

CANADIAN BAY CLUB

RULES

1. Name

The name of the incorporated association is Canadian Bay Club ("the Association")

2. Purposes of the Association

The objects for which the Association is established are:-

- (a) to carry on, promote, and encourage water sports and recreation generally;
- (b) to maintain a clubhouse in Mt Eliza for the use of members, approved family group nominees, and guests of the Association;
- (c) to purchase, lease, hire or otherwise acquire any real or personal estate which may be deemed necessary or convenient for the purposes for which the Association exists;
- (d) to sell, manage, lease, mortgage, dispose of, or otherwise deal with all or any part of the property of the Association;
- (e) to invest any moneys of the Association not immediately required for any of its objects in such manner as may be determined by the committee from time to time;
- (f) to raise and borrow moneys required for the purpose of the Association upon such terms and conditions and or such securities as may be determined by the committee from time to time;
- (g) to construct, alter, add to or maintain any buildings and other property belonging to the Association;
- (h) to apply for and obtain the appropriate permits and or licences to carry out its objects;
- (i) to do all such things as are incidental or necessary for the purposes of the above objects.

3. Definitions and Interpretation

Definitions

3.1 In these rules unless the contrary intention appears:

"Act" means the Associations Incorporation Act 1981;

"clubroom" means the clubroom of the Association;

"committee" means the committee of management of the Association;

"financial year" means the year ending on 30 June;

"general meeting" means a general meeting of members;

"member" means a member of the Association and does not mean family group associate nor intermediate associate

Interpretation

- 3.2 In these rules, unless the contrary intention appears:
- (a) a word which is defined in the Act has the same meaning in these rules; and
 - (b) a reference to a statute or regulation or a provision of a statute or regulation is a reference to that statute, regulation or provision as amended or a statute, regulation or provision replacing it, and a reference to a statute includes all regulations, proclamations, ordinances and by-laws made or issued under that statute.
- 3.3 Sub-Headings do not form part of the substantive provisions of these rules and are included only for ease of reference.

4. Amendment of these Rules

These rules must not be altered except in accordance with the Act.

5. Membership

Admission of Members

- 5.1 Admission as a member requires a nomination and a seconding in writing to be approved by the committee and payment of entrance and subscription fees under rules 5.7 and 5.8. A member must have twelve months' membership or more to be eligible to nominate or second a person for admission.

Long Serving Membership

- 5.2 A person who has been a member for over 40 years shall be deemed to be a long serving member and shall only be liable for ½ of the yearly subscription fee set out in rule 5.8. Following the death of a long serving member the Committee may at its discretion deem the member's surviving spouse to be a long serving member.
- 5.3 A person who is over the age of 80 and has been a member for over 25 years shall be deemed a long serving member and shall only be liable for ½ of the yearly subscription fee set out in rule 5.8.

Life Membership

- 5.4 If the committee deems that a member has rendered conspicuous service to the Association the committee may award that member life membership. Life members are not liable for annual subscription fees. The maximum number of life members at any one time is ten. Following the death of a life member the Committee may at its discretion deem the member's surviving spouse to be a life member.

Family Groups

- 5.5 Upon payment of the family group fee set out in rule 5.9 and approval of the committee a spouse of a member and any children of a member aged under the age of 18 will become family group associates. The family group fee is payable annually in addition to the fees payable by the member under rules 5.7 and 5.8. The members may remove family group associates from the Association by resolution at a members' meeting. The members may remove family group associates from the Association at a general meeting.

Intermediate Associates

- 5.6 Children of members aged between 18 and 21 years on 1 July of the present year are eligible to become intermediate associates at the discretion of the committee. Intermediate associates are not required to pay the entrance fee under rule 5.7 but must pay ½ the subscription fee under rule 5.8 annually. Upon reaching the age of 21 years an intermediate associate is eligible for membership but will not be required to pay the entrance fee under rule 5.7 upon becoming a member. The members may remove intermediate associates from the Association by resolution at a members' meeting.

Entrance and Annual Subscription Fees

- 5.7 The entrance fee is \$550.00
- 5.8 The annual subscription fee is \$409.20 and is payable on the 1 July in each year.
- 5.9 The family group fee is \$132.00

Register of Members

- 5.10 The Secretary must keep and maintain a register of members containing:
- (a) the name and address of each member; and
 - (b) the date on which each name was entered on the register.

Ceasing Membership

- 5.11 A member who has paid all moneys due and payable by a member to the Association may resign from the Association by giving one month's notice in writing to the Secretary of his or her intention to resign. After the expiry of this period the Secretary must record in the register of members the date on which the member ceased to be a member.

Discipline, Suspension and Expulsion of Members

- 5.12 Subject to these rules if the committee is of the opinion that a member has refused or neglected to comply with these rules or has been guilty of conduct unbecoming of a member or prejudicial to the interests of the Association, the committee may by resolution:

- (a) fine that member an amount not exceeding \$500; or
- (b) suspend that member from membership of the Association for a specified period; or
- (c) expel that member from the Association.

5.13 A resolution to remove a member under rule 5.12 does not take effect unless;

- (a) the member concerned has been given 21 days' notice of the proposed resolution to remove the member; and
- (b) at the members meeting concerned the member has been given an opportunity to address the members prior to the resolution being voted on.

Disputes and Mediation

5.14 The grievance procedure set out herein applies to disputes under these rules between a member and another member; or a member and the Association.

5.15 The parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute within 14 days after the dispute comes to the attention of all of the parties.

5.16 If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within 10 days, hold a meeting in the presence of a mediator.

5.17 The mediator must be-

- (a) a person chosen by agreement between the parties; or
- (b) in the absence of agreement –
 - (i) in the case of a dispute between a member and another member, a person appointed by the committee of the Association; or
 - (ii) in the case of a dispute between a member and the Association, a person who is a mediator appointed or employed by the Dispute Settlement Centre or Victoria (Department of Justice).

5.18 A member of the Association can be a mediator.

5.19 The mediator cannot be a member who is a party to the dispute.

5.20 The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.

5.21 The mediator, in conducting the mediation, must-

- (a) give the parties to the mediation process every opportunity to be heard; and

- (b) allow due consideration by all parties of any written statement submitted by any party; and
- (c) ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.

5.22 The mediator must not determine the dispute.

5.23 If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the Act otherwise at law.

Transferring of Membership

5.24 Membership to the Association is only transferable between spouses and only with committee approval which is given at the discretion of the committee.

6. Members Meetings

Annual General Meeting

6.1 The committee may determine the date, time and place of the annual general meeting of the Association which must be held once in each calendar year.

6.2 The notice convening the annual general meeting must specify that the meeting is an annual general meeting.

6.3 The ordinary business of the annual general meeting shall be-

- (a) to confirm the minutes of the previous annual general meeting and of any general meeting held since that meeting; and
- (b) to receive from the committee reports upon the transactions of the Association during the last preceding financial year; and
- (c) to elect officers of the Association and the ordinary members of the committee; and
- (d) to receive and consider the statement submitted by the Association in accordance with section 30(3) of the Act.

6.4 The annual general meeting may conduct any special business of which notice has been given in accordance with these rules.

Special General Meetings

6.5 In addition to the annual general meeting, any other general meeting may be held in the same year.

6.6 All general meetings other than the annual general meeting are special general meetings.

- 6.7 The committee may, whenever it thinks fit, convene a special general meeting of the Association.
- 6.8 If, but for this rule, more than 15 months would elapse between annual general meetings, the committee must convene a special general meeting before the expiration of that period.
- 6.9 The committee must, on the request in writing of members representing not less than 5 per cent of the total number of members, convene a special general meeting of the Association.
- 6.10 The request for a special general meeting must-
- (a) state the objects of the meeting; and
 - (b) be signed by the members requesting the meeting; and
 - (c) be sent to the address of the Secretary.
- 6.11 If the committee does not cause a special general meeting to be held within one month after the date on which the request is sent to the address of the Secretary, the members making the request, or any of them, may convene a special general meeting to be held not later than 3 months after that date.
- 6.12 If a special general meeting is convened by members in accordance with Rule 6.11, it must be convened by the committee and all reasonable expenses incurred in convening the special general meeting must be refunded by the Association to the persons incurring the expenses.

Special Business Conducted at Members Meetings

- 6.13 All business that is conducted at a special general meeting and all business that is conducted at the annual general meeting, except for business conducted under the rules as ordinary business of the annual general meeting, is deemed to be special business.

Notice of General Meetings

- 6.14 The Secretary of the Association, at least 14 days, or if a special resolution has been proposed at least 21 days, before the date fixed for holding a general meeting of the Association, must cause to be sent to each member of the Association entitled to vote, a notice stating the place, date and time of the meeting and the nature of the business to be conducted at the meeting.
- 6.15 Notice may be sent-
- (a) by prepaid post to the address appearing in the register of members; or
 - (b) if the member requests, by facsimile transmission or electronic transmission.
- 6.16 No business other than that set out in the notice convening the meeting may be conducted at the meeting.
- 6.17 A member intending to bring any business before a meeting may notify in

writing, or by electronic transmission, the Secretary of that business, who must include that business in the notice calling the next general meeting.

Quorum at General Meetings

- 6.18 No item of business may be conducted at a general meeting unless a quorum of members entitled under these rules to vote is present at the time when the meeting is considering that item.
- 6.19 Five members personally present (being members entitled under these rules to vote at a general meeting) constitute a quorum for the conduct of the business of a general meeting.
- 6.20 If, within half an hour after the appointment time for the commencement of a general meeting, a quorum is not present-
- (i) in the case of a meeting convened upon the request of members- the meeting must be dissolved; and
 - (ii) in any other case- the meeting shall stand adjourned to the same day in the next week at the same time and (unless another place is specified by the Chairperson at the time of the adjournment or by written notice to members given before the day to which the meeting is adjourned) at the same place.
- 6.21 If at the adjourned meeting the quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members personally present (being not less than 3) shall be a quorum.

Presiding at General Meetings

- 6.22 The Commodore, or in the Commodore's absence, the Vice-Commodore, shall preside as Chairperson at each general meeting of the Association.
- 6.23 If the Commodore and the Vice-Commodore are absent from a general meeting, or are unable to preside, the members present must select one of their number to preside as Chairperson.

Adjournment of General Meetings

- 6.24 The person presiding may, with the consent of a majority of members present at the meeting, adjourn the meeting from time to time and place to place.
- 6.25 No business may be conducted at an adjourned meeting other than the unfinished business from the meeting that was adjourned.
- 6.26 If a meeting is adjourned for 14 days or more, notice of the adjourned meeting must be given in accordance with rule 12.
- 6.27 Except as provided in rule 6.20 and 6.26, it is not necessary to give notice of an adjournment or of the business to be conducted at an adjourned meeting.

Voting at General Meetings

- 6.28 All members shall be entitled to vote and each member entitled to vote shall have one vote.
- 6.29 All votes must be given personally or by proxy.
- 6.30 In the case of an equality of voting on a question, the Chairperson of the meeting is entitled to exercise a second or casting vote.
- 6.31 A member is not entitled to vote at a general meeting unless all moneys due and payable by the member to the Association have been paid.

Poll at General Meetings

- 6.32 If at a meeting a poll on any question is demanded by not less than 3 members, it must be taken at that meeting in such manner as the Chairperson may direct and the resolution of the poll shall be deemed to be a resolution of the meeting on that question.
- 6.33 A poll that is demanded on the election of a Chairperson or on a question of an adjournment must be taken immediately and a poll that is demanded on any other question must be taken at such time before the close of the meeting as the Chairperson may direct.

Manner of Determining Whether Resolution Carried

- 6.34 If a question arising at a general meeting of the Association is determined on a show of hands –
- (a) a declaration by the Chairperson that a resolution has been-
 - (i) carried; or
 - (ii) carried unanimously; or
 - (iii) carried by a particular majority; or
 - (iv) lost; and
 - (b) an entry to that effect in the minute book of the Association- is evidence of the fact, without proof of the number or proportion of the votes recorded in favour of, or against, that resolution.

Proxies

- 6.35 Each member is entitled to appoint another member as a proxy by notice given to the Secretary no later than 24 hours before the time of the meeting in respect of which the proxy is appointed.
- 6.36 The notice appointing the proxy must be in the form set out in Appendix 1.

7. Committee of Management

- 7.1 The affairs of the Association shall be managed by the committee of management.
- 7.2 The committee-
- (a) shall control and manage the business and affairs of the Association; and
 - (b) may, subject to these rules, the Act and the Regulations, exercise all such powers and functions as may be exercised by the Association other than those powers and functions that are required by these rules to be exercised by general meetings of the members of the Association;
 - (c) subject to these rules, the Act and the Regulations, has power to perform all such acts and things as appear to the committee to be essential for the proper management of the business and affairs of the Association; and
 - (d) shall have the power to make and amend by-laws of the Association as it sees fit.
 - (e) shall have the power to amend the fees charged under 5.7, 5.8 and 5.9 and may increase the charge for late payment.
- 7.3 Subject to section 23 of the Act, the committee shall consist of-
- (a) the officers of the Association; and
 - (b) five ordinary members-
- each of whom shall be elected at the AGM in each year; and
- (c) the immediate past Commodore shall be ex officio a member of the committee until the next AGM following the one at which he or she ceased to be Commodore.

Office Holders

- 7.4 The officers of the Association shall be-
- (a) a Commodore;
 - (b) a Vice-Commodore;
 - (c) a Treasurer; and
 - (d) a Secretary.
- 7.5 The provisions of rules 7.11-7.16, so far as they are applicable and with the necessary modifications, apply to and in relation to the election of persons to any other offices referred to in rule 7.4.

- 7.6 Subject to these rules each officer of the Association shall hold office until the annual general meeting next after the date of his or her election but is eligible for re-election.
- 7.7 No Commodore shall hold office for more than two consecutive terms. " One term" being the time between two AGMs
- 7.8 In the event of a casual vacancy in any office referred to in rule 7.4, the committee may appoint one of its members to the vacant office and the member appointed may continue in office up to and including the conclusion of the annual general meeting next following the date of the appointment.

Ordinary Members of the Committee

- 7.9 Subject to these rules, each ordinary member of the committee shall hold office until the annual general meeting next after the date of election but is eligible for re-election.
- 7.10 In the event of a casual vacancy occurring in the office of an ordinary member of the committee, the committee may appoint a member of the Association to fill the vacancy and the member appointed shall hold office, subject to these rules, until the conclusion of the annual general meeting next following the date of the appointment.

Election of Officers and Ordinary Committee Members

- 7.11 To qualify for election to the committee each candidate must be a member of the Association. Nominations of candidates for election as officers of the Association or as ordinary members of the committee must be-
- (a) made in writing, signed by two members of the Association and accompanied by the written consent of the candidate (which may be endorsed on the form of nomination); and
 - (b) delivered to the Secretary of the Association not less than 7 days before the date fixed for the holding of the annual general meeting.
- 7.12 A candidate may only be nominated for one office, or as an ordinary member of the committee, prior to the annual general meeting.
- 7.13 If insufficient nominations are received to fill all vacancies on the committee, the candidates nominated shall be deemed to be elected and further nominations may be received at the annual general meeting.
- 7.14 If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected.
- 7.15 If the number of nominations exceeds the number of vacancies to be filled, a ballot must be held.
- 7.16 The ballot for the election of officers and ordinary members of the committee must be conducted at the annual general meeting in such manner as the committee may direct.

Committee Members' Debenture Holdings

- 7.17 Not more than three members of the committee shall be members not holding any club debenture to the face value of at least \$200.00.

Vacancies

- 7.18 The office of an officer of the Association, or of an ordinary member of the committee, becomes vacant if the officer or member-
- (a) is removed under these rules;
 - (b) ceases to be a member of the Association; or
 - (c) becomes an insolvent under administration within the meaning of the Corporations Law; or
 - (c) resigns from office by notice in writing given to the Secretary.

8. Meetings of the Committee

- 8.1 The committee must meet at least 12 times in each year at such place and such times as the committee may determine.
- 8.2 Special meetings of the committee may be convened by any 2 members of the committee.

Notice of Committee Meetings

- 8.3 Notice of committee meetings must be given to each member of the committee at least 2 business days before the date of the meeting. For these purposes notice of forthcoming meetings may be given at committee meetings.

Quorum for Committee Meetings

- 8.4 Any 4 members of the committee constitute a quorum for the conduct of the business of a meeting of the committee.
- 8.5 No business may be conducted unless a quorum is present.
- 8.6 If within half of hour of the time appointed for the meeting a quorum is not present-
- (i) in the case of a special meeting- the meeting lapses;
 - (ii) in any other case- the meeting shall stand adjourned to the same place and the same time and day in the following week.
- 8.7 The committee may act notwithstanding any vacancy on the committee.

Presiding at Committee Meetings

- 8.8 At meetings of the committee-
- (a) the Commodore or, in the Commodore's absence, the Vice-Commodore presides; or
 - (b) if the Commodore and the Vice-Commodore are absent, or are unable to preside, the members present must choose one of their number to preside.

Voting at Committee Meetings

- 8.9 Questions arising at a meeting of the committee, or at a meeting of any sub-committee appointed by the committee, shall be determined on a show of hands or, if a member requests, by a poll taken in such manner as the person presiding at that meeting may determine.
- 8.10 Each member present at a meeting of the committee, or at a meeting of any sub-committee appointed by the committee (including the person presiding at the meeting), is entitled to one vote and, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.

Removal of Committee Member

- 8.11 The Association in general meeting may, by resolution, remove any member of the committee before the expiration of the member's term of office and appoint another member in his or her place to hold office until the expiration of the term of the first-mentioned member.
- 8.12 A member who is the subject of a proposed resolution referred to in rule 8.12 may make representations in writing to the Secretary or Commodore of the Association (not exceeding a reasonable length) and may request that the representations be provided to the members of the Association entitled to vote.
- 8.13 The Secretary or the Commodore may give a copy of the representations to each member of the Association entitled to vote or, if they are not so given, the member may require that they be read out at the meeting.
- 8.14 If a committee member fails to attend three consecutive committee meetings without leave of absence from the committee he or she shall automatically cease to be a member of the committee.

9. Minutes of Meetings

The Secretary of the Association must keep minutes of the resolutions and proceedings of each general meeting, and each committee meeting, together with a record of the names of persons present at general meetings and committee meetings.

10. Funds

- 10.1 The Treasurer of the Association must-
- (a) collect and receive all moneys due to the Association and make all

payments authorised by the Association; and

- (b) keep correct accounts and books showing the financial affairs of the Association with full details of all receipts and expenditure connected with the activities of the Association.

- 10.2 All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by two members of the committee.
- 10.3 The funds of the Association shall be derived from entrance fees, annual subscriptions, debentures, donations and such other sources as the committee determines.

11. Seal

- 11.1 The common seal of the Association must be kept in the custody of the Secretary.
- 11.2 The common seal must not be affixed to any instrument except by the authority of the committee and the affixing of the common seal must be attested by the signatures either of two members of the committee or, of one member of the committee and of the public officer of the Association.

12. Notice to Members

- 12.1 Except for the requirement in rules 6.14-6.15, any notice that is required to be given to a member, by on behalf of the Association, under these rules may be given by-
 - (a) delivering the notice to the member personally; or
 - (b) sending it by prepaid post addressed to the member at that member's address shown in the register of members; or
 - (c) facsimile transmission, if the member has requested that the notice be given to him or her in this manner; or
 - (d) electronic transmission, if the member has requested that the notice be given to him or her in this manner.

13. Winding up

In the event of the winding up or the cancellation of the incorporation of the Association, the assets of the Association must be disposed of in accordance with the provisions of the Act.

14. Custody and Inspection of Books and Records

- 14.1 Except as otherwise provided in these rules, the Secretary must keep in his or her custody or under his or her control all books, documents and

securities of the Association.

- 14.2 All accounts, books, securities and any other relevant documents of the Association must be available for inspection free of charge by any member upon request.
- 14.3 A member may make a copy of any accounts, books, securities and any other relevant documents of the Association.

By-Laws

1. By-Laws Subject to Rules

These by-laws are established under and are subject to the rules of the Association.

2. Maximum Number of Members

The committee may set a maximum number of members of the Association. The maximum number of members for the time being is as decided by the Committee.

3. Access to the Grounds, Boat Sheds and the Clubroom of the Association

Access to the grounds, boat sheds, and the clubroom of the Association is by security disc.

- 3.1 Security discs are available for purchase by members at a cost to be decided by the Committee.
- 3.2 Admission to the grounds, boat sheds, and club-house of the Association is at the discretion of any member of the committee.
- 3.3 It is the responsibility of members and approved family group nominees who access any premises of the Association to secure those premises upon leaving.

4. Driveway, Winch, Launching Ramp & Jetty

Use of Driveway Restricted

- 4.1 The driveway into the Association's grounds may be used only by boat space debenture holders and those renting boat spaces at the discretion of the committee. Boats moved on the driveway must not exceed 5.5 metres in length.
- 4.2 The driveway into the Association's grounds must remain unobstructed at all times.

Maximum Floor Loading

- 4.3 The maximum weight of a loaded boat trailer permitted in the grounds of the Association is 1,200 kg in total.
- 4.4 The maximum wheel loading of a motor vehicle permitted in the grounds of the Association is 600kg per wheel.

Motor Vehicle Restrictions

- 4.5 Motor vehicles are not to be used for launching or retrieval of boats, nor are motor vehicles permitted to drive onto the launching ramp or into the boat sheds.

Winch Operators Age Limit

- 4.6 The winch must not be operated by anyone under the age of 16 unless accompanied by an adult.

Boats to be Unoccupied During Launch and Retrieval

- 4.7 No person shall remain in a boat whilst it is being launched or retrieved.

Launching Ramp to be Kept Clear

- 4.8 The main launching ramp is to be kept clear for the launching and retrieval of boats.

Boat Trailer to be Returned to Allotted Space

- 4.9 Boat Trailers must be returned to allotted spaces when boats are in the water and must not be left unattended on the service area or the open deck.

Mooring at Jetty

- 4.10 Except during loading, unloading, launching or retrieval, boats moored at the jetty are to be moored clear of ladders installed on the jetty and, where space permits, away from the launching ramp.
- 4.11 Boats should be moored at right angles to the jetty with an adequate anchor.
- 4.12 When demand for space at the jetty is high, boats are not to be left moored at the jetty for longer than 60 minutes.

Jumping and Diving from Jetty

- 4.13 Jumping and diving from the jetty is prohibited

Fire Risk when Starting or Running Boat Engines

- 4.14 Boat engines may be started and run in the boatsheds only for the flushing of engine cooling systems after use, and only if the engine cover is in place and properly fitted.
- 4.15 If a boat engine is to be run with the cover removed, either for maintenance or flushing, this may only be done on the open storage deck at least 2 metres clear of any walls or other craft.

Disconnection of Batteries

- 4.16 Boat batteries must be recharged away from boats and petrol tanks.

5. Berthing & Boats

Application for Boat Spaces

- 5.1 Applications for boat spaces must be made in writing by members addressed to the berthing officer. Applications must define the type and size of berth required. Applications will be dealt with in accordance with the Association's policy of encouraging the purchase of boat space debentures by members. Applicants will be assigned a position on the boat space waiting list at the date of application in accordance with the following priorities.
- (i) Existing boat space debenture holders who wish to relocate their boat space;
 - (ii) Members who are currently renting and wish to purchase a boat space debenture;
 - (iii) Members not currently renting who wish to purchase a boat space debenture;
 - (iv) Members wishing to rent a boat space debenture.

Allocation of Large Spaces

- 5.2 Allocation of under cover 5.5 metre boat spaces will be limited to one per member. The Association may retain a maximum of three 5.5 metre undercover floor spaces for rental purposes.

Transfer of Berthing Rights

- 5.3 Subject to these by-laws no member shall transfer his or her berthing rights to another person.
- 5.4 A member who agrees that the boat space allocated to him or her may be offered by the Association for rental, will be reimbursed an amount determined by the committee.

Reallocation of Spaces

- 5.5 The committee reserves the right to reallocate boat spaces as it sees fit.

Maximum Boat and Rig Lengths and Weights

- 5.6 Boats housed indoors may not exceed 5.5 metres in hull centreline length and the total rig length may not exceed 6.1 metres. The maximum weight of a boat, trailer and rig

must not exceed a confirmed 1,200 kg. On the open storage deck the total rig length permitted is 7 metres and the total weight permitted is 1,200 kg. Weighbridge certificates will be required for all vessels exceeding 5 metres in length.

Use of Allocated Spaces

- 5.7 Boats may only be berthed in spaces allotted by and to the satisfaction of the committee or its nominated berthing officer. The surrounding of berths must be kept clean and tidy. Articles left on the floor and around boats will be considered abandoned and may be removed and disposed of by the Association.

Association not Responsible for Loss or Damage

- 5.8 The Association is not responsible for any loss of or damage to property occurring on the premises of the Association.

Motor Boat Registration

- 5.9 All motor boats stored on the Association's premises must be legally registered in the name of a member of the Association.

Tandem Trailers

- 5.10 Tandem (twin axle) trailers/cradles are not permitted to be used on the Association's premises.

Insurance of Boats and Equipment

- 5.11 Any person bringing a boat or other equipment onto the Association's premises must ensure that the boat or equipment is adequately insured. Copies of insurance certificates are to be made available to the Committee at their request.

Boat Licences

- 5.12 Any person bringing a boat onto the Association's premises must hold a current boat licence.

Motorised personal Water Craft

- 5.13 Club facilities are not available for motorised personal water craft. ("MPWC")

6. Debentures

Issue of Debentures

- 6.1 The committee may issue debentures including boat space debentures.

Boat Space Debenture values

- 6.2 The face value of a boat space debenture at date of issue will depend upon the category of boat space for which it is issued.

A debenture may be redeemed by the Association for its face value, NOT for the current issue value that would apply to a new debenture for that space.

The cost of a berth debenture may vary from time to time at the discretion of the Committee.

Transfer of Debentures

- 6.3 Subject to these by-laws debentures may not be transferred without the consent of the committee which shall be given or withheld at the discretion of the committee. If a debenture is held by a former member or by the estate of a former member it must be returned to the Association for redemption.

Beneficiaries Under a Will

- 6.4 Where a boat space debenture was held by a person who, immediately prior to that person's death, was a financial member of the Association and that person has bequeathed the boat space debenture:
- (a) to a member of his immediate family, the committee will approve the transfer of that debenture provided the person to whom the debenture is intended to be transferred was a member of the Association at the date of the death of the holder of the debenture and is a financial member of the Association at the date of transfer; or
 - (b) to more than one member of his immediate family, the committee will approve the transfer of that debenture, as a joint holding, to only those of the persons to whom the debenture was bequeathed who were members of the Association at the date of the death of the holder of the debenture and are financial members of the Association at the date of transfer. Where not all persons to whom the debenture has been bequeathed are eligible under this by-law, the transfer to those persons who are eligible will only be approved after written authority has been received from the executor of the estate. In all cases which will involve a joint holding, the executor of the estate is to advise the committee in writing of the respective shares in the joint debenture holding.

Assignment of Debenture

- 6.5 Where a boat space debenture is held by a member and that member wished to assign that debenture to one of more of his or her immediate family, who is a member or all of whom are members, as the case requires, the committee may approve such assignment.
- 6.6 An application for assignment under this by-law must be made in writing and the debenture involved must be produced to the committee for their approval and endorsement on the face of the debenture document.

7. Laws

Breaches of Laws

- 7.1 A breach by a member of any law while on the Association's premises is deemed to be a breach of these by-laws.

8. Clubroom

Clubroom Access

- 8.1 The clubroom is intended to be used as a lounge and is not to be used as a games room. Persons in wet clothing or with sandy feet are to avoid entering the clubroom through any door whenever possible. Stiletto heels are NOT allowed in any part of the Clubhouse.

Children must be adequately supervised at all times while in the clubroom.

Clubroom Furniture

- 8.2 Clubroom furniture is not to be removed from the clubroom to the sundeck or any other part of the Association's premises.

Kitchen / Barbeque & Equipment

- 8.3 Members are responsible for ensuring that, after use, the kitchen, barbeque area and clubroom are left clean and tidy and that crockery and utensils are washed and put away. Breakages must be reported to the Commodore or the Secretary. The barbeque must be turned off. Sun umbrellas and other furniture must be replaced in allotted positions. Any blinds which are down MUST be rolled up before leaving the Clubhouse. Children under the age of 8 are not allowed in the kitchen unless accompanied by an adult who will be responsible for the child at all times.

Bait Storage & Fish Cleaning

- 8.4 Under no circumstances may bait be placed in any clubroom refrigerator. Fish may only be cleaned on the western side of the lower deck, in the sink provided.

Dogs Not Allowed

- 8.5 Dogs are not allowed on the Association's premises.

Noticeboards

- 8.6 No pamphlet, advertisement or notice of any kind shall be exhibited on the noticeboards or any part of the Association's premises without the permission of the committee.

Removal or Damage of Property

- 8.7 Members or other persons may not remove from the Association's premises or deface, tear or damage any article or property belonging to the Association. Notwithstanding any other penalty which may be imposed by the committee, any person who contravenes this by-law may also be required to bear the cost involved.

No Smoking

- 8.8 Smoking is not permitted anywhere on the Association's premises.

9. Visitors & Functions

Members may sponsor visitors to use and enjoy the grounds and facilities of the Association on a casual basis.

Visitor's Book

- 9.1 All visitors must sign the Association's Visitors' Book.
- 9.2 A member may only sponsor a visitor if that visitor is personally known to that member.

Member Responsible for Visitor

- 9.3 A member who sponsors a visitor is fully responsible for the conduct of that visitor.
- 9.4 Members are to remain in the company of any visitors they sponsor.

Number & Frequency

- 9.5 A member may sponsor a maximum of 4 visitors at any one time but may apply in advance to the committee to sponsor a greater number at any one time.
- 9.6 Members may not bring the same guest to the Club more than 6 times in any one year.

Application for Approval to Exceed Limits

- 9.7 Any application involving sixteen (16) or more visitors on one occasion is automatically an application for a private function.

Private Functions

- 9.8 A private function at the Association means a gathering of members and visitors at which the number of visitors to be sponsored by any one member exceeds fifteen (15).
- 9.9 A member wishing to hold a private function at the Association must apply in writing to the committee at least six (6) weeks prior to the proposed date of the function. The

application must indicate the type of function intended and the maximum number of visitors and the total function size for which the applicant desires approval. The committee will place a limit on the total number of permitted attendees. Such limit will generally not exceed eighty (80) persons.

- 9.10 Approval to hold private functions at the Association will normally be given only during the period from the end of the Easter vacation to 30th October each year but not on public holidays.
- 9.11 The Committee will set out in writing terms and conditions attaching to any approval it may give to the holding of a private function at the Association. Such terms will normally include:
- (a) The lodging of a deposit;
 - (b) The payment of a fee;
 - (c) The provision by the Association of security guards working under the direction of the committee but at the member's expense;
 - (d) The applicant member being totally responsible for the conduct of the function, the people present and any damage caused;
 - (e) Strict time limits within which the function may be held;
 - (f) Requirements concerning cleaning up after the function.
- 9.12 The committee's approval for the holding of a private function at the Association does not provide exclusive use of the entire clubrooms and sundeck, however such approval will be notified on the noticeboard in the clubroom for the information of all members.

Charity / Community Functions

- 9.13 If the committee permits the Association's facilities to be used for a charity or community function, this is not considered to be a private function, even though one or more members must be responsible to the committee for the running of such a function.

If the holding of a charity or community function at the Association is approved, a notice will be displayed on the noticeboard in the clubroom at least one week in advance.

Functions

- 9.14 Functions organised by or on behalf of and with the authority of the committee for the general attendance of members are "Functions". Unless otherwise specified for a particular function, members may bring guests to Functions.

