



# **BALLYHOLME YACHT CLUB CLUB RULES**

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## **1. Name of the Club**

The Name of the Club shall be BALLYHOLME YACHT CLUB (hereafter referred to in these Rules as 'the Club').

## **2. Objects of the Club**

The objects of the Club are to promote and facilitate amateur sailing & watersports and to promote social activities amongst its Members.

## **3. Club Burgee**

The Club Burgee shall have a blue background on which is superimposed the Club Device consisting of a Gold Anchor running through a White Maltese Cross.

## **4. Officers of the Club**

The following Officers of the Club, who shall be voting members, shall be elected at each Annual General Meeting: Commodore, Rear-Commodore (Sailing), Rear-Commodore (Shore), Captain, Honorary Treasurer and Honorary Secretary who shall be Officers of the Club.

A Vice-Commodore, who shall be an Officer of the Club, may also be elected at an Annual General Meeting.

The Officers of the Club shall hold office until the next Annual General Meeting when they shall retire. The Commodore shall be eligible for election to the same office for a maximum of three consecutive years. Other Officers shall be eligible for election to the same office for a maximum of five consecutive years.

The Commodore, Vice-Commodore and Honorary Secretary shall be ex-officio members of all sub-Committees.

## **5. Nominations and Elections of Officers and Committees**

Nominees for any Office, for the Executive Committee and for the Sailing and Shore Committees must be voting members and be proposed and seconded by voting Members. Nominations, except those made by the Executive Committee, must be made in writing showing names in block letters supported by signatures. They must be sent to the Hon. Secretary SEVEN CLEAR DAYS before the Annual General Meeting. Nominations should state clearly what degree of boat ownership registered with the Club (if any) is held by the Nominee. Nominees must have given their prior consent to stand for election and must have been a Member of the Club for at least two years immediately prior to their election. In the event of there being more than one nomination for each of the Club Officer positions as defined in Rule 4, or more than two nominations for the ordinary members of the Executive Committee as defined in Rule 10, the positions shall be determined by election by secret ballot, with each voting Member entitled to cast one vote for each Officer nominee and two votes for nominees as ordinary members of the Executive Committee. Ballot papers with more or less than the foregoing defined number of votes will be null and void. It shall be in order for a single voting slip to be used.

## **6. Hon. Secretary**

The Hon. Secretary shall keep a record of the proceedings of the Club in General Meeting and also of the decisions of the Executive Committee and shall see that the decisions arrived at are carried out. The Executive Committee may at its discretion delegate all or any of the duties of the Hon. Secretary to an Assistant Hon. Secretary who may be appointed by the Executive Committee for a period determined by that Committee. The Assistant Hon. Secretary shall not be an Officer of the Club.

## **7. Hon. Treasurer**

The Hon. Treasurer shall be accountable to the Executive Committee for the receipt and payment of all money due to or owing by the Club, the keeping of proper records of account, and shall be responsible for the preparation of a Balance Sheet and its submission to the Annual General Meeting following its audit by the Club's Auditor(s). The Executive Committee may at its discretion delegate all or any of the duties of the Hon. Treasurer to an Assistant Hon. Treasurer, who may be appointed by the Executive Committee for a period determined by that Committee. The Assistant Hon. Treasurer shall not be an Officer of the Club. The Club shall not be conducted for profit; any surplus of income over expenditure in any year shall be applied for the benefit of the membership as a whole.

## **8. Trustees**

There shall be at least three Trustees of the Club who shall be appointed from time to time as necessary by the Executive Committee of the Club from among Members who are willing to be so appointed. A Trustee shall hold office during his lifetime or until he shall resign, by notice in writing given to the Committee, or until a resolution removing him from office shall be passed at a meeting of the Committee by a majority comprising two-thirds of the members present and entitled to vote.

All the property of the Club, including land and investments, shall be held by the Trustees for the time being, in their own names so far as it is necessary and practicable, on trust for the use and benefit of the Club. On the death, resignation, or removal from office of a Trustee, the Committee shall nominate a new Trustee in his place, and shall as soon as possible thereafter take all lawful and practicable steps to procure the vesting of all Club property into the names of the Trustees as constituted after such nomination. For the purpose of giving effect to any such nomination, the Honorary Secretary for the time being is hereby nominated as the person to appoint new Trustees of the Club within the meaning of Section 35 of the Trustee Act (Northern Ireland) 1958 and he shall by Deed duly appoint the person or persons so nominated by the Committee.

The Trustees shall in all respects act, in regard to any property of the Club held by them, in accordance with the directions of the Committee and shall have power to sell, lease, mortgage or pledge any Club property so held for the purpose of raising or borrowing money for the benefit of the Club in compliance with the Committee's directions (which shall be duly recorded in the Minutes of the proceedings of the Committee) but no purchaser, lessee or mortgagee shall be concerned to enquire whether any such direction has been given.

The Trustees shall be effectually indemnified by the Committee out of the assets of the Club from and against any liability, costs, expenses and payments whatsoever which may be properly incurred or made by them in the exercise of their duties or relation to any property of the Club vested in them, or in relation to any legal proceedings, or which otherwise relate directly or indirectly to the performance of the functions of a Trustee of the Club.

The liability of the Trustees for the performance of any contractual or other obligation undertaken by them on behalf of the Club shall be limited to the assets of the Club.

## **9. Auditors**

An independent and qualified Auditor or Auditors shall be appointed at each Annual General Meeting to audit the books of the Club for the ensuing year. If circumstances arise where the Executive Committee considers it appropriate in the best interests of the Club, it may subsequently appoint a replacement auditor of appropriate professional standing to audit the books of the Club for the remainder of the year. Any such appointment and the circumstances leading to it shall be reported at the next AGM for ratification by the Members.

## **10. Executive Committee**

The business of the Club shall be managed by an Executive Committee which shall consist of the Officers of the Club together with the immediate past-Commodore, who shall serve for one year only, and two ordinary members of Committee who shall be Members nominated in accordance with Rule 5 by the general membership and elected at the Annual General Meeting. In the event of less than two nominations being received from the general membership in accordance with Rule 5, the Executive Committee shall make nominations for these two ordinary members of Committee.

A list showing all nominations properly made, including the names of each nominee, proposer and seconder made shall be placed on the Club Notice Board during the seven days prior to the Annual General Meeting.

At least two-thirds of the total of the Executive Committee at the time of their election shall be owners of boats which are registered with the Club. In the event that the nominations (if any) from the general membership do not appear from information provided on the nomination as submitted to satisfy the foregoing provision, the Executive Committee may then make additional nominations. In such circumstances, the result of the ballot shall hold good whether or not the outcome satisfies the required proportion of boat ownership. The members of the Executive Committee shall hold office until the next Annual General Meeting when they shall retire.

In the case of a vacancy occurring in the Executive Committee during a current year of office, the Executive Committee may, at its discretion, appoint a successor who shall hold office until the next Annual General Meeting. The number of successors so appointed in any year shall not exceed one third of the Members duly elected to the Executive Committee at an Annual General Meeting then remaining in Office.

A member of the Executive Committee, of a sub-committee or any officer of the Club, in transacting business for the Club, shall disclose to third parties that he is so acting.

The Executive Committee, or any person or sub-committee delegated by the Executive Committee to act as agent for the club or its members, may enter into contracts only as far as authorised by the club members. Members of the Executive Committee may not, without the express authority of the Club members in General Meeting, enter into any contract or series of contracts that exposes or may expose the Club to liabilities that may exceed the Club's assets.

No one shall, without the express authority of the Club members in General Meeting, pledge the credit of the membership.

In pursuance of the authority vested in the Executive Committee by members of the Club, members of the Executive Committee are entitled to be indemnified from the Club's assets against any liabilities properly incurred by them or any one of them on behalf of the Club wherever the contract is duly authorised and entered into on behalf of the club.

If at any time the Club in general meeting shall pass a resolution authorising the Executive Committee to borrow money, the Committee shall thereupon be empowered to borrow for the purposes of the Club such amount of money either at one time or from time to time and at such rate of interest and in such form and manner and upon such security as shall be specified in such resolution, and thereupon the trustees shall at the direction of the Committee make all 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 loans and interest. All Members and Associates of the Club, whether voting on such resolution or not, and all persons becoming Members or Associates 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.

## **11. Committee Meetings**

The Executive Committee shall meet from time to time at such place and hour as may be convenient and as summoned by the Hon. Secretary. At all Executive Committee Meetings the Senior Officer present shall preside. In the case of a tie the Chairman shall have a casting vote. Four members present shall form a quorum.

## **12. Sub-Committees**

The Executive Committee at its first meeting after the Annual General Meeting shall appoint up to five Members of the Club to the Sailing and Shore Committees. Other sub-Committees, as required, shall also be appointed by the Executive Committee from time to time. The Executive Committee may delegate to any sub-Committee such powers as it considers desirable.

## **13. Sailing & Shore Committees**

The Sailing Committee shall consist of the Rear Commodore (Sailing), five Members of the Club nominated as provided in Rule 5 and elected at the Annual General Meeting and up to five Members of the Club appointed by the Executive Committee as provided in Rule 12.

The Shore Committee shall consist of the Rear Commodore (Shore), five Members of the Club nominated as provided in Rule 5 and elected at the Annual General Meeting, and up to five Members of the Club appointed by the Executive Committee as provided in Rule 12.

The elected Members shall be elected by secret ballot, one vote being cast for each of five nominees by the voting Member. Ballot papers with more or less than five votes will be null and void. At least two of the five Members elected at the Annual General Meeting shall, at the time of their election, be owners of boats which are registered within the Club. Three members present shall form a quorum.

## **14. Rear-Commodore (Sailing)**

The Rear Commodore (Sailing) shall be responsible for the carrying out of the duties assigned to the Sailing Committee by the Executive Committee, including the keeping of the minutes of the Sailing Committee meetings and the maintenance of a register of Members' yachts.

## **15. Rear-Commodore (Shore)**

The Rear Commodore (Shore) shall be responsible for the carrying out of the duties assigned to the Shore Committee by the Executive Committee, including the keeping of the minutes of the Shore Committee meetings.

## **16. Captain**

The Captain shall be responsible for the carrying out or overseeing of the duties assigned to sub-Committees as directed by the Executive Committee including keeping the minutes of relevant meetings.

## **17. General Meetings**

- i) - The Hon. Secretary shall send a notice to each Member at least 14 days before all General Meetings, stating the date, time and place of each meeting and the purpose for which it is called.
- ii) - Twelve Voting Members present shall form a quorum.
- iii) - The Senior Officer present shall preside or may nominate a deputy to preside provided that the Senior Officer remains present.

## **18. Annual General Meeting**

A General Meeting of the Members shall be held before the 31st December in each year, at such time and place as shall be decided by the Executive Committee.

## **19. Extraordinary General Meeting**

An extraordinary General Meeting may be called by the Executive Committee or by the Hon. Secretary at the request in writing of twelve Senior, Life, Family or Retired Members of the Club. No business may be transacted at an Extraordinary General Meeting other than that stated in the Notice of the Meeting.

## **20. Admission of Members and Associates**

Membership of the Club shall be open to anyone interested in the sport of sailing and watersports on application regardless of sex, age, disability, ethnicity, nationality, sexual orientation, religion or other beliefs. Membership may however be limited according to available facilities on a non-discriminatory basis.

The Executive Committee may refuse membership, or subject to Rule 28 remove it, only for good cause such as conduct or character likely to bring the Club or sport into disrepute.

Applicants for Membership and Associateship shall complete and sign with their full name and address, an application form prescribed by the Executive Committee. Each applicant must be proposed by a voting Member and seconded by another, to each of whom the applicant should preferably be well known. Candidates for membership without sufficient personal acquaintances within the Club may be proposed and seconded by two Executive Committee members after an introductory meeting.

The application, together with any Entrance Fee and the appropriate Subscription or a signed, completed and valid Direct Debit Mandate, shall be submitted to the Executive Committee for consideration and if appropriate, shall be posted on the Club Notice Board for at least fourteen days. Thereafter the application shall be decided by the Executive Committee one black ball in four to exclude.

In the event of the applicant not being elected to membership or associateship, the Entrance Fee and Subscription shall be returned. The Honorary Secretary shall inform each candidate in writing of the candidate's election or non-election. He shall furnish an elected candidate with a copy of the Club Rules. Appeal against refusal to elect may be made to the members in General Meeting.

## **21. Membership**

The Club is an amateur club, run for its members by its members. Thus, all members are expected and encouraged to assist on an annual basis in some aspect of the running of the Club.

Members may be allocated duties within their competence by the Executive Committee. Members with special limitations may be exempted from certain duties. Such limitations must be made known to the Honorary Secretary as soon as possible.

All Members shall carry membership cards when on the premises of the Club.

An alphabetical list of the names and addresses of every official and member of the Club shall be kept on the premises of the Club.

Candidates for membership shall have no privileges whatsoever in relation to the use of the Club or premises.

The membership of the Club shall be divided into the categories set out below. The transfer from one category of membership to the next shall date from 1st January following the date on which the member reaches the upper age limit of his present category.

### **i. VOTING MEMBERS**

**RETIRED MEMBERS** - Any Member who has completed 20 years of continuous Senior Membership, who has reached the age of 60 and who is retired, or any Member who has completed 15 years of continuous Senior Membership, who has reached the age of 65 and who is retired. An application to transfer to the Retired Members category must be in writing and submitted to the Committee for approval.

**LIFE MEMBERS** - Senior Members of at least ten years standing who shall apply and be elected as such. The maximum number of Life Members shall be limited and may only be altered at an Annual General Meeting.

**SENIOR MEMBERS** - Members who are 26 years of age and over and do not qualify as Retired Members.

**INTERMEDIATE MEMBERS** - 23 years of age and under 26.

**JUNIOR MEMBERS** - 18 years of age and under 23 years of age.

**HONORARY MEMBERS** - Honorary Members shall be ladies or gentlemen who have rendered special service to the Club or to yachting in general, recommended by the Executive Committee and elected as such at an Annual General Meeting of the Club, either for life or for such a period as the General Meeting may decide.

**OUTPORT MEMBERS** - Any duly elected Member who shall be resident outside Northern Ireland for any year commencing on 1st January may apply in writing, to the Hon. Secretary to have his name transferred to the Outport Members' category until he shall be deemed to have resumed residence in Northern Ireland. Members of recognised Yacht Clubs outside Northern Ireland may also qualify for this category of membership.

## **ii. NON-VOTING MEMBERS**

CADET ASSOCIATES - under 18 years of age. Cadet Associateship shall be on an annual basis only, and may or may not be renewed at the option of the Executive Committee.

The transfer from one category of membership to the next shall date from 1st January following the date on which the member reaches the upper age limit of his present category.

SOCIAL ASSOCIATES - Members who have been duly elected as such and who are over 23 years of age. Social Associates are debarred from participation afloat in all sailing, diving and boating activities organised by the Club, except as may be expressly waived for specific occasions by the Executive Committee. A boat sailing in a race or series of races with a Social Associate aboard may be disqualified from that race or series of races unless the Social Associate has already applied or immediately applies in writing to the Hon. Secretary to have his name transferred to the appropriate members' category.

RNLI CREW MEMBER ASSOCIATES – any serving crew member of Bangor R.N.L.I. Lifeboat who applies for and is duly elected as Social Associate member shall have his entrance fee and subscription waived while he is a serving crew member.

TEMPORARY ASSOCIATES –

(a) The owners and crews of visiting yachts may be offered the facilities of the Club at the discretion of a Flag Officer or the Hon. Secretary.

(b) Any person resident more than thirty miles from the Club may, on application to the Hon. Secretary, at his discretion, and on payment of the appropriate subscription be granted the facilities of the Club as a Temporary Associate for a period not exceeding four consecutive weeks in any calendar year.

The names of all Temporary Associates shall be entered in the Visitors' Book and the Hon. Secretary shall submit each entry to the next meeting of the Executive Committee.

The privileges of Honorary Membership or Temporary Associateship under (b) above shall not be available until the expiration of at least two days after the date of election, and under (a) above shall require the approving Officer to be satisfied that the visiting yacht is bona fide from a base outside Northern Ireland.

## **22. Entrance Fees**

The Annual General Meeting shall fix the amount of the Entrance Fees to be paid by the various categories of Members or Associates and in each case the amount so fixed shall continue to be the Entrance Fee for that category until it shall have been altered by a subsequent Annual General Meeting or by an Extraordinary General Meeting called for the purposes of altering it.



Where a family (i.e. the member and spouse or partner, or children under age 26 by themselves or together with either or both parents) is admitted, whether simultaneously or not, the total Entrance Fee(s) payable shall not exceed the fee appropriate to a Senior Member.

### **23. Subscriptions**

The Annual General Meeting shall fix the amount of the Annual Subscriptions to be paid by the various categories of Members or Associates, and in each case the amount so fixed shall continue to be the Annual Subscription for that category until it shall have been altered by a subsequent Annual General Meeting or by an Extraordinary General Meeting called for the purposes of altering it.

The Annual General Meeting shall fix the 'subscription year', this being the twelve month period on the first day of which annual subscriptions will fall due. The year so fixed shall continue to be the subscription year until it shall have been altered by a subsequent Annual General Meeting or by an Extraordinary General Meeting called for the purposes of altering it.

Entrance Fees, where applicable, shall be payable on election.

First subscriptions shall be liable for one half of the full subscription for the first full year of membership in any category. Persons may not receive this reduction more than once. Former members shall receive this reduction if and only if their membership has lapsed for 24 months.

All subscriptions shall be payable either:

(i) annually in advance ; or

(ii) monthly, quarterly or as appropriate in advance by Direct Debit in instalments either on the first day of the subscription year, or at the time of application for membership. The minimum value of any such instalment shall be determined by the Executive Committee. Where a subscription by Direct Debit defaults, the member will become liable for the outstanding balance of the appropriate Annual Subscription and any associated charges forthwith.

Where a Member's spouse, partner, child or partner's child is also a member other than a Temporary Associate, or on joining, the Member may elect to pay a combined subscription equivalent to 1.5 times the subscription of a Senior Member. Subject to the provisions of Rules 19 and 20, this combined subscription shall entitle the Member together with a spouse or partner or one child to the appropriate class of membership, and shall also entitle any other children in the Member's household to Intermediate membership, Junior Membership or Cadet Associateship as appropriate without further payment.

The amount fixed for Entrance Fees and Annual Subscriptions shall be exclusive of any Value Added Tax and the Club shall be permitted to charge Value Added Tax at the appropriate rate thereon and on the supply of any other service or goods. The Club premises and effects are the property of the voting Members in proportion to their current Annual Subscription.

## **24. Visitors**

(i) A Member may introduce to the Club for one day any person as a guest. A guest of a Member shall not be admitted to the Club premises except in the company of that Member and the Member shall, immediately on the admission of his guest to the Club premises, enter his name and the name and address of his guest in a book which shall be kept for that purpose and which shall show the date of each visit.

(ii) A Member may not introduce more than six guests in any one day without the consent of the Hon. Secretary.

(iii) No Member may introduce any person as a guest on more than 6 days in any one calendar year, and the total number of visits by any person as a guest of members shall not exceed six days in one calendar year. Introduction as a guest on the days of the Annual Regatta will not debar guests from introduction on other days as above.

(iv) A Member shall be responsible for his guest strictly observing the rules and shall not leave the Club premises before his guest. A guest of a Member shall not be supplied with intoxicating liquor on the Club premises unless upon the invitation and in the company of that Member.

(v) In the case of a team or other body of persons who are, as members of another Club (whether registered or not), Society or Organisation, visiting the Club for the purpose of taking part in the organisation of or arrangements for, any pastime, sport, game or recreation at the Club, it shall suffice for the Hon. Secretary or other Officer of the Club to enter it in the book required to be kept by Section (i) the name of the Club, Society or organisation visiting the Club and the number of such guests without specifying their names and addresses and thereafter on such occasion of that visit, intoxicating liquor may be supplied to such guests at the request and in the presence of any Officer of the Club and the admission of such guests shall be disregarded for the purposes of Section (i) of this Rule.

(vi) Any person who is a competitor or crew member in any open event organized or hosted by the Club is entitled to the use of the club premises within a period of 24 hours before and after the event in which they are competing.

(vii) A member of any club affiliated to the Royal Yachting Association (a list whereof is published by the said Association) or Irish Sailing Association may be authorised to use the premises of the Club by any member of the Executive Committee of the Club. Such authorisation shall specify between which dates the said person may so use the premises.

## **25. Intoxicating Liquor**

(i) No Member of the Executive Committee and no manager or servant employed in the Club shall have any personal interest in the supply of intoxicating liquor therein or in the profits arising from such supply. No person shall be paid at the expense of the Club any commission percentage or similar payment on or with reference to purchase of intoxicating liquor by the Club.

No person shall directly or indirectly derive any pecuniary benefit from the supply of intoxicating liquor by or on behalf of the Club or members or guests apart from any benefit accruing to the Club as a whole.

- (ii) Intoxicating liquor shall not be supplied to:-
  - a) Any persons under 18 years of age.
  - b) Persons who are not Members or Associates of the Club for consumption outside the premises of the Club.
  - c) Members or Associates of the Club for consumption outside the premises of the Club except where the liquor is supplied in such quantities and during such hours, being hours within the hours specified in paragraph (iii) of this rule, and on such days as the Sub-Divisional Commander for the Police Sub-Division in which the premises are situated may authorise in writing.
- (iii) a) The hours during which intoxicating liquor may be supplied for consumption on the premises of the Club are:-
  - 1) On Sundays or Christmas Day between the hours of 12:30 and 10:00 pm, and on Good Friday between the hours of 5:00 pm and 11:00 pm.
  - 2) On any other day between the hours 11:30 am and 11:00 pm.
- b) The hours during which intoxicating liquor may be supplied for consumption on the premises of the Club may be fixed or varied as necessary at the determination of the Executive Committee as to any lesser period or periods within the above mentioned hours.
- c) A statement, printed in plain type, of the hours during which intoxicating liquor may be supplied on the premises of the Club shall be exhibited in a conspicuous part of the Club premises.
- d) The hours during which intoxicating liquor may be supplied for consumption on the premises of the Club may be extended by the Executive Committee on not more than fifty-two occasions in any year duly authorised by a Sub-Divisional Commander for the Police Sub-Division in which the premises are situate when such supply would otherwise be a contravention of these rules.

## **26. Unpaid Fees and Subscriptions**

The Hon. Treasurer shall prepare and post in the Clubhouse no later than the beginning of the third month of the subscription year, a list of the Members and Associates whose fees or subscriptions remain unpaid.

The Executive Committee may at its discretion delete from the membership roll the names of any Members and Associates whose fees or subscriptions are overdue or may at any time suspend their privileges of membership.

No member whose fees or subscription are in arrears may enter any Club event or any race organised or hosted by the Club or vote at any meeting.

## **27. Resignations**

Members and Associates wishing to resign from the Club shall give notice in writing to the Hon. Secretary prior to the first day of second month of the subscription year. Upon re-application for membership by a past member who resigned in good standing, the Executive Committee may, at its discretion, excuse payment of an Entrance Fee.

## **28. Discipline of Members**

The Club has adopted and is committed to observing its Disciplinary Policy in order to provide an established and tested framework for dealing with disputes, complaints and other issues of this nature that involve individual members, associates and visitors or guests. The processing of disciplinary issues shall adhere to the principles and procedures set out in this policy. The Executive Committee may make such alterations, revisions or additions to the Disciplinary Policy as are consistent with the Rules of the Club.

## **29. Restrictions on Non-Voting Members and Associates**

(i) Non Voting Members and Associates of the Club shall not be entitled to vote at any General Meeting of the Club, or on any matter connected with its management, nor shall they be qualified to be elected as Officers or Members of the Executive Committee nor be entitled to any property in the Club premises or effects.

(ii) The number of persons elected as Associates of the Club at any time shall not exceed three times the number of persons then being Members of the Club.

(iii) The number of persons elected as Social Associates of the Club at any time shall not exceed a percentage of the number of Senior Members of the Club, as determined at the discretion of the Executive Committee from time to time.

## **30. Racing**

All Club races shall be sailed under the ISAF Racing Rules of Sailing. Boats in classes sponsored by the Club must be wholly owned and steered by Club Members when racing under the Club Burgee except in cases where prior permission has been given by the Rear Commodore Sailing or any Flag Officer.

## **31. Alteration of Rules**

The Rules of the Club shall not be altered except at the Annual General Meeting or any Extraordinary General Meeting of the Club. Notice of any alteration to be proposed at the Annual Meeting, except those proposed by the Executive Committee, shall be sent in writing to Hon. Secretary before 31st day of October in any year. A copy of the proposed alteration shall be sent to every member with the notice convening the meeting.

### **32. Financial Year**

The financial year of the Club shall end on 30th September.

### **33. House Rules**

The House Rules of the Club are set out as an appendix to these Rules. The Executive Committee may make such alterations, revisions or additions to the House Rules as are consistent with the Rules of the Club. Any such alterations, revisions or additions shall be submitted to the next Annual General Meeting for confirmation and unless confirmed shall cease to have effect.

### **34. Child Protection Policy**

The Club has adopted and is committed to observing its Child Protection Policy set out as an appendix to these Rules. Members and Associates in contact and working with children and young people in the Club shall observe the Code of Conduct in this policy at all times.

### **35. Health & Safety Policy**

The Club has adopted and is committed to observing its Health & Safety Policy in order to provide a safe environment for the promotion of organised sailing, boating, diving and other associated water sports. Members and Associates shall adhere to the principles and procedures set out in this policy at all times.

### **36. Data Protection Policy**

The Club has adopted and is committed to observing its Data Protection Policy set out as an appendix to these Rules.

### **37. Abandoned Boats**

If, at any time, any fees payable to the Club by any member or former member (whether by way of arrears of subscriptions or facilities fees, park fees or otherwise) shall be three months or more in arrears and a boat and/or trailer the property of a member or former member remains upon the Club premises, then the member or former member shall remove the boat and/or trailer from the Club immediately. If the member or former member fails to remove the boat and/or trailer, the Executive Committee may :-

a) Move the boat and/or trailer to any part of the Club premises without being liable for any loss or damage to the boat and/or trailer howsoever caused.

(b) Give three months' notice in writing to the member or former member at his last known address as shown in the Club Register and thereafter sell the boat and/or trailer and deduct any monies due to the Club from the net proceeds of sale before accounting for the balance (if any) to the member or former member.

(c) Alternatively, if the boat and/or trailer is unsaleable, after giving notice in writing

as aforesaid, dispose of the boat and/or trailer in any manner the Executive Committee may think fit and deem the cost of so doing and any arrears as aforesaid to be a debt owing to the Club by the member or former member.

(d) the Club reserves the right to charge storage for the boat and/or trailer until such time as the owner removes the boat and/or trailer or until notice has been served under clause (b) above.

PROVIDED ALWAYS THAT:- Proper evidence is available to show that all reasonable steps have been taken to trace a member or former member and that, when and if the boat and/or trailer is sold, if the Club is unable to account to the member or former member for the balance of the proceeds of sale pursuant to clause (b) above then the balance of the proceeds of sale shall be placed upon bank deposit account and retained against the eventuality of a claim by the owner (whether he be the said member or former member or otherwise) for a period of six years.

### **38. Lien**

In addition to Rule 36 the Club shall at all times have a lien over members' or former members' boats and/or trailers on the Club premises in respect of all monies due to the Club whether in respect of of arrears of facilities fees or subscriptions or otherwise and shall be entitled to retain possession of the boats and/or trailers until such time as all monies due to the Club have been paid in full.

### **39. Acknowledgement**

The members acknowledge that these Rules constitute a legally binding contract to regulate the relationship of the members with each other and the Club.

### **40. Interpretation of Rules**

In the Rules of the Club, unless the context otherwise requires, the masculine shall include the feminine, the singular the plural and the plural the singular. The Executive Committee's interpretation of any doubtful part of these Rules shall be binding on every Member or Associate until set aside by a General Meeting.

## *Appendix 1: - HOUSE RULES*

1. All visitors to the Club shall be introduced by a Voting Member and shall sign the Visitors' Book in accordance with Club Rules.
2. The Clubhouse shall be open to Members and Associates at the discretion of the Executive Committee. Times are to be displayed in foyer.
3. Persons under 15 years of age are permitted in the Upstairs lounge up to 9:00 pm when accompanied by and under the direct supervision of their parent(s) or guardian(s) or, in particular circumstances, at the discretion of the Executive Committee. Cadet Associates between the ages of 15 and 18 years of age are permitted to be unaccompanied in the upstairs lounge up until 9:00 pm.
4. The wearing of wet sailing gear is forbidden in any carpeted area of the Clubhouse.
5. Sailbags, Duffle Bags, Holdalls, Clothing, etc., are not permitted in any part of the Clubhouse or grounds, except in the changing rooms.
6. Animals, except Guide Dogs, are not permitted in any part of the Clubhouse.
7. The Upstairs Lounge will not be open during the sailing season until 11:00 am to allow the lounge to be cleaned and the bar to be cleaned and restocked.
8. Outer clothing should not be left on chairs or floor in the lounge or Jubilee bar.
9. Cycling, Roller Skating or Skate-boarding is prohibited on the paved area around the Clubhouse or within the premises.
10. Alcohol shall not be brought into the Clubhouse without the express permission of the Executive Committee.
11. Members and Associates of the Club shall not book Club premises for the use of outside organisations of which they are members without incurring the full and proper charges associated with the booking.
12. E-cigarettes and similar 'vaping' devices shall be subject to the same restrictions in use on the Club premises as apply to conventional smoking products.
13. Members should be aware that bar staff are contractually obliged not to drink or smoke on duty or in uniform, and therefore should not offer alcohol or tobacco to bar staff while on duty or in uniform.

The House Rules were last amended at a meeting of the Executive Committee on 17<sup>th</sup> November 2014 and confirmed at the subsequent Annual General Meeting on 11<sup>th</sup> December 2014.

*Appendix 2:*

**CHILD PROTECTION POLICY**

The Club's Child Protection Policy is maintained as a separate document.

see -

<http://ballyholme.com/wp-content/uploads/2018/01/BYC-ChildPP.pdf>

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*Appendix 3:*

**HEALTH & SAFETY POLICY**

The Club's Health and Safety Policy is maintained as a separate document.

see -

<http://ballyholme.com/wp-content/uploads/2015/06/BYC-HSafetyP.pdf>

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*Appendix 4:*

**DATA PROTECTION POLICY**

The Club's Data Protection Policy is maintained as a separate document.

see -

<http://ballyholme.com/wp-content/uploads/2015/06/BYC-DataPP.pdf>

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This page was last updated on 18<sup>th</sup> January 2018.