



HIGHCLIFFE SAILING CLUB LIMITED (Founded 1962)
"Sea Vixen", Mudeford Quay, Christchurch, Dorset, BH234AB Tel. 01425 – 274874

RULES AND BYE-LAWS (for approval at 2018 AGM) & STANDING ORDERS

THE OLD CONSTITUTION, RULES AND BYE-LAWS REPLACED OR AMENDED BY ARTICLES

1. **NAME AND OBJECT** – Covered by Articles. Replaced by **PREAMBLE**.
 2. **MEMBERSHIP** – Reinstated **2.8a Block Membership** but as temporary members.
 3. **RESIGNATION OF MEMBERSHIP** – Covered by Article 9 but retained.
 4. **CESSATION OF MEMBERSHIP** – Covered by Article 9 but retained.
 5. **ENTRANCE FEE** – Covered by Article 8.1 but retain.
 6. **SUBSCRIPTIONS** – Covered by Articles 8.2 & 8.3 but retained.
 7. **CHANGE OF ADDRESS** – Not covered by Articles so retained.
 8. **OFFICERS** – Covered by Articles 14.1 and deleted.
 9. **COMMITTEE OF MANAGEMENT** - Covered by Articles Part 5 relating to Officers and Directors and their meetings so deleted.
 10. **THE AUDITOR** – Article 30.1 covers the audit or examination of accounts.
 11. **TRUSTEES** – No longer applicable.
 12. **AUTHORITY OF COMMITTEE** - Covered by Articles and deleted except for paragraphs 12.6 and 12.7 which are not covered by the Articles and are now included under **11. MISCELLANEOUS**.
 13. **SUPPLY OF INTOXICATING LIQUOR** – Not covered by Articles so retain as **10**.
 14. **PROPERTY, FUNDS AND WINDING UP** – Covered by Articles and delete.
 15. **GENERAL MEETINGS** – Covered by Articles and deleted. Bye-Law 15.8 relating to changes in the constitution is covered by the Preamble below.
- BYE-LAWS and STANDING ORDERS** – substantially unchanged.



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RULES

<i>Additions and amendments in italics</i>	Comment
<p>1. PREAMBLE</p> <p>1.1 <i>These Rules and Bye-Laws are made pursuant to Article 28.</i></p> <p>1.2 <i>These Rules and Bye-Laws are supplemental to the Articles. Nothing in these Rules and Bye-Laws is intended to contradict the Articles or the provisions of the Companies Acts and, in the event of any inconsistency between any provision of these Rules and Bye-Laws and any provision of the Articles, the Articles will prevail.</i></p> <p>1.3 <i>Unless the context otherwise requires words or expressions contained in this document bear the same meaning as in the Articles.</i></p> <p>1.4 <i>Unless expressly provided otherwise, a reference to a statute, statutory provision or subordinate legislation is a reference to it as it is in force from time to time, taking account of any subordinate legislation from time to time made under it, and any amendment or re-enactment and includes any statute, statutory provision or subordinate legislation which it amends or re-enacts.</i></p>	<p>Taken from RYA Model, Part 1: Interpretation</p>
<p>2. MEMBERSHIP</p> <p>2.1 <i>Article 7 sets out the different classes of Membership, and who will be eligible for admission to them and what their rights and obligations will be.</i></p> <p>2.2 The election of members shall be vested solely in the committee. The committee may refuse membership, or remove it, only for good cause such as conduct or character likely to bring the club or sport into disrepute. Appeal against refusal or removal may be made to the members</p> <p>2.3 The club may have different classes of membership and subscription. Classes of membership shall be as follows: -</p> <p style="padding-left: 40px;">Family Single Intermediate Junior</p> <p>2.4 Family Membership is defined as HUSBAND and WIFE, COMMON LAW HUSBAND and COMMON LAW WIFE, CIVIL PARTNERSHIPS; and CHILDREN residing in the family home up to 25 years of age.</p> <p>2.5 Single Membership for single persons over the age of 21 years.</p> <p>2.6 Intermediate Membership for persons between the ages of 19 and 25 years. The children of family members not residing in the family home become eligible for election to Intermediate membership and subsequently to Single and Family membership without the payment of</p>	<p>Simplified by deleting</p>



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<p>an entrance fee.</p> <p>2.7 Junior Membership for persons between the ages of 8 and 18 years whose parents are not members of the club.</p> <p>2.7.1 Block Membership (Educational) is available to registered students who are on full time study and are members of their established Sailing Association, and Block Membership (Commercial) is available to members of private or public sector sports bodies and interested in Sailing. Block membership shall be limited to a minimum of 10 and a maximum of 40 named individuals, an annual fee for block membership is to be determined on the basis of use of facilities against current entry and subscription levels and <i>shall be renewed annually</i>. Block membership shall have neither voting rights at general meetings <i>nor any other rights to which members of companies are entitled under the Articles or the Companies Acts</i></p> <p>2.8 Applications for Junior membership must be accompanied by a covering letter from a parent or guardian giving permission to apply, nominating a named member to be responsible for the junior when on club premises.</p> <p>2.9 The age of the candidate at the start of the club year, namely 1st October, shall be taken when assessing the class of membership to apply to any member.</p> <p>2.10 The candidate shall furnish such information and particulars as may from time to time be required by the committee and shall send the application to the Honorary Secretary.</p> <p>2.11 Applications from membership shall be considered at any meeting of the committee convened for that purpose and election shall be by majority vote.</p> <p>2.12 A full membership application may be provisionally granted by two members of the committee (including at least one flag officer) upon receipt of correct fees. It will then be presented at the next full membership committee meeting, rescinded if necessary and fees returned.</p> <p>2.13 In special circumstances the club may, on the recommendation of the committee at a general or special meeting, elect certain members to a Life Membership.</p> <p>2.14 The committee shall have power to elect from time to time as honorary members, Ladies or Gentlemen of distinction, or who have rendered valuable service to the club.</p> <p>2.15 The committee shall have power to elect bona-fide members of other Sailing Clubs not being residents in this area, to temporary membership for a period not exceeding one month, at such fee as the committee may from time to time prescribe. Such temporary membership shall include husband, wife and children Helm and Crew.</p> <p>2.16 All Family, Single, Intermediate, Junior, Life, Honorary and Temporary members shall be entitled to enjoy the full facilities and participate in</p>	<p>Not included in the Articles as they are not members under the Companies Acts.</p>
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	<p>the corporate life of the club. <i>See article 8.8 which limits the rights of an Honorary Member.</i></p>	
<p>2.17</p>	<p>Every member on joining the club shall undertake to comply with the club’s <i>Articles of Association</i>, Rules and Bye-Laws, Standing Orders, and Sailing Instructions. Any refusal or neglect to do so, or any conduct which in the opinion of the committee is either unworthy of a member, or otherwise injurious to the interests of the club shall render the said member liable to <i>removal from membership</i> by the committee, provided that before such <i>removal</i> the committee shall call on the member for an explanation and shall give the member an opportunity of defending himself or herself or of resigning from the club.</p>	<p>Added “Articles of Association”</p> <p>Articles refer to removal from membership rather than expulsion</p>
<p>2.18</p>	<p>The name of such candidate, and the name of his or her proposer and seconder, shall be posted on the club notice board at least seven days before the day on which the name of the candidate is to be submitted for election.</p>	<p>Not address - GDPR compliance</p>
<p>2.19</p>	<p>Any member, who is of opinion that any candidate so proposed would not be a desirable member, shall inform the Honorary Secretary who will communicate the objection to the committee.</p>	
<p>2.20</p>	<p>Before any application is rejected the committee shall require the attendance of the proposer and seconder and may require the attendance of the candidate to answer such questions as may be put to them.</p>	
<p>2.21</p>	<p>If a candidate does not appear before the committee when required to do so, or send a satisfactory excuse for not doing so within three weeks, his or her election shall not be proceeded with. The committee can at all times use its discretion in exceptional cases.</p>	
<p>2.22</p>	<p>No candidate elected by the committee shall be deemed a member of the club, or participate in its privileges and benefits, until he or she has paid his or her entrance fee and first subscription.</p>	
<p>2.23</p>	<p>No rejected candidate shall again be proposed as a member until the expiration of one year from the date of such rejection.</p>	
<p>2.24</p>	<p>No person who shall have been expelled from the club shall ever again be proposed as a candidate, or make use of the club premises, except after the special consent of the committee shall have been obtained to his or her so proposed or so using the club.</p>	
<p>2.25</p>	<p>When members of this club reach state pensionable age for retirement, and have been members for 10 years or more, they become eligible to have their annual subscription reduced by 50%, on application.</p>	
<p>3.</p>	<p>RESIGNATION OF MEMBERSHIP</p>	
<p>3.1</p>	<p>Any member wishing to resign must send a written notice to the Honorary Secretary together with any subscription due up to the date of</p>	



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<p>it taking effect and shall thereupon cease to be a member.</p>	
<p>4. CESSATION OF MEMBERSHIP</p> <p>4.1 Membership shall terminate: -</p> <p>(a) On resignation (see rule 3.1).</p> <p>(b) On <i>removal</i> from membership (see Article 9.1.4).</p> <p>(c) On non-payment of subscriptions (see rule 6.3).</p> <p>(d) Leave of absence (see rule 6.5).</p>	<p>Articles refer to removal from membership rather than expulsion.</p>
<p>5. ENTRANCE FEE</p> <p>5.1 There shall be an entrance fee of such sum as the committee may from time to time prescribe, payable upon election to the club.</p>	
<p>6. SUBSCRIPTION</p> <p>6.1 The annual subscription shall be such a sum as the committee may from time to time prescribe, except that if such a sum exceeds by 20% or more than that prevailing during the previous year, shall be subject to approval at an annual or special general meeting, payable upon election to the club and thereafter on the first day of October each year.</p> <p>6.2 A member elected after the 31st August in any year who shall have paid his or her subscription for that club year shall not be required to pay any subscription for the following club year.</p> <p>6.3 Any member who has not paid his or her subscription by the 31st DECEMBER SHALL BE DEEMED TO HAVE RESIGNED from the club and his or her name shall be removed from the list of members by the committee.</p> <p>6.4 Lapsed members may make written application to the committee for reinstatement, each application to be dealt with by the committee on its merits, but only allowed in exceptional circumstances. Ex members of the club who wish to rejoin, have their entrance fee waived for a period of 3 years.</p> <p>6.5 Any member being a full-time registered student of a University or College or undergoing full time vocational training or any member going overseas on a medium-term business contract may, always providing he or she intends to return, apply to the committee in writing through the Honorary Secretary for leave of absence. The member will cease to be a member of the club but upon re-applying for membership the entrance fee will be waived. This concession to be applied for annually. Full time students between the ages of 21 to 25 years pay the</p>	<p>As Articles</p>



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<p>same membership fee as the current intermediate fee. Only to be allowed on production to the committee of a current students union card or a letter from their teacher or tutor.</p>	
<p>7. CHANGE OF ADDRESS 7.1 Any member changing his or her address shall within 14 days, give notice to the Honorary Secretary in writing of such change of address, and until such notice is given, all communications shall be deemed to have been served upon such member.</p>	
<p>11. SUPPLY OF INTOXICATING LIQUOR 11.1 The purchase for the club and the supply by the club of intoxicating liquor shall be exclusively controlled by General Meeting and the committee of management or by a special sub-committee duly nominated by the committee of management whose Chairman shall be an officer of the club. 11.2 Intoxicating liquor shall not be supplied otherwise than to Senior Members of the club and their bona-fide guests. 11.3 ONLY SENIOR MEMBERS ARE PERMITTED TO PURCHASE INTOXICATING LIQUOR. 11.4 The hours during which the sale of intoxicating liquors is permitted shall be determined by the committee and shall be within the licensing hours for the district or extended as permitted by the Local Authority.</p>	<p>Required by Licencing Act. Now the Local Authority</p>
<p>12. MISCELLANEOUS 12.1 The name of the club shall be ‘HIGHCLIFFE SAILING CLUB’ and the burgee of the club shall be a flaming torch in orange in a white circle on a blue background. 12.2 The committee may close the club premises or part thereof for a period as they may from time to time determine, always providing notice shall be placed on the notice board for seven days prior to such closing. 12.3 No resolution passed by the committee shall be rescinded unless notice shall have been given at a previous meeting of the committee of intention to propose such rescission.</p>	<p>Old Rule 1.1 Old Rule 12.6 Old Rule 12.7</p>



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BYE-LAWS

<ol style="list-style-type: none">1. All life, family, single, intermediate, junior, honorary and temporary members of the Highcliffe Sailing Club shall be entitled to use the club premises in accordance with the Bye-Law set out below.2. Visitors may be introduced to the club by any member, except junior members and temporary members, who shall be responsible for their conduct whilst on club premises. No person shall be introduced as a visitor more than four times in any one year.3. The committee reserve the right to refuse the admission of any visitor if in their opinion it is desirable in the interests of the club.4. On entering the club premises the name and address of the visitor or visitors together with the name of the member by whom introduced shall be written in the Visitors’ book provided for that purpose.5. No person who has been <i>removed</i> from membership or at the request of the committee has resigned his or her membership or been debarred from membership, or is indebted to the club, shall be admitted as a visitor. Any member shall make an immediate report to the Honorary Secretary of any breach of this Bye-Law.6. The club premises shall be open to members during such hours as may be determined from time to time by the committee and shall be exhibited on the Club Notice Board.7. No illegal games, gambling, betting, drunkenness or disorderly conduct shall be permitted on the club premises.8. No act shall be done by a member, which shall cause or be likely to cause any nuisance, annoyance or damage.9. Such refreshments, and at such a tariff as the committee may from time to time determine, shall be supplied to the members. The committee reserve the right to refuse to allow members to consume refreshments, which they may consider undesirable.10. All members must pay every expense they incur in the club before they leave the building.11. No notices, advertisements or publications shall be placed in the club premises without the authority of the Honorary Secretary.12. No member shall on any pretence take away, injure or destroy any newspaper, pamphlet, book or other article the property of the club.13. The conduct of a Club Servant shall in no instance be made a matter of personal reprimand by any member, but all complaints against servants, or domestic arrangements of the club, shall be addressed in writing to the committee through the Honorary Secretary.14. Instructions to the Club Servants may only be given through the Honorary Secretary.	<p>Not mandatory under the Licencing Act</p>
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| <ol style="list-style-type: none">15. Servants of the club are forbidden to receive gratuities from members. Any servant found guilty of a breach of this Bye-Law will be liable to dismissal.16. No Servant is empowered to give credit.17. Any breakage or damage to the club premises or property thereon by any member or visitor introduced by a member shall be paid for by such member.18. No animals shall be brought into or allowed to be on the club premises.19. No responsibility or liability shall be attached to the club in respect of the property of any member or his or her guests which may be lost, damaged, or destroyed in or about the club premises, whether any charge for storage of such property shall be made or not.20. Radio receivers, record players, musical instruments, etc., shall not be allowed upon the club premises without the sanction of the committee.21. No unauthorised person or person under 14 years of age is allowed in the galley.22. Family members are responsible for the conduct of their children whilst on club premises. Junior members are only allowed on the club premises with a named member who is responsible for their conduct.23. No members shall enter or pass through the Main Hall in wet sailing clothes, wet bathing attire, or with wet bare feet or stiletto heels.24. It shall be the duty of any officer or member of the club to take every available means for putting a stop to any offences.25. All complaints, or suggestions, shall be made in writing, signed by the member making it, to the Honorary Secretary, who, if unable to deal with it satisfactorily himself, shall refer it to the committee, whose decision shall be final.26. A copy of the Club’s <i>Articles, Rules, Bye-Laws, Standing Orders and Sailing Instructions</i> shall always be exhibited in a prominent position in the club premises.27. Any infringement of these Bye-Laws will render the offending person liable to appear before the committee.28. The committee reserve the right to alter or suspend any Bye-Laws at any time and for such period as they may think fit.29. If at any time any mooring or berthing fees payable to the club by any member or former member shall be more than three months in arrears, then the following rule will apply;<ol style="list-style-type: none">1. The committee shall be entitled to move the boat to any other part of the premises without being liable for any loss or damage howsoever caused.2. The committee shall be entitled upon giving one month’s notice in writing to the member or former member, at his last known address shown on the register of members to sell the boat and to deduct any monies due (whether by way of | |
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<p>arrears of subscription or mooring fees or otherwise) from the net proceeds of sale before accounting for the balance (if any) to the member or former member.</p> <p>3. Alternatively, any boat, which in the opinion of the committee cannot be sold, may upon such notice as aforesaid, be disposed of in any manner the committee may think fit and the expenses recovered from the member or former member. Any arrears as aforesaid shall be deemed a debt by the member or former member.</p>	
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STANDING ORDERS

<ol style="list-style-type: none">1. QUORUM – Unless otherwise decided, all meetings shall begin at the time appointed on the Agenda. At annual general meetings a quorum 10% of the voting membership as of 30th September. (<i>A.G.M 23/11/17 Article 10.7</i>). Five members shall form a quorum for the meetings of the Committee of Management. (<i>Article 20.1</i>). If within <i>fifteen minutes</i> of the time appointed for the meeting to commence a quorum is not present, the meeting shall be dissolved.2. ORDER OF BUSINESS - An Agenda shall be prepared by the Chairman and Secretary, and shall be read by the Chairman at the opening of each meeting. All items thereon shall take precedence over all other business. Any member desirous of introducing business for the consideration of the meeting may do so after the business on the Agenda has been completed, but must reduce same to writing, or may give notice of motion to be discussed at a further meeting.3. SUSPENSION OF STANDING ORDERS - In the event of any matter of urgency, however, the Chairman may accept a motion for the suspension of the Standing Orders. The member moving such suspension must clearly state the nature and urgency of his business, the numbers of the Standing Orders affected, and the length of time (not exceeding 30 minutes) he desires such suspension to last. At the option of the meeting, a further extension may be allowed, but no suspension shall take place except by a vote two-thirds majority of the members present.4. MINUTES - The Secretary shall read the Minutes of the previous meeting, unless previously circulated to all members, but no motion or discussion shall be allowed on the Minutes except in regard to their accuracy. After the confirmation of the Minutes, they shall be signed by the Chairman, and the members shall then be at liberty to ask any question in regard to matters arising out of them. Such questions shall be allowed for purposes of information only, and no debate on the policy outlined in the Minutes shall take place.5. SELECTION OF SPEAKERS - Every member shall stand when speaking and shall address the Chairman as “Mr Chairman”. When more than one member rises to speak, the first to rise shall be given precedence, the decision resting with the Chairman, but the member who rose immediately after the first one shall have the right to speak at the close of such member’s address.6. CHAIRMAN’S RULING - If the Chairman rises to call a member to order, or for any other purpose connected with the proceedings, the member speaking shall thereon resume his seat, and no other member shall rise until the Chair be resumed. The ruling of the Chairman on any question under the Standing Orders, or on points of order or explanation	<p>Not covered by Articles except: 10.7 & 20.1</p>
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- shall be final, unless challenged by not less than four members, and unless two-thirds of then members present vote to the contrary.
7. **INTERRUPTION** - If any member interrupts another while addressing the meeting, or uses abusive or profane language, or causes disturbance at any of the meetings, and refuses to obey the Chairman when called to order, he shall be named by the Chairman. He shall thereupon be expelled from the room and shall not be allowed to enter again until an apology satisfactory to the meeting is given. No member shall leave the meeting before its conclusion without the permission of the Chairman.
 8. **SPEECHES** - No member shall be allowed to speak more than once upon any subject before the meeting, unless in committee, or on a point of order, or explanation, except the mover of the Original Motion. But on an amendment being moved, any member, even though he has spoken on the Original Motion, may speak again on the amendment. No member shall speak for more than ten minutes at one time. Members wishing to raise points of order or explanation must first obtain the permission of the Chairman, and must rise immediately the alleged breach has occurred. Any member may formally second any motion or amendment and reserve his speech until a later period in the debate.
 9. **MOTIONS AND AMENDMENTS** - The first proposition on any subject shall be known as the Original Motion, and all succeeding propositions on that subject shall be called amendments. Every motion or amendment must be moved and seconded by members actually present at the meeting before they can be discussed, and, wherever possible should be set forth in writing. It is permissible for a member to make his speech first and conclude with a motion. When an amendment is moved to an Original Motion no further amendment shall be discussed until the first amendment is disposed of. (Notice of any further amendment must be given before the first amendment is put to the vote.)
 10. **SUBSTANTIVE MOTIONS** - If an amendment be carried, it displaces the Original Motion and itself becomes the substantive motion, whereupon any further amendment relating to any portion of the substantive motion may be moved, provided it is consistent with the business and has not been covered by an amendment or motion, which has been previously rejected. After the vote on each succeeding amendment has been taken, the surviving proposition shall be put to the vote as the main question, and if carried shall then become a resolution of the meeting.
 11. **RIGHT OF REPLY** - The mover of the Original Motion shall, if no amendment be moved, have the right of reply at the close of the debate upon such motion. When an amendment is moved he shall be entitled to speak thereon in accordance with Standing Order No. 8 and at the close of the debate on such amendment shall reply to the discussion, but shall



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- introduce no new matter. The question shall then be put to the vote immediately and under no circumstances shall any further discussion be allowed once the question has been put from the Chair. The mover of an amendment shall not be entitled to reply.
12. **WITHDRAWALS OR ADDITIONS** - No motion or amendment, which has been accepted by the Chair, shall be withdrawn without the unanimous consent of the meeting. Neither shall any addendum or rider be added to a motion, which has once been accepted by the Chair without such consent. Should any member dissent, the addendum must be proposed and seconded, and treated as an ordinary amendment.
 13. **CLOSING DEBATE** - The motions for the previous question, next business, or the closure, may be moved and seconded only by members who have not previously spoken at any time during the debate. No speeches shall be allowed on such motions. In the event of the closure being carried, the mover of the Original Motion shall have the right to reply in accordance with Standing Order No. 11, before the question is put. Should any one of the motions mentioned in this Standing Order be defeated, five minutes shall elapse before it can be accepted again by the Chairman, unless he is of the opinion that the circumstances have materially altered in the meantime.
 14. **ADJOURNMENT** - Any member who has not already spoken during the debate may move the adjournment of the question under discussion, or of the meeting, but must confine his remarks to that question, and must not discuss any other matter. The mover of the motion upon which the adjournment has been moved, shall be allowed the right to reply on the question of the adjournment, but such reply shall not prejudice his right of reply on his own motion. In the event of such motion being lost it shall not be moved again, except in accordance with Standing Order No. 13.
 15. **VOTING** - The voting shall be as specified by the constitution. Where required by the constitution or where deemed necessary by the Chairman, two scrutineers or tellers shall be appointed by the Chairman. The Chairman shall not vote on any question unless there is an equal number of votes, when he shall have a casting vote.
 16. **VOTING IN COMMITTEE** - Where a difference of opinion on a proposition at a meeting of any committee occurs, a vote shall be taken, and the results shall be recorded in the Minutes.
 17. **NOTICE OF MOTION** - Notices of motion shall be sent to the Secretary in writing not less than twenty-one days *for Special Meetings and fourteen days for General Meetings* before the meeting at which they are to be discussed. Such motions shall be placed upon the Agenda in the order in which they are received by the Secretary.
 18. **RESCINDING A RESOLUTION** - No resolution shall be rescinded or amended at the same meeting at which it is passed. Thirty days' notice



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<p>of its rescindment or amendment must be given, but the resolution shall not be rescinded or amendment unless by the consent of at least two-thirds of the members voting at the meeting when it is considered. No resolution involving important issues of finance or policy shall be rescinded at any meeting unless every member eligible to attend such meeting has been duly notified and given the opportunity of being present.</p>	
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