

# LINDISFARNE SAILING CLUB INC.

## C O N S T I T U T I O N

June 1980, amended June 2013

### 1. Name

The name of the Association shall be "The Lindisfarne sailing Club Incorporated".  
(In these rules called "the Club").

### 2. Interpretation

- (1) In these rules, unless the contrary intention appears –  
"the Act" means the Associations Incorporation Act 1964;  
"committee" means the committee of management of the club;  
"general meeting" means a general meeting of members convened in accordance with rule 13;  
"ordinary committeeman" means a member of the committee to whom paragraph  
(b) of sub-rule (1) of rule 23 relates.
- (2) In these rules, expressions referring to writing shall, unless the contrary intention appears, be construed as including references to printing, lithography, and other modes of representing or producing words in a visible form.
- (3) Words or expressions contained in these rules shall be interpreted in accordance with the provisions of the "Acts interpretation Act 1931" and the Act as in force on the date on which these rules are adopted by the Club.

### 3. Club's Office

The Office of the Club shall be at 4 Ford Parade, Lindisfarne, or such other place as the committee may, from time to time, determine.

### 4. Objects and Purposes of the Club

- (1) The objects for which the club is formed are:-
  - (a) to encourage yacht sailing, racing and building;
  - (b) to organise and instruct members in the art of sailing and seamanship;
  - (c) to organise and provide facilities for the safe conduct of competitive sailing events and encourage sailing by promoting races and the giving of prizes and trophies or by any other means as determined by the committee from time to time;
  - (d) to provide and maintain a Club House and grounds for the accommodation of members and their guests and the slipping, docking and storage of members' yachts;
  - (e) to organise for the benefit of members and their guests, such social functions as may from time to time be determined by the committee.
- (2) In addition to the basic objects of the Club, the objects and purposes of the Club shall be deemed to include:-
  - (a) the purchase, taking on lease or in exchange, and the hiring or otherwise acquiring of any real or personal property that may be

- deemed necessary or convenient for any of the objects or purposes of the Club;
- (b) the buying, selling, and supplying of, and dealing in, goods of all kinds.
  - (c) the construction, maintenance, and alteration of buildings or works necessary or convenient for any of the objects or purposes of the Club;
  - (d) the accepting of any gift, whether subject to a special trust or not, for any one or more of the objects or purposes of the Club;
  - (e) the taking of such steps from time to time as the committee or the members in general meeting may deem expedient for the purpose of procuring contributions to the funds of the Club, whether by way of donations, subscriptions, or otherwise
  - (f) the printing and publishing of such newspapers, periodicals, books, leaflets or other documents as the committee or the members in general meeting may think desirable for the promotion of the objects and purposes of the Club;
  - (g) the borrowing and raising of money in such manner and on such terms as the committee may think fit or as may be approved or directed by resolution passed at a general meeting;
  - (h) subject to the provisions of the 'Trustee Act 1898', the investment of any monies of the Club not immediately required for any of its objects or purposes in such manner as the committee may from time to time determine'
  - (i) the marking of gifts, subscriptions, or donations to any of the funds, authorities, or institutions to which paragraph (a) of subsection (1) of section 78 of the 'Income Tax and Social Services Contribution Assessment Act 1936 – 1964' of the Commonwealth relates;
  - (j) the establishment and support, or aiding in the establishment and support, of associations; institutions, funds, trusts, schemes and conveniences calculated to benefit servants or past servants of the Club and their dependants, and the granting of persons, allowances, or other benefits to servants or past servants of the Club and their dependants, and the making of payments towards insurance in relation to any of the purposes;
  - (k) the establishment and support, or in the aiding in the establishment and support, or any other association formed for any basic objects of the Club;
  - (l) the purchase or acquisition, and undertaking of all or any part of the property, assets, liabilities, and engagements of any association with which the Club may at any time become amalgamated in accordance with the provisions of the Act and the rules of the Club; and
  - (m) the doing of all such other lawful things as are incidental or conducive to the attainment of the basic objects of the Club or any of the objects and purposes specified in the foregoing provisions of this sub-rule.

5. Membership of the Club

- (1) A person who is nominated and approved for membership as provided in these rules is eligible to be a member of the Club on payment of the annual subscription prescribed in, or fixed under, these rules.
- (2) A person who is not a member of the Club at the time of the incorporation of the Club shall not be admitted to membership –
  - (a) unless he is nominated as provided in sub-rule (3) of this rule; and
  - (b) his admission as a member is approved by the committee.
- (3) A nomination of a person for membership of the Club –
  - (a) shall be made in writing, signed by two members of the Club;
  - (b) shall be accompanied by the written consent of the person nominated (which may be endorsed on the form of nomination); and
  - (c) shall be lodged with the Secretary of the Club
- (4) The members of the Club will consist of –
  - (a) **Honorary Life Members**

The Committee of its own motion, or on the proposal of any ten (10) members, shall have the power to elect as an honorary Life member any member of long standing who in the opinion of the committee has over a long period of years (e.g., ten years) rendered outstanding meritorious service to the Club, but such an election shall not take effect unless and until it is confirmed by a three-quarters majority of members present at the annual general meeting. An Honorary Life member shall not be required to pay any subscriptions, but shall be entitled to all the privileges and benefits of financial membership.
  - (b) **Honorary Members**

Persons over the age of eighteen years may be admitted as Honorary Members by the Secretary or two members of the committee for a period of twenty eight (28) days. Such persons shall be eligible to be admitted as an Honorary Member under this rule, for a longer period in any one year at the discretion of the Committee.
  - (c) **Senior Members**

Persons of either sex of good character and repute, whether owners of yachts or not, but who are eighteen (18) years of age or over, are eligible for senior membership.
  - (d) **Junior Members**

Persons of either sex under the age of eighteen (18) years shall be eligible for junior membership.
  - (e) **Associate Members**

Any non sailing person is eligible for Associate membership.

- (5) Family membership shall consist of at least one parent or guardian and his or her children under eighteen (18) years of age. Each person admitted to membership under this sub-rule shall be known as a Family Member but a Family Member over the age of eighteen (18) years of age shall be deemed for all the purposes of this Constitution to be a Senior Member, and a Family Member under the age of eighteen (18) years shall be deemed to be a Junior Member for all the purposes of this constitution.
- (6) As soon as is practical after the receipt of a nomination, the Secretary shall refer the nomination to the Committee.
- (7) Upon a nomination being approved by the committee, the Secretary shall, with as little delay as possible, notify the nominee, in writing, that he has been approved for membership of the Club, and, upon receipt of the sum payable by or on behalf of the nominee as his first year's subscription and entrance fee, shall enter the nominee's name in a register of members to be kept by the Secretary, whereupon the nominee becomes a member of the club.
- (8) A member of the Club may, at any time, resign from the Club by delivering or sending by post to the Secretary a written notice of resignation.
- (9) Upon receipt of a notice under sub-rule (8) of this rule, the Secretary shall remove the name of the member by whom the notice was given from the register of members, whereupon that member ceases to be a member of the Club.
- (10) A right, privilege, or obligation of a person by virtue of his membership of the Club -
  - (a) is not capable of being transferred or transmitted to another person; and
  - (b) terminates upon the cessation of his membership, whether by death, resignation, or otherwise.
- (11) In the event of the Club being wound up –
  - (a) every member of the Club; and
  - (b) every person who, within the period of twelve months immediately preceding the commencement of the winding up, was a member of the Club,is liable to contribute to the assets of the Club for payment of the debts or liabilities of the Club and for the costs, charges, and expenses of the winding up and for the adjustment of the rights on the contributories among themselves such sum, not exceeding one dollar as may be required, but a former member is not liable so to contribute in respect of any debt or liability of the Club contracted after he ceased to be a member.

6. Income and Property of the Club

- (1) The income of the Club shall consist of –
  - (a) subscriptions and entrance fees;
  - (b) subsidiary charges;
  - (c) donations;

- (d) income from fund-raising activities undertaken by the Club; and
  - (e) income from such other sources as the committee may from time to time determine
- (2) The income and property of the Club, however derived, shall be applied solely towards the promotion of the objects and purposes of the club and no portion thereof shall be paid or transferred, directly or indirectly, by dividend, bonus, or otherwise, to any member of the Club.
- (3) The Club shall not –
- (a) appoint a person who is a member of the committee to any office in the gift of the Club to the holder of such there is payable any remuneration by way of salary, fees, or allowances; or
  - (b) pay to any such person any remuneration or other benefits in money or money's worth (other than the repayment of out-of-pocket expenses)
- (4) Nothing in the foregoing provisions of this rule prevents the payment in good faith to a servant or member of the Club of-
- (a) remuneration in return for services actually rendered to the Club by the servant or member or for goods supplied to the Club by the servant or member in the ordinary course of business;
  - (b) interest at a rate not exceeding seven and one-quarter per cent on moneys lent to the Club by the servant or member; or
  - (c) a reasonable and proper sum by way of rent for premises let to the Club by the servant or member.
7. Accounts of Receipts, Expenditure, etc.
- (1) True accounts shall be kept –
- (a) of all sums of money received and expended by the Club and the matter in respect of which the receipt or expenditure takes place;
  - (b) of the property, credits, and liabilities of the Club, and subject to any reasonable restrictions as to time and manner or inspecting them as may be imposed by the Club for the time being, those accounts shall be open to the inspection of the members of the Club.
- (2) The Treasurer of the Club shall faithfully keep all general records, accounting books, and records of receipts and expenditure connected with the operations and business of the Club in such form and manner as the committee may direct.
- (3) The accounts, books, and records referred to in sub-rule (1) and (2) of this rule shall be kept at the Club's Office or any such other place as the committee may decide.

8. Banking and Financials

- (1) The Club must open an account with a financial institution from which all expenditure of the Club is made and into which all of the Club's revenue is deposited.
- (2) Subject to any restrictions imposed by a general meeting of the Club, the Committee may approve expenditure on behalf of the Club.
- (3) The Committee may authorise the Treasurer to expend funds on behalf of the Club (including by electronic funds transfer) up to a specified limit without requiring approval from the Committee for each item on which the funds are expended.
- (4) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by 2 committee members.
- (5) All funds of the Club must be deposited into the financial account of the Club as soon as practicable after receipt.
- (6) With the approval of the Committee, the Treasurer may maintain a cash float provided that all money paid from or paid into the float is accurately recorded at the time of the transaction.

9. Auditor

- (1) At each annual general meeting of the Club, the members present shall appoint a person as the auditor of the Club.
- (2) A person so appointed shall hold office until the annual general meeting next after that at which he is appointed, and is eligible for re-appointment.
- (3) The first auditor of the club may be appointed by the committee before the first annual general meeting, and, if so appointed, shall hold office until the first annual general meeting, unless previously removed by a resolution of the members at a general meeting, in which case, the members at that meeting may appoint an auditor to act until the first annual general meeting.
- (4) If an appointment is not made at an annual general meeting the committee shall appoint an auditor of the club for the then current financial year of the club.
- (5) Except as provided in sub-rule (3) of this rule, the auditor may only be removed from office by special resolution.
- (6) If a casual vacancy occurs in the office of auditor during the course of a financial year of the Club, the Committee may appoint a person as the auditor and the person so appointed shall hold office until the next succeeding annual general meeting.

10. Audit of Accounts

- (1) Once at least in each financial year of the Club, the accounts of the Club shall be examined by the auditor
- (2) The auditor shall quantify as to the correctness of the accounts of the Club and shall report thereon to the members present at the annual general meeting.

- (3) In his report, and in certifying to the accounts, the auditor shall state –
  - (a) whether he has obtained the information required by him;
  - (b) whether, in his opinion, the accounts are properly drawn up so as to exhibit a true and correct view of the financial position of the Club according to the information at his disposal and the explanations given to him and as shown by the books or the Club; and
  - (c) whether the rules relating to the administration of the funds of the Club have been observed.
- (4) The Secretary of the Club shall cause to be delivered to the auditor a list of all the accounts, books, and records of the Club.
- (5) The Auditor –
  - (a) has a right of access to the accounts, books, records, vouchers, and documents of the Club;
  - (b) may require from the servants of the Club such information and explanations as may be necessary for the performance of his duties as auditor;
  - (c) may employ persons to assist him in investigating the accounts of the Club; and
  - (d) may, in relation to the accounts of the Club, examine any member of the committee or any servant of the Club

#### 11. Annual General Meeting

- (1) The Club shall, in each calendar year, hold an annual general meeting.
- (2) The annual general meeting shall be held on such day (being no later than three months after the close of the financial year of the Club) as the committee may determine.
- (3) The annual general meeting shall be in addition to any other general meetings that may be held in the same year.
- (4) The annual general meeting shall be specified as such in the notice convening it.
- (5) The ordinary business of the annual general meeting shall be –
  - (a) to confirm the minutes of the last preceding annual general meeting and of any general meetings held since that meeting;
  - (b) to receive from the committee, auditor, and servants of the Club reports upon the transactions of the club during the last preceding financial year.
  - (c) to elect the officers of the Club and the ordinary committeemen;
  - (d) to appoint the auditor and determine his remuneration;

- (e) to determine the remuneration of servants of the Club; and
  - (f) to review annual subscriptions, entrance fees and subsidiary charges.
- (6) The annual general meeting may transact special business of which notice is given in accordance with these rules.
- (7) All general meetings other than the annual general meeting shall be called special general meetings.

12. Special General Meeting

- (1) The committee may, whenever it thinks fit, convene a special general meeting of the Club.
- (2) The committee shall, on requisition in writing of not less than ten members, convene a special general meeting of the Club
- (3) A requisition for a special general meeting shall state the objects of the meeting and shall be signed by the requisitionists and deposited at the office of the Club and may consist of several documents in the like form, each signed by one or more of the requisitionists.
- (4) If the committee does not cause a special general meeting to be held within twenty-one days from the date on which a requisition therefore is deposited at the office of the Club, the requisitionists, or any of them, may convene the meeting; but any such meeting so convened shall not be held after three months from the date of the deposit of the requisition.
- (5) A special general meeting convened by requisitionists in pursuance of these rules shall be convened in the same manner as nearly as possible as that in which those meetings are convened by the committee, and all reasonable expenses incurred in convening the meeting shall be refunded by the club to the persons incurring them.

13. Notices of General Meetings

Except where a general meeting is called in accordance with rule 32 (5) hereof the Secretary of the Club shall, at least fourteen days before the date fixed for holding a general meeting of the Club, cause to be inserted in at least one newspaper published in this State an advertisement specifying the place, day and time for the holding of the meeting, and the nature of the business to be transacted thereat.

14. Business and Quorum at General Meetings

- (1) All business that is transacted at special general meetings and all business that is transacted at the annual general meeting, with the exception of that specially referred to in these rules as being ordinary business of the annual general meeting, shall be deemed to be special business.
- (2) No item of business shall be transacted at a general meeting unless a quorum of members entitled under these rules to vote is present during the time when the meeting is considering that item.
- (3) Fifteen members personally present (being members entitled under these rules to vote thereat) constitutes a quorum for the transaction of the business of the general meeting.

- (4) If within one hour after the appointed time for the commencement of the general meeting a quorum is not present, the meeting, if convened upon the requisition of members, shall be dissolved; and in any other case it shall stand adjourned to the same day in the next week, at the same time and (unless another place is specified by the chairman at the time of the adjournment or by written notice to members given before the day to which the meeting is adjourned) at the same place, and if at the adjourned meeting a quorum is not present within one hour after the time appointed for the commencement of the meeting, the meeting shall be dissolved.

15. Commodore to Preside at General Meetings

- (1) The Commodore, or in his absence, the Vice-Commodore, or in the absence of both the Commodore and Vice-Commodore, the Rear-Commodore, shall preside as chairman at every general meeting of the Club.
- (2) If the Commodore, Vice-Commodore and Rear-Commodore are absent from a general meeting, the members present shall elect one of their number to preside as chairman thereof.

16. Adjournment of General Meetings

- (1) The chairman of a general meeting at which a quorum is present may, with the consent of the meeting, adjourn the meeting from time to time and place to place, but no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- (2) Where the meeting is adjourned for fourteen days or more, the like notice of the adjourned meeting shall be given as in the case of the original meeting.
- (3) Except as provided in the foregoing provisions of this rule, it is not necessary to give any notice of an adjournment or of the business to be transacted at an adjourned meeting.

17. Determination of Questions Arising at General Meetings

A question arising at a general meeting of the Club shall be determined on a show of hands and unless before or on the declaration of the result of the show of hands a poll is demanded, a declaration by the chairman that a resolution has, on a show of hands, been carried or carried unanimously, or carried by a particular majority, or lost, and an entry to that effect in the minute book of the Club is evidence of the fact, without proof of the number or proportion of the votes recorded in favour of, or against the resolution.

18. Votes

- (1) (a) Except as provided in Rule 18 (1) sub-rule (c) all votes shall be given personally.  
(b) Honorary, Junior, and Associate members shall not be eligible to vote at general meetings.  
(c) Any Adult Family Member has one vote and that person may also vote on behalf of his or her spouse or his or her co-guardian provided that notice in

writing empowering that person to vote on behalf of his or her spouse or co-guardian is delivered to the Secretary prior to the commencement of a general meeting.

- (2) Except as provided in Rule 18 (1) sub-rule (c) all votes shall be given personally.
- (3) In the case of an equality of voting on a question the chairman of the meeting is entitled to exercise a second or casting vote.

19. Taking of Poll

If at a meeting a poll on any question is demanded it shall be taken at that meeting in such a manner as the chairman may direct, and the result of the poll shall be deemed to be the resolution of the meeting on that question.

20. When Poll to be Taken

A poll that is demanded on the election of a chairman, or on a question of adjournment, shall be taken forthwith, and a poll that is demanded on any other question shall be taken at such time before the close of the meeting as the chairman may direct.

21. Affairs of Club to be Managed by a Committee

- (1) The affairs of the Club shall be managed by a committee of management constituted as provided in rule 23.
- (2) The Committee –
  - (a) shall control and manage the affairs of the Club;
  - (b) may, subject to these rules, exercise all such powers and functions as may be exercised by the Club, other than those powers and functions that are required to be exercised by general meetings of members of the Club; and
  - (c) subject to the Act and these rules, has power to perform all such acts and things as appear to the committee to be essential for the proper management of the business and affairs of the Club.

22. Officers of the Club

- (1) the Officers of the Club shall be –
  - (a) a Commodore
  - (b) a Vice-Commodore
  - (c) a Rear-Commodore
  - (d) a Treasurer
  - (e) a Secretary
  - (f) a Sailing Secretary; and
  - (g) an Officer of the Day
- (2) The Commodore, Vice-Commodore and Rear-Commodore shall be known as Flag Officers

- (3) The provisions of sub-rule (2), (3) and (4) of rule 24, so far as they are applicable and with the necessary modifications, apply to and in relation to the election of persons to any of the offices mentioned in sub-rule (1) of this sub-rule.
- (4) Subject to these rules each officer of the Club shall hold Office until the annual general meeting next after the date of his election and is eligible for re-election and the retiring Commodore, Vice-Commodore and Rear-Commodore shall be eligible for re-election for a maximum consecutive period of three years to each of these offices.
- (5) In the event of a vacancy in any office mentioned in sub-rule (1) of this rule the committee may appoint one of its members to the vacant office and the member so appointed may continue in office up to the conclusion of the annual general meeting next following the date of his appointment
- (7) For the purposes of the Associations Incorporation Act 1964, the Secretary of the Club shall be its public officer.
- (8) Should the immediate Past Commodore not be elected as a member of the committee for the year succeeding his term of office, he may be co-opted to the committee to act in an advisory capacity but shall have no voting rights.

23. Constitution of the Committee

- (1) The Committee shall consist of –
  - (a) the officers of the Club; and
  - (b) ten other members,

all of whom shall be elected at the Annual General Meeting of the Club in each year.

- (2) Each ordinary committeeman shall subject to these rules, hold office until the annual general meeting next after the date of his election, but is eligible for re-election.
- (3) In the event of a vacancy occurring in the office of ordinary committeeman, the committee may appoint a member of the club to fill the vacancy and the member so appointed shall hold office subject to these rules until the conclusion of the annual general meeting next following the date of his appointment.

24. Election of Members of Committee

- (1) Nominations of candidates for election as officers of the Club or as ordinary committeemen –
  - (a) shall be made in writing signed by two members of the Club and accompanied by the written consent of the candidate (which may be endorsed on the form of nomination); and,
  - (b) shall be delivered to the Secretary of the Club at least ten days before the date fixed for the holding of the annual general meeting.

- (2) If insufficient nominations are received to fill all vacancies on the committee, the candidates nominated shall be deemed to be elected and further nominations shall be received at the annual general meeting.
- (3) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected.
- (4) If the number of nominations exceed the number of vacancies to be filled a ballot shall be held.
- (5) The ballot for the election of officers and ordinary committeemen shall be conducted at the annual general meeting in such usual and proper manner as the committee may direct.

25. Vacation of Office

The office of an officer of the Club or of an ordinary committeeman becomes vacant if the officer or committeeman –

- (a) dies;
- (b) becomes bankrupt or applies to take or takes advantage of any law relating to bankrupt or insolvent debtors or compounds with his creditors, or makes any assignment of his estate for their benefit;
- (c) becomes of unsound mind;
- (d) resigns his office by writing under his hand addressed to the committee;
- (e) ceases to be a resident in the State;
- (f) fails, without leave granted by the committee, to attend three consecutive meetings of the committee;
- (g) ceases to be a member of the Club; or
- (h) fails to pay all arrears of subscription due by him within fourteen days after he has received a notice in writing signed by the Secretary stating that he has ceased to be a financial member of the club.

26. Meetings of the Committee and of Sub-Committees

- (1) The committee shall meet at least once in each month at such place and at such times as the committee may determine.
- (2) Special meetings of the committee may be convened by the Commodore, or any four of its members.
- (3) Notice shall be given to members of the committee of any special meeting, specifying the general nature of the business to be transacted, and no other business shall be transacted at such meeting.
- (4) Any six members of the committee constitute a quorum for the transaction of the business of a meeting of the committee.
- (5) No business shall be transacted unless a quorum is present and if within half an hour of the time appointed for the meeting a quorum is not present, the meeting shall stand adjourned to the same place and the same hour of the same day in the following week unless the meeting was a special meeting, in which case it lapses.
- (6) At meetings of the committee –
  - (a) the commodore, or in his absence the Vice-Commodore or in the absence of both, the Commodore and the Vice-Commodore, the Rear-Commodore; or
  - (b) if the Commodore, Vice-Commodore and Rear-Commodore are absent, one of the remaining members of the committee chosen by the members present,  
shall preside.

- (7) Questions arising at the meetings of the committee or of any sub-committee appointed by the committee shall be determined on a show of hands or, if demanded by a member, by a poll taken in such manner as the person presiding at the meeting may determine.
- (8) Each member present at a meeting of the committee or of any sub-committee appointed by the committee (including the person presiding at the meeting) is entitled to one vote and, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.
- (9) Written notice of each committee meeting shall be served on each member of the Committee by delivering it to him at a reasonable time before the meeting or by sending it by post in a prepaid letter addressed to him at his usual or last-known place of abode in time to reach him in due course of post before the date of the meeting

27. Disclosure of Interest in Contracts, Etc.

- (1) A member of the committee who has an interest in any contract or arrangement made or proposed to be made with the Club shall disclose his interest at the first meeting of the committee at which the contract or arrangement is first mentioned.
- (2) If a member of the committee acquires an interest in any contract or arrangement shall disclose his interest at the first meeting of the committee after he acquires the interest.
- (3) No member of the committee shall vote as a member of the committee in respect of any contract or arrangement in which he has an interest and if he does so vote his vote shall not be counted.

28. Sub-Committees and Executive Committee

- (1) The committee may at any time appoint a sub-committee from the committee as it may think fit and shall prescribe the powers and functions thereof.
- (2) The committee may co-opt as members of a sub-committee such persons as it thinks fit, whether or not these persons are members of the Club, but a person so co-opted is not entitled to vote.
- (3) Three appointed members of a sub-committee constitute a quorum at a meeting of the sub-committee.
- (4) The secretary of the Club is responsible for calling meetings of a sub-committee
- (5) Written notice of each sub-committee meeting shall be served on each member of the sub-committee by delivering it to him at a reasonable time before the meeting or by sending it by post in a prepaid letter addressed to him at his usual or last-known place of abode in time to reach him in due course of post before the date of the meeting.
- (6) The Commodore, the Vice-Commodore, the Rear-Commodore, the Treasurer and the Secretary constitutes an executive committee which may issue instructions to the Secretary and the servants of the Club in matters of urgency connected with the management of the affairs of the Club during the intervals between meetings of the committee, and where any such instructions are issued shall report thereon to the next meeting of the committee.

29. Annual Subscriptions

- (1) Until otherwise fixed pursuant to sub-rule (2) of this rule, the annual subscription payable by members shall be –
  - (a) Seniors 27 dollars;
  - (b) Juniors 18 dollars;
  - (c) Associate 10 dollars;
  - (d) Family 45 dollars.
- (2) The amount of the annual subscriptions may be altered from time to time by

members at the annual general meeting.

- (3) The annual subscription of a member is due and payable on or before the first day of October in each year. If any member shall fail to pay his subscription when due each year, notice of failure shall be sent by the Secretary to the defaulting member, or his agent, and any member failing to pay his subscription by the 30<sup>th</sup>, October in each year shall cease to be a member of the Club
- (4) The entrance fee shall be determined at the annual general meeting and may vary from each class of membership;
  - (a) such entrance fee shall be paid to the Secretary together with the nomination for membership;
  - (b) the entrance fee must be returned should the nomination not be approved by the committee.
- (5) Subsidiary charges will be as decided at the annual general meeting each year. Such subsidiary charges may be made for –
  - (a) Boat Storage
  - (b) Ramp space
  - (c) Boat Registration
  - (d) Frost Bite Series
  - (e) Visitor's Sailing Fees; and
  - (f) Any such other charges as the committee deem necessary.

### 30. Financial Year

The financial year of the Club is the period beginning on the 1<sup>st</sup> May in each year and ending on the 30<sup>th</sup> April next following.

### 31. Notices

A notice may be served by or on behalf of the Club upon any member either personally or by sending it through the post in a prepaid letter addressed to the Member at his usual or last-known place of abode.

### 32. Expulsion of Members

- (1) Subject to this rule, the committee may expel a member from the Club if, in the opinion of the committee the member has been guilty of conduct detrimental to the interests of the Club.
- (2) The expulsion of a member pursuant to sub-rule (1) of this rule does not take effect –
  - (a) until the expiration of fourteen days after the service on the member of a notice under sub-rule (3) of this rule; or
  - (b) if the member exercises his right of appeal under this rule, until the conclusion of the special general meeting convened to hear the appeal, whichever is the latter date.
- (3) Where the committee expels a member from the Club, the Secretary of the Club shall, without undue delay, cause to be served on the member a notice in writing-
  - (a) stating that the committee has expelled the member;
  - (b) specifying the grounds for expulsion; and

- (c) informing the member that if he so desires he may, within fourteen days after the service of the notice on him, appeal against the expulsion as provided in this rule,
- (4) A member on whom a notice under sub-rule (3) of this rule is served may appeal against the expulsion to a special general meeting by delivering or sending by post to the Secretary of the Club, within fourteen days after the service of that notice, a requisition in writing demanding the convening of such a meeting for the purpose of hearing his appeal.
- (5) Upon receipt of a requisition under sub-rule (4) of this rule, the Secretary shall forthwith notify the committee of the receipt and the committee shall thereupon cause a special general meeting of members to be held within twenty-one days after the date on which the requisition is received by the Secretary.
- (6) At a special general meeting convened for the purpose of this rule –
  - (a) no business other than the question of the expulsion shall be transacted;
  - (b) the committee may place before the meeting details of the grounds of the expulsion and the committee's reason for the expulsion;
  - (c) the expelled member shall be given an opportunity to be heard; and
  - (d) the members present shall vote by secret ballot on the question whether the expulsion should be lifted or confirmed.
- (7) If at the special general meeting a majority of the members present vote in favour of the lifting of the expulsion, the expulsion shall be deemed to have been lifted and the expelled member is entitled to continue his membership of the Club.
- (8) If at the special general meeting a majority of the members present vote in favour of the confirmation of the expulsion, the expulsion takes effect, and the expelled member ceases to be a member of the Club.
- (9) The Secretary of the Club shall at least fourteen days before the date fixed for holding a special general meeting of the Club convened for the purposes of this rule, forward notice in writing specifying the place, day and time for the holding of the meeting and the nature of the business to be transacted thereat to each member of the Club.

### 33. Disputes

- (1) Subject to this rule, a dispute between a member of the Club, in his capacity as a member, and the Club, shall be determined by arbitration in accordance with the provisions of the 'Arbitration Act 1892'.
- (2) Nothing in this rule effects the operation of rule 32.

### 34. Seal of the Club

- (1) The Seal of the Club shall be in the form of a rubber stamp, inscribed with the name of the Club encircling the word 'Seal'.
- (2) The seal of the Club shall not be affixed to any instrument except by the authority of the committee, and the affixing thereof shall be attested by the signatures either of the members of the committee or of one member of the committee and of the Secretary of the Club or such other person as the committee may appoint for that purpose, and that attestation is sufficient for all purposes that the seal was affixed by authority of the committee.

(3) The seal shall remain in the custody of the Secretary.

**35. Amendment to Rules and Objects**

These rules, including the objects and purposes set out in rule 4, may be altered or added to by the Club at a special general meeting on notice of motion being given provided that the notice of motion is received by the Secretary of the Club in writing signed by the proposer and seconder of the motion at least twenty-one (21) days before the date of the special general meeting and such motion must be passed by a three quarters majority of the votes cast (and such motion be included in the notice of meeting). The approval of the Registrar of Companies must be obtained before the resolution becomes binding.

36. Sailing Rules

The Sailing Rules shall be the current rules of the Australian Yachting Federation and the Tasmanian Yachting Association unless otherwise directed by the committee and such special regulations as may from time to time be framed by the committee.

37. Burgee

The Club shall have a Burgee to be selected by the committee.

38. Improper Use of Club Premises

- (1) No member shall give or use the address, or use the fact that he is a member of the Club in any advertisement or enterprise (sporting or otherwise) or use the Club address for business purposes.
- (2) Alcoholic liquor is prohibited on Club premises except by permission of the committee.
- (3) Gambling is prohibited on Club premises except by permission of the committee.

39. No Liability for Loss

The Club shall not be responsible for any loss or damage to any property brought by members or guests on to the Club premise or for any loss or damage suffered by any member or guest in or about the Club premises or in consequence of the use of the property of the Club or otherwise.

40. Records

The committee shall cause to be kept a complete record of the competitions, results and all the relevant details of all races run by the Club and other statistics which from time to time may be considered necessary by the committee including yearly membership records.