

# AYLESBURY SAILING CLUB

## RULES

(2021 Edition)

### NAME AND OBJECT

1. The name of the Club is "Aylesbury Sailing Club". The Club burgee shall be a white duck on a black and red ground.
- 2 The object of the club is to encourage the sailing and racing of small boats.

### MEMBERSHIP

- 3 (a) A Member is a person who has paid an entrance fee, has been admitted to membership and has paid a current annual subscription.  
  
(b) A Junior Member shall be a person over the age of 12 and under the age of 18 years. A Junior Member may also be a person under the age of 12 who has been sponsored by a Member and accepted at the discretion of the Committee following receipt of an undertaking, signed by the Junior Member and endorsed by his or her parent or guardian to use the facilities of the Club only under the personal supervision of an adult who shall have accepted responsibility for the conduct and safety of the Junior Member  
  
(c) Family Membership shall be deemed to include the applicant and his or her partner, both of whom are to be regarded as Members, and such of the children of either of them as are under the age of 18 on the 1<sup>st</sup> March in the year for which their subscription shall have been paid.

(d) Block Membership may be granted on an annual basis on such terms as the Committee shall in its absolute discretion think fit to organisations concerned with Youth Training. Block Members shall provide their own supervision and their own boats which shall be of a Class adopted by the Club. Block Members may use the facilities of the Club and are subject to these Rules.

(e) Membership, to be known as Service Membership, may be given on an annual basis to RAF personnel stationed at RAF Halton, on such terms as the Committee shall in its absolute discretion think fit.

(f) The Committee may from time to time appoint such Life Members as it shall think fit. There shall be no more than five Life Members (excluding the Trustees) at any one time. A Life Member shall not be called upon to pay an annual subscription.

(g) Temporary Membership shall be limited to a period of one month.

(h) An absent Member shall be any member of the Club who, due to absence from the district, is unable to enjoy the facilities of the Club for a continuous period of ten months in any subscription year. An absent Member shall be entitled to berth a boat or boats at the Club premises for one year only.

(i) Anyone wishing to become a Member shall apply to the Secretary (with appropriate Annual Subscription, Entrance and Berthing fees). The Secretary will either advise the applicant that their membership is granted or shall refer the application to the Committee for consideration at its meeting next after such application shall have been received by the Secretary.

(j) A student Member shall be a person 18 or over and in full time education

and who shall pay no entrance fee and an annual subscription equal to the Junior Member or a fee decided at a General Meeting.

(k) Every Member undertakes to comply with these rules and 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 character and interests of the Club shall render a Member liable to expulsion by the Committee. Before expelling any Member the Committee shall call upon the Member for an explanation of their conduct and shall give them the opportunity of appearing before the Committee or of resigning from membership. The vote on a resolution for expulsion shall be by ballot and the resolution shall be carried only by a majority of the full number of the Committee.

(l) Members shall be deemed to consent to the holding of membership details by the Club as personal data for the purposes of the Data Protection Act 1998.

#### **ENTRANCE FEES AND SUBSCRIPTIONS**

4 (a) There shall be an Entrance Fee of such sum as the Committee shall from time to time prescribe.

(b) The Annual Subscription is payable on 1st February in each year and shall be such sum as shall have been decided by the members of the Club at the preceding Annual General Meeting.

(c) Entrance Fees and Subscriptions in respect of Block and Service membership and in respect of Temporary and Absent Members shall be determined by the Committee

(d) Any Member who shall have failed to pay the Annual subscription by the 28th day of February in any year shall be requested in the name of the Committee to pay the same within fourteen days of the date of the Committee request. If the subscription is not paid by the expiry of that fourteen day period, the Member shall on that date cease to be a Member of the Club and Member's name shall be removed from the register of Members.

(e) No Member shall in any year be entitled to exercise the rights or privileges of membership until the Subscription due for that year is paid.

(f) A new Member joining during the year shall pay an Annual Subscription abated by a percentage to be decided by the Committee and published by 1 March in each year. Details of the abatements available in any year shall be posted in the clubhouse.

(g) The Entrance Fee may be waived by the Secretary in the case of any Member who, having resigned from the Club, shall seek to rejoin within two years of the date of resignation.

## **MEMBERS**

5 (a) A Member shall be entitled to the full amenities of the Club.

(b) Every Member being the owner of a boat of a class adopted by the Club is entitled to have details of his or her boat entered on the Club register and shall be entitled to fly the Club burgee.

(c) In Club or inter-club competitions only boats belonging to Members shall compete. For Club competitions the Member must be on the boat. But for any inter-club competition both helm and crew shall be Members.

- (d) Members have the privilege of introducing a visitor to the Club premises and to the water, provided that
- (i) such visitor has not previously been expelled from the Club
  - (ii) the same visitor shall not be introduced on more than seven days during any year and
  - (iii) any Member introducing a visitor shall so far as reasonable be responsible for ensuring that the behaviour of such visitor shall be acceptable to Members.
  - (iv) Such visitors shall comply with all Rules appertaining to Members and  
Junior Members.
  - (v) All visitors to the Club shall be signed into the Visitors Book on all and  
every occasion of their visit by the responsible member

## **BOATS**

- 6 (a) Members shall pay a berthing fee for each boat kept upon Club premises in such sum as shall from time to time be approved by the Members in Annual General Meeting.
- (b) Members shall sail only boats in respect of which Third Party insurance cover in a sum of not less than two million pounds (or such greater sum as shall from time to time be specified by the Committee) shall be effective. Members shall maintain such insurance cover at all times when their boats shall be upon Club premises.
- (c) Members shall sail upon the Club water only boats for which a berth has been allocated.

(d) The Committee may move the boat of any Member from one part to another of the Club premises and shall take every sensible precaution to ensure that no loss nor damage is sustained to the boat and shall ensure that the same is safely tied down.

(e) If any boat or equipment shall appear to be abandoned upon Club premises the Committee may:

(i) move (or cause to be moved) the boat or equipment to another part of the Club premises without being liable for any loss or damage to the boat or any part thereof or its contents howsoever caused.

(ii) notify the owner (and where the Committee does not have effective contact details for the owner, it shall take reasonable steps to trace the owner) and give the owner not less than three months' notice to remove that boat or equipment. If after the expiry of three months notice (or if after the Committee has taken reasonable steps to trace the owner, but has failed successfully to do so) the boat or equipment remains on Club premises, the Committee shall be at liberty to sell the boat and any equipment and to deduct from the proceeds of sale such moneys as may be due to the Club by the owner of the boat or equipment. The Committee shall place any balance on bank deposit for a period of not more than six years. The Committee shall not be obliged to seek the best available rate of interest to be earned by the deposited funds. If the owner of the boat or equipment shall not have claimed such balance within six years thereafter the Committee shall place the deposited funds and accumulated interest to the credit of the Club's own accounts for the benefit of the Club.

(iii) if the boat or equipment shall prove to be unsaleable (and after taking reasonable steps to trace the owner), dispose of it in any manner the

Committee shall think fit and shall have no further liability in respect of the vessel to the owner.

- (f) A boat or any equipment may be treated as appearing to be abandoned upon Club premises for the purposes of rule 6(e) above where that boat or equipment belongs to:
- (i) a person who has (for whatever reason) ceased to be a Member of the Club; or
  - (ii) a Member who has failed to pay any berthing fee within three months of that berthing fee becoming due.

## **OFFICERS**

- 7 (a) The Officers of the Club shall consist of President, Commodore, Vice-Commodore, Rear-Commodore (being the Flag Officers), Honorary Secretary, Membership and Sailing Secretaries and Honorary Treasurer, who shall be elected at the Annual General Meeting in each year to hold office until the conclusion of the next Annual General Meeting.
- (b) Retiring Officers shall be eligible for re-election save that the Commodore shall not seek re-election at the end of any two year period of office and shall not be eligible for re-election for two years thereafter. An exception to this Rule shall be decided by Members in General Meeting

## **COMMITTEE**

- 8 (a) The Committee shall consist of the Trustees, the Flag Officers, Honorary Secretary, Membership and Sailing Secretaries, Hon Treasurer, Club Boatwain, and eight other Members of the Club elected by the Members in Annual General Meeting to serve upon the Committee for a term of two years. Of the Committee members so elected four shall retire annually and shall be eligible for re-election.

(b) Candidates for election to the Committee shall be those Members of the retiring Committee who shall offer themselves for re-election and those other Members whose nominations shall have been duly proposed and seconded by Members.

(c) If a vacancy shall occur by death or resignation the Committee may co-opt a Member to fill the vacancy.

(d) If the number of candidates duly proposed and seconded shall exceed the number of vacancies to be filled, the election shall be by ballot.

## **DUTIES OF OFFICERS**

9. The Hon Secretary shall:

(a) keep a register upon which will be recorded the name address and telephone number of each Member of the Club together with details of the design and sail number of each boat sailed at the Club and shall for that purpose meet and correspond with the Membership and Sailing Secretaries so often as shall be necessary.

(b) conduct the correspondence of the Club.

(c) keep custody of all Club documents.

(d) keep full minutes of all *General Meetings* of the club, and of the Committee which shall be confirmed and signed by the appropriate Chairman after agreement at the next following meeting.

(e) maintain contact with the Club's legal adviser to ensure that the Club's affairs are managed in accordance with current law.

(f) report regularly to the Committee.



10 The Hon Treasurer shall:

- (a) maintain a Cash Book (either manually or by computer) to record both bank and cash transactions of the Club and reconcile this with bank statements.
- (b) maintain adequate supporting documentation of each transaction.
- (c) prepare an Annual Account as at 31 August each year comprising an Income and Expenditure Account and a Balance Sheet. Such Account and Balance Sheet shall be examined by an individual who shall be independent of the Treasurer who shall confirm that the Accounts are in agreement with the accounting records maintained by the Treasurer.
- (d) administer such insurance policies as may be needed fully to protect the interests of the Club, its Trustees, its Officers and its Members.
- (e) report regularly to the Committee.

#### **COMMITTEE DUTY**

- 11 (a) It shall be the duty of the Committee to manage the affairs of the Club generally and in accordance with the wishes of the membership expressed in General Meeting: to apply the funds of the Club to the objects of the Club and in so doing to take into account the Rules and Regulations of the Club.
- b) The Committee may appoint such sub-committees as it may deem necessary and may delegate such of its powers as it may think fit.
- (c) At Committee Meetings five shall form a quorum.
- (d) The Committee may make such Bye-Laws as it thinks fit for the proper management of the Club and shall cause the same to be exhibited in Club premises for fourteen days before the date of implementation. Such Bye-Laws shall remain in force until the next General Meeting and thereafter unless set aside by a vote at a General Meeting of the Club.
- (e) It shall be the duty of the Committee to secure the provision of reasonably adequate equipment and facilities.

(f) The Committee shall ensure that a full and up to date list of all Members qualified in First Aid is displayed near the First Aid equipment and on the Club Notice Board

(g) The Committee shall ensure that a Member is at all times appointed to ensure that the First Aid kits (including any carried in any support boat) are adequately stocked.

(h) The Committee shall from time to time appoint from the membership a Child protection officer whose duty shall be to ensure that the Club's practices, procedures and activities shall be so managed as to offer to persons (being sixteen years of age or less) such reasonable protection as may be appropriate having regard to the nature of the activity in which such young person may be engaged.

## **SAILING COMMITTEE**

12 (a) The Sailing Committee shall consist of the Flag Officers, a Sailing Secretary appointed by the Committee and as many Class Captains as shall have been appointed from time to time. Class Captains shall be elected at Annual General Meeting by those Members who shall be owners of boats of the relevant class.

(b) The Sailing Committee shall oversee and regulate the conduct of competitive sailing within the Club. For that purpose the Sailing Committee shall publish Sailing Instructions and Racing Rules from time to time.

(c) All sailing at Aylesbury shall be conducted in accordance with such Instructions and Rules as shall have been published by the Sailing Committee.

(d) Any four members of the Sailing Committee (but including at least one Flag Officer) shall form a quorum.

## **SAFETY ON AND OFF THE WATER**

### **Junior Members**

- 13 (a) A Junior Member shall not remain upon Club Premises unless accompanied by his or her parent or guardian or other adult who shall have accepted responsibility for the conduct and safety of the Junior Member.
- (b) A Junior Member shall:
- (i) wear adequate personal buoyancy at all times when sailing or on the jetties.
  - (ii) sail only when wearing (in addition to adequate personal buoyancy) clothing appropriate to the prevailing weather and water conditions.
  - (iii) sail only in a boat fitted with adequate buoyancy which is maintained in good and effective working order.
- (c) Save when participating in activity organised by the Club Junior Members may sail in charge of a boat only:
- (i) if he or she shall have attained an RYA Level 2 Dinghy Certificate or
  - (ii) he or she shall have satisfied the Sailing Committee of his or her equivalent experience or
  - (iii) there is upon the water at least one other boat sailed by a Member qualified as set out in sub clauses (i) or (ii) above

### **AND**

- (i) the support boat is manned by reason of some Club activity or
- (ii) a parent or person in loco parentis is in attendance equipped and capable to take the support boat to any part of the water or
- (iii) he or she shall have the permission of the Sailing Committee.

- d) the parent or guardian of any Junior Member shall advise the race officer or supervising instructor of any medical condition of any Junior Member left in the care of the race officer or supervising instructor

**All Members**

- (e) the Club shall provide not less than one support boat during racing and other Club organised activities
- (f) the support boat(s) shall be driven by a Member (other than a Junior Member) appointed by the Race Officer, supervising instructor or Club Officer. No other Member shall drive or use the support boat save by permission or at the request of the Race Officer, supervising instructor or Club Officer.
- (g) the support boat coxswain and crew are responsible to the race officer or supervising instructor for the safety of sailors afloat.
- (h) the support boat crew shall ensure that the support boats are in proper working order. Support boats shall be operated at speeds which are safe and which do not create risk to others. The coxswain shall attach the kill-cord to his or her wrist at all times. When approaching persons in the water the engine shall be stopped and out of gear.
- (i) Members crewing the support boats or in the water shall comply with any instruction given by the support boat coxswain
- (j) Members are responsible for their own safety and for making their own judgement whether to sail. Members shall act in a seamanlike manner at all times and shall sail so as to comply with the Club Rules and Operational Policy. Members shall not act in any way likely to endanger their own lives nor the lives of others nor cause injury to persons nor damage to property through inattention, wilful or malicious action or improper use of the Club equipment or facilities.

- (k) Members shall ensure that oars (available in the Clubhouse) are in the support boats and that the support boats are otherwise ready for immediate use at all other times during which sailing is in progress.
- (l) Members are expected to wear personal bouyancy complying with the C 50 Newton standard when on the jetties and afloat
- (m) Members shall wear clothing appropriate to the current and forecast weather conditions
- (n) Save in case of inadvertent capsize or when under instruction by a supervising instructor Members shall remain within the boat in which they are sailing at all times when the boat is on the water. In the event of capsize Members shall remain with their boat unless directed otherwise by the support boat coxswain
- (o) Members shall ensure that they are aware of the location of the First Aid equipment and of the steps to be taken in the event of any medical emergency
- (p) In the event of major injury or any injury which shall cause loss of consciousness the race officer or supervising instructor shall ensure that the emergency services are called immediately and that the next of kin are informed as soon as practicable either in person or by telephone and shall so far as appropriate follow the instructions displayed in the Clubhouse alongside the First Aid kit.
- (q) The Race Officer or supervising instructor shall make a record in the Accident Book of any accident however slight, of the treatment given and of the other actions taken
- (r) In case of injury otherwise than during organised Club activity Members must treat themselves but shall nevertheless record any accident in the \Accident Book
- (s) No Member shall swim in the Club water

- (t) Members shall not sail save during the hours of daylight except when otherwise organised by the Club
- (u) Members shall observe all such further instructions as may be issued by the race officer or supervising instructor and in the event of conflict with these rules the requirements of the race officer or supervising instructor shall prevail
- (v) Members shall undertake not less than one days duty in each year as Race Officer or as Assistant Race Officer

## **GENERAL**

14. (a) Members may bring dogs onto the Club premises only if kept on a short lead at all times.
- (b) No boat shall land or be launched except at the Club premises or at the jetty at High Bank
- (c) Members shall not leave cars unattended in the parking area inside the High Bank gate
- (d) Members shall not do anything which may cause the Club water to be polluted in any way

## **GENERAL MEETING**

- 15 (a) An Annual General Meeting shall be held on some day in November or December to be fixed by the Committee. The Secretary shall, at least fourteen days clear before the date of such Meeting, send to each Member notice thereof and of the business to be dealt with.
- (b) Fifteen Members present and entitled to vote shall form a quorum at any General Meeting of the Club.
- (c) The Committee may, on giving fourteen days notice, call a General Meeting of the Club to consider and resolve any specific business, the nature of which

shall be stated in the summons convening the Meeting. The discussion at such Meeting shall be confined to the business of which proper notice shall have been given.

- (d) The Committee shall call a General Meeting as soon as reasonably practicable after the receipt by the Secretary of a written request signed by not less than ten Members. The business to be discussed at such meeting shall be made known to the Committee in the written request and the Meeting shall be confined to the consideration and resolution only of the matters of which such notice shall have been given.
- (e) At a General Meeting of the Club, each Member shall have one vote. Junior Members, Family Members under the age of 18 years, Absent Members, Temporary Members and Block Members shall be entitled to attend a General Meeting but shall have no vote. Service Members shall have no vote but the Service Membership shall be entitled to exercise two votes. In case of an equality of votes the Chairman of the meeting shall have a second or casting vote.

## **NEW RULES, AMENDMENTS AND ALTERATIONS**

- 16 (a) The Rules of the Club may be changed only by the Members in General Meeting. Any Member may propose an amendment in accordance with the procedure following:-
  - (i) written notice of the proposed amendment shall be given to the Secretary not less than one calendar month before any General Meeting at which the same is to be proposed for adoption
  - (ii) such notice shall be accompanied by the written confirmation of not less than two Members that they will be in attendance at the Meeting and that, upon a ballot, they would support the amendment,

- (iii) full particulars of any proposed amendment shall be set out in the notice convening the appropriate *General Meeting*.
- (iv) if after discussion the amendment shall be put to the *Meeting* and seconded as a formal proposal then the amendment shall be put to the *Meeting*
- (v) if on a show of hands (or, if demanded, on a poll) a majority being not less than two-thirds of the votes of those *Members* present and entitled to vote shall be cast in favour of the amendment then the same shall be deemed to be carried.

## **LIABILITIES**

- 17 (a) Neither the *Club* nor the *Committee* shall be liable for any personal injury or other damage or loss of property sustained by any *Member* or visitor whether sailing, engaged in *Club* activities or using the facilities of the *Club*, notwithstanding that such injury or loss may have been due to the negligence of the *Club's* *Officers*, *Members*, servants or any other person.
- (b) the parent or guardian of any *Junior Member* shall endorse the *Junior Member's* application for membership:-
- (i) to consent to the *Junior Member's* submission to these *Rules* and
  - (ii) to give to the *Club* an indemnity for the consequences of the behaviour of the *Junior Member*.

## **TRUSTEES - ASSETS**

- 18 (a) Number of and terms of reference:
- There shall be at least three *Trustees* of the *Club* who shall be appointed from time to time as necessary by the *General Meeting* of the *Club* from among *Full*, *Family* or *Life Members* who are willing to be so appointed. A *Trustee* shall hold office during his or her lifetime or until he or she shall



resign by notice in writing given to the Committee or until a resolution removing him or her from office shall be passed at a *General Meeting* of Club Members by a majority comprising two-thirds of the Members present and entitled to vote.

(b) Property of Club vested in Trustees:

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 or resignation of a Trustee, the Committee shall nominate a new Trustee, whose appointment shall be ratified at a *General Meeting* 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 that appointment. For the purpose of giving effect to any such nomination, the Hon 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 Trustee Act 1925 and shall by deed duly appoint the person or persons so nominated by the Committee and ratified by a *General Meeting*.

(c) Powers of Trustees:

The Trustees shall in all respects act, in regard to any real property of the Club (but not chattels) held by them, in accordance with the directions of Members in a *General Meeting* and shall have powers 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 *General Meeting* directions (which shall be duly recorded in the minutes of the proceedings of the *General Meeting*) but no purchaser, lessee, or mortgagee shall be

concerned to enquire whether such direction has been given. The Trustees shall also have power to insure any property of the Club held by them against loss or damage howsoever arising and to use any money received under such insurance either towards making good the loss or damage in respect of which it was received or as if it were proceeds of sales of the insured property.

(d) Indemnity of Trustees from the Club:

The Trustees shall be effectually indemnified by the Committee out of the assets of the Club 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.

## **DISSOLUTION**

- 19 (a) If, upon the winding up or dissolution of the Club there shall remain after the satisfaction of all its debts and liabilities any property whatsoever, the same shall be paid to or distributed among the Members (b) For the purposes of this rule a Member shall be as defined in Rule 3(a) above but limited to the person who shall have paid the said subscription in respect of the year in which such dissolution shall have occurred

## **COMPLAINTS**

- 20 The Committee shall not be bound to consider any complaint unless the same shall be made in writing to the Secretary and endorsed by one Member other than the complainant.