

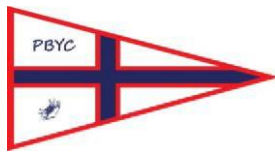
PORT BOUVARD YACHT CLUB

A SECTION OF THE PORT BOUVARD RECREATION & SPORTING CLUB INC.

BYLAWS

Amended 26th July 2024





BYLAWS

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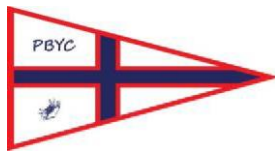
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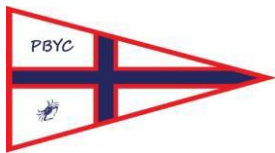
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BYLAWS



1 NAME

The Port Bouvard Yacht Club is a section of the Port Bouvard Recreation & Sporting Club (Inc.).

2 OBJECTIVES

The objective of the Port Bouvard Yacht Club is to foster goodwill among all members and visitors and to promote sailing.

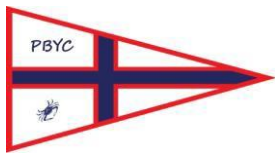
3 AFFILIATIONS

The Port Bouvard Yacht Club will operate within the constitution of the Port Bouvard Recreation and Sporting Club hereinafter called the Club.

1. The Port Bouvard Yacht Club shall be affiliated with Yachting Western Australia and any other associations required to run any designated sport and abide by the constitutions and by-laws of such associations for appropriate events

4 OFFICERS OF THE PORT BOUVARD YACHT CLUB

1. A committee shall be elected by the Annual General Meeting of the Port Bouvard Yacht Club.
2. An Officer of the Port Bouvard Yacht Club shall be a financial ordinary member or life member of the club.
3. The Port Bouvard Yacht Club committee shall be:
 - Commodore
 - Vice Commodore
 - Rear Commodore
 - Secretary
 - Treasurer
 - Committee Members up to 7 with a minimum of 4
4. The Port Bouvard Yacht Club executive committee shall be represented by:
 - Commodore
 - Vice Commodore



-
- Rear Commodore
 - Secretary
 - Treasurer

5 DUTIES OF OFFICERS

5.1 COMMODORE

1. Shall preside at all Annual, General and Special General Meetings of the Port Bouvard Yacht Club
2. Be a non-voting ex-Officio member of all Port Bouvard Yacht Club sub committees.
3. May call committee meetings and generally promote sailing and objects of the Port Bouvard Yacht Club.
4. Shall on written request of ten (10) ordinary financial members call a Special General Meeting to discuss the business contained in such a request.
5. Represent the Port Bouvard Yacht Club on the Club Board of Management

5.2 VICE COMMODORE

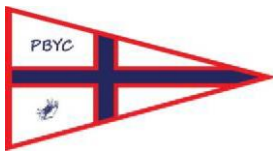
1. Shall in the absence of the Commodore preside at all Annual General Meetings, General, Special General Meetings and Committee meetings of the Port Bouvard Yacht Club.
2. Will carry out all duties as requested by the Commodore and in the absence of the Commodore assume that position.

5.3 REAR COMMODORE

1. Ensure the successful management of on water activities and welfare of the sailors during on water sailing club activities.

5.4 SECRETARY

1. Shall be the custodian of the minutes and records and ensure accurate minutes are kept of all Annual General, Special General and Committee meetings that require to be minuted.
2. Will attend to all inward and outward correspondence as required and report to the next committee meeting.



5.5 TREASURER

1. The Treasurer is responsible for recording all income and expenditure and presenting a statement each month to the Port Bouvard Yacht Club committee.
2. Liaise with the treasurer of the PBR&SC.

5.6 COMMITTEE MEMBERS

1. Each committee member shall be allocated specific roles and duties by the Executive of the PBYC.

7 BALLOT PROCEDURES

7.1 VOTING.

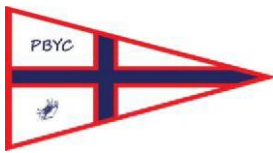
1. Voting will take place at the Port Bouvard Yacht Club Annual General Meeting and only Financial Ordinary and Life Members in attendance will be able to vote.
2. Absentee votes must be lodged in writing on the prescribed form provided by the Club Secretary on the last normal working day prior to the meeting.
3. The Chairperson shall have the casting vote should votes be equal at any Port Bouvard Yacht Club meeting.

7.2 RETURNING OFFICER AND SCRUTINEERS.

1. A Returning Officer and Scrutineers shall be appointed by the Chairperson if required.
2. The Scrutineers shall be Financial Ordinary or a Life Member of the Club and shall not be candidates for election.
3. Scrutineers may be present throughout the ballot and may query the inclusion or exemption of any vote in the count but the Returning Officer shall have the final determination of any votes queried.
4. A Scrutineer shall not place or remove any mark on a ballot paper.
5. A Scrutineer shall not interfere with or attempt to influence any member at the time such a member is casting their vote.

7.3 ELECTION OF OFFICERS.

1. The notice of the Port Bouvard Yacht Club Annual General Meeting is to be posted on the Club notice board at least Fourteen (14) days prior to the declared date of the meeting. Nomination for the position of an officer of the Port Bouvard Yacht Club shall be in writing, signed by the nominee and the seconder and displayed on the club notice board.
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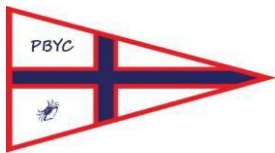
2. In the event of insufficient numbers of members being nominated for election, nominations will be accepted without notice from members in attendance at the Port Bouvard Yacht Club Annual General Meeting.
3. Officers of the Port Bouvard Yacht Club shall be elected on an Annual basis.
4. Voting will be by ballot at the Port Bouvard Yacht Club Annual General Meeting and if required, members in attendance will be provided with ballot papers.
5. Unopposed nominations shall be approved by a majority show of hands. If there is not a majority show of hands, the position shall then be declared vacant, and nominations called from the floor.
6. Newly elected officers shall take office at the declaration of the Ballot following the Port Bouvard Yacht Club Annual General Meeting. Should it be necessary to fill a vacancy during the year, it shall be filled by the Port Bouvard Yacht Club Committee.
7. Retiring elected officers will be eligible for re-election.
8. The Port Bouvard Yacht Club committee shall have the power to appoint another member to fill any vacancy provided the person so appointed is a financial Ordinary or Life member of the Club. The appointed person shall act for the remainder of the term.

7.4 QUORUM.

1. At the Port Bouvard Yacht Club Annual General Meeting and Special General Meetings Ten (10) ordinary members present will form a quorum.
2. If a quorum should not be present at a meeting within thirty minutes of the stated time of the meeting, the meeting will automatically be adjourned to re-convene at the same time seven days later. If a quorum is not present at the rescheduled meeting, those present may transact the business of that meeting.
3. A quorum at the Port Bouvard Yacht Club Committee meeting will be Five (5) members. Should a quorum not be present within Thirty (30) minutes of the advertised time of any meeting it shall be adjourned until a quorum is present.
4. A quorum at a Port Bouvard Yacht Club Executive Meeting will be Three (3).

7.5 RESIGNATION OF THE YACHT CLUB COMMITTEE.

1. In the event of the resignation of the entire Port Bouvard Yacht Club Committee, the administration of the Port Bouvard Yacht Club will be carried out by the President of the Club, or a person appointed by the Board of Management until a Special General



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Meeting can be held to elect a Port Bouvard Yacht Club Committee for the remainder of the term.

7 MEETINGS

7.1 PORT BOUVARD YACHT CLUB COMMITTEE MEETINGS

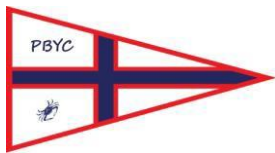
1. Meetings of the Port Bouvard Yacht Club Committee shall be held monthly
2. Any member of the Port Bouvard Yacht Club Committee being absent from three (3) consecutive meetings and failing to give a satisfactory explanation of such absence, may by majority vote of the committee be deemed to have forfeited his/her seat

7.2 MEETINGS OF THE EXECUTIVE COMMITTEE

Meetings of the Executive Committee of the Port Bouvard Yacht Club may be called by the Commodore as required.

7.3 ANNUAL GENERAL MEETING

1. The Port Bouvard Yacht Club Annual General Meeting shall be held at least fourteen (14) days prior to the Annual General Meeting of the Club.
2. Notice of meeting date and time and any notices of motion as well as a copy of the minutes of the previous Annual General Meeting shall be posted on the Club notice board for at least Fourteen (14) days prior to the date of meeting.
3. The agenda of the Port Bouvard Yacht Club Annual General Meeting shall be :-
 - Opening by Chair
 - Apologies
 - Minutes of previous AGM
 - Business arising from those minutes.
 - Financial report by treasurer and approval of accounts
 - Commodore's report.
 - By-law amendments/Motions on notice.
 - Election of officers.
 - General business.
 - Date of next AGM.
 - Close.



7.4 SPECIAL GENERAL MEETING

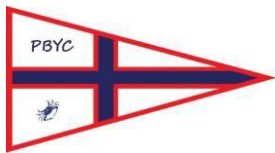
The Commodore shall call a Special General Meeting within Twenty One (21) days of receiving a written request, stating in detail the purpose and objectives of the meeting, signed by not less than Ten (10) financial ordinary members, or, on the instruction of the Board of Management.

1. Notice of the meeting and a copy of the requisition shall be posted on the club notice board for at least fourteen (14) days prior to holding that meeting.
2. Only business of which notice has been given shall be discussed at the meeting.

8 MISCONDUCT

8.1 COMPLAINTS

1. Any complaint against the conduct of any member participating in the activities of the Port Bouvard Yacht Club must be made in writing to the Club Secretary within three (3) working days of the event arising, together with a fee of \$25. The Club Secretary will advise the Commodore of the details of the complaint within three (3) working days of the complaint being lodged.
2. The Commodore of the Port Bouvard Yacht Club will set the date of the hearing no more than Fourteen (14) days after the notification of the complaint from the Club Secretary.
3. The Port Bouvard Yacht Club Secretary will then give the member complained against, Seven (7) days notice in writing by registered mail, detailing:
 - The complaint in detail.
 - The date, time, and place at which the complaint is to be dealt with by the Port Bouvard Yacht Club Committee.
4. The Port Bouvard Yacht Club Committee may impose a penalty limited to:
 - A fine not exceeding Fifty percent (50%) of the Annual Subscription.
 - Suspension from the Port Bouvard Yacht Club, but not exceeding One (1) month.
 - Any recommended penalties exceeding the above will be referred to the Board of Management which will deal with the matter within Seven (7) days of receiving notice from the Port Bouvard Yacht Club Secretary.



BYLAWS



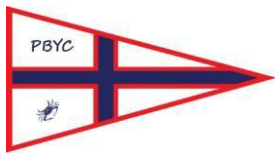
- Any complaint which cannot be resolved by the Port Bouvard Yacht Club Committee at their hearing will be referred to the Board of Management which shall deal with the matter within Seven (7) days of receiving notice from the Port Bouvard Yacht Club Secretary.

8.2 APPEALS

1. Two (2) levels of appeal shall be available to members found guilty by the Board of Management of an offence against these Rules. Each notice of appeal shall be directed to the Club Secretary in writing within Seven (7) days of the decision of the Board of Management giving details of the grounds for appeal.
2. A member who has been fined may have the appeal determined by Two (2) members of the Executive Committee and Three (3) Ordinary Club Members. The appellant shall lodge a sum of money equivalent to fifty percent (50%) of the Annual Subscription with their appeal. Such money will be refunded if the appeal is upheld.
3. A member who has been suspended or expelled may have their appeal determined by a Special General Meeting. Refer to SGM Clause 17 requirements. (PBRSC Constitution) The appellant shall lodge a sum of money equivalent to Fifty percent (50%) of the Annual Subscription with their appeal. Such money will be refunded if the appeal is upheld.
4. A majority of Seventy Five Percent (75%) of members in attendance and entitled to vote will be required to over-turn the decision of the Board of Management.
5. Until the hearing of any appeal, the decision of the Board of Management shall have full effect but the appellant shall have the right to attend the Special General meeting.
6. No member shall be entitled to take any legal action against the Club (other than for goods or services rendered) and must conform to the decision of the Board of Management and in the case of appeal, the decision of the Special General Meeting.

9 MANAGEMENT AND PROCEDURES

These By-laws are to be read in conjunction with the Constitution of The Port Bouvard Recreation and Sporting Club Inc.



9.1 POLICIES

The Port Bouvard Yacht Club shall comply with the Management Policies as issued by the Port Bouvard Recreation and Sporting Club (Inc) Board of Management from time to time.

9.2 FINANCIAL YEAR

The Port Bouvard Yacht Club shall commence the Financial Year on 1st July and end on 30th June of the following year.

1. The Port Bouvard Yacht Club bank balances remaining at the 30th June each year shall be carried forward into the new financial year.

9.3 COMPLIANCE

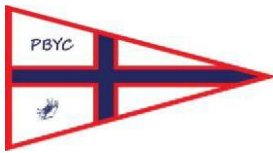
1. Sub committees will not conduct events or functions without first obtaining the authority of the Port Bouvard Yacht Club committee.

9.4 PORT BOUVARD YACHT CLUB BY-LAWS

1. The Port Bouvard Yacht Club Committee may from time to time, if they consider it necessary, introduce new By-laws or rescind existing By-laws and make amendments providing any changes are displayed on the Club notice board and comply with the Port Bouvard Recreation and Sporting Club (Inc) Constitution.
2. By-laws can be rescinded, amended or adopted by a majority vote at a:
 - Special General Meeting called for that purpose.
 - At an Annual General Meeting.
 - At a Monthly Committee Meeting.
3. In the event of any question arising as to the interpretation of the By-laws, the Port Bouvard Yacht Club Committee will determine such matter/s.
4. The policy for the "Order of Business" and "Rules of Debate" will be set out in the Management Policy and Procedure of the Club.

9.5 UNIFORM.

1. The garments forming part of the Port Bouvard Yacht Club uniform will be the design approved by the Port Bouvard Yacht Club Committee.
2. At any event, away from or at the club, all apparel worn will be as approved by the Port Bouvard Yacht Club Committee from time to time.



9.6 USE OF CLUB EQUIPMENT

1. All full financial members of the Club shall have use of all club owned equipment, under the supervision of a Port Bouvard Yacht Club committee person.
2. Members using Port Bouvard Yacht Club boats shall wear a compliant PFD (Personal Floatation Device) at all times while on the water.
3. The Port Bouvard Yacht Club Management shall set a sailing fee to cover costs.
4. The Port Bouvard Yacht Club Management shall set the fees for hiring of grounds and facilities with the approval of the Club Management.

9.7 RISK MANAGEMENT

The Port Bouvard Yacht Club Committee will ensure that a Risk Management Program be put in place for all eventualities.