Constitution December 2023

FINDOCHTY WATER SPORTS CLUB – CONSTITUTION AND CLUB RULES

[1. NAME](http://1.name/)  
The Club shall be called “Findochty Water Sports Club”  
2. OBJECT  
The object of the Club will be to promote and advise on Sailing, Rowing, Pleasure Boating and Water Sports from Findochty Harbour.  
3. MEMBERSHIP  
The Club shall consist of Ordinary Members who shall be entitled to all the privileges and amenities of the Club, and shall be eligible to hold any office in the club, and have the right to vote on all Club matters. They shall be entitled to fly the club burgee. Ordinary Members shall have the option of paying an increased rate of annual subscription to include their immediate family as Family Members. A Family shall consist of two adults and their dependants under the age of 18. A Family Membership only confers the right to one vote per family on Club matters. Otherwise, Family Members shall be entitled to all the privileges and amenities of the Club. A Family Member of age 18 or older shall be eligible to serve on the committee but only one member included in Family Membership shall be eligible to be on the committee at any one time.

4. ELECTION OF ORDINARY MEMBERS  
No application for membership can be considered unless the application form has been fully completed and submitted to the committee for approval. The committee shall have the power to refuse membership to the club. Upon election to the membership, the member will be notified by the Membership Secretary, and furnished with a copy of the Constitution & Club Rules. Subscription fees will be payable immediately upon such notification, and in any case, before the expiry of one calendar month after election, failing which, such election shall be considered null and void.Application for membership will be considered at any time.5. CLUB INSURANCE  
Statement of Limitation of liability  
Members of the club, their guests and visitors, may use the club premises, and any other facilities of the club, entirely at their own risk and implicitly accept that:  
(i) 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.  
(ii) The club will not accept any liability for personal injury arising out of the use of the club premises, and any other facilities  
of the club, or out of participation in any race organised by the club, whether 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 the officers, committee or servants of the club.  
(iii) Before inviting any guests or visitors onto the premises or to participate in events organised by the club, members will draw their attention to this rule.  
6. SUBSCRIPTIONS  
Subscription fees will be fixed at a General Meeting of the Club. Annual subscriptions shall become due immediately following the Annual General Meeting, and shall be paid to the Treasurer or Membership Secretary before the last day of December. No member shall be allowed to participate in the Club activities while his or her membership fee is unpaid. Members who do not notify their resignation, and who, after due notice from the Membership Secretary, still fail to pay their subscriptions, shall have their name erased from the list of members, unless they satisfy the committee that they have sufficient reason for failure to pay, of which the Committee shall be the sole and final judges.  
7. EXECUTIVE OFFICE BEARERS  
The Executive Office Bearers of the club, shall consist of Commodore and Vice-Commodore. They shall be elected at an Annual General Meeting and shall hold office for two years. They shall be eligible for re-election. They may only be eligible for one further term of two years.  
8. HON. SECRETARY/HON. TREASURER/MEMBERSHIP SECRETARY/SKIFF CAPTAIN  
The Hon.Secretary, Hon.Treasurer, Membership Secretary and Skiff Captain, shall be elected at an Annual General Meeting, and shall hold office for two years. They shall be eligible for re-election. Should any of these positions remain unfilled at the AGM the committee may subsequently appoint an eligible club member to that position but that person must submit for re-election at the subsequent AGM.

9. COMMITTEE  
The affairs of the club shall be managed by a Committee consisting of the Executive Office Bearers, the Hon. Secretary, the Hon. Treasurer, the Membership Secretary, the Skiff Captain and 8 other eligible members. The normal process of electing members is at the AGM but in exceptional circumstances, where the election of Committee members is essential, the Committee may seek nominations in writing or by email to the Club Secretary, provided that the person nominated has agreed to serve on the committee if elected. The Club Secretary will then request a seconder for the nomination. The seconded member shall serve for the rest of the year but shall submit for re-election at the subsequent AGM. In the case of multiple vacancies or nominations the committee may open the process to enable all Members to participate in the election by Special General Meeting or electronic voting. Otherwise vacancies on the committee due to resignations and retiral shall be filled by election at the next AGM. The Ordinary Members shall be elected for a term not exceeding two years and shall be eligible for re-election. The quorum for the committee to function is one Executive Officer and five Committee Members. Vacancies on the Committee due to resignation and retiral shall be filled by election at the next AGM. The Committee may elect from their number, officers to fulfil other specific functions. 10. GENERAL MEETING  
The Annual General Meeting shall be held in November, on such day as the committee may appoint, at least fourteen days notice being given to Members. The quorum required at the annual General Meeting is to be a minimum of twelve members, at least one of whom is to be an Executive Officer.  
  
11. ACCOUNTS  
The club’s financial year shall be from the 1st October to the last day of September, and the Accounts shall be submitted to the Annual General Meeting. The Mandate for club cheques; signatories shall be the Commodore, Treasurer and any appropriate designated person.  
12. SPECIAL GENERAL MEETING  
A Special General Meeting shall be called at any time by the Committee or at the written request of not less than six Ordinary Members, such request to contain the terms of any motion or motions to be submitted to the meeting. Notice of such meeting should be made generally known at least fourteen days before the date of the meeting. Twelve members shall be required to form a Quorum at a Special General Meeting, and no resolution shall be carried unless supported by a minimum of two thirds of the Members present and voting.  
13. SUSPENSION AND EXPULSION  
In the event of a grave breach of the Constitution & Club Rules by a Member, or of Regulations and Bye Laws of the club, or of conduct on the part of a Member of the club, being in the opinion of the club, injurious to the character or interests of the club, the Committee shall, after giving such Member reasonable opportunity of stating his or her defence, have the powers to suspend or expel that member on the following terms:- That should the offence be of such gravity as to warrant in the opinion of at least two thirds of the Committee, expulsion from the club, the Member shall be given the option of resigning immediately or having his or her case considered at a Special Meeting in accordance with the provision of Rule 12. It shall be in the power of Committee to suspend such a Member from Club activities, until such General Meeting shall be held. The time to elapse between suspension and the Special & General Meeting shall in any circumstances not exceed six weeks. The Notice of the Meeting shall set forth the terms of the Resolution to be proposed, viz:- That the name of the member shall be removed from the list of Members of the Club for the reasons to be stated by the Club Committee at the said meeting. The member whose expulsion is under consideration shall have the right to state his or her defence to the Special General Meeting verbally or in writing. The voting shall be by ballot, and if two thirds of the Members voting at the Meeting shall vote for expulsion, such member shall cease to be a Member of the club.  
14. INTERPRETATION OF THE RULES  
When interpretation of this Constitution or other Club Rules is disputed, the committee shall attempt to arbitrate under the letter and spirit of these rules. In exceptional circumstances the decision of the committee can be challenged at a General Meeting providing notice of any challenge is provided 14 days in advance of this General Meeting.

15. CHANGES TO CONSTITUTION  
Changes to the Constitution can only be agreed at a General Meeting with the proposed changes being advised to members at least 14 days before the General Meeting.  
16. DISSOLUTION  
In the event of dissolution of Findochty Water Sports Club any assets belonging to the club will be given to a like minded club or clubs in the local area.