

**PIN MILL SAILING CLUB
RULES**

1. **Name of Club:** The name of the Club shall be "The Pin Mill Sailing Club".
2. **Object:** The object of the Club shall be the encouragement of sailing, especially to and from Pin Mill.
3. **Burgee:** The Club burgee shall have a red windmill on a white ground, with a red fly.
4. **Headquarters:** The headquarters of the Club shall be at the Clubhouse at Pin Mill.
5. **Officers:**
 - (a) The Officers shall consist of a Commodore, Vice-Commodore, Rear-Commodore, Honorary Secretary, Honorary Assistant Secretary, Honorary Treasurer, Honorary Sailing Secretary, Honorary House Secretary, Honorary Property Secretary, Honorary Bar Secretary, Honorary Moorings Secretary and Honorary Social Secretary.
 - (b) All Officers shall be elected at Annual General Meetings of the Club, to hold office until the conclusion of the next Annual General Meeting, provided that the General Committee may co-opt a member to fill a casual vacancy.
 - (c) Nominations for Officers, proposed and seconded by full members, must be received by the Honorary Secretary not less than seven days before the Annual General Meeting.
 - (d) No member may serve in the same office, other than that of Honorary Secretary or Honorary Treasurer for more than three consecutive years.
6. **Constitution of General Committee and Bar Committee:**
 - (a) The General Committee shall consist of the Officers and not more than five nor less than three members of the Club elected in General Meeting to hold office until the conclusion of the next Annual General Meeting.
 - (b) Candidates for election to General Committee shall be those members of the retiring General Committee who shall offer themselves for re-election and such other members whose nominations proposed and seconded by full members shall be received by the Honorary Secretary not less than seven days before the Annual General Meeting.
 - (c) If the number of candidates is greater than the number of vacancies the election shall be by ballot.

- (d) Vacation of office on General Committee shall entail vacation of office on any elective Sub-Committee.
- (e) The Bar Committee shall consist of members who shall be elected at the Annual General Meeting of the Club. A member of the General Committee may be a member of the Bar Committee.

7. **Committee Meetings:**

- (a) Meetings of the General Committee shall be called:
 - 1. When it shall determine.
 - 2. When the senior Flag Officer or the Honorary Secretary shall direct.
 - 3. When any two members thereof shall in writing request the Honorary Secretary to call a Meeting, provided that such request shall state the business to be transacted at such Meeting and that no other business shall be transacted thereat.
- (b) The chair shall be taken by the senior Flag Officer present, or in **the absence** of a Flag Officer the Committee shall elect a chairman.
- (c) Eight shall form a quorum.
- (d) Committee decisions shall be taken by a simple majority vote, the chairman having a second vote in the event of a tie.
- (e) Save where otherwise provided by these Rules, the Committee shall regulate its own proceedings.

8. **Trustees:**

The property and securities of the Club shall be vested in five Trustees. Where by reason of any death, resignation, or removal it shall appear necessary to the General Committee that a new Trustee or Trustees should be appointed, the General Committee shall by Resolution nominate a person or persons to be appointed the new Trustee or Trustees. For the purpose of giving effect to such nomination the Commodore for the time being of the Club 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 he shall by deed duly appoint the person or persons so nominated by the Committee as the new Trustee or Trustees of the Club, and the provisions of the Trustees Act 1925 shall apply to any such appointment. Any Statement of fact in any such Deed of Appointment shall in favour of a person dealing bona fide and for value with the Club or the Committee, be conclusive evidence of the fact so stated. The Trustees shall deal with the property and securities of the Club as the General Committee or the Club in General Meeting from time to time direct. The Trustees shall be indemnified against risk and expense out of the Club

property, and shall hold office until death or resignation or until removed by the Club at General Meeting.

9. Power of the Committee and Chairman:

- (i) General management of the Club shall be vested in the General Committee which in addition to its other powers shall have the following particular powers:
 - (a) To form Sub-Committees, co-opting members if necessary.
 - (b) To make, suspend, vary and revoke byelaws, provided that **any byelaws** made by the Committee may be rescinded in General Meeting.
 - (c) To interpret these Rules. Any question of interpretation which arises at a meeting of the Club or Committee shall be decided by the chairman of that meeting. Any question of interpretation which arises outside of a meeting of the Club or Committee shall be decided by General Committee.
- (ii) The Bar Committee shall:
 - (a) Be responsible for the purchase for the Club and the sale to the members of the Club of all intoxicating liquor.
 - (b) Consist of a Chairman (Flag Officer), Secretary and not less than four members. Rule 6(e) applies.
 - (c) Be subject to the directions of the General Committee.
 - (d) Ensure that the licensing laws are observed. The permitted hours for the Club premises shall be fixed by the General Committee on the recommendation of the Bar Committee and notified to the Clerk to the Justices.
 - (e) Keep proper accounts.
 - (f) Render a financial statement to the General Committee at least three weeks before the date of the Annual General Meeting.

10. Duties of Honorary Secretary:

The Honorary Secretary shall:

- (a) Keep a list of members, their addresses and their yachts.
- (b) Keep correct minutes of the proceedings of the Club and the General Committee.
- (c) Give and receive on the Club's behalf any notice required by these Rules or otherwise.

- (d) Deal with correspondence.
- (e) Make any returns, declarations or the like required by law to be made on the Club's behalf.
- (f) Keep up to date the book of the Rules and Byelaws in accordance with Rule 25.
- (g) Administer the letting of the Clubhouse for functions in accordance with requirements agreed from time to time by the Club's General Committee.

11. Duties of Honorary Treasurer:

The Honorary Treasurer shall:

- (a) Be responsible for the collection of all monies due to the Club and pay the same as and when received to the credit of an account in the name of the Club with a Bank or Banks approved by the Committee.
- (b) Be permitted to retain in his or the Honorary Secretary's hands petty cash not exceeding at any one time £100.00 or such larger sum as the Committee may approve.
- (c) Pay out of the aforesaid monies the just debts of the Club, any payment in excess of £50.00 to be made by cheque on the aforesaid bank.
- (d) Keep correct accounts of the Club's receipts and expenditure.
- (e) Personally or otherwise report the state of the Club's finances to every General Committee Meeting.
- (f) Render a proper financial statement to the Annual General Meeting of the Club.
- (g) Be the sole signatory on all cheques drawn on the current account and for Club cheques below £500 and for all cheques above that amount, there shall be one additional signatory from among the Commodore, Vice Commodore, in accordance with the Club's Bank mandate.
- (h) The Honorary Bar Secretary or any other member of the Bar Committee in accordance with the Club's Bank mandate, shall be the sole signatory on a separate Bar Account.

12. Accounts and Audit:

- (a) The financial year of the Club shall end on the last day of September in each year.

- (b) The General Committee shall appoint a person qualified to audit the Honorary Treasurer's financial statement and the Bar Committee's accounts at a fee approved by them.
- (c) Such auditor shall have access to all books of record and papers relating to the financial affairs of the Club.
- (d) A copy of the auditor's report shall be annexed to the Honorary Treasurer's statement.

13. **Property of the Club:**

No money or property of the Club, nor any gain arising from carrying on the Club shall be applied otherwise than for the benefit of the Club, or for a benevolent or charitable purpose at the discretion of General Committee.

14. **Membership:**

- (a) A candidate for membership must apply on an application form to the Honorary Secretary, stating his full name, address and occupation. He must be proposed and seconded in writing by full members of at least one year's standing. His completed application form shall be posted in the Club by the Honorary Secretary for a minimum of ten days. He may be elected by General Committee on a show of hands, or if demanded by any member of Committee, by ballot. A majority vote is required.
- (b) Candidates for membership who fail to ratify their membership by payment of entrance fee and subscription within 28 days of notification of application being approved, will no longer be regarded as candidates for membership and such application may be null and void.
- (c) Candidates for membership have no privileges whatsoever in relation to the use of the Club or its premises.
- (d) A rejected candidate may not re-apply for election to membership for one year after rejection.
- (e) Life Honorary Members may be elected only at the Annual General Meeting of the Club on the unanimous recommendation of the general committee, and shall retain all privileges of membership.
- (f) Honorary Members may be elected at any time or re-elected each December by General Committee. The total number of Honorary Members shall not at any time exceed five per cent of the total of all members. An Honorary Member shall not be entitled to vote at any meeting, to hold office or in the event of the dissolution of the Club to any share in its property, but otherwise shall enjoy all privileges of membership.

- (g) Every member shall be give a copy of the Rules and shall be deemed to have assented to them and shall be bound thereby as from his election.
- (h) Persons between their 12th and 18th birthdays may be elected as cadets. A candidate for cadet membership must be proposed and seconded by full members only one of whom may be his parent. Cadets shall not be entitled to vote at any General Meeting, or to hold office.
- (i) If a cadet wishes to transfer to full membership on reaching his 18th birthday his written application must be approved by General Committee. If approved, and the cadet has been a member for the previous three years, he will then assume the privileges of full membership. Other cadets shall pay the current entrance fee in order to attain full membership. On January 1st, following his 18th birthday, a successful applicant will be liable for half the current full membership subscription.
- (k) Holders of Individual or Household memberships (which have been current for at least a year) who will be based out of the UK for a whole membership year or number of years, may apply to the General Committee for Out of Country membership status. If granted, Out of Country membership will be renewable each year and will attract reduced membership fees but allow reduced privileges and entitlements to be determined from time to time by the General Committee. On return to the UK, provided membership has been continuous, Out of Country members may apply to the General Committee to have their membership converted back to its original status, without payment of a re-joining fee. If the return occurs during a membership year, payment of the difference between the Out of Country fee and the appropriate standard fee will be due. The fees for Out of Country membership will be recommended each year by the General Committee for approval at the AGM and will generally be of the order of one quarter of standard fees.

15. Annual Subscription:

- (a) The annual subscription shall be agreed at Annual General Meeting.
- (b) The annual subscription shall be due and payable on January 1st each year or in the case of a new member on his election, except that a member elected after August 1st shall be only liable for half the annual subscription in the year of his election.
- (c) An entrance fee will be levied on each new full member equivalent to the current single subscription.
- (d) A household subscription will mean a combined subscription for a member and spouse or partner together with their named immediate

family (below 21 years), who are all resident at the same quoted address.

- (e) The annual subscription for members between their 18th and 21st birthdays shall be half the current full membership.
- (f) Subscriptions shall be payable only by cash, cheque or postal order.

16. **Liability of Members Limited:**

No member shall as such be liable for any sum of money in excess of his subscription and personal accounts to the Club due and unpaid.

17. **Resignation:**

A member wishing to resign from the Club shall give notice in writing to the Honorary Secretary, but shall be liable for all sums due by him to the Club at the date of the notice.

18. **Overdue Subscriptions:**

A subscription form will be sent to all members in December which should be returned completed to the Treasurer with the relevant subscription. A second form - clearly marked REMINDER - will be sent in January. No other reminders will be sent. If a Member has not paid by 28th February he shall automatically cease to be a member. Any person applying for reinstatement after 28th February will be placed on the waiting list and, if elected, may be called upon to pay an entrance fee.

19. **Club Notice Board:**

A Club notice board shall be kept at headquarters. No notice shall be fixed thereto save by a Flag Officer, Honorary Secretary or Honorary Treasurer or by order or permission of the Committee. Every notice shall be signed by the issuing officer.

20. **General Meeting:**

- (a) There shall be an Annual General Meeting of the Club on a date to be fixed by the Committee as soon as practicable after 1st November, and in any case not later than 1st February, when the Officers and Committee shall be elected and the Honorary Treasurer's financial statement received.

- (b) No proposal to increase the subscription, or to move the headquarters of the Club, or to rescind any byelaws, or to alter these Rules or to dissolve the Club, shall be entertained at the Annual General Meeting, unless notification of such proposal shall have been included in the notice convening the Meeting. The Honorary Secretary shall include in such notice any such proposal of which notification in writing, signed by a member, shall have been given to him at least four weeks before the date of the Annual General Meeting.
- (c) A Special Meeting of the Club shall be held either when the General Committee shall so resolve, or within four weeks of the receipt by the Honorary Secretary of a written request signed by five members specifying the purpose of the Meeting requested.
- (d) Any special resolution passed at that Meeting, with or without amendment, must be carried by a two-thirds majority including proxy votes.
- (e) The notice convening a Special General Meeting shall state the purpose of the Meeting and no other business save if necessary the election of a chairman shall be transacted thereat.
- (f) The chair at every General Meeting shall be taken by the senior Flag Officer present, and if no Flag Officer be present the Meeting shall elect a chairman.
- (g) Ten members shall form a quorum at General Meeting.

21. **No Quorum:**

- (a) If half an hour after the time appointed for a Meeting no quorum shall be present the Meeting shall be deemed never to have been called.
- (b) If half an hour after the time appointed for a General Meeting no quorum **shall** be present then in the case of the Annual General Meeting the Officers and Committee shall be deemed to be re-elected and the Honorary Treasurer's financial statement to be adopted and in the case of any General Meeting every proposal on the agenda other than a proposal to confirm a special resolution to dissolve the Club shall be negated.

22. **Proxies:**

Any member may by writing under his hand appoint another member to be his proxy at any General Meeting either generally to vote on some or all of the questions to be discussed at such Meeting or specially to vote for or against any proposal or candidate for office, provided that a copy of such writing shall have been lodged with the Honorary Secretary three clear days before the Meeting and that no member voting by proxy shall be taken into account in computing a quorum. Any question of the construction of any such writing shall be decided by the chairman of the meeting, who if in doubt may disallow the proxy.

23. **Notices:**

- (a) Save as hereinafter provided not less than a week's notice shall be given of every Meeting of the General Committee to every member entitled to attend.
- (b) In case of emergency a Committee Meeting may be called on less than a week's notice if a Flag Officer shall so direct.
- (c) Save as herein otherwise provided any notice required by these Rules to be given to a member may be given by prepaid letter or postcard addressed to the last known address of the member concerned and shall be deemed to have been given at the time when in the ordinary course of post such letter or postcard would reach such address.
- (d) Two weeks' notice of all General Meetings must be given in writing to all members. Such notice shall include any proposal under Rule 20(b).
- (e) No Meeting shall be invalid by reason only of an accidental omission to give notice thereof to any member entitled thereto.
- (f) Notice of the making, suspension, variation or revocation of a byelaw by the General Committee or of the rescission thereof by the Club shall be given by posting such notice on the Clubhouse notice board for three consecutive weeks.

24. **Names and Addresses:**

Every member shall promptly notify the Honorary Secretary of every change in his name or address or name of boat.

25. **Book of Rules and Byelaws:**

A book containing an up to date copy of these Rules and Byelaws shall be kept at headquarters and shall be available to members at all reasonable times.

26. **Expulsion from the Club:**

- (a) The General Committee may expel from membership any person whose conduct it shall consider detrimental to the interests of the Club provided that seven days' notice be given by registered post to such member and a reasonable opportunity allowed to show cause why such expulsion should not take place.
- (b) A person expelled from membership shall not be re-admitted to the Club premises as a guest.

- (c) A Flag Officer or any two members of General Committee may request any person whose behavior is considered to be prejudicial to the interests of the Club to leave the premises.

27. Dissolution of the Club:

- (a) The Club shall be dissolved if:
 - 1. For any six months beginning on the 1st January the number of members other than Honorary Members shall be less than twenty.
 - 2. At any General Meeting it shall by special resolution so resolve and at a General Meeting held not less than four weeks later either there be no quorum after half an hour or such resolution be confirmed by special resolution.
- (b) If and when the Club shall be dissolved the Trustees under the direction of the General Committee shall:
 - 1. Get in and convert into money the assets of the Club and out of such money –
 - 2. Pay the expenses of so doing
 - 3. Pay the debts of the Club.
 - 4. Make such provision for unknown future or contingent liabilities as to the General Committee shall seem desirable.
 - 5. Make any ex gratia payments to servants or Officers of the Club which to the General Committee shall seem reasonable and proper.
 - 6. Distribute the balance of such money equally amongst the members.

28. Interpretation:

In these Rules unless the context otherwise connotes:
Words of the masculine gender include the feminine and vice-versa.
Words in the singular include the plural and vice-versa.
"Monthly" means calendar month.
"Week" means seven consecutive days.
"Special resolution" means resolution passed with or without amendment at a General Meeting of the Club by a majority of two thirds of those voting including those voting by proxy.

29. Alteration to Rules:

These Rules shall not be amended or added to except by Special Resolution.

30. Visiting Yachtsmen and Guests:

- (a) Yachtsmen visiting the River Orwell by boat who are members of a recognised yacht club will be regarded as honorary members of the Club for the duration of their stay, provided this stay does not exceed one month. These yachtsmen must sign the visitors' book on their initial visit, stating the club to which they belong.
- (b) Any person who is a competitor in any race sponsored or organised by or on behalf of the Club, and any person who is a member of a crew of such competitors for the purpose of the race shall be entitled to use the Club premises within a period of twenty-four hours before and after that race in which they are competing.
- (c) A member may introduce as a guest any person provided that the member so introducing enters the name and address of the guest in the book provided for the purpose. No person shall be admitted as a guest on more than six occasions in any 12-month period.

31. Purchase of Intoxicating Liquor:

Intoxicating liquor may be sold to or for consumption by full members and those persons who are entitled to the use of the premises of the Club as defined in the Rules for visitors and guests.

Revised Byelaws

1. Dogs will not be admitted in the Club premises.
2. No petrol or petrol substitute shall be allowed on the premises.
3. Club property may not be removed from the Club premises without the authority of a Flag Officer.
4. A book shall be kept in the Clubhouse for members' suggestions and considered at every Committee meeting.
5. The Club shall not hold itself responsible for the personal property of members, visitors or guests.
6. CADETS -
 - (i) Are entitled, to enter Club at any time during official opening hours.
 - (ii) May not enter Club unaccompanied by an adult outside opening hours.
 - (iii) May not sign in guests.
 - (iv) May not borrow keys.

7. Members of the Club, their guests and visitors, may use the Club premises, and any other facilities of the Club, entirely at their own risk and impliedly accept that:
- (i) The Club will not accept any liability for any damage to or loss of property belonging to members, their guests or visitors to the Club.
 - (ii) 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 Officers, Committee or servants of the Club.
 - (iii) 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.
 - (iv) Members are reminded that as parents or guardians, they have sole responsibility for their children and wards and must appreciate that the Club cannot be expected to exercise supervision or control over minors.
8. Parents and guardians are warned that the Club is only able to provide rescue facilities during the hours of junior club racing. Outside these hours, parents and guardians have sole responsibility for their children and wards and must appreciate that the club cannot be expected to exercise supervision or control. Even during junior club racing the Club cannot accept responsibility for children, or any other persons, not engaged in racing.

New Rules and Amendments