



# The YMCA Sailing Club of Canberra

## **RULES**

*September 2005*

### **1. NAME**

The name of the Sailing Club shall be the "YMCA Sailing Club of Canberra", hereinafter referred to as the Sailing Club, which consists of the Members and the Executive of the Sailing Club. The Sailing Club is a Committee of The Young Men's Christian Association of Canberra Incorporated ("the YMCA") pursuant to rule 22 of the Constitution of the YMCA.

### **2. OBJECTIVES**

The objectives of the Sailing Club shall be to encourage the sport of sailing, organised racing and other aquatic programs, in particular catering for family groups and encouraging the participation and training of young people in a manner consistent with the Objects of the YMCA as set out in the YMCA Constitution.

### **3. INTERPRETATION**

In these Rules made hereunder unless the contrary intention appears:

- a) "Board" means the Board of Directors of the YMCA;
- b) "Centre Manager" means the Centre Manager of YMCA Yarralumla (being the site at which the Sailing Club operates);
- c) "CEO" means the Chief Executive Officer of the YMCA or its delegate;
- d) "Committees" means the Committees appointed by the Sailing Club;
- e) "Constitution" means the Constitution of the YMCA;
- f) "Executive" means the Committee of Flag Officers of the Sailing Club;
- g) "Member" means a current financial member of the Sailing Club elected in accordance with Rule 4 and 5;
- h) "Objects" means the objects of the YMCA set out at rule 3 of the Constitution;
- i) "Rule" means these Rules as amended from time to time in accordance with Rule 12;
- j) "Sailing Club" means the YMCA Sailing Club of Canberra;
- k) "YMCA" means the Young Men's Christian Association of Canberra Incorporated;
- l) if any Rule is inconsistent with a rule of the Constitution, the Constitution will apply to the extent of the inconsistency; and
- m) words importing the masculine gender shall include the feminine and words in the singular shall include the plural and words in the plural shall include the singular.

### **4. MEMBERSHIP**

4.1 Membership of the Sailing Club shall consist of the following classes:

- a) Family Members, consisting of parents and their children under the age of 19 on 30 June;

- b) Senior Members, who shall be 19 years of age and over on 30 June;
  - b) Junior Members, who shall be under 19 years of age on 30 June;
  - c) Life Members, being members who have rendered special service to the Sailing Club and have been recommended for life membership by the Executive and subsequently elected by a resolution passed at the next following Annual General Meeting;
  - d) Student Members, being Senior Members between the age of 19 and 24 years and engaged in full-time educational courses or vocational training;
  - e) Associate Members, being social or volunteer members who shall have no sailing or boatshed privileges; and
  - f) Honorary Members, who may be granted honorary membership for such period as the Committee may decide.
- 4.2 Application for Membership shall be made on the form prescribed by the Executive.
- 4.3 Any Member wishing to resign from the Sailing Club shall give notice in writing to the Commodore to that effect provided that such resignation shall not relieve any Member from payment of any subscription or any liability whatsoever incurred by him or her prior to the receipt of such notice.
- 4.4 If, in the opinion of the Commodore or the CEO, any member shall have acted to the serious detriment of the Sailing Club the matter shall be brought to the notice of the Member concerned by the Commodore. The Commodore will follow the YMCA Grievance Procedure and Disciplinary Policy as amended from time to time.
- 4.5 All Members shall have their names, addresses, telephone numbers and email addresses placed on the Members register. Sailing member's names and addresses shall be available for inspection by properly authorised officers representing the Yachting ACT (YACT) and in accordance with the requirements of the *Associations Incorporation Act 1991*.
- 4.6 Members shall also be members of Yachting Australia (YA). Unless having previously paid YA membership fees elsewhere, an application for membership shall include an application to join Yachting Australia. Members shall be registered on the Yachting Australia membership database.
- 4.7 Members of the Sailing Club shall be non voting members of the YMCA.
- 4.8 Each Member aged 19 years and over shall be entitled to one vote at any general meeting of the Sailing Club, excepting that a Member shall not be entitled to vote unless the member's annual subscription and all other sums outstanding by the Member have been paid to the Sailing Club as set out in Rule 5.

## 5. SAILING CLUB MEMBERSHIP FEES

- 5.1 All Members, other than Life Members and Honorary Members, shall be liable to pay such annual fees as may be determined by the Executive in consultation with the CEO.
- 5.2 Annual fees shall become due and payable by Members on the first day of July each year.
- 5.3 All Members whose annual fees have not been renewed by 30 November shall cease to be Members of the Sailing Club. However, upon payment of arrears, a Member may be re-admitted by the Commodore. After 31 December, a member not having paid his annual fees may be struck from the Members register.

## 6. GENERAL MEETINGS

- 6.1 Entitlement to vote at general meetings shall be in accordance with Rule 4.8.

- 6.2 Each member shall be entitled to appoint another member as proxy by notice given to the Secretary no later than 24 hours before the time of the meeting in respect of which the proxy is appointed. The notice appointing the proxy shall be in the form approved by the Executive.
- 6.3 The Commodore will have a casting vote in relation to any vote at a meeting.

#### **ANNUAL GENERAL MEETINGS**

- 6.4 The Annual General Meeting of the Sailing Club shall be held in the month of July each year.
- 6.5 The business of the Annual General Meeting shall be to:
- a) receive the Annual Report from the Executive and its Committees;
  - b) elect the Executive and Committee members for the ensuing year; and
  - c) transact such other business as on the agenda. Submissions to the agenda can be made to the Secretary no later than 14 days prior to the meeting.
- 6.6 Members shall be advised in writing of the agenda, time and place of a General Meeting at least 7 days prior to such meeting.
- 6.7 No business shall be conducted at any General Meeting unless a quorum of members is present when the meeting proceeds to business. The quorum for General Meetings shall be 10 members or such greater number thereof as the Sailing Club may decide from time to time in General Meeting in accordance with Rule 12.

#### **EXTRAORDINARY GENERAL MEETING**

- 6.8 The Executive may, at its discretion, convene an Extraordinary General Meeting.
- 6.9 Fifteen or more Members may at any time requisition for an Extraordinary General Meeting by giving signed notice in writing to the Secretary stating the motion or motions to be brought forward.
- 6.10 The Extraordinary General Meeting shall be convened within 30 days of receipt of the requisition by the Secretary.

#### **7. THE EXECUTIVE & ITS COMMITTEES**

- 7.1 Membership of the Executive and its Committees will be based on nominees from the membership at the Annual General Meeting. Where there is no nomination for a position at the Annual General Meeting, the Executive may seek later nominations for that position.
- 7.2 The Executive shall consist of:
- a) Commodore;
  - b) Vice Commodore (an optional position);
  - c) Rear Commodore (Business);
  - d) Rear Commodore (Sailing);
  - e) Rear Commodore (Training);
  - f) CEO; and
  - g) Secretary (in accordance with Rule 7.3).
- 7.3 The Secretary will attend meetings of the Executive to ensure an accurate record of meetings is maintained but will have no voting rights.
- 7.4 The Chairperson of the Board, in its discretion, may attend meetings of the Executive but will not have voting rights.

- 75 The Business Committee may, in the sole discretion of the Executive, consist of, but not be limited to:
- a) Rear Commodore Business;
  - b) Secretary;
  - c) Membership Secretary;
  - d) Publicity Officer;
  - e) Galley Captain; and
  - f) Junior Captain.
- 76 The Sailing Committee may, in the sole discretion of the Executive, consist of, but not be limited to:
- a) Rear Commodore Sailing;
  - b) Sailing Club Captain;
  - c) Marine Captain;
  - d) Race Secretary; and
  - e) Class Representatives.
- 77 The Training Committee may, in the sole discretion of the Executive, consist of, but not be limited to:
- a) Rear Commodore Training;
  - b) Training Secretary;
  - c) Training Captain; and
  - d) Training Fleet Manager.
- 78 All Members of all committees shall retire annually at the AGM and shall be eligible for re-election.

## **8. ELECTION OF THE EXECUTIVE & ITS COMMITTEES**

- 8.1 The election of Executive and its Committees shall take place at the Annual General Meeting of the Sailing Club.
- 8.2 Nominations for the Executive and the Committees shall be made to the Secretary in the manner and by the time laid down by the Executive. Every nomination shall bear the signature of the nominator, the seconder and the nominee, all who must be members of the Sailing Club in accordance with Rule 4.
- 8.3 All Members except Honorary Members shall be eligible for election as Members of the Executive and the Committees provided the provisions of Rule 8.4 are observed.
- 8.4 Only Members 19 years and over shall be elected to the positions of Commodore, Vice Commodore, Rear Commodores, Sailing Club Captain or Membership Secretary.
- 8.5 The Executive shall have power at any time and from time to time appoint any Member to be a Member of the Executive and the Committees to fill a casual vacancy.

## **9. POWERS AND DUTIES OF THE EXECUTIVE & ITS COMMITTEES**

- 9.1 The responsibility for the proper management of the Sailing Club shall be vested in the Executive.
- 9.2 The Executive shall be responsible for the day-to-day management of the affairs of the Sailing Club and shall exercise all the powers of the Sailing Club except those required by these Rules to be exercised by a Committee or the Sailing Club in General Meeting.
- 9.3 The Executive shall operate within the approved budget and comply with the policies of the Board, YMCA and all applicable laws.
- 9.4 The Executive shall appoint such volunteer officers as it considers necessary for the proper management of the Sailing Club.
- 9.5 The Commodore on advice of the Executive shall form such number of sub-committees as it may consider necessary for the efficient functioning of the Sailing Club.
- 9.6 The Executive shall cause minutes to be made of:
- a) all appointments of officers; and
  - b) proceedings of all meetings.
- 9.7 The decisions of the Executive and its Committees shall be subject to the approval of the CEO. The CEO (or delegate) must approve or reject all decisions of the Executive within 4 weeks of being notified of a decision. Where the CEO overturns a decision, the Executive may invoke the YMCA Dispute Resolution Process to resolve the issue.

## **10. PROCEEDINGS OF THE SAILING EXECUTIVE & ITS COMMITTEES**

- 10.1 The Executive shall meet at least quarterly to receive such reports and recommendations from its Committees, sub-committees and the CEO as may be necessary for the proper management of the affairs of the Sailing Club.
- 10.2 Each meeting shall be held at such time and place as shall have been determined at the previous meeting or if no such determination has been made at such time and place as the Secretary, on the instructions of the Commodore, shall notify members of the Executive and its Committees and sub-committees.
- 10.3 The quorum for a meeting of the Executive is three members.

## **11. FINANCE**

- 11.1 The financial year of the Sailing Club shall conclude on the 30th of June in each year.
- 11.2 All funds received by the Sailing Club shall be placed in one or more bank accounts in the name of the YMCA and shall be withdrawn from such accounts only by officers authorised by the Board of the YMCA.

The YMCA shall cause proper books of account to be kept, with respect to:

- a) all monies received and expended by the Sailing Club and the manner in respect in which the receipt and expenditure takes place;
  - b) all sales and purchases of goods by the Sailing Club; and
  - c) the assets and liabilities of the Sailing Club.
- 11.3 A separate Profit and Loss account shall be kept of the Sailing Club's income and expenditure.
- 11.4 A separate bank account for recording of the Sailing Club investments will be maintained.

11.5 The use of these funds will be by mutual agreement between the Executive and the CEO in accordance with the Objects but in particular with the objectives of the Sailing Club as set out at Rule 2.

12. **AMENDMENTS TO THE SAILING CLUB RULES**

These Rules may be amended at a General Meeting of the Sailing Club by a majority of Members present and entitled to a vote provided that notice of the proposed amendment is included in the notice calling the said General Meeting and provided further that the Board has given its approval in writing to such amendment.

13. **BY-LAWS**

The Executive may make and amend by-laws in its discretion. Members must comply with any by-laws made under this Rule.