ROYAL CINQUE PORTS YACHT CLUB

RULES AND BY-LAWS NOVEMBER 2021

CONTENTS

Rule		Page
1	Title	1
2	Objects	1
3	Club Flag and Burgee	1
4	Categories and Votes of Members	1
5	Election and Nomination of Members	2
6	Dogs on premises	3
7	Subscription Sub-grades	4
8	Subscription Rates and Payments	5
9	Restrictions Placed on Certain Members	6
10	Affiliated Clubs, Visiting Yachtsmen and Guests	6
11	Conduct of Members	7
12	Cancellation of, or Resignation from, Membership	8
13	Cessation of Membership	9
14	Club Officers	9
15	Club Trustees	9
16	Constitution of the Committee	10
17	Election of Officers and General Members of the Committee	11
18	Conduct of Meetings of the Committee	11
19	Duties and Powers of the Committee	12
20	Annual General Meeting	13
21	Other General Meetings	13
22	Conduct and Requirements of General Meetings	14
23	Purchase and Supply of Excisable Goods	15
24	Finance and Audit	15
25	Miscellaneous Provisions	16
26	Personal Data	16
27	Disclaimer	17
28	Winding-up	17
29	Interpretation and Glossary	18
30	Rule Change History	18

1..Title

1.1 The name of the Club shall be "The Royal Cinque Ports Yacht Club" ("the Club").

2..Objects

1.1 The objects for which the Club is formed are to promote and facilitate the sport of yachting and to provide such social and other facilities for Members as may from time to time be determined.

3..Club Flag and Burgee

1.2 The Club Flag shall be the Blue Ensign of Her Majesty's Fleet, agreeable to the Warrant granted to the Club by the Lords Commissioners of the Admiralty, the hoist to be two-thirds of the length. The Burgee shall be blue with the Arms of the Cinque Ports surmounted by a crown in the centre.

1.3 When the Club flag is worn the Burgee must be worn at the same time. In the interests of uniformity the dimensions of the Burgee must conform to the approved pattern and vary only according to the tonnage of the yacht on which it is worn.

1.3 The Blue Ensign Warrant has a mandatory £20 application fee.

4..Categories and Votes of Members

1.4 The Club shall consist of Full, Cadet, Honorary, Group and Temporary Members.

1.5 A Full Member shall be a person who, at the date of election, is at least 18 years of age. Such a person shall have one vote. Sub-grades of Full Members are as set out in Rule 7 which have effect to vary any subscription but nothing else in respect of the equal privileges and obligations of all Full Members.

1.6 A Cadet Member shall be either

(a) a person who is at least 8 but under 18 years of age on election to the Club or,

(b) a child or grandchild, in each case under the age of 18, of a Full Member whose name has been submitted to the Secretary.

1.7 Notwithstanding the provisions of paragraph 4.3, Cadet Membership may, at the option of the Cadet, be extended to the end of the calendar year in which the Cadet attains the age of 18 years. A Cadet Member shall have no vote.

1.8 An Honorary Member shall be a person who is nominated by virtue of paragraph 5.7. An Honorary Member shall have no vote.

1.9 A Group (or Corporate) Member shall be a person who is a member of a corporate or incorporate body, such body being approved by the General Committee. The

sponsoring organisation undertakes to administer their membership, the collection of the subscription(s) and the circulation of relevant information. Group/Corporate members shall have full access to the Club during opening hours: however, where a function is limited by numbers Full Members shall take priority. A Group Member shall have no vote.

1.10 A Temporary Member shall be a person whose Temporary Membership has been approved by the Committee in accordance with paragraph 5.9. A Temporary Member shall have no vote.

1.11 Candidates for membership shall have no privileges whatsoever in relation to the use of the Club or its premises and no Member may use the Club premises or any of the facilities of the Club until two days have elapsed from the date of display of notice of election in accordance with paragraph 5.4(c).

1.12 The number in aggregate of Cadet, Honorary, Group and Temporary Members shall not exceed 25% of the total of all categories of membership of the Club.

5..Election and Nomination of Members

1.13 Every candidate for membership (except Cadet, Honorary and Temporary Membership) shall be proposed and seconded by Full Members ("sponsors") who are personally acquainted with the candidate: provided that, where the candidate is not known to any such Member, or is known to only one such Member, the Committee may, in its discretion, dispense with one or both sponsors.

1.14 An application for membership shall be in the form from time to time prescribed by the Committee and shall include the full names, address and occupation of the candidate ("personal particulars"). It shall be signed by the candidate and, subject to paragraph 5.1, the sponsors. When completed, the application shall be submitted, together with letters of recommendation from the sponsors (if any), for consideration by the Committee.

1.15 Where married or co-habitating candidates apply together for membership the term "Joint Membership" in the application refers only to the anticipated subscription sub-grade that will be applicable if successful and the consequences of application rejection. In all other respects the foregoing provisions of this Rule shall apply to each candidate individually applying for a category of membership, and the personal particulars of both candidates shall be entered on, and both shall sign the form.

1.16 Where an application is made under paragraphs 5.1 to 5.3:-

(a) The applicant's personal particulars, together with the names of the sponsors, shall be displayed prominently in the Club House for at least 14 days before the meeting of the Committee at which the application is to be considered.

(b) On receipt of the application and before consideration by the Committee, a Flag Officer will conduct a preliminary interview with the applicant to ensure that the club ethos and rules are fully understood.

(c) At the selection meeting, election shall be determined by a majority of those Committee members present and voting. In the case of Joint Membership, on the rejection of one candidate the rejection of the other shall follow.

(d) Following the Committee meeting, the Secretary shall:-
  (i) Write to each candidate informing them of the result of the application.
  (ii) Prominently display the names of successful candidates in the Club House.
  (iii) Furnish each successful candidate with a copy of the Rules and Byelaws and request such payments as are due.

1.17 A candidate whose application is rejected twice may not re-apply for membership for at least one year following the second rejection and shall not be admitted to the Club on any pretext whatsoever during that period.

1.18 An Honorary Life Member shall be a Full Member who has rendered distinguished service to the Club and shall be elected, on the proposal of the Committee, in Annual General Meeting.

1.19 An Honorary Member shall be a person, or one of a class of persons, nominated by the Committee for a specified period whose nomination shall be subject to confirmation in Annual General Meeting.

1.20 The procedure for the selection and election of Cadet Members shall be in the discretion of the Committee which may also curtail the facilities and amenities of the Club otherwise available to such Members.

1.21 A Temporary Member shall be nominated at the instance of a Full Member. Nomination shall be subject to the prior approval of the Committee and such membership shall not exceed a period of three consecutive months in any calendar year: provided that the Committee may, in its discretion, extend that period for a further three such months. The name and address of any person nominated for Temporary Membership shall be displayed prominently in the Club House for a period of at least two full days before such membership is to commence. If, at any time, objection to the Temporary Membership of any person is made in writing by a Full Member and delivered to the Secretary, such membership shall be suspended or, in the case of nomination, not proceeded with, pending the Committee's decision thereon.

6..Dogs on premises

6.1 Dogs are permitted into the Club exclusively into the main entrance hall, the main bar, the verandah only at lunchtimes Monday to Friday except Bank Holidays. This is limited to full members and their guests. The member owner of the dog is entirely responsible for the dog whilst at the club and all members on doing so, accept without reservation or exception that Staff or committee members may request the removal wherever there is just cause to do so and the member owner must comply promptly. Dogs entering the club must be registered with a one off £5 fee applicable.

7..Subscription Sub-grades

1.22 Subject to the following provisions of this Rule, Members shall pay subscriptions at rates as determined by the Club for each Member category & sub-grade in accordance with Rule 8.1.

1.23 No subscription shall be payable by an Honorary Life Member or by an Honorary Member.

1.24 The subscription sub-grades of Full Membership shall be;

Subscription sub-grade	**Criteria for eligibility**
Single	
Joint	Together being a married couple or cohabiting partners
Veteran	Aged 65 or more and a Full Member for the 15 immediately preceding years or a continuous Veteran from 1 January 2016 membership under the Rules of the Club at that time. For combination with the Joint sub-grade, only one of the Members needs to satisfy the Veteran eligibility criteria
Under 26	Aged under 26 years and until the end of the calendar year in which the Member attains that age.
Honorary Life	As elected under Rule 5(6)
Overseas	A Member who will, to the satisfaction of the Committee, be resident outside the United Kingdom for a continuous period of at least one year but only for such time as they are resident outside the United Kingdom
Surviving Joint Member	The survivor of a Joint sub-grade membership which ended with the death of one spouse or cohabiting partner and the deceased was at least 60 years of age at the time of their death A further sub-grade shall apply if the death occurred before 4 November 2016
Combined sub-grades	Subject to eligibility, any combination of Single, Joint, Veteran and Country sub-grades shall create further sub-grades
Historic sub-grades	
Country	A Country Full Member on 2 November 2006 as provided for in the Rules of the Club at that time and continuing to satisfy the criteria then applying
Serving Forces	A Full Member on 13 September 1997 who was at that time, and continues to be, a serving member of Her Majesty's Forces
Lady Member	A Lady Member on 29 October 1986 as provided for in the Rules of the Club at that time

1.25 The subscription sub-grades of Cadet Membership are Family Cadet if the Member is a Cadet by virtue of Rule 4.3(b) and Single Cadet otherwise.

1.26 Group Member subscription sub-grades are Single Group and where two Group Members are married or cohabit, Joint Group.

1.27 Changes to a Members sub-grade must be requested by writing to the Secretary and shall apply from the start of the next calendar year following receipt except that in the case of a Member claiming the Overseas sub-grade this shall cease upon their commencement of United Kingdom residency and their subscription shall be recalculated on a pro-rata basis for the remainder of that calendar year.

1.28 Any existing Member who considers that they are suffering from financial hardship which would preclude their ability to meet the current level of fees in whole or in part may apply to the Secretary or Commodore for a reduction in their annual subscription. Such application will be dealt with in the strictest confidence.

8..Subscription Rates and Payments

1.29 Any alteration to subscriptions shall be proposed by the Committee to Members at each Annual General Meeting. Approval of alterations to any such subscriptions (whether proposed by the Committee or by Members) shall be by a majority of those present and entitled to vote and those alterations which are so approved shall come into force on the first day of the calendar year following.

1.30 The subscription in respect of the first calendar year of membership shall be paid on election, the amount being abated in proportion to the number of months remaining in that year. Thereafter, subscriptions shall be payable on the first day in each calendar year save that, subject to the approval of the Honorary Treasurer, they may be paid in instalments by virtue of a debiting mandate expressed to be in favour of the Club and lodged with the bank or building society holding the Member's account.

1.31 Upon election a Member shall pay by the end of the month following that in which election took place the first subscription or instalment thereof. In default of payment the election of the Member shall be void unless good cause can be shown for the delay.

1.32 Any Member whose subscription or instalment thereof is at least four weeks in arrears:-

(a) will receive a written notice ("notice of arrears"), sent by post and/or email to that Member's last known address: and

(b) after the expiry of two weeks following the date of that notice,
  (i) the name of the Member may be posted on the Club noticeboard
  (ii) the Committee may cancel the membership: provided that the Committee, in its discretion, may re-instate that Member upon payment of the arrears.

1.33 No Member whose subscription or instalment thereof is in arrears may enjoy any of the privileges of membership of the Club; or vote at any meeting of the Club; or take part in any event organised by the Club; or enter the Club House on any pretext whatsoever other than to pay the arrears.

1.34 A former Member who the Committee decline to re-instate by virtue of paragraph 8.4 shall not be eligible for re-election to the Club for a period of three years

following that in which the notice of arrears was posted and until the arrears have been paid.

1.35 A £20 application fee (non-refundable) to be paid on applying for all membership applications.

9..Restrictions Placed on Certain and Guest Members

1.36 Cadet, Honorary, Group and Temporary Members shall not:-

(a) Sponsor candidates for Full Membership or nominate persons for Temporary Membership.

(b) Propose or second any candidate for election under Rule 17.

(c) Have any voice in, nor take part in the administration of, the Club except, in the case of a Cadet Member, by service on a sub-committee,

(d) Introduce any guest into the Club House unless so authorised by the Committee.

1.37 Cadet Members shall be admitted only to those rooms in the Club House which have been so designated by the Committee.

1.38 Guest associate membership would only be open to the prescribed organisations members.

10..Affiliated Clubs, Visiting Yachtsmen and guests

1.38 The Committee may make arrangements with any other yacht club for reciprocal affiliation so that members of such club (an "affiliated club") shall have full use of the facilities of the Club House for such periods as may be agreed but, in any case, not exceeding three days in any week.

1.39 A member of an affiliated club shall:-

(a) furnish satisfactory evidence of membership of such club;

(b) sign the Visitors' Book on the occasion of each visit to the Club; and

(c) obey these Rules and the Byelaws made thereunder in so far as they apply to such member.

1.40 The Secretary of the Club shall display prominently in the Club House a list of affiliated clubs and shall furnish the Clerk to the Licensing Justices with a copy of such list and of any amendments made thereto.

1.41 In the case of a person (not being one to whom the preceding paragraphs of this Rule apply) who is visiting Dover in a yacht or who is sailing with a Full Member, that person may have full use of the facilities of the Club House provided that such use:-

(a) is first approved by a member of the Committee, the Club Manager or the Secretary; and

(b) continues only for so long as the circumstances giving rise to it subsist and, in any case, for no longer than an aggregate of 28 days in any calendar year.

1.42 A person to whom paragraph 10.4 applies shall:-

(a) sign the Visitors' Book on the occasion of each visit to the Club.

(b) obey these Rules and the Byelaws made thereunder in so far as they apply to such person.

1.43 Notwithstanding the provisions of paragraph 10.4, the use described therein may be withdrawn at any time by any person authorised to approve such use under the provisions of that paragraph.

1.44 Subject to paragraphs 5.5 and 13.2, Full Members and other Members authorised in accordance with paragraph 9.1(d) may introduce guests to the full use of the facilities of the Club House provided that:-

(a) the Member introducing:-
(i) enters the guest's name in the Visitors' Book and signs the entry; and
(ii) escorts the guest, as far as is practicable, for the duration of the guest's visit and does not leave the Club House before the guest.

(b) the same guest may not be introduced on more than three days in a period of three months.

(c) where a Full Member introduces a guest who is under the age of eighteen, 10.7(a)(i) and 10.7(b) shall not apply.

1.45 For the purposes of paragraph 10.7:-

(a) the Member introducing a guest shall be responsible for that guest's conduct while in the Club House.

(b) a guest may not remain in the Club House after being requested to leave by a member of the Committee, or by an employee of the Club.

1.46 In this Rule the expression "full use" includes the purchase of intoxicating liquor from the Club. Such liquor may be consumed only in the Club House.

11..Conduct of Members

1.47 Every Member upon election and thereafter during membership:-

(a) is deemed to have notice of, and impliedly undertakes to comply with these Rules and with the Byelaws made thereunder.

(b) shall furnish the Secretary with:-
(i) an up-to-date postal address and (if possible) email address. Such address shall be recorded in the Register of Members and anything in writing sent by post or email to that address shall be deemed to have been duly delivered thereto.
(ii) the name and particulars of any yacht owned by such Member.

1.48 Any Member shall be liable to disciplinary action by the Committee, which may include, but is not limited to, reprimand, suspension of any or all privileges of the Club for a specified period of time, or expulsion by the Committee who:-

(a) refuses or neglects to comply with the Rules and Byelaws; or

(b) is guilty of conduct which, in the opinion of the Committee, is unworthy of a Member or is otherwise injurious to the interests of the Club.

1.49 Where a complaint has been made against a Member for a breach of the provisions of paragraph 11.2, the Committee shall without unreasonable delay:-

(a) if reasonably deemed appropriate in the circumstances, temporarily suspend any of the privileges of the Club from the Member complained of whilst the complaint is reviewed

(b) cause a letter to be sent to that Member setting out the substance of the complaint;

(c) take any action it deems necessary to investigate the complaint; and

(d) give the Member reasonable opportunity to reply to it by a representation in writing or by appearance in person before the Committee or by both such representation and appearance. A Member appearing in person may call witnesses and may be represented, or assisted, by a Full Member of the Club who is not a member of the Committee.

(e) Resolve, by simple majority in cases other than expulsion, what disciplinary action to apply to the Member

1.50 If the Committee by a majority of at least two-thirds present and voting find the complaint proved and of sufficient gravity it shall give the Member complained against an opportunity to resign. If that Member refuses, or fails, to resign within seven days of that opportunity being given, the Member shall be deemed to have been expelled from the Club. The Member shall thereupon be informed by letter of that expulsion.

1.51 An appeal against the decision of the Committee may be made by written requisition of a General Meeting of the Club in accordance with Rule 21. The member appealing may be present at the Meeting to give and call evidence but shall retire if and when requested to do so by the Chairman and shall not be present at the voting. The decision shall be final. If any deemed expulsion is not confirmed the Member shall be reinstated.

1.52 Upon suspension/expulsion the Member/former Member shall not be entitled to have any part of the annual membership fee refunded and if expelled must return any Club trophies or other property held forthwith.

12..Cancellation of, or Resignation from, Membership

1.53 Notwithstanding the provisions of paragraphs 5.9 and 11.2 to 11.4, the Committee may cancel the membership of:-

(a) a Full Member at any time within a year of such Member's election;

(b) a Cadet Member;

(c) a Group Member,

(d) an Honorary Member;

(e) a Temporary Member.

1.54 Where the Committee proposes to cancel the membership of a Member to whom paragraphs 12.1(a) to (c) apply:-

(a) it shall cause a letter to be sent informing that Member of the proposal and the reason for it.

(b) give the Member reasonable opportunity to reply to it by a representation in writing or by appearance in person before the Committee or by both such representation and appearance. A Member appearing in person may call witnesses and may be represented, or assisted, by a Full Member of the Club who is not a member of the Committee. If the Committee by a majority of at least two-thirds present and voting resolve to cancel the membership of the Member concerned the cancellation shall take effect forthwith and that Member shall be entitled to the refund of any entrance fee or subscription paid in respect of the year in which cancellation took place.

1.55 Any cancellation of membership under the foregoing provisions of this Rule shall be communicated in writing by the Secretary to the person concerned.

1.56 A Full, Cadet or Group Member wishing to retire from membership shall give notice in writing to the Secretary and, if given before the end of November, shall not be liable to pay a subscription for the following calendar year.

13..Cessation of Membership

1.57 A person who ceases to be a Member shall not wear the Club flag or burgee, nor indicate membership of the Club by sign or lettering, on any vessel owned, hired or otherwise under the control of that person.

1.58 No person who ceases to be a Member under the provisions of paragraphs 11.4 or 12.1 shall be eligible for re-election (including any potential election under rule 5.7) or shall be admitted to the Club premises under any pretext whatsoever save in exceptional circumstances with explicit authorisation by the Committee.

14..Club Officers

1.59 The Officers of the Club shall be elected from among the Full Members of the Club and shall consist of a Commodore, a Vice-Commodore, a Rear Commodore (Cruising), a Rear Commodore (Racing), a Rear Commodore (Dinghies), an Honorary Secretary ("Secretary") and an Honorary Treasurer (collectively "the Officers"). They shall be elected at each Annual General Meeting in accordance with Rule 17 and shall retire at the next Annual General Meeting but shall be eligible for re-election. Any vacancy may be filled by resolution of the Committee.

1.60 The Commodore, Vice Commodore and Rear Commodores shall take seniority in that order and in these Rules are called collectively the "Flag Officers".

15..Club Trustees

1.61 There shall be not less than two nor more than four Trustees who shall be nominated from time to time as necessary by the Committee from among the Full Members willing to be so nominated. For the purposes of Section 36(1) of the Trustee Act 1925 the Secretary for the time being is the person nominated to

appoint new Trustees and shall in writing duly appoint any person so nominated by the Committee. Subject to the provisions of the said section 36(1), a former Trustee may be re-appointed at any time after ceasing to hold office. A Trustee may not hold any other office in the Club nor be a general member of the Committee.

1.62 All the property of the Club of whatever nature (except balances standing in the name of the Club with its Bankers) shall be vested in the Trustees for the time being, to be held in trust in their names for the use and benefit of the Club as a whole. On the death or resignation of a Trustee, the Committee shall nominate a new Trustee and, 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 that appointment.

1.63 The Trustees shall, on the direction of the Committee, represent the Club in any litigation.

1.64 The Trustees shall in all respects act, in regard to the property of the Club held by them, in accordance with the directions of the Committee and an entry in the Minute Book is conclusive evidence of a Resolution for this purpose. They shall have power to purchase, hold on lease, sell, lease, mortgage or pledge any Club property so held for the purpose of raising or borrowing money for the benefit of the Club or otherwise howsoever for the general purposes of the Club in compliance with the directions of the Committee. No purchaser, lessee or mortgagee, or other successor in title shall be concerned to enquire as to such purpose or any such direction.

1.65 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 of the 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 office of Trustee.

1.66 There shall be incorporated into every contract, lease, licence or other agreement entered into by the Trustees the following sentence - "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."

16..Constitution of the Committee

1.67 The Committee shall consist of the Officers ex officio and not more than six Full Members ("general members of the Committee"), elected in accordance with Rule 17.

1.68 In addition to serving on the Committee each general member shall be responsible for such of the Club's activities as may be assigned to that member by the Committee.

1.69 The general members shall be elected at each Annual General Meeting and shall retire on termination of the next succeeding Annual General Meeting but shall be eligible for re-election on no more than two consecutive occasions. Any vacancies may be filled by resolution of the Committee.

17..Election of Officers and General Members of the Committee

1.70 Candidates for election to any of the appointments provided for in Rule 14 and paragraph 16.1 shall be proposed and seconded by Full Members on a form of nomination to be obtained from the Secretary.

1.71 The form referred to in paragraph 17.1 shall be signed by the candidate, the proposer and seconder and shall be delivered to the Secretary at least 14 days before the Annual General Meeting at which the nomination is to be proposed. The names of candidates, together with those of their proposers and seconders, shall be prominently displayed in the Club House at least 7 days before such Meeting.

1.72 If, at the Annual General Meeting, the number of candidates for any appointment provided for in Rule 14 or paragraph 16.1 is greater than the number of vacancies to be filled, there shall be a ballot. If that number is equal to or less than the number of such vacancies then all the candidates shall be deemed to be elected if a majority of those present and entitled to vote, vote in favour.

1.73 Where in a ballot for any appointment provided for in Rule 14:-

(a) there are more than two candidates; and

(b) no candidate receives more than 50% of the votes cast,

the candidate receiving the least number of votes shall retire. In the event of there being an equality of such votes, retirement shall be determined by lot. Successive eliminating ballots shall then be held until a candidate is elected by a majority of more than 50% of the votes cast.

1.74 Where, in a ballot for general members of the Committee, the number of candidates exceeds six the candidate obtaining the least number of votes shall retire. In the event of there being an equality of such votes, retirement shall be determined by ballot. If necessary, successive eliminating ballots shall then be held until six candidates are elected.

18..Conduct of Meetings of the Committee

1.75 The Committee shall meet at least once a month unless it resolves that for any one occasion it is unable so to do. In the event of it so resolving, no more than two months may elapse between the meeting at which the resolution was made and the next following meeting. The Committee shall also meet when required to do so by the Commodore or upon the requisition of at least five members

1.76 At a meeting of the Committee:-

(a) Five members present shall form a quorum except for:-
  (i) the election or nomination of members under the provisions of Rule 5, when it shall be six; and
  (ii) the expulsion from, or cancellation of, membership under the provisions of Rules 11 or 12, when it shall be seven.

(b) The Commodore shall preside. If the Commodore is absent the senior Flag Officer present shall preside.

(c) Voting shall be by show of hands except where the Commodore or, as the case may be, the Flag Officer presiding so directs.

(d) Where there is an equality of votes the Commodore or, as the case may be, the Flag Officer presiding shall have a second or casting vote.

(e) Where no Flag Officer is present the members of the Committee shall elect one of their number to preside in which case the provisions of sub-paragraphs 18.2(c) and (d) shall apply to the member so elected as they apply to the Commodore or, as the case may be, the senior Flag Officer.

19..Duties and Powers of the Committee

1.77 The Committee shall manage the affairs of the Club in accordance with 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 in General Meeting.

1.78 The Committee may make such Byelaws as it thinks fit for the good order and management of the Club. Any such Byelaw shall:-

(a) not amend, revoke or conflict with any of these Rules.

(b) be binding on all Members.

(c) be displayed prominently in the Club House at least 14 days before it is to come into operation.

(d) be subject to revocation by vote in General Meeting.

1.79 The power to make a Byelaw under paragraph 19.2 includes a power to amend, suspend or revoke it.

1.80 The Committee may appoint sub-committees for such purposes as it thinks necessary from among its own members and from among other Full Members and Cadet Members. Any sub-committee so appointed shall:-

(a) include the officers ex officio.

(b) consist of not less than three members.

(c) report orally or in writing to the Committee from time to time as to the progress of its deliberations.

(d) report in writing to the Committee when its deliberations are concluded.

1.81 The Committee, or any person delegated by resolution of the Committee to act as agent for the Club, shall enter into contracts only so far as expressly authorised, or by implication authorised, by the members of the Club. Without the express authority of the membership in General Meeting, no person shall pledge the credit of the membership.

1.82 Any person acting on behalf of the Club by delegation in pursuance of paragraph 19.5 shall disclose to third parties the fact of, and any limits to, the agency so delegated

1.83 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 Full 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 and entered into on behalf of the Club.

1.84 The limit of indemnity placed upon each Full Member in accordance with paragraph 19.7 shall be a sum equivalent to one year's subscription payable at the current rate appropriate to that Member unless the Committee has been authorised in General Meeting to exceed that limit.

20..Annual General Meeting

1.85 An Annual General Meeting of the Club shall be held in the last quarter of each year on a day to be determined by the Committee. Notice of the meeting shall be sent by either email or post 21 days before the date fixed for the Meeting to all Members entitled to vote thereat and shall include:-

(a) a list of:-
  (i) items which, subject to paragraph 20(2)(a), will form the agenda;
  (ii) Officers and members of the Committee, distinguishing those intending to retire from those intending to offer themselves for re-election;

(b) copies of:-
  (i) the Financial Report and Accounts; and
  (ii) Reports by the Flag Officers and by the Committee
  for the year ended 30th June.

1.86 No business except that prescribed in paragraph 20.3 shall be discussed at the Meeting unless:-

(a) written notice thereof, signed by a proposer and seconder, has been delivered to the Secretary at least 10 days before the day appointed for the Meeting; or

(b) the person who, in accordance with Rule 22.3, is Chairman of the Meeting so directs.

1.87 The business referred to in paragraph 20.2 is:-

(a) the passing of the minutes of the immediately preceding Annual General Meeting;

(b) the presentation of the Reports and Accounts mentioned in paragraph 20.1(b);

(c) the determination of the amounts of subscriptions in accordance with paragraph 8.1;

(d) the election of the Officers, the general members of the Committee and the auditors.

21..Other General Meetings

1.88 A General Meeting of the Club:

(a) may be called by the Committee at any time; and

(b) shall be called by the Committee on the written requisition of at least 15 members entitled to vote.

1.89 The requisition referred to in paragraph 21.1 shall:-

(a) state fully the purpose of the Meeting;

(b) be signed by all the Members requisitioning the Meeting;

(c) be delivered to the Secretary.

The Meeting so requisitioned shall be held within 28 days of delivery of the requisition.

1.90 Where, under the provisions of paragraph 21.1, a Meeting is called by the Committee (whether on requisition or otherwise) 21 days notice thereof in writing stating fully the purpose of the Meeting shall be posted or otherwise delivered to all Members entitled to vote thereat. Discussion at any such Meeting shall be confined to the business stated in the notice convening it.

22..Conduct and Requirements of General Meetings

1.91 In the case of any General Meeting at which it is proposed to amend these Rules (whether by revocation, substitution or addition) the requisition prescribed in paragraph 21.2 and the notices prescribed in paragraphs 20.2(a) and 21.3 shall specify in terms the amendment proposed and any other amendment consequent thereon. Notice of a motion to amend the terms of the resolution specified in any such notice shall be delivered in writing to the Secretary at least seven days before the time appointed for the Meeting.

1.92 The notices referred to in paragraphs 20.1, 20.2(a) and 21.3 shall be displayed prominently in the Club House from the day they are given until the end of the Meeting to which they refer.

1.93 At General Meetings:-

(a) 45 members present in person and entitled to vote shall form a quorum.

(b) The senior Flag Officer present shall take the Chair. If no Flag Officer is present the Members present who are entitled to vote shall elect one of their number to be Chairman.

(c) Threshold for passing a winding up resolution change to 70% of the members present and eligible to vote.

(d) Voting shall be by show of hands unless the Chairman directs otherwise.

(e) Members not entitled to vote may be present but shall take no part in the proceedings.

(f) When a motion has been carried, a subsequent General Meeting shall not rescind the resolution arising therefrom on a mere question of confirmation or non-confirmation of the Minutes of the Meeting at which the motion was carried, unless notice has been delivered in accordance with paragraph 20.2(a).

1.94 No Member whose subscription is in arrears or who is otherwise indebted to the Club in any amount shall vote or be heard:-

(a) at any General Meeting; or

(b) in any debate or other proceeding of the Club.

23..Purchase and Supply of Excisable

1.95 The purchase for the Club of excisable goods and the supply of them upon the Club premises shall be solely under the control of the Committee. Intoxicating liquor may be sold only for consumption on the Club's premises and only to persons of at least eighteen years of age who are entitled to use those premises under these Rules. No person under the age of 18 may purchase or attempt to purchase intoxicating liquor, nor may a person under the age of 16 purchase or attempt to purchase tobacco or cigarettes, within the Club's premises.

1.96 Subject to the requirements of the licensing authorities, the Committee shall cause the Club bar to be open at convenient times (such times being prescribed in Byelaws and prominently exhibited in the Club House) for the sale of excisable goods to persons who are entitled to use the Club's premises and to purchase such goods therein in accordance with these Rules.

1.97 No person shall take a commission, percentage or other such payment in connection with the purchase of excisable goods for the Club. Any profit deriving from the sale of such goods shall, after deduction of the costs of providing such goods for the benefit of the Club, be applied to the provision of additional amenities or to the purchase of property to be held in trust for the benefit of the Club.

24..Finance and Audit

1.98 The accounts of the Club comprising the balance sheet and income and expenditure account shall be made up to the 30th day of June in each year. They shall then be audited and presented to Members at the immediately following Annual General Meeting.

1.99 Proper accounts of all purchases and receipts of whatever nature shall be kept by the Honorary Treasurer.

1.100 The Honorary Treasurer shall lay before the Committee a financial statement on each occasion that the Committee meets.

1.101 If the Committee so directs the Trustees, acting together, shall issue such documents of indemnity as may be required by the Club's bankers to originate or to continue in being a direct debit scheme.

1.102 At least one appropriately qualified person shall be appointed by resolution at each Annual General Meeting to audit the Club's accounts (the "auditor"). Such person shall be neither a member of the Committee nor a Trustee.

1.103 The Auditor shall:-

(a) audit the accounts in accordance with paragraph 24.5 and shall give such certificates of assurance as to the accuracy of the accounts as shall be required by law or by the Committee.

(b) if either unwilling or unable to act, inform the Committee which shall then appoint a substitute to hold office until the conclusion of the immediately following Annual General Meeting.

(c) be remunerated at a rate to be agreed with the Committee.

(d) have access to all books and records of the Club.

25..Miscellaneous Provisions

1.104 A Member shall settle any indebtedness to the Club as soon as possible after it has been incurred. Cheques drawn by Members may be cashed by the Club up to a maximum daily amount prescribed by a Byelaw made under this Rule.

1.105 No Member shall be entitled to the benefits and privileges of the Club in respect of any vessel owned by the Member while it is used for trade, letting for hire or for any other commercial purpose. However this shall not apply to such vessel when chartered to another Member.

1.106 All suggestions shall be entered in the Suggestion Book and signed by the Member making the entry.

1.107 The Club House shall be open to Members at such times as may be prescribed in Byelaws, save that the Committee may close the Club House for a special reason.

1.108 Under no circumstances shall a member of the Club's Staff be reprimanded by a Member. Any complaint against a member of staff shall be made, in the first instance, to a member of the Committee for resolution. Serious complaints shall be made in writing and addressed to the Commodore.

1.109 A Member shall state his or her name when so requested by a member of the Staff.

1.110 Only such games as are authorised by the Committee may be played in the Club House.

1.111 Members of the Club, members of affiliated clubs, guests and visitors shall not:-

(a) remove, damage or destroy the property of the Club. Any person so doing shall, at their own expense, make immediate restitution for the same;

(b) introduce into the Club House, without the prior consent of the Committee, any newspapers, books, pamphlets or other written matter;

(c) cause any communication in whatever form to be exhibited on the Club notice board or elsewhere in the Club House without permission of the Secretary.

26..Personal Data

1.112 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 Act 1998.

1.113 During Club events, members and visitors who are photographed or otherwise recorded by electronic means will be deemed to consent to the use of such photographs or electronic records specifically for Club publicity or display on the Club website, unless objection is raised before such use.

27..Disclaimer

1.114 In this Rule the expression "entrant" includes Members of the Club, members of affiliated clubs, guests and visitors.

1.115 Entrants use the Club premises and other facilities of the Club entirely at their own risk and by so doing are deemed to accept that the Club accepts no liability for any:-

(a) damage or loss of property belonging to an entrant;

(b) personal injury arising out of any such use sustained by an entrant,

whether or not such damage, loss or injury could have been attributed to, or was caused by, the neglect, default or negligence of the Officers, Committee or servants of the Club, or of any other entrant.

1.116 The text of paragraphs 27.1 shall be displayed prominently within the Club premises.

1.117 All members should note that Committee members and others organising or helping to organise Royal Cinque Ports Yacht Club (RCPYC) events do so voluntarily and that neither they, nor the RCPYC Committee, nor the RCPYC can in any circumstances be held responsible for any injury, loss or damage to an owner, member, their crew, guests vessel or equipment whether through negligence or otherwise of any member, organiser, helper or third party.

1.118 The safety and management of any vessel, its equipment and crew is the responsibility of the skipper. No RCPYC event shall be considered a training event unless it is specifically designated as such. Each skipper in a RCPYC event must assess for themselves whether the event is within their capabilities and whether or not their personal safety or that of their crew could be endangered. By participating in an RCPYC event, each skipper warrants that their vessel and crew are adequate to face the conditions that may arise during the course of the event and that the boat carries appropriate third party insurance. The participation of any other vessel in an event shall not relieve other participants of their responsibilities. Members, their crews and their guests take part in RCPYC events entirely at their own risk and on the understanding that they indemnify the RCPYC, committee members and others organising or helping to organise the event for any death, injury, loss or damage to themselves, family, crew, guests or vessel.

1.119 By inviting crew or guests to participate in an event organised by the RCPYC the sponsoring member warrants that their attention has been drawn to these limitations. Participation in any RCPYC activity is always on the basis of the RCPYC constitution and Rules.

28..Winding-up

1.120 The Club may be wound-up at a General Meeting called for that purpose. The winding-up resolution shall be carried if a majority of those present and entitled to vote at the Meeting, vote in favour of it.

1.121 Any surplus remaining after the discharge of all liabilities of the Club (including the cost of winding-up) shall be divided among the Full Members in such

proportions as the resolution may direct, or shall be applied to such other purpose similar to the objects of the Club as the resolution may direct.

29..Interpretation and Glossary

1.122 In these Rules, except where the context otherwise requires, the singular includes the plural and:

- "the Club" means The Royal Cinque Ports Yacht Club,
- "the Committee" means the General Committee managing the affairs of the Club and includes the ex officio members thereof.
- "day" means a period of 24 hours ending at midnight.
- "month" means calendar month.
- "Rules" means these Rules and any amendments made thereto,
- "subscription" means annual subscription,
- "week" means a period of seven days,
- "year" means a period of 12 months

1.123 The following expressions have the meaning assigned to them by the Rule hereinafter specified:

• "accounts"	Rule 24.1
• "affiliated club"	Rule 10.1
• "auditor"	Rule 24.5
• "Cadet Member"	Rule 4.3
• "entrant"	Rule 27.1
• "Flag Officers"	Rule 14.2
• "general members of the Committee"	Rule 16.1
• "Group Member"	Rule 4.6
• "Honorary Life Member"	Rule 5.6
• "Honorary Member"	Rule 4.5
• "notice of arrears"	Rule 8.4
• "Officers"	Rule 14.1
• "Full Member"	Rule 4.2
• "personal particulars"	Rule 5.2
• "Secretary"	Rule 14.1
• "sponsors"	Rule 5.1
• "Temporary Member"	Rule 4.7

30..Rule Change History

1.124 These Rules shall come into force on 3 November 2017 and shall thereupon supersede all former Rules of the Club.

The following notes are for information only and do not form part of the Rules.

The Rules have evolved as follows;

- 13 September 1997: Rules came into force
- 24 October 1997: Rules 4, 7 and 42 were amended
- 6 November 1998: Rules 4 and 7 were further amended
- 29 October 1999: Rules 14 and 16 were amended
- 26 Nov 2004: Rule 14.1 was amended
- 3 November 2006: Rules 4(2) (b), 7(10), 8(4), 20(1) were amended, Rules 4(7) and 7(2) were deleted and Rule 39(4) was added
- 29 October 2010: Rules 4(8) and 4(9) became 4(7) and 4(8) respectively and Rules 4(5) and 7(6) were amended
- 4 November 2011: Rule 6, 11(5), 11(6) and 45 were deleted, Rules 5(4), 7(4), 7(5), 7(8), 7(9)(a), 7(10), 7(11), 8(3), 12(4) and 33(1) were amended; Rules 9(1) and 9(2) were combined and 9(3) renumbered to 9(2) and Rules 5(5) and 21(1) were rewritten
- 2 November 2012: new sub-paragraph (b) was added to Rule 5(4) and existing sub-paragraphs (b) and (c) renumbered accordingly; Rules 7(6) and 14(1) were amended and sub-paragraph (2) was added to Rule 38.
- 1 November 2013: Rules 4(1), 4(2), 5(1), 5(6), 5(9), 7(1)(a), 7(5), 7(8), 7(9), 9(1)(a), 10(4), 10(7), 11(3)(b), 12(1)(a), 12(2)(b), 12(4), 14(1), 15(1), 16(1), 17(1), 19(4), 19(7), 19(8), 42(2) were amended. Rule 4(3) was amended. Rule 10 (7) c was added
- 14 November 2014: Rules 4(2)(b), 7(1)(b), 7(5), 7(6), 7(8)(a), 7(9)(b) were amended. Rule 7(12) was added
- 4 November 2016: Rules 4(2) - 4(5), 5(3), 5(9), 7, 8(1), 8(4), 8(5), 11, 13(2), 19(8), 41 and 42(2) were amended, Rules 43-46 deleted following which numbering of paragraphs and sub paragraphs from Rule 23 onwards was tidied up
- 3 November 2017: Rule 16(3) amended
- November 2020: Rule 28.1 winding up the club
- November 2020: Rule 6.1 …by-law 6 dogs on premises
- November 2020: Associate membership
- November 2020: by-law 7 smoking on premises

BY-LAWS

These Byelaws take effect from November 2020

1 In these Byelaws the expression "public rooms" means the Lord Warden and Prince of Wales Bars, the 'Reading' Room and the basement meeting room.

2 The Club House and bar shall normally be open each day as follows:-
   a) Monday to Friday Noon to 8pm or later
   b) Saturday Noon to 8pm or later
   c) Sunday Noon to 6pm or later
   or at such other times as the Committee may direct.

3 Members, guests and visitors must be appropriately dressed when using the public rooms of the Club. No oilskins or similar clothing may be worn in those rooms.

4 Members and visitors to the public rooms of the Club who need to keep their mobile telephones and other noise emitting electronic devices switched on must set them to silent or vibrate mode only. Telephone calls must not be initiated in these areas. Incoming calls must be taken outside the public rooms and in a manner that does not distract other members or visitors.

5 Children under the age of 11 years shall be admitted to the Club House only when accompanied and supervised by a person at least 18 years of age. No person under 18 years of age shall purchase alcohol from the bar. No person under 16 years of age shall approach the bar to purchase refreshment.

6 Dogs are admissible during the week lunch times only, except guide dogs for the disabled admissible at all times, shall be brought into the public rooms of the club but not in the kitchen facilities of the Club. Refer new rule 6.1.

7 Smoking is permitted exclusively in the garden area beneath the verandah and in front of the exit stairs of the Lord Warden Bar. It is not permitted on the verandah itself nor anywhere else on club premises.

8 The use of the Club's television and computer is at the discretion of the officers of the Club or, in their absence, the bar staff.

9 The signatories on cheques drawn on the Club's bank account shall be the Commodore, Vice-Commodore, Honorary Treasurer and Secretary for the time being and two members of the Committee nominated by the Committee.

10 A cheque drawn on the Club's bank account for a sum:-
   a) of £5,000 or less shall be signed by any two such signatories and
   b) over £5,000 shall be signed by any four such signatories.

11 No charity collection boxes may be placed in the club without the prior consent of the committee