

Pagham Yacht Club Rule Book



Pagham Yacht Club Rules
re-Issued following the
2013 Annual General Meeting
held on
24th November 2013

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Any amendments to this document are identified by the new text being red and enclosed within the following symbols ▶like this for example◀.

Details of Amendment

Date of Amendment	Description of Amendment
30 November 2014	<p>The following revisions were approved at the 2014 AGM:</p> <p>Rule 3 – Revision of wording to delete ‘Wine Committee Chair’ and replace with title ‘Bar Manager’.</p> <p>Rule 7 – Revised in its entirety to rationalise the Club’s Membership categories.</p> <p>Rule 9 – Revised to remove ambiguous wording from rule.</p> <p>Rule 25 – Revision of wording to delete ‘Wine Committee Chair’ and replace with title ‘Bar Manager’.</p> <p>Rule 43 – Removal of references to ‘Open Days’ and ‘Firework Display’.</p> <p>Insertion of this table into Rule Book to provide a précis of the revisions to the Pagham Yacht Club Rules and Policies.</p>
19 May 2018	<p>Total revision of the Club’s Data Protection policy to meet the requirements of the General Data Protection Regulations (GDPR) effective from 25th May 2018.</p>
25 November 2018	<p>The following revisions were approved at the 2018 AGM:</p> <p>Rule 37 – Revision of amount, deleting ‘£2,000’ and replacing with ‘£3,500’.</p> <p>Rule 55 – Revised in its entirety to introduce proxy votes.</p>
▶ 24 November 2019 ◀	<p>▶ The following revision were approved at the EGM held prior to the 2019 AGM and at the 2019 AGM:</p> <p>Rule 3 – Additional wording inserted relating to President and Vice-President.</p> <p>Rule 38 – Additional wording inserted relating to Five Year Plan. ◀</p>

Rules – Section 1 – Name and Objects

1. The name of the Club shall be 'Pagham Yacht Club' (hereinafter referred to in these rules as the club), and the burgee of the Club shall be a swan in flight on a light blue background with its reflection in water on a dark blue background. For the purposes of registering with the Angling Trust and for communication with the angling community, the Angling Section of the Club will be known as 'Pagham Sea Angling Club'.
2. The objects for which the club is formed are to promote and facilitate community participation in the sport of Dinghy Sailing and other water sports for Members on Pagham Beach and also to provide social and other facilities for Members as may from time to time be determined.

Rules – Section 2 – ► Club Officers, President, Vice-President ◀

3. ► President and Vice-President ◀

There shall be a President and Vice-President of the Club, both of whom shall be entitled to vote ► at General Meetings ◀. The position of President will, unless he/she so desires be held for life. The position of Vice-President elected annually will be filled by either the retiring or a past Commodore.

► The President will be elected in General Meeting and the position will be held for five years, unless otherwise declared. The President is an honorary position to support the Club objects and need not be a Member of the Club. The President is subject to the Rules of the Club. At the end of the term the President can re-stand or be entitled to Honorary Membership.

The Vice-President will be annually in General Meeting and the position will be filled by either the retiring or a past Commodore or Honorary Member. The Vice-President must be a current Member of the Club.

Officers ◀

The Officers of the club shall be Members and consist of a Commodore, a Vice-Commodore, four Rear-Commodores of equal status an Honorary Secretary, an Honorary Treasurer, a Youth Officer (who must be over 18 years of age), a Membership Secretary, a Bar Manager and one Club member. Officers shall be elected at the Annual General Meeting in each year and shall hold office for one year, retiring at the commencement of the Annual General Meeting in each year. A Boatswain will be elected at the Annual General Meeting, to sit on the Sailing Committee. A Child Protection Coordinator will be elected at the Annual General Meeting.

Duties of Honorary Secretaries, Membership Secretaries:

4. The Membership Secretary shall:-

Upon receipt of an application for membership, the Membership Secretary shall enter such applicants in a Register of Candidates. The names of the adult applicants and numbers of family members shall be displayed in the clubhouse for a minimum period of 14 days before the meeting of the Committee at which such application shall be considered.

Keep a register of all club members' names and addresses.

The Honorary Secretary shall:-

Conduct the correspondence of the Club.

Keep Custody or copies of all Club documents.

Keep full minutes of all meetings of the club, the Committee as defined in Section 2, Rule 3 and sub-committees which shall be confirmed and signed by the appropriate Chairman upon the agreement of the club, the Committee or sub-committee at the next following meeting of the club, the Committee or sub-committee.

The Honorary Secretary shall at least fourteen days before the date of the A.G.M. or General Meeting, notify each member by notice hereof and of the business to be brought forward thereat.

Rules – Section 2 – ► Club Officers, President, Vice-President ◀

Maintain contact with the club's Legal Advisor to ensure that the club's affairs are managed in accordance with current law.

Maintain any such certificates or registrations, and complete any such non-financial returns, as may be required by law.

5. **The Honorary Treasurer shall:-**

Cause such books of account to be kept as are necessary to give a true and fair view of the state of finances of the club.

Cause all returns as may be required by law in relation to such accounts to be rendered at the due time.

Prepare an Annual Balance Sheet as at 31st August in each year and cause such Balance Sheet (and accounts as necessary) to be audited at least once annually and shall thereafter cause the same to be exhibited in the club premises at least fourteen days before the date of the Annual General Meeting.

6. **The Auditors shall:-**

Be appointed at the Annual General Meeting in each year and shall audit the accounts and Annual Balance Sheet of the club when called upon to do so.

If unwilling or unable to act, inform the Committee who shall appoint a substitute Auditor to hold office until the end next Annual General Meeting.

Rules – Section 3 – Membership

7. There shall be the following categories of membership as indicated hereunder, where all references to age relate to age on the 1st of March in any one year.

Full Membership:

A Full member shall have the full use of all the club facilities, with power to vote at all general meetings of the club. Full membership is available in the following classes

Adult: Individual Adult over 18 years of age.

Family*: Husband/Wife or Cohabiting Partners and their children⁺ aged between 8 and 18 years living at the same address.

Student[^]: An individual Adult member who is under 24 years of age in full time education.

Youth: A sailing/angling member aged between 8 and 18 years, without a parent / guardian member and they shall have no voting rights.

Social Membership:

A Social member who may use only the facilities available in the club house, they shall not be entitled to sailing/angling facilities, unless events are designated by the appropriate Rear Commodore as inclusive of Social Members. They shall have no voting rights unless they are serving Committee members and they shall not exceed 40% of the total membership. No existing Full member shall be denied membership notwithstanding the existing ratio of Full to Social, provided they have been a Full member of the club for 5 consecutive years.

Social Adult: Individual Adult non-sailing / angling member over 18 years of age.

Social Family*: Husband/Wife or Cohabiting Partners and their children⁺ of between 8 and 18 years living at the same address.

Honorary Membership:

The club, on the recommendation of the Committee, may in General Meeting elect Honorary members, who shall have no voting rights unless they are serving Committee members.

The election of Honorary members shall be duly proposed and seconded by a member and put to the vote at the Annual General Meeting and such Honorary members shall be duly elected if two thirds of those present, and entitled to vote, vote in favour of election.

Temporary Membership:

A category of membership primarily intended for summer visitors from other RYA or AT recognised club or organisations and 'House Guests' of Club members. Temporary members shall have the full use of the club facilities for a period not exceeding 14 days in any one year but;

(a) Shall have no right to introduce visitors to the club or the facilities thereof.

(b) Shall have no right to take any part in the management of the club.

(c) Is deemed to have notice of and impliedly undertakes to comply with the club rules, current Byelaws and Regulations as if he or she were a member of the club.

(d) Shall be liable to be expelled from the club premises or to be prohibited from using the club facilities if, in the opinion of two Committee members, he or she shall not have reasonably complied with the above conditions.

Rules – Section 3 – Membership

Notes:

* Discount for Single Parent families.

^ Discount for Students living away from home and more than 50 miles from the club.

+ Children of Family members shall have the full use of all the club facilities and will be classed as Youth members.

Applicants for Membership:

Applicants for membership of the Club irrespective of the grade of membership applied for; shall have no privileges whatsoever in relation to the use of the club premises or facilities.

8. The membership subscription year shall run from the first day of March until the last day of February the following year. The rate of Subscription fee for each category of Membership shall be proposed by the Committee to the members at the Annual General Meeting in each year. Any proposed changes shall be approved by a majority of those present and entitled to vote and shall become operative on the first day of March the following year. The current rate of fees shall be prominently displayed in the club premises.

Membership of the club shall be open to anyone interested in the sport of Dinghy Sailing or other water sports on application regardless of sex, age, disability, ethnicity, nationality, sexual orientation, religion or other beliefs. Membership may however be limited according to available facilities on a non-discriminatory basis.

Membership subscriptions will be kept at levels that will not pose a significant obstacle to people participating.

The club committee may refuse membership or subject to rule 17, remove it, only for good cause such as conduct or character likely to bring the club or sport into disrepute. Appeal against refusal of membership may be made in writing to the members.

9. Members must also make the following annual payments;

(a) An annual boat park fee shall be decided at the Annual General Meeting

(b) All applicants for membership shall pay an initial subscription fee as determined at the Annual General Meeting for the category of membership applied for and thereafter pay the annual Renewal fee on or before the last day of February each year.

(c) An applicant for membership applying after the 30th June in any year shall pay an initial Pro-Rata subscription fee for the current year and thereafter pay the annual Renewal fee on or before the last day of February each year.

(d) An applicant for membership applying on or after the 1st of January of any year shall pay the initial subscription fee of the following subscription year, but shall not be liable for a further Renewal fee until the end of the following subscription year.

(e) All craft, trailers, trolleys, masts and other equipment must be clearly marked with the owners name for reasons of identification, security and management. Craft and equipment must occupy the same space.

Rules – Section 3 – Membership

(f) All craft kept or used at PYC must, at all times, have a minimum of third party indemnity insurance (as recommended by the RYA or Angling Trust) and copies of current certificates must be provided to the Membership Secretary at membership renewal AND at each Insurance renewal date throughout the membership year.

10. Every member shall furnish the Membership Secretary with an up-to-date address and also where possible an e-mail address which shall be recorded in the Register of Members and any notice sent to such address shall be deemed to have been duly delivered.

Whenever possible all correspondence will be sent by e-mail.

Election and Retirement of Members:

11. (a) Every candidate for membership (except Honorary Members) shall be proposed and seconded by a Member of the club, both of whom must be personally acquainted with the candidate.

(b) Candidates for membership without sufficient personal acquaintances within the club may be proposed and seconded by two Committee members after an introductory meeting

12. An application for membership shall be in the form from time to time prescribed by the Committee, and shall include the name, address, and telephone number (in case of emergencies) of the candidate.

Each application must include the signatures of a Proposer and Secunder.

13. The election of all classes of members is vested in the Committee and shall be a simple majority vote of those of the Committee.

14. Upon election, a candidate shall pay such entrance and other fees as shall be requested. In default of such payment, the election shall be void unless sufficient cause for delay is shown.

15. A member desirous of retiring from membership shall give notice in writing to the Membership Secretary before the last day of February and shall not then be liable to pay the subscription for the following year. Upon re-application by a past member the Committee may, at its discretion, excuse payment of an Entrance Fee.

16. The Committee may cancel, without notice being given, the membership of any member whose annual subscription and other annual fees are not paid by the due date. No member whose annual payment is in arrears may enter any club event or regatta or vote at any meeting.

Conduct of Members:

17. Every member, upon election and thereafter, is deemed to have notice of, and impliedly undertakes to comply with, the Club Rules and the current Byelaws and Regulations of the club. Any refusal or neglect to do so, or any conduct which, in the opinion of the Committee, is either unworthy of a member or otherwise injurious to the interests of the club, shall render a member liable to expulsion or other sanctions by the Committee.

Rules – Section 3 – Membership

PROVIDED THAT, before expelling a member, the Committee shall call upon such member for a written explanation of the member's conduct and shall give the member full opportunity of making explanation to the Committee, or of resigning.

A Resolution to expel a member shall be carried by a simple majority vote by those members of the Committee present and voting on the Resolution.

Appeal against expulsion from membership may be made to the members in General Meeting.

18. Members shall enter the names of all guests in the Visitor's Book. Not more than three guests may be introduced in any one day and the same guest may not be introduced more than six times in any calendar year. Guests introduced by a Youth Member must be countersigned by an adult member.
19. A member shall not knowingly remove, injure, destroy or damage any property of the club and shall make restitution for the same if called upon to do so by the Committee or by the Honorary Secretary upon the instructions of the Committee.
20. A member shall not cause any communication in whatever form to be exhibited on club notice boards or premises without permission of the Honorary Secretary. A member shall not deface, alter or remove any communication from a club notice board.
21. A member shall settle any indebtedness for refreshment or otherwise before leaving the club premises, or in accordance with any byelaw relating to the settlement of such indebtedness.
22. Complaints of any nature relating to the management of the club premises shall be addressed in writing to the Honorary Secretary.
23. A member of any club affiliated to the Royal Yachting Association or Angling Trust on production of their current membership card, may be authorised to use the premises of the club by any member of the Committee of the club.
24. Any person who is a competitor or crew member in any race sponsored by or on behalf of the club is entitled to the use of the club premises within a period of 24 hours before and after the race in which they are competing.
25. The Commodore, Vice Commodore, any other Flag Officer, including the Bar Manager may expel, temporarily or permanently, any person who has the right to the use of the club premises only under Rules 23 and 24.

Limitation of Club Liability:

26. Members, their guests and visitors are bound by the following Rule which shall also be exhibited in a prominent place within the club premises:-

Members of the club, their guests or visitors may use the club premises, and any other facilities of the club, entirely at their own risk and impliedly accept:-

- (a) The club will not accept any liability for any damage to or loss of property belonging to members, their guests or visitors to the club.

Rules – Section 3 – Membership

(b) The club will not accept any liability of personal injury arising out of the use of the club premises, any other facilities of the club either sustained by members, their guests or visitors or caused by the said members, guests or visitors whether or not such damage or injury could have been attributed to or was occasioned by the neglect, default or negligence of any of them, the Officers, Committee or servants of the club

27. Membership of the club and acceptance of these rules by the member will be deemed to constitute consent to the holding of relevant personal data for the purposes of the Data Protection Acts.

Rules – Section 4 – Management Committee

28. The Management Committee (herein referred to as 'the Committee') shall consist of the Officers referred to in Rule 3 elected at the Annual General Meeting each year to hold office until the commencement of the next following Annual General Meeting. Any Trustee may attend Committee meetings but shall have no voting rights.
29. Candidates for election to the Committee shall be those members of the retiring Committee eligible to offer themselves for re-election and such other members whose nominations (duly proposed and seconded in writing by a Member of the Club) with their consent shall have been received by the Honorary Secretary at least twenty-eight days before the date of the Annual General Meeting in each year. Such nominations, together with the names of the Proposer and Secunder shall be posted in the clubhouse at least twenty-eight days prior to the date of the Annual General Meeting.
30. If the number of candidates for election is greater than the number of vacancies to be filled then there shall be a ballot.
31. If the number of candidates for election is equal to or less than the number of vacancies to be filled then all candidates shall be deemed to be elected if two thirds of those present at the Annual General Meeting, and entitled to vote, vote in favour of such election. If a two-thirds majority is not achieved there shall be a ballot for each individual candidate. A candidate who fails to gain election after such a ballot will be ineligible for co-option by the Committee under Rule 33.
32. In the event of the ballot failing to determine the members of the Committee because of an equality of votes the candidate or candidates to be elected from those having an equal number of votes shall be determined by lot.
33. If, for any reason, a casual vacancy shall occur, the Committee may co-opt a member to fill such a vacancy until the next following Annual General Meeting.
34. The Committee shall meet at least every two months making such arrangements as the conduct, place of assembly and holding of such meetings as it may wish. The Commodore or in his/her absence a Chairman elected by those present shall preside.
35. Voting (except in the case of a resolution relating to the expulsion of a member) shall be by show of hands. In the case of equality of votes the Commodore or Chairman (as the case may be) shall have a second and casting vote.
36. Five members personally present shall form a quorum at a meeting of the Committee.

Powers of the Committee:

37. The Committee shall manage the affairs of the club according to these Rules and shall cause the funds of the club to be applied solely to the objects of the club or for a benevolent or charitable purpose nominated by General Meeting. No expenditure excluding salary shall be made in excess of £3,500 (unless raised by voluntary contribution) without a majority of two thirds of the votes of those members present and voting at a General Meeting.

In particular the Committee shall ensure that the property and funds of the club will not be used for the direct or indirect private benefit of members other than as reasonably allowed by the rules and that all surplus income or profits are re-invested in the club.

Rules – Section 4 – Management Committee

38. The Committee shall make such Byelaws and Regulations as it shall from time to time think fit and shall cause the same to be exhibited in the club premises for fourteen days before the date of implementation. ►The Committee shall prepare and maintain a Five-Year Plan that plans the way forward, consistent with the objects of the Club, and will propose the budget accordingly. ◀
39. The Committee may appoint such sub-committees as it may deem necessary and may delegate such of its powers as it may think fit upon such terms and conditions as shall be deemed expedient and/or required by the law. Such sub-committees shall consist of such members of the Committee or of the club as the Committees may think fit. The Commodore or Vice-Commodore of the club shall be ex-officio members of all such sub-committees.
40. A member of the Committee, of a sub-committee or any officer of the club, in transacting business for the club, shall disclose to third parties that he is so acting.
41. The Committee, or any person or sub-committee delegated by the Committee to act as agent for the club or its members, shall enter into contract only as far as expressly authorised, or authorised by implication, by the members. No one shall, without the express authority of the membership in General Meeting, pledge the credit of the membership.
42. In pursuance of the authority vested in the Committee by members of the club, members of the Committee are entitled to be indemnified by the members of the club against any liabilities properly incurred by them or any one of them on behalf of the club wherever the contract is of a duly authorised nature or could be assumed to be of a duly authorised nature and entered into on behalf of the club.

The limit of any individual member's indemnity in this respect shall be a sum equal to one year's subscription at the then current rate of that category of membership unless the Committee has been authorised to exceed such limit by a General Meeting of the club

43. The supply of alcohol and tobacco

The sourcing of alcohol for supplying to club members shall be exclusively the responsibility of the Committee or a Sub-committee appointed by the committee. This Sub-committee may be referred to as the Wine Committee.

Alcoholic drinks may only be supplied to individuals over 18 years of age for consumption on the premises. The restrictions of club membership also apply to those entitled to make use of the facilities. The sale of tobacco is also not permitted to under 18s. Purchasing alcohol and cigarettes by adult members for persons under 18 years of age is also not permitted

The Committee will ensure that the club bar will be open at convenient times and not exceeding the permitted hours of the Club Premises Certificate. These times will be advertised at the club. Guests of members are permitted to purchase alcohol providing that their names and addresses are entered into the Visitors Book with the name of the member introducing the individual to the club.

Only alcohol that has been purchased through the club's Committee or appointed Sub-committee may be supplied or sold on the premises. The only allowed outlet for this alcohol is the Club's bar. Changes to the authority of supplying or selling of alcohol may only be made by the Committee to the Licensing Authority in this case Arun District Council and the need to make these applications shall be considered by the committee as necessary. Nobody is permitted to remain in the

Rules – Section 4 – Management Committee

clubhouse after the 60 minutes following an evening session except bar staff authorised for that session by the Wine Committee or in their absence a Flag Officer.

On no more than 12 occasions per year the club premises may be let to a person or organisation for private functions and persons attending such functions may be served with alcoholic drinks by or on behalf of the club. These people need not be members of the club, providing that 7 days' notice of each event is given either in writing or email to Sussex Police and Arun District Council.

The club will be free to choose who should supply them alcohol and therefore will not become tied to any individual or organisation for the purchase of alcohol. Any profits made (subject to running costs) from the sale and supply of alcohol shall be used to provide and improve on the amenities and facilities of the club or the purchase of property to be held in trust for the benefit of the club.

Proper accounts of all purchases and receipts shall be kept and presented to the Honorary Treasurer weekly or monthly to enable any statutory return or statement and the payment of excise or other duty or tax to be made. Annual accounts will be available to all members to see so that the Clubs' business is operated in good faith.

Rules – Section 5 – Trustees

The Trustees shall administer such insurance policy or policies as may be needed fully to protect the interests of the club, its Officers and its members.

44. There shall be at least three Trustees of the club who shall be appointed from time to time as necessary by the Committee of the club from among Full, Family or Honorary Members who are willing to be so appointed. A Trustee shall hold office during his/her lifetime or until he/she shall resign, by notice in writing given to the Committee, or until a resolution removing him/her from office shall be passed at a meeting of the Committee by a majority comprising two-thirds of the members present and entitled to vote.
45. All the property of the club, including land and investments, shall be held by the Trustees for the time being, in their own names so far as it is necessary and practicable, on trust for the use and benefit of the club. In the event of the death, resignation, or removal from office of a Trustee, the Committee shall nominate a new Trustee in his/her place, and shall as soon as possible thereafter take all lawful and practicable steps to procure the vesting of all club property into the names of the Trustees as constituted after such nomination. For the purpose of giving effect to any such nomination, the Honorary Secretary for the time being is hereby nominated as the person to appoint new Trustees of the club within the meaning of Section 36 of the Trustee Act 1925 and he shall by Deed duly appoint the person or persons so nominated by the Committee.
46. The Trustees shall in all respects act, in regard to any property of the club held by them, in accordance with the directions of the Committee and shall have power to sell, lease, mortgage or pledge any club property so held for the purpose of raising or borrowing money for the benefit of the club in compliance with the Committee's directions (which shall be duly recorded in the Minutes of the proceedings of the Committee) but no purchaser, lessee or mortgagee shall be concerned to enquire whether any such direction has been given.
47. (a) 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.

(To be incorporated in every contract, lease, licence or other agreement entered into by the Trustees of the Club).

(b) The liability of the Trustees for the performance of any contractual or other obligation undertaken by them on behalf of the Club shall be limited to the assets of the Club.

Rules – Section 6 – Meetings of the Club

48. An Annual General Meeting of the club shall be held on the last Sunday of November commencing at 10.30am.
49. No business, except the passing of the Accounts and the election of the Officers, Committee, and Auditors, and any business that the Committee may order to be inserted in the notice convening the meeting shall be discussed at such meeting unless notice thereof is given in writing by a member to the Honorary Secretary one calendar month before the date of the Annual General Meeting.
50. The Committee may at any time, upon giving fourteen days' notice in writing, call an Extraordinary General Meeting of the club for any special business, the nature of which shall be stated in the summons convening the meeting, and the discussion at such meeting shall be confined to the business stated in the notice sent to members.
51. The Committee shall call an Extraordinary General Meeting upon a written request addressed to the Honorary Secretary by at least twelve members. The Committee shall give fourteen days' notice in writing of any such Special General Meeting. The discussion at such meeting shall be confined to the business stated in the notice sent to members.
52. At every meeting of the club the Commodore or, in their absence, a Chairman elected by those present shall preside.
53. Fifteen members entitled to vote and personally present shall form a quorum at any meeting of the club
54. Only Full Members and Committee Members shall vote at any meeting of the club. Other members may attend but are not entitled to vote.
55. Voting, except upon the election of members of the Committee, shall be by show of hands, unless a poll is demanded by two or more members. Such poll shall include proxy votes delivered to the Chairman of the Meeting at least 48 hours before commencement of such meeting.
56. In the case of an equality of votes the Chairman shall have a second or casting vote, on any matter other than the election of members of the Committee.
57. On any resolution properly put to a meeting of the club relating to the creation, repeal or amendment of any Rule or Regulation of the club, such Rule or Regulation shall not be created, repealed or amended except by a majority vote of at least two-thirds of those present and entitled to vote. Any changes made at such a meeting shall come into force at the close of that meeting.

Rules – Section 7 – Dissolution of the Club

58. If, upon the winding up or dissolution of the club, there remains after the satisfaction of all its debts and liabilities any property whatsoever, the same shall not be paid to or distributed amongst the members of the Club, but shall be distributed as the members in General Meeting shall decide prior to the dissolution.

Rules – Section 8 – Byelaws

59. The Committee may withdraw or refuse a Boat Park Permit, or request that any craft be removed from the boat park if they consider it un-seaworthy or not in regular use.
60. All Members' boats remaining in PYC Boat Park for the winter period (1st November to last day of February) must be de-masted or a fee of £25 will be charged for de-masting.
61. No vessel or watercraft may be launched or recovered from the club slipway for the purpose of speeding (unless outside the 300-metre low water mark restriction limit – Arun District Council by-law) and must not interfere with any Club sailing activity.
62. Members must observe the conditions of use for Boat Recovery Winches detailed in this Handbook.
63. Members must observe the Child Protection Policy detailed in this Handbook.
64. Cars may only be parked in areas designated for such parking so as not to cause an obstruction to other cars or to the approaches to the club premises.
65. If at any time, any fees payable to the club by any member or former member shall be three months or more in arrears and a vessel the property of a member or former member remains upon the club premises, the Committee may:-
 - (a) Move the vessel to any part of the club premises without being liable for any loss or damage to the vessel howsoever caused.
 - (b) Give three months' notice in writing to the member or former member at his last known address as shown in the Club Register and thereafter sell the vessel and deduct any monies due to the club. Whether by way of arrears of subscription or annual payments, mooring, dinghy park fees or otherwise from the net proceeds of sale before accounting for the balance (if any) to the member or former member.
 - (c) Alternatively, if the vessel is unsaleable, after giving notice in writing as aforesaid, dispose of the vessel in any manner the Committee may think fit and deem the cost of doing and any arrears as aforesaid to be a debt owing to the club by the member or former member.
 - (d) Further the club shall at all times have a lien over members' or former members' boats parked or moored on the club's premises or club moorings in respect of all monies due to the club, whether in respect of arrears of mooring fees or subscriptions or otherwise.

PROVIDED ALWAYS THAT:-

Proper evidence is available to show that all reasonable steps have been taken to trace a member or former member and that when and if the vessel is sold the proceeds of sale (unless any indebtedness by the member or former member to the club) shall be placed upon bank deposit account and retained against the eventuality of a claim by the owner (whether he be the said member or former member or otherwise) for a period of six years.

Rules – Section 9 – Child Protection Policy

Policy Statement:

As defined in the Children Act 1989, for the purposes of this policy, anyone under the age of 18 years should be considered a child. The policy also applies to vulnerable adults.

It is the policy of Pagham Yacht Club to safeguard children and young people taking part in boating activities from physical, sexual or emotional harm. Through appropriate procedures and training PYC will take all reasonable steps to ensure that children participating in PYC activities do so in a safe environment. We recognise that the safety and welfare of the child is paramount and that all children, whatever their age, gender, disability, culture, ethnic origin, colour, religion or belief, social status or sexual identity, have a right to protection from abuse.

Policy:

PYC actively seeks to:

- Create a safe and welcoming environment, both on and off the water, where children can have fun and develop their skills and confidence.
- Recognise that safeguarding children is the responsibility of everyone, not just those who work with children.
- Ensure that PYC organised training and events are run to the highest possible safety standards.
- Promote the Code of Conduct for members, instructors, volunteers and helpers.
- Be prepared to review its ways of working to incorporate best practice.

PYC will:

- Treat all children with respect and celebrate their achievements.
- Carefully recruit and select all employees, contractors and volunteers.
- Respond swiftly and appropriately to all complaints and concerns about poor practice or suspected child abuse.

This policy relates to all members, instructors, volunteers, helpers, contractors and employees who work with children or vulnerable adults in the course of their PYC duties. It will be kept under periodic review. All relevant concerns, allegations, complaints and their outcome should be notified in the first instance to the PYC Child Protection Coordinator.

Pagham Yacht Club Designated Person / Child Protection Coordinator

The details of the PYC Designated Person/Child Coordinator are prominently displayed on the PYC notice board.

Code of Conduct

1. Adults must always be publicly open when working with children and avoid situations where they and the child are unobserved.

Rules – Section 9 – Child Protection Policy

2. If physical contact is necessary, it should be done openly. Care is needed as it is difficult to maintain hand positions when providing manual support if a child is moving. The views of parents/carers towards physical contact with the child should always be carefully considered.
3. Adults are requested not to enter the showers or changing rooms at times when children are changing before or after youth training or racing. If this is unavoidable, it is advised that they are accompanied by another adult. Where possible, allow parents/carer to take responsibility for children in changing rooms. If groups are to be supervised in changing rooms, always ensure that adults work in pairs and gender is appropriate. When travelling to other venues, make sure that verbal (preferably written) permission is given by the parents/carers for the above supervision.
4. When travelling to other venues children should always be accompanied by at least one male and one female adult.
5. Parents/carers should ensure that children are collected on time from club activities and off-site events. A responsible adult is required by our Licensing Act 2003 – Club Premise Certificate, to supervise children on club premises after 19.00 hours.
6. Adults should ensure that the activities which they direct or advocate are appropriate to the age, maturity and ability of the individual i.e. rules on suitable participation for age groups should be adhered to and the well-being and safety of the child should be placed above the development of performance.
7. Parents/carers should ensure that children know to inform the instructor of any injury or illness before, during or after any Club activity.
8. Adults should always promote the positive aspects of Club activities and never commit or condone rules violations, bad sportsmanship, criticism or participants' or officials' judgements, bad language or other actions which may cause a child to lose self-esteem or confidence.
9. Adults should consistently display high standards of personal behaviour and appearance as well as appropriate dress, language and respect for equipment and facilities.
10. Adults actively supervising or responsible for children should not consume alcohol and have a duty to prevent children from consuming prohibited substances such as alcohol or drugs.
11. In order to enable others to perform their duties, all instructors, volunteers and helpers should arrive for their duties on time and inform an appropriate person if ill or unable to attend an activity.
12. If a child is accidentally hurt, or caused distress in any manner, or the child appears to respond in a sexual manner to an adult's actions, or misunderstands, or misinterprets something they have done, the incident must be reported to a colleague and supported by a brief written report of the incident given to the Child Protection Coordinator as soon as possible. Parents/carers must also be informed of the incident.
13. The Club will seek written consent from the child AND their parents/carers before taking photos or videos at an event or training session or publishing such images. Parents and spectators should be prepared to identify themselves if requested and state their purpose for photographing/filming. If the club publishes images of children, no identifying information other than the names will be included. Any concerns about inappropriate or intrusive photography or the inappropriate use of images should

Rules – Section 9 – Child Protection Policy

be reported to the Child Protection Coordinator. A Photography Consent Form is available from the Child Protection Coordinator or Honorary Secretary.

Volunteers

The management Committee and regular volunteers, including instructors, safety boat crew, galley staff and helpers, whose role or duties bring them into contact with young people will be required to complete a self-disclosure form. The Child Protection Coordinator and those instructing, coaching or supervising young people will be required to provide references and must obtain an Enhanced Criminal Records Disclosure certificate BEFORE instructing, coaching or supervising young people.

Good Practice

All members of the Club should read the Good Practice Guidelines summary and those working with young people should be aware of the guidance on recognising abuse. These documents are available from the Child Protection Coordinator or Honorary Secretary.

Concerns

Anyone who is concerned about a young members' welfare either outside the sport or within the Club, should inform the Child Protection Coordinator immediately and in strict confidence. The Child Protection Coordinator will then follow defined procedures.

An incident report form is available from the Child Protection Coordinator or Honorary Secretary.

Any member of the Club failing to comply with this policy may be subject to disciplinary action

Rules – Section 10 – Data Protection Policy

1. Introduction

1.1 This policy explains when and why we collect personal information about our members and instructors, how we use it and how we keep it secure and your rights in relation to it.

1.2 We may collect, use and store your personal data, as described in this Data Processing Policy and as described when we collect data from you.

1.3 We reserve the right to amend this Data Processing Policy from time to time without prior notice. You are advised to check our website [http://www.paghamyachtclub.com/gallery/pagham%20yc_rules%20&%20policies.pdf] or our Club noticeboard regularly for any amendments (but amendments will not be made retrospectively).

1.4 We will always comply with the General Data Protection Regulation (**GDPR**) when dealing with your personal data. Further details on the GDPR can be found at the website for the Information Commissioner (www.ico.gov.uk). For the purposes of the GDPR, we will be the “controller” of all personal data we hold about you.

2. Who are we?

2.1 We are Pagham Yacht Club. We can be contacted at; by letter to 1 West Front Road, Pagham, West Sussex, PO21 4PE, by email to membership@paghamyachtclub.com or by telephoning 01243-265025 (please note this number is only monitored during Club opening hours).

3. What information we collect and why.

Type of information	Purposes	Legal basis of processing
Member's name, address, telephone numbers, e-mail address(es).	Managing the Member's membership of the Club. Managing the duty roster.	Performing the Club's contract with the Member. For the purposes of our legitimate interests in operating the Club
The names and ages of the Member's dependants	Managing the Member's and their dependants' membership of the Club	Performing the Club's contract with the Member.
Emergency contact details	Contacting next of kin in the event of emergency	Protecting the Member's vital interests and those of their dependants
Date of birth / age related information	Managing membership categories which are age related	Performing the Club's contract with the Member.
Gender	Provision of adequate facilities for members.	For the purposes of our legitimate interests in making sure that we can provide sufficient and suitable facilities (including changing rooms and

Rules – Section 10 – Data Protection Policy

	Reporting information to the RYA.	toilets) for each gender. For the purposes of the legitimate interests of the RYA to maintain diversity data required by Sports Councils.
The Member's name, boat name and sail number	Managing race entries and race results. Sharing race results with other clubs, class associations, and the RYA, and providing race results to local and national media. Allocating moorings and compound spaces.	For the purposes of our legitimate interests in holding races for the benefit of members of the Club. For the purposes of our legitimate interests in promoting the Club. For the purposes of our legitimate interests in operating the Club
Photos and videos of members and their boats	Putting on the Club's website and social media pages and using in press releases.	Consent. We will seek the Member's consent on their membership application form and each membership renewal form and the Member may withdraw their consent at any time by contacting us by e-mail or letter.
Bank account details of the member or other person making payment to the Club	Managing the Member's and their dependants' membership of the Club, the provision of services and events	Performing the Club's contract with the Member.
Member's name and e-mail address	Passing to the RYA for the RYA to conduct surveys of members of the Club (and members of other clubs affiliated to the RYA). The surveys are for the benefit of the Clubs (and other clubs) and / or the benefit of the RYA.	For the purposes of our legitimate interests in operating the Club and / or the legitimate interests of the RYA in its capacity as the national body for all forms of boating
Instructor's name, address, email addresses, phone numbers and relevant qualifications and/or	Managing instruction at the club.	For the purposes of our legitimate interests in ensuring that we can contact those offering instruction and

Rules – Section 10 – Data Protection Policy

experience.		provide details of instructors to members.
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4. How we protect your personal data

4.1 We will not transfer your personal data outside the European Economic Area (EEA) without your consent.

4.2 We have implemented generally accepted standards of technology and operational security in order to protect personal data from loss, misuse, or unauthorised alteration or destruction.

4.3 Please note however that where you are transmitting information to us over the internet this can never be guaranteed to be 100% secure.

4.4 For any payments which we take from you online we will use a recognised online secure payment system.

4.5 We will notify you promptly in the event of any breach of your personal data which might expose you to serious risk.

5. Who else has access to the information you provide us?

5.1 We will never sell your personal data. We will not share your personal data with any third parties without your prior consent (which you are free to withhold) except where required to do so by law or as set out in the table above or paragraph 5.2 below.

5.2 We may pass your personal data to third parties who are service providers, agents and subcontractors to us for the purposes of completing tasks and providing services to you on our behalf (e.g. to print newsletters and send you mailings). However, we disclose only the personal data that is necessary for the third party to deliver the service and we have a contract in place that requires them to keep your information secure and not to use it for their own purposes.

6. How long do we keep your information?

6.1 We will hold your personal data on our systems for as long as you are a member of the Club and for as long afterwards as is necessary to comply with our legal obligations. We will review your personal data every year to establish whether we are still entitled to process it. If we decide that we are not entitled to do so, we will stop processing your personal data except that we will retain your personal data in an archived form in order to be able to comply with future legal obligations e.g. compliance with tax requirements and exemptions, and the establishment exercise or defence of legal claims.

6.2 We securely destroy all financial information once we have used it and no longer need it.

7. Your rights

7.1 You have rights under the GDPR:

- (a) to access your personal data
- (b) to be provided with information about how your personal data is processed
- (c) to have your personal data corrected
- (d) to have your personal data erased in certain circumstances
- (e) to object to or restrict how your personal data is processed

Rules – Section 10 – Data Protection Policy

(f) to have your personal data transferred to yourself or to another business in certain circumstances.

7.2 You have the right to take any complaints about how we process your personal data to the Information Commissioner:

<https://ico.org.uk/concerns/>

0303 123 1113

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire SK9 5AF

For more details, please address any questions, comments and requests regarding our data processing practices to our [Data Protection Manager] [membership@paghamyachtclub.com].

Rules – Section 11 – Boat Recovery Winches

Important Notice:

Boat Recovery Winches Can Be Dangerous

It is the responsibility of all members wishing to use boat recovery winches to contact the Boatswain or other Committee member to arrange appropriate training.

The conditions of use detailed below form part of the Club Rules.

Boat Recovery Winches – Conditions of Use:

1. Winch users must be over 16 years of age.
2. Only Club Members may use the boat recovery winches, and then only after having received appropriate training.
3. Persons using winches do so at their own risk without liability to Pagham Yacht Club or its members.
4. Any member unsure of how to operate winches correctly **MUST** seek advice from the Boatswain or another experienced member.
5. The following additional information should be clearly understood:
 - **BEFORE** using winches ensure you know how to operate them correctly, have received appropriate training, and know how to **STOP** them.
 - **DO NOT** use any winch rope that is knotted, frayed or worn.
 - When using winches be very careful to always watch the craft being winched, the rope and the entire surrounding area, and warn **ALL** persons nearby to **KEEP CLEAR** whilst winching is in progress.
 - **DO NOT** leave the winch running unattended.
 - **DO NOT** wear gloves and be careful of loose clothing.
 - On completion of winching and boat recovery, turn **OFF** the power switch and replace the rope. **Secure AND LOCK THE COVER.**

Rules – Section 12 – Slipway Code of Conduct

Introduction:

Be aware that other members need to use the slipway. Therefore vehicles, boats and trailers must not remain on the slipway for longer than absolutely necessary for loading and unloading of equipment.

1. Only vehicles towing trailers or unloading Sailboards are allowed access onto the slipway. No other vehicles are permitted.
2. All vehicles must proceed on the slipway with due care and caution at THE SLOWEST POSSIBLE SPEED! Be particularly careful for the safety of both the general public and club members who may be on the beach.
3. ALL vehicles should be on the slipway for as short a period as possible to unload, unhitch (or hitch) their loaded trailer.
4. Care should be taken not to block access to the slipway for other members.
5. Any vehicle stopped at the bottom of the slipway should do so a manner that does not block or obstruct either the slipway or road access.
6. Once unloaded, vehicles and trailers should be parked in the club car park.
7. The slipway gates are to be KEPT LOCKED at all times to prevent unauthorised use.
8. Noise must be kept to the very MINIMUM.

If a member considers the Code of Conduct is not being observed, they are not to deal with the situation themselves, but inform a committee member who will.

Rules – Section 13 – Windsurfers Code of Conduct

Introduction:

1. All board owners must be full members of PYC.
2. Board owners must hold third-party and stored equipment insurance as detailed on the membership application form.
3. Board sailors are requested to avoid the starting and finishing areas during dinghy racing and if possible avoid the buoys at times when there are boats rounding them.
4. It is strongly recommended that windsurfers do not sail alone and should ensure that someone on shore has an expected return time for them.
5. Personal buoyancy and flares are recommended.

Rules – Section 14 – Jet Ski/Powerboat Code of Conduct

Introduction:

No vessel or watercraft, may be launched or recovered from the club slipway for the purpose of speeding (unless outside the 300 metre low water mark restriction limit Arun District Council by-law), and must not interfere with any Club sailing activity.

1. All such vessels must be owned and operated by a full member of PYC who has proven insurance.
2. All craft must follow the law as governed by the Maritime and Coastguard Agency and operate to the RYA code of conduct.
3. Wear the proper safety equipment for Jet Skiing.
 - Wear an approved life jacket and eye protection to prevent water spray from obscuring your vision.
 - Tennis shoes or deck shoes and gloves offer better control of your machine.
 - A wet suit provides protection from the elements.
 - A whistle attached to your life jacket can be used to summon help in the event of an emergency situation.
4. Safety Lanyard for Jet Skiing.
 - Never operate your Jet Ski without the safety lanyard attached to you, as the lanyard will immediately cut the Jet Ski's engine if you fall from the craft.
 - This safety feature can help to prevent bad accidents – so always use it.
5. Noise of Jet Skis.
 - Be conscious of the noise your craft makes.
 - The best way to avoid noise complaints is to avoid operating at high speed near to the shoreline, waterfront properties and other boaters.
 - You should also reduce noise early in the morning.
 - Always start the Jet Ski engine in the water, and warm up the engine before you set off.
6. Environment around your Jet Ski.
 - It shouldn't need saying, but don't spill fuel, oil or leave litter or other pollutants where they don't belong.
 - Don't operate your jet ski close to wildlife or aquatic vegetation.
 - This will minimise the impact your craft has on nature.