Club any commission, percentage or similar payment on or with reference to the purchases of intoxicating liquor by the Club.
- e. No person shall, directly or indirectly, derive any pecuniary benefit from the supply of intoxicating liquor by or on behalf of the Club or members or guests, apart from any benefit accruing to the Club as a whole.
- f. Intoxicating liquor shall not be supplied for consumption outside the premises of the Club.

21. Moorings

The recognised mooring area of the Club shall be determined by the Committee.

⁷ Normally kept at the bar

No member shall lay down moorings in the recognised mooring area of the Club, nor move existing moorings in the recognised mooring area of the Club, without the express permission of the Committee.

22. Boat Park

- a. Members' boats, cradles, trailers etc., may be parked on the Club premises as directed by the Rear Commodore subject to these rules.
- b. Members who sell or dispose of property parked on the premises are to advise the Rear Commodore without delay, in writing, of the name, address and telephone number of the purchaser and the date of sale. Property owned by non-members (e.g. that has been purchased from a Club member) may be parked on the premises after the sale subject to insurance cover (see para 22b below) for a maximum of three months. The Committee may, upon application from the new owner and at its discretion, approve a longer period. A parking fee shall be decided by the Committee and published on the Club's website and on the Club's notice board.
- c. The Committee shall have the right to move the property of members and non-members as it considers necessary. The Committee will attempt to advise the owner prior to the movement. While every care will be taken in such movements, the Club shall not be responsible for any damage resulting from such action.
- d. In circumstances where the Committee believes there is no intention to launch a boat within a reasonable time scale and the boat thereby lies constantly in the boat park, the Committee may at its discretion require the member to remove the boat from the Club Premises.
- e. If at any time any fees payable to the Club (as decided by Club rules or, in respect of temporary storage, by the Committee) by any member or former member, or any other person, in respect of the keeping of a boat on Club grounds, shall be three months or more in arrears:
 - i. 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.
 - ii. 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, or to the last known address of the boat owner or keeper if he is not a Club members or former member, to sell the boat and to deduct any monies due to the Club (whether by way of arrears of subscriptions or mooring fees or otherwise) from the net proceeds of sale, before accounting for the balance (if any) to the member or former member or boat owner or keeper.
 - iii. 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 or boat owner or keeper.
- f. In the case of a boat stated to be jointly owned the provisions of this rule shall be effectual in respect of all parties expressing a legitimate interest, the proof of which shall lie with them.
- g. Further the Club shall, at all times, have a lien over members' or former

members' or any other persons' boats parked or moored on the Club's premises or Club moorings, in respect of all monies due to the Club, whether in respect of arrears or mooring fees or subscriptions or otherwise.

23. Insurance of Property

- a. Any persons leaving their property on the Club premises or in the boat park do so at their own risk. The boat park is not deemed to be a secure area and owners are strongly advised to insure their property against loss by fire and theft.
- b. Boats parked on the premises or left on Club moorings must have, as a minimum, third party insurance cover at all times.

24. Removal of Members from the Register

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

25. Damage to Club Property

Any member or his guest damaging or destroying Club property either by accident or otherwise, shall make good the loss to the satisfaction of the Committee. Failure to do so will render the member liable to expulsion.

27. Jet Skis/Wet Bikes

The premises of the club are not to be used for the launching, landing or storage of jet skis or wet bikes.

28. Winding Up

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, at the discretion of the Board of Trustees, to one or more of the following sporting or charitable bodies:

- a. The Royal National Lifeboat Institution.
- b. The sport's national governing body, currently the Royal Yachting Association Northern Ireland
- c. Another Sailing Club which is a registered Community Amateur Sports Club.