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**THE BAR YACHT CLUB**

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**RULES**

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1. **Rule 1 - NAME**

The name of the Club is 'The Bar Yacht Club', hereinafter 'the Club'.

2. **Rule 2 – OBJECTS**

The Objects of the Club are:

2.1 To promote the association of members and students of the four Inns of Court (and other persons eligible for membership) who are interested in any form of yachting.

2.2 To encourage and facilitate all types of cruising, sailing and seamanship among its members.

3. **Rule 3 - DEFINITIONS**

In these Rules the following expressions shall, unless the context otherwise requires, have the following meanings respectively:

3.1 'The Rules' shall mean the Rules of the Club for the time being in force and references to any particular Rule shall be construed accordingly.

3.2 'The Committee' shall mean the Committee of the Club for the time being constituted as provided by Rule 14.

3.3 'The Flag Officers' shall mean the Commodore, Vice-Commodore and Rear-Commodore(s) of the Club for the time being (but shall not include any Honorary Officers as defined in Rule 21) and 'Flag Offices' shall be construed accordingly.

3.4 'The Executive Officers' shall mean the Racing Captain(s), Assistant Racing Captain, Secretary and Treasurer of the Club for the time being and "Executive Offices" shall be construed accordingly.

3.5 'The Officers' shall mean the Flag Officers and the Executive Officers.

- 3.6 'The Secretary' shall mean the Honorary Secretary for the time being of the Club.
- 3.7 'The Treasurer' shall mean the Honorary Treasurer for the time being of the Club.
- 3.8 'Financial year of the Club' shall mean the period from the 1<sup>st</sup> January to the 31<sup>st</sup> December (both dates inclusive) in any year.
- 3.9 In these Rules, where the context so requires, words importing the masculine gender only shall be construed as including the feminine gender and words importing the singular only shall be construed as including the plural.

**4. Rule 4 - MEMBERS**

The members of the Club shall, subject as hereinafter provided consist of:

- 4.1 Such persons (hereinafter called 'Ordinary Members') as the Committee shall from time to time elect to ordinary membership in accordance with the Rules.
- 4.2 Such persons (hereinafter called 'Associate Members') as the Committee shall from time to time elect to associate membership in accordance with the Rules.
- 4.3 Such persons (hereinafter called 'Honorary Members') as shall from time to time be elected to honorary membership in accordance with the Rules; and,
- 4.4 The holders for the time being of such offices as shall from time to time be designated for such purpose in accordance with the Rules (such members being hereinafter called 'Ex-officio Members').

**5. Rule 5 - ORDINARY MEMBERSHIP**

Any member of any of the four Inns of Court and any other person who is either (1) a student of any of the four Inns of Court; or (2) a member of the Bar of any country which is a member of the Commonwealth shall be eligible for ordinary membership.

**6. Rule 6 - ASSOCIATE MEMBERSHIP**

- 6.1 Any Person who is a spouse or partner of an Ordinary Member shall be eligible for associate membership.

6.2 An Associate Member shall not be entitled to vote or to propose or second any resolution at any meeting of members or to join in requisitioning such a meeting and shall not be entitled to any share or interest in the assets of the Club, but shall otherwise be entitled to the like rights and privileges as an Ordinary Member and shall (subject as hereinafter provided) be liable for the like entrance fee and subscription as an Ordinary Member.

7. **Rule 7 – ELECTION OF ORDINARY MEMBERS AND ASSOCIATE MEMBERS JOINING THE CLUB**

7.1 Those wishing to join the Club are required to complete the application and direct debit forms on the Club website and submit them to the Officer designated from time-to-time on the website.

7.2 Upon receipt of any application, the same shall be notified to the Flag Officers and a copy provided to them. The Flag Officers will then determine whether the applicant is eligible to be elected to ordinary or associate membership and, further, whether, in their absolute discretion, to elect the applicant to ordinary or associate membership.

7.3 Provided always that the Committee may at any meeting, if it sees fit so to do, elect to ordinary membership or to associate membership any person who is eligible under Rule 6 or Rule 7 (as the case may be), notwithstanding that some or all of the foregoing provisions of this Rule have not been complied with in respect of such person.

7.4 Upon any person being elected to ordinary membership or to associate membership by the Committee, the Secretary shall send him a notice in writing of his election and a request for the payment of any entrance fee and subscription then payable by him. Every person so elected shall thereupon become bound by the Rules and shall be deemed to have become an Ordinary Member or Associate Member (as the case may be) on the date of his election, but if the entrance fee (if any) or the subscription then payable by him is not paid within three months after the date of such notice as aforesaid he shall ipso facto cease upon the expiration of such period of three months to be a member of the Club.

- 7.5 Upon any Honorary Member being elected an Ordinary Member he shall be deemed thereupon to have resigned from his honorary membership under Rule 11.3 and from any honorary office in the Club he may then hold.

**8. Rule 8 - ENTRANCE FEE AND SUBSCRIPTION OF ORDINARY MEMBERS AND ASSOCIATE MEMBERS**

- 8.1 The entrance fee payable by any Ordinary Member or Associate Member shall be of such amount as the Club shall from time-to-time in general meeting determine and every Ordinary Member or Associate Member shall immediately upon his election pay the entrance fee (if any) then payable by an Ordinary Member or Associate Member (as the case may be).

- 8.2 Subject as hereinafter provided the annual subscription payable by an Ordinary Member and Associate Member in respect of any year (commencing on the 1<sup>st</sup> January) shall be determined by the Committee from time-to-time and recorded in the minutes.

- 8.3 Every Ordinary Member or Associate Member shall immediately upon his election pay the annual subscription payable by an Ordinary Member or Associate Member (as the case may be) in respect of the then current year.

- 8.4 If any annual subscription payable by an Ordinary Member or an Associate Member is not paid before the 1<sup>st</sup> April in the year in respect of which it is payable, such member shall upon such 1<sup>st</sup> April ipso facto cease to be a member of the Club but without prejudice to his liability for any subscription or other payment which may previously have become due to the Club Provided always that at any subsequent time, if all annual subscriptions due (or which would have become due if such member had remained an Ordinary Member or an Associate Member as the case may be) shall have been paid in full the Committee may reinstate such member.

**9. Rule 9 - RESIGNATION OF ORDINARY MEMBERS AND ASSOCIATE MEMBERS**

Any Ordinary Member or Associate Member may at any time resign membership on giving notice in writing to the Secretary of his wish so to do and in any such case he shall be deemed so to have resigned at the date when such notice is given to the

Secretary, but without prejudice to his liability for any subscription or other payment which may have become due to the Club before such date. If the annual subscription has been paid, it will not be refunded irrespective of the date of resignation.

**10. Rule 10 - DURATION OF ORDINARY MEMBERS AND ASSOCIATE MEMBERS**

Subject to the provisions of Rule 16, every person who is duly elected an Ordinary Member or an Associate Member (or who is reinstated as such under the provisions of Rule 25) shall continue as such until (1) he ceases to be a member under Rule 24; or (2) he resigns under Rule 25; or (3) he dies; or (4) he ceases to be eligible for ordinary membership or Associate membership (as the case may be) in accordance with the provisions of Rules 5 and 6; or (5) he is expelled under Rule 12; or (6) he is elected an Honorary Member under Rule 11.

**11. Rule 11 - HONORARY MEMBERS**

11.1 The Club in general meeting may from time to time on the recommendation of the Committee elect such persons (whether or not eligible for ordinary membership or associate membership and whether or not Ordinary Members or Associate Members) as it shall think fit to honorary membership of the Club. Provided always that the Committee in any case where it thinks it expedient so to do may itself (in the name and on behalf of the Club) exercise the foregoing power and any election of an Honorary Member by the Committee in accordance with this proviso shall be as valid and effectual in all respects as if the same had been made by the Club in general meeting as aforesaid.

11.2 An Honorary Member shall not be liable for any entrance fee or annual subscription and, subject as hereinafter provided, shall not be entitled to vote or to propose or second any resolution at any meeting of members or to join in requisitioning such a meeting and shall not be entitled to any share or interest in the assets of the Club but shall otherwise be entitled to the like rights and privileges as an Ordinary Member.

11.3 Subject as hereinafter provided an Honorary Member shall continue as such until he dies or resigns his honorary membership by notifying the Committee to that effect.

- 11.4 An Honorary Member shall, if he notifies the Committee of his desire so to do, be sent the like notices of meetings and other matters as an Ordinary Member, but in default of any such notification an Honorary Member shall only be sent such notices as the Committee shall from time to time think fit.

**12. Rule 12 - EXPULSION OF MEMBERS**

- 12.1 If at any time the Committee shall be of opinion that the interests of the Club so require, the Committee may by letter invite any member (whether an Ordinary Member or an Associate Member or an Honorary Member) to resign from the Club within the time specified in such letter. In default of such member so resigning the Committee may pass a resolution that such member be expelled from the Club. Notice in writing (hereinafter referred to as 'an expulsion notice') of such resolution shall be given to such member as soon as practicable.

- 12.2 Provided always that:

12.2.1 No resolution for the expulsion of a member as aforesaid shall be passed except at a meeting of the Committee of which not less than 14 days' notice in writing has been given to such member.

12.2.2 Any member to whom notice of such a meeting is given under the previous paragraph of this proviso shall be entitled at any time prior to such meeting to submit to the Committee such representations in writing relating to his proposed expulsion as he shall think fit and also (whether or not he shall have submitted any such representation) to address such meeting of the Committee.

12.2.3 No such resolution shall be passed except at a meeting of the Committee which has first considered any representations submitted by such member as aforesaid and (if such member wishes to address the meeting) heard such member.

12.2.4 No such resolution shall be passed unless it is voted for by at least two-thirds of the Committee (of whom at least two shall be Flag Officers) present at the meeting at which such resolution notice is given.



- 12.3 Any member to whom an expulsion notice is given as aforesaid may at any time within 7 days thereafter or such later time as may be allowed by the Committee give notice in writing to the Secretary requiring a special general meeting of the club to be called to consider his expulsion and in any such case the Committee shall as soon as practicable call a special general meeting of the Club in accordance with the provisions of Rule 25 for the purpose of deciding whether such member ought to be expelled or not. Such member shall be entitled to attend such meeting and may address the same or may (whether he attends the meeting or not) require the person presiding at such meeting to read to the meeting any statement in writing (not being of unreasonable length) relevant to the question of such member's expulsion which such member shall have submitted to the Secretary not less than 24 hours before the time fixed for the meeting. If after hearing such member speak (if he is present at and wishes to address such meeting) or hearing any such statement as aforesaid read not less than two-thirds of the Ordinary Members present at such meeting vote in favour of such member's expulsion, he shall thereupon be expelled from the Club and cease to be a member thereof, but in any other case he shall remain a member of the Club and the resolution of the Committee that he be expelled shall be deemed to have been rescinded and the expulsion notice given to him shall be deemed to have been withdrawn.
- 12.4 If any member to whom an expulsion notice has been given does not within 7 days thereafter or such later time as may be allowed by the Committee, give notice in writing to the Secretary requiring a special general meeting of the Club in accordance with paragraph 12.3 of this Rule, such member shall automatically be expelled from the Club and cease to be a member thereof at the end of such period of 7 days or such extended period as aforesaid.
- 12.4 Subject to the provisions of paragraph 12.3 of this Rule, the Committee may direct that any member to whom an expulsion notice has been given shall be deprived of and debarred from exercising any of his rights and privileges as a member or officer of the Club (or such of the said rights and privileges as the Committee shall direct) until such time as either he shall be expelled from the Club or such expulsion notice shall be deemed to have been withdrawn.

**13. Rule 13 - EX-OFFICIO MEMBERS**

- 13.1 The Club in general meeting may from time to time on the recommendation of the Committee determine that the holders for the time being of any offices (whether in other yacht clubs or otherwise) shall be Ex-Officio Members.
- 13.2 An Ex-Officio Member shall not be liable for any entrance fee or annual subscription and shall not be entitled to vote or to propose or second any resolution at any meeting of members or to join in requisitioning such a meeting and shall not be entitled to any share or interest in the assets of the Club, but shall otherwise be entitled to the like rights and privileges of Ordinary Members.
- 13.3 The Club in general meeting may from time to time determine that any office for the time being conferring ex-officio membership of the Club on its holder shall cease to confer such membership and thereafter the holder for the time being of such office shall not be an Ex-Officio Member.
- 13.4 Provided always that the Committee in any case where it thinks it expedient so to do may itself (in the name and on behalf of the Club) exercise either of the foregoing powers contained in paragraphs 13.1 and 13.3 and every determination made by the Committee in accordance with this proviso shall be as valid and effectual for the purposes of Rule 13.1 or Rule 13.3 (as the case may be) as if the same had been made by the Club in General meeting under such Rule.
- 13.5 No determination by the Club or the Committee in accordance with the foregoing provisions of this Rule shall in any way affect the rights or liabilities of any Ordinary Member or Associate Member or Honorary Member as such.

**14. Rule 14 - THE COMMITTEE**

- 14.1 Subject as hereinafter provided the Committee shall consist of the Officers and five Ordinary Members who shall be appointed as hereinafter provided.
- 14.2 Every person appointed or deemed to have been appointed to the Committee under paragraph 14.3 of this Rule shall hold office as such from the 1<sup>st</sup> January next following his appointment until either

- (1) the third 31st December after such 1st January or
- (2) the earlier happening of any of the following events, namely:
  - i) his giving notice in writing to the Secretary of his wish to retire from the Committee;
  - ii) his appointment as an Officer; or
  - iii) his ceasing for any reason to be an Ordinary Member.

14.3 Two members of the Committee may be appointed from among the Ordinary Members in November of each year. Save as hereinafter otherwise provided no member of the Committee already holding office as such shall be eligible for such appointment. Every such appointment shall be made in accordance with the provisions of the next following Rule.

14.4 If at any time there shall be a vacancy among the Committee, the Committee may appoint an Ordinary Member (hereinafter in this paragraph called an "ad hoc Committee member") to the Committee to fill such vacancy. For the purposes of Rule 14.2, such an ad hoc Committee member shall be deemed to have been duly appointed under Rule 14.3 at the time when the former Committee member whom he succeeds was (or was deemed by virtue of this provision to have been) so appointed or, if such former Committee member ceased or would have ceased to hold office under Rule 14.2(1) before the appointment of the ad hoc Committee member, then the ad hoc Committee member shall be deemed to have been so appointed in the November next before such former Committee member ceased or would have ceased to hold office under the said Rule 14.2(1). Notwithstanding anything in the said Rule 14.3 any ad hoc Committee member shall be eligible for appointment to the Committee under the same Rule 14.3 in the November next before the 31<sup>st</sup> December on which (under the said Rule 14.2(1)) he shall cease to hold office as an ad hoc Committee member.

14.5 Subject to the provisions of the Rules the members for the time being of the Committee shall exercise and perform all the powers and functions vested in the Committee by the Rules notwithstanding any vacancies in the Committee.

**15. Rule 15 – APPOINTMENT OF COMMITTEE MEMBERS**

15.1 Any Ordinary Member may be nominated to the Secretary before the 1<sup>st</sup> November in any year for appointment to the Committee pursuant to Rule 14(3) Provided that:

15.1.1 no such nomination shall be effective unless made either by the Committee or by notice in writing given by at least two other Ordinary Members.

15.1.2 no such nomination shall be effective unless before such 1st November the Member nominated has notified the Secretary of his willingness to be so appointed and

15.1.3 any such nomination may be withdrawn at any time before such 1<sup>st</sup> November by the persons by whom the same was made and any nomination so withdrawn shall be deemed never to have been made.

15.2 If in any year not more than two candidates are effectively nominated for appointment to the Committee under Rule 15.1, the candidate or both the candidates so nominated shall be deemed to have been duly appointed to the Committee on the 1<sup>st</sup> November in that year pursuant to Rule 14.3.

15.3 If in any year more than two candidates are effectively nominated for appointment to the Committee under Rule 15.1 the Members to be appointed pursuant to Rule 14.3 shall be elected by a ballot of all the Ordinary Members to be held in November of that year. The provisions of Rule 24 shall apply in respect of any such ballot.

**16. Rule 16 – OFFICERS**

16.1 In November of each year Ordinary Members may be appointed to fill the Flag Offices and the Executive Offices. Subject to Rule 16.3 any Ordinary Member may be so appointed to any one of the Flag Offices, or to any one or more of the Executive Offices, or to any one of the Flag Offices and any one or more of the Executive Offices, but no Member shall be so appointed to more than one of the Flag Offices. Every such appointment shall be made in accordance with the provisions of the next following Rule.

16.2 Every Officer appointed to any office under Rule 16.1 or Rule 16.4 shall hold such office from the 1<sup>st</sup> January next following his appointment, or (in the case of an Officer appointed under the said Rule 16.4) from the date of his appointment, until either

16.2.1 the 31<sup>st</sup> December next following; or

16.2.2 the earlier happening of either of the following events, namely: (1) his giving notice in writing to the Secretary of his wish to retire from such office (but so that in the case of an Officer holding more than one office retirement from any one of the offices he holds shall not affect his holding of any other office) or (2) his ceasing for any reason to be an Ordinary Member; provided that any Flag Officer appointed to a different Flag Office under Rule 16.4 shall be deemed to have given notice in writing to the Secretary of his wish to retire from the Flag Office which he held immediately prior to such appointment.

16.3 No person who has been appointed under Rule 16.1 as Commodore for four, or as Vice-Commodore for three, or as Rear-Commodore for three consecutive years shall be eligible for appointment to such office for the next following year, but subject as aforesaid any Flag Officer shall be eligible for further appointment to his office under the said Rule 16.1, and any Flag Officer shall be eligible for appointment to any other Flag Office under the said Rule 16.1 whether or not he is eligible for further appointment to the office which he already holds.

16.4 If at any time there shall be a vacancy in any office the Committee may appoint an Ordinary Member (whether or not already an Officer or a Committee member) to such office.

## 17. **Rule 17 - APPOINTMENT OF OFFICERS**

17.1 Any Ordinary Member may be nominated to the Secretary before the 1<sup>st</sup> November in any year for appointment to any office pursuant to Rule 16.1  
Provided that:

- 17.1.1 no such nomination shall be effective unless made either by the Committee or by notice in writing given by at least two other Ordinary Members;
- 17.1.2 no such nomination shall be effective unless before such 1<sup>st</sup> November the Member so nominated shall have notified the Secretary of his willingness to be so appointed;
- 17.1.3 no Flag Officer shall be effectively nominated for appointment to a Flag Office for which he is ineligible by virtue of Rule 16.3;
- 17.1.4 once a nomination of a Member for appointment to a Flag Office in any year has become effective in accordance with the foregoing provisions of this Rule then, subject to the provisions of sub-paragraph 17.1.5 of this proviso no nomination of that Member for appointment to any other Flag Office in that year shall be capable of becoming effective; and
- 17.1.5 any such nomination may be withdrawn at any time before such 1<sup>st</sup> November by the person by whom the same was made and any nomination so withdrawn shall be deemed never to have been made.
- 17.2 If in any year not more than one candidate is effectively nominated for appointment to any office under paragraph Rule 17.1, the candidate so nominated shall be deemed to have been duly appointed to such office pursuant to Rule 16.1 on the 1<sup>st</sup> November in that year.
- 17.3 If in any year there shall be more than one candidate effectively nominated for appointment to any office under Rule 17.1, the Member to be appointed to such office shall be elected by a ballot of all the Ordinary Members to be held in November of that year. The provisions of Rule 24 shall apply in respect of any such ballot.

**18. Rule 18 - THE HONORARY SECRETARY**

The Honorary Secretary for the time being shall act as the secretary of the Club and shall perform all the duties and functions provided by the Rules to be performed by the Secretary and such other functions as shall from time to time be directed by the

Committee. The Committee may from time to time procure the employment of any person as Assistant Secretary to assist the Honorary Secretary in the performance of his functions aforesaid in such manner and upon such terms as the Committee may think fit and the Committee may authorise the remuneration of any such assistant Secretary out of the Club's funds at such rate as it shall think fit. If the position of Honorary Secretary is vacant, such functions as required by these Rules may be performed by one or more of the Flag Officers.

**19. Rule 19 - THE TREASURER AND ASSISTANT TREASURER**

19.1 The Honorary Treasurer for the time being shall provide in such manner as the Committee shall from time to time direct for the safe custody and application of all funds from time to time received by him on behalf of the Club and shall cause a statement of accounts for each financial year of the Club to be delivered to the Secretary not later than the 1<sup>st</sup> February next after the end of such financial year. The Secretary shall cause copies of each such statement to be sent to all Ordinary Members in due course.

19.2 The Assistant Treasurer (if any) shall act as a deputy for the Treasurer and may (subject to any directions from time to time given by the Committee) perform all or any of the functions of the Treasurer on his behalf.

**20. Rule 20 - EXPENSES OF OFFICERS**

Each of the Officers shall be indemnified out of the funds of the Club in such manner as the Committee shall from time to time direct in respect of all expenses properly incurred by him in connexion with his office.

**21. Rule 21 - HONORARY OFFICERS**

21.1 In addition to the Officers the Club may from time to time in general meeting on the recommendation of the Committee elect any person to be the Admiral of the Club or the Honorary Commodore or an Honorary Vice-Commodore (such officers being hereinafter referred to as 'Honorary Officers') Provided that there shall not at any one time be more than one Admiral nor more than one Honorary Commodore of the Club. Any person (not already being an Ordinary Member or an Honorary Member) who is so elected as an Honorary Officer shall be

deemed thereupon for all the purposes of the Rules to have been elected an Honorary Member under Rule 11.

- 21.2 Every person elected as an Honorary Officer shall continue as such until he dies or notifies the Committee of his desire to retire from such Honorary office or ceases to be a member of the Club.
- 21.3 Subject as hereinafter provided no Honorary Officer shall have any rights other than those conferred on him by virtue of his ordinary membership or Honorary membership (as the case may be).
- 21.4 Any Ordinary Member being an Honorary Officer may at any time on giving notice in writing to the Secretary of his wish so to do become an Honorary Member and any Honorary Officer giving such a notice to the Secretary shall be deemed for all the purposes of the Rules to have been elected to Honorary membership under Rule 11 when such notice is given, but subject as aforesaid any Honorary Officer who is an Ordinary Member shall retain all his rights and privileges as such and shall be eligible for election as an Officer or Committeeman in accordance with the Rules.

**22. Rule 22 - POWERS OF THE COMMITTEE**

- 22.1 Subject to the provisions of the Rules the entire management of the Club shall be conducted and the funds of the Club applied by the Committee in such manner as it shall from time-to-time think fit in the interests of the Club and the furtherance of the objects stated in Rule 2.
- 22.2 The Committee may (subject as otherwise provided in the Rules) delegate any of its powers and functions to any Officer or to a sub-committee or sub-committees consisting of any one or more of the members for the time being; of the Committee.

**23. Rule 23 - MEETING OF THE COMMITTEE**

- 23.1 The Admiral of the Club (if any) for the time being (if not in fact a member of the Committee) shall be entitled (if he so wishes) to attend any meeting of the Committee and at any meeting which he attends shall be deemed for all the



purposes of the Rules to be a member of the Committee and shall be entitled (if he so wishes) to preside at any such meeting.

- 23.2 The Honorary Commodore (if any) for the time being (if not in fact a member of the Committee) shall be entitled (if he so wishes) to attend any meeting of the Committee and at any meeting which he attends shall be deemed for all the purposes of the Rules to be a member of the Committee.
- 23.3 The Admiral and the Honorary Commodore (if any) for the time being shall be entitled to receive notice of all meetings of the Committee, provided that no such notice shall (except on the direction of the Committee) be sent to either the Admiral or the Honorary Commodore for the time being unless he has previously notified the Secretary of his wish to exercise his rights under this paragraph.
- 23.4 In the case of any Admiral or Honorary Commodore for the time being who is also an Officer or a Committeeman the rights conferred by the foregoing provisions of this Rule shall be in addition and without prejudice to any other rights conferred on him by the Rules as such Officer or Committeeman.
- 23.5 The Committee may from time to time invite any person not being a member of the Committee (and whether a member of the Club or not) to be present and speak at any meeting of the Committee with a view to advising and assisting its deliberations but no person who is not and is not deemed for the purposes of the Rules to be a member of the Committee shall be entitled to vote at such a meeting.
- 23.6 In addition and without prejudice to the generality of Rule 23.5 any Ordinary Member may at any time give notice in writing to the Secretary of his wish to raise with the Committee such matter (being a matter concerning the affairs of the Club) as may be specified in such notice. In any such case such matter shall be placed on the agenda for the next meeting of the Committee to be called and such Member shall be entitled to receive notice of such meeting and to attend the same or (if the Committee so directs) such part thereof as is concerned with such matter, and the Committee may invite such Member to attend any subsequent meeting of the Committee at which such matter is to be discussed again. No member attending a Committee meeting pursuant to this present paragraph shall be entitled to vote thereat.

23.7 Subject as aforesaid and as otherwise in the Rules provided the Committee shall from time to time make such rules and arrangements for the convening of its meetings and the conduct of its business as it shall think fit (and such meetings may be held remotely).

24. **Rule 24 - BALLOTS**

In any year when a ballot falls to be held under Rule 15.3 or Rule 17.3, the following provisions shall apply:

24.1 Ballot papers shall be sent out by the Secretary not later than the 14<sup>th</sup> November to all Ordinary Members;

24.2 If the ballot relates to more than one appointment (the appointment of two Members to the Committee being treated as a single appointment for this purpose), each ballot paper shall be divided into separate sections, one for each of the appointments to which the ballot relates, and each section shall contain the names of all the candidates effectively nominated for the appointment to which such section relates;

24.3 Every Ordinary Member shall be entitled to cast two votes for appointments to the Committee (but not more than one vote for any candidate) and one vote for each other appointment;

24.4 No ballot paper shall be effective unless it is signed or electronically signed by the Member to whom it has been sent and is returned to the Secretary so as to reach him not later than the 28<sup>th</sup> November;

24.5 The Secretary shall cause all ballot papers duly returned to him on or before the 28<sup>th</sup> November to be scrutinised as soon as possible by a committee consisting of himself and such one or more of the other Officers as he shall select;

24.6 The two candidates (in the case of appointments to the Committee) or the candidate (in the case of an appointment to any office) receiving the largest number of votes in the relevant section of the ballot shall be deemed to have

been duly appointed to the Committee under Rule 15.3 or to such office under Rule 17.3 (as the case may be);

- 24.7 In any case of equality of votes between two or more candidates the senior Flag Officer who is not himself one of those candidates shall have casting vote
- 24.8 Every appointment effected by ballot in accordance with the provisions of this Rule shall be deemed to have been made during the November in which such ballot is held;
- 24.9 Every ballot paper sent out by the Secretary shall contain a statement drawing attention to the provisions of Rule 24(3) and 24(4);
- 24.10 No accidental failure to comply with or incomplete compliance with any of the provisions of this Rule shall invalidate any ballot purported to be held in accordance with such provisions. However, in the event of partial or non-compliance with these provisions, the Committee shall have power to give all such consequential directions as to the holding of another ballot or otherwise as it shall think fit.
- 24.11 Ballots will be conducted by email. Any member who has failed or fails to provide the Secretary with a valid email address will not be eligible to take part in the Ballot.

**25. Rule 25 - SPECIAL GENERAL MEETINGS**

- 25.1 The Committee may at any time for any special purpose call a special general meeting of the Club and shall call such a meeting forthwith upon the written requisition of not less than six Ordinary Members given to the Secretary and stating the purpose of such meeting.
- 25.2 Not less than fourteen days' notice in writing of any such special general meeting shall (subject as otherwise provided in the Rules) be given by the Secretary to every member of the Club, stating the time and place of such meeting and the purpose thereof and no business shall be transacted at any such special general meeting the nature of which has not been stated in such notice Provided Always that neither any accidental failure to give any such

notice nor any incomplete or inaccurate statement therein shall invalidate any special general meeting or any business transacted thereat.

- 25.3 Every special general meeting shall be held at such time and place and by such means as the Committee shall determine.

**26. Rule 26 - PROCEDURE AT GENERAL MEETINGS**

26.1 The Admiral of the Club (if any) for the time being if present at any general meeting of the Club shall be entitled (if he so wishes) to preside thereat.

26.2 Subject as aforesaid the senior Flag Officer present at the time appointed for the meeting shall preside thereat or, if no Flag Officer is then present, such Ordinary Member then present as the meeting shall select shall preside thereat.

26.3 Subject as hereinbefore provided every Ordinary Member present at a general meeting shall have one vote on every motion moved thereat and in the case of equality of votes on any such motion the person presiding at such meeting shall have a second or casting vote Providing always that the Admiral if present at any general meeting shall (if not an Ordinary Member) have the like voting rights in all respects as are conferred by the Rules on an Ordinary Member thereat and (if presiding) shall have such second or casting vote as is provided by the Rules in any case of equality of votes.

26.4 Six Ordinary Members present in person shall be a quorum at any special general meeting. No business shall be transacted if a quorum is not present. If a quorum is not present within fifteen minutes of the time appointed for the meeting, the meeting shall be deemed to have been concluded without transacting any business.

26.5 The Secretary shall cause proper minutes to be recorded and filed in the Club's records of all business transacted at any special general meeting and Committee meeting. Minutes of any previous special general meeting and Committee meeting shall be read and the next Committee meeting that follows and, if passed as correct, shall be signed by the person presiding at such Committee meeting. Copies of any such minutes shall be supplied to any Member requesting the same from the Secretary.

27. **Rule 27 – BURGEE**

The Club burgee is blue charged with a white brief tied with red tape. Any member shall be entitled to fly the Club burgee on any vessel of which he is in effective command.

28. **Rule 28 - OFFICERS' FLAGS**

The Flag Officers and the Honorary Officers shall be entitled to fly their appropriate flags as follows in place of the Club burgee:

28.1 The Admiral's Flag shall be the Club Burgee in the shape of a broad pennant.

28.2 The Commodore's Flag and the Honorary Commodore's Flag shall be the Club burgee in the form of a swallow tail.

28.3 The Vice-Commodore's Flag and any Honorary Vice-Commodore's Flag shall be the same as the Commodore's Flag with the addition of a white ball in the top corner of the hoist.

28.4 The Rear-Commodore's Flag shall be the same as the Commodore's Flag with the addition of two white balls in the top corner of the hoist.

29. **Rule 29 - MEMBERSHIP FLAG**

Any member when not flying the Club burgee or an Officer's Flag may fly at any place in the rigging a Membership Flag which shall be the Club burgee in the shape of an oblong with a slightly swallow tailed fly.

30. **Rule 30 - CAP BADGES, BUTTONS ETC**

The Cap Badges, Buttons and other insignia of the Club shall be such as the Club in general meeting shall from time to time determine.

**31. Rule 31 – NOTICES**

31.1 Every member shall notify the Secretary from time-to-time of any change in his email address and any notice or other communication required or authorised by the Rules to be given to any member, if addressed to him at his last email address notified to the Secretary (whether or not such address is within the United Kingdom), shall be deemed for the purposes of the Rules to have been given to him 24 hours after the time of such sending.

31.2 Any notice or other communication required or authorised by the Rules to be given to the Committee or the Secretary shall be deemed for the purposes of the Rules to have been duly given if and at the time when the same is received by email to the Secretary.

**32. Rule 32 - AMENDMENT OF THE RULES**

The Rules or any of them may be added to repealed or amended by a resolution (of which due notice has been given in accordance with the Rules) duly passed by not less than two-thirds of the members voting thereon at any Annual General Meeting or at a special general meeting convened for the purpose.

**2023**

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**THE BAR YACHT CLUB**

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**RULES**