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RULES, REGULATIONS AND BYELAWS

As adopted by members on 4th December 2022

Commodore – Glenn Powell

Honorary Secretary – Ian King

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1. Name and Objects

- 1.1. The name of the Club shall be “Felpham Sailing Club” (hereinafter referred to in these rules as “the Club”).
- 1.2. The object for which the club is formed is to promote and facilitate the sport of dinghy racing and also to provide social and other facilities for members as may be from time to time determined.

2. Officers, President and Vice President

- 2.1. The Officers of the Club shall be Full or Family members of the Club and shall consist of a Commodore, a Vice-Commodore, two Rear-Commodores, an Honorary Secretary, an Honorary Subscription Secretary and an Honorary Treasurer. Officers shall be elected at the Annual General Meeting in each year and shall hold office for one year, retiring at the termination of the Annual General Meeting in each year. All Officers of the Club shall be eligible for re-election, however, the office of Commodore shall be held by each successive Commodore for a period not exceeding two years.
- 2.2. The President shall be elected at the Annual General Meeting and shall hold office for a maximum period of three years. A motion to appoint a President must be proposed and seconded by Officers of the Club.
- 2.3. The Honorary Secretary and the Honorary Subscription Secretary shall:
 - a) Keep a register of Club members’ names and addresses.
 - b) Conduct the correspondence of the Club.
 - c) Keep custody of all Club documents.

- d) Keep full minutes of all meetings of the Club and the Committee and which shall be confirmed and signed by the appropriate Chairman upon the agreement of the Club of the committee at the next following meeting of the Club or the Committee.
- e) Maintain contact with the Club's Legal Adviser to ensure that the Club's affairs are managed in accordance with current law.
- f) Maintain any such certificates or registrations and complete any such non-financial returns, as may be required by law.

2.4. The Honorary Treasurer shall:

- a) Cause such books of account to be kept as are necessary to give a true and fair view of the state 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 independently examined 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.
- d) Administer such insurance policy or policies as may be needed fully to protect the interests of the Club, its Officers and its members.

2.5. The Honorary Independent Examiner shall:

- a) Be appointed at the Annual General Meeting in each year and shall be an appropriately qualified member of the Club.
- b) The independent examiner shall audit the accounts 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 law or by the Committee.
- c) If he is unwilling or unable to act, inform the Committee who shall appoint a substitute to hold office until the termination of the next Annual General Meeting.

3. Property and Funds

- 3.1. The property and funds of the Club cannot be used for the direct or indirect private benefit of members other than as reasonably allowed by the Rules and all surplus income or profits are reinvested in the Club.
- 3.2. The Club may provide sporting and related social facilities, sporting equipment, coaching, courses, insurance cover, medical treatment, reasonable expenses, post match refreshments and other ordinary benefits of Community Amateur Sports Clubs as provided for in the Finance Act 2002.
- 3.3. The Club may also in connection with the sports purposes of the Club;
 - a) Sell and supply food, drink and related sports clothing and equipment.
 - b) Employ members (thought not for playing) and remunerate them for providing goods and services, on fair terms set by the Committee without the person concerned being present.
 - c) Pay for reasonable hospitality for visiting teams and guests.
 - d) Indemnify the Committee and members acting properly in the course of the running of the Club against any liability incurred in the proper running of the Club (but only to the extent of its assets).

- 3.4. The Committee will have due regard to the law on disability discrimination and child protection.

4. Membership

- 4.1. Membership of the Club is open to all the community and without discrimination on the grounds of ethnicity, nationality, sexual orientation, religious beliefs, sex, age or disability, except as a necessary consequence of the requirements of the sport of dinghy racing.
- 4.2. There shall be the following categories of membership with power to vote at all meetings of the Club as indicated hereunder. The rights and privileges of each category of members are as defined in the latest edition of the byelaws of the Club.
- a) A FULL SAILING MEMBER – being a person who, at the date of election, is over the age of eighteen shall have one vote.
 - b) A CADET MEMBER – being a person who, at the date of election, is under the age of eighteen shall have no vote, except for the election of the Cadet Captain.
 - c) An HONORARY MEMBER/LIFE MEMBER – who shall be nominated and elected in the manner described in Rule 4.7, shall have one vote.
 - d) A TEMPORARY MEMBER – who shall have no vote. No member except a TEMPORARY MEMBER may use the Club premises, or any of the facilities of the Club until forty-eight hours have elapsed from the date of joining.
- 4.3. Candidates for membership shall have no privileges whatsoever in relation to the use of the Club or premises.
- 4.4. The rate of Entrance and Subscription fee for each category of Membership shall be proposed by the Committee to the members at the Annual General Meeting in each year. Any proposed changes shall be approved by a majority of those present and entitled to vote and shall become operative on the first day of January in the year following. The current rate of Entrance and Subscription fee shall be prominently displayed in the Club premises.
- 4.5. Members shall also make the following annual payments:-
- a) Annual boat berthing fee of such a sum as the Committee shall from time to time prescribe which shall entitle a member a space in the Club's boat park.
 - b) 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 September in any year shall not be required to pay any subscription in respect of the year of election, but shall pay, on election, the Entrance fee and the annual subscription in respect of the year following election.
- 4.6. Every member shall furnish the Honorary Subscription 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.

Election and retirement of members

- 4.7. An application for membership shall be in the form from time to time prescribed by the Committee and shall include the name, address and occupation of the candidate.
- 4.8. Upon receipt of an application for membership, the Subscription Secretary shall enter such application in a Register of Applicants.
- 4.9. The Club Committee may refuse membership or remove it, only with reasonable cause, such as (but not exclusively) suspected conduct or character (either now or in the past) likely to bring the Club or sport into disrepute, or place other members (e.g. children) at any increased risk. What constitutes reasonable cause will be a decision for the club committee sitting and chaired for the purposes of this determination by the Vice Commodore. The committee will notify the member or applicant in writing (which can include e-mail) within seven days of the decision being taken.
- 4.10. Appeal against refusal or revocation of membership may be made in writing (or by e-mail) to the Commodore setting out the grounds for appeal. Any appeal will need to be received by the Commodore within seven days of the member or applicant being notified of the revocation or refusal. Any appeals received after seven days will not be considered unless there are exceptional circumstances. On receipt of an appeal, the Commodore will speak to the Vice Commodore and identify the reasons for the initial refusal or revocation. The Commodore will then consider the applicant's appeal. The decision of the Commodore at this point will be final. In the unlikely event of the Commodore being incapacitated, the position being vacant, or there being a declared conflict of interests, the appeal will be determined by a panel consisting a minimum of two club members, who are either the Club President or a Trustee of the club. This decision will be final.
- 4.11. The Honorary Subscription Secretary shall inform each candidate in writing of the candidate's election or non-election. He 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.
- 4.12. Upon election, a candidate shall pay, within one calendar month, such entrance and other fees as shall be requested. In default of such payment, the election shall be void unless sufficient cause for delay be shown.
- 4.13. A member who, for any reason, anticipates inability to use the Club or its facilities for the whole of any one year shall be excused payment of the annual subscription and other annual fees provided that notice in writing is given to the Honorary Subscription Secretary before the last day of November in the previous year. A member wishing to be re-instated during the year in question shall pay such portion of the annual subscription as the Committee shall require.
- 4.14. A member desirous of retiring from membership shall give notice in writing to the Honorary Subscription Secretary before the last day of November and shall not then be liable to pay the subscription for the following year. Upon re-application by a past member the Committee may, at its discretion, excuse the payment of an Entrance fee.
- 4.15. The Committee may cancel, without notice given, the membership of any member whose annual subscription and other annual fees are more than three months in arrears provided that the Committee may, at its discretion, re-instate such member upon payment of arrears. No member whose annual payments are in arrears may enter any Club event or regatta nor vote at any meeting.

Conduct of Members

- 4.16. Every member, upon election and thereafter, is deemed to have notice of, and impliedly undertakes to comply with the Club Rules and the current Byelaws and Regulations of the Club. Any refusal or neglect to do so, or any conduct, which, in the opinion of the Committee, is either unworthy of a member or otherwise injurious to the interests of the Club, shall render a member liable to

expulsion by the Committee. PROVIDED THAT, before expelling a member, the Committee shall call upon such member for a written explanation of the member's conduct and shall give the member full opportunity of making explanation to the Committee, or of resigning. A Resolution to expel a member shall be carried by a simple majority vote by those members of the Committee present and voting on the Resolution.

- 4.17. 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 guest may not be introduced more than six times in any calendar year.
- 4.18. 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 Committee or by the Honorary Secretary upon the instructions of the Committee.
- 4.19. A Member shall not cause any communication in whatever form to be exhibited on Club notice boards or premises without permission of the Honorary Secretary.
- 4.20. All members shall settle any indebtedness for refreshment or otherwise before leaving the Club premises, or in accordance with any byelaw relating to the settlement of such indebtedness.
- 4.21. All suggestions shall be entered in the Suggestion Book and signed by the Member.
- 4.22. Complaints of any nature relating to the management of the Club premises shall be addressed in writing to the Honorary Secretary. Under no circumstances shall a servant of the Club be personally reprimanded by a member.
- 4.23. A member of any Club affiliated to the Royal Yachting Association (a list whereof is published by the said Association) may be authorised to use the premises of the Club by any member of the Committee of the Club. Such authorisation shall specify between which dates (not being more than fourteen days apart) the said person may so use the premises.
- 4.24. Any person who is a competitor or crew member in any race sponsored by or on behalf of the Club is entitled to the use of the Club premises within a period of 24 hours before and after the race in which they are competing.
- 4.25. The Honorary Secretary or any other person who has received the authority of two members of the Committee, may expel, temporarily or permanently, any person who has the right to the use of the Club premises only under Rule 4.9.

Limitation of Club Liability

- 4.26. 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 liabilities 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 or caused by the said members, guest 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."
- 4.27. 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 Act 1984.

5. Management Committee

- 5.1. The Management Committee (herein referred to as “the Committee”) shall consist of the Officers, ex officio (Bosun, RYA Training Principal) and not less than two and no more than four members of the Club elected at the Annual General Meeting each year to hold office until the termination of the next Annual General Meeting. Ex Officio roles of the RYA Principal and Bosun may be members of the CASC or SC. The Cadet Captain (or a Cadet Representative) elected at a meeting of Cadets will also be entitled to attend Committee Meetings (but will not be entitled to vote). A single representative of the Supporters Club Committee will also be entitled to attend Committee Meetings (but will not be entitled to vote).
- 5.2. Candidates for election to the Committee (not being Officers of the Club) shall be those members of the retiring Committee eligible to offer themselves for re-election and such other Full members whose nominations (duly proposed and seconded in writing by Full members of the Club) 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. 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.
- 5.3. If the number of candidates for election is greater than the number of vacancies to be filled then there shall be a ballot.
- 5.4. If the number of 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.
- 5.5. In the event of the ballot failing to determine the members of the 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.
- 5.6. If, for any reason, a casual vacancy shall occur, The Committee may co-opt a Full member to fill such a vacancy until the next following Annual General Meeting.
- 5.7. The 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.
- 5.8. Voting (except in the case of a resolution relating to the expulsion of a member) shall be by show of hands. In the case of equality of votes the Commodore or Chairman (as the case may be) shall have a second and casting vote.
- 5.9. Five members personally present shall form a quorum at a meeting of the Committee. All members of the Committee (with the exception of those who are paid) shall have a vote in meetings of the Committee as and when necessary.

Powers of the Committee

- 5.10. The Committee shall manage the affairs of the Club according to the Rules 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.
- 5.11. The Committee shall make such byelaws and regulations as it shall 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.

- 5.12. The 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 the law. Such sub-committees shall consist of such members of the Committee or of the Club as the Committee may think fit. Officers of the Club shall be ex officio members of all such sub-committees.
- 5.13. A member of the Committee, 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.
- 5.14. The Committee, or any person or sub-committee delegated by the 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 express authority of the membership in General Meeting, pledge the credit of the membership.
- 5.15. In pursuance of the authority vested in the Committee by members of the Club, members of the Committee are entitled to be indemnified by the members of the Club against any liabilities properly incurred by them or any one 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 that category of membership unless the Committee has been authorised to exceed such limit by a General Meeting of the Club.
- 5.16. The Committee may nominate for election at an Annual General Meeting such Honorary Members as Nomination the Committee may think fit. The total of such Honorary members shall not, however, at any time, exceed ten 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 election.

Purchase and supply of excisable goods

- 5.17. The purchase for the Club of excisable goods and the supply of the same upon Club premises shall be exclusively and solely under the control of the Committee, or of a special sub-committee appointed by the Committee. Intoxicating liquor may only be sold for consumption on the Club premises to persons over the age of eighteen who are entitled to the use of the Club premises in pursuance of the Rules, Byelaws and regulations for the time being in force. No Cadet Member under the age of eighteen years may purchase or attempt to purchase intoxicating liquor within the Club premises nor may a Cadet Member under the age of sixteen purchase or attempt to purchase tobacco or cigarettes within the Club premises.
- 5.18. Subject to the requirements of the licensing authorities, the 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 Cadet 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 Club premises.
- 5.19. 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.
- 5.20. Proper accounts of all purchases and receipts shall be kept and presented at the Annual General Meeting in each year and such information as the Honorary Treasurer or Honorary Auditors 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.

6. Trustees

- 6.1. There shall be at least three Trustees of the Club who shall be appointed from time to time as necessary by the Committee of the Club 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 given to the Committee, or until a resolution removing him from office shall be passed at a meeting of the committee by a majority comprising two –thirds of the Members present and entitled to vote.
- 6.2. 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. On the death, resignation, or removal from office of a Trustee, the Committee shall nominate a new Trustee in his 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 Honorary Secretary for the time being is hereby nominated as the person to appoint new Trustees of the Club within the meaning of Section 26 of the Trustee Act 1925 and he shall by Deed duly appoint the person or persons so nominated by the Committee.
- 6.3. 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 Committee, 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 Committee's directions (which shall be duly recorded in the Minutes of the proceedings of the Committee) but no purchaser, lessee or mortgage shall be concerned to enquire whether any such direction has been given.
- 6.4. The Trustees shall be effectually indemnified by the Committee 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.
- 6.5. (To be incorporated in every contract, lease, licence or other agreement entered into by the Trustees of the Club). The liability of the Trustees for the performance or any contractual or other obligation undertaken by them on behalf of the Club shall be limited to the assets of the Club.

7. Meetings of the Club

- 7.1. An Annual General Meeting of the Club shall be held each year in the month of December on a date to be fixed by the Committee. The Honorary Secretary shall at least fourteen days before the date of such meeting or of any General Meeting as hereinafter mentioned post or deliver to each member notice thereof and of the business to be brought forward thereat.
- 7.2. No business, except the passing of the Accounts and the election of the Officers, Committee, Trustees and Honorary Auditors and any business that the 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 forty two days before the date of the Annual General Meeting.

- 7.3. The Committee may at any time, upon giving twenty one days notice in writing, call a General Meeting of the Club 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.
- 7.4. The Committee shall similarly call a General Meeting upon a written request addressed to the Honorary Secretary by at least thirty members or 1/5th of the total membership, whichever is the least. The discussion at such meeting shall be confined to the business stated in the notice sent to members.
- 7.5. At every meeting of the Club the President or the Commodore or, in their absence, a Chairman elected by those present shall preside.
- 7.6. Fifteen members entitled to vote and personally present shall form a quorum at any meeting of the Club.
- 7.7. Only Full Sailing, Family Sailing and Honorary/Life members shall vote at any meeting of the Club. Other members may attend but are not entitled to vote.
- 7.8. Voting, except upon the election of members of the Committee, shall be by show of hands.
- 7.9. In the case of an equality of votes, the Chairman shall have a second or casting vote, on any matter other than election of members of the Committee.
- 7.10. 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.

8. Dissolution of the Club

- 8.1. If, upon the winding up or dissolution of the Club, there remains after the satisfaction of all 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 one or more of the following:-
 - a) Another Club with similar sports purposes which is a registered charity and/or
 - b) Another Club with similar sports purposes which is a registered Community Action Sports Club and/or
 - c) The Royal Yachting Association for use by them for related community sports.

9. Byelaws etc.

- 9.1. The present rights and privileges of each category of membership shall be as follows; -
 - a) A Full Member shall have the full use of all the Club facilities subject only to Rule 5.17.
 - b) A Cadet Member shall have the full use of all the Club facilities subject only to Rule 5.17.
 - c) An Honorary/Life Member shall have the full use of all the Club facilities subject only to Rule 5.17
 - d) A Temporary Member (which expression may include the members of another RYA recognised Club or organisation) shall have the full use of the Club facilities but:-
 - Shall have no right to enter Club races or regattas unless specifically authorised by the Honorary Secretary or Committee.

- Shall have no right to introduce visitors to the Club or the facilities thereof.
 - Shall have no right to take any part in the management of the Club.
 - Is deemed to have notice of and impliedly undertakes to comply with the Club Rules, current Byelaws and Regulations as if he or she were a member of the Club and so far as the said Rules, Byelaws and Regulations may be deemed to apply to such Temporary Member.
 - Shall be liable to be expelled from the Club premises or to be prohibited from using the Club facilities, if in the opinion of the Honorary Secretary, he or she shall not have reasonably complied with the above conditions.
- 9.2. Members children (subject to such Regulations as the Committee may prescribe) may participate in sailing events and use the amenities of the Clubhouse until the subscription date immediately following their 10th birthday.
- 9.3. Dogs may be brought into Club premises provided they are properly controlled.
- 9.4. Car parking is not allowed on the Club premises, except for Officers, Committee Members and Duty Team Leaders in areas designated for such parking so as not to cause an obstruction to other cars or to the approaches to the Club premises.
- 9.5. The Club premises shall be open to members at such times as the Committee shall direct. The present hours of opening are as displayed in the Club premises.
- 9.6. The permitted hours for the sale of intoxicating liquor are as follows:-
- a) All days except Sundays, Good Friday and Christmas Day 10.00am to 11.00pm.
 - b) Sundays, Good Friday and Christmas Day 12.00pm to 11.00pm and the bar will be open at these hours or at such other hours as may be decided by the Committee subject to any restrictions imposed from time to time by the Licensing Justices.
- 9.7. In addition to the powers given to the Committee under Rule 4.15 and Rule 5.11 hereof, if at any time, any fees payable to the Club by any member or former member shall be three months or more in arrears and a vessel the property of a member or former member remains upon the club premises, the Committee may:-
- a) Move the vessel to any other part of the Club premises without being liable for any loss or damage to the vessel howsoever caused.
 - b) Give one month's notice in writing to the member or former member at his last known address as shown in the Club Register and thereafter sell the vessel and deduct any monies due to the Club (whether by way of arrears of subscription, dinghy park fees or otherwise) from the net proceeds of sale before accounting for the balance (if any) to the member or former member.
 - c) Alternatively, if the vessel is unsellable, after giving notice in writing as aforesaid, dispose of the vessel in any manner the Committee may think fit and deem the Cost of doing so and any arrears as aforesaid to be a debt owing to the Club by the member or former member.
 - d) Further the Club shall at all times have a lien over members' or former members' boats parked on the Club's premises in respect of all monies due to the Club, whether in respect of arrears of mooring fees or subscriptions or otherwise.
- 9.8. 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 vessel is sold the proceeds of sale (less any indebtedness by the member or former member to the Club) shall be placed upon bank deposit account and retained against the eventuality of a claim by the owner (whether he be the said member or former member or otherwise) for a period of six years.