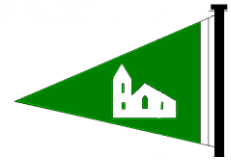


Lower Halstow Yacht Club



Constitution



NAME AND OBJECT

1. The name of the club is Lower Halstow Yacht Club.
2. The main purposes of the club are to provide facilities for and to promote participation in the amateur sports of yachting and other water borne sports in Lower Halstow and the surrounding areas.
3. No commercial activity of any kind is to be permitted on the club's premises.
4. The club is registered with **HMRC** as a Community Amateur Sports Club (**CASC**), a non-profit making organisation. All surplus income or profits are to be reinvested in the club. No surpluses or assets will be distributed to members or third parties
5. Upon dissolution of the club any remaining assets shall be given or transferred to another registered CASC, a registered charity or the sport's governing body for use by them in related community sports.

MEMBERSHIP

6. Membership of the Club shall be open to anyone interested in the sport of yachting and other water borne activity on application, regardless of sex, age, disability, ethnicity, nationality, sexual orientation, religion or other beliefs, except as a necessary consequence of the requirements of yachting and other water borne activity.
 - 6.1. The Club may have different classes of membership and subscription on a non-discriminatory and fair basis. These are as follows:
 - 6.1.1. **Honorary Membership:-** The Club, on the recommendation of the committee, may, in general meeting, elect Honorary Members. By definition, Honorary Members have Full Membership and are therefore entitled to full membership rights.
 - 6.1.2. **Full Membership:-** entitled to the full amenities of the Club.
 - 6.1.3. **Cadet Membership: -** Cadets are aged 14-18 years
 - 6.1.4. **Junior Membership: -** Juniors are aged 8-14 years
 - 6.2. On joining, all Members shall explicitly agree to comply with the Club Byelaws and any other Policies published by the Club on its website (<https://lhyc.org.uk>) in the Membership section.
 - 6.3. The Club Committee may refuse membership, or remove it, only for good cause – for example, conduct or character likely to bring the club or sport into disrepute, or otherwise injurious to the club. Persistent failure to comply with the Club Byelaws and Policies, as published by the Committee on the Club's website shall also constitute good cause.

- 6.4. Before removing membership, the Committee shall call upon the member for an explanation of his/her conduct and shall give him/her an opportunity of defending his/herself or resigning their membership.
- 6.5. Appeal against refusal or removal may be made to the membership as a whole. The process for such an appeal is as follows:
 - 6.5.1. The applicant or member shall put their case in writing to the committee.
 - 6.5.2. The Committee shall respond, giving its reasons for refusal or removal of membership.
 - 6.5.3. These two representations shall then be circulated to all current paid-up Full Members, and Honorary Members by email (or if a member so requests, by hard copy delivered to the member's address held in the Club records) for voting. The Honorary Secretary shall preside over the voting process.
 - 6.5.4. The success or failure of the appeal shall be determined on the basis of a simple majority of votes cast, provided that at least two thirds of the total of those eligible to vote have cast a vote. In the absence of this threshold being met, the Committee's original decision shall prevail.
7. Every candidate for membership shall complete an application form with his/her name and address and any other particulars the committee may require, shall be sent to the Honorary Secretary. After due consideration by the committee the applicant will be invited to attend a membership interview and will be notified of the decision by the Hon. Sec. Any member found to have knowingly given false information to gain admission to the Lower Halstow Yacht Club will be liable to forfeiture of membership.
8. Members other than Honorary members may be elected at any meeting of the Committee. Candidates may, and on the request of any member of the committee, be elected by a vote at the meeting. Election will be based on a simple majority vote.
9. There shall be a joining fee included in the Club's fee schedule published on the website. (<https://lhyc.org.uk>) The committee is empowered to waive this fee on occasion if deemed to be in the club's interest so to do.
10. Any member desirous of retiring from the Club shall notify his intention to the Honorary Secretary All Club property, i.e. keys etc. must be returned.
11. The Club membership year shall run from the 1st day of March until the last day of February of the following year. Annual subscription will be payable on election or before the last day of March in each year.
12. A member elected after 1st December in any year who shall have paid his/her subscription for that year, shall not be required to pay any subscription for the following membership year.
13. Any member who has not paid his/her subscription by the last day of March shall be requested in the name of the Committee to pay the same within fourteen days and if their subscription is not paid by that date, their name may be removed from the list of Members by the Committee.
14. A Member's name may be restored at the discretion of the Committee. (This may result in a rejoining fee).
15. In the case of hardship, a member may request payment of his dues to be deferred or paid by way of instalments. Any such application will be considered by the Committee.

16. No member shall in any year be entitled to exercise any rights or privileges of membership until all monies due from him/her for that year, including entrance fee, subscription, Club and Peel Ports mooring fees, shore berth fees and any arrears have been fully paid up.

OFFICERS

17. The Officers of the Club are elected at each AGM. They shall consist of: -

17.1. **The Flag Officers** – who shall not be eligible to stand for re-election to that position, if he/she has held that office for a period of 3 consecutive years, immediately prior to the election.

17.1.1. Commodore

17.1.2. Vice Commodore

17.1.3. RearCommodore

17.2. **The Officers** – who are eligible to stand for re-election without restriction.

17.2.1. Honorary Secretary

17.2.2. Honorary Treasurer

18. 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 received by the Honorary Secretary 28 days before the Annual General Meeting. If the number of candidates duly proposed and seconded is more than one for any office, the election shall be by show of hands at the AGM. The Honorary Secretary shall preside, unless ballot is for that office, in which case the Commodore shall preside.

19. The liability of the Trustees, (the Commodore, Secretary and Treasurer, as named in the **Ease Document**) for the performance of their contractual obligation undertaken on behalf of the Club, shall be limited to the assets of the Club.

20. The Trustees shall be effectually indemnified by the Committee out of the assets of the club from and against any liability, costs, expenses and payments whatsoever which may be properly incurred or made by them in the exercise of their duties or in relation to any property of the club vested in them, or in relation to any legal proceedings, or which otherwise relate directly or indirectly to the performance of the functions of a Trustee of the club.

COMMITTEE

21. The Committee shall consist of the Flag Officers, Officers, and not more than six members of the club elected by the Club in the Annual General Meeting, to hold office until the conclusion of the next Annual General Meeting.

22. Candidates for election to the Committee shall be those members of the retiring Committee who shall offer themselves for re-election and such Full Members and their Nominated Partners of the Club who are nominated and duly proposed and seconded by Members of the Club in writing, together with the signature of the candidate signifying his acceptance of candidature which shall have been received by the Honorary Secretary 28 days before the Annual General Meeting. The Composition of the committee shall not exceed more than one couple elected in any term of office. If the number of candidates duly proposed and seconded exceeds the number of vacancies to be filled, the election shall be by show of hands at the AGM. The Honorary Secretary shall preside.

23. If a casual vacancy occurs by death or resignation, the Committee may co-opt any member to fill the vacancy.

24. Any member elected to the committee by the club membership who for no good reason fails to attend a minimum of six committee meetings in the course of one year (AGM to AGM) shall not be eligible for re-election as a committee member, Flag Officer or Officer, for the following year.

COMMITTEE ROLES

25. The following roles shall be filled by Committee members:

- 25.1. **Mooring Master:** – responsible for allocating moorings to members and overseeing the annual maintenance of all the club’s moorings, the raft and the work boat.
- 25.2. **Yard Master:** (with up to two assistants) Responsible for: the positioning of members’ vessels in the yard; the safe movement of vessels in the yard and in/out of the water; the maintenance of the club’s plant used for movement of vessels (tractor, cradles, lifting gear).
- 25.3. **Membership Secretary:** - Responsible for maintaining records of members; overseeing the processes in clauses 6 and 7 above in terms of joiners and leavers.
- 25.4. **Social and Welfare Secretary:** - Organisation of social events e.g. Lift Out Suppers etc; ensuring the club looks after its members; presenting any individual member needs for the consideration of the committee.
- 25.5. **Health and Safety Secretary:** - Ownership and promotion of the club’s policies to ensure member safety including Standard Operation Practices relating to yard work; ensuring club members are aware of and comply with terms and conditions of the club’s insurance as they relate to liability.
- 25.6. **Security Officer:** - Maintenance, Development and Operation of the Club’s CCTV system
- 25.7. **Webmaster:** - Maintenance and Development of the Club’s website

26. These roles shall be allocated by the Committee at its first meeting following each Club A.G.M.

- 26.1. It is preferred that Committee members will serve a minimum of one year in each role – but in the event of resignation or other indisposition, the Committee may appoint a replacement at any time.
- 26.2. Should there be more than one volunteer for each role, and this cannot be resolved by discussion, the two candidates shall step out of the meeting and the remaining members shall vote, with the Commodore having a casting vote in the event of a tie.
- 26.3. It is preferred that every Committee member take at least one role, with the exception of Commodore, Hon Treasurer and Hon Secretary, whose roles carry a specific workload; however, each of these three may hold one additional role.
- 26.4. No Committee member may hold more than three roles at any one time.

COMMITTEE POWERS AND RESPONSIBILITIES

27. The Committee shall make the Byelaws and Policies required for the management of the Club premises and property, or as to the regulation of the internal affairs of the Club and the conduct of the members. These shall be published on the Club’s website (<https://lhyc.org.uk>). Any member shall be supplied with electronic or paper copies on request to the Committee.

28. The Committee shall manage the affairs of the Club according to the Constitution, the Byelaws and the Policies, and shall apply the financial assets of the Club to the objectives of the Club.
29. The Committee shall set the Club charges including annual subscriptions, lift out/lift in charges and storage charges. The club shall keep subscriptions at levels that will not pose a significant obstacle to people participating, in accordance with the Club's status as a CASC. A complete and current list of the club's charges shall be published at all times on the Club's website. (<https://lhyc.org.uk>) The charges for each membership year shall be determined by the Committee and published on the club website by January 1st each year. The charges shall be reviewed at the AGM so that members can discuss before the charges come into effect on March 1st each year.
30. At meetings of the Committee, six Members shall constitute a quorum, provided at least one Officer shall be present. The senior Officer present shall chair the meeting (The order of precedence being: Commodore; Vice Commodore; Rear Commodore; Honorary Secretary; Honorary Treasurer) Decisions shall be made by majority vote. The Chair of the meeting shall have a casting vote in the event of a tie.

HONORARY AUDITORS

31. It shall be the responsibility of the Honorary Treasurer to keep a complete and accurate account of the Club's finances.
32. At the Annual General Meeting in each year two Members shall be appointed as Honorary Auditors, whose duty shall be to audit the accounts of the Club for the current year. In the event that they are unwilling or unable to act, the Committee shall appoint substitutes.

GENERAL MEETINGS

33. At any General Meeting, the holder of the office of Commodore shall chair proceedings. At the start of any meeting, any member may raise an objection to this. If that objection is seconded, a vote shall take place. A majority of votes cast by those present shall be required to sustain the objection. In the event that the objection is sustained, the Honorary Secretary shall preside, or in his absence, the Honorary Treasurer.
34. An Annual General Meeting shall be held at some place to be named and on some day in January, to be fixed by the Committee.
 - 34.1. The Honorary Secretary shall, at least two months clear before the date of such meeting, post or deliver to each member notice thereof. The agenda is to be posted on Club premises 14 days before the A.G.M.
 - 34.2. No business, except the passing of the accounts and the election of the Officers, the Committee and Honorary Auditors, review of charges for the coming membership year and any business that the Committee may order be inserted at the Notice convening the meeting, shall be discussed at such meeting, unless notice thereof be given to the Honorary Secretary one month before such a meeting.
 - 34.3. The Committee may, on giving 28 days notice, call a 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.
 - 34.4. The Committee shall also call a general meeting at the written request of twelve members. At a general meeting of the Club each Honorary Member, Full Member (and Nominated Partner in the case of Family Membership), and Shore Member shall have one

vote per item of business. Cadet and Junior Members shall be entitled to attend an AGM but shall have no vote. In case of an equality of votes the Chairman shall have a second or casting vote.

AMENDMENTS AND ALTERATIONS

35. Notice of any alteration or addition to this Constitution intended to be proposed by a member of the Club shall be given to the Honorary Secretary in writing 28 days before the Annual General Meeting if the same is to be proposed at the AGM or at least one month before any special general meeting at which the same is to be brought forward, and full particulars of any such proposed alterations or additions shall be set out in the notice convening the meeting. All such proposed alterations or additions and any amendments to them which may be proposed and seconded 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 the votes of those present members and voting shall be cast in favour of any proposed alterations, additions or amendments, then the same shall be deemed to be carried.

COMPLAINTS

36. Any Member having cause for complaint should refer to the Complaint Procedure and other Club Policies published on the Club's website (<https://lhyc.org.uk>).