

# Rules of Frensham Pond Sailing Club

*Revised 1 January 2018*

## **1 Name**

The name of the Club shall be Frensham Pond Sailing Club.

## **2 Aims**

- i The aims of the Club are to encourage amateur boat sailing and racing.
- ii The Club is a non-profit making organisation. All profits and surpluses will be used to maintain or improve the Club's facilities. No profit or surplus will be distributed.

## **3 Rules and By-Laws**

- i All members shall accept and abide by the Rules and By-laws of the Club. The Rules may be altered or repealed and new Rules added only by a resolution passed at a General Meeting of the Club, by not less than two-thirds majority of those members entitled to vote, present and voting. The notice of the General Meeting shall specify the proposed alterations and the quorum shall be 21 members entitled to vote. Such alterations shall be subject to approval by the Waverley Borough Council.
- ii The General Committee shall have the power to create, amend and repeal the Club By-laws (not inconsistent with these Rules or the covenants and stipulations contained in the Second Schedule of the Lease and Licence dated 5th June 1964, between the Hambledon Rural District Council and the Club), as amended by the agreement with Waverley District Council and the Club dated January 1978 and subsequent amendments, as they may from time to time think expedient for the management of the Club but such Club By-laws may at any time be set aside by a resolution of a General Meeting of the Club.
- iii Frensham Pond Sailability, a registered charitable company limited by guarantee, shall be governed by the Memorandum and Articles of Frensham Pond Sailability Limited and by the Rules of Frensham Pond Sailability Limited as approved by the Frensham Pond Sailing Club General Committee and as amended from time to time.

## **4 Election of Members**

- i Every candidate for membership of the Club shall be proposed by a member entitled to vote. Every application must be proposed by a Class Captain or member of the General Committee prior to submission of a completed application form to the Honorary Membership Secretary. Membership will commence no sooner than 48 hours from

- the date of approval of the application by the General Committee.
- ii Candidates (except those for Winter membership and training course attendees) shall be elected by a majority of not less than two-thirds of the members in a properly convened General Committee meeting.
  - iii Candidates for Winter membership may be accepted by the Honorary Membership Secretary subject to any directions given by the General Committee and provided that 48 hours have elapsed from the date of approval of the application.
  - iv Candidates requiring Restricted Family membership for attendance on Club RYA training courses may be accepted by the Training Principal, subject to any directions given by the General Committee, and provided that application acceptance is completed at least 48 hours prior to course commencement.
  - v Candidates for Sailor and Helper membership of Frensham Pond Sailability shall be accepted in accordance with the Rules of Frensham Pond Sailability, subject to the directions given by the General Committee, and provided that application acceptance is completed at least 48 hours prior to the commencement of membership benefits.
  - vi Other than Honorary Life Members, no members shall be entitled to any of the benefits or privileges of the Club until their entrance fees and subscriptions have been paid.
  - vii Honorary Life Members and Honorary Members must be elected by the General Committee by a two-thirds majority. For Honorary Life Members, the General Committee's proposals must be ratified by a General Meeting of members.

## 5 Membership Categories

- i **Full Family Membership** provides full sailing and social rights for two named adults, residing at the same address, together with children up to the age of 18, and/or 'bona fide' students from 18 up to 23, to whom they are parent or guardian. This category carries voting rights for the two adult members only, entitlement to a berth, subject to the terms and conditions of the berth policy, and the requirement to undertake duties.
- ii **Full Membership** provides full sailing and social rights for the member and social rights to a named partner and their children. This category carries voting rights for only the full member, entitlement to a berth, subject to the terms and conditions of the berth policy, and the requirement to undertake duties.
- iii **Retired Membership** provides full sailing and social rights for up to two adults residing at the same address who have reached the State

retirement age. This category carries voting rights (one vote per membership), entitlement to a berth, subject to the terms and conditions of the berth policy, and the requirement for active sailing members to undertake duties.

- iv **Student Membership** is for 'bona fide' students who are in full time education between the ages of 18 and 23, whose family are not members. This category provides full sailing and social rights, carries voting rights, entitlement to a berth, subject to the terms and conditions of the berth policy, and the requirement to undertake duties.
- v **Single Crew Membership** entitles the member (over 18 years of age) to crew with a member entitled to vote. This category carries social rights, voting rights, helming in races where authorised, no berthing rights but does require duties to be undertaken. It also provides social rights to a named partner and their children.
- vi **Restricted Family Membership** is open to families with junior sailors under the age of 18 whose parents/guardians do not intend to sail. All such children are entitled to helm during club supervised training and to crew for others outside these periods. This category carries social rights, but no voting or berthing rights and no entitlement to bring a boat to the Club. This category is also used for those under 18 attending Club RYA training courses.
- vii **Youth Family Membership** is open to families with sailors under the age of 18 whose parents/guardians do not intend to sail. This category includes full sailing and social rights for the children, social rights for their parents/guardians and the right to bring one boat per child to the Club. This category also includes entitlement to a berth per boat if available at the normal fee, subject to the terms and conditions of the berth policy, and the requirement for adult members to undertake duties. It does not include voting rights.
- viii **Training Membership** is for adults participating in RYA training courses run by the Club and provides sailing and social rights to the adult undertaking the course and social rights to a named partner and their children for the remainder of the membership year. The category carries no voting or berthing rights and no entitlement to bring a boat to the Club. There is no entrance fee and the membership fee is included in the course fee. If the member wishes to upgrade to another membership category for the following membership year then an entrance fee will be payable.
- ix **Out of Port Membership** is available at the General Committee's discretion for people who are members of the Club, however are unable to attend the club for the year(s) in question (maybe moved away) and

still want to remain in touch. They receive all the club mailings and are entitled to visit the Club up to five times a year. The category carries no voting rights and no entitlement to a berth.

- x **Sailor Membership** shall be open to any person with a disability. This will provide sailing rights for the member when using dinghies owned by FPS, social rights to FPS and FPSC for the member and his or her immediate family and/or partner and/or carer, no entitlement to vote or obligation to undertake duties.
- xi **Helper Membership** shall be open to persons actively offering their help and expertise to Sailability. This will provide sailing rights for the member when using dinghies owned by FPS, social rights to FPS and FPSC for the member and his or her immediate family and/or partner, no entitlement to vote or obligation to undertake duties.
- xii **Group Membership** is for groups and schools. They pay either: one Mid-Week fee and one berthing fee per boat for Mid-Week Membership which is for sailing on the Pond from Monday to Friday inclusive, excluding Public holidays; or one Full Family membership fee and one berthing fee per boat making this membership available throughout the year. When schools are using the facilities of the Club, pupils must be under the supervision of a sailing instructor. Both variants of this membership carry no voting rights and no requirement to undertake duties.
- xiii **Mid-Week Membership** provides full sailing rights from Monday to Friday, excluding Public Holidays, for two named adults residing at the same address, together with children up to the age of 18, and/or 'bona fide' students from 18 to 23, to whom they are parent or guardian. This membership carries limited berthing rights but no voting rights.
- xiv **Winter Membership** is available for the Winter season, from the end of October to the end of March. It provides full sailing and social rights for helm, crew and children and one berth. Additional berths will be charged at the appropriate berthing fee. There is no joining fee and no voting rights. Duties are at the discretion of the Class Captain.
- xv **Associate Membership** is available at the General Committee's discretion for people who have been notably active members of the club for at least 3 years. This category provides social rights, including a named partner, and a requirement to undertake duties, or otherwise contribute to the Club, so long as they are able to do so. This category carries no entitlement to sailing or berthing rights, and no voting rights.
- xvi **Honorary Life Membership** is for long-standing members of the Club and their partner, who have given outstanding service to the Club.

This category carries full sailing and social rights, and single voting rights. However, there is no membership fee and no requirement to undertake duties.

- xvii **Honorary Membership** is for people who have brought honour to the Club, e.g. won National or World Championships, and for other persons at the discretion of the General Committee. Honorary Membership may be reviewed by the General Committee at any time. This category carries no requirements to undertake duties and no voting rights. Honorary Members who sail at the Club on a regular basis will be required to take out the appropriate membership, which would include the rights and obligations of that membership category.
- xviii **Model Yacht Membership** provides the right to sail radio-controlled model yachts plus social rights for two named adults residing at the same address, together with children up to the age of 18, and/or 'bona fide' students aged from 18 to 23 to whom they are parent or guardian. This category of membership has no joining fee or voting rights.

## **6 Annual Subscription, Berthing and Entrance Fees**

- i Changes to the annual subscription, entrance fees and berthing fees shall be agreed by the members at a General Meeting. The current subscriptions and fees are as shown in an Appendix to these Rules which is available from the Honorary Membership Secretary.
- ii An Entrance fee may be payable by Full Family, Full, Mid-Week, Single Crew, Retired and Group membership categories. The General Committee may require the appropriate entrance fee to be paid when changing between membership categories.
- iii First subscriptions are payable in full upon application for membership. In the case of election on or after the 1st May in any year the first membership subscription shall be reduced in accordance with agreed scales. The election of any new member failing to pay his first subscription within one month will be considered void.
- iv All annual subscriptions are payable on the 1st November in each year and shall be payable to "Frensham Pond Sailing Club".
- v Members may change from one membership category to another, subject to the sanction of the General Committee, who may require such members to pay the balance of the change in membership fees on a pro-rata basis.
- vi Members wishing to change their class of boat or sail additional boat(s) or sailboard(s) at the Club must get the General Committee's prior agreement.

- vii Reduced subscriptions may be made available for those who are unemployed or not in full time work on application to the Membership Secretary and at the discretion of two of the three flag officers.

## **7 Non-payment of Renewal Subscriptions**

- i Members whose subscriptions are not paid by the 8th November shall be notified in writing by the Honorary Membership Secretary and their subscription may be subject to a late payment fee. The name of a member whose subscription is in arrears on the 14th November may be posted on the Club notice board and the member ceases to be entitled to use the clubhouse or enjoy any of the privileges of the Club as long as the subscription remains in arrears.
- ii If a membership subscription is not paid by the 30th November in the year it is due, the membership ceases to be valid. The General Committee may waive, vary or suspend this provision at its discretion. It may also reinstate membership if it considers an explanation of circumstances is satisfactory and provided all arrears are duly paid.

## **8 Retirement from Membership**

- i A member may retire from membership at any time by giving notice in writing to the Honorary Membership Secretary. The notice will be effective at the end of the membership year. Subscriptions already paid will not be refunded.
- ii Any member retiring from membership of the Club without having paid his subscription for the then current year remains liable for that subscription.

## **9 Expulsion of Members**

- i Any refusal or neglect to comply with these Rules or By-laws, or any conduct unworthy of a member or prejudicial to the interests of the Club, renders a member liable to expulsion by a resolution at a General Committee meeting.
- ii At least one week before such meeting the member concerned must be given written notice of the meeting and of the allegations made against them and of the intended resolution of their expulsion.
- iii At the meeting, before the passing of the resolution, the member must be given an opportunity to explain or defend their position either orally or in writing.

- iv A member expelled under this Rule may appeal to the next General Meeting of the Club, but their rights remain suspended until such meeting.
- v A member expelled under this Rule forfeits all rights in and claims upon the Club and its property.

## **10 Guests & Visitors**

- i Members may introduce visitors to the Club as guests, subject to the Club Rules, By-laws and Sailing Instructions.
- ii No more than three adult guests and their partner and children shall be introduced in any one day by one member. The same guest shall not be introduced more than three times in a calendar year.
- iii Members shall enter the names of all guests in the visitors' book, kept in the clubhouse. The member will be held responsible for liabilities incurred by such guests and shall remain on the Club premises while such guests are present.
- iv Members' guests intending to make frequent use of the Club facilities must apply for the appropriate membership.
- v Visitors who are members of R.Y.A. recognised clubs and their supporters, and visiting on the invitation of Frensham Pond Sailing Club, are entitled to the privileges of membership of the Club during the period of the events for which they are invited, provided that such events are connected with the Club as a Sailing Club.
- vi The General Committee may make arrangements with any organisation interested in sailing, for the admission of any number of persons to the facilities of the Club. Such admissions will be subject to such conditions and upon such terms as to categories and subscriptions as the General Committee shall decide.

## **11 Officers**

- i The Officers of the Club shall consist of: Commodore, Vice Commodore and a Rear Commodore, each of whom is a Flag Officer, an Honorary Treasurer, Honorary General Secretary, Honorary Membership Secretary and Honorary Sailing Secretary. All Officers must be Club members.
- ii The respective duties of the Officers of the Club shall be defined by the General Committee.
- iii The Flag Officers of the Club shall be ex officio members of all committees and sub-committees.

## **12 General Committee**

- i All the affairs of the Club shall be managed (except as otherwise provided for in these Rules) by the members of the General Committee,

which shall consist of the current Officers and six members of the Club entitled to vote, who shall be elected under Rule 15, plus the Club Training Principal, Sailability Chairman and one member of Waverley Borough Council nominated by the Borough Council.

- ii All General Committee Members, (except the Borough Councillor) any President and any Vice-Presidents will be members of Frensham Pond Sailing Club Ltd. (hereinafter referred to as the Company) and shall operate it in the best interests of the Club. Waverley Borough Council shall have the right to appoint its representative either to act as a Director of the Club, or to act as an observer at General Committee Meetings.
- iii Other than the Officers of the Club as specified in Rule 11 (i) the members may propose for election at the Annual General Meeting one deputy General Committee member for each of the six members elected under 12 (i). However only one representative of each pair may vote at each General Committee meeting.
- iv The General Committee shall have power to fill vacancies occurring in its body, (other than a vacancy arising from the resignation or demise of the Borough Councillor), including any Officers of the Club, during its year of office, and to co-opt not more than two members of the Club to serve on the General Committee.
- v General Committee Meetings will be held as required. They shall be convened by the Honorary General Secretary who shall give notice to all the Committee Members. All questions shall be decided by a simple majority of those present and voting. The Senior Flag Officer present shall take the chair and shall have a casting vote in the event of an equal division. Five shall form a quorum.

### **13 Committees**

- i The General Committee shall appoint a Race Committee, Training Committee, Kitchen Committee, Social Committee, Safety Committee and Bar Committee and such other Committees as are required, and may from time to time vary their composition and vary their powers and duties.
- ii The General Committee shall determine the terms of reference of all committees and sub-committees.
- iii Committees shall make their own regulations for meetings and procedures, and these shall be agreed by the General Committee. No such committee shall, (unless otherwise agreed by the Borough Council) have delegated powers in respect of management, interpretation of Club Rules, or power to reject an application for membership.



## **14 General Meetings of Members**

- i The Annual General Meeting of members shall be held as soon as possible in the three months following the annual accounting date in each year. This is for the purposes of approving the accounts made up to 31st October, electing Officers and members of the General Committee, for the period up to the date of the next Annual General Meeting and for transacting any other necessary business.
- ii Additional General Meetings may be called at any time by the General Committee or at the request of ten members entitled to vote.
- iii Notice of every General Meeting shall be sent by the Honorary General Secretary to every member of the Club at their recorded address, fourteen days prior to the meeting.
- iv At every General Meeting the Senior Flag Officer present shall take the chair. If no Flag Officer is present a chairman shall be elected from the other members of the General Committee present, and failing an election of a General Committee member, an election from the members themselves. Twenty-one members entitled to vote shall be a quorum for General Meetings.
- v All decisions (except rule changes, see Rule 3(i)) at General Meetings shall be made by resolutions of a simple majority of the members entitled to vote, who are present and exercise their vote. No other persons shall be entitled to vote. Every member entitled to vote shall have one vote and in the event of an equal division, the Chairman shall have a casting vote.

## **15 Election of Officers, General Committee & Auditor**

- i The Officers of the Club, Members of the General Committee (other than the Training Principal and Borough Councillor) and the Auditor, must retire and be elected at each Annual General Meeting (this period, typically a year, is defined as the appointment period), but each may be eligible for re-election.
- ii No Flag Officer can serve for more than three consecutive appointment periods, in the same rank, and cannot be re-elected to a lower rank without a break of at least one appointment period.
- iii No General Committee Member can serve for more than three consecutive appointment periods without a break of at least one period.
- iv Flag Officers and General Committee Members can be elected as the President, Honorary Treasurer, the Honorary General Secretary, the Honorary Membership Secretary or the Honorary Sailing Secretary without a break in service.

- v The Honorary Treasurer, the Honorary General Secretary, the Honorary Membership Secretary, the Sailability Chairman, the Training Principal and the Honorary Sailing Secretary can serve as General Committee Members for more than three years.
- vi Any candidate for election or re-election shall only be eligible if their name has been submitted in writing to the Honorary General Secretary by two members of the Club entitled to vote, at least seven days before such Annual General Meeting.

## **16 President**

- i The Club in General Meeting may at any time elect any officer or ex-officer of the Club to be President or Vice-President for life or for such other period as may be specified. Such appointment shall take effect immediately and shall include with their partner, full membership of the Club.
- ii Any President shall not take part in the management of the Club, nor serve as a member of the General Committee or any Committees unless elected or co-opted to such Committees at an Annual General Meeting in accordance with Rule 15.

## **17 Club Property and Assets**

- i The property of the Club shall be under the control of the General Committee and shall be vested in such Officers of the Club as the General Committee shall decide.
- ii The General Committee shall have full power on behalf of the Club to acquire (in their names or in the names of any of them) such property and rights and subject to such liabilities, and to enter into such agreements, deeds and arrangements as the General Committee shall think requisite for the purpose of furthering the aims of the Club and of carrying on its activities. The members of the Club for the time being shall indemnify such persons as may duly enter into any contractual obligations in pursuance of this Rule provided that no such obligations shall be entered into without the previous sanction of a resolution passed at a General Meeting of the Club if it appears to the General Committee that the obligations would be likely to involve the members (on the basis of continued membership) in financial liabilities beyond the payment of their due subscriptions.
- iii The Club members shall fully indemnify and keep fully indemnified any person who, with the sanction of the General Committee acting under its powers specified at rule 17(ii) above, enters into any contractual obligation pursuant to rule 17(ii), in respect of any losses or liabilities which any such person may incur as a result of entering into such a contractual obligation.

- iv The Funds of the Club shall be kept by the Honorary Treasurer in such manner as may be determined by the General Committee. The General Committee shall have power to spend the Club's funds in such manner as they think fit in accordance with these Rules and the aims of the Club.
- v In the event of the activities of the Club ceasing permanently, pursuant to the provisions of these Rules, the members of the Club entitled to vote at the time of such cessation, shall be fully responsible in equal proportions for all the liabilities of the Club.

## **18 Bar Administration**

- i The Club, under the control of the General Committee, is licensed to purchase and sell intoxicating liquor, to Club members and guests for bona fide purposes connected with the Club as a Sailing Club.
- ii No person under the age of 18 shall be supplied with or shall be involved in the purchase or supply of intoxicating liquor, for consumption on or off the premises.
- iii The Bar Sub-Committee shall consist of a member of the General Committee and two elected members of the Club who shall be responsible for the administration, stocking and accounting of the bar.
- iv No member 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 for the benefit of the Club.
- v The permitted hours for the sale of intoxicating liquor are as follows:
  - a Monday to Saturday, except Good Friday and Christmas Day: 10.30am to 11.00pm
  - b Sunday, except Christmas Day: 12 noon to 10.30pm
  - c Good Friday: 12 noon to 10:30pm
  - d Christmas Day: 12 noon to 3.00pm and 7.00pm to 10.30pmand the bar will be open at these hours as may be decided by the General Committee subject to any restrictions imposed from time to time by the Licensing Justices. These permitted hours are displayed in the clubhouse.

## **19 Sailing Rules**

Racing will be conducted in accordance with the Club Racing Sailing Instructions.

## **20 Enjoyment of Facilities**

Nothing in these Rules or the Club By-laws shall authorise or purport to authorise any Committee, Sub-Committee, Officer or member to do any act or cause any other person to do any act or to restrain any person from enjoying any facilities or privileges in contradiction to the Covenants and Stipulations contained in the Second Schedule of the Lease and Licence dated 5th June 1964 between Hambledon Rural District Council and the Company, as amended by the agreement between Waverley District Council and the Company dated January 1978 and subsequent amendments.

## **21 Dissolution**

- i If at any General Meeting of the Club, a resolution be passed calling for the dissolution of the Club, the Honorary General Secretary shall immediately convene an Additional General Meeting of the Club to be held not less than one month thereafter to discuss and vote on the resolution.
- ii If, at the Additional General Meeting, the resolution is carried by at least two thirds of the members present at the Meeting who are entitled to vote, the General Committee shall thereupon, or at such a date as shall have been specified in the resolution, proceed to realise the assets of the Club and discharge all debts and liabilities of the Club.
- iii After settling all liabilities of the Club, the Committee shall dispose of the net assets remaining to one or more of the following:
  - a to another Club with similar sports purposes which is a registered charity and/or
  - b to another Club with similar sports purposes which is a registered CASC and/or
  - c to the Club's governing body for use by them for related community sports.

# By-laws of Frensham Pond Sailing Club

*Revised March 2019*

## 1. USE OF CLUB FACILITIES

### a) Berthing

- (i) Boats may be stored on Club premises only in an authorised berth.
- (ii) Berths are offered at the discretion of the General Committee and are assigned to Members in accordance with the Club's published Berthing Policy that is regularly reviewed by the General Committee.
- (iii) Members are responsible for keeping their berths tidy.
- (iv) Members whose boats are kept at the Club shall display on their launching trolley an identification tag issued by the Membership Secretary such that it is clearly visible at the bow of the boat when the boat's cover is on. Members shall attach the tag to the trolley within 6 weeks of the tag being issued.
- (v) Should an assigned berthing place not be renewed by the Club (in accordance with the Club's published Berthing Policy) or a Member's berthing fees become two months in arrears, the Member shall remove their boat from the Club premises.
- (vi) If a Member leaves a boat on Club premises without permission, the Club may
  - a) move the boat to any other part of the Club premises without being liable for loss or damage to the boat however caused, and
  - b) upon the expiry of a month's notice to the Member at their last address notified to the Club, EITHER sell the boat and deduct any monies due to the Club from the net proceeds of the sale, accounting to the Member for the balance OR may dispose of the boat in any manner the Club thinks fit and recover the expenses from the Member.

### b) Launching

- (i) Boats may be sailed only by Members with sailing rights or by the authorised guests of such Members.
- (ii) Boats are allowed on the water only between sunrise and sunset.
- (iii) Boats may be launched only from the Club launching ramps and must not land elsewhere around the Pond except in emergencies.
- (iv) The concrete approach to the launching ramps and their surrounds must be kept clear at all times.

- (v) Boats must not be tied up and left unattended on the launching ramp side of a jetty, and they may not be left permanently moored to any jetty, or on the Pond.

**c) Other activities**

- (i) Bathing, paddling and fishing are not permitted from the Club premises.
- (ii) BBQs should not be lit close to the Clubhouse, other buildings, or under the awning.
- (iii) Smoking is not permitted within any of the Club's buildings.
- (iv) Flying of model aircraft is not permitted from the Club premises unless commissioned by General Committee.

**d) Dogs and other animals**

- (i) With the exception for Assistance/Guide dogs, no animals are permitted in the Clubhouse.
- (ii) Dog owners and/or dog walkers are to keep their dog on a lead at all times whilst within the grounds of the Club unless the dog is kept in a vehicle.
- (iii) Dogs should never be left unattended whilst within the grounds of the Club, unless in a vehicle.
- (iv) Dogs must not to be tethered to any object within the grounds of the Club.
- (v) Dog owners and/or dog walkers, when within the grounds of the Club, are expected to remove, and safely dispose of, any dog fouling caused by their dog.

**e) Car Park and main gate**

- (i) Parking in the Club car park during the hours of darkness is prohibited except during 'bona fide' activities connected with the Club.
- (ii) The main gate to the car park and Club premises shall be kept locked at all times, except when organised Club racing or other Club organised activities are taking place.

**f) Accommodation**

- (i) Caravans and tents are not permitted on Club premises.

**g) Trailers**

- (i) Ideally trailers should be removed from the Club premises, for security and safety purposes. However, only trailers securely immobilised and contained within the confines of the Member's assigned berth may be left on the premises and the width of the trailer must not be so wide as to prohibit access to any boat stored in an adjacent berth.

- (ii) If any part of the trailer extends beyond the berth area into the car park, paths or other public walkways or communal areas then the Club will contact the Member to request immediate removal of the trailer.
- (iii) If a trailer is stored in such a way that could give rise to accident or injury to members, visitors or third parties or their possessions, then the Club may, at its sole discretion, remove the trailer to a place of safety without prior permission from the Member.
- (iv) The Club reserves the right to dispose of trailers left elsewhere on the premises.
- (v) This by-law is limited to single boat road base trailers and the storage of any other trailer, such as box trailers or double trailers is prohibited, unless previously approved by the General Committee.

#### **h) Masts**

- (i) Masts must only be stored in or on a boat or in racks designed for the purpose of storage.
- (ii) Masts must not be stored so that they protrude into the car park, paths or other public walkways or communal areas. In these circumstances the Club reserves the right to contact the Member to request immediate removal of the mast.
- (iii) If a mast is stored in such a way that could give rise to accident or injury to Members, visitors or third parties or their possessions, then the Club may at its sole discretion, remove the mast to a place of safety without permission from the Member.
- (iv) The Club reserves the right to dispose of masts left elsewhere on the premises.

#### **i) Members' Property**

- (i) The Club will not be responsible for loss or damage to Members' property.
- (ii) The Club reserves the right to dispose of clothes and other articles left on the Club premises for more than one month.

#### **j) Duties**

- (i) To ensure the effective administration and operation of the Club and depending on their membership category, Members shall, from time to time, carry out race and other duties.
- (ii) Each Member who is unable to fulfil a duty shall arrange to exchange duty dates with another Member and notify the Duty Officer.

### **k) Abusive or Threatening Behaviour and Foul Language Policy**

- (i) All Members are asked to report any incidents of this nature to the Race Officer, Duty Officer, and any Flag Officer or to the Sailing Secretary as soon as possible. If the incident involves children under 18 or vulnerable adults, the Club's Child Protection and Vulnerable Adult Officer also needs to be informed.
- (ii) A protest can be brought on this matter by any person under the World Sailing rules whether they are a competitor or not, but in the first instance excepting in cases of gross infringement, we would prefer to deal with the matter informally if possible.
- (iii) The full enforcement procedures to be followed under this by-law may be obtained from the Honorary General Secretary or by viewing the by-law on the Club website.

### **l) Management of Persistent Non Attendance of Club Duties Policy.**

- (i) It is part of the conditions of membership of Frensham Pond Sailing Club that all adult Members, unless exempt, perform on a rota basis either race management or safety boat duties; this ensures the smooth running of the Club.
- (ii) Some Members persistently fail to attend to do their duties and this is unfair on other Members and could lead to the cancellation of Club sailing.
- (iii) The full enforcement procedures to be followed under this by-law may be obtained from the Honorary General Secretary or by viewing the by-law on the Club website.

### **m) Television Usage**

A television is provided for the enjoyment of the membership and may be used during the opening times of the Clubhouse. The following conditions relate to the usage of the television:

- (i) The television operating instructions are to be strictly followed for the turning on and off of the television set, selection of channel, volume control, colour, brightness and other picture adjustment controls.
- (ii) No media, such as a dvd/blu-ray player, game console, digital camera or video device, may be attached to the television without the permission of the Duty Officer or unless such device is to be used in a coaching session.
- (iii) The viewer should select a channel that is suitable taking into account the age of the audience and ensure that appropriate entertainment is screened at all times with content that is not likely to offend any Member or visitor.



- (iv) Particular care shall be given to the viewing content when children are present.
- (v) An adult, and preferably a parent, shall be present when a child is watching television. It is recommended that a child's viewing time is restricted to a maximum of two hours.
- (vi) The audio volume shall be set to a level that can be reasonably heard by a person with standard hearing. The volume is not to be increased to a level that could give distraction or discomfort to other users of the Clubhouse.
- (vii) The last person in the Clubhouse shall ensure that the television is turned off and that the remote control is stored safely in the vicinity of the television set.

## **2. SAILING and RACING**

### **a) Non-swimmers and Buoyancy aids**

- (i) All children are required to wear buoyancy aids at all times whilst near or on the water. Adults are advised to do the same.

### **b) Permitted Boats**

- (i) Sailing dinghies over 16 foot in length and Catamarans are barred from the Pond. Rowing boats, canoes, paddleboards and inflatable rubber dinghies cannot be used on the Pond.
- (ii) Only those boats declared and approved by the General Committee may be sailed.
- (iii) All boat owners must hold third party Insurance cover of at least £3,000,000 for every boat.

### **c) Sailing**

- (i) Those not involved in a race should respect the racers and keep to those areas of the pond where they will not interfere with any competitors.
- (ii) Each Member must understand and accept as their responsibility the risks associated with Blue-Green Algae that may be evident in Frensham Great Pond. Water quality is monitored regularly by the Waverley Borough Council and the results are available on their website.

### **d) Racing**

- (i) Club and Class requirements for racing and boat buoyancy must be observed. Race Officers are empowered to refuse entries from or disqualify competitors who do not comply.
- (ii) The Race Officer is empowered to start an informal race 10 minutes after the last scheduled race finishes (morning or afternoon).

### **3. GENERAL**

- a)** Sailing is by its nature an unpredictable sport and therefore inherently involves an element of risk. By taking part in sailing, each member agrees and acknowledges that:
- (i) they are aware of the inherent element of risk involved in the sport and accept responsibility for the exposure of themselves, their crew and their boat to such inherent risk whilst taking part;
  - (ii) they are responsible for the safety of themselves, their crew, their boat and their other property whether afloat or ashore;
  - (iii) they accept responsibility for any injury, damage or loss to the extent caused by their own actions or omissions;
  - (iv) their boat is in good order, equipped to sail and they are fit to participate;
  - (v) the provision of a race management team, training organisers, patrol boats and other officials and volunteers by the organiser does not relieve them of their own responsibilities;
  - (vi) the provision of patrol boat cover is limited to such assistance, particularly in extreme weather conditions, as can be practically provided in the circumstances;
  - (vii) it is their responsibility to familiarise themselves with any risks specific to this venue and to attend any safety briefing held at the venue.
- b)**
- (i) Each Member accepts full responsibility for any of their guests, children or other persons permitted by them to sail or be on Club premises; and agrees to indemnify the Club against any claim by any of their guests.
  - (ii) The Club provides some safety facilities during the hours of Club organised sailing. On all other occasions each Member accepts that such facilities are not provided.