



## **FOYNES YACHT CLUB**

### **GENERAL RULES**

1. The name of the Club shall be FOYNES YACHT CLUB.
2. The objective of the Club shall be the promotion of yachting; both power and sail, at Foynes in particular and in the Shannon Estuary in general.
3. The Club colours shall be Red and Gold with an emblem of the Beeves Rock Lighthouse.
4. The business and affairs of the Club shall be under the management of a Committee elected for a term of one year by the General Body of Club Members at the Annual General Meeting and shall be subject in a specified proportion to annual re-election as set out hereunder. No member of the Committee and no manager or servant employed in the Club shall have any personal interest in the sale of excisable liquors therein or in the profits arising for such sale.
5. The Committee shall consist of five Officers: vis. Commodore, 1<sup>st</sup> Vice-Commodore, 2<sup>nd</sup> Vice-Commodore, Honorary Secretary, Honorary Treasurer, the Trustees and six ordinary members, all of which shall be full members. Assistant Honorary Secretary and Assistant Honorary Treasurer to be appointed from the elected Committee if required.
6. The property and assets of the Club shall be vested in Trustees for such purposes as the Committee may by resolution from time to time appoint and they shall be indemnified against risk and expenses out of the Club property and by the General Body of the Members for the time being. The Trustees shall remain in office until death or resignation or until removed by resolution of a General Meeting. The Trustees shall in the first instance be elected by the members and shall thereafter by ex-officio members of the Club and, on a vacancy occurring, a new Trustee shall be elected in the same way. Any Trustee who shall cease to be a member of the Club shall be deemed to have vacated the Trusteeship and a new Trustee may forthwith be elected in the place. The Committee shall have power to borrow for the purposes of the Club by way of overdraft, term loan, loan account or otherwise from the Club's bankers, such amount of money either at one time or from time to time as they may deem proper not exceeding, however, the sum of €20,000 and to give security for such borrowings and the interest thereon in the category of the

accommodation granted by the issue of bills of exchange, promissory notes, or other obligations or securities of the Club or by mortgage or charge upon all or any part of the property of the Club and thereupon the Trustees shall at the direction of the Committee make all such dispositions of the Club's property or any part thereof and enter into such agreements in relation thereto as the Committee may deem proper for giving such security.

- 7 The Commodore, Vice-Commodore, Honorary Secretary, Honorary Treasurer and the Trustees shall be the sole ex-officio members of the Committee.
  - (a) Apart from the Trustees, the Honorary Officers of the Club shall be elected annually at the Annual General Meeting and shall hold office until the next following Annual General Meeting, unless they resign or are removed from office by a General Meeting. The names of candidates who have consented to stand for election together with the names of their proposer and seconder shall be given in writing to the Honorary Secretary, and shall be posted by him/her on the Notice Board at least seven days previous to the holding of the meeting.
  - (b) The outgoing Officers shall be eligible for re-election.
  - (c) The Commodore elect shall have been a member of the Club for a continuous period of at least five years.
  - (d) The ordinary members of the Committee shall be elected by ballot at the Annual General Meeting. Three ordinary members shall be elected each year at the Annual General Meeting and shall hold office until the second Annual General Meeting following their election. The names of candidates who have consented to stand for election to the Committee, together with the names of their proposer and seconder, shall be given in writing to the Honorary Secretary and shall be posted by him on the Notice Board at least seven days previous to the holding of the meeting.
- 8 The Committee shall govern the affairs of the Club in pursuance of the general objective as stated in rule 2. A quorum for the Committee meetings shall be five members of whom one must be an officer. The Committee shall hold not less than ten meetings in any one year and the Honorary Treasurer shall keep a properly detailed account of all receipts and payments and shall submit full and proper accounts to the Committee for the year ended 30<sup>th</sup> September and these accounts shall be placed before the Annual General Meeting in conjunction with the Treasurer's Report.
- 9 The number of ordinary members shall be regulated by the Committee and all members shall be elected by the Committee of the Club. Membership Election and Registration shall entail submitting to a Committee meeting the prescribed application form duly completed, together with the appropriate registration fee and subscription, and being proposed and seconded by two paid-up members. The names and addresses of persons proposed as ordinary members of the Club shall be displayed in a conspicuous place in the Club premises for at least two weeks before their election and an interval of at least three weeks shall elapse between the nomination and election of ordinary

members. All applications for membership and registration shall be considered by the Committee and, if accepted by a majority, the Club Secretary shall then notify the applicant of his election. If the application is unsuccessful, money paid shall be refunded to the applicant.

10 The members of the Club shall be under eight classifications as follows:

- (a) **FAMILY MEMBERSHIP** entitles husband and wife to full membership, and children under the age of 18 years to junior membership on the same basis as individual junior members.
- (b) **FULL MEMBERSHIP** men and women over the age of 18 years (with voting rights).
- (c) **CREW MEMBERSHIP** men and women over the age of 18 years (but non-voting) who is not a boat owner and is principally crewing on members boats.
- (d) **STUDENT MEMBERSHIP** men and women over the age of 18 years (but non-voting) and in fulltime education (current valid student ID required).
- (e) **ASSOCIATE MEMBERSHIP** men and women over the age of 18 years (but non-voting) and is principally for non-sailing members except at the discretion of the Committee.
- (f) **JUNIOR MEMBERSHIP** boys and girls under the age of 18 years
- (g) **LIFE MEMBERSHIP** any member paying twenty times the current annual membership subscription (in one payment).
- (h) **HONORARY MEMBERSHIP** any honorary member unanimously elected by the Club Committee.

All classifications shall be entirely at the discretion of the Committee

11. The annual Membership subscription for the various classifications shall be as follows:

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|---------------------|--|
| 1. Family Member    |  |
| 2. Full Member      |  |
| 3. Crew Member      | Shall be determined by the Annual        |
| 4. Student Member   | General Meeting                          |
| 5. Associate Member |  |
| 6. Junior Member    |  |
| 7. Life Member      | Twenty times the current annual          |
|                     | Membership subscription, in one payment. |
| 8. Honorary Member  | No subscription                          |

Any entrance registration fee shall only be payable on the initial registration of the member. Persons under 18 years of age shall be admitted as members of the club so long as it is primarily devoted to the sport activities for which it has been formed but, under no circumstances, shall excisable liquors be sold or supplied to any person under the age of 18 years.

12. The Club financial year shall be from the 1<sup>st</sup> October to 30<sup>th</sup> September. New entrants accepted after 1<sup>st</sup> August and having paid their first subscription and entrance registration fee (where applicable) shall not be required to remit a membership subscription for the succeeding financial year. The Club Committee shall have power to suspend any registered membership where the subscription remains unpaid six months after the due date – November 1<sup>st</sup>. The exercise of this power shall be entirely at the discretion of the Committee.

Any member who has failed to renew his subscription within eight (8) calendar months from the due date November 1<sup>st</sup> shall be automatically deemed to have allowed his membership to expire at 5:00pm on the 30<sup>th</sup> June next following the due date. For the renewal to be effective the renewing member shall have tendered his renewal subscription to either the Treasurer or the Secretary and same will have to be received by them prior to the expiry of the relevant as aforesaid. Any lapsed member who wishes to renew his subscription after the relevant (8) eight calendar months but before September 30<sup>th</sup> at 5pm in any subscription year shall be entitled to be registered as a member for that year but, shall have no voting rights for that year.

After September 30<sup>th</sup> in any year a lapsed member shall cease in effect to be a member of the Club and will not be allowed to renew his membership but instead will have to re-apply for membership and registration. A lapsed member shall be divested of all membership rights and any rights which would have accrued to such member shall automatically be deemed void.

- 13 The Annual General Meeting shall be held each year in November and eleven full members shall constitute a quorum at General Meetings. The agenda for Annual General Meetings shall include the Commodore's General Report on Club affairs for the previous year.

Notice of the Annual General Meeting or Special General Meeting shall be circularised to members by the Secretary not less than seven days previously. A Special General Meeting shall be called during the period January 1<sup>st</sup> and August 31<sup>st</sup> within four weeks of receipt by the Secretary of a written request containing an outline of the business proposed and signed by six full members who are qualified to vote. The Committee shall have power to call a Special General Meeting at any time should they consider this course necessary, subject to notice as above.

- 14 The Committee shall have power from time to time to appoint and remove such officials as they consider necessary, at any time, for the due management of the Club. The Committee shall have power to co-opt a full member to fill a vacancy in the Committee which may occur through death or resignation. Should they consider circumstances so warrant, during their term of office, the Committee shall also have the power to co-opt members of any classification on a temporary basis. Co-opted members of the Committee shall

retire at the next Annual General Meeting following the date of their co-option, but shall be eligible for election at the next meeting.

- 15 The Committee from time to time may alter or add to the Rules for the purpose of complying with the provisions of the Registration of Clubs (Ireland) Act, 1904 or of any statute amending same and, save for the purpose aforesaid, no rule of the Club shall be repealed or altered nor new rules made except at a General Meeting and written notice of the proposed change must be sent to the Secretary with names of the proposer and seconder attached at least 21 days previous to the meeting called for its consideration. Except for the special case where rules may be or added to for the purpose of complying with Provisions of the Registration of Clubs (Ireland) Act, 1904 (as amended) by the Committee, only the Annual General Meeting or a Special General Meeting shall have power to alter or add to the General Rules. Rules properly brought before a General Meeting may only be altered, abrogated or added to by the vote of to-thirds of the members present and voting.
- 16 Each member of the Club may introduce two visitors who may use the facilities of the Club while they are accompanied by that member. The Officers of the Club may jointly, at their discretion, give permission for the introduction of more than two visitors. Members will have preference over visitors in the use of Club facilities. No visitors shall be supplied with excisable liquor in the Club premises unless on the invitation and in the company of a member and that member shall, upon the admission of such visitor to the Club premises, or immediately upon his being supplied with such liquor, enter his own name and the name and address of the visitor in a book which shall be kept for the purpose, and which shall show the date of each visit.
- 17.1 Subject to the exceptions specified in Sub-Section 2 & 3, Section 56 of the Intoxicating Liquor Act, 1927 (as amended), no excisable liquor shall be supplied for consumption on the Club premises to any person (other than a member of the Club lodging in the Club premises) or be consumed on the Club premises by any person (other than a member of the Club lodging in the Club premises)
  - (a) On any week day before the hour of half past ten in the morning, or:
    - (i) During a period of summer time after the hour of half past eleven o'clock in the evening, or:
    - (ii) During a period which is not a period of summer time, after the hour of eleven o'clock in the evening, or:
  - (b) On any Sunday before the hour of half past twelve o'clock in the afternoon or between the hours of two o'clock and four o'clock in the afternoon or after the hour of eleven o'clock in the evening, or:
  - (c) St. Patrick's Day, where that day falls on a week day before the hour of half past twelve o'clock in the afternoon or after the hour of eleven o'clock in the evening, or:
  - (d) At any time on Christmas Day or Good Friday.

- 17.2 Nothing contained in the Registration of Club Acts, 1904 to 1986 or contained by virtue only of the operation of Sub-Section 1 of Section 56 of the Intoxicating Liquor Act, 1927, in the Rules of the Club shall operate to prohibit the supply for consumption on the Club premises of excisable liquor to any person or the consumption of excisable liquor on the Club premises by any person.
- (a) During a period of summer time between the hours of half past eleven in the evening on any week day and twelve thirty in the morning of the following day, or:
  - (b) During a period which is not a period of summer time between the hours of eleven in the evening on any week day and twelve thirty in the morning of the following day, or:
  - (c) On any Sunday between the hours of two o'clock and three o'clock in the afternoon, or:
  - (d) On Christmas Day between the hours of one o'clock and three o'clock in the afternoon or the hours of seven o'clock and ten o'clock in the evening if, in each case, the excisable liquor is:
    - (i) Ordered by that person at the same time as a substantial meal is ordered by him.
    - (ii) Consumed at the same time as and with the meal
    - (iii) Supplied and consumed in the portion of the Club premises usually set apart for the supply of meals, and paid for at the same time as the meal is paid for.
    - (iv) In this section "period of summer time", "week day" and "Sunday" have the meanings assigned to them by Section 1 of the Act.
- 18 No excisable liquor shall be sold or supplied for consumption outside the premises of the Club except to members of the Club between the hours of eight o'clock in the morning and ten o'clock in the evening.