

Beaver Sailing Club Constitution

1.0 Name & Object

- 1.1 The name of the Club is "The Beaver Sailing Club", and the burgee of the Club shall be a Gold Beaver on a Black background.
- 1.2 The object for which the Club is formed is to promote and facilitate water sports irrespective of the class of craft so long as such craft used at Beaver Sailing Club are propelled solely by means of sail or paddle or oar, except no one class shall exceed in number one third of the berths in the compound.

2.0 Membership

- 2.1 Anyone, whether the owner of a sailing craft, paddle board or rowing boat or not, who is keen and interested in sailing is eligible as a candidate for Membership.
- 2.2 The Club on the recommendation of the Committee may in general meeting elect honorary Members.
- 2.3 Every prospective Member shall complete an application form giving his or her name, address and any other particulars the Committee may require and hand it to a Committee member or post it to the Treasurer.
- 2.4 Members other than Honorary Members may be elected at any meeting of the Committee duly convened for that purpose or by such Officers as are delegated by the Committee. Candidates may, and on the request by any one member of the Committee, be elected by ballot.
- 2.5 Members of sailing clubs affiliated to the RYA who are on vacation or touring in the area can obtain limited temporary Membership on application to the Membership Secretary for a period not exceeding 14 days. During such time they will be granted access to the Club facilities
- 2.6 Every Member on joining the Club undertakes to comply with this Constitution and the Bye-Laws and any refusal or neglect to do so or any conduct which in the opinion of the Committee is either unworthy of a Member or otherwise injurious to the interests of the Club, shall render the Member liable to expulsion or suspension for a period to be determined by the Committee, provided that before expelling or suspending a Member the Committee shall call upon him or her for an explanation of his or her conduct and shall give him or her an opportunity of defending himself or herself or resigning his or her Membership.

The vote on a resolution for expulsion or suspension shall be by ballot and the resolution shall only be carried if not less than three-quarters of the Committee present are in favour of the resolution and provided also that at least two-thirds of the Committee are present.

- 2.7 Members and visitors shall release and indemnify the Club, its Officers and Committee from and against all liability for personal injury, whether fatal or otherwise, loss or damage to the personal property and any other loss, damage, costs and expenses however caused and incurred (whether or not by the act or neglect of the Club, its Officers or agents).?

3.0 Entrance Fees & Subscriptions (Details of current fees are available at the Clubhouse and on the Beaver Sailing Club website)

- 3.1 There shall be an Entrance Fee of such a sum as the Committee shall from time to time prescribe.
- 3.2 The classes of membership in the Club shall be as follows:
 - (a) Ordinary/Family Membership: described as any person aged 22 or over at 1st March includes partner and any children not yet 19.
 - (b) Young Adult Membership: described as any person over 19 not yet 22 at 1st March includes partner and any

children not yet 19.

(c) Junior Member: Any person not yet 19 at 1st March.

(d) Temporary Member: under Rule 2.5.

(e) Corporate Member: (at the discretion of the Committee). In respect of Corporate Membership, an additional fee will be charged by and for Beaver Sailing Club for each boat held at Beaver Sailing Club. This fee to be determined by the Committee on an annual basis.

The annual subscription payable by each class of member on election and on the 1st March each year shall be as from time to time prescribed by resolution of the Annual General Meeting provided also that the Committee may adjust the subscription for members by an amount not exceeding 10% of their existing subscription in any one year, such resolution to be notified to the membership not later than 31st January in any year to take effect from the following 1st March. In addition, a Boat Fee for each boat registered with the Club under the membership shall be payable in accordance with any amount levied by the Canal and River Trust.

3.3 A Member who has not paid his subscription by 31st March shall be requested in the name of the Committee to pay the same by the 30th April of that year otherwise the Membership will automatically lapse. The membership may be restored at the discretion of the Committee. All renewal subscriptions received after 30th April will not be accepted unless accompanied by a late entry fee.

3.4 No Member shall in any year be entitled to exercise any rights or privileges of Membership until his entrance and/or subscription for that year and all arrears (if any) are paid.

3.5 Any member after paying a boat fee shall be permitted to berth a craft, as outlined in Section 1.2 of the Constitution, in the compound. Any member who fails to pay the required boat fee by the 31st March shall be requested in the name of the Committee to remove any boat and any other equipment belonging to them from the compound by 28 days' notice and unless such boat and or other equipment shall have been removed by the expiration of such notice then the Committee shall be entitled to remove such craft and equipment and to sell the same as agent for the owner and to defray the cost of removal and sale out of the proceeds of such sale. The Committee shall not be liable for any loss or damage arising out of the exercise of the above right which shall be deemed in all cases to have been exercised in good faith. All notices under this clause shall be deemed to have been effectively served if served personally or sent by post to the person concerned at their last known address.

3.6 Members elected to the club between 1st October and 30th November shall pay two thirds of the current subscription and boat fee. After 1st December they shall pay one third of the current subscription and boat fee.

3.7 In order to advance the security of the clubhouse and dinghy park, the Committee will, from time to time, require to change all the access locks and keys. In order to finance the lock and key change a one off charge will be made to each application for membership at a time set at the discretion of the Committee. Such resolution to be notified to the membership not later than the 31st January in any year to take effect from the following 1st March. This charge to each member would be no more than the cost of the key to Beaver Sailing Club.

4.0 Trustees

4.1 There shall be four trustees of the Club who, if not already members thereof, shall be ex-officio members of the Committee. The first trustees shall be appointed by the Committee and they may or any of them may be appointed from members of the Committee and the property of the Club, other than cash which shall be under the control of the Treasurer, shall be vested in them to be dealt with by them as the Committee from time to time directs by resolution (of which an entry in the Minute Book shall be conclusive evidence).

4.2 The trustees shall be indemnified against risk and expense out of the Club property. The trustees shall hold office until death or resignation or until removed from office by a resolution of the Committee, who may for any reason

which may seem sufficient to a majority of them present and voting at any meeting remove any trustee or trustees from office of trustee. If by reason of any such death, resignation or removal it shall appear necessary to the Committee that a new trustee or trustees shall be appointed or if the Committee shall deem it expedient to appoint an additional trustee or trustees, the Committee shall by resolution 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 new trustees to the Club within the meaning of Section 36 of the Trustee Act 1925, and he shall by deed duly appoint the person or persons so nominated by the Committee as the new trustee or trustees of the Club and the provision of the Trustee Act 1925 shall apply to any such appointment. Any statement of fact in any deed of appointment shall be conclusive evidence of the fact and all deeds of appointment shall be construed in favour of a person dealing bona fide and for value with the Club or Committee.

4.3 Dissolution of the Club shall not be sanctioned except at a Special General Meeting at which two-thirds of the Members present are in favour of the dissolution. In the event of a dissolution, the assets of the Club will pass to a like-minded organisation with similar aims and objectives or at the direction of the Committee.

5.0 Officers

5.1 The Officers of the Club shall consist of a Commodore, a Vice-Commodore, the Rear Commodores, if any, an Honorary Secretary, an Honorary Treasurer, an Honorary Racing Secretary, an Honorary Membership Secretary, a Minutes Secretary, a Representative of the Club House Management Committee, an Honorary Marketing Officer, an Honorary Training Officer, Honorary Youth Officer, Honorary Maintenance Officer and Honorary Funding Officer who (except for the Rear Commodores) shall be elected at the Annual General Meeting each year. The retiring Officers shall be eligible for re-election. The Commodore and Vice Commodore shall not hold that office respectively for more than three consecutive years.

5.2 The Committee may submit to a General Meeting their nominees for election to the Office of Rear Commodore in recognition of past services to the Club. Election to this Office, which shall be held for the duration of the nominees Membership of the Club, shall be confirmed by a majority of those Members present and eligible to vote.

5.3 No candidate for election to any office, other than the retiring officers, shall be proposed unless the name of such candidate and his proposer shall have been sent to the Honorary Secretary sixty days before the date of the Annual General Meeting.

6.0 Committee

6.1 The Committee shall consist of the officers, ex-officio, and not more than twelve Members of the Club in General Meeting. No vote of the Committee shall take effect unless at least seven of its members are present. Six of those Members shall retire annually by rotation.

6.2 Candidates for election to the Committee shall be those retiring Members of the Committee who shall offer themselves for re-election and such other Members of the Club whose nominations duly proposed and seconded by Members of the Club, in writing, shall have been sent to the Honorary Secretary sixty days before the date of the Annual General Meeting

6.3 If the number of candidates duly proposed and seconded exceeds the number of vacancies to be filled, the election shall be by ballot.

6.4 If a casual vacancy occurs by death or resignation the Committee may co-opt a Club Member to fill the vacancy.

6.5 The Minutes of proceeding shall be taken of every meeting of the Committee or Special Committee, and when confirmed or approved at the following meeting shall be signed by the Commodore.

6.6 The funds of the Club shall be deposited in the Bank or Building Society to be appointed by the Committee. All cheques drawn for the needs of the Club shall be signed by the Honorary Treasurer and either the Honorary

Secretary of the Commodore or their nominated representatives. In the event of either or both of the Offices of Honorary Secretary or Commodore being vacant, then the Committee shall nominate the required number of signatories from the incumbent Committee members. The additional signatories shall be removed and replaced on retirement from the Committee, or replaced with the Club Officer when the vacant position is filled. All cheques drawn for the needs of the Clubhouse Management Committee shall be signed by two of six nominated members. All cheques drawn for the needs of the Sail Training School shall be signed by two of five named nominated members. All cheques drawn for the needs of the Racing Secretary Account shall be signed by two of three nominated members.

In addition to payment by cheque the Club Treasurer is authorised to make payment by bank transfer or any other appropriate electronic means of payment for the needs of the Club. Any such payments made will be reported by the Club Treasurer at the next Committee meeting.

- 6.7 The Committee may on giving fourteen days' notice, call a Special General Meeting of the Club for any specific business, the nature of which shall be stated in the summons convening the meeting, and the discussion at such meeting shall be confined to that business only.
- 6.8 The Committee shall manage the affairs of the Club according to the Constitution and shall apply the funds of the Club to the objects of the Club. How the funds are applied to the objects of the club shall be agreed at a Committee meeting. In the extraordinary circumstances where expenditure is required and it is not practical to wait for the next formal Committee meeting, then a formal meeting shall be convened. The matter shall be discussed by at least seven Committee members (Rule 6.1 defines a quorum). Should the quorum not include the Commodore or Vice Commodore, then a Chair-person shall be elected. The meeting shall be fully minuted with any course of action proposed and seconded followed by a vote by a show of hands. A written note shall be made of the proposal, the proposer, the seconder and names of the individuals that voted for, voted against or abstained in the proceedings. The minutes shall then be produced for inspection at the next Committee meeting.
- 6.9 The Committee shall make and amend such Bye-Laws as they think fit as to the management of the Club premises and activities. When voting on resolutions before the Committee, in the case of equality of votes, the Chairman shall have a second or casting vote.
- 6.10 The Committee shall be empowered to appoint sub-committees for any purpose that may to them seem desirable. Officers of the Club shall have the right to attend meetings of any sub-committee but may not alter its constitution. Such sub-committees shall be disbanded automatically on completion of their duties or at the request of the General Committee.

7.0 Independent Financial Examiner

- 7.1 At the Annual General Meeting in each year there shall be appointed an Independent Financial Examiner whose duty it shall be to audit the accounts of the Club for the current year. In the event that he is unwilling or unable to act, the Committee shall appoint a substitute.

8.0 Annual & Special General Meetings

- 8.1 An Annual General Meeting shall be held at some place to be named and on some day in the months of October or November to be fixed by the Committee. The Honorary Secretary shall at least fourteen clear days before the date of such meeting email, or other electronic means, post or deliver to each Member notice thereof and of the business to be brought forward thereat. No vote of the General Meeting shall take effect unless two-thirds of the members present and eligible to vote are in favour.
- 8.2 No business except the passing of the accounts and the election of the Officers, Committee and Honorary Auditor and any other business that the Committee may order to be inserted in the notice convening the meeting, shall be discussed at such meeting unless notice thereof is given to the Honorary Secretary in writing sixty days before the date of the Annual General Meeting.

8.3 The Committee may on giving fourteen days notice, call a Special General Meeting of the Club for any specific business, the nature of which shall be stated in the summons convening the meeting, and the discussion at such meeting shall be confined to that business only.

8.4 The Committee shall also call a Special General Meeting on the written request of twelve members.

8.5 At an Annual or Special General Meeting of the Club, Members shall be entitled to vote as follows:

Adult Member: One vote
Honorary Members and Junior Members shall be entitled to attend an Annual or Special General Meeting but shall have no vote.

9.0 Alterations to the Constitution

9.1 Notice of any alteration or additions to the Constitution intended to be proposed by a Member of the Club shall be duly seconded and given to the Honorary Secretary in writing sixty days before the date of the Annual general meeting if the same is to be proposed at the Annual General Meeting, or at least one month before any Special General Meeting at which the same is to be brought forward, and the full particulars of any such proposed alterations or additions shall be set out in the notice convening the meeting.

9.2 All such proposed alterations or additions, shall be put to the vote of the meeting, and provided that on a show of hands, or if demanded, on a poll, a majority of two-thirds of those Members present and entitled to vote, shall be cast in favour of any alterations or additions, then the same shall be deemed to be carried.

10.0 Safety

10.1 The Beaver Sailing Club safety guidelines shall be issued to all members of the club on receipt of their annual membership fee. Any member/family member, temporary member visitor or any person using the club facilities will be required to abide by that safety policy as a requisite part of using club facilities. A copy of the Beaver Sailing Club safety guidelines will be displayed in the club house for temporary members and visitors to read.

11.0 General

11.1 All craft must have a minimum of £3,000,000 third party insurance. All Members are bound to accept any ruling made by the Canal and River Trust in an emergency.

12.0 Communications

12.1 The preferred method of communication of Beaver Sailing Club to members will be email, or other electronic means. If members do not have email, or other electronic means, the communication of Annual and Special General Meetings will be by Post.