

PAIGNTON SAILING CLUB CONSTITUTION, RULES AND BYELAWS

[As revised and adopted at a General Meeting held **on 8th December 2010** and supersedes all previous constitutions, rules and byelaws.]

SECTION 1 – NAME AND OBJECTS

1. Name of Club

The name of the Club shall be 'The Paignton Sailing Club' (hereinafter referred to in these rules as 'the Club').

2. Objects

The club is a not-for-profit organisation **and an Amateur Community Sports Club recognised as such by HMRC**. It was formed with the objective of promoting the sport of sailing within the local community. It will do this by:-

- a. Providing a base and organisation for dinghy racing and casual sailing.
- b. Providing training to RYA standards for adults and young people who wish to learn to sail.
- c. Providing boat hire for members who can sail but do not own boats.
- d. Providing a social centre where people of all ages can meet and share a common interest in the sport of sailing.
- e. Cooperating with other clubs in the region to provide sailing and racing, especially for young people.
- f. Organising and running open sailing events within the waters of Torbay for class associations and other organisations.

SECTION 2 – CLUB FLAGS

3. Club Flags

The Club flags shall be a Red and White Burgee (quartered) with Yellow Anchor in the centre, and the Red Ensign.

SECTION 3 – OFFICERS AND DUTIES

4. Officers of the Club

- a. Officers of the Club shall consist of Flag Officers, an Honorary Secretary, and Honorary Treasurer and an Honorary Sailing Secretary. Flag Officers shall consist of a Commodore, a Vice Commodore, a **Rear Commodore Sailing** and a **Rear Commodore House**.

Officers shall be elected at the annual general Meeting each year and shall hold office for one year, retiring at the termination of the Annual General Meeting in each year.

All elected Officers shall be eligible for re-election but no Flag Officer shall remain in the same rank for more than two consecutive years, unless by consent at an AGM. An Honorary Assistant to any of the Officers may be appointed by the General Committee if thought desirable.

5. Duties of Non-Flag Officers

See Appendix A

SECTION 4 – MEMBERSHIP

6. Categories of Membership and Subscription Fees

The categories of membership which will apply, and the entrance and subscription fees for each category shall be proposed by the General Committee to the members at the Annual General Meeting each year. Any proposed changes shall be approved by a majority of those entitled to vote and shall become operative on 1st January immediately following the Annual General Meeting. The current rate of entrance and subscription fees shall be prominently displayed in the club premises.

Examples of classes of membership for the purposes of these rules and relative to annual subscriptions are shown in Appendix B.

7. Payment of Fees

All members shall pay the entrance fee (if any) and their first annual subscription upon election to the Club and thereafter on the first day of January in each year. A member elected after the first day of August in any year shall pay half the annual subscription applicable for that year. A member elected after the first day of November in any year shall not be required to pay any subscription in respect of that year, but shall pay the entrance fee and the annual subscription in respect of the following year.

8. Members duty to provide an up to date address

Every member shall furnish the Honorary Secretary with an up-to-date address, which shall be recorded in the register of members. Any notice sent to such address shall be deemed to be duly delivered.

ELECTION AND RETIREMENT OF MEMBERS

9. Candidature for Membership

Every candidate for membership (except Temporary and Honorary Members) shall be proposed and seconded by members of the Club having a full voting right.

10. Application for Membership

An application for membership shall be in the form from time to time prescribed by the General Committee, and shall include the name and address of the candidate and the signatures of the proposer and seconder, and the appropriate entry fees and subscription.

Upon receipt of an application for membership, the Honorary Secretary shall cause the application form to be prominently displayed in the Club premises for at least fourteen days before the meeting of the General Committee at which such application for membership shall be considered. The election of all classes of membership is vested in the General Committee and shall be by a simple majority vote of those members present and voting at the relevant meeting of the General Committee. If an application is refused the application form and relevant fees shall be returned forthwith to the applicant.

An applicant may be considered as a temporary member if his/her nomination is signed by a flag Officer or the Honorary Secretary until such time as his/her application is considered by the General Committee. The Honorary Secretary shall inform each candidate in writing of the candidate's election or non-election and

he/she shall furnish an elected candidate with a copy of the Rules and Byelaws of the Club and make request for such payments as are necessary.

Upon re-application by a past member, the General Committee may, at its discretion, excuse the payment of an entrance Fee.

11. One Year's Temporary Absence of Member

A member who, for any reason, anticipates inability to use the Club or its facilities for whole of any one year shall be excused payment of the annual subscription provided that notice in writing is given to the Honorary Secretary before the last day of November in the previous year. A member wishing to be reinstated during the year shall pay such portion of the annual subscription as the General Committee shall require.

12. Arrears of Subscription

The General Committee may cancel, without giving notice, the membership of any member whose annual subscription is more than three months in arrears provided that the General Committee may, at its discretion re-instate such member upon payment of arrears. No member whose annual subscription is in arrears may enter any Club event or vote at any meeting.

CONDUCT OF MEMBERS

13. Undertaking by Members to Comply with Rules

Every member, upon election and thereafter, is deemed to have notice of, and impliedly undertakes to comply with, the Club rules and current byelaws and regulations of the Club. Any refusal or neglect to do so, or any conduct which, in the opinion of the General Committee, is either unworthy of a member or is otherwise injurious to the interests of the Club, shall render a member liable to expulsion by the General Committee, provided that, before expelling a member, the General Committee shall call upon such a member for a written explanation of the member's conduct and shall give the member full opportunity of making explanation to the General Committee, or of resigning. A resolution to expel a member shall be carried where the number of votes in favour is not less than two-thirds, rounded down, of the number of flag officers and committee members elected at the AGM.

The Club rules for the conduct of Club members and the Club byelaws are shown in Appendix C.

LIMITATION OF CLUB LIABILITY

14. Limitation of Club Liability

Members and their Guests are bound by the following rule which shall also be exhibited in a prominent place within the Club premises:-

- Members of the Club, their guests or visitors may use the Club premises, and any other facilities of the Club entirely at their own risk, and impliedly accept:
- a. The Club will not accept any liability for any damage to, or loss of, property belonging to members, their guests or visitors.
 - b. The Club will not accept liability for personal injury arising out of the use of the Club premises and any other facilities of the Club, either 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 of the officers, General Committee members or servants of the Club.

SECTION 5 – GENERAL COMMITTEE

CONSTITUTION AND PROCEDURE

15. Constitution of Committee .

The General Committee shall consist of the Officers, ex officio and seven members having voting rights elected at the Annual General Meeting each year, to hold office until the termination of the next Annual General Meeting.

16. Nominations for Officers and for election to Committee

Nominations for Officers and the General Committee (duly proposed and seconded in writing by members having full voting rights) with their consent, shall have been received by the Honorary Secretary at least seven days before the Annual General Meeting in each year. Such nominations, together with the names of the proposer and seconder, shall be posted in the Club premises at least four days prior to the Annual General Meeting.

17. Election of Committee by ballot

If the number of nominations, duly proposed and seconded, shall exceed the number of vacancies to be filled, the election of the General Committee at the Annual General Meeting shall be by ballot.

18. No contest for election

If the number of nominations received is equal to or less than the number of vacancies to be filled, then all candidates nominated shall be deemed to be elected if two thirds of those present at the Annual General Meeting, and entitled to vote, vote in favour of such election. "

19. Equality of Votes

In the event of the ballot failing to determine the members of the General Committee because of an equality of votes, the candidate or candidates to be elected from those having an equal number of votes shall be determined by lot.

20. Casual Vacancy

If, for any reason, a casual vacancy shall occur, the General Committee may co-opt a voting member to fill such a vacancy until the next following Annual General Meeting.

21. Committee Meetings

The General Committee shall meet at least every two months making such arrangements as to the conduct, place of assembly and holding of such meetings as it may wish. The Commodore, or in his absence a chairman elected by those present, shall preside.

22. Voting at Committee

Voting (except in the case of a resolution relating to the expulsion of a member) shall be by a show of hands. In the case of an equality of votes the Commodore or Chairman (as the case may be) shall have a second or casting vote.

23. Quorum

Six members personally present shall form a quorum at a meeting of the General Committee.

POWERS OF THE COMMITTEE

24. Management of Club by Committee

The General Committee shall manage the affairs of the Club (save such of those which are deputed to the Sailing Committee) and shall cause the funds of the Club to be applied to the objects of the Club or for a benevolent or charitable purpose.

25. Power to make Byelaws and Regulations

The General Committee shall make such byelaws and regulations as it may from time to time think fit and shall cause the same to be exhibited in the Club premises for fourteen days before the date of implementation. Such byelaws and regulations shall remain in force until approved or set aside by a vote at a General Meeting of the Club.

Current Byelaws and Regulations are shown in Appendix C.

26. Appointment and Duties of the Sailing Committee

The Sailing Committee shall be appointed by the General Committee and shall consist of the Flag Officers, the Honorary Sailing Secretary and a representative nominated by each class of boats regularly participating in the Class Races of the Club. The management of club races (including the hearing of protests), the preparation of Sailing Programmes and Sailing Instructions and Conditions, and the handicapping of entrants shall be deputed to the Sailing Committee.

27. Appointment or Sub-Committees

The General 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/or required by law. Such sub-committees shall consist of such members of the General Committee or the Club as the General Committee may think fit. Officers of the Club shall be ex officio members of all such sub-committees.

28. Disclosure of Interest to Third Parties

A member of the General Committee, or of a sub-committee, or any Officer of the Club, in transacting business for the Club, shall disclose to third parties that he is so acting.

29. Limitation of Member's Liability

The General Committee, or any person or sub committee delegated by the General Committee to act as agent for the Club or its members, shall enter into contracts only so far as expressly authorised, or authorised by implication, by the members. No one shall, without the authority of the membership in General Meeting, pledge the credit of the membership.

30. Member's Indemnification of Committee

In pursuance of the authority vested in the General Committee by the members of the Club, members of the General Committee are entitled to be indemnified by the members of the Club against any liabilities properly incurred by them or anyone of 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 an individual member's indemnity in this respect shall be a sum equal to one year's subscription at the then current rate for the category of membership unless the General Committee has been authorised to exceed such limit by a General Meeting of the Club.

31. Nomination of Honorary-Members by Committee

The General Committee may nominate for election at an Annual General Meeting such Honorary Members as the General Committee may think fit. The total of such Honorary Members shall not however at any time exceed five percent of the total number of members, nor shall the number of Honorary Members exceed at any time six in number. The election of Honorary Members shall be put to the vote at the Annual General Meeting each year and such Honorary Members shall be duly elected if two thirds of those present, and entitled to vote, vote in favour of the election.

PURCHASE AND SUPPLY OF EXCISABLE GOODS

32. Purchase and Supply of Excisable Goods

The purchase for the Club of excisable goods and the supply of the same upon Club premises shall be solely under the control of the General Committee or of a special sub-committee appointed by the General Committee. Intoxicating liquor will not be sold or supplied on the Club premises to persons under the age of 18 years and persons under the age of 18 years are prohibited from consuming intoxicating liquors.

No junior members under the age of 16 years may purchase or attempt to purchase tobacco or cigarettes within the Club premises.

33. Hours of Sale of Excisable Goods

Subject to the requirements of the licensing authorities, the General Committee shall cause the Club bar to be opened at convenient times (and such times shall be prominently exhibited in the Club premises) for the sale of excisable goods to persons who are entitled to the use of the premises of the Club in pursuance of these Rules (except Junior Members as aforesaid) provided that visitors' names and addresses and the name of their introducer shall have been entered in the Visitors' Book upon entry to the club premises.

34. Profits from the Sale of Excisable Goods

No person shall take a commission, percentage or other such payment in connection with the purchase of excisable goods for the Club. Any profit deriving from the sale of such goods shall (after deduction of the costs of providing such goods for the benefit of the Club) be applied to the benefit of the Club.

35. Accounts relating to Excisable Goods

Proper accounts of all purchases and receipts shall be kept and such information as the Honorary Secretary or Honorary Auditor may require shall be furnished to enable any statutory return or statement and the payment of excise or other duty or tax to be made.

36. Permitted Hours

The permitted hours for the sale of intoxicating liquor are as follows:-

Monday - Saturday

11.00 a.m. to 11.00 p.m.

Sundays and Good Friday

12.00 noon to 10.30 p.m.

Christmas Day

12.00 noon to 3.00 p.m. and

7.00 p.m. to 10.30 p.m.

and the bar will be open at these hours or other such hours as may be decided by the General Committee subject to any restrictions imposed from time to time by the licensing Justices.

SECTION 6 - TRUSTEES

37. Number and terms of Trustees

There shall be at least three and not more than four trustees of the Club who shall be appointed from time to time as necessary by the General Committee from among Full, Family or Honorary Members who are willing to be so appointed. A trustee shall hold office during his lifetime or until he shall resign, by notice in writing, to the General Committee, or until a resolution removing him from office shall be passed at a meeting of the General Committee by a majority comprising two thirds of the members present and entitled to vote.

38. Property of Club Vested in Trustees

The property of the Club shall be vested in the Trustees. They shall deal with the property of the Club as directed by resolution of the General Committee and they shall be indemnified out of the Club's property against risk, damages and expenses arising out of their position as Trustees.

SECTION 7 - MEETINGS OF THE CLUB

39. Annual General Meeting

An Annual General Meeting of the Club shall be held each year in the month of November or December on a date to be fixed by the General Committee. The Honorary Secretary shall, at least fourteen days before the date of such meeting or any General Meeting as hereinafter mentioned, post or deliver to each member notice thereof and of the business to be brought forward thereat.

40. Business at Annual General Meeting

No business, except the passing of the Accounts and the election of Officers, General Committee and Honorary Auditor, and any business that the General Committee may order to be inserted in the notice convening the meeting shall be discussed at such meeting unless notice thereof be given in writing by a member entitled to vote to the Honorary Secretary at least seven days before the date of the Annual General Meeting.

41. Special General Meeting

The General Committee may at any time, upon fourteen days notice, call a General Meeting of the Club for any special business, the nature of which shall be stated in the notice convening the meeting, and the discussion at such meeting shall be confined to the business stated in the notice sent to members.

42. General Meeting on Request of Members

The General Committee shall similarly call a General Meeting upon a written request addressed to the Honorary Secretary by at least ten members. The discussion at such meeting shall be confined to the business stated in the notice sent to members.

43. Chairman at Meetings

The Chairman at the Annual General Meeting shall be the Commodore, or in his absence the Vice Commodore. At every other general meeting of the Club, the Commodore shall be the Chairman, or in his absence, a Chairman elected by those present shall preside.

44. Quorum at Meetings

Twenty members entitled to vote and personally present form a quorum.

45. Entitlement to Vote at Meetings

Only members as defined in Appendix B as being so entitled shall vote at any meeting of the Club. Other members may attend but are not entitled to vote.

46. Voting at Meetings

Voting, except upon the election of members of the General Committee, shall be by show of hands.

47. Equality of Votes

In the case of an equality of votes, the Chairman shall have a second or casting vote, on any matter other than the election of members of the General Committee.

48. Voting on a Rule Change

On any resolution properly put to a meeting of the Club relating to the creation, repeal or amendment of any rule, byelaw or regulation of the Club, such rule, byelaw or regulation shall not be created, repealed or amended except by a majority vote of at least two thirds of those present and entitled to vote.

SECTION 8 - DISSOLUTION OF THE CLUB

49. 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, but shall be given or transferred to another Community Amateur Sports Club or clubs having objects similar to the objects to the Club, or to the Royal Yachting Association, or to a registered charity. Such institution, or institutions, shall be determined by the members of the Club by resolution, passed at a General Meeting at or before the time of dissolution.

APPENDIX A

DUTIES OF NON-FLAG OFFICERS

1. Duties of the Honorary Secretary (these may be split and delegated to other Club members)

The Honorary Secretary shall:

- a. Keep a register of Club member's names and addresses.
- b. Conduct the correspondence of the Club.
- c. Keep custody of all Club documents.
- d. Record and keep custody of full minutes of all meetings of the Club and of the General Committee and keep custody of the minutes of all sub-committees. The minutes of the General Committee and all sub-committees shall be signed by the appropriate Chairman upon the agreement of the Club, the General Committee or sub-committee at the next following meeting of the Club, the General Committee or sub-committee.
- e. See to the maintenance of such insurance policy or policies as may be needed to fully protect the interests of the Club and its members.
- f. Maintain contact with the Club's Legal Adviser to ensure that the Club's affairs are managed in accordance with the current law.
- g. To hold the Club registration certificate, the firearms certificate and the list of trophies.

2. Duties of the Honorary Sailing Secretary

The Honorary Sailing Secretary shall:

- a. Record the minutes of the Sailing Committee.
- b. Cause records of all Club races to be properly kept.
- c. Allocate duties to members in connection with Club races.

3. Duties of the Honorary Treasurer

The Honorary Treasurer shall:

- a. Cause such books of accounts to be kept as are necessary to give a true and fair view of the finances of the Club.
- b. Cause all returns as may be required by law in relation to such accounts to be rendered at the due time.
- c. Prepare an Annual Balance Sheet as at 30th September in each year and cause such Balance Sheet (and accounts as necessary) to be audited at least once annually and shall thereafter cause the same to be exhibited in the Club premises at least fourteen days before the date of the Annual General Meeting.

4. Duties of Honorary Auditor

The Honorary Auditor shall:

- a. Be appointed at the Annual General Meeting in each year and shall be a properly qualified person.
- b. Audit the accounts of the Club when called upon to do so and give such certificate of assurance as to the accuracy of the said accounts as shall be required by law or by the General Committee.

APPENDIX B

EXAMPLES OF CATEGORIES OF MEMBERSHIP

The following are examples of club membership, some or all of which may apply in any one year and will be agreed (together with entrance and subscription rates) at the AGM for that year.

- a. FULL MEMBER:- being a person over the age of eighteen years who wishes to use the club sailing facilities either as a boat owner, helm or crew. Has a single vote and full use of all club facilities.
- b. FULL JOINT MEMBERS:- being a husband and wife (or equivalent) who are over the age of eighteen years and who wish to use the club sailing facilities either as boat owner, helm or crew. Both have a vote and full use of all club facilities.
- c. SAILING FAMILY MEMBERSHIP:-being two parents and any number of children under the age of eighteen years, all of whom wish to use the club sailing facilities. The family shall have the right to three votes at any meeting of the club and all have full use of the club facilities.
- d. FAMILY MEMBERSHIP:- being a family where only one parent wishes to use the club sailing facilities either as boat owner, helm or crew, together with any number of children under the age of eighteen years who wish to use the club sailing facilities. The family shall have the right to two votes at any meeting of the club.
- e. JUNIOR MEMBER:- being a person over the age of nine years and under the age of eighteen years, but who is not a family member, and who wishes to use the club sailing facilities. Has a single vote and full use of the club facilities.
- f. ASSOCIATE FAMILY MEMBERSHIP (Voting):-being one or two parents who do not wish to use the club sailing facilities but who may, or may not, be owners of a boat of any description, together with any number of children under the age of eighteen years and who may wish to use the club sailing facilities. The family shall have the right to one vote at any meeting of the club.
- g. ASSOCIATE FAMILY MEMBERSHIP (Non- voting):-being one or two parents who do not wish to use the club sailing facilities or vote at meetings of the club, but who may, or may not, be owners of a boat of any description, together with any number of children under the age of thirteen years who wish to use the club sailing facilities.
- h. ASSOCIATE MEMBER (Voting):- being a person over the age of eighteen years who does not wish to use the club sailing facilities but who may, or may not, be the owner of a boat of any description and who wishes to vote at any meeting of the club.
- i. ASSOCIATE MEMBER (Non-voting):- being a person as described in the preceding paragraph but does not wish to vote at any meeting of the club.
- j. STUDENT MEMBER:- being a person over the age of eighteen years and under the age of twenty six years and in full-time education and who wishes to use the club sailing facilities. Has a single vote and full use the club facilities.

- k. COUNTRY MEMBER:- being a person who is over the age of eighteen, has no residence or place of business within 25 miles of PSC and wishes to use the club sailing facilities and vote at meetings of the club. Has full use of club facilities.
- l. HONORARY MEMBER:- being a person who shall be nominated and elected in the manner described in Rule 32. Otherwise as a full member.
- m. WINTER SAILING MEMBER:- shall be any person wishing to participate in the Winter Sailing Programme and who shall be entitled to the amenities of the club for the period 1 October to 1 January in each year or for the period 1 January to 31 March in each year, but may not vote at meetings of the club.
- n. TEMPORARY MEMBER.:- being a visitor for a period not exceeding one month and who may, or may not, wish to use the club sailing facilities, but may not vote at meetings of the club.

Note I The word 'parents' in the descriptions of the Family memberships shall include any persons 'in loco parentis'.

Note II For the purpose of the above categories, a member's age is to be taken as at the 1st January of that year.

APPENDIX C

CLUB RULES OF CONDUCT AND BYELAWS

1. Club Rules

Club members will not indulge in conduct which, in the opinion of the General Committee is unworthy of a member or is otherwise injurious to the interests of the Club. More specifically the following rules also apply:

a. Duties

Sailing members shall be rostered by the Sailing Secretary for duties to assist with the running of club racing. Members shall carry out their rostered duty unless they arrange to exchange their duty with another member for a more suitable date. Members who fail to carry out their duties will be reported to the General Committee who will decide what action to take.

For certain classes of membership, the absence of a right or privilege to use club boats, does not preclude being asked to carry out a club duty or otherwise crewing a boat in an emergency.

If available, members shall also respond positively to reasonable requests by event organizers to assist in the efficient running of important events.

b. Guests in the Club

Members shall enter the names of all guests in the Visitors Book. Not more than three guests may be introduced in any one day and the same guests may not be introduced more than six times in any calendar year.

c. Alcohol

Drinks containing alcohol shall not be served at the Club bar to persons under the age of 18, nor will persons under the age of 18 consume drinks containing alcohol on Club premises.

d. Damage to Club Property

A member shall not knowingly remove, injure, destroy or damage any property of the Club and shall make restitution for the same if called upon to do so by the General Committee or by the Honorary Secretary upon the instructions of the General Committee.

e. Exhibiting of Notices

A member shall not cause any communication in whatever form to be exhibited on club notice boards (other than class notice boards) or premises without the permission of the Honorary Secretary.

f. Complaints

Complaints of any nature relating to the management of the Club premises shall be addressed in writing to the Honorary Secretary.

g. Members of other Clubs

On such occasions and subject to such conditions as the General Committee may decide, persons other than Club members and their guests may use the premises and facilities, provided that such persons shall be:-

- i. Members of Yacht or Sailing Clubs recognised by the Royal Yachting Association (a list of which is published by the said Association) or

- ii. Members of Clubs or Societies whose objects are similar to those of the Club or whose main object is the promotion of sailing, boating, rowing or sport of a similar kind, or
- iii. A competitor or crew member in any race sponsored by or on behalf of the Club.

h. Guests using Sailing Facilities

No person shall attend the Club and enjoy the use of its sailing facilities on more than three occasions without making an application to the General Committee to become a member and paying the appropriate subscription fee.

Note:

For the purposes of these Rules and Bylaws, the "club sailing facilities" are taken to include any or all of racing, reliance upon safety facilities, use of club boats; showers and changing facilities.

i. Control of Dogs

No dogs may be brought into Club premises.

j. Admittance of Children

Members' children under the age of twelve years may only be admitted to the Club premises if supervised by an adult member.

k. Security

It is the duty of a member to ensure that the Club premises are locked when, on leaving, no other member is on the premises.

l. Non-Members and Club Boats

No person who is not a member of the Club is to be taken aboard a boat owned by the Club, either as a passenger or crew, without the prior permission of an Officer of the Club or the Officer of the Day.

m. Use of International Code Flag "N"

When International Code Flag "N" is hoisted on the flagstaff at the Clubhouse, on the Instructions of an Officer of the Club or the Officer of the Day, it indicates that all Club racing or sailing is cancelled, no boat owned by the Club is to be launched or remain at sea when this signal is flying except to rescue anyone in danger or difficulty. The Club will not be responsible for any injury to persons or for damage to craft due to members ignoring this signal.

n. Safety afloat

i. Manning of Support Boats

A **support** boat shall always be launched and manned for any sailing activity organized by the club.

Support boats are to be manned by two persons during all racing or sailing activities.

The number of **support** boats required on any particular day shall be decided by the Principal Race Officer for a race, or the Chief Instructor for training, depending upon factors such as wind strength,

sea state, the number of boats taking part in the event, and the competence of the participants.

- ii. **Knowing Who is Taking Part**
There shall be a system in place which ensures that the Principal Race Officer, in case of racing, or the Senior Instructor, in case of training, knows who will be on the water taking part in the activity and shall check at the end of the activity that they are all safely returned to shore.
- iii. **Training of *Support* Boat Operators**
Training by qualified powerboat instructors shall be available for club members in the safe and efficient operation of club **support** boats. Every full sailing member over the age of 18 will be required to undertake an assessment or powerboat training course as necessary in the first year of his/her membership.
- iv. **Wearing of Buoyancy Aids**
Every member shall wear a CEE approved buoyancy aid when afloat and taking part in a club organized sailing activity.
- v. **Use of Radios**
No racing shall take place unless the committee boat and the **support** boat(s) can maintain radio communication with each other **and the committee boat can make contact with the Harbourmaster or Coastguard.**
- vi. **Rescue and First Aid Equipment**
The **support** boats and committee boat shall not leave the harbour unless all designated rescue and First Aid equipment is carried.
- vii. **Safety Coordinator**
The coordination of safety afloat shall be the responsibility of the race officer during racing or the instructor during training. For events where more than two **support** boats are required, a safety coordinator afloat will be appointed to coordinate safety in the event of severe weather or other emergency.
- viii. **Decision Not to Sail**
The decision not to sail due to poor conditions will be taken by the Principal Race Officer in case of racing and the Senior Instructor in case of training. If sailing is abandoned for the day, flag N will be flown from the clubhouse mast before any boats can leave the harbour. [See Appendix C, 1.m.]
- ix. **Emergency Afloat**
If an emergency develops during a club activity afloat which requires outside assistance, the Principal Race Officer in the case of racing or the Senior Instructor in the case of training, will make initial contact with the Paignton Harbourmaster, or failing this with the local coastguards.

o. Use of Club Boats

No member shall launch or put to sea in any boat owned by the Club without the prior permission of an Officer of the Club except in an emergency for rescue purposes.

Children under the age of 18 years may not use Club boats unless supervised by an adult member.

p. Use of Club Boats for Hire

A number of dinghies owned by the Club shall be available to Club members at reasonable rates with the permission of a Club Officer or Instructor. Members who use this facility shall book out and in in accordance with paragraph 2.a.ii. [above]. Hired club dinghies shall not go afloat unless rescue cover is available.

q. Casual Sailing – Sailing Not Organised by the Club

Club members who go afloat to take part in casual sailing do so entirely at their own risk. However, club members are expected to show responsibility for their own safety and that of others. For instance, they should wear buoyancy aids and take into account the prevailing conditions, the forecast and the competency of themselves and crews. If unsure of the conditions they should seek advice from an experienced club sailor or the Harbour-master.

2. Club Byelaws

The current byelaws and regulations as set by the General Committee in accordance with Paragraph 25 of the Constitution are as follows:

a. Use of trolleys for launching

All members shall ensure that any trolley owned by them and used for launching a boat shall be clearly marked with the boat's class and sail number. After being used for launching the trolley shall be returned to the dinghy park such that it does not block access to the tender rack or pedestrian access to the area.