



BYLAWS OF THE CONSTITUTION

As Adopted by the Committee of Management

26th September 2017

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1. Election of Members

1.1 The application form shall also include a question asking the applicant if he or she has been convicted of an Indictable Criminal Offence.

1.2 Club Employees

1.2.1 If a Member of the Club becomes an employee (paid servant) membership shall be deemed suspended for such period as the Member remains an employee.

1.2.2 During the term of their appointment an employee shall be entitled to all the privileges of an Honorary Member and such other privileges as the Committee of Management may determine.

1.2.3 No employee may become a member of the Club during their term of employment.

1.3 Life Members

1.3.1 The Committee of Management may recommend for Life Membership any Member who has rendered special services to the Club in the opinion of the Committee of Management.

1.3.2 The recommendation for Life Membership shall then be drafted in the form of a Notice of Motion to be presented at a General Meeting.

1.3.3 The manner in which the motion for Life Membership shall be determined is by ballot conducted as follows:

1.3.3.1 The candidates name shall be clearly printed on the ballot followed by yes and no indicators which are to be circled or ticked by the voter.

1.3.3.2 The candidate shall be declared approved to Life Member if carried by a majority of those present and entitled to vote.

1.4 Honorary Members

1.4.1 The Committee of Management may elect Honorary Members who shall pay no entrance fee or subscription.

1.4.2 Persons possessing the following qualifications may be approved as Honorary Members for a period not exceeding the Club's Financial Year but maybe renewed at the Committee of Management's discretion.

1.4.2.1 Flag Officers, Presidents, Secretaries and members of other Yacht Clubs and Sailing Clubs and Associations.

1.4.2.2 Members of Yachting and Sailing Clubs and Associations partaking in local, state, interstate or overseas cruising or racing.

1.4.2.3 Any other person mentioned in the Liquor Control Act

existing and current at the time.

1.4.2.4 Persons of distinguished or public position visiting the Club.

1.4.3 The Committee of Management shall have the power to revoke Honorary Membership, without notice or right of appeal.

1.5 Junior or Student to Full Member

1.5.1 A Junior Member wishing to become a Full Member on attaining the age of 18 years will not be required to pay the nomination fee. The upgrade shall apply in the financial year following the attainment of 18 years.

If the Junior Member has been a member of the club for a period of 5 years immediately prior to such attainment then the first 2 years of Full Membership will be at 50% of the annual subscription fee.

Should a Junior Member initially upgrade to Social/Recreational/Crew Membership and then further upgrades to Full Membership whilst maintaining continual membership, then the member will not be required to pay the nomination fee.

1.5.1.1 A Student Member (18-25 years old) wishing to become a Full Member on attaining the limit (25years) of Student Membership category. This member will not be required to pay the nomination fee. (Refer to 3.2.5 Student Membership Criteria).

1.5.2 Should such Members be not sailing Members in the absolute discretion of the Committee of Management, and should at this time there be a waiting list, then such Members names shall be placed on the waiting list in the ordinary manner.

1.5.3 Should such Members be active sailing Members in the absolute discretion of the Committee of Management then their nomination shall take priority over all other nominations.

1.6 Foundation Member

1.6.1 In the Constitution and in the Bylaws, unless otherwise stated, the term Full Member shall include any Member who was a Foundation Member of the Club.

1.6.2 A Full Member who was a Foundation Member:

1.6.2.1 Is liable to only one half of the current Full Member subscription.

1.6.2.2 If absent from Western Australia for more than eight months of any year is liable only to the minimum subscription prescribed by the Liquor Act.

1.7 Associate Member – Recreational/Social or Crewing member.

Any person who is the spouse/partner or the surviving spouse/partner of a Recreational/Social or Crewing member may become an Associate member.

1.8 Retiree Members

Existing Full members, that have been a full member for greater than 5 years and have become a retiree as listed in the Constitution Schedule 1, have the right to change their membership status to Retiree Member, with all rights and privileges that apply to the retiree membership status, and will retain all of their Hardstand rights as per a Full member.

2. Powers of Association

- 2.1** To recover monies owed by legal action.
- 2.2** To do all other things as are, incidental or conducive to the attainment of its objects.
- 2.3** To accept donations whether of real or personal estate and devises and bequests.
- 2.4** To erect, add to, improve, repair, pull down and rebuild buildings and other structures.

3. Nomination Fees, Subscriptions, and Other Fees

3.1 Definitions

- 3.1.1** Financial Year - the period starting 1 April and finishing 31 March the following year.
- 3.1.2** Working Day, Monday through Friday inclusive (9.00. to 17.00) unless the day is a public holiday.
- 3.1.3** Late Payment Period - the period commencing on the first Working Day after 30 days from the due date of a fee, subscription or levy.
- 3.1.4** Plan Entry Fees - fees charged for participation in one of the Annual Subscription and Fee Payment Plans.

3.2 Setting of Nomination Fees, Subscriptions and Other Fees

- 3.2.1** Nomination fees, subscriptions, and other fees shall be those as laid down from time to time by the Committee of Management.
- 3.2.2** Changes to the annual fee structure relative to membership category shall require the approval of a Committee of Management Meeting.
- 3.2.3** If any Member is approved between 1st of October and 1st of April that person shall pay the full nomination fee as applicable for the classification of Membership granted but shall only pay subscription fees proportionate to the remainder of the Financial Year.
- 3.2.4** Any Member wishing to rent a boat storage or dinghy storage bay at the Point Peron Hardstand between 1st of October and 1st of April may pay fees proportionate to the remainder of the Financial Year.
- 3.2.5** Full Members under the ages of 18 & 25 years engaged in educational course or vocational training may apply for Student Membership and shall submit details to the Committee of Management in support for a reduction of their subscription fees by up to 50%.

3.3 Payment of Nomination Fees, Subscriptions and Other Fees.

3.3.1 Applications for new membership or membership upgrade shall not be considered valid unless accompanied by the appropriate nomination and subscription fees.

3.3.2 Except for new members as in Rule 3.3.1 above, subscriptions and annual fees are due and payable on the 1st April of each financial year.

3.3.3 Only Full and Country members shall be eligible to partake in the Annual Subscription and Fee Payment Plans listed in Rule 3.3.5.

3.3.4 Plan Entry Fees shall not be refundable because a participating member pays outstanding fees and subscriptions or changes membership category.

3.3.5 Membership Upgrades

3.3.5.1 – Members of the club who upgrade their membership to a higher class of membership are required to pay the difference in the nomination fee (only 2 classes of membership attract nomination fees FULL & COUNTRY) and the annual subscription for the higher class of membership on upgrading, or 3.3.5.2.

3.3.5.2 Any person who has previously paid a nomination fee for a 'Full Member' membership and has maintained continuous membership at the Club may upgrade to Full membership from any membership type without being required to pay another nomination fee.

3.3.6 Annual Subscription and Fee Payment Plans

3.3.6.1. Two-Payment Plan

3.3.6.1.1 A member's outstanding fees, including the Plan Entry Fee, subscriptions, donations and levies may be paid in two equal (to the nearest cent) instalments, the first instalment to be paid no later than the commencement of the Late Payment Period, the final instalment to be paid no later than the last Working Day before 15th July.

3.3.6.1.2 The Two-Payment Plan Entry Fee shall consist of 4% of the total outstanding fees, subscriptions, donations and levies owed prior to commencement of the plan plus a \$10.00 administration fee.

3.3.6.2. Three-Payment Plan

3.3.6.2.1 A member's outstanding fees, including the Plan Entry Fee, subscriptions, donations and levies may be paid in three equal (to the nearest cent) instalments, the first instalment to be paid no later than the commencement of the Late

Payment Period, the second and third instalments to be paid no later than the last Working Day before 15th June and the 15th August respectively.

3.3.6.2.1 The Three-Payment Plan Entry Fee shall consist of 5.5% of the total outstanding fees, subscriptions, donations and levies owed prior to commencement of the plan plus a \$10.00 administration fee.

3.3.7 Any member participating in an Annual Subscription and Fee Payment Plan shall be considered a financial member.

3.3.8 Members that become non-financial for any reason do not qualify for Pro Rata membership unless their membership has ceased for a period greater than 12 months or approved by the Committee of Management.

3.4 Additional Fees and Penalties

3.4.1 In addition to nomination, subscription and annual fees, the Club may impose levies and/or House Support schemes in a form as determined by the Committee of Management, and approved at a General Meeting.

3.4.2 Any member who fails to pay any fees, levies, instalments of an Annual Subscription and Fee Payment Plan, or House Support monies before commencement of the Late Payment Period SHALL be charged a Late Payment Fee.

3.5 Points Credit System - Terms and Conditions of Use

3.5.1 The member understands that points on The Cruising Yacht Club of WA Inc. point of sale system are only redeemable for services that can be purchased through the point of sale system. This includes but is not limited to food, drink and merchandise purchases.

3.5.2 The member understands that the value of one point is equivalent to \$1 AUD.

3.5.3 The member understands that unused points are not redeemable or refundable for cash or other tenders.

3.5.4 The member understands that points may not be transferred between members.

3.5.5 The member understands that any voucher value transferred to points on The Cruising Yacht Club of WA Inc. point of sale system will expire if not used by the original voucher expiry date.

3.5.6 The member understands that the safe keeping of their member card is solely the responsibility of the respective member and that The Cruising Yacht Club of WA Inc. takes no responsibility in the event that the card is lost or used by someone else.

3.5.7 The member understands that a point's balance can be generated by staff on request; however a statement of spending and points accrual can only be generated by members of the office staff within normal

office hours. Notification to members will be given one month prior to expiry of their points.

- 3.5.8 The member understands that points can only be “purchased” in integer dollar values
- 3.5.9 The member understands that The Cruising Yacht Club of WA Inc. policy limits the purchase or accrual of points to the value \$500 or less except when explicit authority is given by the Club Manager.
- 3.5.10 The member understands that any outstanding point’s value that may be refundable must be done by application to The Club Manager and must be processed by The Cruising Yacht Club of WA Inc. office staff. Such circumstances where a refund may be provided can include but may not be limited to termination or suspension of membership, following a significant function, a processing error, or extenuating circumstances which may require an application request to The Club Manager.
- 3.5.11 The member understands that any points value cash or otherwise will be expired and absorbed by The Cruising Yacht Club of WA Inc. following 12 months of termination of membership.
- 3.5.12 The member understands that disputes must be raised to The Club Manager for resolution, and in the case that the member is dissatisfied with the outcome the issue must be escalated to The Committee of Management for resolution.

4. Election of Officers, Committee of Management and Others

- 4.1 The appointment of Trustees shall be by the Committee of Management as provided in the constitution.
- 4.2 The election of Patron and Vice Patrons shall be at the General Meeting by show of hands and no notice of nomination shall be required.
- 4.3 Nominations for Flag Officers, Secretary, Treasurer and other members of the Committee of Management shall be, lodged with the Club Manager who shall post the nominations on the notice board of the Club as required by the constitution.
- 4.4 There shall be two Scrutineers appointed by the meeting for counting of the result and shall collect the completed ballot forms.

5. Annual General Meeting

- 5.1 Notice of Motion and any resolutions other than General Business shall be in the hands of the Club Manager 7 days before the date of the Annual General Meeting.
- 5.2 In Addition to any Other Eligibility Requirements, members who serve on the Committee of Management shall have been a Voting Member (Schedule 1 and 2 of the Constitution) for a total period not less than twelve months unless exempt from this requirement by the passing of a motion at a Committee of Management meeting.
- 5.3 A Candidate shall offer no Inducement in cash or in kind for support of their nomination or election.

6. Committee of Management

- 6.1 The Retiring Commodore, shall be an ex officia member for a period not exceeding twelve months from the term of the previous office and has voting rights.
- 6.2 The Committee of Management may authorise Junior Members to form a Junior Committee with such powers and limitations as seen fit by the Committee of Management.

7. Standing Orders for the Committee of Management and Club Manager

7.1 Definitions

- 7.1.1 Absent - not present at a meeting and having offered no apology or been granted leave of absence.
- 7.1.2 Leave of Absence - permission given by the committee of management allowing a member to be away at subsequent meeting(s).
- 7.1.3 Apology - notification either written or verbal, either direct or through another member of committee, to the effect that a member is unable to attend the current meeting.

7.2 Club Manager

- 7.2.1 In addition to such duties as are specified in the Constitution and other Club Bylaws, or as are determined by the Committee of Management from time to time, it shall be the duty of the Club Manager to:
 - 7.2.1.1 Store all records and minutes of the Committee of Management, Meetings, and Subcommittee meetings.
 - 7.2.1.2 Maintain a register of all yachts, powerboats and other vessels
 - 7.2.1.3 Maintain a register of all members paying for the use of the Point Peron Hardstand facility, Club moorings and Val Street boat storage facilities.
 - 7.2.1.4 Keep a record of all key holders for hardstand and other areas where keys have been issued. Ensure only authorised persons hold keys.
 - 7.2.1.5 Ensure that Notices of Motion, notifications, agendas, reports and other documentation required for General Meetings, and Committee of Management meetings, and approvals and liaison with legal authorities are posted in accordance with the requirements of the club Constitution and Bylaws as well as any relevant legal obligations.
 - 7.2.1.6 Keep an up to date register of members in respect of each class of membership and auxiliary facility paid for by the member. The register must be continually available for inspection at the club premises.

8. Subcommittees

8.1 General Requirements

- 8.1.1 Every member of a Subcommittee shall have one vote and, in case of equality of votes, the Chairman shall have a second or casting vote.

- 8.1.2 The Committee of Management may appoint any or all of the Subcommittees listed below as well as any additional Subcommittees.

8.2 Social Committee

- 8.2.1 Unless otherwise specified by the Committee of Management, the chairman of the Social Committee shall be the Vice Commodore.
- 8.2.2 The duties and powers of the Social Committee shall be to:
- 8.2.2.1 Frame and present to the Committee of Management in February a budget for social activities in the coming financial year.
 - 8.2.2.2 Recommend small repairs, maintenance and renovations to furnishings, amenities and buildings.
 - 8.2.2.3 Frame and present to the Committee of Management a programme of Club social Function/Events.
 - 8.2.2.4 Prescribe dress to be worn by Members on the Club premises.
 - 8.2.2.5 Meet on a monthly basis, record the minutes of each meeting and table these minutes at the following Committee of Management meeting.

8.3 Sailing Committee

- 8.3.1 Unless otherwise specified by the Committee of Management, the chairman of the Sailing Committee shall be a Rear Commodore and therefore be referred to as 'Rear Commodore Sail'.
- 8.3.2 The duties and powers of the Sailing Committee shall be to:
- 8.3.2.1 Frame and present to the Committee of Management in February a budget for Sailing Cost Centre in the coming financial year.
 - 8.3.2.2 Frame and present to the Committee of Management a programme of Club racing, cruising activities, and sailing novelty events for the season and coordinate the Sailing and Cockburn Sound Regatta race programmes.
 - 8.3.2.3 Raise funds and donations for trophies and prizes for the following season Presentation Ceremony.
 - 8.3.2.4 Prepare Notices of Races, Sailing Instructions, and any other documentation required for racing.
 - 8.3.2.5 Control all races and all yachts competing therein other than Cockburn Sound Regatta Races and Power Yacht Races.
 - 8.3.2.6 Ensure that all boats competing in club events are registered on the current boat register, except for the case of visiting boats representing other clubs.
 - 8.3.2.7 Provide job descriptions for, take charge of, and appoint officials for all races other than Power and Cockburn Sound Regatta races, sailed by or under the direction of the Club.

- 8.3.2.8 Ensure that Sailing Marks are in good repair and properly positioned.
- 8.3.2.9 Provide the Committee of Management with an inventory of, and ensure the correct use and care of Club owned flags, horns, buoys, and other racing equipment.
- 8.3.2.10 Meet on a monthly basis, record the minutes of each meeting and table these minutes at the following Committee of Management meeting.

8.4 Power and Fishing, Committee

- 8.4.1 Unless otherwise specified by the Committee of Management, the chairman of the Power and Fishing, Committee shall be a Rear Commodore and therefore be referred to as 'Rear Commodore Power and Fishing.
- 8.4.2 The duties and powers of the Power and Fishing Committee shall be to:
 - 8.4.2.1 Frame and present to the Committee of Management in February a budget for Power Cost Centre in the coming financial year.
 - 8.4.2.2 In conjunction with the Sailing Committee and the Cockburn Sound Regatta Committee, to organise sufficient Official support vessels for programmed races.
 - 8.4.2.3 To control use of and maintenance of Club owned support and official vessel including the appointment of operating crew.
 - 8.4.2.4 To control use of and maintain Club owned radio equipment.
 - 8.4.2.5 Provide a written report for the Committee of Management meeting detailing operational status, maintenance requirements, or other issues relating to Club support boats and associated equipment.
 - 8.4.2.6 Maintain a record of the qualifications of club members relevant to helming support craft and doing support duty and ensure that only qualified personnel with current relevant certifications operate the Club's support and start craft.

8.5 Junior and Training Committee

- 8.5.1 Unless otherwise specified by the Committee of Management, the chairman of the Junior and Training Committee shall be a Rear Commodore and therefore be referred to as 'Rear Commodore Juniors'.
- 8.5.2 The duties and powers of the Junior and Training Committee shall be to:
 - 8.5.2.1 Frame and present to the Committee of Management in February a budget for Junior Cost Centre in the coming

financial year.

- 8.5.2.2 In conjunction with the Sailing Committee, to frame and present to the Committee of Management a programme of Junior racing and training for the season.
- 8.5.2.3 Provide job descriptions for, take charge of, and appoint officials for all training held by or under the direction of the Club including the appointment of training instructors.
- 8.5.2.4 Provide the Committee of Management with an inventory of, and ensure the correct use maintenance and care of Club owned training vessels, dinghies and associated training equipment.
- 8.5.2.5 Supervise and control the use of the boat storage facilities at the Val Street Clubhouse.
- 8.5.2.6 Meet on a monthly basis, record the minutes of each meeting and table these minutes at the following Committee of Management meeting.

8.6 Foreshore Committee

- 8.6.1 Unless otherwise specified by the Committee of Management, the chairman of the Foreshore Committee shall be the Executive Officer.
- 8.6.2 The duties and powers of the Foreshore Committee shall be to:
 - 8.6.2.1 Frame and present to the Committee of Management in February a budget for Foreshore Committee Cost Centre in the coming financial year.
 - 8.6.2.2 Supervise, maintain and control the use of the Point Peron Hardstand facility by members.
 - 8.6.2.3 Supervise, maintain and control the use of the Val Street Club moorings and any other moorings owned by the club.
 - 8.6.2.4 Recommend and supervise maintenance and renovations at the Point Peron Hardstand facility.
 - 8.6.2.5 Meet on a monthly basis, record the minutes of each meeting and table these minutes at the following Committee of Management meeting.

8.7 Finance Committee

- 8.7.1 Unless otherwise specified by the Committee of Management, the chairman of the Finance Committee shall be the Treasurer.
- 8.7.2 The duties and powers of the Finance Committee shall be to:
 - 8.7.2.1 Ensure that true and accurate books of account of the Club are maintained and periodically report on the Club trading and financial situation to the Committee of Management.
 - 8.7.2.2 Report to the Committee of Management any situation in

relation to the Club's accounts that have an adverse effect on its liquidity or financial viability.

- 8.7.2.3 Make recommendation to the Committee of Management on pricing of the club's goods and services, salaries and wages for staff, insurance policies, membership fees and levies and accounting procedures.
- 8.7.2.4 Supervise the finances of the Club.
- 8.7.2.5 Ensure the auditing of the Club's books of accounts is completed by the 30th April each year, by a suitably qualified professional auditor prior to the Annual General Meeting.
- 8.7.2.6 Present a report of the Club's financial situation at each General Meeting.
- 8.7.2.7 Periodically make a check on the holdings of trading goods.
- 8.7.2.8 Monitor and report on the Club's bank and loan accounts as and when required by the Committee of Management.
- 8.7.2.9 Recommend improvements and alterations to the financial methods of the club.
- 8.7.2.10 Meet on a monthly basis, record the minutes of each meeting and table these minutes at the following Committee of Management meeting.

8.8 Cockburn Sound Regatta Committee

- 8.8.1 The Cockburn Sound Regatta committee chairman shall be a Committee of Management Appointee.
- 8.8.2 The Duties and powers of the Cockburn Sound Regatta Committee shall be:
 - 8.8.2.1 Frame and present to the Sailing Committee a budget for the Cockburn Sound Regatta for inclusion in the Sailing cost Centre budget.
 - 8.8.2.2 In conjunction with the Sailing Committee and the Power Committee prepare a programme for the Cockburn Sound Regatta.
 - 8.8.2.3 Prepare Notices' of Race, Sailing instructions, and any other documentation required for the Cockburn Sound Regatta.
 - 8.8.2.4 Control all races and all yachts competing in the Cockburn Sound Regatta.
 - 8.8.2.5 Provide job descriptions for, take charge of, and appoint officials for all Cockburn Sound Regatta races.
 - 8.8.2.6 Meet as directed by Committee of Management, record the minutes of each meeting and table as well as report these minutes at the following Sailing Committee meeting.

9. Bylaws of the Point Peron Hardstand

9.1 Definitions

- 9.1.1 Boat Register - a register of boats, associated owners and storage information.
- 9.1.2 Hardstand Registration Tag - a tag issued to identify the owner of a boat or jinker at the Point Peron Hardstand facility.
- 9.1.3 Storage Bay - a designated bay at the Point Peron Hardstand facility.
- 9.1.4 Dinghy Storage - an area or areas designated for the storage of dinghies. to maximum length of 3.5 metres.
- 9.1.5 Facility - in this section of the bylaws refers to the Point Peron Hardstand facility.

9.2 General

- 9.2.1 Unless otherwise restricted by the constitution or bylaws, the Point Peron Hardstand facility is available to the use of all Club Members and their Guests.
- 9.2.2 Only financial Voting Members may:
 - 9.2.2.1 Obtain a key to the facility.
 - 9.2.2.2 Use the facility for the purpose of boat storage, maintenance, and construction provided that they are enrolled in the current Boat Register.
 - 9.2.2.3 Park a vehicle inside the perimeter of the facility except that such parking shall be limited to one vehicle per member.
 - 9.2.2.4 Launch or retrieve a boat at the facility.
- 9.2.3 Road and beach access must be locked, when not in use.
- 9.2.4 The Executive Officer shall have the right to affix a Hardstand Registration Tag to any boat, dinghy, or jinker stored at the Point Peron Hardstand facility. This sticker:
 - 9.2.4.1 May list the owner's contact details.
 - 9.2.4.2 Shall be affixed to a jinker in preference to a boat.
 - 9.2.4.3 And shall not be removed whilst the boat, dinghy, or jinker is stored in the facility.
- 9.2.5 Members are responsible for the tidiness and safety of their storage bay area. Toxic or flammable chemicals shall be stored safely, in small quantities only, and in accordance with the prescriptions of local and state laws and grassed areas shall be mowed regularly.
- 9.2.6 On no account should any Member live on a boat permanently within the Point Peron facility, however, whilst working on their boats, members may sleep aboard for no more than three (3) nights in any one calendar month.
- 9.2.7 Except when locked in the Open Position under the direction of the Executive Officer, perimeter gates shall be closed and locked by members after entering or exiting.
- 9.2.8 Vehicles driven in the Point Peron Hardstand area shall not exceed a

'walking speed'.

- 9.2.9 Dogs must be kept on a lead at all times while in the facility and controllers of the dog shall clean up after them.
- 9.2.10 Members storing boats and property at the facility shall ensure that they are adequately insured.
- 9.2.11 All members using the Hardstand facility must comply with the Hardstand Conditions of Use.

9.3 Boat Register

- 9.3.1 Any vessel listed on the Boat Register must be owned or part owned by the member nominated on the Boat Register form.
- 9.3.2 No vessel shall be registered unless every person having an interest therein is a Member of the Club.
- 9.3.3 Any vessel or storage requirement listed on the Boat Register shall be renewed at the beginning of the club's financial year by the completion of a new Boat Registration form.
- 9.3.4 Yacht owners who use an assigned 'CR' sail number shall be entitled to use that assigned number in successive years provided they renew their Boat Registration with their annual subscription.

9.4 Slipway, Jinkers, Tractors, Winch and Other Facilities

- 9.4.1 Only Financial Voting members may use the slipway, jinkers, tractor, and other boat transfer or maintenance equipment belonging to the Club.
- 9.4.2 It shall be the prerogative of the Executive Officer to refuse permission for a jinker to use the slipway or permission to use the club tractor, winch or any other club equipment if he considers the intended actions to be unsafe or that the equipment is unsuitable for the task.
- 9.4.3 All jinkers shall have a device fitted to lock the steering in a straight-ahead position.
- 9.4.4 Jinkers tow bars shall have some mechanism to hold them 150mm above ground level or be fitted with jockey wheels or skid bars.
- 9.4.5 Only operators authorised by the Executive Officer shall operate the winch.
- 9.4.6 The Executive Officer or a nominee of the Executive Officer has the prerogative to limit the use and or manner of use of any of the Club's equipment.
- 9.4.7 Members shall report any damaged equipment or unsafe condition to the Executive Officer or a nominee of the Executive Officer.
- 9.4.8 Any member wishing to have his boat slipped, or who requires the use of the tractor or other club equipment shall pay the appropriate fee. The fees shall be those set down from time to time by the Committee of Management.

- 9.4.9 Any member using the facility of the hardstand to an extent above normal use or over an extended period may be charged for such use, Members wishing to make intensive or extended use of hardstand facilities shall approach the Executive Officer for written approval from the Committee of Management.

10. Code of Ethics

- 10.1** Members shall take care to avoid tracking sand and water into the Clubhouse and use the wet entrance when appropriate.
- 10.2** Members shall remove themselves to the foyer areas to receive or make mobile telephone calls.
- 10.3** No Member shall take away from the Club premises any newspaper, book or any other article or property of the Club unless authorised.
- 10.4** No paper or notice, written or printed, shall be laid in or about the Club premises without the sanction of the Committee of Management or the Club Manager.

11 Bylaws of the House

11.1 Dress Code

- 11.1.1 Members shall be suitably dressed for the occasion as prescribed by the current TCYC Dress Code for Flag Officers, Committee and Members.
- 11.1.2 Regardless of Dress Code prescriptions, it shall be the prerogative of the senior Flag Officer or at his direction, the Duty Officer, to determine the appropriateness of dress as well as supervise the transition from casual to more formal dress requirements.

11.2 Guests

11.2.1 Casual Guests

- 11.2.1.1 Members wishing to entertain up to five guests may do so provided the names and details of each guest and the member sponsoring the guest are recorded in the Club Visitors' Book on each occasion of a visit by that guest.
- 11.2.1.2 A guest may not be supplied with any liquor except at the invitation and in the company of a Member.
- 11.2.1.3 Member shall be responsible for the conduct of their sponsored guests and be present for the duration of guest's visit.
- 11.2.1.4 The Club Manager, Licensee or the Duty Manager shall have the right to object to the presence of any guest whom they may consider to be undesirable.
- 11.2.1.5 Members may not sponsor a guest for whom any of the following is applicable:
- a) The person is known to be an unsuccessful candidate for

admission to the Club.

b) The person has been struck from membership of the Club in the immediate past five year period for non-payment of subscriptions or other monies due.

c) The person has been a guest at the Club on four occasions over the immediately preceding twelve-month period.

d) A person who has had their membership cancelled as a result of disciplinary action is not permitted on TCYC premises (clubhouse or hardstand)

11.2.2 Function/ Event Bookings

11.2.2.1 Members wishing to entertain more than five guests shall make a Function/Event booking with the Club Manager.

11.2.2.2 Guests attending a Club Function/Event shall not be required to sign the Visitors' Book.

11.2.3 The Liquor Control Act section 48(2) (a) (ii) authorises the sale, during permitted hours, of liquor to a member and to guests of that member in the company of that member, ancillary to a meal supplied at the Club or on behalf of the Club, to a member and to each of the guests of that member (without limitation as to number), being guests of whose attendance prior notice was given to the Club in accordance with bylaws approved. Such approval will only be granted by the Club Manager after adequate prior notice.

11.3 Other Bylaws of the House

11.3.1 Under 18 Years Olds

11.3.1.1 Members shall ensure that under 18's are under the supervision of a parent or guardian.

11.3.1.2 Members shall ensure that under 18's are not permitted on the tiled area at the perimeter of the bar except that Junior Members may approach the downstairs bar at the galley end for non-alcoholic drinks and snacks.

11.3.1.3 Non-Members under 18 years of age may not approach the bar, and all their requirements must be purchased by their parent/guardian.

11.3.2 Pets

11.3.2.1 No pets shall be allowed into the Clubhouse.

11.3.2.2 Pets may be brought to the outside areas of the Club only with the approval of the Duty Manager, provided they are leashed in the case of dogs and under the supervision of their owners at all times.

12. Flag Protocol

12.1 Officers' Burgees

12.1.1 The Commodore's Burgee shall be a true Club Flag with a swallowtail.

12.1.2 The Vice commodore's Burgee shall be the same flag with one golden

ball in the lower canton.

12.1.3 The Rear Commodore's and Executive Officer's Burgees shall be the same flag with two golden balls in the lower canton.

12.1.4 The Past-Commodore's Burgee shall be the same flag as the Commodore's with a gold cross in the lower canton.

12.1.5 No Officer's Burgee shall be displayed on any yacht in the absence of the Officer concerned.

12.2 General Requirements for Club Flags (Ensign, Burgee, or Pennant)

12.2.1 The Club Flag shall be blue with a red cross superimposed on a white cross, (St. George's Cross) with a golden dolphin in the upper canton.

12.2.2 The Ensign or Pennant of one Club may never be flown with the Burgee or Pennant of another.

12.2.3 All Members are expected to observe the established customs of the sea in flying flags and ensigns.

12.2.4 Club Pennants and Flag Officers' Flags may be flown continuously day and night when the yacht is under sail or under way. There is, however, no objection to hauling the Ensign and Flags down during the hours of darkness.

12.2.5 In harbour, the Club Pennant should be flown between 0800 hours and sunset.

12.2.6 Racing or Distinguishing Flags should be flown before, during, and not more than a short time after the completion of a race.

12.2.7 If a yacht retires from a race, the Racing or Distinguishing Flags should be lowered as soon as practicable.

12.2.8 The flag of a Flag Officer should be flown continuously by day and by night in harbour.

12.3 National Flag

12.3.1 The National flag shall be flown in accordance with Flag Protocol as prescribed by the Australian Government.

12.3.2 In addition to the flying of the National Flag at half mast on such occasions as Anzac Day in accordance with Australian Government Flag Protocol, the National Flag may be flown at half mast on the day of a member's funeral or an occasion of mourning as directed by the Commodore or Vice-Commodore.

13. Trustees

13.1 The Committee of Management shall appoint at least two Members as Trustees to use the Seal of the Club and such appointment shall continue until resignation or cancellation by the Committee of Management, or ceasing to be a Member of the Club.

14. General Meetings

- 14.1** All official correspondence can be provided to a member as per clause 22.9 of the constitution including being emailed to the relevant address recorded in the TCYC club records.
- 14.2** All Absentee Votes received for a motion that is amended during the AGM will not be valid for the amended motion.

15. Suspension, Expulsion or Discipline of Members of the Association

- 15.1** Should a member, guest or any other party involved with TCYC feel effected, aggrieved or penalised by any decision or action of TCYC, its officials or members, then there is an opportunity to lodge application for redress in accordance with Section 11 of the constitution – Disputes & Grievances.
- 15.2** Any posting of material on social media by any party/parties, either directly or indirectly involved, in the form of comment or criticism towards TCYC, its officials or members in general, via any form of social media shall be considered as inappropriate behaviour and may result in the parties being required to explain their actions to the Committee of Management of TCYC.
- 15.3** If the reviewing committee find the incident has brought TCYC, its officials or its members into disrepute, then the parties instigating the breach in TCYC's social media policy may be subject to penalties in accordance with Section 12 of the constitution – Suspension, Expulsion or Discipline of members.