



BYLAWS OF THE CONSTITUTION

As adopted by the Committee of Management

22nd October 2018

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1. Election of Members

1.1 The application form shall also include a question asking the applicant if they have been convicted of an Indictable Criminal Offence. When a form of identification is required a copy of both sides of applicants current Driver's License shall be supplied confirming identity and primary residential address in accordance with DoT legal requirements on address compliance. In the absence of a Driver's License an alternative acceptable official form of Identity and residential address confirmation shall be presented for approval. Should circumstances change notification shall be submitted within 21 days.

1.1.1 All applications for membership and changes to membership category shall be subject to approval by the **Committee of Management, herein referred to as the COM.**

Membership Categories – Voting Members.

1.2 Full Members - Any person over 18 years and has been approved by COM.

1.3 Life Members -

1.3.1 The COM may recommend any member for Life Membership who is over the age of 18 years, has at least 10 years continuous membership and has rendered special services during that time in the opinion of the COM.

1.3.2 The recommendation for Life Membership shall then be drafted in the form of a Notice of Motion to be presented at a General Meeting. No more than 2 Life Memberships per financial year.

1.3.3 Life Membership shall be determined as follows;

1.3.3.1 The candidates name shall be clearly printed on the ballot followed by yes and no indicators which are to be circled or ticked by the voter.

1.3.3.2 The candidate shall be declared approved to Life Member if carried by a majority of those present and entitled to vote.

1.4 Country Members – Any person over the age of 18 years and whose primary residential address is more than 100kms radius from the club premises and who is approved by the COM.

1.5 Senior (Full) Members - Any person who,

a) is a bona fide age, disability support or service pensioner or,

b) and has attained the current retirement age. (currently 67 years)

A Senior (Full) member shall retain the rights and privileges that apply to Full membership status as approved by COM.

1.6 Youth (Full) Members – Any person who is aged between 18-25 years may apply for youth membership must be made to COM for approval.

1.7 Corporate (Full) Members – One nominated full membership per Corporate Membership package as approved by the COM.

1.8 Restricted (Full) Members– One nominated full membership per Restricted membership package as approved by the COM.

Membership Categories – Non-Voting Members.

- 1.9 Social/Crew Members** – Any person over the age of 18 years who has been approved by the COM.
- 1.10 Associate Members** – Any person who is the spouse/partner or the surviving spouse/partner of a member may become an Associate member as approved by COM. Specific exclusions are Corporate Umbrella, Restricted, Temporary and Temporary Visitor (Honorary) members.
- 1.11 Senior (Social/Crew) Members** – Any person who
- a) is a bona fide age, disability support or service pensioner, or
 - b) and has attained the current retirement age. (currently 67 years 2018)
- A Senior (Social/Crew) member shall retain the rights and privileges that apply the Social/Crew membership status, as approved by COM
- 1.12 Youth (Social/Crew) Members** – Any person who is aged between 18-25 years may apply for youth membership, must be made to COM for approval.
- 1.13 Junior Members** – A person under the age of 18 years and approved by COM.
- 1.14 Honorary Members** – Shall pay no nomination fee or subscription and will be entitled to the privileges accorded to a non-voting social or crew member and such privileges as the COM may determine
- 1.14.1 The COM may elect the following as Honorary Members for a period not exceeding the club's financial year.
 - 1.14.1.1 Flag Officers, Presidents, Secretaries and members of other Yacht Clubs and Sailing Clubs and Associations.
 - 1.14.1.2 Members of Yachting, Sailing Clubs and Associations partaking in local, state, interstate or overseas events.
 - 1.14.1.3 Any other person mentioned in the Liquor Control Act existing and current at the time.
 - 1.14.1.4 Persons of distinguished or public position visiting the Club.
 - 1.14.1.5 Patron, Vice Patrons and All employees of the club who are over the age of 18 years, who are not members of the club.
 - 1.14.2 A Temporary Visitor who makes application to the manager may be considered and approved by a senior COM representative for a short-term - Period (up to 1 month).
 - 1.14.3 The COM shall have the power to revoke or extend Honorary Membership, without notice or right of appeal.
- 1.15 Corporate Umbrella Members** – Any person who has an interest in the organisation to whom the corporate membership belongs, which is limited to 5 umbrella memberships as approved by the COM.
- 1.16 Restricted Members** – Any person who participates in a limited activity at the club and has been approved (with these limitations) by the COM.

1.17 Temporary Members – Pursuant to section 48(c) of the Liquor Act, the association may grant Temporary Memberships, with permission of a Flag Officer, to a person who is visiting the association as a member, an official, a person assisting or supporting a team that is contesting a pre-arranged event in that sport on the day, may be taken to be a person who is afforded temporary membership on that day.

1.18 Family Membership – Shall be defined as a family group which shall consist of a minimum of one adult (of a member category) and minimum of 2 Junior member children (under the age of 18 years) which will attract a discount subject to the approval of the COM.

1.19 Transition of Junior or Youth to Full Member

1.19.1 If a Junior Member upgrades to a Youth (Full) Member on attaining the age of 18 years will not be required to pay the nomination fee. The upgrade shall apply in the financial year following the attainment of 18 years.

1.19.2 A Junior Member may upgrade to a Youth (Social/Crew) member on attaining the age of 18 years.

1.19.3 If a Junior Member initially upgrades to Youth (Social/Crew) Membership and then further upgrades to Youth (Full) Membership whilst maintaining continual membership, then the member will not be required to pay the nomination fee.

1.19.4 A Youth (Full) or Youth (Social/Crew) Member (18-25 years old) wishing to become a Full Member on attaining the age of 25 years, and has had continuous membership for 5 years, will not be required to pay the nomination fee.

1.20 Club Member Card – This electronic card is for all financial members Incorporating features and benefits for all club transactions. Contains member Number, name, house support and member added credits. (1 point = \$1.) This card must be produced for members to receive discounts or benefits and is Non-transferable. Full terms and conditions are detailed in Member Card Policy.

2 Powers of Association The association shall have the following powers.

2.1 To recover monies owed by legal action.

2.2 To do all other things as are, incidental or conducive to attaining its objects.

2.3 To accept donations whether of real or personal estate and devises and bequests.

2.4 To erect, add to, improve, repair, pull down and rebuild buildings and other structures.

3. Nomination Fees, Subscriptions, and Other Fees

3.1 Definitions

3.1.1 Financial Year - period 1st April to 31st March the following year.

- 3.1.2 Working Day, Monday through Friday inclusive (9.00. to 17.00) unless the day is a public holiday.
- 3.1.3 Late Payment Period - the period commencing on the first Working Day after 30 days from the due date of a fee, subscription or levy.
- 3.1.4 Plan Entry Fees - fees charged for participation in one of the Annual Subscription and Fee Payment Plans.

3.2 Setting of Nomination Fees, Subscriptions and Other Fees

- 3.2.1 Nomination fees, subscriptions, and other fees shall be those as laid down from time to time by the COM.
- 3.2.2 Changes to the annual fee structure relative to membership category shall require the approval of a COM Meeting.
- 3.2.3 If any Member is approved between 1st of October and 1st of April that person shall pay the full nomination fee as applicable for the classification of Membership granted but shall only pay subscription fees proportionate to the remainder of the Financial Year.
- 3.2.4 Any Member wishing to rent a boat storage or dinghy storage bay at the Point Peron Hardstand between 1st of October and 1st of April may pay fees proportionate to the remainder of the Financial Year.

3.3 Payment of Nomination Fees, Subscriptions and Other Fees.

- 3.3.1 Applications for new membership or membership upgrade shall not be considered valid unless accompanied by the appropriate nomination and subscription fees.
- 3.3.2 Except for new members as in Rule 3.3.1 above, subscriptions and annual fees are due and payable on the 1st April of each financial year.
- 3.3.3 Members (new and existing providing they subscribe by April 1st) shall be eligible to partake in the Annual Subscription and Fee Payment Plan listed in Rule 3.3.6.
- 3.3.4 Plan Entry Fees shall not be refundable because a participating member pays outstanding fees and subscriptions or changes membership category.
- 3.3.5 **Membership Upgrades**
 - 3.3.5.1 – Members of the club who upgrade their membership to a higher class of membership are required to pay the difference in the nomination fee and the annual subscription for the higher class of membership on upgrading, or 3.3.5.2.
 - 3.3.5.2 Any person who has previously paid a nomination fee for a 'Full Member' membership and has maintained continuous membership at the Club may upgrade to Full membership from any membership type without being required to pay another nomination fee.

3.3.6 Annual Subscription and Fee Payment Plan

3.3.6.1. Three-Payment Plan

3.3.6.1.1 A member's outstanding fees, including the Plan Entry Fee, subscriptions, donations and levies may be paid in three equal (to the nearest cent) instalments, the first instalment to be paid no later than the commencement of the Late Payment Period, the second and third instalments to be paid no later than the last Working Day before 15th June and the 15th August respectively.

3.3.6.1.1 The Three-Payment Plan Entry Fee shall consist of 5.5% of the total outstanding fees, subscriptions, donations and levies owed prior to commencement of the plan plus a \$10.00 administration fee.

3.3.7 Any member participating in an Annual Subscription and Fee Payment Plan shall be considered a financial member.

3.3.8 Members who become non-financial for any reason do not qualify for Pro Rata membership unless their membership has ceased for a period greater than 12 months or otherwise approved by the Committee of Management.

3.4 Additional Fees and Penalties

3.4.1 In addition to nomination, subscription and annual fees, the Club may impose levies and/or House Support schemes in a form as determined by the COM and approved at a General Meeting.

3.4.2 Any member who fails to pay any fees, levies, instalments of an Annual Subscription and Fee Payment Plan, or House Support monies before commencement of the Late Payment Period SHALL be charged a Late Payment Fee.

3.5 Points Credit System (Including HSP)- Terms and Conditions of Use

The member understands that;

3.5.1 Points on The Cruising Yacht Club (TCYC) of WA Inc. point of sale system are only redeemable for services that can be purchased through the point of sale system. This includes but is not limited to food, drink and merchandise purchases.

3.5.2 The value of one point is equivalent to \$1 AUD.

3.5.3 Unused points are not redeemable or refundable for cash or other tenders.

3.5.4 Points may not be transferred between Members.

3.5.5 A member may request that the combined House Support Points (HSP) to be allocated to that member, if that member pays for multiple family members at the single time of payment.

3.5.6 Any House Support Points (HSP) credit value will expire if not use by the original house support points credit expiry date.

- 3.5.7 The safe keeping of their member card is solely the responsibility of the respective member and TCYC of WA takes no responsibility in the event that the card is lost or used by someone else.
- 3.5.8 A point's balance can be generated by staff on request; however, statement of spending and points accrual can only be generated by members of the office staff within normal office hours. Notification to members will be given one month prior to expiry of their points.
- 3.5.9 Points can only be "purchased" in whole dollar values.
- 3.5.10 TCYC of WA Inc, policy limits the purchase or accrual of points to the value of \$500 or less except when explicit authority is given by the Club Manager.
- 3.5.11 Any outstanding points value that may be refundable must be done by application to The Club Manager and must be processed by TCYC of WA admin staff. Such circumstances where a refund may be provided can include but may not be limited to termination or suspension of membership, following a significant function, a processing error, or extenuating circumstances which may require an application request to the Club Manager.
- 3.5.12 Any points value cash or otherwise, will be expired and absorbed by TCYC of WA following 12 months of termination of membership.
- 3.5.13 Disputes must be raised to The Club Manager for resolution, and in the case that the member is dissatisfied with the outcome the issue must be escalated to The COM for resolution by Club Manager

4. Election of Officers, Committee of Management and Others

- 4.1 The appointment of Trustees shall be by the COM as provided in the constitution.
- 4.2 The election of Patron and Vice Patrons shall be at the General Meeting by show of hands and no notice of nomination shall be required.
- 4.3 Nominations for Flag Officers, Secretary, Treasurer and other members of the COM shall be, lodged with the Club Manager who shall post the nominations on the notice board of the Club as required by the constitution.
- 4.4 There shall be two Scrutineers appointed by the meeting for counting of the result and shall collect the completed ballot forms.

5. Annual General Meeting

- 5.1 Notice of Motion and any resolutions other than General Business shall be in the hands of the Club Manager 7 days before the date of the Annual General Meeting.
- 5.2 In Addition to any Other Eligibility Requirements, members who serve on the COM shall have been a Voting Member (in accordance with the Category clauses of the Constitution) for a total period not less than twelve months unless exempt from this requirement by the passing of a motion at a Committee of Management meeting.
- 5.3 A Candidate shall offer no Inducement in cash or in kind for support of their nomination or election.

6. Committee of Management (COM)

- 6.1** The Retiring Commodore, shall be an ex-officio member for a period not exceeding twelve months from the term of the previous office and has voting rights.
- 6.2** The COM may authorise Junior Members to form a Junior Committee with such powers and limitations as seen fit by the COM.

7. Standing Orders for the Committee of Management (COM) and Club Manager

7.1 Definition

- 7.1.1 Absent - not present at a meeting and having offered no apology or been granted leave of absence.
- 7.1.2 Leave of Absence - permission given by the committee of management allowing a member to be away at subsequent meeting(s).
- 7.1.3 Apology - notification either written or verbal, either direct or through another member of committee, to the effect that a member is unable to attend the current meeting.

7.2 Club Manager

- 7.2.1 In addition to such duties as are specified in the Constitution and other Club Bylaws, or as are determined by the COM from time to time, it shall be the duty of the Club Manager to:
 - 7.2.1.1 Store all records and minutes of General, COM and Sub-committee meetings.
 - 7.2.1.2 Attend General, COM, House, Social and Finance meetings.
 - 7.2.1.3 Maintain a register of all yachts, powerboats and other vessels
 - 7.2.1.4 Maintain a register of all members paying for the use of the Point Peron Hardstand facility, Club moorings and Val Street boat storage facilities.
 - 7.2.1.5 Keep a record of all key holders for hardstand and other areas where keys have been issued. Ensure only authorised persons hold keys.
 - 7.2.1.6 Ensure that Notices of Motion, notifications, agendas, reports and other documentation required for General Meetings, and COM meetings, and approvals and liaison with legal authorities are posted in accordance with the requirements of the club Constitution and Bylaws as well as any relevant legal obligations.
 - 7.2.1.7 Keep an up to date register of members in respect of each category of membership and auxiliary facility paid for by the member. The register must be continually available for inspection at the club premises.

8. Sub-Committees

In addition to the sub-committees listed below, the COM may appoint additional sub-committees as deemed necessary.

Every member of a sub-committee shall be approved by the COM and have one vote and, in the case of an equality of votes, the chairman shall have second or casting vote.

8.1 House Committee

- 8.1.1 Unless otherwise specified by the COM, the chairman of the House Committee shall be the Commodore and shall include the Club Manager and others as nominated.
- 8.1.2 The duties and powers of the house committee shall be;
 - 8.1.2.1 Frame and present to the Committee of Management in March a budget for replacement, capital expenditure, repairs and maintenance of the clubhouse and surrounds for the coming year.
 - 8.1.2.2 To manage, improve and maintain the clubhouse, garden areas, backyard areas (not used for junior purposes) and car parking area.
 - 8.1.2.3 Prepare work programmes and schedules (for above items) to allow efficient planning of works required including order of priorities.
 - 8.1.2.4 Prepare list of trades and contacts to allow efficient management and ability to get works including those of an emergency nature done.
 - 8.1.2.5 To investigate and manage repairs, renovations, replacements, improvements and maintenance to furnishings, amenities and buildings.
 - 8.1.2.6 To determine whether works required can be carried out in house (voluntary) or requires competitive quotes by professional trades.
 - 8.1.2.7 Prepare costings for works required and gain necessary approvals from COM to fund and enable progress with works.
 - 8.1.2.8 Meet at least on a monthly basis, record the minutes of each meeting and table them at COM meetings.

8.2 Social Committee

- 8.2.1 Unless otherwise specified by the COM, the chairman of the Social Committee shall be the Vice Commodore.
- 8.2.2 The committee is to provide support and input to club management in the conduct of all club member functions and events as well as for stand-alone special events. Have input regarding club opening hours, galley menus, entertainment and club promotional events.
- 8.2.3 The duties and powers of the Social Committee shall be to:
 - 8.2.2.1 Frame and present to the COM a programme of club social functions and events for members and guests for the forthcoming year.
 - 8.2.2.2 Liaise closely with the Club Manager in programming and conduct of club functions and events including arrangements, fees and ticket sales.
 - 8.2.2.3 Review costings (before and after) for club functions and events with club management.
 - 8.2.2.4 Prepare and manage a Duty Officer roster for selected club functions and events including the arrangement of any in club fundraising.
 - 8.2.2.5 Prescribe dress to be worn by Members on the club premises.
 - 8.2.2.5 Meet on a monthly basis, record the minutes of each meeting and table these minutes at the following COM meeting.

8.3 Sailing Committee

- 8.3.1 Unless otherwise specified by the COM, the chairman of the Sailing Committee shall be the Rear Commodore Sail.
- 8.3.2 The duties and powers of the Sailing Committee shall be to:
 - 8.3.2.1 Frame and present to the COM in February a budget for Sailing Cost Centre in the coming financial year.
 - 8.3.2.2 Frame and present to the COM a programme of Club racing, cruising activities, and sailing novelty events for the season and coordinate the Sailing and Cockburn Sound Regatta race programmes.
 - 8.3.2.3 Raise funds and donations for trophies and prizes for the following season Presentation Ceremony.
 - 8.3.2.4 Prepare Notices of Races, Sailing Instructions, and any other documentation required for racing.
 - 8.3.2.5 Control all races and all yachts competing therein other than Cockburn Sound Regatta Races and Power Yacht Races.
 - 8.3.2.6 Ensure that all boats competing in club events are registered on the current boat register, except for the case of visiting boats representing other clubs.
 - 8.3.2.7 Provide job descriptions for, take charge of, and appoint officials for all races other than Power and Cockburn Sound Regatta races, sailed by or under the direction of the Club.
 - 8.3.2.8 Liaise with Foreshore and Power Committee to ensure that Fixed Sailing Marks are in good repair and properly positioned.
 - 8.3.2.9 Provide the COM with an inventory of and ensure the correct use and care of Club owned flags, horns, buoys, and other racing equipment.
 - 8.3.2.10 Meet on a monthly basis, record the minutes of each meeting and table these minutes at the following COM meeting.

8.4 Power Committee

- 8.4.1 Unless otherwise specified by the COM, the chairman of the Power Committee shall be the Rear Commodore Power.
- 8.4.2 The duties and powers of the Power Committee shall be:
 - 8.4.2.1 Frame and present to the COM in a budget for Power Cost Centre in the coming financial year.
 - 8.4.2.2 In conjunction with the Sailing Committee and the Cockburn Sound Regatta Committee, to organise sufficient Official support vessels for programmed races.
 - 8.4.2.3 To control use of and maintenance of Club owned support and official vessel including the appointment of operating crew.
 - 8.4.2.4 To control use of and maintain Club owned radio equipment.
 - 8.4.2.5 To position and place the club's fixed sailing marks.
 - 8.4.2.6 Provide a written report for the COM meeting detailing operational status, maintenance requirements, or other issues relating to Club support boats and associated equipment.

- 8.4.2.7 Maintain a record of the qualifications of club members relevant to helming support craft and doing support duty and ensure that only qualified personnel with current relevant certifications operate the Club's support and start craft.

8.5 Junior and Training Committee

- 8.5.1 Unless otherwise specified by the COM, the chairman of the Junior and Training Committee shall be the Rear Commodore Juniors.
- 8.5.2 The duties and powers of the Junior and Training Committee shall be:
 - 8.5.2.1 Frame and present to the COM in February a budget for Junior Cost Centre in the coming financial year.
 - 8.5.2.2 In conjunction with the Sailing Committee, to frame and present to the COM a programme of Junior racing and training for the season.
 - 8.5.2.3 Provide job descriptions for, take charge of, and appoint officials for all training held by or under the direction of the Club including the appointment of training instructors.
 - 8.5.2.4 Provide the COM with an inventory of and ensure the correct use maintenance and care of Club owned training vessels, dinghies and associated equipment.
 - 8.5.2.5 Supervise and control the use of the boat storage facilities at the Val Street Clubhouse.
 - 8.5.2.6 Meet on a monthly basis, record the minutes of each meeting and table these minutes at the following COM meeting.

8.6 Foreshore Committee

- 8.6.1 Unless otherwise specified by the COM, the chairman of the Foreshore Committee shall be the Executive Officer.
- 8.6.2 The duties and powers of the Foreshore Committee shall be to:
 - 8.6.2.1 Frame and present to the COM in February a budget for Foreshore Committee Cost Centre in the coming financial year.
 - 8.6.2.2 Supervise, maintain and control the use of the Point Peron Hardstand facility and equipment for members.
 - 8.6.2.3 Supervise, maintain and control the use of the Val Street Club moorings and any other moorings owned by the club.
 - 8.6.2.4 Recommend and supervise maintenance and renovations at the Point Peron Hardstand facility.
 - 8.6.2.5 Maintain and assist in correctly position fixed sailing marks while liaising with Sailing and Power Committee.
 - 8.6.2.6 Meet on a monthly basis, record the minutes of each meeting and table these minutes at the following COM meeting.

8.7 Finance Committee

- 8.7.1 Unless otherwise specified by the COM, the chairman of the Finance Committee shall be the Treasurer.

- 8.7.2 The duties and powers of the Finance Committee shall be to:
- 8.7.2.1 Ensure that true and accurate books of account of the Club are maintained and periodically report on the Club trading and financial situation to the COM.
 - 8.7.2.2 Report to the COM any situation in relation to the Club's accounts that have an adverse effect on its liquidity or financial viability.
 - 8.7.2.3 Make recommendation to the COM on pricing of the club's goods and services, salaries and wages for staff, insurance policies, membership fees, levies and accounting procedures.
 - 8.7.2.4 Supervise the finances of the Club.
 - 8.7.2.5 Ensure the auditing of the Club's books of accounts is completed by the 30th April each year, by a suitably qualified professional auditor prior to the Annual General Meeting.
 - 8.7.2.6 Present a report of the Club's financial situation at each General Meeting.
 - 8.7.2.7 Periodically make a check on the holdings of trading goods.
 - 8.7.2.8 Monitor and report on the Club's bank and loan accounts as and when required by the COM.
 - 8.7.2.9 Recommend improvements and alterations to the financial methods of the club.
 - 8.7.2.10 Meet on a monthly basis, record the minutes of each meeting and table these minutes at the following Committee of Management meeting.

8.8 Cockburn Sound Regatta Committee

- 8.8.1 The Cockburn Sound Regatta committee chairman shall be a COM Appointee.
- 8.8.2 The Duties and powers of the Cockburn Sound Regatta Committee shall be:
 - 8.8.2.1 Frame and present to the Sailing Committee a budget for the Cockburn Sound Regatta for inclusion in the Sailing cost Centre budget.
 - 8.8.2.2 In conjunction with the Sailing Committee and the Power Committee prepare a programme for the Cockburn Sound Regatta.
 - 8.8.2.3 Prepare Notices' of Race, Sailing Instructions, and any other documentation required for the Cockburn Sound Regatta.
 - 8.8.2.4 Control all races and all yachts competing in the Cockburn Sound Regatta.
 - 8.8.2.5 Provide job descriptions for, take charge of, and appoint officials for all Cockburn Sound Regatta races.
 - 8.8.2.6 Meet as directed by COM, record the minutes of each meeting and table as well as report these minutes at the following Sailing Committee meeting.

9. Bylaws of the Point Peron Hardstand

9.1 Definitions

- 9.1.1 Boat Register - a register of boats, associated owners and storage information.
- 9.1.2 Hardstand Registration Tag - a tag issued to identify the owner of a boat or jinker at the Point Peron Hardstand facility.
- 9.1.3 Storage Bay - a designated bay at the Point Peron Hardstand facility.
- 9.1.4 Dinghy Storage - an area or areas designated for the storage of dinghies. to maximum length of 3.5 metres.
- 9.1.5 Facility - in this section of the bylaws refers to the Point Peron Hardstand facility.

9.2 General

- 9.2.1 Unless otherwise restricted by the constitution or bylaws, the Point Peron Hardstand facility is available for the use of all Club Members and their Guests.
- 9.2.2 There is a “Hardstand Key Conditions of Entitlement – Office” document which details how access keys are able to be issued and controlled outside of the issue to financial Voting Members detailed below. Please contact administration if further details are required.
- 9.2.3 Only financial Voting Members may:
 - 9.2.3.1 Obtain a key to the facility.
 - 9.2.3.2 Use the facility for the purpose of boat storage, maintenance, and construction provided that they are enrolled on the current Boat Register.
 - 9.2.3.3 Park a vehicle inside the perimeter of the facility except that such parking shall be limited to one vehicle per member.
 - 9.2.3.4 Launch or retrieve a boat at the facility.
- 9.2.4 Road and beach access must be locked, when not in use.
- 9.2.5 The Executive Officer shall have the right to affix a Hardstand Registration Tag to any boat, dinghy, or jinker stored at the Point Peron Hardstand facility. This tag:
 - 9.2.5.1 May list the owner's contact details.
 - 9.2.5.2 Shall be affixed to a jinker in preference to a boat.
 - 9.2.5.3 And shall not be removed whilst the boat, dinghy, or jinker is stored in the facility.
- 9.2.6 Members are responsible for the tidiness and safety of their storage bay area. Toxic or flammable chemicals shall be stored safely, in small quantities only, and in accordance with the prescriptions of local and state laws and grassed areas shall be mowed regularly.
- 9.2.7 On no account should any Member live on a boat permanently within the Point Peron facility, however, whilst working on their boats, members may sleep aboard for no more than three (3) nights in any one calendar month.
- 9.2.8 Except when locked in the Open Position under the direction of the Executive Officer, perimeter gates shall be closed and locked by members after entering or exiting.
- 9.2.9 Vehicles driven in the Point Peron Hardstand area shall not exceed a 'walking speed'.

- 9.2.10 Dogs must be kept on a lead at all times while in the facility and controllers of the dog shall clean up after them.
- 9.2.11 Members storing boats and property at the facility shall ensure that they are adequately insured.
- 9.2.12 All members using the Hardstand facility must comply with the Hardstand Conditions of Use.

9.3 Boat Register

- 9.3.1 Any vessel listed on the Boat Register must be owned or part owned by the member nominated on the Boat Register form.
- 9.3.2 No vessel shall be registered unless every person having an interest therein is a Member of the Club.
- 9.3.3 Any vessel or storage requirement listed on the Boat Register shall be renewed at the beginning of the club's financial year by the completion of a new Boat Registration form.
- 9.3.4 Yacht owners who use an assigned 'CR' sail number shall be entitled to use that assigned number in successive years provided they renew their Boat Registration with their annual subscription.

9.4 Slipway, Jinkers, Tractors, Winch and Other Facilities

- 9.4.1 Only Financial Voting members may use the slipway, jinkers, tractor, and other boat transfer or maintenance equipment belonging to the Club.
- 9.4.2 It shall be the prerogative of the Executive Officer to refuse permission for a jinker to use the slipway or permission to use the club tractor, winch or any other club equipment if he considers the intended actions to be unsafe or that the equipment is unsuitable for the task.
- 9.4.3 All jinkers shall have a device fitted to lock the steering in a straight-ahead position.
- 9.4.4 Jinkers tow bars shall have some mechanism to hold them 150mm above ground level or be fitted with jockey wheels or skid bars.
- 9.4.5 Only operators authorised by the Executive Officer shall operate the winch.
- 9.4.6 The Executive Officer or a nominee of the Executive Officer has the prerogative to limit the use and or manner of use of any of the Club's equipment.
- 9.4.7 Members shall report any damaged equipment or unsafe condition to the Executive Officer or a nominee of the Executive Officer.
- 9.4.8 Any member wishing to have his boat slipped, or who requires the use of the tractor or other club equipment shall pay the appropriate fee. The fees shall be those set down from time to time by the COM.
- 9.4.9 Any member using the facility of the hardstand to an extent above normal use or over an extended period may be charged for such use, Members wishing to make intensive or extended use of hardstand facilities shall approach the Executive Officer for written approval from the COM.

10. Code of Ethics

- 10.1 Members shall take care to avoid tracking sand and water into the Clubhouse and use the wet entrance when appropriate.
- 10.2 Members shall remove themselves to the foyer areas to receive or make mobile telephone calls.
- 10.3 No Member shall take away from the Club premises any newspaper, book or any other article or property of the Club unless authorised.
- 10.4 No paper or notice, written or printed, shall be laid in or about (including notice boards) the Club premises without the sanction of the COM or the Club Manager.

11 Bylaws of the House

11.1 Club Regalia and Dress

- 11.1.1 Members and guests shall be suitably dressed for the occasion as prescribed by the current TCYC Dress Code for Flag Officers, Committee and Members.
- 11.1.2 Regardless of dress code prescriptions, it shall be the prerogative of the duty officer, duty manager or senior staff member (at their discretion), to determine the appropriateness of dress as well as supervise the transition from casual to more formal dress requirements. (depending on the circumstances prevailing at the time)
- 11.1.3 **Minimum Dress Standards-**
- Club Area Downstairs - Shirt or top, long trousers, shorts, slacks, skirts or dresses and footwear.
 - Club Area Upstairs – Collared shirt, tops, long trousers, dress shorts, skirts, dresses, shoes or dress sandals (No thongs) except when a theme event then in tone with the theme.

General Prohibitions – The following are not permitted in the clubhouse.

- Coveralls/overalls.
 - Work dress that is dusty, dirty, soiled, torn or paint/oil splattered.
 - Hi-Viz work clothing after 6.00pm
 - Steel capped boots.
 - Bathers except on sailing days. (See below)
 - Singlets/tank tops. (women's thin shoulder strap tops are not tank tops)
 - Wet sailing gear except thru wet entry door direct to showers/toilets.
 - Hats – not permitted to be worn in clubhouse.
 - Bare feet (except on sailing days – see below)
- Sailing Days** -Sailing clothing and bare feet are permitted until 6.00pm.

11.2 Club Regalia – The following describes appropriate dress regalia for members;

- a) **Members** – May wear a blazer coat made from a light shade, navy-coloured material with distinguishing pocket badge being the club burgee, the red St George cross with navy-blue background, with golden dolphin in the upper canton against the hoist. The outline of the burgee staff to be of gold twisted rope.
- b) **Boat Owners** – With boats duly registered with the club, shall be entitled to wear a small black fouled anchor on each side of the top collar of jacket 25mm above the collar step.
- c) **Epaulettes** – TCYC epaulettes are to be of black background, the letters TCYC woven in gold thread spaced 3mm from the lower end. Above the bands of rank shall be a gold fouled anchor surmounted by a golden dolphin (facing forward) with a small gilt button at the upper end. The following bands of rank are applicable;
Commodore – Four gold bands the upper band incorporating a curl.
Vice Commodore – Three gold bands the upper band incorporating a curl.
Rear Commodores/Executive Officer – Two gold bands the upper band incorporating a curl.
Treasurer – One gold band incorporating a curl with rope band above.
Secretary and General Committee – One gold band incorporating a curl.
Past Commodore's – Four gold bands the upper band without the curl.
- d) **Double Breasted Jacket** – Shall be a navy style, black jacket with four black merchant navy buttons down either side of the jacket front and vents at the side seams. The jacket shall have the following ranks of office on
Commodore – Four bands of 5mm black lace, the upper band incorporating a 5mm curl.
Vice Commodore – Three bands of 5mm black lace, the upper band incorporating a 5mm curl.
Rear Commodores and Executive Officer – Two bands of 5mm black lace, the upper band incorporating a 5mm curl.
Treasurer – One band of 5mm black lace, incorporating a 5mm curl and rope band above.
Secretary and General Committee – one band of 5mm black lace, the band incorporating a 5mm curl (Optional)
Past Commodore's – Four bands of 5mm black lace, the upper band
All the above cases the bottom of the lower band shall be 65mm from the end of the sleeve.
- e) **Cap and Cap Badge** – Shall be a navy style cap with white cover and club badge. The cap badge shall be a golden fouled anchor surmounted by a golden dolphin surrounded by a golden laurel wreath.
- f) **Mess Jacket** – Shall be a black navy style with shoulder straps. Three large merchant navy gold buttons on each side at the front and shall be fastened by two similar buttons joined by a small length of gold chain. On the lapel above the step shall be a small gold fouled anchor. Along the under-side of each sleeve, the seam, shall have three small merchant navy gold buttons, 25mm apart, the lower button being 25mm from the lower end of the sleeve.

11.2.1

Assistance Available to COM members –

- Epaulettes shall be provided on loan to all COM members.
- Burgees will be provided on loan to all Flag Officers.
- All COM members (including Flag Officers), are, after having served in their positions for 3 months, may be eligible for reimbursement for costs met to comply with this dress code. Such reimbursement should be at the discretion of the COM and not granted repeatable or for continued service as a Flag Officer in different capacity, e.g. serving as Rear Commodore, then Vice Commodore.
- The Past Commodore shall be presented, a no charge to the member, a set of epaulettes with four gold bands, the upper band without curl, a name badge denoting the years of service as Commodore of the club and a miniature presentation burgee.
- All Flag Officers and committee persons are entitled to obtain from the club, at no cost, one jumper, one tie and a cap badge.

11.2.2.

Dress Code for Flag Officers and Committee Members for Official Duty

Summer Duty. (Opening Day to Last Club Sailing Day per programme)

- Long white trousers, shorts or knee length skirt.
- Plain white open neck, short sleeve shirt/top with shoulder straps and epaulettes.
- Plain white shoes, white socks/natural stockings.
- Name badge.

Official Duty – (Upgrade dress to include.)

- Long white trousers.
- Club double breasted jacket, club tie and club cap (outdoors only)

Winter Duty. (Day after last Sailing Day to the day before Opening Day)

- Long medium grey trousers, knee length skirt.
- Plain white open neck shirt/top with shoulder straps and epaulettes.
- Plain black shoes, black socks/natural stockings.
- Dark blue woollen club jumper and name badge.

Official Duty – (upgrade dress to include)

- Club double breasted jacket, club tie and club cap

Friday Duty Officer Responsibilities;

- Collect and review day sheet provided by office.
- Duty commences at 6.00pm.
- Summer/Winter dress code.
- Review raffle details and arrange selling of tickets and draw.
- Check member and guest details.
- Check and conduct Member draws.
- Consult Duty Manager and make any announcements required.

After Sailing Race Days Duty Officer Responsibilities;

- Dress code optional – either duty dress or neat casual.
- Review and understand results presentation and other announcements.
- Consult with Race Officer/Duty Manager for any other duties.
- Prepare presentation table and have available pennants.
- Arrange assistance for presentation, usually Junior Captain.
- Normal Sailing Presentations at 6.00pm.
- Ensure race results have been posted.
- Arrange that the outside flags have been taken down and stored.
- Return unused pennants and results to their storage or file.

11.3 Guests

- 11.3.1 Members shall not sponsor a guest for whom any of the following is applicable;
- a) The person is known to be an unsuccessful candidate for admission to the club.
 - b) The person has been struck from membership of the club in the immediate past five-year period for non-payment of subscriptions or other monies owed.
 - c) The person has been a guest at the club on **five (5)** occasions over the preceding twelve-month period.
 - d) A person who has had their membership cancelled as a result of disciplinary action is not permitted on TCYC premises (clubhouse or hardstand)
- 11.3.2 **Casual Guests (5 or less guests must be signed in)** (Section 48.2.a.i)
- 11.3.2.1 Members may entertain up to five guests by recording the names and details of each guest and the member sponsoring the guest in the Club Visitors' Book on each occasion of a visit by that guest. The guest is to take the removable guest sign in slip and present it for service or when requested.
 - 11.3.2.2 A guest may not be supplied with any liquor except at the invitation and in the company of a Member.
 - 11.3.2.3 Member shall be responsible for the conduct of their sponsored guests and be present for the duration of guest's visit.
 - 11.3.2.4 The Club Manager, Licensee, Duty Manager, Duty Officer or COM member shall have the right to object to the presence of any guest whom they may consider to be undesirable.
- 11.3.3 **Function/Event and other bookings (Over 5 Guests not required to sign in providing a member has pre-booked and it is documented)**
- 11.3.3.1 Members wishing to entertain more than five guests shall pre-book the function/event/other booking with the Club.
 - 11.3.3.2 Guests attending a club or a member function/event.
 - 11.3.3.3 Guests are to advise their function or member details should it be requested when obtaining service or when requested.

- 11.3.4 **The Liquor Control Act** section 48(2) (a) (ii) authorises the sale, during permitted hours, of liquor to a member and to guests of that member in the company of that member, ancillary to a meal supplied at the Club or on behalf of the Club, to a member and to each of the guests of that member (without limitation as to number), being guests of whose attendance prior notice was given to the Club in accordance with bylaws approved. Such approval will only be granted by the Club after adequate prior notice.

11.4 Other Bylaws of the House

11.4.1 Under 18 years of age

- 11.4.1.1 Members shall ensure that under 18yo are under the supervision of a parent or guardian.
- 11.4.1.2 Members shall ensure that under 18yo are not permitted on the tiled area at the perimeter of the bar except that Junior Members may approach the downstairs bar at the galley end for non-alcoholic drinks and snacks.
- 11.4.1.3 Non-Members under 18 years of age may not approach the bar, and all their requirements must be purchased by their parent/guardian.

11.4.2 Pets

- 11.4.2.1 No pets shall be allowed into the Clubhouse.
- 11.4.2.2 Pets may be brought to the outside areas of the Club only with the approval of the Duty Manager, provided they are leashed in the case of dogs and under the supervision of their owners at all times.

11.4.3 Fund Raising – On club premises shall only be allowed as per;

- 11.4.3.1 **General** – Club Friday Night Raffle or similar with proceeds to social, members bar revenue, approved by Club Manager and accountable by Treasurer.
- 11.4.3.2 **Internal Club Requirements** – Shall be conducted by a club Member for a specific purpose (travel subsidy, 100's club etc) Approved by Club Manager or COM after submission of application form which includes details of date, purpose, estimate of funds to be raised, expenses costs and balance of funds to expressed purpose.
- 11.4.3.3 **Sanctioned Third-Party Events** – A written request shall be Submitted to COM for approval, detailing responsible person, date, fund collection, prizes, distribution of proceeds, accountability may be requested. The club' general policy is not to contribute directly from club funds. Example "Movember".

11.4.4 Sponsorship – Shall only be approved by COM.

- All proposals shall be presented before any commitments are made and generally, shall fall within the guidelines already approved;
- In House Electronic Advertising - Newsletter, website.
 - In House Direct to Members – Club TV, Programmes.
 - Clubhouse Advertising – Property walls.

- Direct to Sailing Community – CSR Programme, banners.
- Club Functions – Sponsors night, function room,

11.4.5 **Grant Applications** – Applications for grants to third party bodies (eg City of Rockingham) for events conducted at the club shall only be made by the COM, unless they approve otherwise.

11.4.6 **Members Car Park** – The club has a 50 - bay car park in Val St which has an operating procedure controlled by admin staff.

The car park is available to the following;

Members who have a key-card that operates the drop boom gate for entry. Key cards are available from the office (members only)

Guests of members and guests who are attending a pre-booked function at the club.

Visitors attending a club recognised event or sailing event.

Casual guests, Non-members and the general public are encouraged to utilise street parking which is under the control of the local council.

11.4.7 **Smoking Restrictions** – The Cruising Yacht Club is a non-smoking venue with no smoking (including E-cigarettes) within the premises or within 7 metres of any entry/exit doors. A designated smoking area downstairs is available located at the southern end of the front garden. No smoking at all in the upstairs Burgee Room or on the balcony, the club reserves the right to apply a penalty or deduct an amount from any bond paid to the club. No smoking signs if in place are not to be interfered with by any member or guest. Proper disposal of cigarette butts is required. (Not dropped on the ground)

12. Flag Protocol

12.1 Officers' Burgees

12.1.1 The Commodore's Burgee shall be a true Club Flag with a swallowtail.

12.1.2 The Vice Commodore's Burgee shall be the same flag with one golden ball in the lower canton.

12.1.3 The Rear Commodore's and Executive Officer's Burgees shall be the same flag with two golden balls in the lower canton.

12.1.4 The Past-Commodore's Burgee shall be the same flag as the Commodore's with a gold cross in the lower canton.

12.1.5 No Officer's Burgee shall be displayed on any yacht in the absence of the Officer concerned.

12.2 General Requirements for Club Flags (Ensign, Burgee, or Pennant)

12.2.1 The Club Flag shall be blue with a red cross superimposed on a white cross, (St. George's Cross) with a golden dolphin in the upper canton.

12.2.2 The Ensign or Pennant of one Club may never be flown with the Burgee or Pennant of another.

12.2.3 All Members are expected to observe the established customs of the sea in flying flags and ensigns.

- 12.2.4 Club Pennants and Flag Officers' Flags may be flown continuously day and night when the yacht is under sail or under way. There is, however, no objection to hauling the Ensign and Flags down during the hours of darkness.
- 12.2.5 In harbour, the Club Pennant should be flown between 0800 hours and sunset.
- 12.2.6 Racing or Distinguishing Flags should be flown before, during, and not more than a short time after the completion of a race.
- 12.2.7 If a yacht retires from a race, the Racing or Distinguishing Flags should be lowered as soon as practicable.
- 12.2.8 The flag of a Flag Officer should be flown continuously by day and by night in harbour.

12.3 National Flag

- 12.3.1 The National flag shall be flown in accordance with Flag Protocol as prescribed by the Australian Government.
- 12.3.2 In addition to the flying of the National Flag at half mast on such occasions as Anzac Day in accordance with Australian Government Flag Protocol, the National Flag may be flown at half mast on the day of a member's funeral or an occasion of mourning as directed by the Commodore or Vice-Commodore.

13. Trustees

- 13.1 The COM of the day shall appoint at least two Members as Trustees for the Club and such appointment shall continue until resignation, ceasing to be a member of the club, cancellation by the COM, or until the election of new COM (at AGM or other circumstances).

14. General Meetings

- 14.1 All official correspondence can be provided to a member as per clause 22.9 of the constitution including being emailed to the relevant address recorded in the TCYC club records.
- 14.2 All Absentee Votes received for a motion that is amended during the AGM will not be valid for the amended motion.

15. Suspension, Expulsion or Discipline of Members of the Association

- 15.1 Should a member, guest or any other party involved with TCYC feel effected, aggrieved or penalised by any decision or action of TCYC, its officials or members, then there is an opportunity to lodge application for redress in accordance with Section 11 of the constitution – Disputes and Grievances.
- 15.2 Any posting of material on social media by any party/parties, either directly or indirectly involved, in the form of comment or criticism towards TCYC, its officials or members in general, via any form of social media shall be considered as inappropriate behaviour and may result in the parties being required to explain their actions to the COM of TCYC.
- 15.3 If the reviewing committee find the incident has brought TCYC, its officials or its members into disrepute, then the parties instigating the breach in TCYC's social media policy may be subject to penalties in accordance with Section 12 the constitution – Suspension, Expulsion or Discipline of members.