



PRETORIA
SAILING
CLUB

CONSTITUTION

MAY, 2013

PRETORIA SAILING CLUB (PSC)

CONSTITUTION

1. Name

The name of the Club shall be *Pretoria Sailing Club* or *Seilklub Pretoria*.

2. Colours

a. Burgee

The Club burgee shall be an Isosceles triangle measuring base 200mm, height 380mm. It shall be divided vertically, blue at the hoist and white at the fly – blue segment 115mm from the base. The blue segment shall carry diagonally in white a three part lightning flash, the flash being uppermost at the hoist.

b. Badge

The badge of the Club shall be a reproduction of the Club burgee.

c. Dress

The formal Club dress for men shall be white shirt, Club tie, long grey trousers, black or navy blue blazer with breast pocket badge and black or brown shoes. The formal dress for ladies shall be white dress or white blouse and black or navy blue skirt or slacks, and black or navy blue blazer with breast pocket badge. Officers of the Club shall, in addition, be entitled to wear nautical peaked caps.

3. Objectives

The objectives of the Club shall be:

- a. Promote interest and activity in the sport of sailing.
- b. Organise Club and inter-club yacht races.
- c. Preserve the peace and serenity and the flora and fauna at the sailing venue which is proper to the sport of sailing.

4. Registration

The Club shall maintain membership of or affiliation to South African Sailing (SAS) and shall pay an amount to SAS on behalf of the members by which every member of the Club shall be a member of SAS.

5. Membership

a. The membership of the Club shall consist of the following classes of members

i. Individual member

An Individual member shall be age 18 or over and shall be entitled to vote at General Meetings, to be elected as an officer and to serve on committees. He/she shall have access to all Club property, and shall be entitled to make use of all Club facilities subject to such restrictions as may be imposed by the Club's by-laws. Should a member's status change to that of a Family member, he/she must advise the Club Secretary/Administrator immediately in writing.

ii. Family member

A Family member shall be aged 18 or over who has a spouse/partner and/or children involved in the Club. He/she and spouse/partner shall have the same rights and be subject to the same obligations as an Individual member. Should a member's status change to that of an Individual member, he/she must advise the Club Secretary/Administrator immediately in writing.

iii. Student member

A Student member shall be aged 18 to 25 and a full-time student at a university or other approved institution or doing military training and have a negligible income. Such membership granted under this clause shall be subject to renewal

at the discretion of the Executive Committee on receipt of a written application at the start of each financial year. Otherwise it will automatically be converted to ordinary membership.

iv. Cadet member

A Cadet member shall be under the age of 18. A letter of consent signed by his/her parent or legal guardian to participate in Club activities shall be provided to the Club.

v. Country member

A Country member shall be resident outside a radius of 80km from the Club and shall rank as an Individual member. A Country member shall not be entitled to park boats or trailers at the Club.

vi. Visiting member

A Visiting member shall be a member of another recognised yacht club and shall rank as an Individual member but shall not be entitled to vote at any meetings or to be elected to the committees.

vii. Life member

A Life member shall be a member who paid the prescribed Life membership fee before March 1977. He/she shall rank as an Individual member for the full period during which the Club exists.

viii. Honorary member

An Honorary member shall be appointed by the Executive Committee at its discretion for good reason. The appointment shall be for a period of 1 year. An Honorary member may be reappointed subject to annual review. He/she shall not be required to pay the annual membership fee and shall not be entitled to vote at any meetings.

ix. Honorary Life member

An Honorary Life member shall be appointed at an Annual General Meeting (AGM) in recognition of outstanding services to the Club. The appointment shall be for the full period during which the Club exists. He/she shall not be required to pay the annual membership fee and shall have full voting rights.

b. A member's child under the age of 18 shall enjoy the privileges of a Cadet member but shall not be required to pay entrance and membership Fees.

c. A member's child who turns 18 will be required to pay for Student or Individual membership, whichever applies and will not be required to pay an entrance fee.

d. A Student member will not be entitled to vote at General Meetings and may not be elected onto the Executive, Sailing or House and Grounds Committees.

e. All members under the age of 18 shall only make use of the Club facilities under the supervision of a responsible member, except by special permission of the Executive Committee.

f. Age limits apply to a person's age at the start of each financial year (1 January).

6. Entrance fees and membership fees (subs)

a. Entrance fees and subs shall be determined by the Executive Committee each year or by the members at a Special General Meeting (SGM). The entrance fees and subs are given in the bye-laws of the Club.

b. The Executive Committee, with the approval of the Trustees, shall have the authority to raise subs by a maximum of 15% per annum should this be necessary without holding an SGM. A budget and explanation giving the reasons for raising subs shall be presented at the next AGM. Should it be necessary to raise subs by more than 15% an SGM must be called. Entrance fees shall be adjusted accordingly.

c. Any member who resigns whilst in good standing may be re-elected as a member without payment of an entrance fee at the discretion of the Executive Committee.

Furthermore, should a member under the age of 18, or the spouse/partner of a member subsequently apply for membership in his/her own right, the payment of an entrance fee may be waived at the discretion of the Executive Committee.

d. Payment of Subs

- i. Annual subs shall fall due and become payable in advance on 1 January each year. Should any member fail to pay his/her subs by 28 February the Executive Committee shall, at its discretion, either cancel his/her membership or charge a late payment fee of 10% of the subs for each month or part thereof that the payment is outstanding after 1 March.
- ii. Should membership be cancelled, re-election as a member shall be subject to a further payment of the appropriate entrance fee.
- iii. A member shall only be entitled to take part in Club events if he/she has paid all arrears due to the Club.

e. New Members

- i. Applications for Individual, Family and Country membership shall be accompanied by the appropriate entrance fee and pro-rata subs.
- ii. Applications for Student and Cadet membership shall be accompanied by the appropriate pro-rata subs. No entry fee is payable except that when such a member becomes an Individual or Family member, he/she shall pay the entrance fee.
- iii. In the event of a rejection of an application, the entrance fee (if applicable) and pro-rata membership fee shall be refunded to the applicant. No reason for the rejection need be given.

7. Management

- a. The affairs of the Club shall be conducted by an Executive Committee, Sailing Committee and House and Grounds Committee. A PSC/CCC Coordinating Committee shall deal with matters concerning the Centurion Canoe Club, and a Youth Committee (when needed) shall represent young members.
- b. The Executive, Sailing and House and Grounds Committees shall meet at least once a month. Additional meetings may be called to deal with any matter calling for immediate attention. At such meetings no business shall be transacted which can be left over until the next ordinary meeting of the committee concerned.
- c. Any committee member who fails to attend three consecutive ordinary meetings of the committee without leave having been obtained from the Chairman of the committee shall be deemed to have resigned from the committee.
- d. In the event of a split vote in a committee, the Chairman shall have a casting vote.

8. Executive Committee

- a. The Executive Committee shall consist of the Commodore (Chairman), Vice-Commodore, Rear-Commodore, Treasurer, Secretary/Administrator, Sailing Secretary, Bosun, Quartermaster, Development Officer and the Immediate Past Commodore (ex-officio for one year). The Chairman and three committee members shall form a quorum.
- b. The Commodore shall be bound to call a meeting of the Executive Committee, Sailing Committee or House and Grounds Committee within seven days of receipt of a request, in writing, from any two members of the committee concerned.
- c. Duties of the Executive Committee
 - i. Interpret and give effect to the policy of the Club, coordinate the activities of the Sailing and House and Grounds Committees, control all assets of the Club and deal with all matters which may arise concerning the welfare of the Club. Any

- two of the Commodore, Vice-Commodore, Secretary/Administrator and Treasurer shall be signatories for the Club.
- ii. Carry out and give effect to any instructions given it by the members at an AGM or SGM.
 - iii. Draw up bye-laws that shall be observed by all members.
 - iv. Accept or reject new members of the Club, except that the Secretary/Administrator or Treasurer may accept an application for visiting membership. Any application that is rejected by the Executive Committee shall not be proposed again for a period of at least three months.
 - v. Investigate, suspend or expel any member whose conduct is unbecoming or who has infringed any bye-laws of the Club. Any member so dealt with shall have the right to appeal at the next AGM.
 - vi. Administer Club finances subject to the approval of the Trustees in terms of Clause 12, and render duly audited financial statements at each AGM. Members shall not be individually liable for any debts incurred by the Executive Committee.
 - vii. All employees shall join a provident fund and PSC shall contribute 50% of their monthly instalments. No retirement grants shall be paid to any employees except Frans Letsebe who shall receive on retirement a monthly grant calculated as follows: 15% of his average monthly salary over his last three months of employment, less 50% of the monthly pension provided by his provident fund, with an annual increase in January each year at the discretion of the Executive Committee. The grant is payable until death but subject to a Life Certificate from a Commissioner of Oaths or other acceptable proof of existence provided to PSC in January each year.
 - viii. Inform members through the medium of newsletters etc. of all matters relating to the affairs and activities of the Club. All circulars and suchlike addressed to the membership of the Club as a whole, from any committee, shall be dealt with by the Secretary/Administrator.
 - ix. The Secretary/Administrator shall keep minutes of all Executive Committee meetings and a copy of the minutes shall be forwarded within seven days to each member of the Executive Committee.
 - x. The Executive Committee may form a sub-committee for any special purpose and may co-opt any Club member to serve on such committee. All proposals and activities of sub-committees shall be subject to the approval of the Executive Committee.
 - xi. The Executive Committee may nominate any of its members to attend any meeting of the Sailing Committee, House and Grounds Committee or of any sub-committee.
 - xii. Furnish a report on its activities at the AGM.

9. Sailing Committee

- a. The Sailing Committee shall consist of the Vice-Commodore (Chairman), Sailing Secretary, Training Officer, Development Officer, four elected members and the Commodore (ex officio). The Chairman and two committee members shall form a quorum.
- b. The Vice-Commodore shall be responsible for the activities of the Youth Committee. The Vice-Commodore or in his/her absence, another flag officer shall attend all meetings of the Youth Committee.
- c. Duties of the Sailing Committee
 - i. Act on behalf of the Club in all matters under its control except that any negotiation or transaction which affects the policy of the Club shall be subject to

the prior approval of the Executive Committee and any communication addressed to the membership of the Club as a whole shall be dealt with through the Secretary/Administrator.

- ii. Organise the Club's activities subject to the requirements, if any, of SAS. These activities include all Club events, Club regattas, bridge and rescue duties, protest committees, handicapping, setting of courses, records of competitors' points, establishment and maintenance of marks on the water, equipping of bridge and rescue boats, maintenance of rescue boats, provision of trophies and prizes, collection of race entry fees and enforcement of bye-laws concerning use of the Club's sailing water.
- iii. Prepare the Club's Sailing Programme and Sailing Instructions.
- iv. Responsible for maintaining a register of the Club's fleet of each class of boat. Any boat that does not have a valid measurement certificate issued by a recognised class association shall be classified as *Open Class* for the purpose of Club racing. If fewer than four boats of a recognised class compete, they shall be classified as *Open Class*.
- v. Endeavour to foster a high standard of sportsmanship, seamanship and sailing etiquette at all times.
- vi. Ensure that a high standard of safety is maintained at all times and not permit any boat in an unsafe condition to sail on Club waters. Provide adequate lifesaving and rescue facilities in all Club events.
- vii. Ensure that a member of the committee attends all general meetings of the regional sailing association.
- viii. Properly control and administer funds advanced to it by the Executive Committee. Any funds received shall be paid to the Treasurer as soon as possible. Financial transactions of the Sailing Committee shall be confined to matters for which it is clearly responsible and when in doubt, the decision of the Executive Committee shall be final.
- ix. Keep minutes of all its meetings and a copy shall be submitted within seven days of the meeting to the Secretary/Administrator. All decisions of the Sailing Committee shall be subject to the approval of the Executive Committee.
- x. Furnish a report on its activities at the AGM.

10. House and Grounds Committee

- a. The House and Grounds Committee shall consist of the Rear-Commodore (Chairman), Bosun, Quartermaster, four elected members and the Commodore (ex-officio). The Chairman and any two committee members shall form a quorum.
- b. Duties of the House & Grounds Committee
 - i. Act on behalf of the Club in all matters under its control except that any negotiations or transactions which affect the policy of the Club shall be subject to the prior approval of the Executive Committee and any communication addressed to the membership of the Club as a whole, shall be dealt with by the Secretary/Administrator.
 - ii. Responsible for the maintenance of all facilities provided by the Club on shore and for all shore activities. This includes car parking, boat parking, clubhouse and canteen facilities, catering, first-aid facilities, entertainment, grounds and garden, security, maintenance of all buildings, jetties and structures, and enforcement of bye-laws concerning dress, conduct, visitors, limitations to use of Club grounds, and so on.
 - iii. Responsible for the orderly control of boat parking, trailer parking and the allocation of covered boat parking. The committee shall be required to keep an up-to-date register of boat parking allocations and shall advise the Club

Secretary/Administrator of any changes that may take place. Decisions of the Executive Committee concerning all aspects of boat parking including the removal of boats from undercover and/or open parking, shall be final.

- iv. Properly control and administer funds advanced to it by the Executive Committee. Any funds received shall be paid to the Treasurer as soon as possible. Financial transactions of the House & Grounds Committee shall be confined to matters for which it is clearly responsible and when in doubt the decision of the Executive Committee shall be final.
- v. Keep minutes of all its meetings and a copy shall be submitted within seven days of the meeting to the Secretary/Administrator. All decisions of the House and Grounds Committee shall be subject to the approval of the Executive Committee.
- vi. Furnish a report on its activities at the AGM.

11. PSC/CCC Coordinating Committee

- a. A Memorandum of Agreement between PSC and the Centurion Canoe Club (CCC) entitles CCC limited access to PSC facilities. In terms of the Agreement, a PSC/CCC Coordinating Committee shall deal with matters of mutual interest and concern to both PSC and CCC.
- b. The Coordinating Committee consists of a Chairman being a member of PSC and appointed by PSC at an SGM or AGM, and six members being the Commodore of PSC, Chairman of CCC, the Secretary/Administrator of each club and one additional member from each club. The Chairman and three committee members shall form a quorum.
- c. The Coordinating Committee shall meet as and when required and minutes of meetings shall be kept by the Secretary/Administrator of PSC.

12. Trustees

- a. There shall be five Trustees and they shall appoint a Chairman from one of their number. The Chairman and two Trustees shall form a quorum.
- b. The role of the Trustees is to advise the Executive Committee, monitor expenditure and safeguard PSC funds.
- c. The Trustees shall act in an advisory capacity to the Executive Committee on investment and expenditure of PSC funds and proposed budgets, and may provide advice on any other matters referred to them by the Executive Committee.
- d. The Executive Committee shall obtain the approval of the Trustees for any proposed expenditure not included and/or exceeding budgeted expenditure as approved at an AGM.
- e. The Trustees may advise against such expenditure by furnishing reasons to the Executive Committee.
- f. Should the Trustees and the Executive Committee not come to an agreement, such expenditure shall be referred to the AGM or an SGM of the members.
- g. The Secretary/Administrator shall keep minutes of meetings between the Trustees and the Executive Committee and a copy of the minutes shall be forwarded within seven days to the Trustees and each member of the Executive Committee.

13 Youth Committee (only if required)

- a. The Youth Committee shall consist of a Youth Commodore (Chairman), Youth Vice-Commodore, Youth Rear-Commodore, Youth Secretary, four youth members and the Vice-Commodore. The Chairman and three committee members shall form a quorum.
- b. The Youth Committee shall be responsible for assisting the Executive, Sailing and House and Grounds Committees with any matters relating to the youth including Youth Regattas.

- c. Decisions shall be subject to the approval of the Vice-Commodore.
- d. Finances and budget shall be under the control of the Vice-Commodore and any funds received must be paid as soon as possible to the Treasurer.
- e. Minutes of all meetings shall be kept and a copy submitted within seven days to the Secretary/Administrator.

14. Officers of the Club

The Officers of the Club shall be the following

Flag Officers: Commodore (Chairman)

Vice-Commodore

Rear-Commodore

Officers: Treasurer

Sailing Secretary

Quartermaster

Bosun

Development Officer

Secretary/Administrator

15. Election of Committee Members and Trustees

- a. Committee members and Trustees shall be elected at an AGM from members of good standing for one year and three years respectively (subject to clause 15d and 15e). Committee members and Trustees may be re-elected.
- b. Nominations for committee members and Trustees shall be made in writing and posted on the Club notice board before the AGM. Nominations shall close prior to the commencement of the meeting unless no nominations are received, in which case nominations may be accepted during the meeting.
- c. Voting for the election of committee members and Trustees shall be done by ballot.
- d. To qualify for election as a flag officer a member shall have served on the Executive, Sailing or House and Grounds Committee for not less than one year.
- e. To qualify for election as a Trustee, a member shall be familiar with the management and administration of PSC and its financial affairs, and preferably have served as Commodore or a member of the Executive Committee.
- f. Any vacancy in the Executive Committee, Sailing Committee or House and Grounds Committee shall be filled by a member of the Club in good standing appointed by the remaining members of the Executive Committee. Should a Trustee resign, the remaining Trustees shall appoint a suitably qualified member of the Club to fill the vacancy until the next AGM.

16. General Meetings

- a. An AGM shall be held on a date to be fixed by the Executive Committee not later than 28th February each year.
- b. An SGM shall be at the discretion of the Executive Committee except that the Committee shall be bound to call an SGM within 14 days of receipt of a request in writing, signed by no less than 10% of the voting members of the Club.
- c. Only business for which an SGM shall have been called shall be transacted or discussed.
- d. The notice calling the AGM or any SGM shall be issued at least seven days before the date of the meeting. Such notice shall state the matters to be discussed.
- e. At any AGM or SGM, 45 members or 10% of the subscribing members (whichever is the smaller) shall form a quorum. In the event of there being no quorum at the advertised time, the meeting shall be postponed for 14 days at the same time and place, and the members then present, irrespective of the number, shall form a quorum

and shall deal with the business of the meeting. All members shall be informed of the postponement.

- f. At general meetings the Commodore shall preside or in his/her absence, the Vice- or Rear-Commodore. If all the flag officers are absent, the members present shall elect a Chairman for the meeting.

17. Amendments to the Constitution

- a. No alterations or amendments to this Constitution shall be made except by a majority of the members present at an AGM or SGM called for that purpose. The Executive Committee shall have the power to make bye-laws not inconsistent with the Constitution, provided that such bye-laws shall be reviewed at the next AGM.
- b. Notice of any proposed alteration to the Constitution shall be given in writing to the Secretary at least 14 days before the AGM or SGM and shall be included in the agenda.

18. Dissolution or Merger of the Club

- a. The Club shall be dissolved or merged with another club with similar objectives by a vote in favour thereof by at least two-thirds of the total membership as obtained by a referendum.
- b. In the event of dissolution or merger, all assets of the Club remaining after liabilities are met shall be used for the benefit of the amateur sport of dinghy sailing as determined by the Trustees.

19. Indemnity

Pretoria Sailing Club, its officers, committee members, members, staff, course organisers and coaches shall not accept liability or responsibility for, and are indemnified against any damages, accidents, injury, death or loss of any nature whatsoever whether arising from negligence, gross negligence or any other cause, which is suffered by any person while on Pretoria Sailing Club premises, on Rietvlei Dam or at any other place, or while participating in Pretoria Sailing Club activities of any nature whatsoever.

20. Abandoned boats and equipment

- a. Boats, trailers, masts, booms, sails and any other items left on Club premises by owners who have left the Club for any reason or have not paid their outstanding membership fees by 1st June shall be considered as abandoned.
 - i. The Executive Committee shall give written notice to such an owner by e-mail or regular mail to the address provided in his/her application form (or the address as subsequently changed, this being the owner's responsibility) or if unidentified, by publishing a notice in the local newspaper/s requesting that the abandoned equipment be removed from Club premises within 30 days.
 - ii. Should an owner fail to comply, the items shall be sold by auction to the highest bidder to defray storage and other costs. The balance after deduction of any monies payable to PSC shall be paid to a claimant after identification and proof of ownership is provided.
 - iii. Abandoned equipment not sold by auction shall be disposed of in a manner deemed appropriate by the Executive Committee.
- b. Owners who lay claim to abandoned items not yet sold or disposed of, shall be charged a monthly storage fee as determined by the Executive Committee.

Amended as per AGM on 26 May 2013.