

# **COWES CORINTHIAN YACHT CLUB**

## **Rule Book**



**April 2016 Edition**

**COWES CORINTHIAN YACHT CLUB**  
Up to and including AGM 16<sup>th</sup> April 2016.

1. **NAME**

The name of the Club is the Cowes Corinthian Yacht Club

2. **CLUB BURGEE**

The Burgee of the Club shall be red with a facsimile of the 17th century ship Ark, with the Dove, left Cowes on November 2nd 1633, to establish, in America, the Palatine of Maryland.

3. **THE OBJECTS OF THE CLUB**

The objects of the Club are to encourage amateur yacht racing and cruising.

4. **OFFICERS**

The officers of the Club shall consist of an Hon Admiral, a Commodore, Vice Commodore, two Rear Commodores, each to be known as Flag Officers, an Hon Treasurer, an Hon Bosun, an Hon Sailing Secretary, an Hon Social Secretary and such officers as may be appointed at the Annual General Meeting or by the Committee in an emergency. The Hon Admiral is elected for life. The Flag Officers will take office on the 1st April annually or from the date of the Annual General Meeting whichever is the later and retire on the 31st March of the following year or from the date of the next Annual General Meeting whichever is the later and will be eligible for re-election but shall not hold the same office for a period exceeding three consecutive terms of office. Failure to receive nominations to replace the stand-down Officer will be deemed an emergency. In that case the named Officer will be eligible for re-election for a fourth term and if necessary two further terms to a maximum of six terms. This concession requires a two-thirds majority of those present at an AGM or EGM for approval on a year by year basis.

5. **COMMITTEES**

(a) **General Committee.**

The General affairs of the Club shall be managed by a committee consisting of the Officers and four members, five to form a quorum. Members will be eligible for annual re-election. The Club Secretary shall be a non-voting member of the Committee.

(b) **Sub Committees.**

The General committee shall convene the following four sub committees:

Finance Committee, Bar Committee, Site Committee, and Sailing Committee, and any additional sub committees as they think fit. The Officers are ex-officio members of all sub committees.

- (c) Eligibility  
A member shall be eligible for nomination to the General Committee provided that he or she has been a member for at least two full years immediately prior to their nomination.

## 6. ELECTIONS

- (a) Officers and General committee.  
The name of a candidate seeking election as an Officer or to serve as a member on the General Committee together with the names of the proposer and seconder must be put in writing and received by the Club Secretary no later than 28 days before the Annual General meeting. Any member seeking election must declare any commercial interest likely to conflict with the Clubs activities or development.
- (b) Members  
A candidate for membership, except as provided in 6 (c), shall be fourteen years of age or over. A candidate for membership shall send to the Club Secretary a form setting out his or her name and address and any other particulars the General Committee shall require and containing the signatures of two members in support as proposer and seconder. The said form shall be prominently displayed in the club premises for at least seven days before the election takes place. The election of candidates to membership shall take place at the next meeting of General Committee, and if necessary this shall be by ballot. Applications may be rejected by the majority vote of the committee.
- (c) Cadet Members  
A full member who is the parent of a child between the ages of eight and fourteen may propose such a child for membership of a section of the Club to be known as the Cadet Section. The parent must sign a declaration that the child will be in the charge of a responsible adult whilst on the Club premises, that the parent accepts full responsibility for the child at all times and that the Club, its Officers, Trustees and Members bear no liability whatsoever for accident, injury, loss or damage, howsoever caused.
- (d) Applications  
All applications for membership must be accompanied by the relevant entrance fee and subscription. This will be returned if the application is unsuccessful.

7 THE SUPPLY OF INTOXICATING LIQUOR

The purchase for the club and the supply of intoxicating liquor shall be exclusively controlled by the Bar Committee. The bar committee shall consist of duly elected members of the General Committee.

8. GENERAL MEETING

- (a) A General Meeting shall be held each year within 6 months of the financial year end at such time and place as the Committee shall appoint. The Club Secretary or nominee shall give 14 days notice to each Ordinary member and to each Joint and Family membership, of the date, time and place of the meeting.

The Accounts for the past year shall be submitted for approval by the meeting and any alteration in the Rules of the Club may be made. The meeting shall then elect the Officers and the Members of the Committee and shall appoint an Auditor.

If there is no nomination for any Officer or if, for any reason, the Member nominated for an Officer is not available, the Senior Flag Officer present shall call for nominations for a member to fill the office. If there is only one nomination such Member may be elected by a show of hands, but if there be more than one nomination, election must be by ballot.

If for any reason, there are insufficient valid nominations for any Committee, those validly nominated under rule 6(a) shall be declared elected and the Senior Flag Officer present shall call for further nomination to fill vacancies. If the number of nominations is the same as the number of vacancies the election shall be by show of hands, but if the nominations exceed the vacancies election shall be by ballot. "Members may vote for any number of candidates up to the number of vacancies."

(b) EXTRAORDINARY GENERAL MEETING

The Club Secretary shall summon a special meeting of the Members on receiving directions to that effect from a Flag Officer, The General Committee, or on a requisition signed by not less than 30 members or one fifth of the membership, whichever is lower. Such requisition to state the object of the proposed Meeting. Thirty members or one fifth of the membership, whichever is the lower to form a quorum. Any resolution so proposed must be carried by a majority of at least two to one. The Club Secretary or nominee shall give 14 days notice to each Ordinary Member and to each Joint or Family Membership of the date, time and place of the meeting.

- (c) Members aged 18 years or over have the right to vote at General and Extraordinary General meetings, or to be elected to or vote as a

member of any committee.

(d) Postal Votes

As an alternative to calling an Extraordinary General Meeting and subject to the approval of the General Committee, a postal vote of all members may be requested. At least a three to two majority of those voting, or a straight majority if over 60% of eligible members vote, must be achieved to carry any resolution dealt with in this manner.

9. MINUTES

The Club Secretary shall keep correct minutes of Club Meetings in books which are to be produced at subsequent Club meetings.

10. CHAIRMAN

(a) The senior annually elected Flag Officer present shall take the chair at all General and General Committee meetings of the Club. In the event of no Flag Officer being present then a Chairman shall be elected by the meeting.

(b) The General Committee shall elect annually the Chairman of the various Sub Committees. In the event of the elected Chairman no being present at any Sub Committee meeting then a Chairman shall be elected for that meeting by those members present.

11. BYE-LAWS

The General Committee shall have the power to make and alter from time to time as they think fit Bye-laws for the regulation of the club. Such Bye-laws shall be binding until rescinded by the General Committee or at the Annual General Meeting.

12. ANNUAL SUBSCRIPTION AND ENTRY FEE

The Annual Subscription for each membership category and Entry Fee will be reviewed annually and submitted by the General Committee or by members in accordance with the procedures detailed in Rule 18 and approved at the Annual General Meeting for implementation for the ensuing subscription year 1<sup>st</sup> October to 30<sup>th</sup> September. The following membership categories apply:

- Single Adult age 60 plus
- Single Adult age 26 – 59
- Single Adult age 19 – 25
- Junior age 15 – 19

- Cadet age 8 – 14
- Joint Adult age 60 plus
- Joint Adult age 26 – 59
- Joint Adult age 19 – 25
- Family
- Resident outside the UK single
- Resident outside the UK joint/family

Family membership includes children of joint members between the ages of 8 and 18.

The annual rate of subscription payable in respect of all single membership categories will be reduced by 50% for individuals qualified to represent the club at disabled sailing events and in the case of joint and family memberships by 25% for each individual over eighteen qualified to represent the Club at disabled events.

Honorary life membership is available at the General Committee's discretion in recognition of outstanding service to the Club.

13. SUBSCRIPTION (ARREARS)

The Club Secretary shall inform all members whose current subscriptions are unpaid 1 calendar month after the date of such being due.

Any member in default 2 calendar months after the due date may have his or her name posted on the Clubs notice board for a further calendar month after which his or her name will be removed from the list of members.

14. AUDITOR

The Accounts of the Club shall be made up annually to the end of December and audited by an Auditor appointed at the Annual General meeting.

15. GUESTS

Members of the Club have the privilege of introducing guests provided that-

- (a) The introducing member shall be responsible that the character of his guests is such as to be acceptable to the other members, and that his guests sign the register on entering the Club: such entry to be countersigned by the Member concerned. Guests are not permitted to purchase intoxicating liquor from the Club but must be entertained at the expense of the member.
- (b) No person who has been rejected by ballot or had his or her name struck off the list of members for any cause shall be introduced as a guest.

- (c) The same guest shall not be introduced for more than one week during a year, or not more than on four separate occasions.
- (d) Temporary membership will be available at the discretion of the Committee under such conditions at the Committee may from time to time may apply. There must be a delay of at least two clear days between their nomination and granting of membership. Such members must be permitted to vote at any General Meeting of the Club.
- (e) Members of 18 years or over may introduce guests.

16. MEMBERS BOUND BY RULES

- (a) Membership has to be confirmed each year by the Committee.
- (b) Any member ceasing to belong to the Club shall have no claim on any effects or property of the Club.
- (c) No Cadet member or Junior member has any claim, whether on dissolution or otherwise, to the effects or property of the Club.

17. EXPULSION OF MEMBERS

- (a) If any Member shall commit any breach of the Rules of the Club for the time being in force, or if the conduct of any member, either in or out of the Club premises or otherwise on any occasion connected with Club business, is in the opinion of the General Committee injurious to the character or the interests of the Club or potentially renders that person unfit to remain a member of the Club, then the Club Secretary must advise that member in writing the precise nature and details of the complaint together with any written statements made by witnesses, and advise that member that the General Committee requires him or her to attend (at a minimum of three weeks notice) a special hearing before the General Committee to explain their conduct. In the event that the member chooses not to attend any hearing, he or she will be required to withdraw from the membership.
- (b) At the hearing, the member, if so desired, may have someone attend with them, but any formal legal representation is at the discretion of the General Committee. The member is entitled to cross-examine any witnesses, produce their own witnesses, give their own evidence, and make a closing statement. Any General Committee member who is either one of the complainants, or has previously been involved in disciplinary action against the member, should take no part whatsoever in the proceedings.
- (c) Following the hearing, the Club Secretary on behalf of the General Committee may:

- i) instruct the member in writing to withdraw from the membership
  - ii) give a written warning as to future conduct
  - iii) advise in writing that no action is to be taken against the member
- (d) In the event of expulsion, the affected member may appeal by letter to the Club Secretary within seven days. The Club Secretary will convene a special meeting to hear the appeal. The appeal will be heard on behalf of the Club by a panel of three Club members none of whom are current members of the General Committee, and none of whom is either one of the complainants, or who has previously been involved in disciplinary action against the member. The Appeal Panel's decision is final.
- (e) A letter or notice addressed to the member may be sent by post and sent to their last known place of address, or by email to their last known email address, and either shall be sufficient letter or notice for the purpose of this rule.

#### 18. ALTERATIONS TO RULES

Any Member wishing to propose any alteration or addition to the Rules of the Club must state the nature of such alteration or addition, in writing to the Club Secretary and the name the seconder no later than 28 days before the Annual General Meeting, and the Club Secretary shall give notice of the proposed alteration or addition in the circular convening the Meeting. The Member shall then at the Annual General Meeting move the resolution of which he had given notice and, if seconded, a vote shall be taken thereon and to carry the resolution the number voting for it must be at least double the number against it.

Any amendment to the proposed Rule change signed by a proposer and seconder must be submitted in writing to the Committee via the Club Secretary seven clear days before the Annual General Meeting.

#### 19. REFERENCE TO CLUB COMMITTEE

Any case occurring not provided for by these Rules or following Byelaws, shall be referred to the General Committee, whose decision shall be final.

#### 20. LIABILITY OF THE CLUB

The Cowes Corinthian Yacht Club, its Officers and Committee, shall not be liable to any member of the Club, or to any person using the club premises or property under or by virtue of the rules thereof, for or by any reason of any act, neglect, default or negligence of any officer, servant, employee or agent of the Club. All such persons as aforesaid using the Club premises or any



property of the Club or making use of any of the conveniences or facilities provided by the Club shall be deemed to do so at their own risk.

21. **BOAT OWNERS LIABILITY**  
Members using the Club property for mooring, berthing or storage of their boat(s) must hold a valid third party insurance cover for not less than £500000 or as otherwise decided by the General Committee.
  
22. **CLUB PROPERTY**  
No Member shall remove from the Club premises any property of the Club. Neither shall any notice, either written or printed (other than official Club notices) be laid on tables or put in the Club House unless approval has been given by the Committee.
  
23. **MEMBERS BOOK**  
Every member shall sign his or her name and address in a book kept for the purpose when called upon to do so by any member of the committee.
  
24. **TABLE OF CHARGES**  
A Tariff of charges shall be exhibited in the Club.
  
25. **GRATUITIES**  
No servant of the club shall receive any present, money or gratuity from any tradesman employed by the Club.
  
26. **SUGGESTIONS AND COMPLAINTS**  
These are to be made in writing to the Club Secretary who will submit them to the next General Committee meeting for consideration.
  
27. **CRANE**  
The crane and winch shall be under the control of the Site Committee. Only authorised persons shall be permitted to operate the crane and winch. Emergencies excepted, 24 hours notice is required for the use of the crane and or winch by other than authorised persons. Authorised persons are those who have satisfied the Committee of their competence to operate the crane and winch safely. The use of the crane, winch and site are on the understanding

that neither the Club, its Trustees, Officers, Committee or Members shall be in any way liable for any injury or damage, howsoever caused, consequent upon such use.

28. **BOAT STORAGE**

This shall be strictly under the control of the Site Committee who is empowered to move and store boats as they wish. The masts of yachts stored during the winter shall be unstepped. Boats are not allowed to remain on the Club site for more than nine months without the approval of the General Committee. This approval will only be given in exceptional circumstances.

29. **ABANDONED BOATS ON CLUB PREMISES**

If at any time the mooring or storage fee(s) payable to the club by any member or former member shall be more than three months in arrears then-

- (a) The General Committee shall be entitled upon one months notice in writing to the member or former member at the last known address to sell the boat and deduct any monies due to the Club (whether by way of arrears of subscriptions or mooring fees or otherwise) from the net proceeds of the sale before accounting for the balance (if any) to the member or former member.
- (b) Alternatively any boat which in the opinion of the General Committee cannot be sold may, upon such a notice as aforesaid, be disposed of in any manner the General Committee may think fit and the expenses recovered from the member or former member. Any arrears aforesaid shall be deemed to be a debt to the Club by the member or former member.
- (c) Further the Club shall, at all times have a lien over members' or former members' boats moored or stored in respect of all monies due to the Club, whether in respect of mooring or storage fees or subscriptions or otherwise.

30. **VISITING YACHTSMEN**

Members of a Club affiliated to the RYA may, from time to time, be authorised by the General Committee to avail themselves of the facilities of the Club.

31. **VISITING COMPETITORS**

Any person who is a competitor in any event sponsored or organised by, or on behalf of the Club, and any person who is a crew or team member of such competitors for the purpose of the event, may be invited by the Committee to use the Club premises within a period of 24 hours before, and after the event in which they are participating.

32. INTOXICATING LIQUOR

This may be sold to those persons over the age of 18 who are entitled to use the Club, either as a member or in pursuance of rules 30, 31, and 36.

33. TRUSTEES

Club property shall be vested in Trustees who may either be individuals or a Trust Corporation. The number of individual Trustees shall not be less than two nor more than four. No person shall be at the same time Trustee and Club Secretary or Treasurer of the Club.

In the event of the Trustees being individuals, they shall be ordinary members of the club and shall remain in office until they shall cease to be members of the Club, retire from office as a Trustee or the Club in General Meeting shall nominate a new Trustee or Trustees in his place.

In the event of a Trustee being either a bank or other Trust Corporation it shall be Custodian Trustee and shall hold office until a resolution of the Club in General Meeting appoints individual Trustees or a new Custodian Trustee in its place for the property of the Club concerned.

For the purpose of giving effect to such nomination the Commodore is hereby nominated to appoint 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 or Trust Corporation so nominated by the Club in General Meeting as the new Trustee or Trustees of the Club and the provisions of the Trustee Act 1925 shall apply to any such appointment. Any statement of fact in any such deed of appointment shall be in favour of a person dealing bona-fide and for value with the Club or the Club in General Meeting be conclusive evidence of the fact so stated.

The Trustees shall deal with the property of the Club as directed by resolution of the Committee and they shall be indemnified against risk and expense out of the Club Property.

34. POWERS TO BORROW MONEY

If at any time the Club in General Meeting shall pass a resolution authorising the Committee to borrow money, the Committee shall thereupon be empowered to borrow for the purposes of the Club such amounts of money either at one time or from time to time and at such rate of interest as in such form and manner upon such security as shall be specified in such resolution, and thereupon the Trustees shall at the direction of the Committee make such dispositions of the Club property or any part thereof, and enter into such agreements in relation thereto as the Committee may deem proper for giving security for such money and interest.

All members of the Club, whether voting on such a resolution or not, and all persons becoming members of the Club after the passing of such resolution shall be deemed to have assented to the same as if they had voted in favour of such resolution.

35. **POWERS TO CLOSE THE CLUB**  
In order to promote social functions, the Committee shall have power to close the Club to non-ticket holders up to a maximum of six times a year.
36. **ACCESS TO THE CLUB**  
Members shall have access to the Club for the stated hours of opening, except that in order to promote social functions the committee may restrict the use of the club to Ticket Holders only. This may be done for up to a maximum of six times a year.
37. **OPEN DAYS**  
There may be admitted to the Club premises persons attending any social functions held with the prior approval of the committee other than members and their guests and intoxicating liquor may be sold to such persons by or on behalf of the club for consumption on the premises only. Such social functions shall not exceed 12 in any one year and shall be restricted to functions by or in support of Sporting, Literary, Social, Philanthropic, or Charitable purposes.
38. **STATUS**  
The Club is a non-profit making organisation. All profits and surpluses will be used to maintain or improve the Club's facilities.
39. **DISSOLUTION OF THE CLUB**  
If, upon the winding up or dissolution of the Club, there remains after the satisfaction of all its debts and liabilities any property whatsoever, the same shall not be paid to or distributed amongst the members of the Club. The General Committee shall dispose of the net assets remaining to one or more of the following:  
(i) to another Club with similar sports purposes which is a charity and/or  
(ii) to another Club with similar sports purposes which is a registered Community Amateur Sports Club and / or  
(iii) to the sport's national governing body for use by them for related community sports.

## BYE-LAWS

### 1. CHILDREN

Children under 14 years of age shall not be admitted to, or brought into any licensed part of the Club premises, unless accompanied by a responsible adult.

### 2. DOGS

Well behaved dogs may be brought into the Clubhouse by Club members only, provided that they are kept on a short lead, under proper control and not permitted on any furniture. On those occasions when a function is being held where food is served then dogs will not be permitted with the exception of service/assistance dogs. Any failure to observe this rule may result in disciplinary action being taken against the offending member.

### 3. DUTIES OF THE COMMITTEE

The Committee shall carry out all arrangements in connection with the supply to and sale or other disposal in or by the Club of refreshment and excisable articles. They shall regulate the tariff or charges and generally manage the internal arrangements of the House and premises of the Club. All general orders and instructions to the servants of the Club shall be issued by the authority of the Committee through the Club Secretary.

### 4. HOURS OF OPENING CLUB PREMISES

9.00 am to 15 minutes after Bar Closing at night. All Club rooms to be locked outside these hours. Bar opening hours will be indicated prominently in the Club House.

### 5. MEMBERS FINANCIAL LIABILITIES

All purchases by members for goods, drinks, refreshments, tickets for functions etc. will be by cash, cheque, or credit card only. No credit will be allowed. All other debts to the Club for Boat Storage etc. with the exception of Subscriptions (Rule 13) are to be cleared within one month of presentation.

### 6. MOORING

(a) All berthing and mooring shall be under the control of the Berthing Master who will be responsible to the General Committee.

(b) All vessels moored or berthed and all usage of the Pier/Pontoon together with all gear shall be at risk of person(s) in charge of the vessel using the facilities. (See Club Rules 20 and 21).

(c) All boats will moor in such a manner as directed by the Berthing Master who has the right to re-moor or remove boats should the occasion arise.

(d) Moorings must not be transferred, hired or loaned without the Committees consent.

- (e) No refuse or rubbish to be thrown overboard.
- (f) No objectionable noise from radios or constantly run engines.
- (g) All moorings will be allocated for nine months, normally from 1st April. All rental, which will be indicated annually by the 31st March and shall be paid in advance. The Committee reserve the right to terminate a mooring agreement should it so desire. All allocated users must give the Berthing master fourteen days notice of intended use in Spring and intended vacation in Winter to enable the moorings to be checked.
- (h) No interference is to be caused to the Clubs tackle or chains.
- (i) All moorings are for use by Club members for private boats only.

#### 7. USE OF PIER / PONTOON

- (a) The Pier/Pontoon shall be under the control of the Berthing Master who shall be responsible to the General Committee.
- (b) Any boat or person using the Pier/Pontoon together with their gear shall do so at their own risk. (see Club Rule 20 and 21)
- (c) The Pier/Pontoon shall not be used for commercial purposes, including charter parties or yacht demonstrations, except by special consent of the General Committee.
- (d) Any yacht coming alongside shall obtain permission from the Berthing Master and shall be subject to the schedule of prevailing charges.
- (e) Dogs shall not be allowed on Pier/ Pontoon except in transit to and from a yacht, in which case shall be kept on a leash.
- (f) The Pier/Pontoon shall be kept clear at all times as directed by the Berthing Master.

#### 8. CLUB LAUNCH

The Club shall have a Launchman whose duties include the maintenance and operation of the Club Launch.

#### 9. CLUB BURGEE

Members are requested to fly the Club Burgee or House Flag on their vessels on approaching to berth and when moored on the Club Pier/Pontoon.