

*The following Rules were approved by the Members at the Annual General Meeting on 4<sup>th</sup> August 2007 and were amended at EGMs on 2 Jan 2009 and on 2 Jan 2012. At the AGM on 10<sup>th</sup> August 2013 Bye Law 13 was deleted. The Club is registered as a Community Amateur Sports Club.*

## **RULES OF THE ROCK SAILING AND WATER SKI CLUB**

### PRELIMINARY

1. The Club shall be called THE ROCK SAILING AND WATER SKI CLUB.
  
- 2.(i) The objects of the Club are to provide facilities for and to promote and encourage participation of the whole community in sailing, water skiing, and other water sports ; to promote co-operation between users of boats of all kinds in the estuary of the River Camel; and to provide social and other facilities for Members
- (ii) The Club is to be run as a non profit making organisation. During the lifetime of the Club all profits and surplus will be used to maintain or improve the Club facilities. No profit or surplus will be distributed, other than on the winding up or dissolution of the Club to another non profit making body as defined in Rule 34.
  
3. In the Rules (except where the subject or context otherwise requires): "Club year" means a year from 1st October to the following 30th September unless and until otherwise determined by the Management Committee.  
"Voting Member" means a Member entitled to vote at General Meetings of the Club. A Family Membership and a Double Local Social Membership are both entitled to two votes.  
"The Rules" means the Rules of the Club for the time being in force.  
In the interpretation of the Rules, words importing the masculine gender shall include the feminine and the singular shall include the plural.

### MEMBERSHIP AND SUBSCRIPTIONS

- 4.(i) The classes of Membership shall be as follows:  
**Single Membership:** The Management Committee may from time to time subdivide single membership, for subscription purposes, into age categories. (At the date of the adoption of these Rules such categories are: Single, aged over 25 years; Student, aged 18 to 25 years.)  
**Family Membership:** One or both spouses or partners, and all the children of either of them under age 18 years on 1<sup>st</sup> January of the subscription year.  
**Social Membership:** Persons who do not own or use a private pleasure craft, and are permanently resident within the County of Cornwall, or aged over 75. This membership is divided into single and double categories. If members in these categories have children who are under 18,

these children are members of the Club and if they are qualified to RYA3 stage, they are allowed to take part in sailing races.

**Life Membership:** Persons falling within the terms of the Club's "Conditions of Life Membership" circulated to Members in June 1976 and amended in November 1977, (Under the amended Conditions, such membership is applicable for 25 years from the commencement date and confers during that period the rights (a) to freedom from membership subscription for the Member and, if applicable, the spouse; and to relief from one-half of the subscription in the case of Family membership; and (b) to transfer the benefits of Life membership (for the remainder of the said period of 25 years) to a child (if a Member) of the Life Member, except that such child shall in the case of Family membership be entitled to a reduction of one-third only in the Family membership subscription). As at the date of adoption of the revision of these Rules, this class is closed for further membership.

Membership in any of the foregoing classes shall confer full membership rights and privileges, including full use of all the Club's facilities, except as modified by Rule 21 (purchase of intoxicating liquors) and Rule 30 (voting at General Meetings).

In the foregoing classes the ages shall be taken at the date of election to membership, and every subsequent 1st January.

(ii) The Management Committee may elect (in such manner as they may from time to time prescribe) **Temporary Members** (including Family Members as defined in paragraph (i) above) for a period not exceeding 21 continuous days in any Club year, and may from time to time restrict the total number of Temporary Members and the number of times candidates for Temporary membership may be re-elected year by year (see Bye-Law 19.) Subject as otherwise provided in the Rules, a Temporary Member shall have full membership except that he may not (a) attend or vote at a General Meeting of the Club; (b) be an officer or a member of any Committee of the Club; (c) nominate any candidate for membership; nor (d) introduce guests to the Club.

5. Membership of the Club shall be open to all persons irrespective of ethnicity, nationality, sexual orientation, religion or beliefs; or of age, sex or disability except as a necessary consequence of the requirements of Sailing and Water Skiing as particular sports. The Club may refuse membership or expel from membership only for good and sufficient cause, such as conduct or character likely to bring the Club or sport into disrepute. Appeal against such a decision may be made to the Club's members and decided by a majority vote. All Members shall notify the General Secretary of changes in address.

6.(i) Entrance fees and subscriptions shall be of such amounts as shall be determined by the Management Committee in respect of each Club year. The rates (inclusive of Value Added Tax if applicable) in force from time to time shall be displayed on the Club Notice Board.

(ii) Subscriptions shall be due and payable on 1st January in each Club year. A Member whose subscription is unpaid by the last day in February shall not be entitled to have his name included in any list of Members and Boats published in respect of that Club year; and if still unpaid by the 1st May he shall cease to be a Member of the Club. After Easter Monday the Management Committee may display a list of Members whose subscriptions have not been paid.

7. The Club in General Meeting may, on the recommendation of the Management Committee, elect **Honorary Members** for life or for a fixed or defined period. Honorary Members shall pay neither entrance fee nor subscription and shall be entitled to all the privileges and benefits of membership.

8. A Member may retire from membership at any time by giving to the Honorary General Secretary notice in writing, but if he retires without having paid his subscription for the then current Club year he shall be liable for the same.

9. Every Member on joining the Club impliedly undertakes to comply with the Rules and all Bye-Laws made there under, and all Sailing, Water Ski or other Instructions made by the Management Committee; and any refusal or neglect to do so, or any conduct unworthy of a Member shall entitle the Management Committee to expel such Member provided that at least 14 days before expulsion he shall have had notice there of, and of the allegations made against him and of the intended resolution for his expulsion, and been invited to give in writing any explanation or defence. A Member expelled under this Rule shall forfeit all right in, and claim upon, the Club and its property. A notice under this Rule shall be duly given if sent by prepaid post to the address of the Member as appearing in the Club's records.

10. Members may introduce guests to the Club subject to such Bye-Laws as the Management Committee may from time to time make. The Member introducing a guest shall be responsible for all liabilities to the Club incurred by him or on his behalf. (See Bye-Law 1.)

11. Visiting water skiers and boat-owners and their crews participating in events organised by the Club and bonafide yachtsmen on passage and their crews may be admitted to the facilities of the Club on a daily basis or for such longer periods and subject to such terms, conditions and restrictions as the Management Committee may from time to time decide.

#### PRESIDENT, OFFICERS AND DIRECTORS OF ROCK SAILING CLUB (HOLDINGS) LIMITED

12. The Club in General Meeting and on the recommendation of the Management Committee shall elect a President for such period as may be determined.

13. The Officers of the Club shall be voting Members of the Club and shall consist of the President, the Commodore, a Vice-Commodore (Sailing), a Vice-Commodore (Water Skiing), a Rear Commodore, an Honorary Treasurer and an Honorary General Secretary. The Officers shall be elected at the Annual General Meeting each year as provided by Rule 17 and shall hold office for one year from the start of the next financial year of the club (which is 1<sup>st</sup> October.) They shall be eligible for re-election at the next Annual General Meeting. If, for any reason, there is not an AGM and election of Officers by 1<sup>st</sup> October, the Officers shall remain in place until such an election is held.

14. The Management Committee may, by resolution, appoint two or more Members to be the directors of Rock Sailing Club (Holdings) Limited and determine their length of tenure.

15. The Management Committee may cause any property or investments for the time being belonging to the Club to be held (or continue to be held) in the name of Rock Sailing Club (Holdings) Limited (a Company limited by shares and owned by and under the control of the Club) or in the names of such other nominees on behalf of the Club as the Management Committee shall think fit.

## MANAGEMENT

16.(i) There shall be a Management Committee and three operational Committees, namely the Sailing Committee, the Water Skiing Committee, and the House Committee.

(ii) The Management Committee shall consist of the Officers, the Honorary Sailing Secretary and Honorary Water Skiing Secretary, and a member of the House Committee nominated by that Committee.

(iii) Each of the operational Committees shall consist of such number of voting Members of the Club as the Management Committee shall from time to time determine. The Commodore shall be an ex officio Member of each of the operational Committees; the Vice-Commodore (Sailing) and the Honorary Sailing Secretary shall be ex officio Members of the Sailing Committee; the Vice-Commodore (Water Skiing) and the Honorary Water Skiing Secretary shall be ex officio Members of the Water Skiing Committee; and the Rear Commodore shall be an ex officio Member of the House Committee. The Honorary General Secretary shall be invited to attend the meetings of the operational Committees.

(iv) The Club in General Meeting, and on the recommendation of the Management Committee, may also form a Junior Committee, constituted and elected in such manner as may be so recommended.

## ELECTION OF OFFICERS AND COMMITTEE MEMBERS

- 17.(i) Candidates for the offices comprising the membership of the Management Committee (other than the Commodore and the member from the House Committee) and the candidates for the operational Committees shall each be nominated by two voting Members of the Club.
- (ii) The General Secretary shall post on the Club Notice Board at least 28 days before the Annual General Meeting a Notice calling for such nominations and the same shall be delivered to him at least 10 days before that meeting.
- (iii) If there shall be more than one candidate for each office, or if the number of candidates for each operational Committee shall exceed the number of vacancies to be filled the election in each case shall be by ballot at the Annual General Meeting but otherwise the candidates shall be deemed to have been elected.
- (iv) In the event of a ballot resulting in an equality of votes the successful candidate shall be decided by lot.
- (v) The Management Committee may appoint a voting Member to fill any casual vacancy occurring on the Management Committee or any of the operational Committees until the next Annual General Meeting.
- (vi) The Commodore shall be elected in following manner. The Honorary General Secretary shall post on the Club Notice Board, prior to Good Friday in every year, a notice calling for nominations for the Office of Commodore. Each such nominations which shall be delivered to the Honorary General Secretary by the 31 May, shall be made by six Voting Members of the Club, one of whom shall be or have been an Officer of the Club and shall be accompanied by a concise statement of the prior activities of the nominee in the running of the Club. If more than one valid nomination shall be duly made, the election shall be by postal ballot, which shall be concluded by the 30th June and conducted in such a manner as the Management Committee shall from time to time decide; and the successful candidate shall take office as Commodore for one year from the start of the next financial year of the club (which is 1<sup>st</sup> October.)
- 18.(i) The Management Committee shall manage the general affairs of the Club in accordance with the Rules and shall define the duties of the several Officers (who shall in all respects be subject to the control of the Management Committee) and the duties, functions and powers of the operational Committees and, if formed, of the Junior Committee.
- (ii) Each of the Committees shall meet as necessary and make such arrangements as to the conduct and place of assembly and holding of meetings as it may wish.
- (iii) Four members shall form a quorum at a meeting of any Committee. The Chairman of the Management Committee shall be the Commodore and the Chairman of each operational Committee shall be the Vice or Rear Commodore dealing with the functions of that Committee. In the absence of any such Chairman, the meeting shall choose a Chairman.

- (iv) Decisions of all Committees shall be made by resolutions passed by a majority of those present, and in the case of equality of votes, the Chairman shall have a second or casting vote. A resolution circulated to all members of any Committee and assented to by not less than two-thirds thereof shall be as effective as a resolution passed at a duly convened meeting of that Committee and shall be so recorded in the Minutes.

19. The Management Committee shall appoint and may remunerate employees as they shall think fit and shall determine the terms and conditions of service.

20. The Management Committee may appoint sub-Committees consisting of one or more of their numbers and/or other Members of the Club as they think fit and may delegate any of their powers thereto. All sub-Committees so formed shall periodically report their proceedings to the Management Committee and shall conduct their business in accordance with the directions of that Committee and subject thereto the provisions of these Rules relating to proceedings of Committees shall apply so far as applicable.

21.(i) The purchase and supply of all wines, spirits and other excisable articles shall be under the control of the Management Committee for the benefit of the Members.

(ii) The hours for the sale of intoxicating liquors shall be fixed by Bye-Laws made by the Management Committee from time to time under Rule 22 in accordance with the Licensing Acts for the time being in force.

(iii) No Member, until at least two days after election, and no person under the age of 18 years, shall be entitled to order and pay for any intoxicating liquor.

22. The Management Committee may from time to time make, alter and repeal Bye-Laws regulating the use of Club premises, the admission of guests, the holding and conduct of sailing races, the conduct of water-skiing and the handling of power boats, and generally for the good conduct of the affairs of the Club, and the proper and considerate use of the estuary of the River Camel. Such Bye-Laws shall, provided they are not inconsistent with the Rules, be binding on all Members and be construed as part of the Rules of the Club until they are rescinded or varied by the Club in General meeting; and Rule 3 shall apply to the interpretation of Bye-Laws. A copy of all such Bye-Laws shall be published and kept in the Club premises and shall be supplied to every Member on request addressed to the Honorary General Secretary.

23. The Honorary General Secretary shall keep such registers of Members, minutes of proceedings of Committees and of General Meetings, and other records of the Club, and the Honorary Treasurer shall keep such books of account as the Management Committee may from time to time direct.

24. The funds of the Club shall be kept by the Honorary Treasurer under the supervision of and in such place and manner as shall be determined by the Management Committee. The Management Committee shall have the responsibility for the good stewardship of the Club's assets and the power to expend the Club funds in such manner as they think fit in accordance with the Rules and the objects of the Club.

25. The Honorary Treasurer shall keep all requisite books of account required to complete any relevant returns to statutory bodies, and shall cause to be prepared a statement of income and expenditure in respect of every Club year and a balance sheet as at the end of that year. At the next Annual General Meeting such accounts and balance sheet shall be submitted to the Club, and a copy shall be supplied to every Member on request addressed to the Honorary General Secretary.

26. At the Annual General Meeting in each year a firm of Registered Auditors shall be appointed who shall prepare the annual statement of accounts and balance sheet from the Honorary Treasurer's accounts and any other information provided to, or required by, them. Any vacancy occurring in the office of Registered Auditors between Annual General Meetings shall be filled by the Management Committee.

#### GENERAL MEETINGS

27. An Annual General Meeting shall be held in each Club Year at a time during the month of August and at a place (within either of the St. Minver parishes) to be determined by the Management Committee. The business at such meeting shall be the election of the Officers and Committees, the appointment of the Registered Auditors, the passing of the accounts and such other business as the Management Committee may determine.

28. The Management Committee may at any time, and shall on the requisition of any 30 voting Members, convene an Extraordinary General Meeting for any specific purpose, provided such purpose is stated in the requisition.

29.(i) The Honorary General Secretary shall at least 14 days before any General meeting send to every voting Member (subject as provided in this Rule) a notice of such meeting, stating the time when and the place where it will be held and in the case of an Extraordinary Meeting, the business for which it is called; and a copy of such notice shall be displayed on the Club Notice Board.

(ii) Inclusion in the Club's annual published fixture list of the date and time of the Annual General Meeting shall be deemed to be due notice thereof for the purpose of this Rule; and every such Annual General Meeting shall unless otherwise notified be held in the Club premises.

(iii) In the case of Family Membership, only one notice need be given in respect of each Family Membership unit, to the address shown in the Club records.

30. At all General Meetings the chair shall be taken by the Commodore, or failing him the Senior Officer present, or failing any of them by some Member chosen by the meeting. Every question shall be decided by a majority of votes. Every Member aged over 18 years shall have one vote, and in case of equality of votes the Chairman shall have a second or casting vote. The quorum at a General Meeting shall be 40 voting Members present.

31. At any Meeting, unless a poll is demanded by 10 voting Members, a declaration by the Chairman that a resolution has been carried, or carried by a particular majority, or lost or not carried by a particular majority, shall be conclusive.

32. If a poll be duly demanded it shall be taken in such a manner, and at such a time and place, and either immediately or after an adjournment not exceeding seven days, as the Chairman of the meeting directs; and the result of the poll as declared by the Chairman shall be deemed to be the resolution of the meeting at which the poll is demanded.

#### ALTERATION OF RULES

33. These Rules may be altered or repealed, or new Rules may be made by resolutions at the Annual General Meeting, or at an Extraordinary Meeting duly summoned for the purpose, provided that

- (i) particulars of such alterations, repeals or new Rules shall be given in the notice convening any such meeting and,
- (ii) no such resolution shall be deemed to have been passed unless it is carried by a majority of at least two-thirds of the voting Members present.

#### DISSOLUTION OF THE CLUB

34. 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 but shall be given or transferred to a registered Community Amateur Sports Club, a registered charity or the governing body of sailing or water skiing, as may be determined by resolution passed at a General Meeting of the Club at or before the time of the dissolution.

## GENERAL BYE-LAWS MADE BY THE MANAGEMENT COMMITTEE UNDER RULE 22

1. Members shall enter the names of all guests in the Visitors Book. Not more than 3 guests may be introduced by any one member in any one day and the same guest may not be introduced by any member more than 12 times in any one calendar year and more than 6 times in any calendar month. Members are expected to remain with their guests for the majority of the time the guests are present. (This privilege does not entitle the guests to take part in sail racing or skiing unless they have paid the appropriate fee).
2. No dogs may be brought into the Club House.
3. Cars may only be parked on the quay for the purpose of loading and unloading for which the maximum time allowed is 5 minutes. Officers and employees may park on the quay when working at the club provided consideration is given to the needs of Members.
4. Road trailers are not permitted to be left on the quay. Dinghies berthed on the quay must be on launching trolleys and must be clearly identified.
5. The Club premises shall be open to Members at such times as the Management Committee shall direct.
6. The bar will be open at such hours as may be decided by the Management Committee subject to any restrictions imposed from time to time by law.
7. The Management Committee may permit other bodies and organisations to use the Club premises and facilities upon such terms and conditions as the Management Committee shall determine and shall encourage the same within the limits of the availability of such facilities.
8. No radios or tape recorders and other similar audio instruments may be played on the Club premises, including the quay, except with the permission of the Management Committee.
9. No member or guest may sleep overnight on the Club premises without formal permission.
10. Members may not leave any equipment on the Club premises other than sailing or ski clothes in the changing rooms. Any property left on the club's premises is at the owner's risk.
11. Only persons authorised by the Principal Race Officer are permitted on the starting balcony or into the Race Officer's Box.

12. Children under the age of fourteen are not allowed into the bar area and, if on the Club premises after 7.30 p.m., they must be accompanied by an adult Member.
13. Being out of date, this Bye Law was deleted at the AGM in 2013.
14. The pool table may be covered at any time at the discretion of the Steward. Children under the age of fourteen may not play pool unless playing under the supervision of an adult Member.
15. Members and their guests may not enter the Club Room or cabin area wearing wet clothes.
16. When the galley is open for service Members shall not bring food or drink for consumption in the Club House which has been purchased outside the Club. This does not include food brought for Club barbeques.
17. No Members or guests shall enter the cabin area unless they are using the Club accommodation.
18. The Management Committee may allow a properly constituted club to be affiliated to Rock Sailing and Water Ski Club under such terms as they may determine.
19. Temporary Membership (see Rule 4(ii)) shall not be available in July and August, shall not be granted to a person in more than two consecutive years and the fees for temporary membership shall be set by the management committee.