



CONSTITUTION

1. TITLE

The name of the Club shall be 'The Kingsbridge Estuary Boat Club' hereafter referred to in these rules as 'The Club'.

2. Objectives

The Club is formed to represent the interests of boat owners, estuary users and the local community. It has the following objectives:

- 2.1 To bring together the boating community whose interests may vary from simple day boating, coastal cruising or fishing in everything from dories and small sailing cruisers, in a social environment
- 2.2 To engage the local community and businesses in the Club's activities and responsibilities, particularly with respect to common concerns such as security and vandalism that do not seem to be impacted by the existing security systems
- 2.3 To raise various concerns and issues arising from members' use of the estuary directly with the Harbour Authority, South Hams District Council, the various parish councils and Devon & Cornwall Police Authority
- 2.4 Where appropriate, work with other estuary user groups and organisations and make them aware of issues that the Club is engaged with on a 'need to know' basis
- 2.5 To support the Salcombe-Kingsbridge Environmental Management Plan which endeavours to consider all the issues facing the long term health of the estuary
- 2.6 To work with the local community and other organisations with a view to enhancing the well-being and prosperity of the area
- 2.7 To encourage safety on the water and adherence to the Harbour Bylaws as defined by the Salcombe Harbour Act of 1954
- 2.8 To ensure that there is a nominated person on the committee to represent any Disability/Access issues raised by club members

3. Membership

- 3.1 Membership of the Club shall be open to any person completing a membership application form and paying the relevant subscription fee as determined at the Annual General Meeting of the Club members
- 3.2 There shall be four classes of membership available. These are:
 - 3.2.1 **A Family Member** – this includes one or two parents (as may be) and all children under eighteen years of age. The family unit shall have one vote, exercisable by either parent
 - 3.2.2 **A Junior Member** – being a person who, at the date of joining is under the age of eighteen and shall have no vote. Such a member shall be one who at the commencement of the subscription year joins the Club other than as a full family member
 - 3.2.3 **An Associate Member** – who shall have no vote
 - 3.2.4 **An Honorary Member** – who shall have no vote
- 3.3 The rate of subscription fee for each category of membership shall be proposed by the Committee to the members at the Annual General meeting 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 April in the same year
- 3.4 The subscription is payable within one calendar month from the first day of April

- 3.5 The Committee may cancel, without giving 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 members upon payment of the arrears. No member whose annual payment is in arrears may enter any Club event

4. Officers

The Officers of the Club shall consist of a Chairman, Vice-Chairman, Honorary Secretary and Honorary Treasurer

5. Election of Officers

- 5.1 All Officers and committee members shall be elected at the Annual General Meeting of the Club, from and by, the Full/Family members of the Club
- 5.2 All Officers are elected for a period of one year but may be re-elected to the same office or another office the following year

6. General Committee

- 6.1.1 The affairs of the Club shall be controlled by a General Committee comprising of the Officers of the Club and not less than four and no more than eight members elected from and by full members of the Club. The General Committee shall meet at agreed intervals and not less than four times per year
- 6.1.2 If the number of candidates for election is greater than the number of vacancies to be filled there shall be a ballot
- 6.1.3 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 AGM and are entitled to vote, vote in favour of such election
- 6.1.4 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
- 6.1.5 Voting (except in the case of a resolution relating to the expulsion of a member) shall be by show of hands. In the case of equality of votes, the Chairman shall have a second casting vote
- 6.1.6 Four members personally present shall form a quorum at a meeting

6.2 The duties of the General Committee shall be:

- 6.2.1 The control of affairs of the Club on behalf of the Members and to 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
- 6.2.2 To keep a register of club members' names and addresses
- 6.2.3 To keep full Minutes of all meetings of the Club, the Committee and sub-committees. These to be signed by the Chairman upon agreement of the club, the Committee or sub-committee at the next meeting
- 6.2.4 To keep accurate accounts of the finances of the Club through the Treasurer. These should be available for reasonable inspection by Members and should be audited before every AGM. An Annual Balance Sheet to be prepared as at **31 December each year**. The Club shall maintain a bank current account and the following Officers shall be authorised to sign Club cheques – two from the Chairman, Treasurer, Secretary and one other named committee member
- 6.2.5 To co-opt additional members on to the Committee as the Committee feels this is necessary. They shall hold office until the next AGM
- 6.2.6 To make decisions on the basis of a simple majority vote. In the case of equal votes, the Chairman shall be entitled to an additional casting vote
- 6.2.7 The Committee may appoint sub-committees as it may deem necessary and may delegate such of its powers as it may think fit. Such sub-committees shall consist of members of the Committee and/or of the Club as the Committee think fit
- 6.2.8 The Committee shall make such Bylaws and Regulations as it shall from time to time think fit

- 6.2.9 The Committee may nominate for election at an AGM such Honorary Members as the Committee may think fit. The total of Honorary Members shall not exceed five percent of the total numbers of members

7. General Meetings

- 7.1 The Annual General Meeting of the Club shall be held not later than the **end of February** each year. Twenty-one days clear written notice shall be given to members of the AGM by circulating a copy of the notice to every member at their home address, either by post or email. Members must advise the Secretary, in writing, of any business to be moved at the AGM at least fourteen days before the AGM. The Secretary shall circulate or give notice of the agenda for the AGM to the Members not less than seven days before the AGM
- 7.2 The business of the Annual General Meeting shall be to:-
- 7.2.1 Confirm the Minutes of the previous AGM and any other General Meetings
 - 7.2.2 Receive the audited accounts
 - 7.2.3 Receive the Annual Report from the Chairman or Secretary
 - 7.2.4 Elect an Auditor
 - 7.2.5 Elect the Officers of the Club, e.g. Chairman, Vice Chairman, Honorary Secretary, Honorary Treasurer and other General Committee Members
 - 7.2.6 Fix the subscription rates. A Member who has not paid his/her subscription by such default date as the Committee prescribes may at the discretion of the Committee be deemed to have resigned
 - 7.2.7 Transact such other business received in writing by the Secretary from Members fourteen days prior to the meeting and included on the Agenda
 - 7.2.8 Such other business (except business for which a Special General meeting is required, e.g. changes to the Constitution, dissolution, expulsion) as by common consent of the meeting, the Chairman in his/her discretion admits
 - 7.2.9 Nominations of candidates for election of Officers shall be made in writing to the Secretary at least fourteen days in advance of the AGM date. Nominations can only be made by a full Member and must be seconded by a full member. In the absence of nominations prior to the meeting nominations may be taken from the floor. All nominations shall have the consent of the nominee
- 7.3 **Special General Meetings** may be convened by the General Committee or on receipt by the Secretary of a request in writing from not less than ten Full Members of the Club. At least twenty one days' notice of the meeting shall be given
- 7.4 At all General Meetings, the Chair will be taken by the Chairman or Vice Chairman or in their absence by a deputy appointed by the Club or by Full Members attending the meeting
- 7.5 Decisions made at a General meeting shall be by a simple majority of votes from those Full Members attending the meeting. In the event of equal votes, the Chairman shall be entitled to an additional casting vote or alternatively in his/her discretion he/she may direct a written poll
- 7.6 A quorum for a General Meeting shall be twenty Full Members and three Officers of the Club including two from the Chairman, Vice Chairman, Secretary and Treasurer
- 7.7 Each Full Member of the Club shall be entitled to one vote on any separate issue at General Meetings

8. Expulsion

A member who is found by vote at a Special General Meeting called in accordance with clause 7.3 to have behaved in a manner likely to bring the Club into disrepute or cause substantial prejudice to it may be expelled from the Club provided that:

- a) The resolution must be carried by 4/5ths of those attending and voting
- b) This is the only business of the meeting
- c) Before putting the motion to the vote the member shall have a full opportunity to address the meeting

The member expelled may appeal by notice in writing sent to the Secretary within fourteen clear days who shall within fourteen days thereafter convene a meeting of the Chairman and two members of the Committee who shall decide the appeal and shall not be required to give reasons. Following expulsion any subscription for the whole of that year that has been paid by that member shall be returned.

9. Limitation of Club Liability

The Club will endeavour to ensure the safety of members and guests at any event/activity, however, members and their guests participating in any Club activity will do so entirely at their own risk

10. Data Protection

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

11. Alterations to the Constitution

Any proposed alterations to the Club Constitution may only be considered at an Annual or Special General Meeting, convened with the required written notice of the proposal. Any alteration or amendment must be proposed by a Full Member of the Club and seconded by another Full Member. Such alterations shall be passed if supported by not less than two thirds of those Full Members present at the meeting and voting, assuming that a quorum has been achieved. Any abstentions shall be recorded but shall not count as a vote.

12. Dissolution

12.1 If at any General Meeting of the Club, a resolution be passed calling for the dissolution of the Club, the Secretary shall immediately convene a Special General Meeting of the Club to be held not less than one month thereafter to discuss and vote on the resolution

12.2 If at that Special General Meeting, the resolution is carried by at least two thirds of the Full Members present at the meeting and voting, the General Committee shall thereupon, or as such date as shall have been specified in the resolution, proceed to realise the assets of the Club and discharge all debts and liabilities of the Club. Abstentions shall be recorded but shall not count as a vote

12.3 After discharging all debts and liabilities of the Club, the remaining assets shall NOT be paid or distributed amongst the Members of the Club but shall be distributed as decided at the Special General Meeting.

N.B. Point 6.1.6 amended at 2017 AGM

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Document re-signed for publication

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

Position: Chairman

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

Position: Secretary

