

## INDEX

- Section 000 - Purpose  
Section 100 - Constitutional Model Rules  
Section 200 - Regulations  
Section 300 - By - Laws

### Clause No: MODEL RULES

### SECTION 100 CONSTITUTIONAL

101	Name
102	Definitions and Interpretation
103	Application for Membership
104	Entrance Fee and Subscription
105	Register of Members
106	Resignation of Member
107	Expulsion, Suspension or Fining of Members
108	Disputes and Mediation
109	Annual General Meeting
110	Special general Meeting
111	Special general Meeting - Convening
112	- Notice
113	- Proceedings
114	- Chairman
115	- Adjournment
116	- Voting
117	Members' Votes
118	Demand for Polls
119	Entitlement to Vote
120	Proxies
121	Committee of Management - Powers
122	Officers
123	Ordinary Members
124	Election
125	Termination of Office
126	Meetings
127	Secretary - Minutes
128	Treasurer
129	Removal of Member of Committee
130	Signing of Negotiable Instruments
131	Common Seal
132	Alteration of Rules
133	Service of Notice

134	Winding Up
135	Custody of Books
136	Sources of funds
137	Distributions to Members

Clause No:

SECTION 200 REGULATIONS

Management

201.1	Executive - Flag Officers
201.2	Committee of Management (C. O. M.)
201.3	Public Officer
201.4	Casual vacancy in Committee of Management
201.5	Financial Commitments
201.6	Cheques
201.7	Audit and Auditors
201.8	Sub - Committees

Membership and Subscriptions

202.1	Full Membership
202.2	Restricted Membership
202.3	Limitations
202.4	New Members
202.5	Unfinancial Members
202.6	Resignation of Member

Meetings

203.1	Quarterly Report Meetings
203.2	Voting at General Meetings
203.3	Visitors at Meetings

Miscellaneous

204.1	Club Colours and Flags
204.2	Supply of Rule Books
204.3	Amendments to Model Rules and Regulations
204.4	By-Laws
204.5	Setting of fees
204.6	Boat Register
204.7	Restrictions for Boats over 5.5 metres
204.8	Disposable Assets

Clause No:

SECTION 300 BY-LAWS

Club Premises

301.1	Restricted use of Club
301.2	Club Hours
301.3	Visitors
301.4	Junior members on Club Premises
301.5	Consumption of Liquor

301.6	Upper Deck Function Room
	<u>Boats</u>
302.1	Qualification of Boats
302.2	Boat Storage
302.3	Painting and Repairing Boats
302.4	Access
302.5	Club Dinghies
302.6	Jetties
302.7	Launching Ramp
	<u>Safety</u>
303.1	Stowage of Flammable Material
	<u>Maintenance</u>
304.1	Mooring Maintenance Barge
304.2	Slipway Rules
	<u>Miscellaneous</u>
305.1	Trophies
305.2	Owner's Risk
305.3	Use of Club Property
305.4	Dogs
305.5	Found Property
APPENDIX 1	Application for Membership
APPENDIX 2	Form of Appointment of Proxy

## **SECTION 000 - PURPOSE**

The purpose of the Williamstown Sailing Club Incorporated is to conduct sailing and fishing activities and encourage boating.

## **SECTION 100 - CONSTITUTIONAL RULES**

### 101. Name

The name of the incorporated association is Williamstown Sailing Club Incorporated (in these rules called "The Association").

### 102. Definitions and Interpretation

(1) In these rules, unless the contrary intention appears:-

“Committee” means the Committee of Management of the Association.

“Financial Year” means the year ending on 30th June.

“General Meeting” means a general meeting of members convened in accordance with Rule 111.

“Member” means a member of the Association.

“Ordinary Member of the Committee” means a member of the committee who is not an officer of the Association under Rule 122.

“The Act” means the Associations Incorporation Act 1984.

“The Regulations” means regulations under the Act.

(2) In these Rules, a reference to the secretary of an Association is a reference:

- (a) where a person holds office under these Rules as secretary of the Association to that person; and
- (b) in any other case to the public officer of the Association.

(3) Words or expressions contained in these rules shall be interpreted in accordance with the provisions of the Act Interpretations Act 1958 and the Act as in force from time to time.

### 103. Application for Membership

(1) A natural person who is nominated and approved for membership as provided in these rules is eligible to be a member of the Association on payment of the entrance fee and annual subscription payable under these rules.

(2) A person who is not a member of the Association at the time of the incorporation of the Association (or who was such a member at the time but has ceased to be a member) shall not be admitted to membership:-

- (a) unless he is nominated as provided in sub-clause (3); and
- (b) his admission as a member is approved by the Committee.

(3) A nomination of a person for membership of the Association:-

- (a) shall be made in writing in the form set out in Appendix 1; and
- (b) shall be lodged with the secretary of the Association.

(4) As soon as it is practicable after the receipt of a nomination, the secretary shall refer the nomination to the Committee.

(5) Upon a nomination being referred to the Committee, the Committee shall determine whether to approve or to reject the nomination.

(6) Upon a nomination being approved by the Committee, the secretary shall, with as little delay as possible, notify the nominee in writing that he is approved for membership of the Association and request payment within the period of 28 days after receipt of the notification of the sum payable under these rules as the entrance fee and the first year's annual subscription.

(7) The secretary shall, upon payment of the amounts referred to in sub-clause (6) within the period referred to in that sub-clause, enter the nominee's name in the register of members kept by him and, upon the name being so entered, the nominee becomes a member of the Association.

(8) A right, privilege or obligation of a person by reason of his membership of the Association:-

- (a) is not capable of being transferred or transmitted to another person;
- (b) terminates upon the cessation of his membership whether by death, resignation or otherwise.

#### 104. Entrance Fee and Subscription

(1) The entrance fee shall be as decided by the members at the quarterly special general meeting in June each year.

(2) The annual subscription shall be as decided by the members at the quarterly special general meeting in June each year and is payable in advance on or before the 1st day of July each year.

#### 105. Register of Members

The secretary shall keep and maintain a register of members in which shall be entered the full name, address and date of entry of the name of each member and the register shall be available for inspection by members at the address of the Public Officer.

#### 106. Resignation of Member

(1) A member of the Association who has paid all moneys due and payable by him to the Association may resign from the Association by first giving one month's notice in writing to the secretary of his intention to resign and upon the expiration of that period of notice, the member shall cease to be a member.

(2) Upon the expiration of a notice given under sub-clause (1), the secretary shall make in the register of members an entry recording the date on which the member by whom the notice is given ceased to be a member.

107. Expulsion, suspension or Fining of Members

(1) Subject to these rules, the Committee may by resolution:-

- (a) expel a member from the Association;
- (b) suspend a member from membership of the Association for a specified period; or
- (c) fine a member in accordance with the regulations - if the Committee is of the opinion that the member:
  - (i) has refused or neglected to comply with these rules; or
  - (ii) has been guilty of conduct unbecoming a member, or prejudicial to the interests of the Association.

(2) A resolution of the Committee under sub-clause (1):-

- (a) does not take effect unless the Committee, at a meeting held not earlier than 14 and not later than 28 days after the service on the member of a notice under sub-clause (3) confirms the resolution in accordance with this clause; and
- (b) where the member exercises a right of appeal to the Association under this clause does not take effect unless the Association confirms the resolution in accordance with this clause.

(3) Where the Committee passes a resolution under sub-clause (1), the secretary shall, as soon as practicable, cause to be served on the member a notice in writing:

- (a) setting out the resolution Of the Committee and the grounds on which it is based;
- (b) stating that the member may address the committee at a meeting to be held not earlier than 14 and not later than 28 days after the service of the notice;
- (c) stating the date, place and time of that meeting;
- (d) informing the member that he may do one or more of the following:
  - (i) Attend that meeting
  - (ii) Give to the Committee, before the date of that meeting a written statement seeking the revocation of the resolution;
  - (iii) Not later than 24 hours before the date of the meeting, lodge with the secretary a notice to the effect that he wishes to appeal to the Association in general meeting against the resolution.

(4) At a meeting of the Committee held in accordance with sub-clause (2), the Committee:

- (a) shall give to the member an opportunity to be heard;
- (b) shall give due consideration to any written statement submitted by the member: and
- (c) shall by resolution determine whether to confirm or revoke the resolution.

(5) Where the secretary receives a notice under sub-clause (3), he shall notify the Committee and the Committee shall convene a general meeting of the Association to be held within 21 days after the date on which the secretary received the notice.

(6) At a general meeting of the Association convened under sub-clause (5):

- (a) no business other than the question of the appeal shall be transacted;
- (b) the Committee may place before the meeting details of the grounds for the resolution and the reasons for the passing of the resolution;
- (c) the members shall be given an opportunity to be heard; and
- (d) the members present shall vote by secret ballot on the question whether the resolution should be confirmed or revoked.

(7) If at the general meeting:

- (a) two thirds of the members vote in person or by proxy in favour of the confirmation of the resolution, the resolution is confirmed; and
- (b) in any other case the resolution is revoked.

#### 108. Disputes and Mediation

(1) The grievance procedure set out in this rule applies to disputes under these rules between –

- (a) a member and another member; or
- (b) a member and the Association.

(2) The parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute within 14 days after the dispute comes to the attention of all of the parties.

(3) If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within 10 days, hold a meeting in the presence of a mediator.

(4) The mediator must be –

- (a) a person chosen by agreement between the parties; or
- (b) in the absence of agreement-
  - (i) in the case of a dispute between a member and another member, a person appointed by the committee of the Association; or
  - (ii) in the case of a dispute between a member and the Association, a person who is a mediator appointed or employed by the Dispute Settlement Centre of Victoria (Department of Justice).

(5) A member of the Association can be a mediator.

(6) The mediator cannot be a member who is a party to the dispute.

- (7) The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.
- (8) The mediator, in conducting the mediation, must-
- (a) give the parties to the mediation process every opportunity to be heard; and
  - (b) allow due consideration by all parties of any written statement submitted by any party; and
  - (c) ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.
- (9) The mediator must not determine the dispute.
- (10) If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.

#### 109. Annual General Meeting

- (1) The Association shall in each calendar year convene an annual general meeting of its members.
- (2) The annual general meeting shall be held on such day as the Committee determines.
- (3) The annual general meeting shall be specified as such in the notice convening it.
- (4) The ordinary business of the annual general meeting shall be:-
- (a) to confirm the minutes of the last preceding annual general meeting and of any general meeting held since that meeting;
  - (b) to receive from the Committee, reports upon the transactions of the Association during the last preceding financial year;
  - (c) to elect officers of the Association and the ordinary members of the Committee; and
  - (d) to receive and consider the statement submitted by the Association in accordance with Section 30 (3) of the Act.
- (5) The annual general meeting may transact special business of which notice is given in accordance with these rules.
- (6) The annual general meeting shall be in addition to any other general meetings that may be held in the same year.

#### 110. Special General Meeting

All general meetings other than the annual general meeting shall be called special general meetings.

#### 111. Convening a Special General Meeting

- (1) The Committee may, whenever it thinks fit, convene a special general meeting of the Association and, where, but for this sub-clause, more than 15 months would elapse

between annual general meetings, shall convene a special general meeting before the expiration of that period.

(2) The Committee shall, on the requisition in writing of members representing not less than 5% of the total number of members, convene a special general meeting of the Association.

(3) The requisition for a special general meeting shall state the objects of the meeting and shall be signed by the members making the requisition and be sent to the address of the secretary and may consist of several documents in a like form, each signed by one or more of the members making the requisition.

(4) If the Committee does not cause a special general meeting to be held within one month after the date on which the requisition is sent to the address of the secretary, the members making the requisition, or any of them, may convene a special general meeting to be held not later than 3 months after that date.

(5) A special general meeting convened by members in pursuance of these rules shall be convened in the same manner as nearly as possible as that in which those meetings are convened by the Committee and all reasonable expenses incurred in convening the meeting shall be refunded by the Association to the persons incurring the expenses.

#### 112. Notice of Special General Meetings

(1) The secretary of the Association shall, at least 14 days before the date fixed for holding a general meeting of the Association, cause to be sent to each member of the Association at his address appearing in the register of members, a notice by pre-paid post stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.

(2) No business other than that set out in the notice convening the meeting shall be transacted at the meeting.

(3) A member desiring to bring any business before a meeting may give notice of that business in writing to the secretary, who shall include that business in the notice calling the next general meeting after the receipt of the notice.

#### 113. Proceedings at Special General Meetings

(1) All business that is transacted at a special general meeting and all business that is transacted at the annual general meeting with the exception of that specially referred to in these rules as being the ordinary business of the annual general meeting shall be deemed to be special general business.

(2) No item of business shall be transacted at a general meeting unless a quorum of members entitled under these rules to vote is present during the time when the meeting is considering that item.

(3) 11 members personally present (being members entitled under these rules to vote at a general meeting) constitute a quorum for the transaction of the business of a general meeting.

(4) If within half an hour after the appointed time for the commencement of a general meeting, a quorum is not present, the meeting if convened upon the requisition of members shall be dissolved and in any other case shall stand adjourned to the same date in the next week at the same time and (unless another place is specified by the chairman at the time of adjournment or by written notice to members given before the day to which the meeting is adjourned) at the same place and if at the adjourned meeting the quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members present (being not less than three) shall be a quorum.

114. Chairman

(1) The Commodore, or in his absence the Vice Commodore shall preside as Chairman at each general meeting of the Association.

(2) If the Commodore and the Vice-Commodore are absent from a general meeting, the members present shall elect one of their number to preside as Chairman at the meeting.

115. Adjournment

(1) The Chairman of a general meeting at which a quorum is present may, with the consent of the meeting, adjourn the meeting from time to time and place to place, but no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.

(2) Where a meeting is adjourned for 14 days or more, a like notice of the adjourned meeting shall be given as in the case of a general meeting.

(3) Except as provided in sub-clause (1) and (2), it is not necessary to give notice of adjournment or of the business to be transacted at an adjourned meeting.

116. Voting

A question arising at a general meeting of the Association shall be determined on a show of hands and unless before or on the declaration of the show of hands a poll is demanded, a declaration by the chairman that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, and an entry to that effect in the Minute Book of the Association is evidence of the fact without proof of the number or proportion of the votes recorded in favour of, or against, that resolution.

117. Members Votes

(1) Upon any question arising at a general meeting of the Association, a member has one vote only.

(2) All votes shall be given personally or by proxy.

(3) In the case of an equality of voting on a question, the Chairman of the meeting is entitled to exercise a second or casting vote.

118. Demand for Polls

(1) If at a meeting a poll on any question is demanded by not less than three members, it shall be taken at the meeting, in such a manner as the Chairman may direct and the resolution of the poll shall be deemed to be a resolution of the meeting on that question.

(2) A poll that is demanded on the election of a Chairman or on a question of an adjournment shall be taken forthwith and a poll that is demanded on any other question shall be taken at such time before the close of the meeting as the Chairman may direct.

119. Entitlement to Vote

(1) A member is not entitled to vote at any general meeting unless all moneys due and payable by him to the Association have been paid.

120. Proxies

(1) Each member shall be entitled to appoint another member as his proxy by notice given to the Secretary no later than 24 hours before the time of the meeting in respect of which the proxy is appointed.

(2) The notice appointing the proxy shall be in the form set out in Appendix 2.

121. Committee of Management - Powers

The affairs of the Association shall be managed by a Committee of Management constituted as provided in Rule 122.

The Committee:-

- (a) shall control and manage the business and affairs of the Association;
- (b) may, subject to these rules, the regulations and the Act, exercise all such powers and functions as may be exercised by the Association other than those powers and functions that are required by these rules to be exercised by general meetings of the members of the Association; and
- (c) Subject to these rules, regulations and the Act, has power to perform all such acts and things as appear to the Committee to be essential for the proper management of the business and affairs of the Association.

122. Committee of Management - Officers

(1) The officers of the Association shall be:-

- (a) a Commodore
- (b) a Vice-Commodore
- (c) a Rear-Commodore
- (d) a Treasurer
- (e) a Secretary

(f) a Captain

(2) The provisions of Rule 124 so far as they are applicable and with the necessary modifications, apply to and in relation to the election of persons to any of the offices mentioned in sub-clause(1).

(3) Each officer of the Association shall hold office until the annual general meeting next after the date of his election but is eligible for reelection.

(4) In the event of a casual vacancy in any office referred to in subclause (1) the Committee may appoint one of its members to the vacant office and the member so appointed may continue in office up to and including the conclusion of the annual general meeting next following the date of his appointment.

123. Committee of Management - Ordinary Members

(1) Subject to section 23 of the Act, the Committee shall consist of:-

- (a) the officers of the Association; and
- (b) 5 ordinary members:  
each of whom shall be elected at the annual general meeting of the Association in each year.

(2) Each ordinary member of the Committee shall, subject to these rules, hold office until the annual general meeting next after the date of his election but is eligible for re-election.

(3) In the event of a casual vacancy occurring in the office of an ordinary member of the Committee, the Committee may appoint a member of the Association to fill the vacancy and the member so appointed shall hold office, subject to these rules, until the conclusion of the annual general meeting next following the date of his appointment.

124. Election of Committee Members

(1) Nominations of candidates for election of officers of the Association or as ordinary members of the Committee:-

- (a) shall be made in writing, signed by two members of the Association and accompanied by the written consent of the candidate (which may be endorsed on the form of nomination); and
- (b) shall be delivered to the Secretary of the Association not less than 7 days before the date fixed for the holding of the annual general meeting.

(2) If insufficient nominations are received to fill all vacancies on the Committee, the candidates nominated shall be deemed to be elected and further nominations shall be received at the annual general meeting.

(3) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected.

(4) If the number of nominations exceeds the number of vacancies to be filled, a ballot shall be held.

(5) The ballot for the election of officers and ordinary members of the Committee shall be conducted at the annual general meeting in such usual and proper manner as the Committee may direct.

(6) A member may nominate for up to two positions on the Committee of Management but must accept the first position voted on for which the member has nominated: - the order of elections to be:

1. Commodore
2. Vice Commodore
3. Rear Commodore
4. Treasurer
5. Secretary
6. Captain
7. Ordinary Members

(7) The Secretary of the Association shall at least 14 days before the date fixed for the holding of the Annual General Meeting, including the Election of Committee Members, cause to be sent to each member of the Association at his address appearing in the register of members, a notice stating the place, date and time of the meeting and also a list of candidates and a proxy voting form.

#### 125. Grounds for Termination of Office

For the purposes of these rules, the office of an officer of the Association or of any ordinary member of the Committee becomes vacant if the officer or member:-

- (a) ceases to be a member of the Association
- (b) becomes an insolvent under administration within the meaning of the Companies( Victoria) Code; or
- (c) resigns his office by notice in writing given to the Secretary.

#### 126. Quorum and Procedure at Meetings

(1) The Committee shall meet at least three times in each year at such place and at such times as the Committee may determine.

(2) Special meetings of the Committee may be convened by the Commodore or by any 4 of the Members of the Committee.

(3) Notice shall be given to members of the Committee of any special meeting specifying the general nature of the business to be transacted and no other business shall be transacted at such meeting.

(4) Any seven of the members of the Committee constitute a quorum for the transaction of the business of a meeting of the Committee.

(5) No business shall be transacted unless a quorum is present and if within half an hour of the time appointed for the meeting a quorum is not present, the meeting may stand adjourned to the same place and at the same hour of the same day in the following week unless the meeting was a special meeting in which case it lapses.

(6) At meetings of the Committee:-

- (a) the Commodore or in his absence the Vice-Commodore shall preside, or
- (b) if the Commodore and the Vice-Commodore are absent, such one of the remaining members of the Committee as may be chosen by the members present shall preside.

(7) Questions arising at a meeting of the Committee or of any sub committee appointed by the Committee shall be determined on a show of hands or, if demanded by a member, by a poll taken in such manner as the person presiding at the meeting may determine.

(8) Each member present at a meeting of the Committee or of any sub committee appointed by the Committee (including the person presiding at the meeting) is entitled to one vote and, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.

(9) Written notice of each committee meeting shall be served on each member of the Committee by delivering it to him at a reasonable time before the meeting or by sending it by pre-paid post addressed to him at his usual or last known place of abode at least two business days before the date of the meeting.

(10) Subject to sub-clause (4) the Committee may act notwithstanding any vacancy on the Committee.

127. Secretary - Minutes

The Secretary of the Association shall keep minutes of the resolutions and proceedings of each general meeting and each committee meeting in books provided for that purpose together with a record of the names and persons present at committee meetings.

128. Treasurer

(1) The Treasurer of the Association:

- (a) shall collect and receive all moneys due to the Association and make all payments authorised by the Association; and
- (b) shall keep correct accounts and books showing the financial affairs of the Association with full details of all receipts and expenditure connected with the activities of the Association.

(2) The accounts and books referred to in sub-clause (b) shall be available for inspection by members.

129. Removal of Member of Committee

(1) The Association in general meeting may by resolution remove any member of the Committee before the expiration of his term of office and appoint another member in his stead to hold office until the expiration of the term of the first mentioned member.

(2) Where the member to whom a proposed resolution referred to in sub-clause (1) makes representations in writing to the Secretary or Commodore of the Association (not exceeding a reasonable length) and requests that they be notified to the members of the Association, the Secretary or the Commodore may send a copy of the representations to each member of the Association or, if they are not so sent, the member may require that they be read out at the meeting.

130. Signing of Negotiable Instruments

All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by two members of the Committee.

131. Common Seal

(1) The Common Seal of the Association shall be kept in the custody of the Secretary.

(2) The Common Seal shall not be affixed to any instrument except by the authority of the Committee and the affixing of the common Seal shall be attested by the signature either of two members of the Committee or of one member of the Committee and of the Public Officer of the Association.

132. Alterations of Rules and Statement of Purposes

These Rules and the Statement of Purposes of the Association shall not be altered except in accordance with the Act.

133. Service of Notices

(1) A notice may be served by or on behalf of the Association upon any member either personally or by sending it by post to the member at his address shown in the register of Members.

(2) Where a document is properly addressed, pre-paid and posted to a person as a letter, the document shall, unless the contrary is proved, be deemed to have been given to the person at the time at which the letter would have been delivered in the ordinary course of post.

134. Winding Up

- (a) The Club may be wound up voluntarily by special resolution at a special general meeting called for the purpose of considering the voluntary winding up.
- (b) The Supreme Court of Victoria may order the winding up of the Club in accordance with the provisions of the Act.
- (c) In the event of the Association being wound up or dissolved, any surplus assets and profit of the Association remaining after the

satisfaction of all debts and liabilities of the Association cannot be distributed to members, but shall be given or transferred to some other institution promoting similar interests, and which is required by its constitution to apply its profits or income in promoting its objectives and is prohibited from paying any dividends or benefits to its members to the same extent as the Association

135. Custody of Books and Other Documents

Except as otherwise provided in these Rules, the Secretary shall keep in his custody or under his control, all books, documents and securities of the Association.

136. Sources of Funds

The funds of the Association shall be derived from entrance fees, annual subscriptions, donations and such other sources as the Committee determines.

137. Distributions to Members

The income and property of the Association, however derived:

- (a) must be applied solely towards the promotion of the purposes of the Association as set out in these Rules; and
- (b) must not be paid or transferred, directly or indirectly, by way of bonus, dividend or otherwise by way of profit, to any member, except that nothing in this Rule prevents:
- (c) payment in good faith of remuneration to any member or officer of the Association in return for:
  - (i) services rendered to the Association in a professional or technical capacity, if the Committee considers that the provision of the service is on reasonable commercial terms and such payment has the prior approval of the Committee; or
  - (ii) goods supplied in the ordinary and usual course of business;
- (d) payment of interest at a commercial rate on money borrowed from any member or Officer;
- (e) payment of reasonable and proper rent for premises demised if let by a member or Officer;
- (f) reimbursement for out-of-pocket expenses incurred in carrying out the duties of an Officer, where the payment does not exceed the amount approved by the Committee; or
- (g) payment as an employee of the Association, where the terms of employment have been approved by the Committee.

## **SECTION 200 REGULATIONS**

### **MANAGEMENT**

#### 201.1 Executive - Flag Officers

The Commodore, Vice Commodore and Rear Commodore shall be designated Flag Officers.

#### 201.2 Committee of Management (C.O.M.)

Only full members who have paid their membership subscription and life members are eligible for election to a position on the C.O.M. If a member fails to attend three consecutive meetings without a reasonable explanation, the position may be declared vacant.

#### 201.3 Public Officer

If a Public Officer is not a member of the C.O.M., he may be appointed ex-officio to the C.O.M.

#### 201.4 Casual Vacancy in the C.O.M.

Any casual vacancy to the members of the C.O.M. may be filled by the C.O.M. from a senior member of the club.

#### 201.5 Financial Commitments

The C.O.M. shall not commit the Club to any liability other than for ordinary maintenance and operating expenses. Any extraordinary expenditure or liability shall be placed before the members at a general meeting.

#### 201.6 Cheques

Cheques shall be signed by any two senior members authorized by the C.O.M.

#### 201.7 Audit and Auditors

The accounts of the Club, including sub-committees shall be examined at least once a year by two auditors elected for the year at the Annual General Meeting.

#### 201.8 Sub-Committees

The C.O.M. may appoint sub-committees to assist in the management of the Club. All sub-committees shall be accountable for their actions to the C.O.M. Reports / minutes of meetings of sub-committees shall be made available for presentation at C.O.M. meetings. Flag officers may be ex-officio at any sub committee meeting. Half of the number of members of a sub-committee shall form a quorum.

## **MEMBERSHIP AND SUBSCRIPTIONS**

#### 202.1 Full Membership

Full members enjoy all privileges of the Club and may vote at meetings and are eligible to hold office. The following categories of full membership are available:

- (a) Senior Membership

- Persons of 18 years of age and over.
- (b) Family Membership  
A family may join, comprising two seniors and all children under the age of 18 years residing at the same address. The two seniors will be full members of the Club. All children thus joined shall have the same rights as junior members.
  - (c) Pensioner Membership  
Existing pensioner memberships shall continue but no new pensioner memberships will be accepted.
  - (d) Life Membership
    - (i) On the recommendation of the committee, any person being a member of the Club for at least 15 years may, at any general meeting of the Club, in consideration of valuable services rendered by him or her to the Club, be elected a life member on such conditions and regulations as may be prescribed by the Committee.
    - (ii) Two thirds of such full members voting in the affirmative shall be necessary to such election.
    - (iii) Every life member shall be entitled to all the privileges and be subject to all the rules, by-laws and instructions of the Club.
    - (iv) There shall be not more than one nomination for life membership in any one financial year.
    - (v) The notice of motion shall not necessarily include the name of the nominee.

#### 202.2 Restricted Membership

Members in the following categories do not enjoy full privileges and in particular, are not entitled to vote or hold office, or nominate officers or members:-

- (a) Junior Membership  
Persons under the age of 18 years. Candidates must be accompanied by a senior member of their family when attending the meeting for the voting on their application for membership. On attaining the age of 18 he/she becomes a senior member without re-election. Candidates for membership under 13 years must be the children of senior members unless an exception is approved by the Committee.
- (b) Associate Membership  
A full member's spouse, not actively involved in boating, automatically becomes an Associate Member of the Club without additional charge to the member. Full membership is required where both spouses are actively involved in boating.
- (c) Honorary Membership  
The C.O.M may offer estimable persons honorary membership for any period of time. Honorary membership may be extended or terminated at any time.

(d) Absentee Membership

Any member upon application in writing and acceptance by the C. O. M; who does not expect to be an active member for at least twelve months but wishes to remain a member, can be an absentee member and receive all correspondence from the Club.

202.3 Limitations

Membership numbers and boat numbers may be limited at the discretion of the C.O.M. at any time.

202.4 New Members

Every candidate for membership shall complete a nomination form, signed by a proposer and seconder, both of whom have been financial full members of the Club for more than 12 months. Any candidate unknown to members of the Club must provide a brief character reference from either his/her employer or persons acceptable to the C.O.M. The nomination form together with the nomination fee shall be forwarded to the Secretary of the Club. The Secretary shall place the nomination form on the Club's notice board for a period of not less than seven days after which period the candidate shall be eligible for election.

202.5 Unfinancial members

Membership subscriptions are due and payable by first of July. A member is not entitled to vote at any general meeting unless all moneys due and payable by him to the Association have been paid.

202.6 Resignation of Member

If the member whose written resignation is received wishes to rejoin, he/she shall follow the normal nomination and election procedure except that a nomination fee shall not be charged if a nomination fee has previously been paid.

## MEETINGS

203.1 Quarterly Report Meetings

Meetings shall be held on the first Wednesday in the months of March, June, September and December. These meetings shall include:-

- confirmation of the minutes of the previous report meeting
- reports from the C.O.M. about the Club's transactions including the activities of subcommittees
- the opportunity for members to discuss reports, any general business including fees and levies for the next financial year

A formal motion from any member for discussion and resolution at a quarterly report meeting should be in the hands of the Secretary 30 days prior to the date of the next quarterly meeting.

### 203.2 Voting at Annual General Meeting and Special General Meetings

Only full members who have paid their membership subscriptions are allowed to vote. Proxy voting may be made by use of forms available from the Secretary. The completed form must be in the hands of the Secretary at least 24 hours before the time of the meeting.

### 203.3 Visitors at Meetings

No visitors shall be permitted to attend any meeting without the sanction of the chairman of such meeting first being obtained.

## **MISCELLANEOUS**

### 204.1 Club Colours and Flags

The colours of the Williamstown Sailing Club (W.S.C.) shall be yellow and blue. The Club flag shall be a blue pennant with a yellow cross. The Commodore's flag shall be a blue burgee with a five pointed yellow star in the centre and a yellow border. The Vice-Commodore's flag shall be a blue flag with a five pointed yellow star in the centre and a yellow border. The Rear-Commodore's flag shall be a blue flag with a five pointed yellow star in the centre.

### 204.2 Supply of Rule Books

Every member is entitled to a copy of the up to date model rules, regulations and by-laws. The Secretary shall place a copy of any amendments on the notice board.

### 204.3 Amendments to Model Rules and Regulations

Model rules and regulations shall only be amended by voting at a special general meeting. All full members shall be advised of a notice of motion at least 14 days before the meeting.

### 204.4 By-laws

The C. O. M. shall have power to make by-laws consistent with these rules and amend or rescind same as required. These shall not be operative until displayed on the Club notice board for 14 days. These shall be submitted to the next AGM for confirmation, amendment or rejection.

### 204.5 Setting of Fees

All annual and regular fees and levies shall be decided by the majority of full members present at a special general meeting held in June.

### 204.6 Boat Register

The Secretary shall keep a register of boats listing all boats and yachts accepted into the Club. The register shall state class, name, registration number, overall length and name of owner.

204.7 Restrictions for Boats over 5.5 metres

No vessel over 5.5 metres in length (measured overall length of hull excluding extensions) shall be allowed to use launching ramp, slipway nor tie up at the jetties.

204.8 Disposable Assets

Before the Committee of Management agrees to the disposal of a Club asset over \$1000 a notice giving details of their recommendation shall be displayed on the Club notice board for a period of 28 days.

## **SECTION 300 - BY-LAWS**

### **CLUB PREMISES**

#### **301.1 Restricted Use of the Club**

Senior members may hire the upstairs function room for special occasions involving their family. The C.O.M. may also approve use of club facilities by associations, educational institutions and charitable organisations. Fees and conditions are available from the secretary. When areas of the Club are used for special functions approved by the C.O.M., members who are not participating shall not intrude into the area. A notice showing the date, time and type of function shall be placed on the Notice Board 14 days prior to the event.

#### **301.2 Club Hours**

The Club hours are between 6.00 am and 12.00 midnight. Between the hours of 12.00 midnight and 6.00 am, the Clubhouse may only be entered for the purpose of sailing or fishing. Persons wishing to use the Club for other purposes at these hours must obtain and carry with them, written permission from the C.O.M. or the Commodore.

#### **301.3 Visitors**

A visitor is a person who participates in Club activities, eg: sailing, fishing, etc. No visitors shall be allowed on the Club premises unless introduced and accompanied by a full member. A member introducing visitors shall remain in their company during their visit. The same visitor shall only be allowed into the Club once a month. Each member may introduce a maximum of three visitors per month.

#### **301.4 Junior Members on Club Premises**

A junior member is not allowed on the Club premises between the hours of 10.00 pm and 6.00 am unless accompanied by a full member taking responsibility for the junior member.

#### **301.5 Consumption of Liquor**

Consumption of liquor is governed by the Liquor Control Commission's "Restricted Club Permit" and is limited to the upstairs area only. Liquor is not to be consumed by anyone under 18 years of age. Members must "sign in" any visitors in the Visitors Book adjacent to the bar. Decorum shall be maintained in the Club and liquor shall only be consumed in moderation. Persons under the influence of liquor are not allowed on the club premises.

#### **301.6 Upper Deck**

This is the show piece of our Club and is much commented on by many visitors. Please help to maintain it accordingly. Dress should be tidy and include footwear and a shirt but not sailing, fishing or wet gear. The function room is a non smoking area to minimise damage to the carpet and out of respect for those whose health is affected by smoke.

### **BOATS**

### 302.1 Qualification of Boats

A boat or yacht shall only be accepted for registration on the Club register if:

- (a) the boat or yacht has passed a seaworthiness check and is found suitable by the C.O.M., and complies with all statutory regulations and rules;
- (b) is not used for financial gain;
- (c) all owners are members of the Club.

Unseaworthy vessels or equipment (including moorings) shall be reported to the C.O.M. for action. The C.O.M. may strike a vessel off the register.

A person may register a second boat at an appropriate fee.

### 302.2 Boat Storage

Boat storage is available in racks in the Club house by prior arrangement and on payment of the prescribed fee. Preference shall be given to boats which are racing regularly.

### 302.3 Painting and Repairing Boats

Boats and yachts may be painted and repaired in designated areas. Areas shall be cleaned daily and all scraps, shavings, etc, shall be promptly removed.

### 302.4 Access

Boats and yachts must not be rigged or left in such a position as to obstruct access to and through the Clubhouse or to the water.

### 302.5 Club Dinghies

The Club dinghies shall only be used by Club members -

- (a) for transport to and from moorings with boats which are on the Club register;
- (b) for official Club purposes;
- (c) for emergencies;

The Club dinghies must not be left on the moorings, but must be returned to their proper place, within ten minutes and locked.

### 302.6 Jetties

Boats or yachts shall not moor at or near a jetty for more than one hour without leaving a person on board. On race days, boats other than yachts intending to race shall not moor to the jetties between the hours of 11 am and 5 pm other than to the outermost end of the south jetty and only for the purpose of loading and unloading.

### 302.7 Launching Ramp

The launching ramp is closed to all boats (except those racing or on rescue duties) from 11 am to 6 pm on race days. Rescue boats have priority over all yachts for both launching and retrieval during this period. When using the ramp on non race days, members should ensure that the double gates are locked before sailing or fishing and on leaving the Club.

## SAFETY

### 303.1 Stowage of Flammable Material

No petrol or other flammable material is allowed to be stored in members lockers.

## MAINTENANCE

### 304.1 Mooring Maintenance Barge

The Maintenance mooring barge can only be used by members authorised by the C. O. M. The barge shall only be used for servicing a Club members mooring, unless approval for other use has been given by the C.O.M. The mooring registration fee entitles a member to one mooring inspection and report every two years. Any repairs to moorings are the responsibility of the member.

### 304.2 Slipway Rules

- (a) The allotted time periods that a boat may occupy the railed slip are:
  - (i) bottom cradle; under cover - 5 days
  - (ii) top cradle; under cover - 12 daysThis period may be extended or reduced at the discretion of the Slipmaster or C.O.M.
- (b) All boats on the slip must be worked on or the owner will be requested to remove the boat.
- (c) All burning-off is to be carried out on the bottom cradle.
- (d) Slipway must be cleaned to the satisfaction of the Slipmaster or, in his absence, an executive officer.
- (e) Winch is to be kept locked.
- (f) The Slipmaster shall maintain a slipway log.
- (g) The owner's name, the boat's name and the planned dates for slipping and launching shall be entered on the slipway board.

## MISCELLANEOUS

### 305.1 Trophies

Perpetual trophies shall remain under the control of the Club at all times.

### 305.2 Owner's Risk

All boats and gear are at the owner's risk. The Club accepts no responsibility whatsoever.

### 305.3 Use of Club Property

Members seeking to use Club's property shall apply in writing to the C.O. M.

### 305.4 Dogs

Dogs are not allowed inside the Clubhouse at any time.

### 305.5 Found Property

Found property may be confiscated by the club.

**APPENDIX 1**

Application for membership of

.....(name of Association)

I,.....of.....

.....,

desire to become a member of

.....

In the event of my admission as a member, I agree to be bound by the rules of the Association for the time being in force.

.....*Signature of Applicant*

Date.....

I,....., a member of the

Association, nominate the applicant, who is personally known to me, for membership of this Association

.....  
*Signature of Proposer*

Date.....

**APPENDIX 2**  
**FORM OF APPOINTMENT OF PROXY**

I,.....of.....

being a member of .....

hereby appoint .....

of ..... being a member of that  
incorporated Association, as my proxy to vote on my behalf at the general meeting of the  
Association (annual general meeting or special general meeting, as the case may be) to be  
held on the ..... and at any adjournment of that meeting.

My proxy is authorised to vote in favour of/against (delete as appropriate) the resolution  
(insert details).

*Signed* .....

*The* .....*day of* .....*19* ....