MOUNTS BAY SAILING CLUB (INCORPORATED)

FOUNDED 1897

BY-LAWS

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These By-laws are supplementary to the Rules of Mounts Bay Sailing Club (Incorporated) and must be read in conjunction with those Rules

Dated 27 August 2018

BY-LAWS OF MOUNTS BAY SAILING CLUB INCORPORATED

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Division 1 — Definitions and interpretation

1. Terms used

In these by-laws, unless the contrary intention appears —

Act means the *Associations Incorporation Act 2015* (WA) as from time to time amended or replaced;

annual general meeting means a meeting convened as required by the rules;

associate member means a member in a class of membership that does not confer full voting rights;

by-laws means these by-laws made by the Club under the rules;

chair of a meeting means the person who presides as chair of the meeting;

Class Captain, in relation to a class of yacht means the person referred to in by-law 34(a)(iii);

class of yacht means a class of yacht adopted by the Club as provided for in by-law 30(a);

Club means the Mounts Bay Sailing Club Incorporated;

committee means a standing committee of the Club provided for in these by-laws or other committee established by the Management Committee;

committee member means a member of a committee;

CPIN means the Consumer Price Index (Catalogue number 6401.0) All Groups index number for Perth as published quarterly by the Australian Bureau of Statistics or, if that index number is no longer published, its substitute as an indicator of the inflation rate in Perth;

couple means two persons who are either —

(a) legally married to each other; or

(b) in a de facto relationship (as that term is defined in the *Family Law Act 1975* (Cth));

financial report has the meaning given in section 63 of the Act;

financial year, of the Club, has the meaning given in the rules;

Flag Officer means one of the Commodore, Vice-Commodore or Rear Commodores;

f***ull voting rights*** means the right to vote at general meetings of the Club;

general meeting, of the Club, means a meeting of the Club that all members are entitled to receive notice of and to attend;

Liquor Act means the *Liquor Control Act 1988* (WA) as from time to time amended or replaced;

Management Committee means the management committee of the Club referred to in Part 5 of the rules;

maximum amount, in relation to an increase in the annual membership fee for a class of membership for a financial year, means the amount arrived at by applying the formula PF x A/B where —

PF is the annual membership fee before increase;

A is the CPIN for the March quarter immediately before the financial year for which the increase is to be made;

B is the CPIN for the March quarter immediately before the financial year in which the fee to be increased was first determined to be the annual membership fee for that class of membership;

member means a person who has been admitted or elected to any class of membership of the Club in accordance with the rules and these by-laws;

Ordinary Member means a person admitted to that class of membership in accordance with the rules and these by-laws;

pen includes a mooring;

pen member means a member who rents or leases a pen from the Club;

rules means the rules of the Club, as in force for the time being;

secretary means the official appointed by the Management Committee to perform the functions and carry out the duties of secretary of the Club;

special general meeting means a general meeting convened to consider a specific item of business, and at which only that item of business may be considered; and

standing committee means a committee referred to in by-law 31.

Division 2 — Club Flag and Burgee

2. Flag

The Australian National Flag may be flown at the Club in accordance with protocols published by the Australian Government.

3. Burgee

The burgee of the Club shall be a royal blue triangular pennant with a five pointed gold star towards the hoist with the letters “MBSC” vertically down the hoist.

Division 3 — Uniforms, badges of rank and officers’ flags

4. Dress uniform

(a) The dress uniform for Club Officers shall be a black reefer coat with black anchor buttons, a long sleeved white shirt, black tie, grey or white trousers and white shoes. A yachting cap with Club badge is discretional but preferred. Commonly known as a “square rig”.

(b) Rear Commodores may wear a blue Club jumper with burgee as an alternative to the jacket.

5. Summer uniform

A summer uniform may be worn and shall consist of: a white shirt with shoulder straps, two pockets, short sleeves and epaulettes; white trousers or shorts with white/cream belt; and white shoes and socks.

6. Winter uniform

A winter uniform may be worn and shall consist of: a white shirt, black tie, grey or white trousers, a Club jumper or Blazer and black shoes.

7. Badges of rank

(a) Dress Uniforms shall have the following ranks of Office:

(i) Commodore four bands; Vice-Commodore three bands and Rear Commodore two bands

(ii) The bands on all the above-mentioned uniforms shall have the top band in each instance with a curl placed on the forepart of the sleeve, except that Past Commodores may wear four bands without curl.

(iii) The bands shall be black and the bottom of the lower band shall be placed 6cm, from the end of the sleeve with space between bands on both sleeves of the jacket.

(b) Summer Uniforms shall be distinguished by the wearing of bars on the epaulettes with Club identification:

(i) Commodore four gold bars; Vice-Commodore three gold bars; Rear Commodore two gold bars

(ii) Secretary, Sailing Administrator, Duty Officer if not an Officer — one gold bar

(iii) Bars to be 6 mm wide, with 3 mm space

8. Contributions to cost of uniforms and badges of rank

(a) In each financial year the Management Committee may in its discretion pay to each person who becomes a Flag Officer in the course of that year a contribution to the cost of acquiring uniforms and badges of rank appropriate to that person's office and rank.

(b) The contribution referred to in paragraph (a) must not exceed the reasonable cost of the acquisition.

9. Flags

(a) The Flag Officers' flags shall be as follows.

(i) Commodore's flag shall be the Club's burgee swallow-tailed.

(ii) The Vice-Commodore's flag shall be the Club's burgee swallow-tailed, with one white disc in the upper portion.

(iii) The Rear Commodore's flag shall be the Club's burgee swallow-tailed, with two white discs in the upper portion.

(b) No Flag Officer's flag shall be displayed on any vessel in the absence of the Officer concerned.

Division 4 — Officers and Officials

10. Patron and Vice-Patrons

(a) At the annual general meeting each year the Club must elect a Patron and may elect one or more Vice-Patrons for the forthcoming year.

(b) Any person who has reached the age of 18 years, including a person who is not a member, may be elected as Patron or Vice-Patron.

(c) Only the Management Committee, through the chair of the annual general meeting, may nominate a person for election as Patron or a Vice-Patron.

(d) The Patron and any Vice-Patron holds office until the appointment of a replacement Patron or Vice-Patron, but may be re-elected to office.

(e) A person appointed as Patron or Vice-Patron ceases to hold office if the person —

(i) dies; or

(ii) resigns by written notice given to the secretary or the Commodore.

(f) The Patron may preside over ceremonial occasions as required by the Management Committee.

(g) The Vice-Patrons shall assist the Patron or officiate in the Patron's absence.

11. Officials

(a) The Management Committee must seek to appoint the following officials —

(i) Solicitor; and

(ii) Race Officer.

(b) The Management Committee may appoint other officials or assistants to officials as the need arises.

(c) An official may, but need not, be a member.

(d) The Solicitor must advise the Management Committee on legal matters relating to the Club as requested by the Management Committee.

(e) The Race Officer must conduct the sailing programme of the Club in accordance with sailing instructions published by the Club.

PART 2— MEMBERSHIP

Division 1 — Classes of membership that confer full voting rights

12. Ordinary Membership

(a) A person who has reached the age of 18 years may be admitted to Ordinary Membership.

(b) An Ordinary Member has full voting rights and all the rights and privileges conferred on members in any class of membership by the rules and these by-laws, or approved by resolution at a general meeting or determined by the Management Committee.

13. Honorary Life Membership

(a) A person who has reached the age of 18 years may be elected at a general meeting to Honorary Life Membership of the Club, in recognition of long-standing voluntary services to the Club.

(b) Only the Management Committee, through the chair of a general meeting, may nominate a person for election to Honorary Life Membership.

(c) An Honorary Life Member has all the rights and privileges of an Ordinary Member, including full voting rights, but is exempt from paying the annual membership fee appropriate to Ordinary Membership.

14. Outport Membership

(a) An Ordinary Member who is residing or is about to reside temporarily beyond a radial distance of 100 kilometres from the Club premises may on written application to the Management Committee be granted Outport Membership.

(b) The Management Committee may in its absolute discretion withhold or grant Outport Membership and (if granted) may determine the period of Outport Membership.

(c) Outport Membership automatically reverts to Ordinary Membership at the end of any period determined by the Management Committee, unless renewed or extended by the Management Committee in its absolute discretion on written application.

(d) An Outport Member may revert to being an Ordinary Member by giving written notice to the Club, to take effect on—

(i) receipt of the notice by the Club; or

(ii) such later date as is specified in the notice.

(e) An Outport Member has full voting rights and such other rights and privileges as are set out in the schedule.

Division 2 — Classes of associate membership

15. Classes of associate membership

(a) The Club has the following classes of associate membership —

(i) Student Membership;

(ii) Intermediate Membership;

(iii) Junior Membership;

(iv) Social Watersports Membership

(v) Social Membership;

(vi) Partner Membership;

(vii) Senior Social Membership

(viii) Dual Club Membership;

(ix) Reciprocal Membership;

(x) Go Sail Membership.

(b) The rights and privileges attached to each class of associate membership, other than Reciprocal Membership, are set out in the schedule.

(c) The rights and privileges of Reciprocal Members are determined by such reciprocity arrangements as are made between the Club and other clubs in accordance with the Liquor Act and the rules.

16. Student Membership

(a) Subject to this by-law 16, a person who has —

(i) reached the age of 18 years; and

(ii) not reached the age of 25 years at the commencement of the financial year in which application for admission is made,

may be admitted to and retain Student Membership.

(b) A person may retain Student Membership throughout the year in which the person reaches the age of 25 years by paying the annual membership fee appropriate to Student Membership.

(c) To retain Student Membership in a financial year, the person must satisfy the Management Committee of enrolment as a full-time student at the commencement of that year.

(d) At all times during which a Student Member has a boat registered on the Club's register of boats, the member is entitled to access to parking on the Club premises.

17. Intermediate Membership

(a) Subject to this by-law 17, a person who has —

(i) reached the age of 15 years; and

(ii) not reached the age of 18 years at the commencement of a financial year,

may be admitted to and retain Intermediate Membership.

(b) A person may retain Intermediate Membership throughout the year in which the person reaches the age of 18 years by paying the annual membership fee appropriate to Intermediate Membership.

18. Junior Membership

(a) Subject to this by-law 18, a person who has not reached the age of 15 years at the commencement of a financial year may be admitted to and retain Junior Membership.

(b) A person may retain Junior Membership throughout the year in which the person reaches the age of 15 years by paying the annual membership fee appropriate to Junior Membership.

19. Social Watersports Membership

(a) A person who has reached the age of 18 years may be admitted to Social Watersports Membership.

(b) A Social Watersports Member may compete in Club events, as crew only, in accordance with the following provisions.

(i) The member may so compete in up to 2 financial years, which may but need not:

A. include the financial year in which the member became a Social Watersports Member; or

B. be consecutive.

(ii) The number referred to in paragraph (i) shall be reduced by the number (not exceeding 2) of financial years immediately preceding the financial year in which the member became a Social Watersports Member, and in which the member was entitled to compete as crew in Club events by virtue of membership of another class of membership.

20. Social Membership

A person who has reached the age of 18 years may be admitted to Social Membership.

21. Partner Membership

A person who has reached the age of 18 years and is a member of a couple, the other member of which is an Ordinary Member or an Honorary Life Member, may be admitted to Partner Membership.

22. Senior Social Membership

A person who has reached the age of 60 years and is in receipt of an Australian age pension or Australian age service pension may be admitted to Senior Social Membership.

23. Dual Club Membership

(a) A person who is a member of a club in Australia having principal objects the same as, or which include, the principal objects of the Club may be admitted to Dual Club Membership.

(b) To retain Dual Club Membership in a financial year, the person must satisfy the Management Committee that the requirements of paragraph (a) are satisfied at the commencement of that year.

24. Reciprocal Membership

The Management Committee may admit a person to Reciprocal Membership under a reciprocity arrangement made with another club in accordance with the Liquor Act and the rules.

24A GoSail Membership

(a) A person who has reached the age of 18 years may be admitted to GoSail Membership.

(b) In this by-law 24A:

(i) "activity day" means a day, other than a sail day, for which the member registers as a member of the Club and participates, or accompanies a member of the member's family who has not reached the age of 18 years and who participates, in any of the activities listed in paragraph (c); and

(ii) "sail day" means a day for which the member registers as a member of the Club and participates, as helm or crew, in the activity listed in paragraph (c)(i).

(c) The activities referred to in paragraph (b) are:

(i) a competitive sailing event scheduled in the Club's sailing calendar; and

(ii) a training event at the Club; and

(iii) the use from the Club premises of a craft hired from the Club; and

(iv) any other event related to sailing organised by or under the auspices of the Club, and for which a fee is charged for participation.

(d) The rights and privileges of GoSail Membership may be enjoyed by the member on any day on which the member registers with the Club as a member for an activity day or a sail day.

(e) A GoSail Member may register as a member of the Club for any number of activity days, but may not register for more than 3 sail days.

(f) In addition to any provision in the rules for cessation of membership, GoSail Membership ceases:

(i) at the end of such period as the Management Committee determines, when admitting the member, to apply in a particular case; or

(ii) at the end of the financial year in which the member was admitted to membership.

whichever is the earlier.

(g) If the Management Committee makes a determination in accordance with paragraph (f)(i), the Management Committee may also discount the fee payable for GoSail membership in the particular case.

25. Progression of membership

A member may progress from one class of membership to another without payment of an entrance fee.

Division 3 — Membership and other fees

26. Membership fees

The annual membership fee to be paid for each class of membership for each financial year is the undiscounted fee for the previous year as maintained or amended in one of the following ways.

(a) The Management Committee may decrease the fee.

(b) The Management Committee may maintain the fee at the same amount.

(c) The Management Committee may increase the fee to an amount that does not exceed the maximum amount.

(d) The members in general meeting may on the recommendation of the Management Committee increase the fee to an amount that exceeds the maximum amount.

27. Family membership

(a) The Management Committee must fix an annual membership fee for a family group comprising a couple and two or more children, each being the child of one or both of them.

(b) The fee must be not less than the aggregate of the fees ordinarily payable by the couple for the class of membership to which they belong, plus one Junior Membership fee.

28. Discounts

(a) The Management Committee may determine a discount to be applied to the membership fee payable by a member who joins the Club after 1 February.

(b) The Management Committee may determine, by agreement with a member, a single amount which if paid will constitute payment of all future annual membership fees otherwise payable by the member.

(c) The Management Committee may determine a discount to be applied to the membership fee otherwise payable by members in a class of membership for a financial year, and may so determine more than once in the course of that financial year.

(d) The Management Committee must take reasonable measures to inform all members of its determination to apply any discount in accordance with paragraph (c).

(e) If the membership fee for a class of membership has been discounted in accordance with paragraph (c), the membership fee for that class of membership for the following financial year;

(i) must be determined in accordance with by-law 26; and

(ii) may again be discounted for that financial year.

(f) If a member progresses from one class of membership to another in the same financial year, the Management Committee may discount the fee payable in the year of progression for the latter class by the amount paid in the year of progression for the former class.".

29. Other fees and charges

(a) The Management Committee may in its discretion:

(i) impose fees and charges (other than membership and entrance fees) in relation to the Club and the use of Club facilities by members and non-members; and

(ii) set the amount of those fees and charges; and

(iii) determine the date on which those fees and charges are payable.

(b) The Management Committee may in its discretion:

(i) determine, for any class of membership, an amount to be known as the ***House Support credit***; and

(ii) determine the terms and conditions for payment and expenditure of the House Support credit.

PART 3— CLASSES OF YACHT

30. Adoption of classes

(a) For purposes of competitive sailing events, the Management Committee may identify a class of yacht as adopted by the Club.

(b) The secretary, or another person authorised by the Management Committee, must maintain a register of —

(i) the classes of yacht adopted by the Club; and

(ii) for each class, the yachts within the class and the person responsible for payment of the registration fee in relation to each yacht,

and record in that register any change in the classes adopted, the yachts within each class and the persons responsible for payment of fees.

(c) The persons registered in respect of the yachts within a class are responsible for obtaining nominations for the Class Captain of that class.

PART 4 — COMMITTEES

Division 1 — Establishment and functions of standing committees

31. Standing committees

The Club has the following standing committees —

(a) House Committee;

(b) Sailing Committee;

(c) Pen Committee;

(d) Finance Committee; and

(e) Social Committee.

32. General

(a) The Commodore is an ex officio member of each standing committee and other committees established by the Management Committee.

(b) Each standing committee is responsible for performance of its specific functions, subject to the overall co-ordination and direction of the Management Committee.

(c) Each standing committee must each year prepare and from time to time update, for submission to the Management Committee —

(i) its plan and budget for performance of its functions; and

(ii) its proposals (if any) for fundraising activities.

(d) Each standing committee must co-operate with any other standing committee where —

(i) performance of its functions; or

(ii) its proposals for fundraising activities,

overlap with the functions or fundraising activities of that other committee.

33. House Committee

(a) The House Committee comprises —

(i) one or more Flag Officers nominated by the Management Committee;

(ii) necessary officials as appointed by the Management Committee; and

(iii) four members elected in accordance with by-law 40.

(b) Subject to the overall co-ordination and direction of the Management Committee, the functions of the House Committee are to —

(i) draft regulations for the conduct of members and the use of the Club and its facilities, for submission to the Management Committee;

(ii) supervise the Club facilities and premises;

(iii) arrange for the maintenance and improvement of the Club premises; and

(iv) generally, make recommendations to the Management Committee with respect to the Club facilities and premises and related matters.

34. Sailing Committee

(a) The Sailing Committee comprises —

(i) one or more Flag Officers nominated by the Management Committee;

(ii) necessary officials as appointed by the Management Committee; and

(iii) a representative of each class of yacht adopted by the Club, to be known as the Class Captain of that class, elected in accordance with by-law 40.

(b) Subject to the overall co-ordination and direction of the Management Committee, the functions of the Sailing Committee are to —

(i) draft Club boating regulations and sailing instructions, for submission to the Management Committee;

(ii) make recommendations to the Management Committee concerning appointment of the necessary officials to control sailing, rescue and storage facilities;

(iii) arrange for the care and maintenance of all Club equipment relating to boating;

(iv) organise and conduct the sailing programme;

(v) arrange for all hearings of protests and disputes arising out of Club sailing;

(vi) make recommendations to the Management Committee concerning adoption or deletion of classes of yachts; and

(vii) generally, make recommendations to the Management Committee with respect to sailing and related matters.

35. Pen Committee

(a) The Pen Committee comprises —

(i) one or more Flag Officers nominated by the Management Committee;

(ii) necessary officials as appointed by the Management Committee; and

(iii) four pen members elected in accordance with by-law 40.

(b) Subject to the overall co-ordination and direction of the Management Committee, the functions of the Pen Committee are to —

(i) draft Club pen and power boating regulations and instructions, for submission to the Management Committee;

(ii) advise the Management Committee concerning allocation of pens for lease or rent;

(iii) arrange for maintenance and improvement of the pens;

(iv) supervise compliance by all pen occupants with all safety and other regulations and instructions relating to pen occupancy; and

(v) generally, make recommendations to the Management Committee with respect to pens and related matters.

(c) The pen waiting lists —

(i) must be kept in safe custody at the Cub's premises, or at another place determined by the Management Committee; and

(ii) may be amended only by an officer of the Club authorised by the Management Committee to make amendments.

36. Finance Committee

(a) The Finance Committee comprises —

(i) the Treasurer;

(ii) one or more Flag Officers nominated by the Management Committee; and

(iii) three members elected in accordance with by-law 40.

(b) Subject to the overall co-ordination and direction of the Management Committee, the functions of the Finance Committee are to —

(i) draft or consider budgets of all standing and other committees, for submission to the Management Committee;

(ii) prepare the Club's annual budget;

(iii) make recommendations to the Management Committee concerning membership fees and all other fees and charges, including fees for pen leases and pen rental and annual pen maintenance charges;

(iv) assist the Treasurer in performance of the Treasurer's duties under the rules;

(v) advise the Management Committee concerning any scheme involving major capital expenditure or investment; and

(vi) generally, make recommendations to the Management Committee with respect to the financial management and strategy of the Club.

37. Social Committee

(a) The Social Committee comprises —

(i) a person nominated by the Management Committee; and

(ii) four members elected in accordance with by-law 40.

(b) Subject to the overall co-ordination and direction of the Management Committee, the functions of the Social Committee are to —

(i) organise and conduct the social calendar;

(ii) arrange for provision of a galley service; and

(iii) generally, make recommendations to the Management Committee with respect to social functions, galley operations and related matters.

Division 2 — Election of standing committee members and tenure of office

38. Qualification for election to standing committees

(a) To be eligible for election to a standing committee a person must —

(i) be a member; and

(ii) subject to paragraph (b), have reached the age of 18 years.

(b) With the prior approval of the Management Committee, a person below the age of 18 years may nominate for and be elected as a Class Captain.

39. Nomination of standing committee members

(a) At least 42 days before an annual general meeting, the secretary must send written notice to all the members —

(i) calling for nominations for election to the Club's standing committees; and

(ii) stating the date by which nominations must be received by the secretary to comply with paragraph (b).

(b) A member who wishes to be considered for election to a standing committee at the annual general meeting must nominate for election by sending written notice of the nomination to the secretary at least 28 days before the annual general meeting.

(c) The written notice must include a statement by two other members in support of the nomination.

(d) A member may nominate for a position on more than one standing committee provided that —

(i) there is a separate nomination document for each standing committee; and

(ii) a person may not be elected to more than 3 standing committees, so that if the member is elected to 3 standing committees, a nomination of that member for any other standing committees is taken to be withdrawn.

(e) A member whose nomination does not comply with this by-law 39 is not eligible for election to a standing committee unless the member is nominated under by-law 40(b).

40. Election of standing committee members

(a) At the annual general meeting, a separate election must be held, in the following order, for —

(i) election of the Class Captain for each class of yacht; and

(ii) election of pen members to the Pen Committee; and

(iii) election of members to;

A. the House Committee;

B. the Finance Committee; and

C. the Social Committee.

(b) If there is no nomination for a position, the chair of the meeting may call for nominations from the members at the meeting.

(c) If only one member has nominated for a position, the chair of the meeting must declare the member elected to the position.

(d) If more than one member has nominated for a position, the members entitled to vote in the election must vote in accordance with procedures that have been determined by the Management Committee to decide who is to be elected to the position.

(e) Subject to the rules, members entitled to vote in the election are:

(i) members in a class of membership that confers full voting rights; and

(ii) any member, although not in a class of membership that confers full voting rights, who has nominated for the position for which the election is held.

(f) Members who have nominated for a position may vote for themselves.

41. Term of office

(a) The term of office of an elected standing committee member begins when the member —

(i) is elected at an annual general meeting or under by-law 42(c)(ii); or

(ii) is appointed to fill a casual vacancy under by-law 44.

(b) Subject to by-law 42, an elected standing committee member holds office until the positions on the committee are declared vacant at the next annual general meeting.

(c) An elected standing committee member may be re-elected.

42. Resignation and removal from a standing committee

(a) A standing committee member may resign from the committee by written notice given to the secretary or the Commodore.

(b) The resignation takes effect —

(i) when the notice is received by the secretary or the Commodore; or

(ii) if a later time is stated in the notice, at the later time.

(c) At a general meeting, the Club may by resolution —

(i) remove an elected committee member from the committee; and

(ii) elect a member who is eligible under by-law 38 to fill the vacant position.

(d) A standing committee member who is the subject of a proposed resolution under subparagraph (c)(i) may make written representations of a reasonable length to the secretary or the Commodore and may ask that the representations be provided to the members.

(e) The secretary or the Commodore may give a copy of the representations to each member or, if they are not so given, the standing committee member may require them to be read out at the general meeting at which the resolution is to be considered.

43. When elected membership of a standing committee ceases

(a) A person ceases to be an elected standing committee member if the person —

(i) dies or otherwise ceases to be a member; or

(ii) resigns from the committee or is removed from office under by-law 42(c)(i); or

(iii) becomes permanently unable to act as a committee member because of a mental or physical disability; or

(iv) fails to attend 3 consecutive committee meetings, of which the person has been given notice, unless —

A. the person provides to the Management Committee a written explanation of the failure to attend; and

B. the Management Committee accepts the explanation.

(b) The Management Committee must consider an explanation referred to in sub-subparagraph (a)(iv)A at its scheduled meeting immediately following receipt of the explanation.

44. Filling casual vacancies

(a) The Management Committee may appoint a member who is eligible under by-law 38 to fill a position on a standing committee that —

(i) has become vacant under by-law 43; or

(ii) was not filled by election at the most recent annual general meeting or under by-law 42(c).

(b) Subject to the requirement for a quorum under by-law 50, a standing committee may continue to act despite any vacancy in its membership.

Division 3 — Committees other than standing committees

45. Other committees

(a) The Management Committee may appoint committees other than the standing committees.

(b) The Management Committee must determine the membership, procedure (which may be left to the discretion of the committee) and terms of reference of a committee appointed under this by-law 45.

(c) The quorum for a committee appointed under this by-law 45 must be at least half of the members of that committee.

Division 4— General

46. Validity of acts

(a) A member elected or appointed to a committee is entitled to vote on that committee notwithstanding that the member is not in a class of membership that confers full voting rights.

(b) The acts of a committee, or of a committee member, are valid despite any defect that may afterwards be discovered in the election, appointment or qualification of a committee member.

47. Payments to committee members

With the prior approval of the Management Committee and at the Management Committee's absolute discretion, a committee member may be paid out of the funds of the Club for any out-of-pocket expenses for travel and accommodation properly incurred —

(a) in attending a committee meeting; or

(b) otherwise in connection with the Club's business.

Division 5 — Committee meetings

48. Committee meetings

(a) The Management Committee must meet at least once in each month except the month of January.

(b) Except in the case of a meeting the business of which is determined by the Commodore to be urgent, the notice of each meeting of the Management Committee must include an agenda, minutes of the previous meeting, current financial information and any material documentation relating to the agenda items.

(c) Each of the Sailing Committee, the House Committee and the Pen Committee must meet once in each month except the month of December.

(d) The Finance Committee must meet at least 3 times in each financial year, and the Social Committee must meet at least 4 times in each financial year.

(e) The date, time and place of the first meeting of each standing committee must be determined by the members of that committee as soon as practicable after the annual general meeting at which the elected committee members are elected.

49. Procedure and order of business

(a) One of the Flag Officers must preside as chair of each standing committee meeting other than the Social Committee.

(b) The nominee of the Management Committee must preside as chair of meetings of the Social Committee, and may attend the next meeting of the Management Committee to represent the views of the Social Committee.

(c) If a Flag Officer or the nominee of the Management Committee is absent or is unwilling to act as chair of a meeting —

(i) the members at the meeting must choose one of them to act as chair of the meeting; and

(ii) the chair of the meeting must attend the next meeting of the Management Committee to represent the views of the standing committee.

(d) The procedure to be followed at a standing committee meeting must be determined from time to time by the committee.

(e) The order of business at a standing committee meeting may be determined by the committee members at the meeting.

(f) A member or other person who is not a standing committee member may attend a committee meeting if invited to do so by the committee.

(g) A person invited under paragraph (f) to attend a standing committee meeting —

(i) has no right to any agenda, minutes or other document circulated at the meeting; and

(ii) must not comment about any matter discussed at the meeting unless invited by the committee to do so; and

(iii) cannot vote on any matter that is to be decided at the meeting; and

(iv) must preserve strict confidence in relation to all matters discussed at the meeting except to the extent that confidentiality is dispensed with by the committee in relation to any particular matter or matters.

50. Quorum for standing committee meetings

(a) The quorum for meetings of each standing committee is half the number of members of the committee, or three members, whichever is the greater.

(b) If a quorum is not present within 30 minutes after the notified commencement time of a standing committee meeting, the meeting is adjourned to the same time, day and place in the following week.

51. Voting at standing committee meetings

(a) Each member present at a standing committee meeting has one vote on any question arising at the meeting.

(b) A motion is carried if a majority of the members present at the meeting vote in favour of the motion.

(c) If the votes are divided equally on a question, the chair of the meeting has a second or casting vote.

(d) A vote may take place by the members present indicating their agreement or disagreement verbally or by a show of hands, unless the members decide that a secret ballot is needed to determine a particular question.

(e) If a secret ballot is needed, the chair of the meeting must decide how the ballot is to be conducted.

52. Minutes of standing committee meetings

(a) Each standing committee must ensure that minutes are taken and kept of each meeting.

(b) The minutes must record the following —

(i) the names of the members present at the meeting; and

(ii) the name of any person attending the meeting under by-law 49(f); and

(iii) the business considered at the meeting; and

(iv) any motion on which a vote is taken at the meeting and the result of the vote.

(c) Each standing committee must provide to the Management Committee the minutes of each committee meeting.

PART 5 — GENERAL MEETINGS OF THE CLUB

53. Annual general meetings

(a) The annual general meeting must be held on a date in the last 7 days of August of each year.

(b) A general meeting must be held on a date in the last 7 days of February of each year.

(c) Other general meetings, not being special general meetings, may be held as the Management Committee determines.

(d) Special general meetings must be convened as provided for in the rules.

(e) The business of the February meeting is to receive and if thought fit adopt the half yearly written reports of the Commodore, the Management Committee and the secretary, and to transact general business.

(f) The business of any general meeting other than the annual general meeting and the February meeting is to transact the business for which the meeting is called and any general business.

(g) The business of any special general meeting is to transact only the business for which the meeting is called.

PART 6 — PENS

54. Pens

(a) Subject to paragraph (b), only Ordinary Members and Honorary Life Members may lease or rent a pen.

(b) The Management Committee may arrange for rental or lease of a pen to a member other than an Ordinary Member or an Honorary Life Member, or to a non-member, provided that —

(i) the rent or lease period does not exceed 3 months; and

(ii) the rental or leasing rate is the current rental or leasing rate plus a percentage determined by the Management Committee after considering the recommendation of the Pen Committee.

(c) All arrangements for leasing or renting a pen must be by written agreement between the lessee or rentee and the Club.

(d) All pen lessees or rentees must abide by the regulations and instructions for pen usage established by the Management Committee after considering the recommendations of the Pen Committee.

(e) In allocating pens for lease or rent, the Management Committee must —

(i) give preference to lessees or rentees who intend to make use of the pen; and

(ii) endeavour to maintain an equal balance of sailing and power craft.

PART 7 — GENERAL MATTERS

55. Audit of financial report

(a) The financial report for each financial year must be audited in accordance with Part 5 of the Act.

(b) Unless an auditor has been appointed by resolution of the members at a general meeting, the Management Committee must appoint an auditor for each financial year.

56. Club noticeboard

(a) The Management Committee must maintain a notice board in a prominent position on the Club premises.

(b) Notice of each general meeting must be posted on the notice board at or before the time provided in the rules or the Act for the giving of notice of the general meeting to which it relates.

(c) Notice of a general meeting must state the business to be transacted at the meeting.

(d) Posting of a notice of a general meeting on the notice board is in addition to and not in substitution for the giving of notice of a general meeting as provided for in the rules or the Act.

(e) Fourteen days before the annual general meeting the secretary must post on the notice board all nominations then in the secretary's hands for all elected positions that will fall vacant at the annual general meeting.

(f) The Management Committee may post notices, other than notices of general meetings, on the notice board as it sees fit.

SCHEDULE

Membership rights and privileges

Abbreviations and symbols

GM	General meeting	*	As crew for up to 2 years : see by-law19(b)
MC	Management Committee	+	Subject to availability and payment of fee
SC	Standing committee (or other committee of MC)	^	Can vote to elect only to a committee they are nominated for
CC	Class Captain	#	Can be on Sailing Committee if class captain

No.	**Right/Privilege**	**Ordinary & Hon. Life** >18 (BL12/13)	**Student** >18<25 (BL16)	**Intermediate** >15<18 (BL17)	**Junior** <15 (BL18)	**Outport** >18 (BL14	**Social** >18 (BL20)	**Social Watersports** >18 (BL19)	**GoSail**	**Senior Social** >60 (BL22)	**Partner** >18 (BL21)	**Dual Club** (BL23)
1	Attend GM [R60]	✓	✓	✓	✓	✓	✓	✓		✓	✓	✓
2	Vote at GM [R64]	✓				✓						
2	Elect MC [R40]	✓				✓						
2	Elect SC [BL40]	✓	^	^		✓	^	^		^	^	^
2	Elect Patron and Vice-Patron [BL10]	✓				✓						

2	Elect Hon. Life Member [BL13]	✓				✓						
3	Be MC member [R34]	✓										
4	Be SC member [BL38]	✓	✓	✓#	✓#		✓	✓		✓	✓	✓
5	Nominate to membership [R7] MC [R39] and SC [B39]	✓	✓	✓	✓	✓	✓	✓		✓	✓	✓
6	Enjoy Club facilities	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
7	Register a craft	✓	✓	✓	✓							✓
8	Compete as helm (& rig, etc)	✓	✓	✓	✓				✓			✓
9	Compete as crew (& rig, etc)	✓	✓	✓	✓			*	✓			✓
10	Rig, launch & retrieve a small power craft or sailing dinghy	✓	✓	✓	✓			*	✓			✓

11	Rig, launch & retrieve 'small watersports' craft	✓	✓	✓	✓		✓	✓	✓		✓	✓
12	Occupy pen, mooring or hardstand [BL53]	✓+										
13	Undercover storage	✓+	✓+	✓+	✓+			✓+				
14	Lawn storage	✓+	✓+	✓+	✓+							
15	Park/ gate fob	✓						✓				✓

Rights and privileges

1 Receive notice of and attend all general meetings
2. Vote at general meetings on motions and at elections
3 Serve on the Management Committee
4 Serve on a standing committee or other committee of the Management Committee
5 Nominate or second a person for membership of the Club or of any standing committee or other committee of the Management Committee
6 Enter and enjoy the clubhouse and grounds of the Club (not including the right to rig, launch and retrieve a craft using Club grounds and facilities)
7. Register a craft on the Club register of boats
8. Compete in Club championships and other events as helm and for that purpose rig, launch and retrieve a craft using Club grounds and facilities
9 Compete in Club events as crew only and for that purpose rig, launch and retrieve a craft using Club grounds and facilities
10 Rig, launch and retrieve a small powered craft, or a sailing dinghy or windsurfer or kiteboard suitable for racing, using Club grounds and facilities
11 Rig, launch and retrieve a small unpowered watersports craft other than a sailing dinghy and not for racing purposes, using Club grounds and facilities

12 Occupy a pen or hard standing space, or use a mooring, with related access
13 Store a craft undercover
14 Store a craft on the Club lawn
15 Have a fob and park in Club grounds