



# Loch Tummel Sailing Club

## Constitution and Rules

(Revised January 2020)

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### 1. Title

The Club shall be called Loch Tummel Sailing Club.

### 2. Objects

The object of the Club shall be to promote sailing

### 3. Membership

The Club shall consist of Members, Supporters, Temporary Members and Honorary Members. Members may be divided into different payment categories for subscriptions as the Club may in General Meeting from time to time decide. The numbers of members in any one or more of the classes of members may be limited by a Bye-Law as hereinafter provided for or by an Ordinary Resolution of the Club in General Meeting. Members and Honorary members have voting rights

Membership is open to any person who wishes to promote the objects of the club.

### 4. Honorary Officers

The Club in General Meeting may elect an Honorary Commodore and an Honorary Vice-Commodore. They shall hold office until the next Annual General Meeting and shall be eligible for re-election. They shall take no part in the management of the Club.

### 5. Flag Officers

The Flag Officers for the club shall be the Commodore, Vice Commodore and Rear Commodore elected in terms of rule 15.

### 6. Office Bearers

The Office Bearers of the Club shall be the Secretary and the Treasurer. They shall be Ex-Officio members of all Committees.

### 7. Trustees

The whole property of the Club, both heritable and moveable, shall be vested in the Trustees of the Club, the Secretary and the Treasurer, and their successors in office ex-officio. The Trustees shall be bound to comply with any order of the General Committee signed by the Chairman Rule 26 and certified by the Secretary, and shall bear no personal liability for complying therewith.

### 8. Engagement

The affairs and property of the Club shall be managed by the General Committee consisting of: -

(a) The Flag Officers and Office Bearers of the Club as specified in Rules 5 and 6.

(b) Not more than six members of the Club elected as provided for in Rule 15.

(c) Such other members as may be co-opted on to the General Committee with full voting powers as provided in Rule 16.

## **9. Delegation**

The General and other Committees shall have power to delegate any part or parts of their duties, except directions of the Trustees, with such powers as that may deem necessary to one or more of their members, to sub committees (whether composed of their own members or Club members or both) or otherwise as shall in the sole discretion of the relevant committee deem necessary.

## **10. Sailing Rules**

All sailing by members of the Club when racing shall be carried out under the Racing Rules of Sailing issued by the World Sailing and the prescriptions of the Royal Yachting Association, as amended from time to time by the Sailing Committee in terms of these rules.

## **11. Applications for Membership**

Applications for membership shall be examined by the General Committee of the Club at a regular meeting held after the date of each application. Membership will not be refused except for good and proper reason.

## **12. Supporters**

The General Committee shall have power to admit as Supporters, persons having an interest in the Club and its objects, but not desirous of taking part in the on-water activities of the Club. Supporters shall not take part in the on-water activities of the club, shall not store boats or equipment at the club, shall not hold club keys and will not have a vote.

## **13. Temporary Members**

The Committee shall have power to admit Temporary Members. Any one Sailing Member of the Club shall have the power to admit a Temporary Member for any period within a year not exceeding *fourteen days*, provided such full member personally signs the Temporary Membership card and notifies the Secretary of the Club within twenty-four hours of the name and local home address of the Temporary Member. The length of each Temporary Membership, the entrance fee (if any) and the subscription (if any), shall lapse automatically at 15<sup>th</sup> October in each year. Temporary Members shall have no vote.

## **14. Honorary Members**

The General Committee shall have power by the unanimous vote of those present and voting to recommend to the Club in General Meeting that they invite eminent yachtsmen, or any persons who have rendered distinguished service to the Club, to become Honorary Members of the Club. Such Members shall be elected for life and shall be exempt from the payment of any subscriptions.

## **15. Election of General Committee**

The Flag Officers, Office Bearers and the elective members of the General Committee shall be elected in the first instance at a General Meeting and thereafter at the Annual General Meeting. Only Sailing Members of the Club shall be eligible for election as Flag Officers or as members of the General Committee. The Flag Officers and Office Bearers shall be eligible for re-election without restriction. Each year one half of the elective

members of the Committee shall retire, the next year the other half will retire. A retiring member will be eligible for re-election once. Upon the second retiral (after four years from his original election) they will not be eligible for re-election but will again be eligible for re-election to the General Committee after a further year out of office. The Secretary shall, at least thirty days before the date of the Annual General Meeting, send a circular to members calling for nominations, and any nominations so received shall be included in the Agenda for that Meeting, which Agenda shall be circulated to Members at least seven days before the date of that Meeting. All such nominations must be accompanied by a note by the Nominee indicating willingness to stand.

#### **16. Co-Opted Members or Committee**

The General Committee shall be entitled to co-opt members to fill casual vacancies in the Committee, and to co-opt additional members, not exceeding three in number, with full powers to attend and vote at any Committee meeting. The Committee may also co-opt any number of persons, whether members of the Club, or not, for any special purpose, but without the powers of voting at Committee meetings.

#### **17. Entrance Fee and Subscription**

Subject to any express conditions in these Rules every Member shall pay such entrance fee (if any) and subscription as may be fixed from time to time by the Club in General Meeting. The General Committee shall be entitled to remit all or any part of the entrance fee of any person for any reason it may deem expedient. The financial year of the Club shall close annually on 31<sup>st</sup> December and the annual subscription shall be payable by 31<sup>st</sup> of March in each year, for the year to 31<sup>st</sup> December following.

#### **18. Arrears of Subscription**

Any member who has failed to pay their subscription by 1<sup>st</sup> May shall, if the General Committee so order, have their name posted in the Clubhouse, and if they have failed to pay by 1<sup>st</sup> June they cease to be a member of the Club. The membership of any member shall be null and void if they have not paid their entrance fee (if any) and subscription within one calendar month of the date on which notice of their admission was sent to them. The General Committee shall have power to reinstate a member whose membership has lapsed or has failed to become effective under the above clauses.

#### **19. Expulsion**

If the conduct of a Member, whether in or out of the Club, shall, in the opinion of the General Committee, be calculated to injure the character or interests of the Club, the Committee shall have power to recommend such member to resign and if the member so recommended to resign shall not do so within a month from the date of such recommendation, the Committee may expel such Member and such Member may not thereafter enter the Club -provided always that no such recommendation shall be made unless the same shall be agreed to by three quarters of all the members of the Committee voting at a meeting specially summonsed to consider the conduct of such Member, after having afforded a Member the opportunity of making his own statement. In the event of the Members present at such a meeting of the General Committee being unanimously of the opinion that he shall be immediately expelled, they shall have the power to expel such Member from the Club at once without the option of resigning. A Member of Committee whose conduct is being dealt with shall have no vote.

#### **20. Resignation**

Any member may resign by giving notice in writing to the Honorary Secretary, but they shall be held liable for their subscription for the current Club year.

#### **21. Annual General Meeting**

The Annual General Meeting shall be held by the 20<sup>th</sup> March each year. A statement of the accounts for the preceding Club year shall be presented to a General Meeting.

## **22. Special General Meeting**

A Special General Meeting may be called whether at the discretion of the General Committee or within fourteen days of the receipt by the Secretary of a requisition signed by *Ten Members* entitled to vote at General Meeting stating the reasons for which the Meeting to be called. Not less than twenty-one days of notice shall be given of any Special General Meeting and of the purpose of such meeting.

## **23. Quorum**

A quorum for a General Meeting shall be twelve members entitled to vote, and for a Meeting of the Committee shall be four.

## **24. Voting**

Only members and honorary members over the age of 18 shall be entitled to vote. Supporters and temporary members shall not have a vote. Each Member must vote personally. No Member shall be entitled to vote at any Meeting unless all monies due from such Member to the Club shall have been paid.

## **25. Resolutions**

Any Member wishing to move any resolutions at any Annual General Meeting shall give written notice thereof to the Honorary Secretary at least thirty-one days before the date of that Meeting, and that resolution shall be included in the notice convening that Annual General Meeting.

## **26. Chairman of Meetings**

The Senior Flag Officer of the Club present shall take the chair at all General and Committee meetings. If no Flag Officer be present, the Meeting shall appoint its own chairman. In the event of equality in voting, the chairman shall have a Casting vote.

## **27. Professional Assistance**

The General Committee shall have power to employ professional and other assistance and to allow the usual remuneration for the same. It shall be no objection that a professional adviser employed under this rule is a member of the Committee or of the Club.

## **28. Freedom from Liability**

No member shall have any claim against the Club or its Officers or Office Bearers or against any individual member of the Club acting in an official capacity on behalf of the Club, in respect of any loss, injury or damage whatsoever caused or arising from any accident or misadventure happening on or within the Club premises or precincts. This freedom from liability cannot be claimed if there were any insurance cover in operation which would provide compensation for an injured member.

## **29. Financial**

The general funds of the Club shall be used only for purposes relating to the promotion of sailing and shall not be distributed to the Members of the Club.

The General Committee shall be entitled to open banking accounts as it may deem convenient, and to allow these to be operated on its behalf by the Treasurer or by such other person or persons as may be decided by the General Committee.

### **30. Accounts**

The accounts of the Club shall be made up to 31st December in each year and shall be audited prior to a General Meeting by an Honorary Auditor appointed by the Club General Meeting. The Honorary Auditor may be a Member of the Club or of the General Committee. They shall retire at each annual General Meeting but shall be eligible-le for re-election.

### **31. Complaints by Members**

Any member wishing to lodge a Complaint shall do so in writing addressed to the Secretary, who shall place the complaint before the appropriate Committee.

### **32. Bye-Laws**

The General Committee shall have power to make bye-laws which shall have immediate effect on promulgation but shall lapse if not confirmed at the next Annual General Meeting or at a Special General Meeting to confirm them. Should any unconfirmed bye-law be objected to in writing by any *Ten Members* entitled to vote at General Meeting, a Special General Meeting shall be convened within fourteen days of the receipt of the objection by the Secretary.

### **33. Alteration of Constitution and Rules**

This Constitution and Rules may only be altered or added to if the alteration or addition has, after due notice been given to all Members, been approved by a two-thirds majority of those present and voting at an Annual General Meeting or at a Special General Meeting called for the purpose.

### **34. Distribution on Winding Up**

In the event of the winding up of the Club for any reason the assets, after meeting all liabilities, shall be paid out to any Fund, Institution or Body established for any Charitable Purpose carried out in Scotland which the General Committee for the time being, in their sole discretion may decide.