

# **RULES OF THE FIVE KINGDOMS SAILING CLUB**

## **PART 1: CONSTITUTION OF THE NORTH WEST YACHT DIVISION OF THE CIVIL SERVICE SAILING ASSOCIATION**

### **Constitution**

1. There is hereby constituted the North West Yacht Division of the Civil Service Sailing Association (CSSA) to be known as the Five Kingdoms Sailing Club.

### **Interpretation**

2. In these Rules, unless the context otherwise requires: "Club" means the 5KSC, "Council" means the Civil Service Sports Council (CSSC), the "Club Yacht" means any yacht managed or chartered by the Club for the use of its members, "Related Activities" means activities and functions organised by the Club other than in the Club Yacht.

### **Objects**

3(1). The Objects of the Club are:

- a. The provision and management of Club Yachts for the purpose of cruising or racing, and the promotion of those activities among members.
- b. The provision of training whereby such members of the Club may qualify for certificates of competence, including those issued by the Royal Yachting Association.
- c. The provision and management of a Crewing Bureau to advise members requiring berths on the Club Yacht of the availability of such berths.
- d. Arranging sailing and other related activities for members of the Club.

3(2). The Objects shall be promoted subject to and in accordance with any directions of the General Committee of the CSSA, and in particular managed subject as aforesaid so far as reasonably practical to prevent financial loss and to secure and maintain value for money.

### **Burgee**

4. The Burgee of the Club shall be identical with that of CSSA.

### **Membership**

5(1). Members of the Club shall be:

- (a) Ordinary Members, being Full Members of CSSA and of the Council who have applied to sail in the Club Yacht, or take part in a Related Activity: and have paid a charter, berth or entrance fee.
- (b) Associate Members, being Associate Members of CSSA in respect of each of whom an application for such membership has been accepted by the Committee of CSSA and have applied to sail in the Club Yacht or take part in a Related Activity and paid a charter, berth fee or entrance fee.
- (c) Family members, being the spouse or partner of an Ordinary or Associate or Honorary Life Member, together with the member's, spouse's, or partner's children under the age of 21.
- (d) Temporary members, being persons who have paid an Additional Fee as specified in paragraph 7.2 below for each period of 24 hours or part thereof that they will spend in the Club Yacht or take part in a Related Activity; and have paid a charter, berth or entrance fee provided that the person shall not have been a Temporary Member of the Club during the 18 calendar months preceding the start of their current Temporary Membership.
- (e) Honorary members, defined as:
  1. The Commodore of CSSA,
  2. The Vice-Commodore of CSSA,
  3. The General Secretary of CSSA,
  4. The Treasurer of CSSA,
  5. The Rear Commodore, Offshore of CSSA,

6. The Offshore Secretary of CSSA,
  7. The Training Officer of CSSA,
  8. The Editor, "CS Sailing",
  9. The Captains of all other CSSA Offshore Divisions
  10. Such persons as the 5KSC Committee may for such period as it may determine elect.
- (f) Honorary Life Members being such members as the Club may by a resolution of a General Meeting of which two thirds of the members present in person or by proxy, and entitled to vote, are in favour, elect to such membership.
- 5(2). The duration of membership of the Club shall be determined as follows.
- (a) Ordinary or Family membership shall commence when an application to sail in the Club Yacht, or to take part in a Related Activity has been received by the Crew Bureau; and the charter, berth or entrance fee has been paid. It will terminate on 31st December in the second year after the year in which the member last sailed in the Club yacht, or took part in a Related Activity.
  - (b) Associate Membership shall commence when an application to sail in the Club Yacht, or to take part in a Related Activity has been received by the Crew Bureau; and the charter, berth or entrance fee has been paid. Associate Membership shall be renewed annually in accordance with CSSC rules. Associate Membership will terminate on 31st December in the year after the year in which the member last renewed the Associate Membership.
  - (c) Temporary Membership shall commence on the first day of a cruise, race or Related Activity for which the charter, berth or entrance fee and the Additional Fee (see paragraph 7(a)) has been paid; and shall continue for an unbroken period of 3 calendar months from the date of commencement of the membership.
  - (d) Honorary membership for categories of member listed in 5(1)(e)1 to 5(1)(e)9 shall be for the duration of their tenure of the office.

### **Subscription**

7. Subscriptions shall be as follows:
- (a) The charter, berth or entrance fee paid by an Ordinary, Associate or Family member to make use of a Club Yacht or to take part in a Related Activity; shall be regarded as including the subscription for membership for the duration of membership specified in paragraph 6.
  - (b) Temporary Members shall pay, in addition to any charter, berth or entrance fee, an Additional Fee, being such amount as may be determined from time to time by a General Meeting, for each period of 24 hours, or part thereof that they spend in a Club Yacht, or taking part in a Related Activity.
  - (c) An application to charter a Club Yacht or use the services of the Crewing Bureau shall be treated as an application for membership.
  - (d) The subscription shall expire after the duration of membership specified in paragraph 6.
  - (e) A member who does not renew his/her subscription shall be deemed to have resigned.
  - (f) Honorary and Honorary Life Membership shall be free.

### **Management Committee**

8(1) The Objects of the Club shall be promoted by a Committee consisting of the Officers, who shall be Captain, Secretary, Treasurer, Crewing Bureau Secretary and 5 members. If not otherwise appointed, the Chief Instructor assigned to the 5KSC branch of the CSSA Sea School shall be appointed an 'ex-officio' member of the Committee to advise on matters concerning training.

8(2) The Committee shall take office immediately after the General Meeting at which it is elected, and shall, unless previously voted out, hold office until the end of the next Annual General Meeting, and shall meet as required for the purpose of promoting the Objects.

8(3) The Committee may appoint such sub-committees as it requires.

8(4) The Committee may co-opt members for special purposes, and may fill from among its members any vacancy among the Officers, and from such of the members as are eligible to be elected to the Committee, any vacancy which occurs among its members.

8(5) Where the Committee does not include a Skipper approved as such by CSSA, it shall co-opt from such members, at least one skipper to secure such representation on it.

8(6) The Committee shall make such arrangements for promoting the Objects as it thinks fit, shall charge such fees for participation in such activities as it may arrange, and may incur such liabilities as seem proper: provided that the Committee may not, without the prior approval of the General Committee of CSSA, incur liabilities in excess of the reasonably expected income from the then current activities of the Club.

8(7) The quorum for the Committee shall be 3, of whom 2 shall be Officers.

8(8) Subject to sub-paragraph 8(8)(a), the Committee may, by a resolution of which two thirds of its membership is in favour, require the resignation from the Committee of any of its membership or from the Club of any member.

(a) Where the Committee proposes so to require, it shall so notify such person who may within seven days of such notification require the Committee to give him or her within a further twenty one days, an opportunity to make representations whether in writing or in person as he or she may specify, to show cause why he or she should not be so required to resign.

(b) Where in default of or after taking into account any such representations, the Committee requires the resignation of such person, but such person fails to comply with such requirement within seven days of its date, he or she shall be deemed to have resigned.

(c) The Committee may suspend any member from the duties of his or her office or the privileges of membership while a proposal to require his or her resignation is being considered.

8(9) The Committee may by a resolution of which two thirds are in favour, sponsor as an Associate Member of the CSSA any person who applies to the Committee for such membership: provided that the Committee may not so sponsor persons to a total in number which exceeds 10% of the membership of the Club.

8(10) The Committee may make, amend or revoke all such rules, regulations and bye-laws not being inconsistent with this Constitution, as it shall think fit for the management and well-being of the Club and for the conduct of sub-committees.

8(11) The Committee or its agent shall effect such insurance of the Club and its assets against loss, damage, third party liability and such other risks in such sum as may be requisite to indemnify the Club, CSSA and the Council against any claim arising out of any activities of the Club in the promotion of its Objects. For boat charter the Skipper will be the committees agent.

8(12) The proceedings of the Committee shall not be invalidated by any vacancy in or by any defect in the election of any of its membership.

#### **Chairman**

9(1) The Captain shall be the chairman and shall, subject to paragraph 8(8)(c), preside at all Committee meetings at which he/she is present. In the absence of the chairman, the Committee shall elect one of its membership present to preside.

9(2) The chairman shall be elected for a period of two years, save however that no person may continuously hold the office of chairman for more than four years.

#### **Secretary**

10. The secretary shall:

(a) Be responsible for the correspondence and the records necessary for the promotion of the Objects.

(b) Give to the members notice in accordance with paragraph 12(1)(b) of all duly arranged

General Meetings.

- (c) Give to Committee members due notice of all duly arranged Committee meetings.
- (d) Record and publish as appropriate the minutes of such meetings.
- (e) Forward copies of such minutes to the Secretary of CSSA.

**Treasurer**

11. The Treasurer shall:

- (a) Keep proper books of account of all monies received and paid on behalf of the Club.
- (b) Arrange for all such receipts to be deposited with such branch of such bank as the Committee may determine to the credit of an account in the name of the Club.
- (c) Prepare an income and expenditure account and a balance sheet as at 31st December in each year.
- (d) Cause such accounts and balance sheet to be audited and a copy sent to the treasurer of CSSA not less than 14 days before a General Meeting of the Club at which they are to be presented.

**General Meetings**

12(1). The Committee shall cause a General Meeting to be held annually (the Annual General Meeting) as soon as practicable after 31st October in each year.

- (a) The Captain shall preside, failing whom such person shall preside as accepts such invitation as the Committee shall make.
- (b) The Secretary shall give to members six weeks notice of the date for the Meeting and invite members to nominate, subject to paragraph 13, members for election as Officers or members of the committee.
- (c) Members shall give to the secretary as least 1 month's notice of motions or nominations together with the names of seconders.
- (d) The Secretary shall give to members at least 14 days notice of such motions and nominations.
- (e) Members shall give to the Secretary not less than 7 days notice of amendments which they wish to propose to such motions together with the name of the seconder.
- (f) The Secretary shall include on the agenda of the Meeting all such motions, amendments and nominations.

12(2). The business of an Annual General Meeting shall be:

- 1. To receive and, if it considers appropriate, approve the Captain's Report on the previous year.
- 2. To receive and, if it considers appropriate, approve the Treasurer's Report and the audited accounts for the previous year.
- 3. To elect the Committee for the ensuing year.
- 4. To elect the auditor for the ensuing year.
- 5. To consider motions on the agenda.

12(3). A special General Meeting shall be convened on receipt of a request signed by not less than 10 members giving the reasons therefore within 28 days of the receipt of such request; or at any time by the Committee.

- (a) The Committee shall give to members at least 14 days notice of such meeting and of its agenda.
- (b) The business of such special General Meeting shall be that for which it is called and no other.
- (c) Subject thereto, the procedure of an Annual General Meeting shall apply to a special General Meeting.

**Nominations**

13 Nominations for election to posts of Captain, Secretary, Treasurer and Crewing Bureau Secretary, and for the remaining Committee posts shall be of Ordinary Members of the Club, by

at least two such members. Where election is required between nominees, it shall be effected by a simple majority vote.

#### **Voting**

14 Only Ordinary Members and Honorary Life Members of the Club shall be entitled to vote at General Meetings and no person shall be entitled to more than one vote

- (a) Any person entitled to vote at such meetings may give to any other such person a proxy paper which he shall obtain from and return duly completed to the secretary before the meeting begins, stating the name of that other person and authorising him to vote on behalf of the donor on any motion on the agenda of that meeting.
- (b) A proxy paper shall be valid only for the meeting in respect of which it is given and for any adjournment of it.
- (c) The method of voting shall, unless the meeting by resolution determines otherwise, be by a show of hands with a verbal declaration by each holder of a proxy paper of the additional votes and the sense in which they are cast by him or her; provided that, if an election is required, it shall be effected by ballot.
- (d) For ordinary resolutions a simple majority is required.

#### **Assets**

15(1) Such assets of the Club (not already being apart from this rule assets of CSSA which the General Committee of CSSA has appropriated and allocated to the use of and management by the Club) as shall be determined by the General Committee of CSSA to be capital assets, shall be held in the name of the Trustees of CSSA, who shall deal with such assets in such manner as that Committee shall from time to time direct by resolution (of which an entry in the minute book of that Committee shall be conclusive evidence).

15(2) All other assets of the Club shall be held on behalf of the Club in the name of and by the member in whose control they are required to be for the discharge of functions for and the pursuit of the Objects of the Club.

#### **Notices**

16. The accidental omission to give notice to or the non-receipt of such notice by any person entitled to such notice, shall not invalidate the proceedings of that meeting.

#### **Expenses**

17. The Committee shall reimburse expenses incurred by its membership on official business in the pursuit of the Objects, and may authorise and reimburse expenditure by members on any special business on behalf of the Club.

#### **Amendments**

18. This Constitution shall not be amended except by a resolution of a General Meeting of which two thirds of the Ordinary and Honorary Life Members present in person or by proxy are in favour and which is approved subsequently by the General Committee of CSSA.

#### **Administration**

19. Each Member shall on being accepted for membership be entitled to be provided without charge with a copy of this Constitution; but any member who requests a further copy may be provided with one only on payment of such charge as the Committee may from time to time determine to cover the cost of printing and postage.

#### **Dissolution**

20. The Club shall not be dissolved except by a resolution of a General Meeting of which two thirds of the Ordinary Members present in person or by proxy are in favour. Upon the passing of such a resolution, the net assets of the Club after the discharge of all liabilities shall become the property of CSSA for the promotion of its Objects.

**November 2003**