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# RULES, REGULATIONS AND BYELAWS

As adopted by members on 27 November 2019

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Commodore – David Rowe

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Secretary – Joanna Bowen

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**1. NAME AND PURPOSE**

- 1.1. The name of the supporters club shall be Felpham Sailing Club Supporters Club (hereinafter referred to as SC).
- 1.2. The SC is formed to provide support to Felpham Sailing Club (hereinafter referred to as 'CASC' Community Amateur Sports Club). The SC is an affiliate of the CASC.

**2. OFFICERS**

- 2.1. The Officers of the SC will be the same as the CASC with regards to the Commodore, The Vice-Commodore, and the Treasurer.
- 2.2. The Secretary shall:
  - a) keep a register of the SC members' names and addresses;
  - b) conduct the correspondence of the SC;
  - c) keep custody of all SC documents;
  - d) keep full minutes of all meetings of the SCC which shall be confirmed and signed by the appropriate Chairperson upon the agreement of the Supporters Club Committee (SCC) at the next meeting of the SCC; and
  - e) maintain any such certificates or registrations, and complete any such non-financial returns, as may be required by law.
- 2.3. The Treasurer shall:
  - a) Maintain accounting records as necessary to give a true and fair view of the state of finances of the SC.

- b) Ensure all returns, as may be required by law in relation to such accounts, to be submitted at the due time.
- c) Prepare an Annual Balance Sheet as at 30 September each year and submit the Balance Sheet to the SCC for review and consideration and at the same time, submit a copy of the report to the CASC secretary. The CASC secretary must be in possession of the SC Balance Sheet at least 3 weeks before the proposed CASC AGM date.
- d) Present the Annual Balance Sheet to the SC at its Annual General Meeting for members' approval.

### 3. **MEMBERSHIP**

- 3.1. The SCC shall delegate the admission of members of the SC to the CASC's Committee.

The SC may have such categories of members as the CASC's Committee decides.

All members aged 18 or older shall have the power to vote at all meetings of the SC as indicated hereunder.

No member may receive the benefits of membership (including the use of any facilities of the CASC on such terms as the CASC decides) until forty-eight hours have elapsed from the date of posting of notice of admittance.

- 3.2. The SC members shall have access to the clubhouse facilities of the CASC, in accordance with an agreement between the CASC and SC. This agreement will be reviewed from time to time by the CASC in accordance with the CASC Rules, Regulations and Byelaws, which will apply to the SC.
- 3.3. The rate of Entrance, Subscription fee or other annual payments, shall be set by the CASC and presented to the SC at the AGM and shall become effective from 1 January in the year following the AGM. The current rate of Entrance and Subscription fee shall be prominently displayed in the CASC's premises.
- 3.4. Every member shall furnish the Secretary with an up-to-date address which shall be recorded in the Register of Members and any notice sent to such address shall be deemed to have been duly delivered.
- 3.5. The CASC's rules relating to admission of members, refusal of membership, conduct of members and removal of membership shall apply to the members and prospective members of the SC as amended from time to time. For the avoidance of doubt, if a member is expelled from the CASC following disciplinary action, they will be ineligible to join the SC.
- 3.6. A member who is admitted as a member of the CASC shall automatically cease to be a member of the Supporter's Club.

#### **Limitation of SC liability**

- 3.7. All references to the SC in this Rule shall mean each and every individual member of the SC from time to time.

Members are bound by the following Rule which shall also be exhibited in a prominent place within the CASC's Club premises:

Members of the SC may use the CASC premises, and any other facilities of the CASC, entirely at their own risk and **by entering the premises**, accept:

- a) neither the SC nor the CASC will accept any liability for any damage to or loss of property belonging to members.
- b) neither the SC nor the CASC will accept any liability for personal injury arising out of the use of the CASC premises, or any other facilities of the CASC, either sustained by members or caused by the said members 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, SCC, Trustees or Servants of the SC or the CASC.

3.8. Membership of the SC and acceptance of these Rules by the member will be deemed to constitute consent to the processing of relevant personal data for the purposes of the Data Protection Acts and consent for the SC to share this data with the CASC.

#### 4. **SUPPORTERS CLUB COMMITTEE (SCC)**

4.1. The SCC of the SC shall consist of the Officers and not less than three and no more than six Members of the SC (who have attained the age of eighteen years).

Ex-officio roles shall be the Kitchen Lead and Bar Lead. Ex-officio roles may be members of the CASC or SC.

4.2. Candidates for election to the SCC (not being Officers of the SC) shall be those members of the retiring SCC eligible to offer themselves for re-election and such other SC members whose nominations (duty proposed and seconded in writing by members of the SC) with their consent shall have been received by the Honorary Secretary at least twenty eight days before the date of the Annual General Meeting in each year; or other such time as decided. Such nominations, together with the names of the Proposer and Secunder shall be posted in the Club premises at least fourteen days prior to the date of the Annual General Meeting, or other such time as decided.

4.3. If the number of candidates for election is greater than the number of vacancies to be filled then there shall be a ballot.

4.4. If the number or candidates for election is equal to or less than the number of vacancies to be filled then all candidates 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.

4.5. In the event of the ballot failing to determine the members of the SCC 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.

- 4.6. If, for any reason, a casual vacancy shall occur, the SCC may co-opt a member of the SC or CASC (who have attained the age of eighteen years) to fill such a vacancy until the next following Annual General Meeting.
- 4.7. The SCC shall call meetings as required, making such arrangements as the conduct, place of assembly and holding of such meetings as it may wish.
- 4.8. The Chair of meetings of the SCC shall be a member of the SCC (elected by the rest of the SCC Committee), the Commodore or Vice-Commodore. At least one of the Commodore or Vice-Commodore must be present at each meeting.
- 4.9. Voting shall be by show of hands. In the case of equality of votes the Chairperson shall have a second and casting vote.
- 4.10. Five members personally present (including the Chair and Treasurer) shall form a quorum at a meeting of the SCC.
- 4.11. All members of the SCC (including ex-officio roles), with the exception of those who are paid, shall have a vote in meetings of the SCC as and when necessary.
- 4.12. The Cadet Captain of the CASC will be permitted to attend meetings of the SCC. The Cadet Captain will not have voting rights in meetings of the SCC.

#### **Powers of the SCC**

- 4.13. The SCC shall manage the affairs of the SC (including entering into contracts on behalf of the SC by authorising an individual or individuals of the SCC to sign such contracts) according to these Rules and shall cause the funds of the SC to be applied solely to the purposes of the Club.

In particular the SCC shall ensure that the property and funds of the SC 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 is donated to the CASC.

- 4.14. A member of the SCC or any Officer of the SC, in transacting business for the SC, shall disclose to third parties that he is so acting.
- 4.15. In pursuance of the authority vested in the SCC by members of the SC, members of the SCC shall be indemnified by the members of the SC out of the assets of the SC from and against any liability, costs, expenses or payments whatsoever which may be properly incurred or made by them or any one of them in the exercise of their duties on behalf of the SC 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 SC.

Should the assets of the SC be insufficient to satisfy such liability, costs, expenses or payments the SCC shall be entitled to a personal indemnity from the individual members of the SC.

The limit of any individual member's indemnity in this respect shall be a sum equal to one year's subscription at the then current rate of that category of membership unless the SCC has been authorised to exceed such limit by a General Meeting of the SC.

## **5. MEETINGS OF THE SC**

- 5.1. An Annual General Meeting of the SC shall be held each year within 28 days either side of the AGM for the CASC. The Secretary will communicate the date of the AGM, the agenda and the accounts, to all members of the SC at least fourteen days before, using email or any other communication means as appropriate.
- 5.2. If any members wish anything other than agreement of the accounts, and appointment of officers and members of the SCC, to be discussed at the AGM; they must ensure that notice is given in writing to the Secretary of the SC, at least 42 days prior to the proposed date of the AGM; with the details so that they may be added to the agenda, as required. Only paid up SC members can do this.
- 5.3. The SCC may at any time, upon giving twenty one days' notice in writing, call a Special General Meeting of the SC for any special business, the nature of which shall be stated in the summons convening the meeting, and the discussion at such meeting shall be confined to the business stated in the notice sent to members.
- 5.4. At every meeting of the SC, in the absence of the SC Chairperson, the meeting shall be chaired by the Commodore or Vice-Commodore of the CASC, or from time to time, another CASC Committee member as deemed appropriate.
- 5.5. Fifteen members entitled to vote and personally present shall form a quorum at any meeting of the SC.
- 5.6. All members who have reached the age of 18 or over shall be entitled to vote and voting shall be by show of hands.
- 5.7. In the case of an equality of votes the Chairperson shall have a second or casting vote.
- 5.8. On any resolution properly put to a meeting of the SC relating to the creation, repeal or amendment of any Rule, Byelaw or Regulation of the SC such Rule, Byelaw or Regulation shall not be created, repealed or amended following a majority vote of at least two-thirds of those present and entitled to vote until such times as the CASC Committee has reviewed, considered and accepted the SC resolution.

## **6. DISSOLUTION OF THE SC**

- 6.1. If, upon the winding up or dissolution of the SC, 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 SC. The SCC shall dispose of the net assets remaining to the CASC except if the CASC no longer exists in which case to the following:
  - a) to a charity and/or
  - b) to another club with similar sports purposes which is a registered Community Amateur Sports Club and/or
  - c) to the sport's national governing body for use by it for related community sports.

7. **MISCELLANEOUS**

- 7.1. The Members acknowledge that these Rules constitute a legally binding contract to regulate the relationship of the members with each other and the SC and where applicable the CASC.