

**SHEARWATER SAILING CLUB**  
**Lake Shearwater, Warminster, Wiltshire**



CONSTITUTION AND RULES

Ratified by the Committee of Shearwater Sailing Club on 13<sup>th</sup> January 2009. This version replaces all previous versions that may be in circulation, both dated and undated.

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**Section 1 - Name and Objects**

1. The name of the Club shall be the 'Shearwater Sailing Club' (hereinafter referred to in these rules as the club).
2. The main object and purpose of the club is to provide facilities for promoting and encouraging participation in the sport of dinghy sailing. Also to provide social and other facilities for members as may be from time to time determined.
3. Membership of the club is open to all the community with no discrimination on ethnicity, nationality, sexual orientation, religion, sex, age or disability – except as necessary consequence of the requirements of dinghy sailing.
4. The club is non profit making, with any surplus income or gains to be reinvested in the club and not distributed in cash or kind to members or third parties. This does not prevent donations by the club to Charities or to other clubs that are registered as Community amateur sports clubs.

**Section 2 – Officers**

Officers of  
The Club

- 5 The Officers of the club shall be Full, Joint or Family members of the club and shall consist of a Club President, a Commodore, a Vice-Commodore, a Rear-Commodore, an Honorary Secretary and an Honorary Treasurer. Officers shall be elected at the Annual General Meeting in each year and shall hold office for one year, retiring at the termination of the Annual General Meeting in each year. All Officers of the

Club shall be eligible for re-election.

### **Duties of [Honorary] Secretaries etc.**

Duties of  
Honorary  
Secretary

6. The Honorary Secretary shall:-
- (a) Ensure a register of club members' names and addresses is kept;
  - (b) Keep copies of all correspondence of the club;
  - (c) Be responsible for the custody of all club documents;
  - (d) Keep full minutes of all meetings of the club, the Committee 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.
  - (e) Maintain contact with the club's Legal Advisor to ensure that the club's affairs are managed in accordance with current law.
  - (f) Maintain any such certificates or registrations, and complete any such non-financial returns, as may be required by law.

Duties of  
Honorary  
Treasurer

7. The Honorary Treasurer shall:-
- (a) 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.
  - (b) Cause all returns as may be required by law in relation to such accounts to be rendered at the due time.
  - (c) Administer such insurance policy or policies as may be needed fully to protect the interests of the club, its Officers and its members;
  - (d) Prepare an Annual Balance Sheet as at 30<sup>th</sup> November 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.

Duties of  
Honorary  
Auditors

8. The Honorary Auditors shall:-
  - (a) Be appointed at the Annual General Meeting in each year [and shall be two appropriately qualified members of the club];
  - (b) The Auditors shall audit the accounts of the club when called upon to do so and shall give such certificate of assurance as to the accuracy of the said accounts as shall be required by law or by the committee.
  - (c) If either is unwilling or unable to act, inform the Committee who shall appoint a substitute to hold office until the termination of the next Annual General Meeting.

**Section 3 – Membership**

Categories and  
votes of  
Membership

9. There shall be the following categories of membership with power to vote at all meetings of the club as indicated hereunder. The rights and privileges of each category of members are as defined in the latest edition of the byelaws of the club (see section 8).

**A FULL MEMBER** - being a person who, at the date of election, is over the age of eighteen shall have one vote.

**A JOINT MEMBERSHIP** – to include a Husband and Wife/Partnership, age 18 years and over. Each joint member shall have one vote.

**A FAMILY MEMBERSHIP** - which expression shall include one or two parents (as may be) and all children under eighteen years of age. Any family member over the age of 18 shall have one vote.

**A JUNIOR MEMBER** – Such a member shall be one who at the commencement of that subscription year is under the age of 18 years and joins the club other than as a full member or a family member. A junior member shall have no vote.

**A STUDENT/TRAINEE MEMBERSHIP** – Being a full time student or Trainee at the time of election and reviewed annually thereafter shall have no vote. Subscriptions will be the same as that for Junior membership.

**AN HONORARY MEMBER** - who shall have no vote.

**A BLOCK MEMBERSHIP** - Or person within shall have no vote.

**A SOCIAL MEMBER** - who shall have no vote.

**A TEMPORARY MEMBER** - who shall have no vote.

No member except a **TEMPORARY MEMBER** may use the club premises, or any of the facilities of the club until forty-eight hours have elapsed from the date of posting of notice of election.

Candidates for membership shall have no privileges whatsoever in relation to the use of the club or premises.

Membership  
Entrance &  
Subscription  
Fee

10. The rate of Entrance and 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 January in the year following. The current rate of Entrance and Subscription fee shall be prominently displayed in the club premises.

11. Members shall also make the following annual payments:-

- (a) No member to sail his or her own boat(s) on the water controlled by the club without a current year sticker to be displayed on the external side of the boats transom..
- (b) An annual boat fee of such a sum as the committee shall from time to time prescribe shall entitle a member a space in the clubs boat park – subject to availability.
- (c) All members shall pay the Entrance fee (if any) and their first annual subscription upon election to the club and thereafter on the first day of January in each year. Provided that a member elected after the first day of September in any year shall pay half the annual subscription applicable for that year and that a member elected after the first day of November in any year shall not be required to pay any subscription in respect of the year of election, but shall pay, on election, the Entrance fee and the annual subscription in respect of the year following election.

Members' duty to  
provide an up to  
date address

12. Every member shall furnish the Honorary Secretary with an up-to-date 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.

**Election and retirement of members**

Candidates  
For election

13. Every candidate for membership (except Honorary Members) shall be proposed and seconded by a Full, Joint or Family member of the club, both of whom must be personally acquainted with

the candidate.

Application for

Membership 14. An application for membership shall be in the form from time to time prescribed by the Committee, and shall include the name and address of the candidate, and the signatures of the Proposer and the Seconder.

Election of  
Members

15. Upon receipt of an application for membership, the Honorary Secretary shall enter such application in a Register of Candidates and shall cause the application to be brought before the next meeting of the Committee at which such application for membership shall be considered.

The election of all classes of members is vested in the Management Committee and shall be a simple majority vote of those of the Management Committee. The Honorary Secretary shall inform each candidate in writing of the candidate's election or non-election. He/she shall furnish an elected candidate with a copy of the Rules and Byelaws of the club and make request for such payments as are necessary.

Payment of Fees  
upon Election

16. Upon election, a candidate shall pay, within one calendar month, such Entrance and other fees as shall be requested. In default of such payment, the election shall be void unless sufficient cause for delay be shown.

One year's  
temporary  
absence of  
member

17. A member who, for any reason, anticipates inability to use the club or its facilities for the whole of any one year shall be excused payment of the annual subscription and other annual fees provided that notice in writing is given to the Honorary Secretary before the last day of November in the previous year. A member wishing to be re-instated during the year in question shall pay such portion of the annual subscription as the Committee shall require.

Retirement of a  
Member

18. A member desirous of retiring from membership shall give notice in writing to the Honorary Secretary before the last day of November 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.

Arrears of  
Subscription

19. The Committee may cancel, without notice given, the membership of any member whose annual subscription and other annual fees are more than three months in arrears provided that the Committee may, at its discretion, re-instate such member upon payment of arrears. No member whose annual payment is in arrears may enter any club event or regatta nor vote at any meeting.

## Conduct of Members

Under-taking by  
members to comply  
with rules

20. 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 by the Committee.

Expulsion of  
Members

- 21 **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 Management Committee present and voting on the Resolution.

Guests in the  
Club

22. 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.

Damage to club  
Property

23. 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.

Exhibiting of  
Notices

24. 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.

Settlement of  
Accounts

25. 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.

Suggestions

26. All suggestions shall be entered in the Suggestion Book/Box and signed by the Member.

Complaints 27. Complaints of any nature relating to the management of the club premises shall be addressed in writing to the Honorary Secretary. Under no circumstances shall a servant of the club be personally reprimanded by a member.

Members of other

RYA Clubs 28 . A member of any club affiliated to the Royal Yachting Association (a list whereof is published by the said Association) may be authorised on payment of the current visitors fee to use the premises of the club by any member of the Committee of the club. Such authorisation shall specify between which dates (not being more than fourteen days apart) the said person may so use the premises. Proof of boat insurance and buoyancy must be given before the boat(s) are put on the water.

Competitors in

club races 29. 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.

Power to expel those admitted under rules 28 & 29 hereof

30. The Honorary Secretary or any other person who has received the authority of two members of the Committee, may expel, temporarily or permanently, any person who has the right to the use of the club premises only under Rules 28 and 29.

Limitation of club liability

Limitation of club Liability

31. Members, their guests and visitors are bound by the following Rules which shall also be exhibited in a prominent place within the club premises:-
- a) 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 :
  - (b) 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.
  - (c) 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.

32. 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 1984.

#### **Section 4 - Management Committee**

Constitution of  
Committee 33

The Management Committee (herein referred to as 'the Committee') shall consist of the Officers, ex officio, and not less than four nor more than eight Full, Joint or Family members of the club elected at the Annual General Meeting each year to hold office until the termination of the next following Annual General Meeting.

Retirement of  
members of the  
Committee 34.

At the Annual General Meeting each year two of the Full and Family members shall retire in order of election or seniority. In the case of equal seniority the order of retirement shall, failing agreement between the members concerned, be determined by lot. Members retiring under the rule shall not be eligible for re-election to the Committee until the Annual General Meeting next following the meeting at which they retire.

Candidates for  
election to  
Committee 35.

Candidates for election to the Committee (not being Officers of the Club) shall be those members of the retiring Committee eligible to offer themselves for re-election and such other full, joint or Family members whose nominations (duly proposed and seconded in writing by Full, Joint or Family members 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 to the club premises at least fourteen days prior to the date of the Annual General Meeting.

Election of  
committee by  
ballot 36.

If the number of candidates for election is greater than the number of vacancies to be filled then there shall be a ballot.

No contest for  
Election 37.

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.

38. 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.

Casual  
vacancy

39. If, for any reason, a casual vacancy shall occur, the Committee may co-opt a Full or Family member to fill such a vacancy until the next following Annual General Meeting.

Retiring  
Commodore  
Ex Officio

40. A retiring Commodore shall serve as an ex officio member of the Committee in the year immediately following his or her retirement.

Committee  
Meetings

41. The Committee shall meet at least every two months making such arrangements as to the conduct, place of assembly and holding of such meetings as it may wish. The Commodore or in his absence a Chairman elected by those present shall preside.

Voting at  
Committee

42. Voting (except in the case of a resolution relating to the expulsion of a member) shall be by show of hands. In the Committee case of equality of votes the Commodore or Chairman (as the case may be) shall have a second and casting vote.

Quorum

43. Five members personally present shall form a quorum at a meeting of the Committee.

#### Powers of the committee

Management of  
club by  
Committee

44. The Committee shall manage the affairs of the club according to the 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.

Powers to make  
Byelaws and  
Regulations

45. 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. Such Byelaws and Regulations shall remain in force until approved or set aside by a vote of a General Meeting of the club.

Appointment of Sub  
Committees

46. 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. Officers of the club shall be ex officio members of all such sub-committees.

Disclosure of  
interest to third  
parties

47. 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.

Limitation of Member's  
Liability

48. 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.

Members  
Indemnification of  
Committee

49. 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.

Nomination of  
Honorary  
Members by  
Committee

50. The Committee may nominate for election at an Annual General Meeting such Honorary Members as the Committee may think fit. The total of such Honorary members shall not, however, at any time, exceed five per cent of the total number of members nor shall the number of Honorary Members exceed at any one time six in number.  
The election of Honorary Members shall be put to the vote at the Annual General Meeting each year and such Honorary Members shall be duly elected if two thirds of those present, and entitled to vote, vote in favour of election.

### **Section 5 - Trustees**

Number of &  
terms of  
reference

51. 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, Joint, Family or Honorary Members who are willing to be so appointed. A Trustee shall hold office during his 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.

Property of club  
vested in

- Trustees 52. 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 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 besting 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/she shall by Deed duly appoint the person or persons so nominated by the committee.

Powers of  
Trustees

53. 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 mortgage shall be concerned to enquire whether any such direction has been given.

Indemnity of  
Trustees from  
Club

54. 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 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.

Limitation of  
Liability of Club

- Trustees 55. (To be incorporated in every contract, lease, licence or other agreement entered into by the Trustees of the Club). 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.

## Section 6 - Meetings of the club

- Annual General Meeting 56. An Annual General Meeting of the club shall be held once each Year on a date to be fixed by the Committee. The Honorary Secretary shall at least fourteen days before the date of such meeting or of any General Meeting as hereinafter mentioned post or deliver or email or 'fax to each member notice hereof and of the business to be brought forward thereat.
- Business at Annual General Meeting 57. No business, except the passing of the Accounts and the election of the Officers, Committee, Trustees and Honorary 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 be given in writing by a member entitled to vote to the Honorary Secretary at least forty two days before the date of the Annual
- Special General Meeting 58. The Committee may at any time, upon giving twenty one days notice in writing, call a Special 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.
- General Meeting upon request of members 59. The Committee shall similarly call a General Meeting upon a written request addressed to the Honorary Secretary by at least 14 members. The discussion at such meeting shall be confined to the business stated in the notice sent to members.
- Chairman at Meetings 60. At every meeting of the club the President or the Commodore or, in their absence, a Chairman elected by those present shall preside.
- Quorum at Meetings 61. Twenty members entitled to vote and personally present shall form a quorum at any meeting of the club.
- Entitlement to vote at Meetings 62. Only Full, Joint and Family members (see section 3 , 9) shall vote at any meeting of the club. Other members may attend but are not entitled to vote.

Voting at Meetings

63. Voting, except upon the election of members of the Committee, shall be by show of hands.

Equality of Votes

64. In the case of an equality of votes the Chairman shall have a final or casting vote, on any matter other than the election of members of the Committee.

Voting on Rule Change

65. On any resolution properly put to a meeting of the club relating to the creation, repeal or amendment of any Rule, Byelaw or Regulation of the club such Rule, Byelaw 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 (see section 3, 9).

### **Section 7 - Dissolution of the Club**

Dissolution of the Club

66. If, upon the winding up or dissolution of the club, there remains after the satisfaction of all its debts and liabilities any assets whatsoever, the same shall not be paid to or distributed amongst the members of the Club but shall be applied to some other sporting or charitable institution having objects similar to the club and in compliance and approval by the CASC (Community Amateur Sports Club Scheme) - as per "Schedule 18 Finance Act 2002". This by Resolution passed at an Annual or Special General Meeting.

### **Section 8 - Byelaws**

Rights and privileges of members

67. The present rights and privileges of each category of membership shall be as follows:-

**A FULL MEMBER** shall have the full use of all the club facilities.

**A JOINT MEMBER** shall have the full use of all the club facilities.

**A FAMILY MEMBER**, his/her spouse and all the children under the age of eighteen shall have the full use of all the club facilities subject only to Rules 9 (section 3) and 70 (section 7)

**A JUNIOR MEMBER** shall have the full use of all the club facilities subject only to Rules 9 (section 3) and 70 (section 7).

**A STUDENT/TRAINEE MEMBER** shall have the full use of all the club facilities subject only to Rules 9 (section 3) and 70 (section 7)

**AN HONORARY MEMBER** shall have the full use of all the club facilities.

**A SOCIAL MEMBER** shall only have the full use of the clubhouse facilities.

**A BLOCK MEMBERSHIP** of schools and similar bodies may be made at the

discretion of the committee, with joining fees, annual subscriptions and appropriate restrictions determined by the Committee and approved at an Annual General Meeting.

**A TEMPORARY MEMBER** (which expression may include members of another RYA recognised club or organisation) shall have the full use of the club facilities but:-

(a) Shall have no right to enter club races or regattas unless specifically authorised by the Honorary Secretary or Committee.

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

(c) shall have no right to take any part in the management of the club.

(d) Is deemed to have notice of an implied undertaking to comply with the club rules, current Byelaws and Regulations as if he or she were a member of the club and so far as the said Rules, Byelaws and Regulations may be deemed to apply to such Temporary Member.

(e) shall be liable to be expelled from the club premises or to be prohibited from using the club facilities if, in the opinion of the Honorary Secretary, he or she shall not have reasonably complied with the above conditions.

Control of  
dogs

68. No dogs may be brought into the clubhouse.

No smoking  
in clubhouse

69 Smoking is not permitted within the clubhouse.

Admittance of  
Children

70. All Juniors to be accompanied by an adult – who shall at all times be responsible for that child/children.

Control of car  
Parking

71. 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.

Opening of club  
Premises

72. The club premises shall be open to members at such times as the Committee shall direct.

Abandoned  
Boats

73. In addition to the powers given to the Committee under Rule 19 (section 3) and Rule 44 (section 4) hereof 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 one month's 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, 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.

**Section 9 – Management Rules**

Insurance	74	Every member, guest or visitor shall ensure both he/she and all other persons helming and / or crewing a boat shall be adequately insured against third party risks when sailing on the club water.
Launching	75	Members, guests and visitors shall only launch and take out boats at the launching slip and at no other point without the approval of the General Committee. The launching slip to be kept clear at all times except when actually in use for this purpose.
Personal Buoyancy	76	<ul style="list-style-type: none"> <li>(a) All persons under the age of eighteen shall wear personal buoyancy at all times when on the club water.</li> <li>(b) Personal buoyancy shall be worn by all persons when required to do so by the Officer of the Day, by flying of International Code flag “Y” from the race control box and a notice on the clubhouse “Race” board.</li> </ul>
Boat Buoyancy	77	All boats must have adequate buoyancy in accordance with its Class Rules, being so equipped that in the event of a capsized helm and crew may be safely brought ashore. The Committee may ‘buoyancy test’ a boat to ensure this safety aspect is maintained. Any boat failing such a test shall not be permitted on the Club water until a further test is satisfactorily completed.

Dinghy Park 78(a) Members leave boats and launch trolleys in the Dinghy park at their own risk and only with the prior consent of the committee and on payment of the appropriate fee (see 11b section 3)). Road trailers are NOT permitted to be used or stored within the Dinghy Park. Members are responsible for the tidiness of their allocated berths and access ways shall be kept clear at all times.

(b) All boats, launch trolleys, road trailers and other parking / security items be removed at the end of each calendar year and not returned until commencement of the new sailing season.

(c) Boats and equipment remaining on club premises after the end of each calendar year may be removed and disposed of at the discretion of the Committee.

## Sailing

Restrictions 79 (a) Members, guests and visitors may sail and use the clubhouse and slipway facilities throughout each membership year yet shall comply with all restrictions which may from time to time be laid down by the Committee.

(b) No craft other than sailing dinghies may be used on Shearwater Lake with the exception of Club 'Rescue' craft.

Additional rules 79 c, d and e inserted by virtue of rule 45 and ratified by the Committee at a meeting on 20/11/2008. Rule 87 also amended.

(c) No boat may be sailed upon Shearwater unless a valid Sailing Licence (permission to sail) for that boat has been obtained from Longleat Estate and is in the possession of the licence holder. This licence must be produced to a representative of Longleat estate or any Committee Member upon request. The only exception to this rule will be boats sailed in an open or similar event (which has been approved by Longleat Estate) by persons who are not members of Shearwater Sailing Club.

(d) The helm of any boat sailed on Shearwater must abide by the terms and conditions listed within the current Sailing Licence covering that boat, whether they are the licence holder or sailing a boat covered by a licence held by the club or another member. Any person breaching the terms of a sailing licence together with the licence holder may be held to account by a representative of Longleat Estate and may be warned, excluded from the lake or have the covering licence revoked. This is a contractual matter between that member(s) and Longleat Estate. The Committee has no liability in this respect and in the event of the revocation of a member's sailing licence no refund of fees paid to the club for that calendar year will be made.

(e) No member shall wilfully or by undue or deliberate neglect contravene any condition of a sailing licence. Any contravention, whether sailing a club owned or any other boat may be dealt with at the discretion of the Committee by any means up to and including expulsion from the club, subject to the provisions of rules 20 and 21 ante.

Rescue boat 80 (a) Only members approved by the Committee may operate a rescue boat.



## Facilities

- (b) A rescue boat will only be operative during racing days and other official club events .
- (c) When there is no rescue boat on duty members are responsible for their own safety.

## Officer of The Day

- 81 (a) An Officer Of The Day (OOD) and Assistants shall be appointed by the Sailing Committee for all race days.
- (b) It shall be a condition of Club membership that all members shall accept the appointment of OOD and Assistant OOD/Galley duties at least once each season, being responsible for arranging a substitute if unable to attend.

## Section 10 – Sailing Rules

*These sailing rules may be altered from time to time as the General Committee may deem expedient.*

## Non Racing Craft

Restrictions 82 When racing is held all non racing boats shall at all times and under all conditions keep clear and give way to boats that are racing.

## Racing

Rules 83 All races will be sailed under I.Y.R.U. and R.Y.A. rules and any Club sailing instructions as currently in force.

Fixture List 84 The Sailing Committee shall be responsible for arranging the annual 'Fixture List' and shall maintain and issue from time to time sailing instructions for the OOD/assistant OOD's.

Handicaps 85 The Sailing Committee shall be responsible for devising handicapping systems as deemed appropriate and publishing details from time to time on the 'Notice Board'.  
The Sailing Secretary shall be informed of any alteration to a registered boat which may effect its performance in any way.

Race Entry 86 Competing Helms must advise the OOD of their intention to enter a race and all required boat/handicap detail at least 20 minutes before the race start time, and pay any entrance fee as required. Later entries may be accepted at the 'Start Box' on the discretion of the OOD.

## Dinghy Identity Marks

87 Each competing boat shall carry a number on its main sail which can clearly be seen, or other identification as shall be approved by the OOD prior to any race. All boats sailed on Shearwater must comply with the requirement of a sailing licence directing that at all times a unique number must be displayed so as to be visible from the bank at all times.

## Officer of The Day

88 The decision of the Officer of the day on all matters concerning sailing and racing on the Club water during his/her duty will be final

## **NOTICE**

*The Club sails on Shearwater by permission of the Seventh Marquess of Bath  
And all members are requested to show every consideration to those  
Fishing or using the lake for other purposes*