



HAMPTON PIER YACHT CLUB

CLUB RULES AND BYLAWS

October 2023

This version was approved at the Annual General Meeting on 28th October 2023

1. NAME:

The Club shall be called 'The Hampton Pier Yacht Club'.

2. OBJECTIVES:

2.1 The principal objective of the Club shall be to provide facilities for and promote community participation in the sport of Amateur Yacht Racing and Cruising and the promotion of social activities among the members.

2.2 The Club will only provide racing for monohull dinghies.

2.3 The Club will welcome all members who wish to use non-powered craft, including paddle boards, kayaks and canoes.

3. FLAG:

The burgee of the Club shall consist of a white Canterbury Cross on a red background.

4. MEMBERSHIP:

4.1 Historically up to eleven “life honorary” memberships were available. This category is no longer open to new appointments. Such appointments carry no executive authority but do not bar the holders thereof seeking election as Officers or General Management Committee (GMC) Members in the normal way. The appointees shall be each entitled to vote at a General Meeting.

4.2 The GMC may also grant annual honorary membership to Flag Officers of adjoining local sailing clubs.

4.3 Neither entry fee nor annual subscription is payable by either of the types of membership indicated in 4.1 and 4.2.

4.4 Fee paying membership will be available as follows:

4.4.1 Family members, which shall include one or two cohabiting adults and all children within their guardianship up to the age of twenty-one. Both adult partners are entitled to vote at a General Meeting.

4.4.2 Partner members, which shall include one or two cohabiting adults and all children within their guardianship of under eight years of age. Both adult partners are entitled to vote at a General Meeting.

4.4.3 Single members, paying the full membership fee, who at the time of joining have attained the age of eighteen years. The member is entitled to vote at a General Meeting.

4.4.4 Cadet members are persons under the age of sixteen years who are not covered by family membership. A cadet member is not entitled to vote. Parents/guardians remain responsible at all times for the safety and actions of their children.

4.4.5 Junior members are persons between the ages of sixteen and twenty-one. A junior member is not entitled to vote.

4.4.6 Social non-sailing members. Non-sailing members are not entitled to vote. This membership is available in Family, Partner and Single classes, with eligibility as per 4.4.1, 4.4.2 and 4.4.3.

4.4.7 Any member with voting rights is known as a "Voting member".

4.5 Temporary memberships, for short periods of time, shall be arranged at the discretion of the GMC. A temporary member is not entitled to vote.

4.6 The rates of Subscription payable by each class of membership as recommended by the GMC shall be approved for next year at any General or Special General Meeting of the Club. Any proposed changes shall be approved by a majority of those present and entitled to vote and shall become effective on the first day of January in the following year. The current rate of entrance and subscription fee shall be prominently displayed on the Club website.

4.7 Membership subscriptions will be kept at levels that will not pose a significant obstacle to people participating.

4.8 Members' annual fees will become due on first day of January each year and should be paid in full by the last day in February.

4.9 If a person joins the Club after 30th June, the subscription shall be discounted using the following tariff:

- 1st to 31st July **50% discount**
- 1st to 31st August **60% discount**
- 1st to 30th September **70% discount**
- 1st October onwards **80% discount**

note this discount applies only to membership fees, other fees such as boat parking are at the full rate

4.10 Social members are allowed full access to the Club during periods when the Club is open for sailing and/or social activities. They are allowed access to the changing rooms and common areas on the ground floor at any time, are entitled to a Club key and are informed of the door code. Social members are expected to support the Club's activities.

4.11 Candidates for membership are required to forward to the Membership Secretary a completed membership form and pay the necessary fees by any of the means stated on the form. A candidate becomes a member once the application is accepted and confirmed by the

Membership Secretary. The Membership Secretary may decide to refer the application to the GMC, in which case the decision is by a simple majority.

4.11.1 Membership of the Club shall be open to anyone interested in the objectives of the Club regardless of gender, age, disability, ethnicity, nationality, sexual orientation, religion or other beliefs. Membership may however be limited according to available facilities on a nondiscriminatory basis.

4.11.2 The GMC may refuse membership or, subject to Rule 12, remove it, only for good cause such as conduct or character likely to bring the Club into disrepute. Appeal against refusal of membership may be made to the members.

4.11.3 The Membership Secretary shall provide new members with necessary information on the management and running of the Club. This may be delivered via email.

4.12 Membership ceases when:

4.12.1 A member gives written notice to the Membership Secretary.

4.12.2 After 31st March if annual fees for the year are not fully paid, unless late payment has been agreed with the GMC. There is no obligation on the Club to confirm the cessation in writing.

4.12.3 Expulsion under Rule 12.

4.13 In all cases, when membership ceases, there is no refund of fees already paid, the member is responsible for returning Club property and to remove their own property from Club premises. Any person ceasing to be a member of the Club shall forfeit all claim upon it.

4.14 The privilege of membership extends to all persons referred to in Rule 4. Only such members are entitled to use the Club premises and facilities, participate in Club races or other events, compete for Club Trophies, or represent themselves as members of the Club. Competitors at Club open meetings, Class Championships and Regattas will be accorded the privilege of membership for the duration of the event. A member of any Club recognised by the Royal Yachting Association (a list thereof is contained in the Year Book for the said Association) may be accorded the privilege of membership and authorised to use the premises of the Club by any two members of the GMC. Such authorisation shall specify between which dates, not being more than fourteen days apart, the said person may be accorded membership and use of the premises.

4.15 No other persons other than member defined in Rule 4, shall be allowed to use the Club unless as a visitor in accordance with Rule 16.

4.16 All members, including social members, are permitted to use the Club's facilities for any club approved non-powered craft at their own risk at any time. This includes paddle boards, kayaks and canoes. Users of non-powered craft agree to give priority to sailors during scheduled sailing activities. The Club can only provide storage for dinghies. The Club reserves the right to forbid certain types of non-powered craft.

4.17 All members shall provide a valid email address and consent to email communication except when alternative means are required by law or specified in the Club Rules and Byelaws. Unless explicitly stated, the term "written" is assumed to mean email.

5. EXECUTIVE OFFICERS:

5.1 The Executive Officers of the Club shall consist of a Commodore, Vice Commodore and Rear Commodore (the Flag Officers), Honorary Treasurer (Treasurer), Honorary Secretary (Secretary), Honorary Sailing Secretary (Sailing Secretary) Honorary Bosun (Bosun) and Membership Secretary. The Executive Officers shall, ex officio, be members of all Committees. The Office of Commodore, Vice Commodore and Rear Commodore shall not be held by any person for more than three years consecutive from the date of first election.

5.2 The duties of Executive Officers shall be:

5.2.1 Commodore: The Commodore shall have general charge of the Club. They will take the Chair in precedence over any other Officer at all General Meetings of members and at all GMC meetings. It will also be their duty to represent the Club when required to do so except where this duty is specific to any other Officer.

5.2.2 Vice Commodore: The Vice Commodore shall assume the duties of the Commodore in their absence. They will be responsible to the GMC for matters relating to all buildings owned or leased by the Club and for the maintenance of permanent equipment therein including the kitchen and Club furniture. They will also be responsible for the orderliness of the Club's premises.

5.2.3 Rear Commodore: The Rear Commodore shall assume the duties of the Commodore in the absence of the Commodore and Vice Commodore. They will be directly responsible for the maintenance of a rota of Race Officers and Safety Boat crews.

5.2.4 Honorary Secretary (Secretary): The Secretary shall keep Minute Books accurately recording all proceedings of the Club other than sailing matters or matters of the Subcommittees and the same shall be produced at every meeting of the GMC. They will also ensure that other Committees keep adequate minutes. They shall also advise the Commodore and GMC relating to the observance of the Club Rules and may report any breach thereof direct to the members if the Commodore and GMC refuse to do so. They shall attend to all correspondence of the Club (except that dealt with by other Secretaries), keep custody of all Club documents, maintain contact with the Club's legal adviser to ensure that the Club's affairs are managed in accordance with current law, maintain such certificates or registrations, and complete any such non-financial returns as may be required by law. They shall attend to matters relating to the Club's Trustees as required by the Trustees.

5.2.5 Honorary Treasurer (Treasurer): The Treasurer shall be responsible for all financial business of the Club and shall keep or cause to be kept books of account as are necessary to give a true and fair view of the state of finances of the Club; cause all returns as are required by law in relation to such accounts to be rendered at the due time; prepare an Annual Balance Sheet as at 31 December 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's premises at least fourteen days before the date of the Annual Financial General Meeting (AFM); and administer such insurance policy or policies as may be needed fully to protect the interests of the Club, its Trustees, its Executive Officers and its members. They shall ensure that where monies are made available to the GMC or Subcommittees, the monies are correctly accounted for.

5.2.6 Honorary Sailing Secretary (Sailing Secretary): The Sailing Secretary shall attend to all matters and correspondence relating to sailing, races and fixtures and keep all records relating thereto and to Sailing Committee meetings. They will have overall responsibility for the setting of courses, convening protest meetings, deciding on the fitness for racing if necessary, and for ensuring that the Race Tower equipment is in working order.

5.2.7 Honorary Bosun (Bosun): The Bosun will be directly responsible for the maintenance of the Bosun's stores, safety boats, engines and equipment and the launching thereof as required by the

Officers of the Club or officiating Race Officer. They will also be responsible for the boat moorings and marks and the upkeep of the Club ramps and winches.

5.2.8 Membership Secretary: The Membership Secretary shall be responsible for the maintenance of all membership records, ensuring that all fees have been paid and providing any reports required on the Club's membership.

5.3 Any person on the GMC may, with the consent of the GMC, temporarily take on any Executive Officer position if the holder of that position is unavailable.

6. GENERAL MANAGEMENT COMMITTEE(GMC):

6.1 The management of the Club shall be vested in a General Management Committee (GMC) composed of the Executive Officers and four voting members of the Club. Five members present shall form a quorum.

6.2 The GMC will be responsible for the day to day administration of the Club and shall manage the affairs of the Club according to the Rules and Byelaws, and shall cause the funds of the Club to be applied solely to the objects of the Club or for a benevolent or charitable purpose nominated by General Meeting. In particular the GMC shall ensure that the property and funds of the Club will not be used for the direct or indirect private benefit of members other than as reasonably allowed by the Rules and that all surplus income or profits are reinvested in the Club.

6.3 The GMC will be responsible for allocating boat parking space and the orderliness of the boat parking facilities including the removal of any abandoned boats and/or trailers.

6.4 The GMC may appoint subcommittees (in addition to those mentioned specifically in the rules) to arrange or carry out specific functions. Such subcommittees shall consist of voting members and up to 25% non-voting members. In no case will any subcommittee member so appointed, who is not already a member of the GMC, have a right to attend or vote at meetings of the GMC. The GMC may, however, invite a member of a subcommittee to attend the GMC meetings for the purpose of reporting only, if it seems fit.

6.5 A member of the GMC, of a subcommittee or any Officer of the Club, in transacting business for the Club, shall disclose to third parties that they are so acting.

7. ELECTION OF EXECUTIVE OFFICERS AND GENERAL MANAGEMENT COMMITTEE(GMC):

7.1 Not less than 28 days before the Annual General Meeting(AGM) the Secretary shall call for nominations for all 12 GMC positions. The notice shall include a nomination form and instructions on submitting completed forms to the Secretary. Any nomination must be seconded by a voting member.

7.2 Voting members may submit nominations up to 7 days before the AGM.

7.3 No person may be nominated or elected to the GMC unless their subscription for the year is fully paid, subject, however, to the right of an Honorary Life Member to stand for election and vote at meetings.

7.4 In the event of no nomination being received for an Executive Officer or membership position, a nomination may be handed to the Secretary at the AGM and if in order accepted.

7.5 The Secretary and at least one other member of the GMC shall inspect the nominations received and after certifying that they are in order prepare a list to be presented at the AGM.

7.6 Election Process:

7.6.1 At the AGM, the Secretary will present a full list of nominations.

7.6.2 Ballots will be held if:

- There are multiple nominations for an Executive Officer position.
- More than 5 nominations for the membership positions.

7.6.3 Four scrutineers appointed at the AGM shall collect the ballot papers, count the votes and certify the number of votes cast for each candidate.

7.6.4 If no ballot is required for a position then the candidate nominated is automatically elected unless an objection is raised.

7.7 Executive Officers and GMC members shall automatically be considered to have resigned from office if they absent themselves without good cause from four consecutive meetings of the GMC or if their subscription for the current year is not fully paid.

7.8 In the event of vacancies occurring during the year for any elected office or GMC member, the GMC may co-opt to fill such vacancies.

8. GENERAL MEETINGS:

8.1 There shall be a General Meeting of members held not later than 31st May called the Annual Financial General Meeting (AFM) for the approval of the Balance Sheet and Income and Expenditure Account to 31st December preceding and other matters determined by the GMC. A copy of the Balance Sheet and Income and Expenditure Account shall be sent to every member along with the notice convening the meeting.

8.2 There shall be a General Meeting of members held not later than 31st October called the Annual General Meeting (AGM) for the election of Officers and Members of the GMC for the ensuing year until the next AGM and such other matters as determined by the GMC. The Treasurer so elected will take office from 1st January in the following year.

8.3 Special General Meetings shall be convened at any time by the Secretary whenever required by the GMC or upon receipt of a requisition signed by not less than 12 members of the Club. In all such cases the Secretary must require the purpose of the meeting to be notified, and must advise members of such purpose in the Notice convening the meeting.

8.4 All General meetings of members must be convened by sending a Notice to members at their last known email address fourteen clear days before the date specified for holding the meeting.

8.5 At any General Meeting, voting shall be by show of hands and the declaration by the Chairman that a proposition has been carried or lost or carried or not carried by a particular majority shall be conclusive evidence of the fact. A ballot may however, be demanded by at least 5 members present.

8.6 No votes will be accepted or recorded at any General Meeting unless registered in person by the member.

8.7 The quorum for any General Meeting shall be fifteen.

8.8 The Commodore or, in their absence, other Flag Officer shall take the Chair at all General Meetings. In the absence of a Flag Officer, the members present shall elect a Chairman. The Chairman shall in all cases, in the event of any equality of votes on a division, have a casting vote in addition to their vote as a member.

9. SELECTION OF AUDITOR:

The members shall elect in AFM an independent person to act as auditor until the next AFM. The Auditor so elected shall audit the accounts and the Annual Balance Sheet of the Club when called upon to do so and shall give such certificate of assurance as to the accuracy of the said accounts as shall be required by the law or by the GMC. If either unable or unwilling to act the Auditor shall inform the GMC who shall appoint a substitute to hold office until the next AFM.

10. SAILING COMMITTEE:

The GMC shall, after its election each year, select not less than five members of the Club, two of whom may be non-voting members, who with the Executive Officers shall form a Sailing Committee. Five members present shall form a quorum. This committee shall have the responsibility for the setting and management of yacht races and shall formulate the rules connected therewith.

11. SALE OF INTOXICATING LIQUOR:

11.1 There shall be a subcommittee known as the Bar Committee, comprising not less than three members and all members of the Bar Committee must be members of the GMC.

11.2 The purchase for the Club and the supply to the Club of intoxicating liquor shall be exclusively controlled by the Bar Committee. 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 provision of additional amenities or the purchase of property to be held in trust for the benefit of the Club. Proper accounts of all purchases and receipts shall be kept and presented at the AFM in each year and such information as the Secretary or 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.

11.3 Intoxicating Liquor may be supplied to or for the consumption on the premises by those persons over the age of 18 who are entitled to the use of the Club premises and for consumption off the premises by Club members.

11.4 The permitted hours for the supply of intoxicating liquor in the Club shall be such as are fixed from time to time by the GMC (subject to the terms of the Club Premises Certificate) and details of which shall be posted on the Club Notice Board.

12. CLUB DISCIPLINE:

12.1 All Members of the Club are expected to abide by the spirit and detail of the Club Rules and Byelaws, Sailing Instructions and where appropriate, instructions given by Club Executive Officers. Where rules or instructions are disregarded or disobeyed, or where the conduct of any

member is considered to be injurious to the character or interests of the Club, the GMC will have the power to invoke sanctions against that member. Possible sanctions include:

- Disqualification from receiving prizes.
- Barring from participation in Club events (including races).
- Barring from the Club for a limited period.
- Expulsion.

12.2 Expulsion from the Club requires a unanimous decision by the GMC; other sanctions shall be carried by a simple majority of the GMC.

12.3 The power of expulsion is in addition to expulsion for non-payment of subscriptions.

12.4. Before the GMC imposes any sanctions the Secretary will invite the member to provide a written explanation of the member's conduct and shall give the member full opportunity of making explanation to the GMC, or of resigning. Appeal against expulsion or other sanction may be made to the members in General Meeting.

13. MEMBERS' INTERESTS:

In all questions referred to the GMC or other Committee, in which members of the Committee may be personally interested, such members shall not vote, nor shall they take part in the discussion except by desire of the Committee.

14. LIMITATION OF CLUB LIABILITY:

14.1 Members, their guests and visitors 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 to the Club. (b) The Club will not accept any liability of personal injury arising out of the use of the club premises, any other facilities of the club either 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 them, the Officers, Committee or servants of the Club."

14.2 Members shall communicate to the Membership Secretary any change of their contact details or in the names or particulars of dinghies. Any communication from the Club sent to the last given email or postal address is considered to have been duly delivered.

14.3 Membership of the Club and acceptance of these rules by the member will be deemed to constitute consent to the holding of relevant personal data for the purposes of the Data Protection Acts.

15. BYELAWS:

15.1 Byelaws necessary for the management and good order of the Club, not inconsistent to the Rules may, from time to time, be made by the GMC. Any infringement of the Byelaws shall be equivalent to an infringement of the Rules.

15.2 New Byelaws made by the GMC shall be read at the next General Meeting of the Club and formally approved by two-thirds majority. No Byelaws rejected by the Club in General Meeting shall be re-introduced by the GMC without subsequent reference to the Club in General Meeting.

16. VISITORS:

16.1 Members may bring visitors to the Club. A member bringing a visitor shall, on entering the Club, insert the visitor's name in the Visitors' Book and sign the entry. The member shall be responsible for the conduct of their guest whilst on the Club premises.

16.2 This privilege does not extend to boat parking without the consent of Club Executive Officers.

16.3 Executive Officers have the right to refuse a visitor admission to the Club, or request a visitor to leave the Club, if in their opinion this is in the best interests of the Club and its members.

16.4 Should visitors be allowed to enter races as helmsmen, the result will be ignored for the purpose of the event.

16.5 If, in the opinion of the GMC, a member is abusing this rule by inviting a visitor or visitors too frequently to the Club, the GMC, may at their discretion remove the members' right to invite visitors if the member continues to abuse the privilege after the GMC's concern has been brought to their attention.

17. TRUSTEES:

17.1 There shall be at least three Trustees of the club who shall be appointed from time to time as necessary by the GMC of the Club from the voting members who are willing to be so appointed. A Trustee shall hold office during their lifetime or until they shall resign, by notice in writing given to the GMC, or until a resolution removing them from office shall be passed at a meeting of the GMC by a majority comprising two-thirds of the members present and entitled to vote.

17.2 All the property of the Club, including land and investments, shall be held by the Trustees for the time being, in their own names so far as it is necessary and practicable, on trust for the use and benefit of the Club. In the event of the death, resignation, or removal from office of a Trustee, the GMC shall nominate a new Trustee in their place, and shall as soon as possible thereafter take all lawful and practicable steps to procure the vesting of all club property into the names of the Trustees as constituted after such nomination. For the purpose of giving effect to any such nomination, the Secretary for the time being is hereby nominated as the person to appoint new Trustees of the Club within the meaning of Section 36 of the Trustee Act 1925, and they shall by Deed duly appoint the person or persons so nominated by the GMC.

17.3 The Trustees shall in all respects act, in regard to any property of the Club held by them, in accordance with the directions of the GMC and shall have power to sell, lease, mortgage or pledge any club property so held for the purpose of raising or borrowing money for the benefit of the Club in compliance with the GMC's directions (which shall be duly recorded in the Minutes of the proceedings of the GMC) but no purchaser, lessee or mortgage shall be concerned to enquire whether any such direction has been given.

17.4 The Trustees shall be effectually indemnified by the GMC out of the assets of the club from and against any liability, costs, expenses and payments whatsoever which may be properly incurred or made by them in the exercise of their duties or 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.

17.5 The liability of the Trustees for the performance of any contractual or other obligation undertaken by them on behalf of the Club shall be limited to the assets of the Club.

17.6 A Trustee accepts that they should remain a voting member of the Club and agrees to resign from office if they cease to do so.

18. DISSOLUTION:

If, upon the 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 among the Members of the Club, but shall be given or transferred to some other institution or institutions having objectives similar to those of the Club and which shall prohibit the distribution of its or their income and property among its or their members, such institution or institutions to be determined by the Members of the Club by Resolution passed, by a majority of two thirds of those present and entitled to vote, at a General Meeting at or before the time of dissolution and if and so far as, effect cannot be given to such provision then to some charitable object.

19. PROVISION OF TRAINING:

19.1 The club may be registered as a Recognised Training Centre (RTC) as defined by the RYA.

19.2 The purpose for being a RTC will only be to allow the provision of training exclusively for club members. The training provided may be both Powerboat and or Sail based.

19.3 Fees charged for training courses will cover only the costs associated with the course, such as books, log books, fuel. No fees may be paid to club members acting as instructors or assistants for any course.

20. ALTERATION TO THESE RULES:

These rules shall not be added to, altered or rescinded without the sanction of at least two-thirds of the voting members present and voting at a General Meeting called for the purpose. The notice calling such a meeting shall state the proposed alteration or addition.

BYELAWS

1. The purpose of these Byelaws is to ensure:

- a. that the conditions of the lease of the Club premises are not infringed;
- b. that the law is not contravened;
- c. that the Clubhouse is kept in a good state of repair and cleanliness.

2. Where a member opens the premises, they are responsible for its safety and should close the premises after use unless they have passed the responsibility to another member.

3. The last member using the Club **MUST** ensure that all windows are secured, all outside doors locked, all alarms are set and all lights off.

4. Dogs or other animals will not be allowed in ANY PART of the premises, except for assistance dogs.

5. Members may not leave clothing in the Club. Members' property, including any equipment that has been left in the Sail Locker or in any part of the Club premises for a period of six months without payment of any fees that are due may be disposed of by the Club; such property will be listed on the Club notice board for a period of not less than three months prior to disposal. Clothing may be destroyed at the discretion of a Club Officer.

6. No inflammable materials (e.g. petrol, oil or gas) or outboard motors may be stored other than those owned by the Club or on loan to the Club.

7. The Clubhouse will be closed at 11.00pm subject to permission being granted by the GMC on special occasions.

8. Members may not use the Club premises for repairing or painting boats without the permission of an Officer.

9. Boat Parking, Abandoned Boats and/or Trailers

9.1. Members of the Club who own sailing dinghies may, upon on payment of the parking fee, place them in the space allocated in the Club dinghy parks and on no other part of the Club premises. The Club, however, does not accept responsibility for damage, theft or any other mishap, which may occur as a result of such parking.

9.2 Spaces in the dinghy park are allocated on an annual basis. All members requiring spaces should complete the boat parking section of New or Renewal membership form and pay the relevant fees regardless of whether they were allocated a space in the previous season.

9.2.1 Upon payment of fee and allocation of space(s) within the dinghy park, members will be issued with a boat parking sticker for the season which must be displayed on the transom of their dinghy wherever practical. Members are reminded that boats should only be parked in such a manner that they do not cause inconvenience to the public or other members.

9.3 The Club reserves the right to reallocate parking or move boats as it deems necessary in the best interests of the Club and to comply with the terms of its Lease from the Canterbury City Council.

9.4 The GMC shall be entitled to treat any of the following as an abandoned or unauthorised boat and/or trailer:

- (a) a boat and/or trailer located in the dinghy park and not displaying a current dinghy park sticker;
- (b) a boat and/or trailer located otherwise than in its properly allocated space;
- (c) a boat and/or trailer which is the property of a member or former member which remains on club premises after any fees payable to the club by any member or former member (whether by way of arrears of subscription or facilities fees, dinghy park fees or otherwise) are more than one month in arrears;

9.5 ABANDONED BOATS AND/OR TRAILERS If, at any time, any fees payable to the Club by any member or former member (whether by way of arrears of subscription or facilities fees, dinghy park fees or otherwise) shall be one month or more in arrears and/or a boat and/or trailer the property of a member or former member remains upon the Club premises one month or more after the club has given the member or former member notice to remove the vessel then the

member or former member shall remove the boat and/or trailer from the Club immediately. If the member or former member fails to remove the boat and/or trailer then the GMC may:

- (a) Move the boat and/or trailer to any part of the Club premises without being liable for any loss or damage to the vessel howsoever caused.
- (b) Give three months' notice in writing by registered post to the member or former member at their last known address as shown in the Club Register and thereafter sell the boat and/or trailer and deduct any monies due to the Club from the net proceeds of sale before accounting for the balance (if any) to the member or former member.
- (c) Alternatively, if the boat and/or trailer is unsaleable, after giving notice in writing as aforesaid, dispose of the boat and/or trailer in any manner the GMC may think fit and deem the costs of doing and any arrears as aforesaid to be a debt owing to the Club by the member or former member.
- (d) The Club reserves the right to charge storage for the boat and/or trailer until such time as the owner collects the boat and/or trailer or until notice has been served under Rule (b) above.

PROVIDED ALWAYS THAT:

Proper evidence is available to show that all reasonable steps have been taken to trace a member or former member and that, when and if the boat and/or trailer is sold, if the Club is unable to account to the member or former member for the balance of the proceeds of sale pursuant to Rule (b) above then the balance of the proceeds of sale may, at the GMC's discretion, be placed upon bank deposit account and retained against a claim by the owner for a period of up to six years.