

CASTLE SEMPLE SAILING CLUB CONSTITUTION

NAME:

The name of the Club shall be "CASTLE SEMPLE SAILING CLUB"

OBJECTIVES:

The object of the Club shall be to obtain and retain for its members right to sail on Castle Semple Loch and to provide the facilities necessary for the easy and efficient enjoyment of this right and generally the extension sought by the community of the pleasure and recreational value of sailing.

MEMBERS:

- a) Membership is open to all and no application for membership will be refused on other than reasonable grounds. There will be no discrimination on grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex; sexual orientation, political or other opinion. Members need not be boat owners.
- b) The affairs of the Club shall be administered by a Committee of members.
- c) The Committee may admit such number of members as the Committee may from time to time determine appropriate for the size of club and facilities.
- d) Prospective members shall agree to abide by this Constitution and by the rules set by the Committee.
- e) Every member on joining the Club undertakes to comply with these rules 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 a member liable to expulsion by the Committee, provided that before expelling a member, the Committee shall call upon them for an explanation of their conduct and shall give them an opportunity of explanation or of resignation. Any prospective member whose application is rejected or any member who is expelled from the Club shall have the right of appeal to the next AGM. The vote on a resolution for expulsion shall only be by ballot of the Committee and the resolution shall only be carried if not less than three quarters of the Committee vote in favour of the resolution.
- f) Should the Club's assets be found at any time insufficient for the payment of the liabilities of the Club each member, during membership or within one year after resignation, shall be liable to contribute such amount as with the contributions of the other members will be sufficient to extinguish the liabilities of the Club.
- g) Any member desirous of retiring from the Club shall notify their intention to the Secretary in writing before the Annual General Meeting otherwise the member shall be liable for the next year's subscription.
- h) The Committee shall have power to elect any person as an Honorary member of the Club for such period as it may think fit. Honorary members shall not be required to pay either entrance fee or subscription. All honorary positions will be ratified at the next AGM.
- i) The Committee shall have the power to elect a temporary member on whatever terms they consider satisfactory. Visiting boat crews completing an entry form for club open meetings are considered to be temporary club members for the duration of the event

COMMITTEE:

- a) The Committee of the Club shall comprise of the following officers:

A Commodore
A Vice Commodore
A-Secretary
A-Treasurer
A Sailing Secretary
Stewards - 3 minimum, 5 maximum

Quorum:

A Quorum shall be constituted as follows

Number of Committee	To be quorate there must be this number
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Members	of Committee members present
8	5
9	6
10	6

- b) The Officers of the Club shall be elected at the Annual General Meeting in November but any casual vacancy or vacancies that shall occur may be filled by co-option by the Committee. The Commodore, Secretary, Treasurer and Sailing Secretary shall hold office for three years and shall then retire; the other officers shall retire annually. Both groups shall be eligible for re-election unless otherwise resolved at the Annual General Meeting.
- c) The Committee may from time to time make all such rules as they think expedient for the management of the Club. Members will be invited to vote on such rules at the next General Meeting of the Club and shall be binding upon all members until repealed by the Members or set aside by a resolution of at an Annual or Special Meeting of the Club.

SUBSCRIPTIONS:

- a) The annual subscription and entrance fee (if any) of the Club shall be determined at the Annual or Special Meeting at such a figure as will enable the Committee to carry out the objectives of the Club.
- b) No Member shall in any year be entitled to exercise any rights or privileges of membership until their entrance fee and subscription for that year, and any arrears, are paid.
- c) All subscriptions must be settled by March each year.
- d) Where a cadet pays the appropriate subscription, they shall incur no entry fee when they become a full Member.

ACCOUNTS:

- a) The financial year of the Club shall end on the 31st October, or such dates shall be determined by the Club at an Annual or Special Meeting, in every year to which date the accounts of the Club shall be balanced.
- b) The Treasurer shall keep correct accounts and books showing the financial affairs and intromissions of the Club, including a cash record containing a correct account of all the money received and disbursed on account of the Club. The books shall be available at any Annual Meetings of the Club for inspection by members. An abstract of the Treasurer's accounts for each year, certified by the Auditor, shall be distributed to all Members present at the Annual General Meeting and also available on request from the Treasurer.
- c) At the Annual Meeting each year an Auditor shall be appointed whose duty it will be to audit the accounts of the Club.

MEETINGS OF THE CLUB:

The Commodore shall preside at all Meetings of the Club. If the Commodore is not present, the Meeting shall elect a Chairperson. The Commodore or Chair shall have a deliberative vote and also a casting vote in the event of equality of votes.

The quorum for all General Meetings of the Club shall be 20% of the members by number as shown on the latest audited accounts of the Club.

The Secretary shall keep correct Minutes of the proceedings at all Meetings of the Club. The Minutes of any one Meeting shall be produced for inspection by the members at the next meeting. Members of the Committee may inspect the Minutes at any time.

The Annual Meeting of the Club shall be held in the month of November in every year, on a date and at a time to be fixed by the Committee for the following purpose:

- a) To receive from the Committee a report and statement of accounts for the preceding year.
- b) To elect Officers.
- c) To elect an Auditor.
- d) To decide any resolution which may be submitted to the Meeting.

The Committee may at any time call a Special Meeting of the Club upon a minimum of seven days notice to the Members. Upon a requisition in writing, signed by at least 15 Members of the Club, stating the purpose for which

the Meeting is required being presented to the Secretary, the Committee shall call a Special Meeting of the Club no less than fifteen days after the receipt of such requisition.

ALTERATION OF THE CONSTITUTION:

This Constitution may be added to, repealed or amended by Resolution at any Annual or Special Meeting, provided that

- a) Any Member wishing to propose an alteration to, to add to, repeal or amend the Constitution shall give notice of their intention to move such a Resolution to the Secretary not less than fourteen days before the meeting at which the alteration has to be moved.
- b) Alteration of the Constitution shall require the consent of three quarters of the Members present and voting at any Meeting.

VOTING:

Any member who has attained the age of 18 is entitled to vote at any General or Special Meeting of the Club. Honorary members are not entitled to vote.

MANAGEMENT:

The entire management of Club affairs and concerns shall be vested entirely in the Committee

PROPERTY:

All land, building, investments, other assets owned by the Club shall be vested in the Commodore, Secretary and Treasurer and such other persons as may be assumed or appointed as Trustee for the time being and their respective successors in office 'ex officio' as trustees on behalf of the Club but such Trustees shall have no power to borrow money, (either on security of the property or otherwise), sell, let or otherwise dispose of heritable property of the Club without the consent of the members attending a Meeting specially called for the purpose.

No portion of the income and property shall be paid or transferred directly or indirectly by way of dividend, distribution, bonus, honoraria or otherwise howsoever by way of profit to the members.

If, upon winding up or dissolution of the Club there remains after the satisfaction of all its debts and liabilities any property whatsoever, the same shall be given or transferred to some charitable organisation connected with sailing to be determined by the Members of the Club by resolution passed at a General Meeting or before the time of the dissolution and if, and so far as effect cannot be given to such provision then to some charitable object.

INVESTMENT:

The Committee shall have power to invest the funds of the Club to any extent they may determine in heritable property or in any investment authorised by either the wide range or the narrow range provision of the Trust Scotland Act. It shall also have power to deposit money in any UK Bank or Building Society that is regulated by FCA and is covered by the compensation scheme in the event of the bank failure.

INDEMINITY:

The Members of the Club, Present and future, shall, if and when required, grant relief to the Committee or the Trustees, or any of their number, of the whole of the obligations or responsibilities already undertaken by them on behalf of the Club. They shall ratify and warrant all acts, deeds and documents granted to be executed in relation to the Club premises by the Committee or the Trustees or any of them.

INSURANCE:

Each Club Member who is a boat owner shall keep in force an Insurance Policy with an established insurance company providing indemnity for all loss or damage caused to third parties or their property as a result of the Members activities in the Club.

The Member must confirm that appropriate insurance is in place for all boats when completing the annual registration form. Failure by any Member to observe the above mentioned rules regarding insurance shall be grounds for the offender's removal from the list of members.'

CLUB FLAGS:

Unless otherwise decided by the Committee, the Club Flag shall be a Blue Burgee with a yellow folly.

DINGHY PARKING FEES:

If at any time any boat parking fees payable to the Club by any member or former member shall be three months or more in arrears:

- a) The Committee shall be entitled to move the boat to any other part of the premises without being liable for any loss of or damage to the boat howsoever caused.
- b) The Committee shall be entitled upon giving one month's notice in writing to the Member or former Member, at their last known address shown in the register of members, to sell the boat and deduct any monies due to the Club (whether by way of arrears of subscriptions or boat parking fees or otherwise) from the proceeds of the sale before accounting for the balance (if any) to the Member or former Member.
- c) Alternatively any boat which, in the opinion of the Committee, cannot be sold may, upon such notice as aforesaid, be disposed of in any manner the Committee may think fit and the expenses recovered from the Member or former Member. Any arrears as aforesaid shall be deemed to be debt owing to the Club by the Member or former Member.
- d) Further the Club shall, at all times, have a lien over Members or former Member's boats parked on the Club's premises in respect of all monies due to the Club, whether in respect of parking fees or subscriptions or otherwise.

DINGHY PARKING SPACES:

These will be allocated at the discretion of the Club Committee.

CHILD PROTECTION POLICIES

Details of the Child Protection Policy and details of the Welfare Officer can be found on the website www.castlesemplesc.co.uk

Note:

Constitution as revised at Annual General Meetings on 29th November 1983, 29th November 1988, 24th November 1994.

Constitution as revised at Special Meeting on 18th December 2011.

Constitution as revised at AGM 27 November 2017

Constitution updated to reflect RYA guidance and Equality Act 2017 November 2018