



RULES

of the

ROYAL VICTORIA YACHT CLUB

FISHBOURNE

ISLE OF WIGHT

Founded 1844

Admiralty Warrant 1845

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1. NAME AND OBJECTS

- 1.1. The name of the club shall be the “Royal Victoria Yacht Club” (hereinafter referred to in these rules as “the Club”).
- 1.2. The objects for which the Club is formed are to promote and facilitate community participation in the sport of yachting and to provide social and other facilities for members as may be from time to time determined. To this end, the Club shall be a member of the Royal Yachting Association (RYA).

2. BURGEE AND ENSIGN

- 2.1. The Club burgee shall be red with a crown over a fowl anchor and on either side the letters VR pierced yellow.
- 2.2. The Club ensign shall be the red ensign, defaced with a crown on the lower part of the fly with the letters VR underneath pierced yellow, for which a warrant was granted by the Admiralty in 1845.
- 2.3. The Club burgee may be flown by any member, but may not be flown on a member’s yacht if no member is part of the crew.
- 2.4. The Club ensign may be worn by any member on board a yacht for which that member holds a Ministry of Defence warrant/permit and subject to the conditions of that warrant/permit. The warrant/permit must be returned to the Club Secretary immediately after the yacht to which it refers ceases to be the member’s property. Warrant/permit holders must furnish the Secretary with details of craft owned and also of the sale or disposal of that craft.

3. OFFICERS AND REPRESENTATIVES

- 3.1. The officers of the Club shall be members (other than Cadet, Honorary and Temporary members) and shall consist of a Commodore, Vice-Commodore and not more than two Rear-Commodores (being the Executive Flag Officers), a Secretary and a Treasurer (both of whom may be honorary officers).
- 3.2. All flag and honorary officers shall be elected annually at the Annual General Meeting (hereinafter referred to as the AGM). All shall be eligible for re-election, excepting a flag officer having completed three years in any one rank shall not be eligible for re-election to that same rank until at least one year has elapsed (see also Rule 6.4.7).
- 3.3. The Management Committee may appoint a Secretary/Treasurer whose salary and conditions of employment shall be agreed initially and from time to time. Whilst in the Club’s employment, the appointee shall be an honorary member.
- 3.4. The flag officers shall be *ex officio* members of all committees.
- 3.5. Duties of Officers and Representatives.
 - 3.5.1. The Secretary/ Hon Secretary shall:
 - a) Be directly responsible to the Management Committee;
 - b) Attend all General Meetings and Management Committee meetings, and minute the proceedings;
 - c) Keep a register of members’ names and addresses and a record of all subscriptions;
 - d) Conduct the correspondence of the Club and keep custody of all Club documents;
 - e) Maintain such insurance policies as may be needed to protect fully the interests of the Club and its members and shall present a schedule of such policies at least once a year to the Management Committee;
 - f) Ensure that such other duties delegated to the Secretary by the Management Committee are performed;
 - g) Maintain contact with the Club’s legal advisor to ensure that the Club’s affairs are managed in accordance with current law;

- h) On changes being made to the Club rules, ensure that a copy of the new rules is sent to the local Licensing Authority.

3.5.2. The Treasurer/Hon Treasurer shall:

- a) Be directly responsible to the Management Committee;
- b) Advise on the financial position of the Club as required;
- c) Cause such books of account to be kept as are necessary to give a true and fair view of the state of the finances of the Club;
- d) Cause all returns as may be required by law in relation to such accounts to be rendered at the due time;
- e) Prepare an annual balance sheet (and accounts as necessary) and cause such balance sheet to be audited and presented to the AGM;
- f) Ensure that two persons, the Secretary and the Treasurer, shall sign all cheques, but in the absence of either of these, the second signatory shall be one of the Flag Officers or a Trustee.

3.5.3. The Auditors shall:

- a) Be appointed at the AGM each year;
- b) Audit the accounts annually;
- c) Give the Management Committee such other financial advice as may be sought.

4. MEMBERSHIP

4.1. There shall be the following categories of membership:

- 4.1.1. Single members shall be persons aged 24 or over at the commencement of the subscription year (Rule 9.1 refers);
- 4.1.2. Joint members (which expression shall include two co-habiting adults);
- 4.1.3. Family members (one or two co-habiting adults and all children within their guardianship);
- 4.1.4. Junior members (aged 18 but less than 24 at the commencement of the subscription year - Rule 9.1 refers);
- 4.1.5. Cadet members (over 8 and under 18 at the commencement of the subscription year - Rule 9.1 refers);
- 4.1.6. Overseas members (members ordinarily resident outside the UK);
- 4.1.7. Temporary membership may be given to those who pay to use the Club for a period not exceeding four weeks;
- 4.1.8. Honorary members (persons invited to become honorary members by the Management Committee and ratified under Rule 6.3.2.e) at the AGM).

4.2. Membership entrance and subscription fees.

- 4.2.1. The rate of entrance and subscription fee for each category of membership, including any discounts, shall be proposed by the Management Committee to the members at the AGM in each year. Any proposed changes shall be approved by a simple majority of those present and entitled to vote and shall become operative on the first day of the subscription year (Rule 9.1 refers) following the AGM.
- 4.2.2. Subscriptions shall be payable upon election and at the commencement of the subscription year (Rule 9.1 refers) in every year. Applications for membership made part way through the membership year shall be required to pay for the remainder of that year such percentage of the annual subscription as the Management Committee decide.
- 4.2.3. All cases of financial difficulties will be dealt with as individual cases by the Management Committee.

4.3. Election of Members.

- 4.3.1. Membership of the Club shall be open to anyone interested in the sport of yachting on application regardless of sex, age, disability, ethnicity, nationality, sexual orientation, religion or other beliefs. Membership may however be limited according to available facilities on a non-discriminatory basis.
- 4.3.2. Membership subscriptions will be kept at levels that will not pose a significant obstacle to people participating.
- 4.3.3. An application for membership shall be in the form from time to time prescribed by the Management Committee and shall include the name and address of the candidate.
- 4.3.4. The application form shall be accompanied by a remittance for the amount of the entrance fee, together with the amount of the annual subscription applicable to the category of membership applied for, subject to the remittance being refunded should the application not be accepted. The entrance fee is not payable when an existing member (other than a temporary member) changes their category of membership.
- 4.3.5. Upon receipt of an application for membership, the Secretary shall enter such application in a Register of Candidates and shall cause the application form to be prominently displayed in the Club premises for at least fourteen days before the next meeting of the Management Committee at which the application shall be considered. The committee may refuse membership only for good cause such as conduct or character likely to bring the Club or sport into disrepute.
- 4.3.6. The Management Committee shall decide on each application by vote. This will be by a show of hands, and a simple majority of those present must be in favour to approve an application.
- 4.3.7. Any rejected applicant shall have the right to appeal against the decision in writing to the Management Committee.
- 4.3.8. Further appeal against refusal to elect may be made to the members at a General Meeting.
- 4.3.9. The Secretary shall inform each candidate in writing of the result of their application, and shall furnish elected candidates with a copy of the rules and bye-laws of the Club.

4.4. Resignation of members.

- 4.4.1. Any member wishing to resign from the Club shall give written notice to the Secretary on or before the end of the subscription year, or shall be liable for the following year's subscription.
- 4.4.2. Past members wishing to rejoin.
 - a) The Management Committee may, at its discretion, waive payment of the entrance fee.
 - b) The Management Committee may cancel, having given notice, the membership of any member whose annual subscription is more than three months in arrears, provided that the committee may, at its discretion, reinstate such member who gives a satisfactory written explanation with full payment of arrears.

4.5. Expulsion of members.

- 4.5.1. A resolution to expel a member shall be carried by a simple majority vote of those members of the Management Committee present and voting on the resolution. If such resolution were carried, it shall be of no effect, provided that the member concerned resigns within one month thereof.

4.6. Conduct of members.

- 4.6.1. Every member, upon election and thereafter, is deemed to have notice of, and impliedly undertake to comply with, the Club rules and the current bye-laws of the Club. Any refusal or neglect to do so, or any conduct which, in the opinion of the Management 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 Management Committee (see Rule 4.5). Provided that, before considering such action, the Management Committee shall call upon such member for an oral representation of the member's conduct, and shall give the member full opportunity of making explanation to the committee.

- 4.6.2. Every member shall furnish the 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.
- 4.6.3. A member shall not cause any communication, in whatever form, to be exhibited on Club notice boards without permission of the Secretary or Manager.
- 4.6.4. 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 Secretary upon the instructions of the Management Committee.
- 4.6.5. Complaints of any nature relating to the management of the Club's premises, or to staff, shall be addressed to the Secretary or Manager. Under no circumstances shall a member personally reprimand a servant of the Club.
- 4.6.6. Guests: Members shall enter the names of all guests in the visitors' book; not more than four guests may be introduced on any one occasion and the same guest may not be introduced more than six times in total in any calendar year. Any departure from this rule may only be given by the Management Committee.
- 4.6.7. No member shall introduce as a guest a rejected applicant (Rule 4.3.5), a past member who has been expelled (Rule 4.5) or one whose membership has been cancelled (Rule 4.4.2.b).
- 4.7. Limitation of Club liability.
 - 4.7.1. Members, their guests and visitors are bound by the following Rule which shall be exhibited in a prominent place within the Club premises.
 - 4.7.2. Members of the Club, their guests or visitors may use the Club premises, and any other facilities of the Club, entirely at their own risk and impliedly accept:
 - a) The Club will not accept any liability for any damage to or loss of property belonging to members, their guests or visitors to the Club.
 - b) The Club will not accept any liability of personal injury arising out of the use of the Club premises and 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.
- 4.8. Membership of the Club and acceptance of these rules by the member will be deemed to constitute consent to the holding of relevant personal data for the purposes of the Data Protection Acts.

5. PURCHASE AND SUPPLY OF EXCISABLE GOODS

- 5.1. The purchase for the Club of excisable goods and the supply of the same shall be exclusively and solely under the control of the Management Committee, or of a special sub-committee (comprising elected members of any committee of the Club) appointed by the Management Committee.
- 5.2. Intoxicating liquor may only be supplied for consumption on the Club premises to persons 18 years of age or over who are entitled to the use of the Club premises in pursuance of the rules and bye-laws of the Club.
- 5.3. Intoxicating liquor shall not be supplied or intended to be supplied otherwise than on behalf of the Club.
- 5.4. The supply of alcohol may not be made to any person applying for membership until two clear days have elapsed from the date of posting of their application.

- 5.5. No arrangements for any person to receive at the expense of the Club any commission or similar payment with reference to any purchases of intoxicants shall be permitted. Any profit deriving from the sale of such goods shall be applied to the provision of additional amenities or the purchase of property to be held in trust for the benefit of the Club.
- 5.6. No arrangements shall exist for any person directly or indirectly to derive any personal pecuniary benefit from the supply of intoxicating liquor by or on behalf of the Club.
- 5.7. Intoxicating liquor intended for consumption off the premises may be supplied to members only.
- 5.8. Subject to the requirements of the licensing authorities, the Management Committee shall cause the Club bar to be open at convenient times. Such times shall be prominently exhibited in the Club premises for the supply of excisable goods to persons who are entitled to the use of the premises of the Club in pursuance of these rules.
- 5.9. Any change to the Club rules must be approved by the Licensing Authority (see Rule 3.5.1.h).

6. COMMITTEES

- 6.1. There shall be a Management Committee and the following committees responsible to it:
 - 6.1.1. Executive Committee
 - 6.1.2. Sailing Committee
 - 6.1.3. House Committee
 - 6.1.4. Such other committees as may from time to time be appointed.
- 6.2. Membership of committees shall be elected annually to hold office until the closure of the next committee meeting following the AGM.
 - 6.2.1. The Management Committee shall consist of the Commodore and other flag officers, the Hon Secretary, the Hon Treasurer, *ex officio* and five elected members of the Club, five to form a quorum. The senior flag officer present shall be chairman.
 - 6.2.2. The Executive Committee shall consist of the flag officers, Hon Secretary and Hon Treasurer.
 - 6.2.3. The Sailing Committee shall consist of the flag officers and six members of the Club, four to form a quorum. The Rear Commodore (Sailing) when present, shall be chairman. This committee shall appoint a Sailing Secretary and Deputy Chairman.
 - 6.2.4. The House Committee shall consist of the flag officers and six members of the Club; four to form a quorum. The Rear Commodore (House), when present, shall be chairman. This committee shall appoint a Deputy Chairman.
- 6.3. Duties of committees.
 - 6.3.1. The Executive Committee:
 - a) Shall advise the Management Committee on matters of policy and finance and shall be generally responsible for the management of the Club between meetings of the Management Committee. The committee shall convene at the discretion of the Commodore.
 - 6.3.2. The Management Committee:
 - a) 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.
 - b) In particular, shall ensure that the property and funds of the Club will not be used for the direct or indirect private benefit of members other than as reasonably allowed by the rules and that all surplus income or profits are re-invested in the Club.
 - c) Shall make and amend bye-laws in accordance with Rule 7.
 - d) May delegate appropriate responsibilities to other committees.

- e) May nominate for election at the AGM such honorary members as the committee may think fit.
- f) Shall appoint a representative to the RYA and to any other body in which the committee thinks the Club's interests should be represented.

6.3.3. The Sailing Committee:

- a) Shall be responsible to the Management Committee for all matters relating to sailing, racing and regattas organised by the Club.
- b) Shall recommend to the Management Committee such conditions and charges for storing and berthing yachts and boats as may seem advisable.

6.3.4. The House Committee:

- a) Shall be responsible to the Management Committee for the domestic administration of the Club, the bar, arrangements for catering and social functions.
- b) May, if appropriate, form a social sub-committee, not to exceed five members, all of whom shall be appointed by the House Committee.

6.4. Committee procedure and frequency of meetings.

6.4.1. The Management Committee shall meet at such time as the Commodore considers necessary, or on the written application to the Secretary of not less than four committee members. The agenda of all matters to be discussed shall be sent to all members not less than seven clear days before each meeting.

6.4.2. The Sailing and House Committees shall meet at the discretion of the chairman and at least once a quarter.

6.4.3. In the event of a vacancy occurring in any committee between two Annual General Meetings the vacancy may be filled by the committee concerned at a meeting summoned with notice that such an appointment will be considered. Any member so becoming a committee member shall hold office only until the Annual General Meeting following their appointment, but shall be eligible for re-election.

6.4.4. All four committees in 6.4.1 and 6.4.2 shall have the power to invite additional, non-voting members for specific purposes.

6.4.5. Chairmen shall have a casting vote.

6.4.6. Committee members who fail to attend meetings of their committees may be asked by the Management Committee to resign.

6.4.7. No member may be elected to more than one committee in any one year and no elected member may serve for more than three consecutive years on any one committee, but may be re-elected after a lapse of one year (see also Rule 3.2).

6.5. Nominations for Club officers and committee members.

6.5.1. Nominations for officers and Management Committee for consideration by the AGM must be made either by the Management Committee or at least seven voting members.

6.5.2. Nominations for Sailing and House Committees must be made either by the Management Committee or by at least two voting members.

6.5.3. Nominations by members must be presented on the approved *pro forma* obtainable from the Club Secretary and must be accompanied by the written consent of the nominee. Both documents must be in the hands of the Secretary at least 14 days before the date of the AGM. Copies must be posted on the notice board at least seven clear days before the AGM. The Secretary will retain the original documents and no withdrawal of signature will be permitted, except that of the nominee.

6.5.4. If the number of nominees exceeds the number of vacancies for any office, then election shall be by secret ballot at the AGM. Otherwise nominees shall be declared duly elected.

7. BYE-LAWS

- 7.1. The Management Committee may from time to time make, alter and repeal bye-laws regulating:
 - 7.1.1. Use of the clubhouse by members;
 - 7.1.2. Admission of guests to the clubhouse (see also Rule 4.6.6);
 - 7.1.3. Generally the good conduct of the affairs of the Club.
- 7.2. Provided that they are not inconsistent with these rules or any statutory enactment, the bye-laws are binding on all members of the Club as if they were part of the rules of the Club.
- 7.3. A copy of the current bye-laws shall at all times be posted in the Club.

8. TRUSTEES

- 8.1. There shall be three Trustees of the Club who shall be appointed from time to time as necessary by the Management Committee of the Club from among members over the age of 18, except Temporary members, who are willing to be so appointed, and shall be confirmed at the next AGM. Trustees shall hold office during their lifetime or until they shall resign, by notice in writing given to the committee, or until a resolution removing them from office shall be passed at a meeting of the committee.
- 8.2. All 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 necessary and practicable, for the use and benefit of the Club. On the death, resignation or removal from office of a Trustee, the Management Committee shall appoint a new Trustee in their place and such appointment shall be subject to confirmation at the next General Meeting. As soon as possible thereafter, all lawful and practicable steps shall be taken to procure the vesting of all Club property into the names of the Trustees as then constituted after the said appointment.
- 8.3. 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 Management Committee. They shall have the 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 Management Committee's directions. No purchaser, lessee or mortgagee shall be concerned to enquire whether such direction has been given.
- 8.4. The Trustees shall be effectually indemnified by the Management 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 responsibilities or in relation to any property of the Club vested in them, or in relation to any legal proceedings, or which otherwise relate directly or indirectly to the performance of the function of a Trustee of the Club.
- 8.5. The Trustees shall receive notice of and be entitled to attend and speak at all Management Committee meetings, but shall not propose, second or vote upon any resolution at any such meeting.

9. MEETINGS OF THE CLUB

- 9.1. The *financial year* shall be from 1st October to the 30th September following and the *subscription year* shall be from 1st October to the 30th September following.
- 9.2. Calling and Procedure of Meetings.
 - 9.2.1. An Annual General Meeting of the Club shall be held each year in the month of January. The Secretary shall, at least 21 clear days before the date of such a meeting or any general meeting as hereinafter mentioned, post or deliver to each member notice thereof and of the business to be brought forward thereat, which is available to the Management Committee at the time of going to press.
 - 9.2.2. No business, except the passing of the accounts, the election of officers and committees, the appointment of the Auditors, and any resolutions that the Management Committee may order to be inserted in the notice convening the meeting, shall be discussed at such meeting,

unless notice thereof be given to the Secretary at least 15 clear days before the date of the meeting and signed by not less than seven members of the Club entitled to vote at such meeting. Such resolutions will be posted on the Club notice board 14 clear days before the AGM.

- 9.2.3. Amendments to resolutions may be submitted to the Secretary at least seven clear days before the AGM. Official *pro formae* must be used and will be available from the Secretary for this purpose and should be signed by not less than seven members entitled to vote. Valid amendments will be posted on the notice board prior to the AGM. To be valid, amendments must consist of a qualification of the resolution and not merely disagreement. They should be restricted to drafting details and alternative resolutions must be proposed in accordance with Rule 9.2.2.
 - 9.2.4. A Special General Meeting of the Club may at any time be called by the Management Committee, upon giving 21 clear days' notice in writing, for any special business the nature of which shall be stated in the summons convening the meeting. The discussion at such meeting shall be confined to the business stated in the notice sent to members. Amendments to resolutions shall be in accordance with Rule 9.2.3.
 - 9.2.5. The Management Committee shall similarly call a Special General Meeting upon a written request addressed to the Secretary signed by at least 30 members, or at least one fifth, of the voting membership, whichever is the smaller.
 - 9.2.6. At every General Meeting of the Club, the Commodore or senior Flag Officer or, in their absence, a chairman elected by those present shall preside.
- 9.3. Voting at Meetings.
- 9.3.1. If, after all members entitled to vote and present have voted, there is a tie then the chairman shall have a second or casting vote.
 - 9.3.2. All members over 18, except Temporary members, shall have the right to vote at all General Meetings of the Club.
 - 9.3.3. Fifteen members entitled to vote and present shall form a quorum at any General Meeting of the Club.
 - 9.3.4. Voting, except upon the election of officers and committee members (see Rule 6.5.4), shall be by a show of hands or by secret ballot at the discretion of the chairman.
 - 9.3.5. Any resolution properly put to a meeting of the Club relating to the creation, repeal or amendment of any rule of the Club shall not be adopted except by a majority vote in favour of at least two-thirds of those present and entitled to vote. Provided that no such change shall jeopardise the Club's status as a Community Amateur Sports Club (CASC) within the meaning of the Finance Acts, or in any event alter its objects or winding-up provisions.
 - 9.3.6. The acquisition or disposal of any interest in leasehold or freehold land or the disposal of any substantial asset of the Club (a substantial asset shall mean any asset of historical interest, notwithstanding its monetary value or any other asset which the Management Committee considers to be of substantial value), shall only be made following a decision by an AGM or Special General Meeting where two-thirds of those present and entitled to vote have voted in favour of such acquisition or disposal.

10. DISSOLUTION OF THE CLUB

- 10.1. If, at an AGM or a Special General Meeting of the Club, a resolution (in this rule called the first resolution) for the dissolution of the Club shall be passed by a majority of three-quarters of the members present and entitled to vote, then the Management Committee or, failing them, the Trustees, shall take immediate steps to convert into money all the properties of the Club.
- 10.2. If, upon the winding up or dissolution of the Club, there remains after the satisfaction of all its debts and liabilities any property whatsoever, the same shall not be paid to or distributed amongst the

members of the Club. The Management Committee, or failing them, the Trustees shall dispose of the net assets remaining to one or more of the following:

10.2.1. To another Club with similar sports purposes which is a charity;

10.2.2. and/or to another Club with similar sports purposes which is a registered CASC;

10.2.3. and/or to the sport's national governing body for use by them for related community sports.