

- 1 Name** The Club shall be called Thorpe Bay Yacht Club. ('the Club')
- 2 Objects** The objects of the Club shall be the encouragement of amateur yacht sailing, racing, seamanship, navigation and to provide and maintain a club house for the use of the members of the Club.
- 3 Burgee** The burgee of the Club shall be blue with a red border and a white seagull in the centre.

## **CONSTITUTION AND MEMBERSHIP**

- 4 Constitution**

The Club shall consist of ordinary members, cadet members, life members, honorary members, temporary members and lunchtime members.
- 5 Eligibility for Membership**
  - 5.1** Except where otherwise provided by these Rules any amateur yachtsman/woman or other person having an interest in the objects of the Club who is eighteen or over on the date of his application for membership (or the date of his/her election in the case of a candidate for life membership or honorary membership) shall be eligible for any class of membership except cadet membership. Any such person who is under the age of eighteen at the date of his/her application for membership shall be eligible for cadet membership or temporary membership only.
  - 5.2** No person under the age of 18 shall be admitted to Cadet Membership unless a parent or guardian is a member, and is admitted to membership concurrently.  
*Amended at AGM 2023*
- 6 Ordinary & Cadet Membership**

Every candidate for ordinary or cadet membership shall be proposed by one and seconded by another ordinary member of the Club to whom the candidate shall be personally known and who shall have been members for at least twelve months. The application for membership of any such candidate shall be made in writing, signed by the candidate and by his/her proposer and seconder and shall be in such form as the Committee may from

time to time prescribe. The application (which must be accompanied by the appropriate entrance fee and subscription) shall be deposited with the Secretary, and shall be exhibited on the Club notice-board for at least twenty-one days prior to election and any member who objects to the candidate may make his/her objection in writing (stating the grounds thereof) addressed to the Secretary who shall communicate the same to the Committee but to no other person.

**7 Election to ordinary and cadet members**

Admission to ordinary or cadet membership shall be by election of the Committee and a candidate who receives the votes of a majority of the Committee shall be declared elected. On the election of a new member the Secretary shall notify the same to him/her in writing and furnish him/her with a copy of the Rules. In the event of a candidate not being accepted by the Committee the Secretary shall notify him/her accordingly and return his/her entrance fee and subscription. No reason shall be given to the candidate if his/her application is not accepted.

**8 Life Membership**

(i) On the recommendation of the committee an ordinary member may be elected by the Club in general meeting to be a life member upon payment of such a sum in lieu of all future subscriptions as the meeting shall think fit. A majority of two thirds of the members voting shall be necessary for such election.

(ii) Any member who has paid subscriptions for a continuous period of 50 years and is over 68 years of age, shall be made a life member of the Club and shall not be required to pay any future subscriptions.

**9 Honorary Membership**

On the recommendation of the Committee honorary members may be elected by the Club in general meeting at which a majority of two thirds of the members voting shall be necessary for such election. Honorary members may be elected for life or for such other period as the meeting shall think fit. The Committee shall have the power to elect honorary members for one year as they think fit. A majority of two thirds of the Committee shall be necessary for such election.

**10 Temporary Membership**

Any person who is eligible for admission as a member and does not reside within fifty miles from the Club house may be elected

as a temporary member of the Club (but for not more than three months in any one year) upon payment of such sum as the Committee shall from time to time determine. Every application for temporary membership shall be made in writing to the Secretary and shall be exhibited on the Club notice board for at least two days prior to election.

**11 Limit on Numbers of Life Members**

The total number of life members shall not at any time exceed five-percent of the total number of ordinary members.

**ENTRANCE FEES AND SUBSCRIPTIONS**

**12 Subscriptions to be fixed at the AGM**

The entrance fees and subscriptions for all Club members shall be published in the notice of the Annual General Meeting for confirmation by the members at that meeting and, subject to such confirmation, shall apply during the calendar year immediately following that meeting. In the event of any of the published subscriptions or entrance fees not being confirmed by the members such subscriptions or entrance fee for the following calendar year shall be either an amount equal to the corresponding subscription or entrance fee at the date of the meeting, or such intermediate amount as the meeting shall resolve.

**13 Payment of Subscriptions**

All annual subscriptions shall be payable in advance on the 1<sup>st</sup> January. A cadet member shall become an ordinary member without formality on attaining the age of eighteen but shall not be liable to pay the ordinary members subscription until the calendar year following that in which his/her eighteenth birthday occurs. A member elected after 1<sup>st</sup> January in any year shall be liable to pay only one-twelfth of the appropriate annual subscription multiplied by the number of whole months remaining in that calendar year after the date of his/her election.

**14 Reduced Subscriptions**

The Committee may, through a unanimous decision, provide that any existing active sailing or voluntary duty member shall, as a result of personal hardship, be liable to pay a special reduced subscription the amount of which shall be fixed in accordance with Rule 12. In special individual circumstances referred to it in writing the Committee, may in its absolute discretion reduce or postpone payment of a member's entrance fees and /or

subscription for any year, on order to alleviate the hardship and ensure the continuing membership of that member.

## **PRIVILEGES OF MEMBERSHIP**

### **15 All Members**

Subject to the Club Rules and byelaws and any relevant statutory provisions members, subject to their category of membership, shall be entitled to use the premises and property of the Club and to purchase meals and refreshments and to make use of such facilities as are provided by the Club for the use of its members.

### **16 All members except Cadet Members and Temporary Members**

Subject as aforesaid only ordinary members and life members shall be entitled to nominate or be elected as members of the Committee, to vote at Members and general meetings, to require the Committee to call a general meeting, and to propose any business to be transacted at a general meeting.

### **17 Non-members**

A person who is not a member of the Club shall be excluded from any of these privileges but a member other than a temporary or cadet member may introduce guests who must be accompanied by the member introducing them. Prior to any guest taking advantage of any Clubhouse facility his/her name and address and the name of the member introducing him/her shall be entered into the visitor's book. Except as follows no non-member may take advantage of any Clubhouse facility on more than six days in any year. A member may introduce his/her son or daughter who is not a cadet member and is under the age of 11 more than six times and without being required to complete the visitor's book provided he/she is accompanied by the member at all times, and provided he/she does not make use of the sailing facilities. A non-member taking advantage of any Club facility shall be subject to the rules and bye-laws of the Club and his/her conduct shall be the responsibility of the member introducing him/her. In the event of a misdemeanour being committed by a non-member disciplinary action may be taken against the member introducing him/her as if that member had committed the misdemeanour himself/herself. Responsibility of a member for a non-member shall cease when the non-member leaves the Club premises.

### **18 Visitors**

No person who has been expelled from this, or any other Yacht Club, or who, at the request of the Committee has resigned membership, or who, having been a candidate for election has been rejected, or is indebted to the Club, shall be admitted as a visitor.

**19 Members of Other Yacht Clubs**

A member of any yacht club recognised by The Royal Yachting Association, or a person taking part in any event organised by or sponsored by the Club may be authorised by any member of the Committee to use the facilities of the Club and, subject to any relevant statutory provisions, to purchase intoxicating liquor.

**20 ~~Register of Members~~**

~~A record of the names and addresses of all members of the Club shall be kept at the Club house and shall at all reasonable times be open for inspection by any member.~~

*Deleted at AGM 2023*

**TERMINATION OF MEMBERSHIP**

**21 Resignation**

Any member wishing to resign his/her membership of the Club shall give notice to the Secretary in writing of his intention so to do before 31<sup>st</sup> December in any year, failing which such member shall be liable to pay the appropriated subscription for the next year.

**22 Forfeiture**

Any member whose annual subscription is not paid before the 1<sup>st</sup> March shall cease to be a member of the Club unless the Committee shall before the following 1<sup>st</sup> April suspend the operation of this Rule as regards a particular member upon such terms as it shall in its absolute discretion think fit.

**23 Expulsion**

Where the conduct of a member or group of members is considered by the committee to bring the Club into disrepute or to be objectionable and inappropriate to other members the member/group of members may be required to resign, and if so requested do not do so within seven days then the member/group of members may be expelled by resolution of the Committee, and thereupon cease to be a member/members of the Club. A member/members expelled from the Club shall not use the facilities of the Club or enter the Clubhouse. A member/members expelled under this Rule shall have a right of

appeal by giving written notice of appeal to the Secretary within ten days from the posting of the notice of expulsion. Thereupon an extraordinary general meeting shall be convened within fourteen days and if such meeting shall pass a resolution rescinding the expulsion then the member shall be reinstated as from the date of the resolution.

**24 Suspension**

If in the opinion of the Committee the conduct of a member shall be such as to render him/her liable for expulsion under Rule 23 the Committee may, instead of requiring him/her to resign, suspend his/her membership for such a period, not exceeding six months, as it shall think fit and during that period that member shall not be entitled to any of the privileges of membership. A member so suspended shall be barred from the Clubhouse and from taking advantage of any Club facility for the duration of the suspension.

**25 Effect of Termination**

Any member who is expelled or otherwise ceases to be a member shall forfeit all right to or claim upon the Club or its property or funds and shall be subject to all liabilities incurred by him/her up to the date of termination of his/her membership. He/she shall not be entitled to a refund of any part of his/her subscription for the year in which his/her membership terminates. This Rule shall apply so far as appropriate to any person whose membership is suspended under Rule 24.

**GENERAL MEETINGS**

**26 Annual General Meeting**

The Club shall in November of each year hold a general meeting as its Annual General Meeting and shall specify the meeting as such in the notices calling it. The Annual General Meeting shall be held at such time and place as the Committee shall appoint.

**27 Other General Meetings**

All general meetings other than the Annual General Meeting shall be called extraordinary general meetings. The Committee may convene an extraordinary general meeting whenever it thinks fit and shall do so on requisition made in writing by a number of ordinary members and life members totalling at least five percent of the total of ordinary members at that time. Any requisition made by the members must state the object of the meeting proposed to be called and must be signed by the requisitionists and deposited with the Secretary. On receipt of

the requisition the Committee shall forthwith proceed to convene an extraordinary general meeting. If it does not do so within twenty one days from the date of the deposit of the requisition the requisitionists or a majority of them may themselves convene a meeting and any expenses necessarily incurred by them shall be paid by the Club if the meeting so resolves.

**28 Notice of General Meetings**

The Secretary shall at least fourteen days before any General meeting send to every member entitled to attend such meeting a notice stating the time, date and place thereof, and the business that will be brought before it. No business shall be brought forward at any meeting unless notice thereof shall have been duly given as herein provided but the accidental omission to give notice of any meeting to or the non-receipt of such notice by any member or members shall not invalidate the proceedings at that meeting.

**PROCEEDINGS AT GENERAL MEETINGS**

**29 Business of the Annual General Meeting**

The business of the Annual General Meeting shall be the consideration of the accounts, balance sheets and the reports of the Committee and reporting accountants, the election of the Committee, the confirmation of the entrance fees and subscriptions, and any other business of which written notice shall have been given to the Secretary before the 15<sup>th</sup> October preceding such meeting.

**30 Quorum**

No business shall be transacted at any general meeting unless a quorum of members is present at the time when the meeting proceeds to business. Unless otherwise provided by these Rules twenty-five members personally present shall be a quorum.

**31 Meeting to be dissolved or adjourned if no quorum**

If within half-an-hour from the time appointed for the meeting a quorum of members is not present the meeting if convened on requisition of members shall be dissolved. In any other case it shall stand adjourned to the same day in the following week at the same time and same place, but if for any reason this shall not be possible the meeting shall stand adjourned to such time

and place as the Committee shall (by notice given to every member entitled to attend) appoint. If at the adjourned meeting a quorum of members is not present within half-an-hour of the time appointed for the meeting the members present shall be a quorum.

**32 Chairman**

The senior flag officer present shall preside as chairman at every general meeting of the Club but if there is no flag officer present within five minutes of the time of holding the same the members present shall choose anyone their number to be chairman of the meeting.

**33 Adjournment**

The chairman may with the consent of the meeting adjourn the meeting from time to time and from place to place but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.

**34. Declaration of chairman conclusive**

At any general meeting unless a poll is demanded by the chairman or at least one-third of the members personally present a declaration conclusive by the chairman that a resolution has or has not been carried and an entry to that effect in the minute book shall be conclusive evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against the resolution.

**35 Polls**

If a poll is properly demanded as provided by Rule 34 the same shall be taken in such manner as the chairman directs and the result of the poll shall be deemed to be the resolution of the meeting at which the poll was demanded.

**36 Votes at Meetings**

No members shall be entitled to vote at any meeting unless all the monies then due from him/her to the Club have been paid. Every member of the Club present and entitled to vote shall have one vote and no more except that in the case of equality of votes the chairman shall have a second or casting vote.



## **THE COMMITTEE**

### **37 Constitution of the Committee**

There shall be a Committee consisting of the Commodore, Vice-Commodore, Rear Commodore (Racing) and Rear Commodore (Cruising) who shall be Flag Officers, Treasurer, House Management Representative, Cadet Representative, Sailing Secretary, Membership Officer, Sail Training Officer and Social Representative. The Committee shall be elected at each Annual General Meeting and shall hold office until the next succeeding Annual General Meeting when they shall retire but be eligible for re-election. A flag officer shall not be eligible for re-election to an office which he/she has held for the preceding three consecutive years. The Committee shall have the power to co-opt up to two additional members onto the Committee to serve for specific purposes. Such co-opted members shall serve only until the next Annual General Meeting.

### **38 Election of Members**

Any two ordinary members or life members of the Club may nominate any other ordinary member to serve as a member of the Committee having previously received his/her assent. The name of each member so nominated together with the names of his/her proposer and seconder shall be sent in writing to the Secretary at least ten days before the Annual General Meeting. The names of the candidates in alphabetical order with their proposers and seconders shall be posted on the Club notice board for at least seven days immediately preceding the Annual General Meeting.

### **39 Casual Vacancies**

Any casual vacancy arising on the Committee shall be filled by appointment by the Committee until the next Annual General Meeting

### **40 Vacation of Office**

The office of a member of the Committee shall be vacate if he/she ceases to be a member of the Club, or if he/she is absent from three consecutive meetings of the Committee without special leave of absence from the Committee, or if he/she gives the Committee one calendar months' notice in writing that he/she is resigning his/her office, or if he/she is removed by a resolution

passed at a general meeting of the Club.

**41 Duties of the Committee**

The Committee shall manage the affairs of the Club as shall define the duties of the several sub-committees who shall in all respects be subject to the control of the Committee. The Committee may from time to time make, alter and repeal such byelaws as they shall consider necessary for the good conduct of the affairs of the Club. Such byelaws shall, provided they are not inconsistent with the Rules of the Club for the time being, be binding on all members and be construed as part of the Rules unless they are rescinded or varied by the Club in general meeting.

**42 Secretary**

The Committee shall appoint a Secretary upon such terms and conditions and remuneration as it thinks fit and shall have power to terminate any such appointment subject to the requirements of law, and to subsequently fill the vacancy.

**43 Meetings of the Committee**

The Committee shall meet at least once a month to examine the accounts and arrange the affairs of the Club. Notices of meetings shall be sent to each member of the Committee. A quorum shall consist of four members. Minutes shall be taken of all proceedings and after approval by the Committee shall be open to the inspection of any member of the Club applying to the Secretary therefor.

**44 Expenses of the Committee and Indemnity**

All expenses reasonably incurred by the Committee on behalf of the Club shall be paid by the Club; and them members of the Committee and each of them shall be indemnified out of the property of the Club in respect of all proceedings, costs, claims and demands whatever arising out of their conduct of the affairs of the Club.

## **SUB-COMMITTEES**

### **45 Delegation by the Committee**

The Committee may from time to time delegate any of its powers to such sub-committees consisting of one or more members of the Club as it shall think fit to appoint and may recall or revoke any such delegation or appointment. Except where expressly provided by these Rules members of any sub-committee need not be members of the Committee by no sub-committee concerned with the purchase for the Club or with supply by the Club of intoxicating liquor shall include any members who are not members of the Committee.

### **46 Standing Sub-Committees**

Without prejudice to the generality of Rule 45, the Committee may appoint the following standing sub-committees namely the racing sub-committee, the cruising sub-committee, the house management sub-committee, the cadet sub-committee and the social sub-committee. Each sub-committee shall meet when necessary and the chairman thereof shall cause minutes to be taken of all proceedings and shall present them to the next meeting of the Committee. Flag Officers shall be ex-officio members of all sub-committees.

## **PURCHASE AND SUPPLY OF INTOXICATING LIQUOR**

### **47 Intoxicating Liquor**

**47.1** No person under the age of 18 years may purchase, be supplied with, or consume intoxicating liquor on the Club premises unless that person is participating of a table meal in company with a parent or reasonable adult over 18 years and the consumption of intoxicating liquor is ancillary to the meal.

**47.2** Intoxicating liquor will not be supplied or sold, or allowed to be consumed by any person that the Steward or Club Officer considers to be drunk.

### **48 Permitted Hours**

The maximum permitted hours for the supply of intoxicating liquor shall be those for the time being in force in the district. Subject thereto the Committee shall fix the hours during which

the bars shall be open on any day and shall be responsible for the purchase for the Club and the supply by the Club of intoxicating liquor.

**49 Members shall not make a profit**

Except for services rendered at the request of the Committee no member shall on any pretence or in any manner receive any profit, a salary or emoluments from the funds or transactions of the Club. The Club is a non-profit making organization. All profit and surpluses will be used to maintain or improve the Club's facilities. No profit or surplus will be distributed other than to another non-profit making body or to members upon the winding-up or dissolution of the Club.

**50 Benefit not to accrue on purchase or supply of liquor**

No person shall at any time be entitled at the expense of the Club any commission, percentage or similar payments on or with reference to purchases of intoxicating liquor by the Club; nor shall any person directly or indirectly derive any pecuniary benefit from the supply of intoxicating liquor by or on the behalf of the Club to members and guests apart from any benefits accruing to the Club as a whole and apart also from any benefit which a person derives indirectly by reason of the supply giving rise to or contributing to a general gain from the carrying on of the Club.

## **CLUB PROPERTY AND FUNDS**

### **51 Trustees**

The property of the Club shall be vested in four trustees appointed by the Committee and shall be dealt with by them as the Committee may from time to time direct by resolution (of which an entry in the minute book shall be conclusive evidence). The Trustees shall be indemnified against risk and expense out of the Club property and shall hold office until death or resignation, or until removal from office by the Committee. Where by reason of such death, resignation or removal it is necessary that a new trustee or trustees be appointed the Committee shall nominate the person or persons to be appointed the new trustee or trustees. For the purpose of giving effect to such nomination the Commodore is hereby nominated as the person to appoint the new trustees of the Club within the meaning of Section 36 of The Trustee Act 1925 and he/she shall by deed duly appoint the person or persons so nominated by the Committee.

### **52 Funds**

The funds of the Club shall be kept by the Treasurer under the supervision of and in such place and manner as shall be determined by the Committee. The Committee shall have power to expend the Club funds in such manner as they think fit in accordance with these Rules and the objects of the Club.

### **53 Accounts**

The Club accounts shall be made up to the 30<sup>th</sup> September in each year. The Committee shall cause to be prepared accounts in accordance with generally accepted accounting principles and printed every year. A statement of accounts shall be submitted to the Club at the next Annual General Meeting and a copy of the same shall be sent to every member with the notice convening such meeting.

### **54 Reporting Accountant**

A Reporting Accountant who shall be a member of a recognised accounting body, shall be appointed by the Annual General Meeting held in each year to hold office until the following Annual General Meeting. The Reporting Accountant shall report on the accounts presented to the Annual General Meeting. Members of the Committee shall not be eligible for the Office of Reporting Accountant. The Committee shall have power to fill any casual vacancy arising in the Office of Reporting Accountant through

death, resignation, etc. of a duly elected Reporting Accountant.

**55**

**Borrowing Powers**

If at any time the Club shall in general meeting pass by a majority of two thirds of the members voting, a resolution authorising the Committee to borrow money the Committee shall thereupon be empowered to borrow for the purposes of the Club such an amount either at one time or from time to time up to a maximum 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 of the Club whether voting on such resolution or not and all persons becoming members of the club after passing of such resolution shall be deemed to have assented to the same as if they had voted in favour thereof.

## **DISSOLUTION**

### **56 Dissolution**

If at any general meeting a resolution for the dissolution of the Club shall be passed by a majority of the members voting and such resolution shall, at an extraordinary general meeting held not less than one month thereafter at which not less than one half of the members shall be present, be confirmed by a resolution passed by a majority of two-thirds of the members voting thereon, the Committee shall thereupon or at such future date as shall be specified in such resolution proceed to realise the property of the Club and after discharging all liabilities shall divide the same among all ordinary members, life members and cadet members in proportion to the number of consecutive years which each individual shall have been a member and upon the completion of such division the Club shall be dissolved.

## **AMENDMENT OF RULES**

### **57 Amendment of Rules**

These Rules may be altered or repealed or new Rules may be made by resolution at a general meeting duly convened provided that no such resolution shall be deemed to have been passed unless it is carried by a majority of at least two-thirds of the members voting thereon.

## **NOTICES AND INTERPRETATION**

### **58 Notices**

Every member shall from time to time communicate to the Secretary his/her address or that of his/her banker or agent, and all notices posted to such address shall be deemed to have been received by the member on the date on which it should arrive in the normal course of first-class post.

### **59 Interpretation**

Where the context so requires or permits the singular shall include the plural and the masculine shall include the feminine person or vice versa.

### **60 Committee Decisions to be final**

Every member and candidate for membership shall submit to and be bound by these rules upon payment of his annual subscription. The Committee shall be the sole authority for the interpretation of Final these rules and the byelaws; and the

decision of the Committee upon any question of interpretation, or the validity of any election, or any matter affecting the Club and not provided for by these rules, shall be final and binding upon the members.

## **LIABILITY**

### **61 Limitation of Club Liability**

Members of the Club, and their guests and visitors, may use the Club premises, and any other facilities of the Club, entirely at their own risk and impliedly accept that:

(i) The Club will not accept any liability for any damage to or loss of property belonging to members, their guests or visitors to the club.

(ii) The Club will not accept any liability for personal injury arising out of the use of the Club premises, and any other facilities of the Club, or out of participation in any race organised by the club, whether sustained by members, their guests or visitors, or caused by the said members, guests or visitors, whether or not such damage or injury could have been attributed to or was occasioned by the neglect, default or negligence of any of the Officers, Committee or servants of the club.

(iii) before inviting any guests or visitors onto the premises or to participate in events organised by the club, members will draw their attention to this rule.

### **62 Young Persons and Safety**

Parents/carers must always take the ultimate responsibility for their child/children and any other child left in their care, even when the child is participating in activities being run by a club volunteer. They must:

1. Note that it is their sole responsibility to supervise their children whenever they are on the Club premises, surrounding areas and using the Club facilities. Organised Cadet activities do not excuse them of these responsibilities.
2. Understand that the club, although providing support boat facilities during Club activities, is not responsible for the supervision, control, or safety of children. At all times they have sole responsibility for their children/wards and must appreciate that the club does not exercise supervision or control. Even during club the club cannot supervise children, or any other persons, on or off the water.
3. Be aware of the Club Policy relating to child protection, and the Club's Parents Charter. (Copies of these documents are available from the Club Secretary)
4. Have due regard to Health and Safety considerations and



understand that any decision whether a Cadet may participate in a race/training session is the sole responsibility of that person's legal guardian, or their elected representative.

## ALTERNATIVE MEMBERSHIP CATEGORIES

### 63 **Corporate**

For the purpose of electing individuals to corporate membership as hereinafter defined the Committee may nominate any club, association or other organisation not carried on for purposes of private gain and the principal objects of which are to provide recreational or pastime facilities for its members. Every application for such nomination shall be made in writing addressed to the Secretary and shall be supported by such information as the Committee may require. Nomination shall be by a majority of two thirds of the Committee and no reason shall be given for refusal. A club, association or other organisation nominated in accordance with this rule is hereinafter referred to as an "eligible organisation" and there shall not be more than three eligible organisations at any one time. The qualifications of an eligible organisation as such shall be subject to such terms as to duration, payment of subscription and otherwise as the Committee may determine. Any member of an eligible organisation, except one who has been a member of the Club during the immediate previous three calendar years, may apply for membership of the club without compliance with the requirements as to proposer and seconder in rule 6 of these rules but shall provide the Committee with satisfactory evidence of his membership of the eligible organisation and, if elected, shall furnish the Secretary on request and from time to time with full details of his membership of that organisation. Election in pursuance of such an application shall be by a majority of two thirds of the Committee and no reason shall be given for refusal of election. A member so elected shall be known as "corporate member" and the expression "corporate membership" shall be construed accordingly. Corporate members shall not be called upon to pay an entrance fee but shall pay such subscription being not less than two thirds of the current annual subscription rate applicable to the appropriate class or cadet membership. Subject as hereinafter mentioned corporate members shall be entitled to all the facilities, benefits and privileges of membership of the Club except that they shall not share in the equity of the Club or have any voting rights not be eligible to attend general meetings nor be qualified to be Officers or members of the Committee. The Committee shall have the right to withdraw or cancel any corporate membership without giving any reason for doing so and any such membership shall immediately lapse if the relevant organisation ceases to be qualified as an eligible organisation under the forgoing provisions of this rule without, in either case, return of any subscription paid. There shall not be

more than thirty corporate members (whether belonging to the same or different eligible organisations) at any one time but an applicant who would have been elected but for this limitation may, at the discretion of the Committee, be named in a waiting list and may thereafter be admitted to corporate membership without further application when a vacancy occurs.

**64 Lunchtime Membership**

The Committee shall have the power to elect Lunchtime members (restricted to Monday to Friday lunchtimes and Friday evenings) to those persons who support the objects of the Club. Every application for lunchtime Membership shall be made in writing addressed to the Secretary and shall be supported by such information as the Committee may require. Election to lunchtime Membership shall be by a majority of two thirds of the Committee and no reason shall be given for refusal of election. Lunchtime members shall not be required to pay an entrance fee but shall pay such subscription as the Committee may determine from time to time. The Committee shall have the right to withdraw or cancel any lunchtime Membership without giving any reason for so doing and without return of any subscription paid. Lunchtime members shall not share in the equity of the club nor be eligible to attend general meetings nor be qualified to be Officers or members of the Committee.

*Amended and up-dated April 2008*

*Agreed at the AGM November 2008*

**THORPE BAY YACHT CLUB**

**BYE-LAWS**

## 1

### HOUSE

- 1a No animals, except guide-dogs, are allowed in the Clubhouse. (*Majority at AGM Nov23 agreed to trial for 2024.*)
- 1b No notice, advertisement or petition of any kind or sort may be displayed on any noticeboard without bearing the signature of a Flag Officer or the Secretary.
- 1c No member, or guest, shall take away or permit to be taken away, from the Clubhouse, under any pretence whatsoever, or shall injure or destroy, any property of the Club.
- 1d Any articles broken by members or guests must be paid for by them.
- 1e Members' complaints and/or suggestions must be in writing addressed to the Secretary for the attention of the Committee.
- 1f No members below the age of 18 years may introduce any guest to the Club.
- 1g No person wearing wet clothing is permitted in the upper Clubhouse except when there is an official Open Meeting and there is a floor covering laid down.
- 1h No drinks except those sold over the bar shall be brought into or consumed in the Clubhouse by any person.
- 1i Any person refused membership of the Club shall not be permitted to be signed in as a guest by any member at any time.
- 1j The Committee reserves the right to refuse entry to the Clubhouse to any person who is not a member of the Club.
- 1k All members under the age of 18 are not allowed to smoke or participate in any smoking activity in or on any part of the Club premises. The Club premises shall include the Club house, the Bosun's Hut, the Race Box and all the surrounding areas and the slipway.  
Any members who decides not to adhere to this will be called before the General Committee where a decision to suspend or expel them from the Club will be made.

## 2

### STAFF

No person except a Flag Officer may give instructions to, or reprimand a member of the Club staff. Any complaint against a member of the staff must be made in writing to the Secretary.

## 3

### SAILING

#### 3.1 GENERAL

- 3.1a A member requiring a Boat Park space or the use of any other facility for his/her boat must make formal

- application and submit this with the relevant current Boat Fee to the Club Secretary for the attention of the Sailing Committee. He/she shall not avail himself/herself of any such facility until written authority is issued.
- 3.1b Dinghies and catamarans should be firmly anchored to the ground.
  - 3.1c The Committee may at its absolute discretion refuse to give written authority as in 3.1a and its discretion shall be final. In the event that an application is refused the fee will be returned.
  - 3.1d Acceptance of the Boat Fee shall entitle the owner to park his or her boat in the Boat Park either from March to October or October to March as appropriate. Members wishing to leave a dinghy or catamaran in the Boat Park during the winter months must make formal application in writing to the Sailing Committee, and, if accepted, pay an additional fee. Applications will only be considered where members are sailing in the Winter and/or Icicle Series.
  - 3.1e The scale of Boat Fees for the following year will be published in the notice for the Annual General Meeting for confirmation by the members at the meeting, and in accordance with Rule 29. Payment of such fees by a member distinctly implies assent and submission to the Sailing Bye-Laws.
  - 3.1f The available Boat Park space will be allocated by the Club Secretary following consideration by the Sailing Committee. It is the responsibility of the individual owner to maintain his or her boat and equipment in seaworthy condition and be adequately insured, and his/her Boat Park space free from litter.
  - 3.1g Any boats left in the dinghy park by members after the End of Season Race without having either entered the Winter Series or been given prior permission by the Sailing Committee will, upon written notice, have 14 days to remove their boats from the dinghy park, or immediately pay their outstanding fees. Failure to comply will result in a £100.00 fine.
  - 3.1h Upon receipt of a written request to do so (sent by recorded delivery post or handed to the owner concerned) the owner of a boat which does not qualify for a Boat Park space shall remove it within 21 days of delivery of the request. In the event of the appropriate action not be taken by the owner at the end of three weeks a further letter will be sent giving 14 days extension. If after this period the boat has not been

removed the Committee will deliver a letter giving 14 days final notice that if the boat is not removed by the stipulated date it will be possessed by the Club and sold to the highest bidder. The former owner will have the right claim within 90 days of the date the sale price received less 20% payable to the Club as commission. The Committee will be responsible for immediately advising the former owner by recorded delivery of the price obtained. The Committee, in its absolute discretion, direct that the giving of any notice, request or letter pursuant to the Bye-Law may be satisfied in the exhibition thereof on the Club notice board for such period as it shall be deemed necessary in the circumstances of the particular case. Further, in the event of the former owner failing to make a claim for the balance of the sale price received within the time limit stated, the Committee may be empowered to appropriate it in any way it chooses.

- 3.1i Motor vehicles are not allowed to park in the Boat Park for any reason at any time.
- 3.1j Club Committee and support boats may only be used at such time and by such persons as duly authorised by the Flag Officer (Sailing) or, in his absence, another Flag Officer or the Duty Officer.
- 3.1k No Club boat may be used for the carriage of passengers for pleasure purposes.
- 3.1l Motorised craft, such as Ski Boats, RIBs, Jet Skis and other PWCs owned by Club members, will only be permitted to use the Club slipway, when in possession of the written permission of the General Committee and their use is solely for the support of a Club activity.

### **3.2 CLASSES & RACING**

- 3.2a With the exception of boats owned by the Club, sailing cruisers, dayboats, dinghies, catamarans and sailboards may be allowed in the Club at the discretion of the Sailing Committee.
- 3.2b All boats may race, and if required by the Class Rules have a valid class measurement certificate.
- 3.2c All boats must be adequately insured.

### **3.3 MOORINGS**

- 3.3a All members with moorings within the area allocated to the Club shall be bound by relevant Southend on Sea Borough Council Byelaws and Thorpe Bay Yacht Club amendments as given below.

- 3.3b On the recommendation of the Cruiser Captain the Committee will annually appoint a Mooring Officer who will allocate moorings and supervise adherence to these Byelaws.
- 3.3c Only Club members may be allocated moorings within the area to the supervision of the Club and on ceasing membership the holder will forfeit the mooring on the control of the Club.
- 3.3d All boats and mooring buoys must have their name clearly painted on the exterior.
- 3.3e A fee will be charged each year or portion of a year of registration. Such fee as laid down by the Council must be paid to Thorpe Bay Yacht Club upon allocation of the mooring in the first instance and thereafter must be paid to Thorpe Bay Yacht Club by 15<sup>th</sup> January each year.
- 3.3f Whenever it is desired to surrender the right to retain a mooring on the foreshore pursuant to a consent the Mooring Officer is to be immediately notified.
- 3.3g All moorings laid must be sunk well below ground level in the presence of the Mooring Officer and so maintained; and all mooring chains used must be of sufficient strength to ensure the safety of the boat or vessel under all weather conditions.
- 3.3h No mooring rights under any consent granted by the Council or the Committee may be transferred without the prior knowledge and consent in writing of the Mooring Officer.
- 3.3i No mooring may be let, leased or hired.
- 3.3j Unless seaworthy no boat or vessel will be allowed to remain on any mooring.
- 3.3k Should the registered holder desire to use his mooring for another boat than that originally specified in the form of Application, he shall, before so using the mooring, obtain the approval in writing of the Mooring Officer.
- 3.3l No advertisement, placard or hoarding (except warning notice against trespassers and damage) may be displayed on any boat, raft or other structure while at any mooring on the fore-shore without the prior consent of the Council.
- 3.3m If the prescribed fee is not paid within a reasonable time after 15<sup>th</sup> January the mooring in respect of which the fee becomes payable may be removed by the Committee at the expense of the registered holder, on giving at least one month's notice, and the right to the mooring will be forfeited.



- 3.3n Whilst endeavouring to allocate a site for a mooring in the position requested, the Committee reserves the right at all times to offer the nearest suitable alternative: and furthermore require the relocation of any existing mooring should the Committee deem this necessary or expedient but only after giving one month's notification and at no expense to the holder.
- 3.3o It is incumbent upon the applicant, prior to making his application for a site for a mooring, to satisfy himself/herself that the ground/area is clear of obstructions and suitable for a safe mooring of his boat or vessel thereon. The granting of consent hereunder by the Committee shall not be deemed to be a guarantee that the ground/area is so clear and suitable for safe mooring.
- 3.3p The Registered Holder shall indemnify the Council and the Club against all claims and demands, losses, charges, costs and expenses which the Council or the Club may at any time incur or become liable to in consequence of the Registered Holder failing to perform or observe these conditions or any of them.
- 3.3q The Council or Committee reserves the right to require any defective or unsuitable mooring to be either replaced or removed at the registered Holder's expense.
- 3.3r All new roots shall be to the approval of the Mooring Officer and shall be connected to the mooring chain by not less than a fathom of 0.751n (20mm) diameter open-link root chain fixed at both ends. The overall length of mooring from where it breaks ground to the bow of the boat shall not exceed 7.5 fathoms (13.7m)
- 3.3s The registered holder of a mooring is totally responsible for the provision of an appropriate mooring facility and its effective maintenance.
- 3.3t No person or persons shall reside on any boat, vessel or craft tied to the said mooring or use the same as a dwelling.

*Amended – May 2013*  
*Amended – Nov 2023*