

# **St Ives Sailing Club**

## **Constitution 2016**

As amended 190116

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Table of contents	Page
Title, Burgee, Emblem & Club Year	2
Aims	2
Membership	2
Types of Membership & voting rights	3
Subscriptions & Pen fees	4
Officers	5
Committees	5
Meetings	6
Membership requirements & restrictions	7
Sailing instructions are now a separate document.	

# **St. Ives Sailing Club**

## **Constitution**

### **1 Title, Burgee, Emblem & Club Year**

- ( a ) The Club shall be called "The St. Ives Sailing Club". Hereafter referred to as "the Club".
- ( b ) Its burgee shall consist of two intertwined letter S's, being the identification letter of the fishing boats of St. Ives. These letters shall be yellow and shall be imposed on a black ground surrounded by a yellow edging; these being the colours of Cornwall.
- ( c ) Members of the Club shall be entitled to wear and/or fly and/or display a special emblem, being the club burgee with the colours of Cornwall being represented by the letters SS in gold and in a black circle, edged with gold, imposed on the colours of St. Ives represented by undulating bands of blue and white; the whole edged with gold.
- ( d ) The Club year shall run from the 1<sup>st</sup> January to 31<sup>st</sup> December
- ( e ) The Club is a non profit making organisation. All profits and surpluses will be used to maintain or improve the Club's facilities. No profit, assets or surplus will be distributed to members or third parties.
- ( f ) If upon winding up or dissolution there remains, after the satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid to or distributed among the members of the Club, but shall be given or transferred to another registered Community Amateur Sports Club, a registered charity or the sport's governing body for use by them in related community sports.

### **2 Aims**

The aims of the Club shall be:-

- ( a ) to provide facilities for the promotion of participation in the sport of sailing in the local community,
- ( b ) to further knowledge and practice of seamanship,
- ( c ) to facilitate social gatherings and informal meetings for members and provide such services as may be desirable,
- ( d ) to fulfil these functions with the interests of the town and people of St. Ives in mind,
- ( e ) to take all such other action as may be considered conducive to the furtherance of the Club.

### **3 Membership**

- (a) Membership of the club shall be open without discrimination to anyone interested in the sport on application regardless of sex, age, disability, ethnicity, nationality, sexual orientation, religion or other beliefs. However, limitation of membership according to available facilities is allowable on a non discriminatory basis.

- (b) The club may have different classes of membership and subscription on a non discriminatory and fair basis. The club will keep subscriptions at levels that will not pose a significant obstacle to people participating.
- (c) The club committee may refuse membership only for good cause such as conduct or character likely to bring the club or sport into disrepute. Any appeal will be dealt with as at paragraph 3h below.
- (d) Upon payment of the appropriate dues, membership shall be granted. The member will receive a copy of the Constitution and Rules, any Bye-laws, current Sailing Instructions, a Membership Card and a receipt for dues paid, together with any other literature relevant to the Club.
- (e) Applications for membership will be heard at any meeting of the Committee duly convened.
- (f) Every member on joining the Club implicitly undertakes to comply with the rules of the Club as set down in this Constitution and any other rules and by-laws which may be passed by the Executive Committee. The member will be informed of such alterations or additions.
- (g) A member wishing to resign from the Club shall tender his resignation in writing before the 31<sup>st</sup> December to the Honorary Secretary, or be liable for the next year's subscription.
- (h) Appeals against decisions made under rule 3c above must be made in writing to the Honorary Secretary. The appeal will be heard by not less than three committee members, one of whom will be of flag rank. The member will be informed of the outcome in writing.

Any refusal to comply or neglect to do so or any conduct which is, in the opinion of the Executive Committee, either unworthy of a member of this Club or otherwise prejudicial to the interests of the Club or injurious to the sport of yachting shall render that member liable to expulsion by the Committee. The Committee shall, however, first call upon a member liable for expulsion to give an explanation of his/her conduct and shall give that member an opportunity of defending himself/herself or resigning his membership.

The vote on a resolution for expulsion shall be by ballot and the resolution shall only be carried if two thirds of the whole Executive Committee vote in favour of the expulsion.

Any expelled member shall have the right of appeal, and if supported by four other members, may requisition the Honorary Secretary to call a General Meeting within two months of such event at a place and day appointed by the Committee. At such a meeting the Executive Committee shall put forward reasons for its decision and the person aggrieved may speak.

If the meeting shall pass, by a simple majority, a resolution cancelling the Executive Committee's decision such decision shall be void. In the event of an equally divided vote, the Chairman shall have the casting vote.

#### **4 Types of membership and voting rights.**

Membership shall be divided into the following categories:-

- ( a ) FULL MEMBER - being a person who, at the date of election, is over the age of eighteen. A Full Member shall have one vote.
- ( b ) FAMILY MEMBER - which expression shall include one or two parents (as may be) and all children either under eighteen years of age or still in full time education. The family unit shall have one vote, exercisable by either parent.

- ( c ) JUNIOR MEMBER - being a person who, at the date of election, is under the age of eighteen. Such a member shall be one who at the commencement of the subscription year joins the Club other than as a full member or a family member. A Junior Member shall have one vote.
- (d) STUDENT MEMBER - being a person who, at the date of election, is in full time education. Such a member shall be one who at the commencement of the subscription year joins the Club other than as a Full Member, Family Member or Junior Member. A student member shall have one vote.( e ) SHORELINE MEMBERS, who shall be non-sailing members. A Shoreline Member shall have one vote.
- ( f ) HONORARY MEMBERS AND HONORARY LIFE MEMBERS - Those persons who because of their position or past services to the Club are nominated by the Executive Committee for election at the Annual General Meeting. Honorary Membership shall be for a period not exceeding two years. Such membership shall, however, be limited to ten of each category, or two per cent of the total membership, whichever is the greater at any one time. Honorary Members shall have one vote.
- ( g ) SCHOOL MEMBERS who shall be pupils, up to and including the age of 18 years, of a school or youth organisation that has paid an affiliation fee to the Club. School Members shall have no vote.
- ( h ) TEMPORARY MEMBERS, those elected for such periods as the Executive Committee shall think fit but which shall not exceed four weeks in any one year. Any member of a Club recognised by the R.Y.A. and who can show proof of current membership, who is visiting this area, shall automatically become a Temporary Member, without fee, for a period not exceeding fourteen days in any one year. A Temporary Member shall have no vote.
- ( i ) OUT OF COUNTY MEMBER - being a person who, at the date of election, lives elsewhere than in the County of Cornwall and does not keep a boat in the Club pen but wishes to sail regularly with the Club. Such a member shall be one who at the commencement of the subscription year joins the Club other than as a full member, family member, junior member or student member. A Travelling Member shall have one vote.

## **5 Membership requirements and restrictions.**

- a) All persons participating in a Club event must be members of the St. Ives Sailing Club. Visitors under Rule 4h excepted.
- b) Non members wishing to participate in a Club event will be admitted as Temporary Members to the Club under Rule 4h for a MAXIMUM period of Four weeks commencing on their first visit.
- c) Persons wishing to participate in a Club event beyond the period of Four Weeks MUST apply to be admitted to the appropriate class of membership of the Club. During the period between the end of the Four week period and acceptance of membership applicants will be considered as Temporary members of the Club.
- d) Race duties (including Safety boat Helm, Safety boat Crew, Timekeeper, Officer of the Day and any other position so declared by the Committee of the Club) will ONLY be performed by Members of the Club holding Full, Family, Junior, Student, Out of County or Shoreline status.

## **6 Subscriptions and Pen fees.**

- ( a ) Subscriptions become due on the 1<sup>st</sup> March. If not paid by the 30th March, membership shall be deemed to have lapsed. Should a lapsed member wish to continue with the Club he or she

will be required to pay an entrance fee as if joining as a new member. A member's name may, however, in exceptional circumstances, be restored at the discretion of the Committee.

- ( b ) Any member joining after the 30<sup>th</sup> September shall not be required to pay a subscription in the ensuing year.
- ( c ) No member shall in any year be entitled to exercise any rights or privileges of membership until his/her joining fee and/or subscription for that year and also any arrears are paid.
- ( d ) The joining fees, pen fees and rate of annual subscription shall be determined by the Executive Committee.
- ( e ) Pen spaces will only be made available to current members of the Club.  
The committee retains the right to request the removal of any boat from the pen.
- ( f ) Pen fees become due on the 1<sup>st</sup> January. If not paid by 1<sup>st</sup> March a penalty of £12 will be payable in addition to the Pen fees.
- ( g ) A member joining the Club after 1<sup>st</sup> March, and before the 30<sup>th</sup> September; requiring a Pen space, shall only be liable for the standard Pen fee in addition to the joining fee and subscription.
- ( h ) If, during the Club year, a member transfers ownership of his boat to another Club member, any Pen space, for which the former member had paid a pen fee, may be transferred; at no extra cost, to the latter member subject to approval by the Executive Committee.
- ( i ) Any member joining after 30<sup>th</sup> September and who is immediately allocated a Pen space; and who immediately pays the Pen fee, shall not be required to pay a pen fee in the ensuing year.

## **6 Officers**

- ( a ) The Officers of the Club shall be two Flag Officers, comprising a Commodore and a Vice-Commodore, together with the Honorary Secretary, Honorary Treasurer and Honorary Sailing Secretary.
- ( b ) Three other Officers may be appointed by the Executive Committee from their number if desired - an Assistant Hon. Secretary, and an Assistant Hon. Treasurer and an Assistant Hon. Sailing Secretary.
- ( c ) All Officers shall retire at the conclusion of the Annual General Meeting and shall be eligible for re-election except that the Commodore shall not be eligible for election for a fourth successive year.
- ( d ) Founder Members, present and past Commodores shall be entitled to fly and/or wear a special flag, this being similar to that of the Members except that it shall be swallow-tailed.

## **7 Committees**

### **Executive Committee**

- ( a ) This Committee shall consist of the Officers of the Club together with not more than nine elected members.
- ( b ) Five members shall form a quorum at least one of whom shall be a Flag Officer.

- ( c ) The elected Committee members shall be eligible for re-election and shall hold office from the end of the Annual General Meeting at which they are elected until the end of the Annual General Meeting next following.
- ( d ) The affairs of the Club shall be conducted by the Executive Committee according to the Constitution and Rules. They shall apply the funds of the Club to the objects of the Club. They are empowered to act on behalf of the Club in all matters except that they may not dispose of a major portion of the assets of the Club without the prior approval of a two-thirds majority of members present at a General Meeting. Casual vacancies may be filled by an Executive Committee decision.
- ( e ) The Executive Committee may make, amend or repeal such bye-laws as it deems necessary for the management of the Club. A copy of the Bye-laws shall be exhibited in the Clubhouse. Any new Bye-laws are binding on all members unless set aside by a General Meeting.
- ( f ) The Executive Committee shall have powers to expel, and be entitled to retain the unexpired balance of the subscription of a member, but they shall not unreasonably exercise such powers.
- ( g ) The Executive Committee shall control the banking and investment of the funds of the Club.
- ( h ) It shall be the responsibility of the Hon. Treasurer to keep a complete and accurate account of the Club finances.
- ( i ) Any of the following may countersign the Hon. Treasurer's signature on a cheque:-  
Commodore, Vice Commodore, Hon. Sailing Secretary or Hon. Secretary.
- ( j ) The Executive Committee shall have the power to form what sub-committees they think necessary and to grant such powers to these sub-committees as is thought fit. These sub-committees may contain members of the Club as well as members of the Executive Committee but must include at least one member of the Executive Committee.
- ( k ) The Executive Committee shall be the Sole Authority for the interpretation of this Constitution and Rules.

### **Sailing Sub-Committee**

- ( l ) This Committee shall be formed jointly by the Vice-Commodore, who shall take the chair and the Sailing Secretary. In addition to these two officers no more than three other members, by invitation, shall form the Sailing Committee.
- ( m ) The Sailing Committee shall be responsible to the Executive Committee for the arrangement and control of all sailing activities of the Club.

## **8 Meetings**

### **Annual General Meeting**

- ( a ) The Annual General Meeting shall be held no later than the end of February of each year to receive the audited accounts, elect Officers and Executive Committee members, appoint Auditors and transact any necessary business.
- ( b ) Proposed alterations to rules and other items for the agenda signed by the Proposer and Seconder must be in writing, and in the hands of the Hon. Secretary by the 1<sup>st</sup> December.

- ( c ) Candidates for election shall automatically include those Officers and Members who offer themselves for re-election.
- ( d ) If the number of candidates duly proposed and seconded exceeds the number of vacancies to be filled, the Chairman shall decide whether voting shall take place by a show of hands or by ballot, unless three members of the meeting request the latter action, when a ballot shall be held.

### **General meetings**

- ( e ) A General Meeting shall be empowered, on the recommendation of the Executive Committee to elect Honorary Members and Honorary Life Members who shall enjoy the full privileges of the Club.
- ( f ) An Extraordinary General Meeting may be called by the Honorary Secretary at the direction of the Executive Committee or at the written request of twenty voting members or one fifth of the total voting membership; whichever is the least.
- ( g ) Not less than fourteen days notice shall be given of any General Meeting and this shall be in writing to all members. The notice shall include the Agenda for the meeting and no business except that written on the Agenda shall be discussed at a General Meeting. In the case of the Annual General Meeting the notification shall also include a list of retiring Officers and Executive Committee members offering themselves for re-election, indicating the number of attendance's at Executive Committee Meetings in the previous year.
- ( h ) Ten members shall form a quorum at a General Meeting. The Senior Flag Officer present shall take the chair and shall have a casting vote in the event of an equal division.
- ( i ) The accidental failure to give notice to any member or the non-receipt of such notice shall not, of itself, invalidate the proceedings at any General Meeting.
- ( j ) Alteration to this Constitution and Rules shall only be made at a General Meeting. All such proposed alterations, amendments and any additions to them which may be proposed and seconded in accordance with Rule 8 (b) shall be put to the vote of the meeting and provided that on a show of hands, or, if demanded, on a ballot, a majority of two-thirds of the votes cast in favour of any proposed alterations amendments or additions, then the same shall be deemed to be carried.

### **Executive Committee meetings**

- ( k ) Executive Committee Meetings shall be held as required but at no greater intervals than two months. They shall be convened by the Honorary Secretary or by one of the Flag Officers.
- ( l ) The Commodore, or in his/her absence the Senior Flag Officer present, shall take the chair. The chairman shall have the casting vote in the event of an equal division.
- ( m ) The Commodore, the Hon. Treasurer and the Hon. Secretary shall be ex-officio members of every Committee and Sub-committee.
- ( n ) At least seven days notice in writing, together with the Agenda, shall be given prior to an Executive Committee Meeting.
- ( o ) Minutes of each meeting shall be kept by the Hon. Secretary or his/her nominee.

## **9 Membership requirements and restrictions.**



- a) All persons participating in a Club event must be members of the St. Ives Sailing Club. Visitors under Rule 4 g excepted.
  - b) Non members wishing to participate in a Club event will be admitted as Temporary Members to the Club under Rule 4g for a MAXIMUM period of Four weeks commencing on their first visit.
  - c) Persons wishing to participate in a Club event beyond the period of Four Weeks MUST apply to be admitted to the appropriate class of membership of the Club. During the period between the end of the Four week period and acceptance of membership applicants will be considered as Temporary members of the Club.
  - d) Race duties (including Safety boat Helm, Safety boat Crew, Timekeeper, Officer of the Day and any other position so declared by the Committee of the Club) will ONLY be performed by Members of the Club holding Full, Family, Junior or Shoreline status.
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