

# **South Windermere Sailing Club**

## **Constitution And Rules**

**As amended and approved at the Extraordinary General Meeting,  
16<sup>th</sup> January, 2016**

**[www.swsailing.co.uk](http://www.swsailing.co.uk)**

# *The South Windermere Sailing Club* **Constitution**

Amended at the Extraordinary General Meeting of the Club on the 16th January 2016.

## **1. Name and Objects**

- 1.1. The name of the Club shall be "The South Windermere Sailing Club" and the Club burgee shall be a white inverted triangle on a red and blue vertically halved ground.
- 1.2. The object of the Club shall be to promote and encourage the sport of sailing.

## **2. Membership**

- 2.1. There shall be an entrance fee of such sum as the committee may from time to time prescribe.
- 2.2. There shall be an annual subscription of such sum as the committee shall from time to time prescribe.
- 2.3. There shall be various grades of membership as the committee shall from time to time prescribe.
- 2.4. The boat park fee shall be paid (by the member) to the National Trust at their advertised rate.
- 2.5. Any person who is keen and interested in sailing shall be eligible for membership.
- 2.6. Each prospective member shall be proposed and seconded by two full Members. Completed applications forms to be sent to the Secretary who shall place all applications before the Committee.
- 2.7. New members may be elected at any Committee Meeting, subject to the current membership limitation, and are to be elected by a simple majority of the Committee.
- 2.8. All members shall comply with the rules and any refusal or neglect to do so or any conduct which is either unworthy of a member or injurious to the interest of the club shall render a member liable to expulsion by the committee. Before expelling a member, the committee shall call upon the member for an explanation and shall give them the opportunity of defending themselves and/or resigning their membership. The vote on a resolution for expulsion shall be by ballot and shall only be carried by at least a two-thirds majority.

## **3. Officers and Trustees**

- 3.1. The Officers of the Club shall consist of a Commodore, Vice Commodore, Honorary Secretary, Honorary Treasurer and Honorary Sailing Secretary who shall be elected annually at the Annual General Meeting to hold office until the conclusion of the next Annual General Meeting.
- 3.2. The first appointment of Trustees (who shall not exceed four in number) and vacancies arising there from by death or resignation shall be filled by nomination forwarded in writing to the Secretary at least fourteen days before the next Annual General Meeting at which the Trustees are to be appointed and their appointment shall be decided by ordinary majority vote.
- 3.3. The property of the Club shall be deemed to be vested in the names of the Trustees for the time being and the Trustees shall be indemnified by members of the Club against any

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charges, expenses or other monies which they have or may become liable to pay in their capacity as Trustees.

### **4. Committee**

- 4.1. The Committee shall consist of the Officers and certain other members of the Club, who shall be elected annually at the Annual General Meeting, to hold office until the conclusion of the next Annual General Meeting. The number of members so elected, will be decided by the Committee at their last meeting before the Annual General Meeting.
- 4.2. Candidates for election to the Committee shall be those members of the retiring committee who shall offer themselves for re-election and such other members of the Club, whose nomination duly proposed and seconded by members of the Club in writing shall have been sent to the Secretary before the Annual General Meeting. If the number of candidates exceeds the number of vacancies to be filled, the election shall be by ballot.
- 4.3. The Committee shall have the power to co-opt members and to appoint sub-committees to which they may delegate any of their powers or duties.
- 4.4. The Committee shall manage the affairs of the Club according to the Constitution and Rules and shall apply the funds of the Club solely to the stated objects.
- 4.5. The Committee shall make such byelaws, rules and regulations as they think fit for the efficient operation of the Club. All Club racing shall be governed by the latest Sailing Instructions issued by the Committee.
- 4.6. Committee meetings shall be held whenever deemed necessary and shall also be called by the Secretary at the request of three members of the Committee.
- 4.7. Six members of the Committee shall form a quorum.

### **5. General Meetings**

- 5.1. An Annual General Meeting shall be held each year. The business of this meeting shall be to receive the Officer's reports, Treasurer's Balance Sheet, elect Officers, Committee and Honorary Auditors for the coming year and to do any other business of which due notice shall have been given.
- 5.2. At least seven days notice of all General Meetings shall be sent to every member together with an Agenda for the meeting. The notification and agenda shall be sent either in writing or, by agreement, via email. No other business shall be transacted except that stated on the Agenda
- 5.3. A member wishing to table a motion for discussion at the Annual General Meeting shall inform the Secretary in writing three clear weeks before the Annual General Meeting so that it may be included in the Agenda
- 5.4. An Extraordinary General Meeting shall be called at any time at the discretion of the Committee and shall be called within twenty one days of receipt by the Secretary of an application in writing signed by not less than twelve members.
- 5.5. The quorum at any general meeting shall be 6. In the event of a tie then the chairman shall have a casting vote.

### **6. Finances**

- 6.1. The financial year of the Club shall end as the Committee decides.
- 6.2. The Committee in office is empowered to fix current fees and levies providing that alteration thereto shall be carried by at least a two-third majority of the whole Committee.

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- 6.3. A member elected after 31st August, who has paid a subscription for that year shall not be required to pay any subscription for the following year.
- 6.4. Annual Subscriptions become due on 1st October. Any member who has not paid their subscription by 31st December following, shall be considered to have resigned.
- 6.5. No member shall receive payment either directly or indirectly for anything except legitimate expenses incurred in work for the Club.
- 6.6. The Treasurer shall keep the Club funds at a bank approved by the Committee. Cheques shall be drawn on this account by the signature of the Treasurer and either of two members approved by the Committee.
- 6.7. In the event of the dissolution or winding up of the Club's affairs the disposal of the net proceeds of sale of the Club's assets shall be undertaken by the Trustees in any way which supports the charitable purpose of sailing.
- 6.8. A printed copy of the Club Constitution, Rules and Sailing Instructions shall be presented to each member.
- 6.9. The Club shall have the power at a General Meeting and by a two thirds majority vote to amend the Club Constitution. Notices of any proposed amendment (except those proposed by the Committee) must be given in writing to the Secretary, duly signed by the proposer and seconder at least twenty one days before the General Meeting and the Secretary, shall forward a copy of the proposed amendment to the members entitled to vote at least seven days before the General Meeting.
- 6.10. Voting rights of members shall be:
  - a) A Full Member, shall have full voting rights.
  - b) A Family Member, which expression shall include parents and all children under eighteen years of age, is entitled to the same rights and amenities as a Full except that the children shall have no vote or proposal rights.
  - c) A Junior Member, who shall be a person below the age of eighteen years, shall have no vote or proposal rights.
  - d) An Associate Member, who shall be a person who does not have a boat, boat parking, or mooring in the Club area, but who wishes to participate in the Club's activities either as a crewing member or in association with a Full, Family or Honorary members, shall have no vote or proposal rights.
  - e) An Honorary Member shall have the same rights as a Full member.
  - f) A Holiday Member shall have no vote or proposal rights.

## RULES

Amended Rules (16-01-2016)

### 1. Rules

- 1.1. The rules of the Club shall be fixed by the elected Committee and shall in no way infringe the Constitution or the principles of the Constitution.

### 2. Membership

- 2.1. There shall be six grades of Membership.
  - 2.1.1. A Full Member who shall have full voting rights and shall be entitled to all amenities of the Club.

Full members aged between eighteen and twenty-one may apply for a 50% reduction in subscription.
  - 2.1.2. A Family Member, which expression shall include parents and all children under eighteen years of age. Each Family member is entitled to the same rights and amenities as a Full Member, except that the children shall have no vote or proposal rights.
  - 2.1.3. A Junior Member, who shall be a person below the age of eighteen years, shall be entitled to all amenities of the Club but shall have no vote or proposal rights.
  - 2.1.4. An Associate Member who shall be a person who does not have a boat, boat parking or mooring in the Club area, but who wishes to participate in the Club's activities either as a crewing member or in association with a Full, Family or Honorary member. They shall be entitled to all the amenities of the Club but shall have no vote or proposal rights.
  - 2.1.5. An Honorary Member who shall be elected at any General Meeting on the recommendation of the Committee shall have the same rights as a Full member .
  - 2.1.6. A Holiday Member who subject to Committee approval, becomes a temporary member for a maximum period of four weeks in any season. A holiday member shall have no vote.
- 2.2. An Entry Fee equal to a full years subscription, or as varied by the Committee, may be payable on joining at the discretion of the Committee.
- 2.3. Annual Subscriptions shall become due as determined by the Committee and the payment thereof as laid down in the Constitution: *“6.4 Annual Subscriptions become due on 1st October. Any member who has not paid their subscription by 31st December following, shall be considered to have resigned.”*
- 2.4. Responsibility for Children. Parents are responsible for the conduct and safety of their children at Fell Foot and whilst they are participating in Club activities on and off the Lake. Children under eleven must wear a Buoyancy Aid on the water and water front. Children under the age of five are not allowed on the jetties unless accompanied by an adult.

### 3. Boats

- 3.1. Boat Classes
  - 3.1.1. The adopted classes of boats of the Club are Laser, Flying Fifteen, K1 and Wayfarer.
  - 3.1.2. A general handicap class will be recognised for approved monohull dinghies with a Portsmouth Number of 1200 or lower.

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- 3.1.3. With Committee approval children may sail boats with a Portsmouth Number greater than 1200.
- 3.1.4. At the discretion of the Committee, Class racing will be arranged for the adopted classes.
- 3.1.5. The Committee may use its discretionary powers to give preference to membership applications from persons with adopted class boats.
- 3.1.6. Existing members should seek Committee approval before changing boats.
- 3.2. Boat Parking. Subject to availability boat spaces are provided by the National Trust at Fell Foot. Boat parking fees will be as determined by the National Trust. See National Trust regulations for details of use of the premises under the Licence Agreement.

### 4. Racing

- 4.1.1. All members who participate in racing are expected to help by doing 2 OOD/Rescue duties per year.
- 4.1.2. Members are permitted to bring friends to take part in Club racing, up to three times a year without them becoming a member of the Club.
- 4.1.3. Safety Regulations. The Committee shall make arrangements for the safe conduct of racing but the inherent responsibility for personal safety lies with the individual helmsman.
- 4.2. Insurance. Boats competing in Club racing are required to be covered by at least £3,000,000 third party insurance. ALL BOATS sailing from the Fell Foot premises must have adequate insurance cover in compliance with such regulations that may be in force at the time. (e.g. SWSC, NT, SLDC etc.)
- 4.3. Programme. A programme of races/events shall be issued to each member at the commencement of the sailing season.
- 4.4. Race Management. Management of racing shall be in accordance with the current Sailing Instructions.

### 5. General Administration

- 5.1. Car Parking. Car parking for ONE car is included in the provision of a boat parking space by the N.T. Other cars may be parked at the advertised N.T. car park rates as directed by the N.T. (N.T. members - currently free).
- 5.2. No dogs may be brought into the Club house or changing rooms except for assistance dogs
- 5.3. Petrol and Diesel Fuel Cans of fuel must only be stored in the special fuel store provided.

### 6. Committee

- 6.1. Committee meetings will be held regularly during the sailing season at times agreed by the Committee.
- 6.2. Borrowing Rights. Without individual liability the Committee is empowered to borrow, on behalf of the Club, up to a maximum of £500.

### 7. Club Liabilities

- 7.1. Members of the Club and their guests using the premises at Fell Foot, which the Club uses under Licence from the National Trust, do so entirely at their own risk. The Club will not accept liability for any damage, loss of property or personal injury arising out of the use of the premises at Fell Foot.