

Newburgh Sailing Club

Constitution

NAME The name of the club is Newburgh Sailing Club

OBJECT The club is formed to promote and facilitate the sport of sailing

The club is a non-profit making organisation. All profits and surpluses will be used to maintain or improve the club's facilities. No profits or surpluses to be distributed.

MEMBERSHIP

Anyone whether the owner of a yacht or boat, or not, but who is keen and interested in sailing is eligible as a candidate for membership.

The club may, on the recommendation of the committee, in general meetings elect honorary members.

Applications for membership may, at the request of any one member of the committee, be considered by the committee.

The name and address of each new member to be given to the honorary secretary and the honorary treasurer.

Any member desirous of retiring from the club should notify this intention to the committee before 21st December, or be liable for the next year's subscription.

RULES

All members will adhere to the rules anent safety.

All members should participate in the non-sailing activities of the club. This may include maintenance work.

Any member who, after a disciplinary hearing (as per the current club grievance procedure), is found to have indulged in unbecoming conduct or otherwise acted in a way injurious to the club or the sport of sailing will be liable to expulsion.

SUBSCRIPTIONS

The annual subscription will be payable on election to the club and by the 31st March in each subsequent year.

There will be several categories of membership:-

- a) Individual membership
- b) Family membership (comprising 2 adults and family members under 18)
- c) Cadet (junior) membership, open to young people between the ages of 12 and 18 as of 1 April each year
- d) Non-sailing membership
- e) Honorary membership
- f) Associate membership
- g) Associated Club membership, this is open to a complementary watersport activity. The constitution of the associated club must be acceptable to Newburgh Sailing Club (NSC) and the membership reviewed annually. The programme of the associated club shall be approved by the NSC committee to avoid any fixture clashes which would restrict the activities of NSC.
- h) Young Adult membership, open to young people between the ages of 18 and 23 as of 1 April each year.

SUBSCRIPTIONS (continued)

Rates of subscription will be decided each year at the Annual General Meeting.

CLUB OFFICERS

These will be:- Commodore, Vice Commodore, Rear Commodore, Honorary Secretary, Honorary Treasurer

Officers will be elected each year at the Annual General Meeting, and hold office until the next Annual General Meeting. On retiring, officers will be eligible for re-election.

COMMITTEE

The committee will consist of the above officers plus two other adult members and one cadet member. The cadet member will have full voting rights in the committee. The committee may nominate one member to act as Sailing Secretary. Should a vacancy occur the committee may co-opt another member to fill it. The quorum for a committee shall be four.

NOMINATIONS ELECTION OF OFFICE BEARERS AND COMMITTEE

This will occur at the Annual General Meeting.

Only full members have the right to nominate and vote for office bearers and committee members, with the exception of the cadet member, when cadets will have the right to nominate and vote.

All candidates for election must be duly nominated and seconded.

In the case of the office of Commodore, the nomination must be made in writing to the Honorary Secretary by 1st October.

If the number of candidates duly proposed and seconded exceeds the number of vacancies to be filled, election will be by ballot.

ANNUAL GENERAL MEETING

This shall take place each year as soon as practicable after the close of the sailing season. Date and place of the AGM to appear in the fixture list, and to be publicised in the clubhouse prior to the end of the sailing season.

AUDITOR

An auditor will be appointed who is not a member of the club. All accounts must be audited before presentation at the AGM.

EXTRAORDINARY GENERAL MEETINGS

The committee may, on giving 14 days notice, call a general meeting for a specific purpose, the nature of which must be stated in the summons convening the meeting.

Any six members may require a general meeting to be called by writing to the committee stating the reason for the request.

VOTING AT GENERAL MEETINGS

Only individual members and family members over 18 will be entitled to vote at general meetings, although cadet and honorary members will be eligible to attend. An Associated Club shall have two members' votes only at any general meeting.

Should a vote be taken and the number of 'for' and 'against' votes be equal, the person chairing the meeting will have a casting vote.

MINUTES OF MEETING

The proceedings of all committee and general meetings will be minuted. Minutes to be read or circulated before the next meeting of the same sort. Minutes of previous meetings to be signed by chairperson.

ALTERATIONS OR AMENDMENTS TO THE CONSTITUTION

Alterations to the constitution can only be made at a special general meeting called to consider such a proposal. The proposal can only be carried if voted for by three quarters of the members present who are entitled to vote.

CONDUCT OF MEETINGS

All meetings to be conducted in standard form, speakers to address the chairperson (normally the Commodore).

SUB-COMMITTEES

The committee may form sub-committees for special purposes. Such sub-committees may co-opt others to assist with the special project. Sub-committees will report back to the full committee.

DISSOLUTION

Upon dissolution of the club any remaining assets shall be given or transferred to another registered CASC, a registered charity or the sport's governing body.

TRUSTEES

The Commodore, Honorary Secretary and the Honorary Treasurer will be the trustees for the club.

For the above reason, the offices of Commodore, Secretary and Treasurer must be held by separate persons.

1. Original Constitution adopted 27 March 1959
2. Revised by Extraordinary General Meeting on 5 July 1998
3. Revised by Extraordinary General Meeting on 1 April 2000
4. Revised by Extraordinary General meeting on 31st October 2001. To add Associated Club Membership.

5. Revised by Extraordinary General Meeting on 28th March 2004. Young Member added and date for subs to be paid.

6. Revised by Extraordinary General Meeting on 12th February 2005. Alteration to vetoing of new members. Alteration to procedure for unbecoming conduct of a member. Addition of procedure following dissolution of the club.

Proposed Amendments for 2007 Season.

Handicap System.

- Again recalculated three times per season, to coincide with the natural change over of series. However in an effort to simplify personal handicaps everyone will start the season with their last handicap from the previous season. Where a new member joins NSC they will start with a scratch PY rating for the class sailed, until the preceding section of results is calculated.

Saturday, Spring, Summer, Autumn and Evening **Series**

- To return to 6 races, with 4 to count, as most series with 8 races this year only had 4 races completed per series.
 - Evening Series to revert to a single night throughout.

Fixture list will have one weekend day a month free for **Training**.

Continue to have a separate list of dates with available tides for **General Sailing** and **Cruising** to be compiled out with fixture list.

Jean Lauder Trophy and Cadet Trophy to be combined as a specific fun weekend event to promote female and junior sailing.

Scratch races in a series of 6 with the best 4 to count, for the best placed female and or junior helm.
(NB. either single-handed or whether crewed by a male or female.)

In an effort to address the balance of scratch series, the committee have decided to revert the Race to Perth, Reekit Lady and Kerwhip Cup to scratch series, leaving the Club Island Race as a handicap race using the entrants adjusted handicap at the time of the event.

Newburgh Sailing Club

Club Rules - General

The Club is owned and managed by its members via a democratically elected committee and is governed by a written constitution. Its objects are the mutual enjoyment and furtherance of the sport of sailing in all its forms. It is essential that new members are familiar with these rules. These rules are intended to protect the environment and provide safety and pleasure to all users of the facilities.

1. All boats must be registered with the club before being used at the club.
2. All persons taking part in any boating activity should be competent swimmers and must wear buoyancy aids [50N]. Non-swimmers should wear a 100N life Jacket.
3. During club activities sailing without a rescue boat can only be undertaken when 2 or more boats are sailing.
4. Overnight camping/caravanning is not permitted except with the permission of the committee.
5. Racing is held under I. Y .R. U. Rules and members should not assume that other water users know the right of way rules. All members are expected to know where the channel runs and that they are obliged to keep clear of larger vessels which are unable to take avoiding action.
6. Nothing should be done which could contaminate the water or plant life around the club - the control of vermin is however permitted.
7. All Children under 12 must be accompanied by a responsible adult.
8. Boats must be insured with 3rd Party Liability of not less than £1,000,000.

9. Members shall not smoke in any of the club's buildings. Due regard should be given to fire safety.

10. The last key holder leaving the club will be responsible for the locking up of the club premises (excluding the winter boat storage area).

11. The club training centre has a child protection policy which should be adhered to.

12. Compliance with the club Safety/Sailing Rules is required by all members.

13. Notwithstanding any of the above any behaviour which could bring the club into disrepute is unacceptable and the Disciplinary and Grievance Procedures can be used to protect the good name and reputation of the club.

SAFETY/SAILING RULES

1. All persons taking part in any boating activity should be competent swimmers and must wear buoyancy aids [50N]. Non-swimmers should wear a 100N life Jacket.

2. Boats launched from Newburgh Sailing Club should be under the control of a competent helm. Inexperienced helms should not proceed onto the water unless supervised and rescue facilities available. Experience in helming will vary depending on the conditions.

3. Although individual members are responsible for ensuring that they are competent to handle craft in prevailing conditions, any qualified sailing instructor or committee member may recommend that sailing be abandoned.

4. Any craft using the club facilities must be seaworthy.

5. Any craft using the club facilities must carry a minimum of £1 million third party insurance cover.

6. A safety boat shall be available during all club sailing activities. If the conditions are such that a manned safety boat is required on the water during the activities, the boat should be manned by an approved helm as stated on the club safety helm list. It is expected that members share this duty fairly.

7. Should sailing proceed without a permanent manned safety boat, the safety boat must be left on the beach above high water mark in a state of readiness. Should it be required, then the nearest approved safety helm must return to the beach and assume safety duties.

8. On longer cruises, all vessels must be suitably equipped, and have a secondary means of propulsion. It is preferable to travel in company and let others know your planned route and ETA.

9. Safety boat helms must hold a minimum of "Powerboat Level 2" qualification. Safety boat helms are expected to arrive in plenty of time to check that the vessel is ready for duty as per the 'Safety Boat Checklist'. Safety boat crew should be over 16 years of age for Club "Open" events.

10. Craft must keep clear of approaching coasters. It is advisable to carry a paddle to move quickly in conditions of light wind.

11. Powerboats must stay beyond the normal sailing area. Exceptions are to be made for Rescue & Training purposes.

12. Anyone under the age of 14 shall wear a buoyancy aid within 3 metres of the water.

Disciplinary Procedures

Informal Grievance Procedure

Incidents or problems, which arise at the club, are best dealt with by informal grievance procedure.

If those concerned cannot settle the matter themselves, the complainant should ask a committee member to arrange a meeting with the 'accused' person present, at which the official acts as a neutral mediator.

This informal procedure will hopefully help to calm or stop any situations before they result in full formal disciplinary procedures.

Formal Grievance Procedure

Whenever an official complaint is received, the following grievance policy will be adhered to:

1. Any complaint must be made in writing to the Club Secretary. Complaints cannot be made anonymously and should be shown to be contravention of a particular section of club rules or constitution.
2. The allegation or charge will be sent in writing to the accused person. They should be given notice of the charge and a reasonable time to respond (at least 48 hours).
3. The Club Secretary will collect all relevant information related to the complaint and then convene a panel of 3 committee members.
4. The panel will set a date to discuss the allegations. All relevant information and evidence will be provided to the panel, the accuser and the accused.
5. The names of the panel members should also be distributed so that any lack of impartiality can be challenged before the hearing.
6. All parties will be informed of the right to bring a friend or advisor. This person will not be involved in either the discussion or the decision making process.
7. All parties will be reminded that nobody should contact, approach or otherwise attempt to influence any panel member or witness. Any breach will

be reported to the panel chairperson and may be a matter for disciplinary action.

8. The complainant(s) present(s) their case first and may identify questions which they would wish to be answered by the 'accused'.

9. The 'accused' person must be given reasonable opportunity to respond to the allegation.

10. Separating the complainant and accused may be required. Therefore the panel may meet on more than one occasion. The club does not have the facilities to allow more than one meeting to be held at one time.

11. Records must be kept of all meetings.

12. The panel will make its decision in private. Decisions will be communicated in writing by post.

13. If an appeal is to be heard, another panel must be convened. This panel must have no direct knowledge of the case. To this end the particulars of the initial hearing must not to be disclosed to anybody other than those present at the initial hearing.

14. The Commodore will not be a member of either panel and should be available to communicate as an unbiased club official with any external appeal if necessary. If no fair outcome can be decided within the club, an unbiased external adjudicator may be required. i.e. RYA Scotland official.

Notes:

Care should be taken that the 'accused' is given a fair hearing, all relevant facts should be considered.

All documents pertinent to the case must be carefully recorded and filed.

All relevant parties should have a complete copy of all related documents.

