

Constitution and Rules of the Sussex Motor Yacht Club



1. **Name:** The name of the Club shall be the Sussex Motor Yacht Club (SMYC) from now on referred to in these Rules as the Club.
2. **Ethos Statement:** The Club will draw together people with mutual interest in yachting with particular regard to motor yachts: past, present and future. Members will wish to honour and preserve the proud history of the Club while looking actively at future power systems so that the Club remains current, relevant and exciting. The Club's nautical theme will be complemented by a strong social purpose to enable the sharing of experiences in a convivial atmosphere. In line with its special history and high rank amongst yacht clubs, some social events will be appropriately traditional and formal. The Club will adopt a business-like approach to ensure its continuance in line with its ethos.
3. **The objects of the Club:** to encourage motor boating and yachting by promoting and organising cruising, racing and associated activities. To provide networking and communication channels to build social interaction and friendship within the Club. To broaden the knowledge and experience of our members, particularly our younger members; provide peer support to build boat handling and navigation skills and sailor confidence. To provide recognised training through connecting with local RYA training centres; connect crew with boats; organise expert speakers and specialist advice, and provide other such facilities as may from time to time be determined.
4. **Officers, Election and Appointment:** The Officers of the Club shall be Full Members of the Club and shall comprise five Elected Officers - Commodore, Vice Commodore and Rear Commodore, Treasurer and Secretary. Other Officers, the Membership Secretary, Event Organiser, Warrant Officer and Custodian of the Trophies, will be appointed by the Elected Officers at the conclusion of the Annual General Meeting (AGM). All Officers, elected and appointed, will comprise the Management Committee. All Elected Officers and Appointed Officers may hold office for a maximum of six years, retiring at the termination of the AGM in each year. All Officers shall be eligible for re-election unless time restricted, which may be extended by agreement at the AGM.
5. **Other Appointees:** The Club has the following supporters carrying out particular voluntary roles. Club Historian, Club Webmaster and Club Legal Advisor. These roles have no time limit but will be reaffirmed by the Executive Officers at each AGM.
6. **Duties of The Commodore:** The Commodore shall maintain an active interest and overview of all Club activities, engagements and the conduct of the Management

Constitution and Rules of the Sussex Motor Yacht Club



Committee. Chair regular Management Committee and Club meetings. Review and authorise Minutes of the Management Committee, EGM and AGM. Lead the Management Committee in pursuance of the Club agenda, continually reviewing progress against Club objectives and ensuring all obligations of the Club.

7. **Duties of Vice Commodore:** The Vice Commodore shall maintain an active interest and overview of all Club activities and engagements. Be prepared to step in and substitute for the Commodore at any of the meetings or events that fall within the duties of the Commodore and provide advice and guidance to members as required.
8. **Duties of Rear Commodore:** The Rear Commodore shall maintain an active interest and overview of all Club activities and engagements. Be prepared to step in and substitute for the Commodore or the Vice Commodore at any of the meetings or events that fall within the duties of the Commodore or Vice Commodore and provide advice and guidance to members as required.
9. **Duties of Secretary:** The Secretary shall generally manage the Club and be the first point of contact for members and visitors for all and any questions. Organise Committee Meetings, EGM and AGM. Keep a register of Club Members' names, correspondence and email addresses and conduct the correspondence of the Club. Keep custody of all Club documents and archive. Set the Agenda for the Committee Meetings in agreement with the Chair. Set the Agenda for the EGM/AGM and agree on this with the Commodore/Chair fourteen days before the meeting. Keep Minutes of all Meetings of the Club and promptly publish them after approval on the Club Website. Communicate the decisions of the Management Committee to the Club. Maintain any such certificates, registrations and legal obligations and complete any such non-financial returns as may be required by law. In particular full compliance with the Data Protection Act. Ensure that an insurance policy or policies are in place as may be needed to ensure the interests of the Club, its Officers and its Members.
10. **Duties of the Membership Secretary:** . Duties of the Membership Secretary: The Membership Secretary shall deal with all matters in relation to membership. Report Membership levels at Management Committee meetings and work together with all members of the Management Committee to promote membership and to vet new applicants. The Membership Secretary shall report to the Management Committee any Club Member whose behaviour has caused concern or brought the Club into disrepute. The Membership Secretary shall liaise with the Treasurer as necessary.

Constitution and Rules of the Sussex Motor Yacht Club



11. **Duties of Treasurer:** The Treasurer shall be responsible for overseeing the financial matters of the Club including arranging for the preparation of financial statements and any required returns. This will include attending meetings as appropriate and ensuring that any related information is provided in a timely fashion.
12. **Duties of Event Organiser:** The Event Organiser shall organise monthly or quarterly Club meetings as directed by the Management Committee and arrange visiting speakers at Club nights during the period October – March. Coordinate events and visits to establishments that shall be of interest to Club Members and organise cruises in company and rallies both locally and further afield.
13. **Duties of the Training Organiser:** (Temporarily suspended)
14. **Duties of the Warrant Officer:** To hold custody and control of the Club's Warrant to wear the Special Ensign. To issue permits to Members and collect fees. To ensure that the rules of the Special Ensign are observed and report any transgressions to the Management Committee. Communicate and set up systems with the RYA for the management of the Warrant and the issue of Permits. Report to the AGM on Warrant Numbers and developments in the practice of issuing of Permits.
15. **Duties of the Custodian of the Trophies:** To hold custody and control of the Club's trophies and to ensure their safety, condition and accessibility to Members. Maintain insurance and security at the correct level and arrange any refurbishment and cleaning as may be required.
16. **Membership:** There shall be the following categories of Membership:
 - Full Member (18 years+)
 - Full Joint Member (shall include two adults living at the same address)
 - Full Family Member (shall include two adults and all children within their guardianship less than eighteen years of age)
 - Full Social Member
 - Full Social Joint Member
 - Full Life Member
 - Full Honorary Member
 - Full Overseas Member
 - Full Joint Overseas Member

Constitution and Rules of the Sussex Motor Yacht Club



- Cadet Member (Under 18 years or in full-time education)
- Temporary Member (lasts for one month)

Membership of the Club constitutes consent to the holding of relevant data for the Data Protection Acts.

- 17. Membership Fee:** The rate of annual subscription fee for each category of Membership of the Club shall be proposed by the Management Committee to the Members at the AGM in each year. Any proposed changes shall be approved at the AGM and shall become operative on the first day of the month following the AGM. All Members shall pay their first annual membership fee upon application for Membership, at a rate pro rata with the number of months including part months remaining to the end of the Club's financial year.
- 18. Application for Membership and Renewal:** An application for Membership is available via the Club website. Application confirms you have read and agreed to the Club Rules and agree to provide your name, correspondence and email address. You agree that your name and email address may be listed in the Members section of the website. Payment of your subscription fee will be made upon application through the website. In default of such payment, Membership shall be void unless sufficient cause for delay is shown. Renewal shall be notified to Members by the website, one month from the expiry date at Financial year end. If Membership is not renewed within one month of the due date, a new re-joining fee shall become payable. Every Member will be responsible for maintaining their data on the Club website.
- 19. Conduct of Members:** Every Member is deemed to have notice of, and impliedly undertakes to comply with, the Club Rules. 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. Provided that, if requested by the Member, before expelling a member, the Management Committee shall call upon such Member for a written explanation of the Member's conduct and shall give the Member full opportunity of making an explanation to the Management Committee or of resigning. A simple majority vote shall carry a Resolution to expel a Member by those Members of the Management Committee present and voting on the Resolution. A Member may appeal against expulsion to the Members in General Meeting.

Constitution and Rules of the Sussex Motor Yacht Club



20. **Communications Policy:** Communication to Club Members shall be electronically via the website and email. Members are responsible for ensuring their contact details are up to date with a current email address. The Committee may amend the Communications Policy at any time.
21. **Management Committee:** The Management Committee will manage the affairs of the Club. The Management Committee shall consist of three Executive Officers, elected at the AGM each year to hold office until the termination of the next following AGM and two Appointees being the Secretary and the Treasurer.
22. **Candidates for Election to Management Committee:** Candidates for election to the Management Committee shall be those Members of the retiring Management Committee eligible to offer themselves for re-election. Other candidates shall be such other Full Members whose nominations (duly proposed and seconded in writing by Full Members of the Club) with their consent shall have been received by the Secretary at least fourteen days before the date of the AGM in each year. Nominations, together with the names of the Proposer and Secunder will be sent to the Members of the Club at least fourteen days before the date of the AGM.
23. **Election of Management Committee by Ballot:** If the number of candidates for election is greater than the number of vacancies, there shall be a ballot under which a majority vote carries.
24. **No Contest for Election:** If the number of candidates for election is equal to or less than the number of vacancies, all candidates shall be deemed to be elected if the majority of Full Members present at the AGM vote in favour of such election.
25. **A vacancy on the Management Committee:** If for any reason, a vacancy shall occur, the Management Committee may co-opt a Full Member to fill such vacancy until the next following AGM.
26. **Management Committee Meetings:** The Management Committee shall meet at least every three months. The Commodore or in their absence a Chair elected by the Commodore shall preside.
27. **Voting at Management Committee Meetings:** Voting (except in the case of a resolution relating to the expulsion of a Member) shall be by show of hands at the meeting or by a letter or an electronic vote received by the Secretary at least 24 hours

Constitution and Rules of the Sussex Motor Yacht Club



before the commencement of the meeting. In the case of equality of votes, the Commodore or elected Chair shall have a second and casting vote.

28. **A Quorum at Management Committee Meetings:** Three Members (two of which must be Officers) personally present shall form a quorum at a meeting of the Management Committee.
29. **Powers of the Management Committee:** The Management Committee has the power to enforce Club Rules.
30. **Management of the Club:** The Committee shall manage the affairs of the Club according to Club Rules and shall cause the funds of the Club to be applied solely to the objectives of the Club or for a benevolent or charitable purpose nominated by the Club in General Meeting.
31. **Election of Ex-Officio Officers:** The Club wishes to recognise outstanding and long service to the Club, by establishing suitable roles outside of the Management of the Club. In this way, the Club retains the valuable experience and knowledge of retiring members that may be drawn on for Ceremonial and Social purposes or in times of difficulty or indecision when wise counsel is needed. To this end, the Club will have available the elected positions of Club President, Club Vice President, Admiral and Vice Admiral. Each position will endure for five years and may, at the invitation of the Management Committee be renewed, without limitation.
32. **Appointment of sub-committees:** The Committee may appoint such sub-committees as it may deem necessary and may delegate such of its powers as it may think fit upon such terms and conditions as shall be deemed expedient and required by the law. Such sub-committees shall consist of Management Committee Members and may include other Club Members. Officers of the Club shall be ex officio Members of all such subcommittees.
33. **Disclosure of interest to third parties:** When transacting business for the Club, all members shall disclose to third parties that they are so acting.
34. **Limitation of Members Liability:** The Management Committee, or any person or sub-committee delegated by the Management Committee to act as agent for the Club or its members, shall enter into a contract only as far as expressly authorised, or authorised

Constitution and Rules of the Sussex Motor Yacht Club



by implication, by the Members. No one shall, without the express authority of the Membership in General Meeting, pledge the credit of the Membership.

35. **Members' indemnification of Committee:** In pursuance of the authority vested in the Management Committee by Members of the Club, Members of the Management Committee are entitled to be indemnified by the Members of the Club against any liabilities properly incurred by them on behalf of the Club, wherever the contract is of a duly authorised nature or could be assumed to be of a duly authorised nature and entered into on behalf of the Club. The limit of any individual Member's indemnity in this respect shall be a sum equal to one year's subscription at the then current rate of that category of Membership unless the Membership Committee has been authorised to exceed such limit by a General Meeting of the Club.
36. **Club Meetings:** The Secretary will arrange Club Meetings. Notification of dates, times and venue will be via email and the Club website.
37. **Annual General Meeting (AGM):** An AGM of the Club shall be held each year in September on a date to be fixed by the Management Committee. The Secretary shall, at least twenty-eight days before the date of such Meeting, deliver to each Member, notice hereof and of the business to be brought forward via the website and email. The Secretary will make the Agenda and supporting papers available on the website fourteen days before the date of the AGM and make final minor adjustments of detail if required or appropriate.
38. **Business at Annual General Meetings:** No business, except the passing of the Accounts, the election of the Officers, and any business that the Management Committee may order to be in the notice convening the Meeting, may be discussed at the Meeting. Notice will be given by the Secretary at least twenty-eight days before the date of the AGM.
39. **A Quorum at Annual General Meetings:** 20% of the Club's Full Membership or a minimum of 20 Members whichever is the lesser, personally present shall form a quorum at the AGM.
40. **Extraordinary General Meeting (EGM):** The Committee may at any time, upon giving seven days' notice via the website and email, call an EGM of the Club for any special business, the nature of which shall be stated in the summons convening the Meeting

Constitution and Rules of the Sussex Motor Yacht Club



and the discussion at such Meeting shall be limited to the business stated in the Summons.

41. **Extraordinary General Meeting upon request of members:** The Management Committee shall call an EGM upon a written request received by the Secretary by at least 20% or 20 of the Club's Full Members, whichever is the lesser. The Management Committee shall give between seven and twenty-eight days' notice in writing of any such EGM. The discussion at such Meeting will be limited to the business stated in the Summons.
42. **Chair at Meetings:** At every Meeting of the Club the Commodore (or, in their absence, a Chair elected by those present) shall preside.
43. **Entitlement to vote at Meetings:** Only Full Members shall speak and vote at any meeting of the Club. The adults within a Family Membership shall be Full Members. Temporary members may attend but not vote.
44. **Voting at Meetings:** Voting, including the election of Members of the Committee, shall be a simple majority vote by show of hands at the meeting or by a letter or an electronic vote received by the Secretary at least 24 hours before the commencement of the meeting. In the case of equality of votes, the Commodore or elected Chair shall have a second and casting vote.
45. **Equality of Votes:** In the case of an equality of votes the Commodore or nominated Chair shall have a second or casting vote, on any matter other than the election of Members of the Management Committee.
46. **Dissolution of the Club:** If upon the winding up or dissolution of the Club, there remains after the satisfaction of all its debts and liabilities any property whatsoever, it shall be given to the RNLI.