

# **CONSTITUTION OF THE PIKE AND EEL BOAT CLUB (established 1966)**

## **Section 1 – Name and Objectives**

### **Objectives of the Club**

1. The name of the club shall be “The Pike & Eel Boat Club or PEBC”
2. The Club was formed in 1966 by a group of friendly boaters who used to meet regularly and cruise together. The objectives of the Club are to encourage and promote membership of the club as well as boating, social meetings and any other activities and events for the members as may be decided by the Flag Officers and Committee for the coming year.

## **Section 2 – Flag Officers**

### **Officers of the club**

1. The Flag Officers shall be Ordinary Members who have been duly elected by a cast of votes from other Ordinary Members within the Club.
2. The Flag Officers shall consist of: Club President, Commodore, Vice Commodore, Rear Commodore, Honorary Secretary, assistant Secretary and Honorary Treasurer.
3. The Flag Officers shall be elected at the Annual General Meeting (AGM) in each year. The exceptions to this are the Club President who serves for a two year period and the Rear Commodore whose appointment is automatically filled by the retiring Commodore.
4. All Flag Officers of the Club shall be eligible for re-election.

### **Duties of the Honorary and Assistant Secretaries**

1. Keep a register of the Club member's names and addresses.
2. Conduct the correspondence of the Club.
3. Keep custody of all Club documents.
4. Keep full minutes of all meetings of the Club, these shall be confirmed by a vote by the committee and signed by the Commodore at the next Committee meeting.
5. To give general help and assistance at all club events and functions.

### **Duties of the Honorary Treasurer**

1. Cause such books of accounts to be kept as are necessary to give a true and proper record of the state of the finances of the Club.
2. Prepare an annual balance sheet for the AGM in each year and cause such balance sheet and accounts as necessary to be audited at least once annually and shall thereafter cause a copy of the same to be given to all Club Members attending the AGM in each year.

3. The Honorary Treasurer will recommend and with the approval of the committee appoint an Honorary Auditor who can be a member of the Club.

### **Duties of the Honorary Auditor**

The Honorary Auditor shall audit the accounts of the Club when called upon to do so and shall give such certificate of assurance as to the accuracy of the said accounts as shall be required by the Committee.

## **Section 3 – Membership**

### **Categories and Votes of Membership**

#### **1. An Ordinary Member**

A standard membership fee shall be payable annually on the 1<sup>st</sup> November and will provide membership for UP TO two members.

#### **2. Voting Rights**

Each fully paid up member is entitled to vote at the AGM and as and when necessary.

#### **3. Honorary Life Member**

An Honorary Life Member – long and valued service as a Member may be recognised by the award of Honorary Life Membership. Such award shall require formal seconded proposal at the AGM and a majority vote in favour. Honorary Life Members shall pay no membership fee and shall hold a vote for life.

#### **4. Application for Membership – Payment of Subs -**

1. Membership subscription fees are paid by Ordinary members only, no fees are due from Honorary Life Members.

2. The rate of the membership subscription fee shall be proposed by the Committee to the members at the AGM each year. Any proposed change to the fee shall be approved by the majority of those present who are entitled to vote and shall take effect immediately. The Club does not build up significant reserves or funds therefore it is normal practice to set the fee at a level only to cover operating costs for the following season which includes club subscription fees to GOBA.

The Club requires that all membership fees are paid in full by the first of November preferably by annual Standing Order mandate. Any member following one written reminder not having paid by the first of January following the AGM will incur an additional administration fee of £5 , failure to rejoin would mean relinquishing all benefits associated with the Boat Club.

3. Every category of member shall be responsible for furnishing the Honorary Secretary with an up-to-date home address and an e-mail address which shall be recorded in the Membership Directory and any notice sent to such address shall be deemed to have been duly delivered to the member. Any member changing address shall inform the Honorary Secretary immediately the new address comes into effect so continuous communication can be assured.

4. Application forms for Ordinary Membership are obtainable from the Honorary Secretary and available on the club web-site. Ordinary Membership forms when completed shall include name, address, e-mail, boat name; also the names and boat names of the proposer and seconder.

5. The Club accepts proposals of candidates for new membership from existing club members. The nomination must be completed by the proposed member and must be seconded by another club member.

Upon acceptance the candidate will be written to by the Honorary Secretary, or an appointed officer, thereafter the Ordinary Member shall pay within one full calendar month the membership subscription fee as advised in the letter of notice. Upon receipt of the membership fee the Honorary Secretary will forward copies of the Club constitution and membership directory by e-mail.

### **5. Retiring or Resigning**

Any member desirous of retiring or resigning from membership shall give notice in writing to the Honorary Secretary and shall not be liable to pay the subscription fee for the following year. It is not Club policy to give refunds of subscription fees to retiring or resigning members.

## **Section 4 – Conduct of Members**

1. Every member upon election and thereafter is deemed to have notice of and immediately undertakes to comply with the Club rules and the current by laws and regulations of the Club. Any conduct which in the opinion of the committee is either unworthy of a member or otherwise injurious to the interests of the Club and or it's members shall render a member liable to expulsion from the club.

2. Before expelling a member the Committee shall call upon such member for a written explanation of the member's conduct and shall give the member full opportunity of making explanation to the committee or of resigning. A resolution to expel a member shall be earned by a simple majority vote by the committee.

3. The PEBC is well known for its enthusiasm in connection with its boating and social activities. In order to maintain this good name it is recommended that boats fly the PEBC burgee. Certain events and functions may require a dress code which will be decided by the committee from time to time and which may include the wearing of a club tie or more formal wear.

Members will be informed by the Honorary Secretary on the occasions at which they may invite their personal guests to attend functions and events.

Members must observe procedures in undertaking bookings for various club functions as requested by the Honorary Secretary in letters announcing the functions.

4. A member shall not be entitled to consume food at either luncheons or dinners if it has not been booked and paid for beforehand. Any complaints with regard to refreshments should be made known to the Honorary Secretary or a Committee Member.

### **1. Damage to Club Property**

A member shall not knowingly remove, injure, destroy or damage any property of the Club or of the Pike & Eel Hotel and Marina and shall make restitution for the same if called upon to do so by the Committee or by the Honorary Secretary upon the instructions of the Committee.

## **2. Suggestions and Complaints**

1. Any suggestions shall be addressed in writing to the Honorary Secretary.

Complaints of any nature relating to the Club shall be addressed to the Honorary Secretary who will notify the Committee.

2. The Club will not accept any liability for any damage to or loss of property belonging to Club members, their guests or visitors to the Club.

3. The Club will not accept any liability for personal injury arising out of use of the Club premises and any other facilities of the Club sustained by members, their guests or visitors or caused by said members, guests or visitors whether or not such damage or injury could have been attributed to or was occasioned by the neglect, default or negligence of any of the Officers, Committee or Servants of the Club.

4. Membership of the Club and acceptance of these rules by the member will be deemed to constitute consent to the holding of relevant personal data for the purposes of the Data Protection Act 1984.

## **Section 5 – The Management Committee**

### **1. Constitution of The Committee**

The Management Committee (herein referred to as “The Committee”) shall consist of the officers and no less than four and no more than eight Ordinary Members of the Club elected at the AGM each year to hold office until such time during the following AGM as they are replaced or re-elected.

### **Election of Officers**

**2. Notification** for the election of Officers and Committee Members are sent out to Ordinary, and Honorary Life Members two weeks prior to the AGM to enable them to either confirm the existing Committee’s recommendation of Ordinary Members willing to stand for election or to nominate their own candidates at the AGM. The nominated candidates must be willing to stand and the candidates require a proposer and seconder.

### **3. Election by Ballot**

If the number of candidates for election is greater than the number of vacancies available then there shall be a ballot.

If the number of candidates for election is equal to or less than the number of vacancies to be filled then all candidates shall be deemed to be elected if two thirds of those present at the AGM and entitled to vote in favour of such election.

### **4. Equality of Votes**

In the event of a ballot failing to determine the members of the Committee because of an equality of votes the candidate or candidates to be elected from those having an equal number of votes shall be determined by a lot.

### **5. Casual Vacancy Retiring Commodore**

If for some reason a casual vacancy shall occur the Committee may co-opt an Ordinary Member to fill the vacancy until the next AGM.

A retiring Commodore shall serve as Rear Commodore and member of the Committee in the year immediately following his or her retirement.

## **6. Committee Meetings**

The Committee shall meet as determined by the Commodore in consultation with the Honorary Secretary or as is necessary making such arrangements as to the conduct, place of assembly and holding of such meetings as it may wish. The Commodore, Vice Commodore or Chairman elected by those present shall preside.

## **7. Voting at Committee**

Voting shall be a Committee show of hands. In the case of an equality of votes the Commodore, Vice Commodore or Chairman (as the case may be) shall have a second or casting vote.

**Quorum:** Five members personally present shall form a quorum at a meeting of Committee.

## **8. Power and Management of Club by Committee Powers to make bylaws and Regulations**

1. The Committee shall manage the affairs of the club according to the rules and shall cause the funds of the club to be applied solely to the objects of the Club or for a benevolent or charitable purpose nominated by the Commodore and approved by the Committee.

The Committee shall make such bylaws and regulations as it shall from time to time think fit and shall cause the same to be notified to Club members by at least seven days before implementation. Such bylaws shall remain in force until approved or set aside by a vote at the General or Extraordinary meeting of the Club.

2. A member of the Committee, an Officer or any member of the Club in transacting business for the Club shall disclose to third parties that he or she is so acting.

## **9. Disclosure of Interest to Third Parties Limitations of Members Liability**

The Committee or any person delegated by the Committee to act as agent for the Club or its members shall enter into contracts only so far as expressly authorised, or authorised by implication, by the members. No one shall without the express authority of the membership in General Meeting pledge the credit of the membership.

## **10. Members Indemnification of Committee**

In pursuance of the authority vested in the Committee by the members of the Club, members of the Committee are entitled to be indemnified by the members of the Club against any Committee liabilities properly incurred by them or any of them on behalf of the Club wherever the contract is of a duly authorised nature or could be assumed to be of a duly authorised nature and entered into on behalf of the Club. The limit of an individual member's indemnity in this respect shall be a sum equal to one year's subscription at the then current rate unless the Committee has been authorised to exceed such limit by a General Meeting of the Club.

## **11. Nomination of Honorary Life Members by Committee**

The Committee may nominate for election at an AGM such Honorary Life Members as the Committee may think fit. The total of such Honorary Life Members shall not however at any time exceed ten members. The election of Honorary Life Members shall be put to the vote at the AGM in each year and any such Honorary Life Members shall be duly elected if those present and entitled to vote, vote in favour of election.

## **Section 6 –Meetings of the Club**

### **1. Annual General Meeting**

An Annual General Meeting (AGM) of the Club shall be held each year in the month of November at a time and a date to be fixed by the Committee. The Honorary Secretary shall at least fourteen days before the date of such meeting or of any General Meeting as herein under mentioned, notify to each member notice thereof and of the business to be brought forward there at.

### **2. Business at the Annual General Meeting**

The normal business at the AGM is to read the minutes of the previous year's AGM, receive reports from the Commodore, Treasurer for passing of the accounts, Secretary and GOBA representative, to elect a new Commodore and associate officers, elect any Honorary Life Members and to receive suggestions for the following seasons agenda and any other business any member may deem necessary.

All members attending the AGM receive a copy of the accounts, previous year's minutes and an agenda for the meeting.

### **3. Special General Meeting**

The Committee may at any time upon giving twenty one days notice in writing call a Special General Meeting of the Club to conduct any special business the nature of which shall be stated in the summons convening the meeting and the discussion at such meeting shall be confined to the business stated in the summons notice sent to members.

The Committee shall similarly call a Special General Meeting upon a written request addressed to the Honorary Secretary signed by more than twelve members. The discussion at the meeting shall be confined to the business stated in the notice of meeting sent to members.

### **4. General Meeting upon Members Request Chairman at Meetings Quorum**

At every meeting of the Club the Commodore or in his absence the Vice Commodore or a Chairman duly elected by those present shall preside.

Fifteen members entitled to vote and personally present shall form a quorum at any meeting of the Club.

Only Ordinary Members and Honorary Life Members shall vote at any meeting of the Club.

### **5. Those entitled to vote at Meetings**

Only Ordinary members and Honorary life members are entitled to vote.

Voting in all cases is by show of hands from those members entitled to vote.

### **6. Voting on a Rule Change**

In the case of an equality of votes the Commodore or in his absence the Vice Commodore or a Chairman shall have a second or casting vote on any matter other than the election of members of the Committee.

On any resolution properly put to a meeting of the club relating to the creation, repeal or amendment of any rule, bylaw or regulation of the Club such rule, bylaw or regulation shall not

be created, repealed or amended except by a majority vote of at least two thirds of those present and entitled to vote.

## **Section 7– Bylaws**

### **The Club's Expectations of Members**

1. Members are required to ensure that their craft have at least third party insurance cover.
2. Members are required to ensure that their craft meets with the licensing and regulation standards as required by the river authorities.
3. Members are required to ensure that if a craft is disposed of outside the Club all PEBC markings and insignia are removed.
4. Members are required to ensure that river speed limits are strictly adhered to and that due consideration shall be given to other river users (anglers, swimmers, rowers, wildlife, etc.)