

Royal Highland Yacht Club

Rules of the Royal Highland Yacht Club



RULES OF THE ROYAL HIGHLAND YACHT CLUB

I.

NAME and PURPOSES

The Club shall be called the ROYAL HIGHLAND YACHT CLUB (hereinafter referred to in these Rules as “the Club”).

The purposes for which the Club is formed are to promote and facilitate the activity of yachting and motorboating on the West Coast of Scotland and to provide social and other services for members as may be from time to time determined.

II.

OFFICERS

The Officers of the Club shall be members of the Club and shall consist of a Commodore, Vice Commodore, Rear Commodore, and three Trustees.

The Flag Officers shall be elected annually at the Annual General Meeting and shall then take office. In the event of there being more than one valid nomination for any rank, voting will take place at the meeting by a secret ballot. (See also Rule XIII).

The Trustees shall be such persons as from time to time may be appointed at a General Meeting of members. A Trustee shall hold office for a maximum of six years and then retire but shall be eligible for re-election for one further term of six years, or until they resign by notice in writing given to the Committee or until a resolution removing them from office shall be passed at a General Meeting by two-thirds of the Members present and entitled to vote. The whole property of the Club both heritable and moveable shall be vested in the Trustees or with the consent of a majority of the Trustees in a Nominee Company of the Club's bankers or stockbrokers and shall be dealt with as directed by a resolution of the Committee the order in writing of whom, signed by the Chair for the time being and attested by the Secretary, shall be obligatory upon the Trustees for any sale, purchase, investment or other act done by them in pursuance of such order.

In pursuance of the authority vested in the Trustees by the members of the Club, the Trustees shall be indemnified by the members of the Club out of the assets of the Club from and against any liability, costs, expenses or payments whatsoever which may be properly incurred or made by them or any one of them in the exercise of their duties 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 functions of a Trustee of the Club.

Should the assets of the Club be insufficient to satisfy such liability, costs, expenses or payments the Trustees shall be entitled to a personal indemnity from the individual members of the Club. The limit of any individual member's indemnity in this respect

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shall be a sum equal to one year's subscription at the then current rate of that category of membership unless the Trustees have been authorised to exceed such limit by a General Meeting of the Club.

III.

GENERAL COMMITTEE OF MANAGEMENT

The affairs of the Club, including the domestic and other arrangements and regulations, shall be conducted by a General Committee of Management (hereinafter called "the Committee") consisting of the Officers and not more than nine ordinary members. The Committee shall meet from time to time as they think expedient or when required by the Commodore, Vice Commodore or Rear Commodore, or upon the requisition of three members of the Committee duly intimated, with notice of the business to be transacted, to the other members through the Secretary. One Flag Officer and three members of the Committee shall be a quorum.

The ordinary members of the Committee shall hold office for three years from the date of their election and then retire but shall be eligible for re-election for one further term of three years, after which the member shall be ineligible for election for at least one year. Vacancies in the Committee shall be filled by election at the Annual General Meeting. If more members are proposed than the number of vacancies the election shall be by secret ballot at the meeting. Vacancies occurring during the year may be filled by the Committee - any such co-opted member or members shall serve until the next Annual General Meeting. The Committee is empowered to co-opt up to two additional members to assist the Committee for a specific project or purpose whose term will not exceed two years.

In the event of the Club appointing one of the members as Treasurer as provided for in Rule IV that person shall, ex officio, be a member of the Committee.

The Committee, or any person or sub-Committee delegated by the Committee to act as agent for the Club or its members, shall enter into contracts only as far as expressly authorised, or authorised by implication, by the members. No one shall, without the express authority of the membership in a General Meeting, borrow money or incur debts on behalf of the Club or its membership.

In pursuance of the authority vested in the Committee by members of the Club, members of the Committee shall be indemnified by the members of the Club out of the assets of the Club from and against any liability, costs, expenses or payments whatsoever which may be properly incurred or made by them or any one of them in the exercise of their duties 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.

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Should the assets of the Club be insufficient to satisfy such liability, costs, expenses or payments the Committee shall be entitled to a personal indemnity from the individual members 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 Committee has been authorised to exceed such limit by a General Meeting of the Club.

IV.

SECRETARY AND TREASURER

A Secretary and Treasurer shall be appointed annually at the Annual General Meeting. One person may hold both appointments and any remuneration shall be determined by the Committee. The Treasurer shall keep proper and regular records which shall be available for scrutiny by the Committee when required.

An account or accounts shall be kept with such banks as the Committee may determine and shall be operated upon by the Treasurer and two members of the Committee, except for withdrawals of up to a sum to be defined by the Committee for which the signature of the Treasurer alone shall suffice.

V.

NOMINATIONS FOR FLAG OFFICERS, COMMITTEE MEMBERS AND SECRETARY/TREASURER

Nominations for the above posts, duly proposed and seconded, will be received from the floor at a General Meeting, provided the nominees are either present or have indicated their consent to nomination. Proposers, or their nominated person, shall be obliged to speak in favour of their candidates at the General Meeting. Nominations, duly proposed and seconded, may also be submitted in advance in writing to the Secretary accompanied by a brief note on the background and suitability of the candidate to be read to the General Meeting.

VI.

ELECTION OF MEMBERS

Membership of the Club shall be open to anyone with a genuine interest in yachting or motor boating in the West Coast of Scotland on application. Application for membership will not be refused on other than reasonable grounds. There will be no discrimination on grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation, political or other opinion.

Membership may however be limited according to available facilities on a non-discriminatory basis.

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Election to membership shall be in the hands of the Committee. The Committee may refuse applications only for good cause such as conduct or character likely to bring the Club into disrepute. Applicants will be required to attend a Club event to meet committee members who will then act as proposers prior to acceptance. No person under the age of eighteen shall be admitted to the Club except as a Cadet Member.

Election is open to a family group with children under age 18 staying at the same address. The parents' applications will follow the process for ordinary membership as in the immediately preceding paragraph with the children being accepted as cadet members.

Any persons attending Club events who are not members must be guests of Club members and all such guests will become temporary members of the Club for the duration of the event. Temporary members will have no rights or obligations under the Rules except that they will be bound by Rule XI and subject to the policies and guidelines of the Club. Such temporary members shall not use this membership to enter a race conducted under ISAF rules.

CADET MEMBERS

The Committee is empowered to elect Cadet Members under the age of eighteen on payment of an annual subscription the amount of which the Committee may from time to time determine.

On attaining the age of eighteen, Cadet Members shall automatically cease to be Cadet Members and shall be considered by the Committee as candidates for election to full membership. Cadet Members shall be entitled to attend but not vote at meetings of members or to serve on the Committee. The Club rules relative to the payment of members' subscriptions shall apply to the subscription payable by Cadet Members, but they will not be required to pay the entrance fee.

VII.

INTIMATION OF ELECTION TO BE SENT TO CANDIDATES

On the election of each new member the Secretary shall request the amount of their entrance fee and subscription. If such new member does not comply with the notice within two months from the date of their election, the Secretary shall report accordingly to the Committee who shall cause their name to be erased from the list of members, but if they can account for the delay to the satisfaction of the Committee it may be restored.

VIII.

WITHDRAWAL OF MEMBERS

Any member wishing to resign from the Club must notify the Secretary in writing before 1st December otherwise they will be liable for the subscription for the following year.

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IX.

ENTRANCE FEES AND SUBSCRIPTIONS

On election to ordinary membership of the Club, members shall pay an entrance fee and annual subscription; except that when election takes place after 31st October the membership subscription for that year shall be waived. One entrance fee shall be payable for a Family Group membership, together with an annual subscription for each parent/partner. Each child under 18 shall pay the annual subscription of a Cadet Member. Entrance fees and annual subscriptions shall be paid by direct debit or other means acceptable to the Committee. Annual subscriptions become due on 1st January each year. Any alteration in the entrance fee or subscription shall require the approval of the Members in general meeting of a resolution proposed by the Committee and of which the Membership has been given at least fourteen days previous notice by circular. No member whose subscription is wholly or partially in arrears shall be eligible to act on the Committee or to vote on any question or to take part in the proceedings or to enjoy the privileges of the Club. A member whose subscription is wholly or partially in arrears for six months shall cease to be a member and the Committee shall remove their name from the List of Members. The Committee may reinstate such members on payment of arrears and a satisfactory explanation and at its discretion may waive the need to pay a further entrance fee.

X.

NOTIFICATION OF ADDRESS

Every member of the Club shall furnish their address to the Secretary.

XI.

CONDUCT OF MEMBERS

Every member upon election and thereafter, 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 Committee, would bring the Club into disrepute shall render a member liable to expulsion by the Committee; provided that, before expelling a member, the Committee shall call upon such a member for a written explanation of their conduct and shall give such member full opportunity of making explanation to the Committee; or of resigning. A resolution to expel a member shall be carried by a simple majority vote by those members of the Committee present and voting on the resolution. The Committee is empowered to reinstate any such member at any time should a satisfactory explanation of their conduct be received.

XII.

LIFE AND HONORARY MEMBERS

The Committee is empowered to elect Life Members from those members who have been over forty years with the Club. Such a Life Member shall not pay any subscription but they shall be entitled to all the privileges and benefits of the Club. The Committee

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shall have the power to elect as Honorary Members any persons who may be deemed fit and proper members of the Club. Honorary Members shall have the same privileges as Life Members but shall not be entitled to vote, unless they are existing members who shall retain that right.

XIII.

MEETINGS

The Annual General Meeting of the Club shall be held in the months of September, October or November at such time and place as the Committee may appoint. General meetings may be called by order of the Commodore or of any three members of the Committee, or on a requisition to the Commodore signed by ten members of the Club. Notice of all such meetings shall be given by circular to each member at least fourteen days previously.

Fifteen members entitled to vote excluding Committee Members and personally or virtually present shall form a quorum at any meeting of the Club.

XIV.

POLITICS

No political subject shall be discussed at any meeting of the Club.

XV.

CHAIR

The Commodore if present shall take the Chair at all General Meetings of the Club and, in their absence, the Vice Commodore, or failing them, the Rear Commodore. In the event of the three Flag Officers being absent, the meeting shall appoint a Chair. At all meetings of the Club and of the Committee the Chair shall have a deliberative vote and also a casting vote in the event of equality.

XVI.

ACCOUNTS

The Accounts of the Club shall be reviewed and checked annually giving a statement of affairs and income and expenditure as shown at 31st December. A Chartered Accountant shall be appointed at the previous General Meeting and the Accounts with the Chartered Accountants' Report shall be printed and then circulated to members as soon as practicable thereafter. No portion of the income and property shall be paid or transferred directly or indirectly by way of dividend, distribution, bonus, honoraria or otherwise howsoever by way of profit to the members.

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XVII. BURGEE

The Club burgee shall be a mid blue burgee with a white St. Andrew's Cross and a yellow crown in the centre, and shall only be flown by a vessel when a member of the Club is aboard, or in effective control. The Blue Ensign may be worn, provided a valid Admiralty Warrant, issued through the Club, is held.

XVIII. DISCLAIMER

All references to the Club in this Rule shall mean each and every individual Member of the Club from time to time.

Members of the Club, their guests and visitors shall use the facilities of the Club and take part in Club events entirely at their own risk and accept that:

1. The Club will not accept any liability for any damage to, or loss of, property belonging to Members, their guests or visitors.
2. The Club will not accept any liability for personal injury or property damage arising out of the use of the Club's facilities or out of participation in any event organised by the Club, whether 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 its officers, or committee.
3. Before inviting any guests or visitors to participate in events organised by the Club, Members will draw their attention to this rule.

Members should be aware that the organisers of major events e.g. cruises in company, may require a signed entry form from participants accepting responsibility for their safety and competence before accepting their entry. Moreover every owner/participant may require to warrant the suitability of their vessel and insurance for such an event.

Members are responsible for any injury, damage or loss to the extent caused by their own actions or omissions.

XIX. 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, the same shall not be paid to or distributed amongst the members of the Club. The Committee shall dispose of the net assets remaining to one or more of the following:

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A Charity and/or another club with similar purposes, or to the national governing body for use by it for related community activity.

XX.

ALTERATION OF RULES

No alteration or addition shall be made to the foregoing Rules except at, and with the approval of a General Meeting; and any proposed alterations, addition or new rule shall be notified to each member at least fourteen days previous to such meeting. Acceptance of the Rule Change requires a two thirds majority of those present and eligible to vote.

XXI.

ACKNOWLEDGEMENT

The Members acknowledge that these Rules constitute a legally binding contract to regulate the relationship of the Members with each other and the Club.