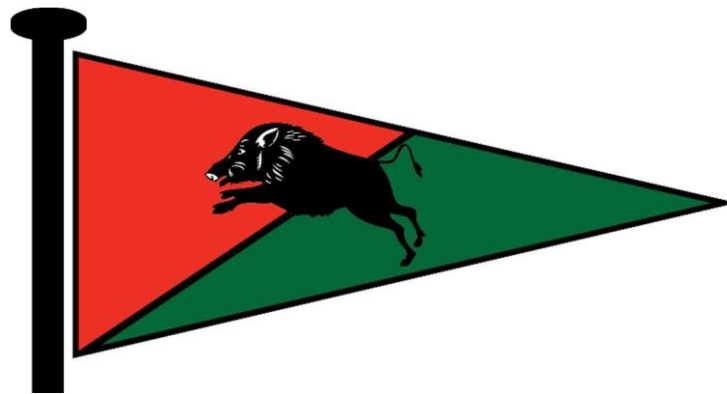


Newcastle Yacht Club Limited

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CLUB RULES, INCORPORATING BYLAWS AND POLICIES



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Club Rules, Bylaws and Policies

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Club Rules, Bylaws and Policies

1) Introduction

- i) Newcastle Yacht Club Limited ('the Club') is a company limited by guarantee and not having a share capital. The Club was founded in 1962 and was incorporated as a limited company in 1977. The objects of the Club and the rules and regulations are set out in a formal Memorandum and Articles of Association, a copy of which can be found on-line at www.newcastleyachtclub.co.uk or available from the club secretary.
- ii) The purpose of this booklet is to explain in general terms how the Club is organized and operates (the "Articles"); it also contains the Bye-Laws which the Directors have made in accordance with Article 45(i) and which, under the terms of that Article, are binding on all members and are construed as part of the rules of the Club. In the event of any conflict between this booklet (including the Byelaws numbered 1 to 5) and the Memorandum and Articles of Association, then the Memorandum and Articles of Association will prevail.

2) Objects of the Club

- i) To further the interests of all who make use of the sea for recreational purposes; to encourage the art of sailing; to give instruction in seamanship and safety afloat; to support the Royal National Lifeboat Institution and In-Shore Rescue Service of HM Coastguard; to provide shore facilities for the comfort and convenience of members of the Club and for the storage, refitting and repair of their craft and equipment; to develop the skills of the members through the organisation of sailing and other events; to affiliate to or have liaison with National and other Associations whose objects correspond with those of the Company; to raise money by subscriptions, fees, loans, levies or by any other means which shall be lawful and deemed expedient by the Directors for the furtherance of the aforesaid objects.

3) Membership

- i) Every proposal for membership of the Club must be on forms provided by the Club (updated July 2020). The details included on these forms will be subject to the club privacy policy that can be found on the club website.
- ii) The proposed lead name, postcode and membership category only; shall be published on the notice board for four weeks or until the next directors' meeting, before voting takes place. Provided there are no valid objections from the membership, the member shall be elected.
- iii) The signed application form for membership contains all particulars required by the club with an understanding to be bound by the Articles, rules and byelaws of the club if elected.

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- iv) A candidate shall be elected by a simple majority of the Directors and will carry a 6-month probationary period during which time the directors reserve the right to reject the membership.
- v) The Club Membership Classes are Senior, Family, Junior/ Student, Life, Honorary, Temporary and Outport Members. Full details of these can be found in the Articles of Association.
- vi) The Directors shall have a right to set an upper limit upon the number of members to be elected to the Club.
- vii) A member may retire from membership at any time by giving the Secretary notice in writing but a member shall be liable to the Club to pay the Annual Subscription in full for the year in which the retirement takes effect.

4) Joining Fee

- i) A Joining Fee, which is reviewed yearly, must be paid over to the Club on submission of an application form along with the appropriate annual subscription. In the event of the failure of the application, these sums shall be returned to the applicant. A member who has not renewed fees may be subject to the joining fee on renewal later.

5) Conduct of Members

- i) Every member on joining the Club by implication undertakes to comply with the Articles, Rules, Bye-Laws and Policies and any refusal or neglect to do so, or any conduct unworthy of a Yachtsman, shall render members liable to either suspension or expulsion. A member expelled under this rule shall forfeit all right in and claim upon, the Club and its property. A notice under this rule shall be held to have been duly given to a member if sent by Recorded Delivery post to the address of the member appearing in the Club's records.
- ii) Unless with the prior agreement of the Board, a member may not introduce more than three guests in any one day and the same guest may not be introduced more than t h r e e times in any calendar year

6) Annual Subscription

- i) The Annual Subscription is reviewed yearly and is payable in advance on 1st January in each year. Any subscription fixed for temporary members shall be payable when the Directors so decide.

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- ii) Membership is only renewed when both the correct subscription is paid in full and a current, signed, completed membership renewal form is received by the Treasurer.
- iii) Only when the above conditions have been satisfied will members be eligible to vote at any General Meetings and compete in club events. Series Points will not be awarded to any boat that is racing with a non-paid up member on board.
- iv) Any member whose Annual Subscription is not paid by 1st April in any year shall be notified and in the event of non-payment by 30th June shall be deemed to be in arrears, ceasing to be entitled to use the Clubhouse or to enjoy any of the privileges and facilities of the Club. If the subscription is not paid by 1st July in the same year, they shall cease to be a member of the Club.

7) Car Parking

- i) The club will provide parking facilities for members and guests of the club. The car park is not to be used for members of the public.

8) Boat Parking

- i) The club provides facilities to for members to store their boats. Payment for boat storage is made in advance along with annual subscriptions. Upon receipt of payment you will be allocated a dinghy parking space by a committee member.
- ii) The club does not offer the facility to store road trailers. Boat trailers may be deemed abandoned as per rule 10.

9) Boat Storage

- i) The club offers a winter storage facility in the Lifeboat shed. Fees are paid in arrears for the facility along with membership subscriptions
- ii) All boats inside for winter storage will be moved outside into summer storage/dinghy park on the club clean up day.
- iii) Members may apply to committee to use the lifeboat shed for repairs or storage to boats at a cost of £10 a week.
- iv) Members may store their boats outside in the dinghy parks over the winter/non club sailing times, at their own risk for free.
- v) The club may offer nonmembers winter boat storage facilities at a cost agreed by the Committee.

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10) Abandoned boats and equipment on club premises

- i) If annual subscription, storage or parking fees due to the Club by any Member or former Member shall be three months or more in arrears or any item that remains unclaimed after due notice is given, any property belonging to them shall be deemed abandoned:
- ii) The Committee shall be entitled to move the boat and/or equipment to any other part of the Harbour without being liable for any loss or damage to the boat, howsoever caused.
- iii) The Committee shall be entitled upon giving one month's notice in writing to the Member or former Member, at his last known address shown in the register of Members, to sell the boat or equipment and to deduct any monies due to the Club (whether by way of arrears of subscription or storage fees or otherwise) from the net proceeds of sale before accounting for the balance (if any) to the Member or former Member.
- iv) Alternatively any boat or equipment which in the opinion of the Committee cannot be sold, may upon such notice as aforesaid, be disposed of in any manner the Committee may think fit and the expenses recovered from the Member or former member. Any arrears as aforesaid shall be deemed to be a debt owing to the Club by the Member or former Member.
- v) The Club shall always, have a lien over Members' or former Members' boats parked or moored on the Clubs premises in respect of arrears of parking or mooring fees or subscriptions or otherwise.

11) Insurance requirements

- i) Any owner/s of craft/s listed in the Register of Club Craft must have valid and adequate insurance in force to cover the craft during the time afloat and ashore and against any insurable risk if the craft and its equipment is stored or laid up on or in any real property of the Club and must sign "insurance declaration" on Renewal/ Membership Form.
- ii) All forms of craft on club premises must be insured to cover against damage to persons and property. The insurance must have an indemnification value of at least £2,000,000 and cover the craft for use of racing (should it be used for that purpose).
- iii) A club register of boats will contain a list of all craft on club premises along with a statement of insurance on the membership form. Only craft appearing on this list will be eligible to race

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12) Safety

- i) Life jackets/buoyancy aids must be worn at all Club sailing events when on the water.

13) Duty/Rescue Boats/Race Management

- i) All members who take part in sailing events on a regular basis will be added to the 'Dutyman' Rota system for duty management. Duties may include Rescue helm, Rescue crew and Race Officer. Only members who hold at least RYA powerboat level 2 are to be Rescue helm.
- ii) For insurance purposes, the rescue boats shall be crewed by 2 competent persons at all times.
- iii) Racing will be under the RYA handicap scheme and governed by the Newcastle Yacht Club sailing instructions that can be found on the club website. These are updated on a regular basis.
- iv) Race Results are calculated using HAL race management software and are updated on the club website as soon as the results are entered into the system.

14) Key Policy

- i) Only Senior, Life, Honorary or Family memberships, (1 per family unless otherwise agreed) are eligible to hold a key.
- ii) NYC New/Replacement Key Application should be filled and returned to the Treasurer. This will be kept in the Key Register.
- iii) It is up to the last member out of the building to lock up the clubhouse and ensure that all other buildings and gates are securely locked.
- iv) Each key will have an individual number stamped on it and a key register will contain a list of all registered holders. This key is secure and cannot be recut in the high street or copied.
- v) Keys are not transferrable to any other members.
- vi) Should you cease to become a member or downgrade your membership status, you will be asked to return your registered key.

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vii) The committee reserve the right to refuse a member a key or ask for a key to be returned at any time.

15) Limitations of club liability

Members of the Club, their guests, and visitors, who use the Club premises and other facilities of the Club, do so at their own risk and impliedly accept that:

- i) Members shall enter the names of all guests in the Visitor's Book.
- ii) Members will abide by the club racing instructions issued by the club also available for download on the club website.
- iii) The Club will not accept any liability for damage or loss of property belonging to members, their guests, or visitors to the Club.
- iv) The Club will not accept any liability for personal injury arising out of the use of the Club premises, and any other facilities of the Club, or out of participation in any event organized by the Club, whether sustained by members, their 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 officers, committee or servants of the Club.
- v) Before invited any guests or visitors onto the premises or to participate in events organized by the Club, members will draw their attention to this rule.
- vi) Where the Club organizes sailing events the Club shall not be liable for any loss, damage, death or personal injury howsoever caused to the owner/competitor, his skipper or crew, as a result of their taking part in the event or events. Moreover, by entering and/or taking part in such an event or events, every owner/competitor warrants the suitability of his craft for the event or events.
- vii) Parents and guardians are warned that the Club is only able to provide rescue facilities during the hours of Club racing. Outside these hours, parents and guardians have sole responsibility for their children and wards and must appreciate that the Club cannot accept responsibility for children, or any other persons, not engaged in racing.
- viii) Nothing set forth in the Articles of Association of the Club or in these Bye- Laws limits the absolute responsibility of owners/competitors to be satisfied as to the soundness of craft, hulls, spars, rigging, sails and all gear entered or taking part in club events and

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furthermore that all safety equipment is properly maintained, stowed and in date and that the crew know where it is kept and how it is to be used.

- ix) Notwithstanding the responsibilities of owners/competitors the crew of craft are advised to satisfy themselves as to the experience of the skipper and the adequacy of all safety equipment and insurance arrangements

16) Bullying and Harassment policy

i) The club will not tolerate any form of harassment or bullying. The purpose of this policy is to inform members of the type of behavior that is totally unacceptable and to explain what solutions there are to members who may suffer harassment or bullying. The club intends to provide a neutral environment in which no one feels threatened or intimidated.

ii) Harassment is a discriminatory act and is also a criminal offence. It is very difficult to define as it can take many forms, but in the main it takes the form of unwanted behavior by one member towards another. For example:

- Patronizing or belittling comments
- Comments about appearance/body/clothes
- Leering or staring at a person's body
- Unwelcome sexual invitations or pressure
- Promises or threats in exchange of sexual favors
- Displaying offensive or sexually explicit material
- Touching, caressing, hugging or indecent assault

iii) Please remember the test is that the behavior is UNWELCOME, UNINVITED AND UNRECIPROCATED. Bullying is also difficult to define. Obvious examples are:

- Threats or actual physical violence
- Unpleasant or over repeated jokes about a person
- Unfair or impractical work loading

ii) **Procedure:** If you encounter a problem of this nature, it is vital that you make the person responsible aware that his/her remarks or conduct are offensive to you. This should be done in a simple, straightforward way.

iii) It is recognized that complaints of harassment or bullying are often of a sensitive or worrying nature and that it may be difficult to speak directly to the other person

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involved. If this is the case, you should put your request in writing and hand it to the harasser or bully.

- iv) When or if the informal approach fails or if you believe that the harassment or bullying is of a very serious nature you must bring the matter to the attention of the Commodore or Secretary. If possible, you should keep notes of the harassment or bullying so that the formal complaint can be investigated, including the date, time, and whereabouts of the act.
- v) A formal complaint will be investigated thoroughly and during the investigation all possible actions will be taken to separate you from the alleged harasser or bully.
- vi) You will be informed of the findings of the investigations and will be given an opportunity to comment.
- vii) If the report concludes that the allegation is well founded the harasser or bully will be subject to the club's disciplinary procedure.
- viii) If you bring a complaint of harassment or bullying, you will not be victimized for having brought the complaint. If however after a full investigation, the club has grounds to believe that the complaint was brought with malicious intent, you will be subject to disciplinary action under the club's disciplinary procedure as laid out in the Articles of Association.