

RULES OF THE MOMBASA YACHT CLUB REVISED
14TH SEPTEMBER 2011.

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RULES OF THE MOMBASA YACHT CLUB

1. Title

The Club shall be called "The Mombasa Yacht Club"

2. Object

The object of the Club shall be the encouragement of amateur yacht racing and sailing. The Club was recognised by the Yacht Racing Association in June 1911 and Members of the Club are entitled to take charge of and to steer yachts and boats racing under R.Y.A and ISAF rules.

3. Club Flags

The Ensign of the Club shall be the maritime flag of Kenya.

The Burgee of the Club shall be a triangular red flag bearing in yellow " a Sun in his Glory"

The Commodore's flag shall be a red swallow-tailed flag bearing the colours of the Burgee.

The Vice Commodore's flag shall be the same as that of the Commodore with the addition of a yellow ball in the upper canton.

The Rear Commodore's flag shall be the same as that of the Vice Commodore with the addition of a yellow ball in the lower canton.

4. Uniform

The Club Badge shall display in gold on a white or blue ground "a Sun in his Glory" above the letters M.Y.C., surrounded by a grommet.

The Club Uniform shall consist of a double breasted navy or white suit with Club buttons and a yachting cap with the Club Badge mounted thereon. The Club Mess Dress shall be a shell jacket with two bright Club buttons on each side.

5. Interpretation

For the purpose of the following Rules and By-Laws, the word 'Club' shall include all land, buildings and premises, the property of the Club.

Words importing the masculine gender include females.

6. Property of the Club

a) The property of the Club shall belong to the Ordinary Members of the Club. A member has no assignable or transferable interest in the property of the Club by reason of his membership only.

b) The immovable property of the Club shall be vested in not fewer than two Trustees.

7. Winding up

The Club may be wound up and the disposal of its property may be sanctioned at a General or Special General Meeting by a majority vote of three-fourths of the votes cast by Ordinary Members. No such resolution shall be passed unless notice of the proposal has been given for a period of six months prior to the date of the Meeting.

8. Membership

The Committee may restrict the total membership or any category of membership of the Club to any figure decided upon by it. The Committee may keep a Waiting List of candidates proposed for election and persons who are or have been amateur yachtsmen should have priority for election from such waiting list. Persons whose names are on a waiting list shall not be eligible to use the Club.

A person who has been adjudicated bankrupt or who has compounded with creditors or has been convicted of a felony shall not be eligible for election as a Member.

9. Categories of Membership and Voting Rights

The membership of the Club shall consist of:

- a) Ordinary Members (voting) and Non-Voting Ordinary Members
- b) Life Members (voting)
- c) Honorary Life Members (voting)
- d) Honorary Members (non-voting)
- e) Non-Resident Members (voting)
- f) Absent Life Members (voting)
- g) Cadet Members (non-voting)
- h) Student Members (non voting)
- i) Nominated De Facto Spouses (non voting)
- j) Temporary Members (non voting)
- k) Daily Members (non voting)
- l) Sailing Members (non voting)
- m) Corporate Members (non voting)
- n) Social Members (non voting)

An Ordinary Member may also be termed a Life Member, an Absent Life Member or A Non-Resident Member depending on his place of residence and whether he has compounded his Subscription as provided in Rules 11, 14, 15 and 46.

10. Ordinary Members and Non-voting Ordinary Members

An Ordinary Member shall be a Member over 18 years of age who has been duly elected as such and who has paid the Entrance Fee in full.

Ordinary Members shall be persons who are or have been amateur yachtsmen or exceptionally who in the considered opinion of the General Committee are likely to further the interests of the Club.

Non-Voting Ordinary Members shall be persons who would have been elected as Ordinary Members of the Club but who have chosen to pay the Entrance Fee in instalments as defined in Rule 44. Non-Voting Members will become Ordinary Members automatically upon payment of the Entrance fee in full.

11. Life Members

A life Member shall be an Ordinary Member who has compounded his Subscription as provided for in Rule 46 (b).

12. Honorary Life Members

Any person who has rendered distinguished service to yachting or to the Club may, on the recommendation of the General Committee, be elected an Honorary Life Member at a General or Special General Meeting of the Club and shall thereupon become entitled without Entrance Fee or Subscription to all the privileges of an

Ordinary Member and notwithstanding anything in these Rules to the contrary shall be entitled to vote and serve upon any committee or fill any office without restriction including voting for nominating or seconding candidates for the Sailing Committee under Rule 51.

13. Honorary Members

The General Committee may from time to time invite and elect without payment of Entrance Fee or Subscription any persons as Honorary Members for such periods or periods and subject to such conditions as the General Committee may deem fit, such elected persons to be confirmed in writing annually.

14. Non-Resident Members

A Non-Resident Member shall be an Ordinary Member who neither normally resides nor has regular occupation or business within the Mombasa municipality.

15. Absent Life Members

An Absent Life Member shall be an Ordinary Member who is no longer resident in the Mombasa municipality and who has compounded his Subscription as provided for in Rule 46 (c).

16. Cadet Members

- a) A Cadet Member shall be a Member who has been elected as such.
- b) Cadet Members must be under the age of 18. The individual lower age limit shall be at the discretion of the General Committee.
- c) No person shall be permitted to Cadet Membership who is unable to swim.
- d) The proposal for membership shall be countersigned by the applicant's parent or guardian who shall sign a declaration absolving the Club from all liability for accidents.
- e) Cadet Members shall not sit at the Bar and shall not be supplied with alcoholic drinks.
- f) Cadet Members shall defer to the wishes of the General Committee on matters affecting the comfort and convenience of Members and may not incur credit. Where parents are Members of the Club and so authorise, a Cadet Member may sign on a parent's account.
- g) On attaining the age of 18 a Cadet Member of not less than three years standing shall be eligible for transfer without further electoral procedure or payment to Ordinary Membership upon written application to the General Committee.
- h) The parent or guardian of a Cadet Member may deposit a sum of money, the amount of which shall be determined by the General Committee, up to the value of which a Cadet Member may obtain food or drink against a chit signed by the Cadet Member. The parent or guardian shall confirm in writing to the Club his agreement to this arrangement and shall guarantee to pay to the Club any expenditure incurred by the Cadet Member in excess of the deposit.

17. Student Members

- a) A Student Member shall be a Member who has been elected as such in accordance with the procedure provided for in Rules 24 to 33 inclusive.

- b) Student Members shall be persons who are over 18 years of age but who have not yet attained 25 years of age and who are studying at educational establishments approved by the General Committee but who are not in paid employment of any sort.
- c) On ceasing to be a student at an approved educational establishment or on taking up paid employment or attaining the age of 25 a Student Member of not less than three years standing shall be eligible for transfer without further electoral procedure to Ordinary Membership upon written application to the General Committee.
- d) Student Members may not incur credit without consent of the General Committee and shall defer to their wishes on matters affecting the comfort and convenience of Members.

18. Nominated De Facto Spouses

One De Facto Spouse of an Ordinary Member or Temporary Member, at the discretion of the General Committee, may use the Club as a Nominated De Facto Spouse on nomination of that Member without election for so long as he wishes this nomination to continue.

The Widow or Widower of an Ordinary Member may become a Nominated De Facto Spouse of the Club on nomination of the Committee without ballot.

19. Temporary Members

- a) A person eligible for Ordinary Membership may be admitted as a Temporary Member provided he is proposed and seconded by Ordinary Members both of whom have been Ordinary Members of the Club for at least one year and to both of whom the candidate is known personally. The candidature of a Temporary Member shall be supported by at least one member of the General Committee to whom he is made personally known and the Proposal Form which shall indicate the probable duration of the Temporary Membership shall be countersigned by the Honorary General Secretary who may for any reason he may deem sufficient withhold his signature and advise the General Committee. Notice of the admission of a Temporary Member shall be displayed on the Club Notice Board together with the names of his Proposer and Secunder.
- b) A person who has previously been a candidate for any class of membership and on ballot has not been elected shall not be eligible for Temporary Membership. A person shall not be eligible as a Temporary Member for a period exceeding three consecutive months and a person residing in Kenya may not be elected for more than one period of Temporary Membership provided that in special cases one further period of Temporary Membership may be allowed at the discretion of the General Committee.
- c) Temporary Members shall not be permitted to make Bar or Catering purchases on credit by signing Club chits but shall pay for such services by using cash or Coupons purchased for cash, or other means approved by the General Committee for this purpose, except that provided the Proposer and Secunder of a Temporary Member both agree and so notify the Committee in writing when proposing him the Temporary Member may sign Club chits in accordance with Rule 71 (c) but in such circumstances the Proposer and Secunder shall then be jointly and severally liable for any debts incurred with the Club by their candidate in accordance with Rule 34.

- d) The General Committee may rescind the membership of a Temporary Member without assigning any reason for so doing.
- e) Subscription is due from a Temporary Member at the current rate from the day of his admission for the whole period for which he has been admitted. Additional subscription is due for any extended period of membership at the start of such extension. If not immediately paid by the Temporary Member, the subscription due will be charged to the account of the Proposer who will then be entitled to collect it from the Temporary Member.

20. Daily Members

A Daily Member shall be admitted as a Member for one day only. Daily Membership shall be granted only in special circumstances to visitors by a Club Officer or the Manager or the Senior Member present.

The Club Officer or the Manager or the Senior Member sponsoring a Daily Member shall enter the name and address of the Daily Member in the Daily Member's Book and shall sign the Entry.

Daily Members shall be entitled to order supplies from the Club by paying cash, or by purchasing coupons for cash, or other means approved by the General Committee for this purpose.

21. Sailing Members

- a) A person eligible for Ordinary Membership may exceptionally be proposed by the Sailing Committee which proposal shall be subject to the approval of the General Committee. Notice of the admission of a Sailing Member shall be displayed on the Club Notice Board.
- b) A person who has previously been a candidate for any class of Membership and who has not been elected shall not be eligible for Sailing Membership. Sailing Membership shall be for an initial period of six consecutive months after which, providing that the Member has sailed as helm or crew in the minimum number of races required in 21 c), his Sailing Membership may be extended for further six consecutive month periods at the discretion of the General Committee.
- c) A Sailing Member shall only be permitted to use the Club on sailing days, or on other days at the discretion of the General Committee, and must sail as helm or crew in a minimum of races during the membership period of six consecutive months if he wishes to be granted a further period of Sailing Membership. The minimum number of races shall be decided from time to time by the Sailing Committee. Sailing Members may not introduce guests, and have no voting rights.
- d) Sailing Members shall not be permitted to make Bar or Catering purchases, or payment for any other services on credit but shall pay cash, or shall purchase coupons for cash for this purpose, or other means approved by the General Committee.
- e) The General Committee may rescind the membership of a Sailing Member without assigning any reason for so doing.

22. Corporate Members

- a) The Corporate Member shall be a registered Company, or Partnership, or Institution invited by the General Committee to join the Club and the candidates for election under Rule 24 shall be persons nominated by the Company instead of by a Proposer and Secunder. The onus of nominating the persons to stand for election as members lies with the Company and the membership of any person shall lapse if he/she ceases to be an employee of the company.
- b) A minimum of 5 and not more than 15 persons shall be nominated by the Company and each person will be entitled to include one De Facto Spouse and his/her children below the age of 14 years for as long as the person nominated by the Company is a member. Children over 14, but under 18 years shall be treated separately and charged an annual subscription as Cadet Members.
- c) Persons nominated by the Company for membership shall be governed by the Rules for the Election of Members, except that they will be exempt from the requirement for a Proposer and a Secunder. Should any person nominated by the Company not obtain a majority of the votes cast under Rule 28 the Company will be asked to withdraw his nomination.
- d) Persons nominated by the Company who have been elected as Members may resign at any time and be replaced by other persons nominated by the Company, without payment of any Entrance Fee on condition that they stand for election in accordance with the Club Rules. However, the Company will always remain responsible for paying the minimum number of 5 monthly subscriptions, even if the number of members nominated falls below that number.
- d) The person nominated by the Company shall be responsible for paying all his bills plus those incurred by his De Facto Spouse and children. All bills will be sent to the person nominated by the Company for payment in the first instance, however, in the event of default, the company shall guarantee payment of the bill.
- e) Monthly subscriptions for each person nominated by the Company and duly elected shall be payable at the same rate as those applicable to Ordinary members of the Club and late payment charges under Rule 71 will apply.
- f) On disciplinary matters, the persons nominated by the Company shall be subject to rules and by-laws governing the conduct/discipline of all the other members.
- g) Club rules governing the signing in of guests shall apply to guests of the persons nominated by the Company.
- h) Neither the Company, nor persons nominated by the Company shall be entitled to any voting rights.
- i) Corporate membership by the Company shall be for an indefinite period after payment of a one off Entrance Fee in accordance with Rule 43.
- j) The termination of membership shall apply to the Company and the persons nominated by the Company under the following circumstances:

The Company

- (i) Failure by the company to meet the guarantee and/or its obligations for the persons nominated by them shall result in cancellation of the membership.

- (ii) A one month's notice may be served by either party seeking to terminate the Corporate Membership, within which period all due accounts must be settled and/or paid.

The person nominated by the Company

- (i) Under the Club rules covering cancellation/resignation/suspension/expulsion of members.
- (ii) The Company may terminate the nomination or membership of any of its employees at any time.

23. Social Members

a) This Membership category shall comprise the Social Member, plus his De Facto Spouse and children below the age of 14 years. Any child over 14, but under 18 years shall automatically be made a Cadet Member. Such Cadet Members will be entitled to become Ordinary Members of the Club on attaining the age of 18 without payment of the Entrance Fee as provided for in Rule 16 g), only if they become regular and competent sailors as determined by the Sailing or General Committees.

b) Whilst being entitled to the full use of the Club's social facilities they (except for Cadet Members in the family) shall not be entitled to sail, or to keep any boats permanently at the Club's premises, unless such boat is a sailing dinghy for use of a Cadet Member in the family.

c) Social Members may convert to Ordinary Membership at any time by paying the difference between the Entrance Fees for Social and Ordinary Membership prevailing at that time. The amount must be settled in a single payment.

d) The Entrance Fee for a Social Member will be determined in accordance with Rule 43.

e) The monthly subscriptions for a Social Member will be the same as for an Ordinary Member under Rule 46.

24. Election of Members

Each candidate for election as an Ordinary member, Non-Voting Ordinary Member, Cadet, Student, or Social Member shall be proposed and seconded by Ordinary or Non-Voting Ordinary Members who must themselves have been Ordinary or Non Voting Ordinary Members for at least two years or be a serving member of the General Committee and to both of whom the candidate has been personally known for a minimum of three months. Persons nominated for election by a Company under a Corporate Membership shall not require to be proposed and seconded under this Rule and shall be governed by Rule 22 c).

25. Each application for membership shall be made in writing in such form as the General Committee may from time to time prescribe and shall be accompanied by proposal forms signed by the Proposer and Secunder (except that persons nominated by a Company under a Corporate Membership shall be exempted under Rule 22 c), all of which shall be handed to and countersigned by the Honorary General Secretary.

26. The name of each candidate for election and those of the Proposer and Secunder shall be exhibited on the Club Notice Board. However, persons nominated by a Company under a Corporate Membership shall have their personal name and the name of their Company exhibited on the Club Notice Board.

A ballot shall not be taken on any candidate until his name has been exhibited on the Club Notice Board for three calendar months or such lesser period (not to be less than one month) as the General Committee in their discretion may decide.

A candidate who is not elected within six months of the date of the proposal shall have his name withdrawn and will cease to be a candidate for membership, provided that the General Committee may extend this time limit in any individual case.

A candidate shall not be eligible for election unless he is in good financial standing with the Club at the time of balloting.

27. Each candidate for election may after his name has been exhibited on the Club Notice Board and pending election enjoy the privileges of a Temporary Member of the Club and shall be subject to Rule 19 (d). Candidates for Cadet Membership shall be subject to Rule 16 and candidates for Student Membership shall be subject to Rule 17. Candidates for Ordinary Membership or Non-Voting Membership may incur credit by signing Club chits and the Proposer and Secunder shall be liable for any debts so incurred in accordance with Rule 34. In the case of persons nominated by a Company under a Corporate Membership Rule 22 d) will apply.
28. Every candidate for election as an Ordinary Member, or Non-Voting Ordinary Member, Cadet, Student, or a person nominated by a Company under a Corporate Membership, or a Social Member shall be balloted for by the General Committee. Not less than five votes (including abstentions) shall constitute a ballot and no candidate shall be declared elected unless he obtains in his favour a clear majority of the votes cast. No member of the General Committee shall be allowed to vote by proxy.
29. Should a candidate for election fail to obtain the necessary number of votes at the first meeting of the Committee at which voting takes place another ballot shall be taken at the next meeting of the Committee. Should the candidate fail to obtain the necessary number of votes at the second meeting his name shall be withdrawn subject to the discretionary power of the Committee to allow the name to come up at the next succeeding ballot.
30. A candidate who has been excluded under Rule 28 shall not again be proposed for any class of membership or be introduced as a guest for a period of two years.
31. A candidate proposed for election as a Member of the Club who has failed to be elected as an Ordinary, Cadet, Student, or a person nominated by a Company under a Corporate Membership, or Social Member under Rule 29, or as a Temporary Member, shall not without the consent of the General Committee again be proposed for election or be introduced as a Temporary or Honorary Member or as a Guest within a period of six months.
32. Any communication addressed to the Committee by a Member with regard to a candidate for election shall be regarded as confidential and shall only be shown to the General Committee.
33. Each person elected shall be so notified by the Honorary General Secretary and shall be supplied with a copy of the Rules and Bye-Laws.

34. Liability of Proposer and Seconder:

The Proposer and Seconder of a candidate for election shall be jointly and severally responsible to the Club for all debts incurred by him prior to and within one month from the date of his election. Should any candidate for election be excluded under Rule 28 or prohibited from using the Club premises under Rule 31 then the Proposer and Seconder of the candidate shall be jointly and severally responsible for all debts incurred by him.

The term "debts" for the purpose of this Rule shall include Subscription but shall not include Entrance Fee.

35. Cessation of Membership:

A Member may resign at any time upon written notice to the Honorary General Secretary but no resignation shall take effect until he has paid all sums due to the Club and resignation has been accepted by the Committee. See also Rule 72.

36. A Member who has been adjudicated bankrupt or who has compounded with his creditors or who has been convicted of a felony shall cease to be a Member of the Club.

37. Re-admission of a Previous Member:

A person who has resigned from the Club but not a person who has ceased to be a Member by reason of Rule 36 unless such a person is a discharged bankrupt may apply in writing to the Committee for re-admission as a Member in the class in which he was a Member at the date he ceased to be a Member. The Committee may accept such application and shall determine what proportion of the Entrance Fee shall be payable by a Member re-admitted under this Rule.

38. Expulsion or Suspension:

If a Member infringes any Rule or Bye-Law of the Club or if the conduct of the Member be found by the General Committee after due enquiry to be injurious to the interests of the Club the Committee may call upon such Member for an explanation and may by resolution suspend or expel him from the Club and he shall thereupon forfeit all rights claims or privileges in the Club and its property. Any such resolution shall only be carried if two thirds of those present and voting vote in its favour.

39. Appeal to General Meeting:

A Member dealt with under Rule 38 may appeal against the decision of the Committee in which case the Honorary General Secretary shall summon a Special General Meeting to consider the appeal provided that it is received by him within thirty days after the decision of the Committee has been despatched to the Member.

The decision of such General Meeting shall be taken by ballot and if two thirds of the Members then present and voting shall vote for the upholding of the decision of the General Committee such decision shall stand. Notification of the decision shall be sent to the Member by the Honorary General Secretary.

40. Members of Reciprocating Clubs

- a) Members of Reciprocating Clubs provided they are eligible for membership of the Club may use the Club for a total period not exceeding three months in any year upon payment of the appropriate Subscription.

- b) Members of Reciprocating Clubs shall be in possession of a card or letter of introduction from their parent club which shall imply acceptance by that Club of financial responsibility for the Member's debt or shall be known to a Member of this Club who shall undertake financial responsibility.
- c) Before commencing to use the Club Reciprocating Members shall make themselves known to an Officer of the Club or member of the General Committee and thereafter shall enter their names in a book to be provided for the purpose which shall indicate the name of the Member, probable length of stay, local address and the name of the parent Club. This entry shall be countersigned by an Officer of the Club or member of the General Committee.
- d) Accounts for Reciprocating Members of clubs in Kenya shall be paid by cash, or other means approved by the General Committee, for services rendered by the Club.
- e) Notwithstanding the limitations imposed by the preceding sub-paragraphs (a) to (d) inclusive of this Rule the General Committee may make such arrangements as they consider to be in the best interests of the Club for reciprocation with such other clubs having their premises within the boundaries of the Mombasa municipality as offer facilities for sports of all descriptions and such reciprocating arrangements shall specifically not impose the limitation period of three months or payment of Subscriptions as referred to in sub-paragraph (a) hereof.
- f) Members of local sports clubs with whom reciprocating facilities are arranged under (e) above shall be subject to the following provisos:
 - (i) Whilst being entitled to the full use of the Club's social facilities they shall not if they be boat owners be entitled to keep their craft permanently at the Club's premises or at moorings in the Club's water nor shall they be entitled to register their craft at the Club or enter their craft for participation in Club racing or other organise events except on such special occasions as the Sailing Committee may approve from time to time.
 - (ii) All purchases by the reciprocating members at the Club shall be paid for by cash.
 - (iii) Their names must appear on the current membership list of their parent Club (a copy of which, amended up to date at monthly intervals, will be supplied to the Club by the parent club) and in first making use of the Club they must satisfactorily identify themselves to the Club manager or any officer or member of the General Committee.
- g) Members of reciprocating clubs shall not be entitled to invite guests to the Club, except by special arrangement with the Club Manager or an officer or member of the General Committee.

41. Member using reciprocating clubs

- a) Members wishing to make use of any club with which the Club reciprocates shall obtain from the Honorary General Secretary a card of introduction. Members whose accounts with the Club are overdue shall not be entitled to reciprocate nor to the issue of a card of introduction.
- b) Members must settle their accounts direct with reciprocating clubs prior to departure. If it is reported to the General Committee that any Member of the Club has failed, after due notice, to pay an account incurred by him in any

club with which this Club reciprocates, the Honorary Treasurer may be instructed to debit the Member concerned and the amount shall be a debt due to the Reciprocating Club recoverable under Rule 72.

- c) Any amount recoverable as provided under Rule 41 (b) will be held to the credit of the reciprocating club as an amount of Kenya Shillings until that club makes arrangements through the Honorary Treasurer for its use or transfer.

42. Introduction of Guests

- a) Persons eligible as Members of the Club may be introduced as guests by Ordinary Members only provided such Members are themselves present to effect the introduction.
- b) The Members introducing a guest shall enter the name of the guest, with all the particulars required, in the guest book.
- c) No person who resides or has regular occupation or business within the Mombasa district may be introduced as a guest more than twice in any calendar month, or three times in one year, except for special events when the General Committee may waive this Rule.
- d) The General Committee may restrict the privilege of introducing guests either generally or in respect of any Member entitled to introduce guests.
- e) The General Committee may, by resolution, extend the courtesy of the Club to visiting teams and visitors without charge.
- f) The Flag Officers may, on such occasions as may be specified from time to time by the General Committee, invite to the Club as guests persons who are not eligible for membership.
- g) Members' children who are over the age of fourteen years will be regarded as guests, unless they are either Cadet, Student or Ordinary Members.

43. Entrance Fees

The Entrance Fees payable by Members on election shall be of the amounts as may from time to time be decided by the General Committee.

No alteration to the amount of an Entrance Fee shall come into effect until it has been circulated to Members by email and published on the Club's Notice Board. The change will take effect from the first day of the next calendar month.

44. Payment of Entrance Fees

Entrance Fees become due for payment upon election, and if a Member fails to pay the Entrance Fee within one calendar month from the date on which it falls due, he shall cease to be a Member of the Club.

An applicant wishing to become an Ordinary Member may, if he so indicates when applying for election, choose to pay his Entrance Fee in equal monthly instalments over a period of 2 years, the first being due immediately upon election. Any such Member shall be termed a Non-Voting Ordinary Member until his Entrance Fee has been paid in full. Such method of payment will attract a 20% surcharge to each monthly instalment. If the Entrance Fee shall be altered during the period of payment, any unpaid balance of entrance fee shall be altered pro-rata to the amount of Entrance Fee unpaid at the time of the alteration to the Entrance Fee.

A Member who has not attained the age of 25 years at the time of his election may defer payment of his Entrance Fee until he has attained that age when the normal entrance fee shall become due.

If a Member who has chosen to pay his Entrance Fee by instalments fails to pay any instalment when due, the balance of Entrance Fee outstanding shall automatically become due and payable in full within one calendar month.

A Non-Voting Ordinary Member may choose at any time to make payment of the full outstanding balance of Entrance Fees and will automatically become an Ordinary Member from the date of payment of the last instalment of the Entrance Fee.

45. Refund of Entrance Fees

The General Committee shall have the power to refund to a Member resigning within twelve months of his election such proportion of the Entrance fees as it may think fit.

A Non-Voting Ordinary Member resigning from the Club shall not be entitled to refund of any monies paid on account of the Entrance fee.

46. Subscription

- a) Subscriptions, payable in advance by Members with effect from the date of their election, shall be of the amounts as may from time to time be decided by the General Committee, provided that the rate of Subscription payable by a Temporary Member who would be eligible for election as a Student Member shall be one tenth of the rate for Temporary Membership. No alteration to the amount of Subscription shall come into effect until it has been circulated to Members by email and published on the Club's Notice Board. The change will take effect from the first day of the next calendar month.
- b) An Ordinary Member of the Club of one year's standing may compound his Subscription for a sum equivalent to ten years' annual Subscription or, in the case of an Ordinary Member of five years standing, of seven and a half years' Subscription and shall thereupon become a Life Member.
- c) An Ordinary Member of one year's standing, who neither normally resides, nor has regular occupation or business within the Mombasa district and has so notified the Honorary General Secretary in writing, may compound his Subscription for a sum equivalent to five years' Subscription as a Non-Resident Member and shall thereupon become an Absent Life Member.
- d) A Member who is normally not resident shall be deemed to be resident for any period of a visit to Mombasa in excess of one month and will then be liable to pay subscription at the same rate as a member of the same class who is resident.
- e) Any Non-Voting Member who has ceased normally to reside in Mombasa as defined under Rule 15 may apply to the General Committee to become a Non-Resident Member upon payment of any outstanding balance of the Entrance Fee.

47. Privileges of Members

No person shall be entitled to use the facilities of the Club unless he is a Member or the guest of a Member or the member of a Reciprocating Club. Members shall be entitled to all the privileges of the Club subject to any restrictions prescribed by the Rules and Bye-Laws.

Only Ordinary Members and Honorary Life Members may serve on any Committee, or, except as provided in Rule 48, vote at General Meetings. Non-Voting Ordinary Members who have paid no less than 50% of the total of the Entrance Fees may serve on any committee.

48. Voting at General Meetings

- a) Each Ordinary Member and Honorary Life Member shall be entitled to one vote by virtue of the grade of membership.
- b) In addition, an Ordinary Member and an Honorary Life Member shall be allowed to exercise one additional vote if at the time of the General Meeting the Ordinary Member or the Honorary Life Member is the registered owner of a sailing boat. Irrespective of the number of boats owned, no Ordinary Member nor Honorary Life Member shall be entitled to exercise more than one additional vote exercisable by one of the joint owners. Fractions of votes shall not be allowed. Joint owners shall, before the commencement of any General Meeting, notify the Honorary General Secretary as to which of them shall exercise the right to the additional vote. In the absence of such notification, this right shall lapse.

49. Officers

The Officers of the Club shall be and their seniority shall be as follows:

Flag Officers

Commodore
Vice Commodore Sailing
Vice Commodore House

Other Officers

Honorary General Secretary
Honorary Treasurer
Honorary Sailing Secretary
Honorary Beach Master
Honorary Catering Officer
Honorary Cruising Officer

All Officers of the Club shall be elected each year at the Annual General Meeting by ballot.

50. Management of the Club

The Management of the Club shall be vested in a General Committee consisting of the Flag Officers of the Club, the Honorary General Secretary, the Honorary Treasurer, the Honorary Sailing Secretary, the retiring Commodore, as Ex-Officio member and two elected Members who shall be elected at the Annual General Meeting by ballot.

The General Committee shall meet at least once in every two calendar months. Five shall form a Quorum.

The General Committee shall hold office from the termination of the Annual General Meeting at which it is elected until the termination of the next Annual General Meeting.

The General Committee shall have powers to co-opt any Ordinary Member to be an additional member of the Committee for any purpose other than that of constituting a Quorum, but such additional member shall have no voting powers.

The General Committee shall appoint a House Sub Committee containing the Honorary Catering Officer, the Club Manager, sufficient members of the General Committee and co-opted Ordinary Members to serve under the direction of the Vice Commodore House who shall report to the General Committee the activities of the House Sub Committee.

51. Sailing Committee

The Sailing Committee shall consist of the Vice Commodore Sailing, who shall be Chairman, the Honorary Sailing Secretary, the Honorary Beachmaster, the Honorary Cruising officer and five Ordinary Members, who shall be active racing helmsmen.

The Sailing Committee shall meet at least once in every three Calendar months.

The five Ordinary Members shall be elected at the Annual General Meeting by ballot in which any Member who owns at least one quarter share in a Sailing Boat and who has raced that boat at least ten times during the preceding season shall be entitled to one vote and one additional Ordinary Member nominated by the boat owner or owners for each boat qualified as above who has been a regular crew for such a boat during the proceeding season shall also be entitled to one vote. An owner of more than one boat may nominate one skipper for each boat, who shall then be eligible to vote provided that the nominated skipper has raced that boat at least ten times. One regular crew for each boat may be nominated by the owner or nominated skipper and be entitled to one vote. An owner of a registered cruising yacht which has participated in one cruising race listed in the Club's programme during the preceding season shall be entitled to one vote. Only those Members qualified as above to vote may nominate or second for nomination candidates for election to the Sailing Committee.

Four shall form a Quorum. However three shall form a Quorum when the Sailing Committee meets to decide a protest case.

If a Quorum is not available when the Sailing Committee meets to decide a Protest case, the Senior Member present may co-opt other Ordinary Members to form a Quorum.

52. Non-Attendance at Committee Meetings

Any member of the General Committee or Sailing Committee who fails to attend three consecutive meetings, not having received leave of absence, shall, unless on request he furnishes an acceptable explanation, cease to be a member of that Committee.

53. Interim Vacancies

The General and Sailing Committees respectively shall fill any vacancies that may occur, by resignation or otherwise, with the exception of the Flag Officers who shall in all cases be elected at a General Meeting of the Club.

54. Subcommittees

The General and Sailing Committees shall have power to appoint subcommittees consisting of a convenient number of members, for any special purpose.

55. Duties of Officers

Duties of Officers shall be as laid down in the Bye-Laws.

56. Annual General Meetings

The Annual General Meeting of Members of the Club shall be held in May.

Notice of the meeting together with a copy of the audited accounts for the past year shall be posted on the Club Notice Board and circulated by email to Members not less than fourteen days before the meeting.

The Business to be conducted at the Annual General Meeting shall be:

- a) Confirmation of the minutes of the last Annual General Meeting and of any Special General Meeting held since the last Annual General Meeting.
- b) Commodore's Report.
- c) Honorary Treasurer's Report and adoption of the Annual Accounts.
- d) Confirmation of Bye-Laws.
- e) Election of Officers, General Committee and Sailing Committee.
- f) Election of Honorary Life Members.
- g) Confirmation of Honorary Members.
- h) Appointment of an Auditor or Auditors for the forthcoming year.
- i) Confirmation of Trustees and election of new Trustees.
- j) Consideration of any special business.
- k) General business.

The order of the business shall be at the discretion of the Chairman.

No resolution relating to the creating, repeal or amendment of any Rule shall be discussed at an Annual General Meeting unless either:

- a) the resolution is business that the General Committee has ordered to be inserted in the notice of the meeting
or
- b) Notice thereof has been given in writing by a Member entitled to vote to the Honorary General Secretary before the fifteenth day of April preceding the Annual General Meeting.

57. Special General Meetings

A Special General Meeting may be called at any time by the General Committee or on request to the Honorary General Secretary in writing by a least ten Ordinary Members.

The business of the meeting shall be stated in the notice convening the meeting which shall be emailed to Members and posted on the Notice Board at least seven days before the date for which it is called.

No business other than that of which notice has been given shall be discussed at a Special General Meeting.

58. Quorum

Twenty Ordinary Members shall form a Quorum at Annual and Special General Meetings. In the absence of a Quorum, the meeting shall stand adjourned for such period not to exceed fourteen days, as may be decided by the Members of the General Committee present. If at the adjourned meeting there shall still be no Quorum, then the Members present and entitled to vote shall be deemed to form a Quorum, except that the Quorum required under Rule 68 shall in all cases be maintained at forty Ordinary Members.

59. Chairman

The senior Flag Officer shall preside at all meetings of the Club or of a committee thereof, unless otherwise prescribed in these Rules. In the absence of a Flag Officer, a Chairman shall be elected by those present.

The Chairman shall have, in addition to his ordinary vote, a casting vote in the event of equality of voting, except as otherwise prescribed elsewhere in the Rules or Bye-Laws governing the meeting.

60. Chairman's Ruling

Should any question or dispute arise at a General Meeting of the Club or at a meeting of any committee as to the interpretation or meaning of these Rules, the Chairman of any meeting shall rule thereon. Any Member then present and objecting to or aggrieved by the ruling may demand to have it submitted to the meeting, which shall finally decide the question or dispute by resolution.

61. Majority

A Decision or Resolution of a General Meeting of the Club, or of a General or Sailing or House Committee, shall be a simple majority of the votes cast, except as otherwise provided in these Rules.

62. Minutes

Minutes shall be kept of all General Meetings and all meetings of the General Committee and all subcommittees.

63. Amendment of Rules

No amendment of the Club Rules shall be made except at a Special General Meeting.

Any alteration proposed shall be circulated by email to Club Members and be published on the Club Notice Board at least fourteen days before the date for which it is called.

No resolution amending the Rules shall be declared carried unless two-thirds of the votes cast shall be in favour of it.

64. Bye-Laws

The General Committee shall have power to make, amend or rescind such Bye-Laws (not being inconsistent with these Rules) as it may consider necessary for the general management of the Club, subject to confirmation by the Club in General Meeting.

65. General Committee Powers

The General Committee shall have powers, inter alia:

- a) To fix the prices of all food, drinks, goods, and services provided to Members.

Assets or articles belonging to the Club shall not be disposed of until due notice has been given to Members by the posting of an appropriate notice.

- b) To incur such expenditure on new works or maintenance of the immovable property of the Club and the improvement, maintenance or replacement of the movable property of the Club, as may be necessary or desirable.
- c) To entertain visiting teams in such a manner as it may deem fit.

The General Committee may not:

- d) Incur expenditure in excess of Shs. 100,000/= (One hundred thousand shillings) on any single item (other than replacement of bar stocks) until the lapse of fourteen days after a notice has been circulated by email to Members and posted on the Club Notice Board giving details of the proposed expenditure.
- e) Incur expenditure in excess of Shs 200,000/= (Two hundred thousand shillings) on any single item (other than replacement of bar stocks) unless such expenditure is sanctioned by a properly constituted Annual General Meeting, or Special General Meeting convened in accordance with Rules 56 or 57.

66. Borrowing Powers

The power of borrowing money shall be exercisable only by the General Committee.

The General Committee shall only exercise its borrowing power if authorised so to do by a Resolution to that effect passed at a Special or Annual General Meeting. With the sanction of the General Meeting the General Committee and/or Trustees may secure the repayment of monies so borrowed by the issue of Debentures and by mortgaging or charging the immovable property of the Club.

The General Committee shall in no circumstances borrow or raise a sum in excess of that provided for the relevant resolution or utilise any money so borrowed for any purpose other than the purpose or one of the purposes approved of in the relevant resolution.

All Members of the Club whether voting or not, and all persons becoming Members of the Club after the passing of any such resolution, shall be deemed to have assented to it as if they voted in favour of it.

67. Authority of General Committee

All acts done by the authority of the General Committee in good faith with the authority expressed or implied of the Club shall be deemed to be the acts of the Club and of the individual Members thereof and shall be binding on each individual Member of the Club during the time he is a Member of the Club and for a period of one year from the date he ceases to be a Member of the Club and every Trustee and every member of the General Committee shall be indemnified by the Club and by the Members thereof for any costs, losses and expenses which any Trustee or any member of the General Committee may incur or become liable to by reason of any contract entered into or thing done by him as a Trustee or member of the General Committee or in any way in the discharge of his duties.

68. Dealings with Club Property

Except as provided for under Rule 64, immovable property of the Club shall not be bought, taken on lease or otherwise acquired, sold, leased or otherwise disposed of without the consent of a three-quarters majority of Ordinary Members voting at a Special or Annual General Meeting at which not less than forty Ordinary Members shall form a Quorum. No alteration shall be made to this Rule except by a vote of a three-quarter majority of a meeting similarly constituted.

69. Trustees

The Club at a Special or Annual General Meeting shall by resolution elect four Members of the Club as Trustees.

A Trustee may retire by giving notice in writing to the General Committee and a Trustee ceasing to be a Member of the Club shall, ipso facto, cease to be a Trustee. The General Committee may fill any vacancy thus created provided that fourteen days notice is posted on the Notice Board. Such appointment will be subject to confirmation at the next General Meeting of the Club.

70. Signing of Documents

All documents, other than those relating to the immovable property of the Club, requiring to be signed on behalf of the Club, shall be sufficiently so signed by two members of the General Committee duly authorised for this purpose, and all documents so signed shall be binding on the Club and all the Members thereof. Documents relating to the immovable property of the Club shall be signed by not less than two Trustees.

71. Accounts

- a) Members accounts will be sent out during the first week of every month and they must be paid by the last day of each month, failing which they will charged a penalty of 15% per month on the outstanding balance until such time as the account is paid in full.
- b) A Member about to leave Kenya should ascertain whether he is in debt to the Club, and should settle his account before leaving.
- c) No drinks or goods shall be supplied to any Member, unless signed for on a Club chit, or other means approved by the General Committee.
- d) The General Committee may call upon any Member to pay forthwith any account due. Failing payment, that Member shall be disallowed the privileges of the Club until the account is settled and the General Committee may take such other action as it deems necessary to recover the debt.
- e) The General Committee may post on the Club Notice Board the name of any Member from whom any sum of money is due to the Club, if that Member fails to pay after ten days notice by email and in writing by post from the Honorary General Secretary or the Honorary Treasurer.
- f) Any Member whose name has been posted as a defaulter under this Rule shall cease to be a Member of the Club.
- g) Any Member who subscribes his name to a Club function shall be liable to be charged whether he attends or not, unless he obtains the prior permission of the Convener of the House Committee to withdraw his name.

72. Payment of Subscriptions and Cessation of Membership of Non-Resident, Student and Cadet Members

The yearly subscriptions will be payable on 1st January each year and the account sent to the Member's last recorded email or postal address. Non-payment of such account by the following 31st March will attract a 20% penalty. If still not paid by the following June 30th a 50% penalty will apply & will cause the Member to be reported to the General Committee who may, notwithstanding the provisions of Rule 71, deem the Member to have resigned from the Club and delete the Member's name from the registers without further communication. This shall only apply to those accounts in respect of which subscriptions are the only item.

73. Defaulter eligible for re-election

Any person who has ceased to be a Member of the Club under Rule 71 or 72 shall not be eligible for re-election unless he pays all debts due from him to the Club and furnishes reason for his default satisfactorily to the General Committee. If re-elected he may be excused payment of a part or the whole of the Entrance Fee at the discretion of the General Committee.

74. Audit

The yearly accounts shall be closed on the 31st December.

The accounts shall be audited and circulated to Members by email and a printed copy shall be exhibited on the Club Notice Board in accordance with Rule 56.

An Auditor shall not be a member of the General Committee.

75. Damage to Property

Any Member breaking or damaging any of the property of the Club shall pay double the cost of the necessary repairs or replacement, unless the General Committee is satisfied that the damage was done accidentally, in which case the amount to be charged shall be at the discretion of the Committee.

76. Removal of Club Property

Books, periodicals or other property of the Club shall not be removed from the Club without the authority of the Honorary General Secretary.

77. Late Hours

The General Committee may make Bye-Laws regulating the charges to be made to defray overtime payment to the Club staff.

78. Gratuities

A Member shall not give any money or gratuity to a staff member of the Club except through the Convener of the House Committee or the Honorary Beachmaster.

79. Staff

Club staff shall not be reprimanded by or punished by a Member. Any complaints against the a staff member shall be made to the Manager, the Vice Commodore House or the Honorary Beachmaster.

80. Complaints

All complaints with regard to the Club Management shall be addressed to the Honorary General Secretary.

81. Suggestions

All suggestions which Ordinary Members may wish to make for the consideration of the General Committee shall be written in the Suggestion Book and legibly signed.

82. Alcoholic drinks

Alcoholic drinks shall not be supplied to Members for consumption off the Club premises.

83. Dress

All Members and their guests using the Club shall be properly dressed.

84. Notices

Private notices shall not be posted in the Club unless countersigned by the Honorary General Secretary.

85. Dogs

Dogs shall not at any time be permitted in Club buildings, nor shall any dog be permitted on any part of the Club premises unless it is kept on a lead and a valid certificate of inoculation against Rabies is available for it.

For the purpose of this Rule, Club buildings include the Club House, the verandah, the dressing rooms and their steps, the boat shed, the locker room and every other Club structure.

86. Race Days

The Term Race Day shall mean the whole of any day on which races open to all Members are held.

87. Racing

All races and yachts sailing therein shall be governed by the Sailing Instructions of the Club.

88. Ownership and Registration

All yachts locally owned or chartered by a Member or Members of the Club shall be registered in the Club Register. All the Partners in a jointly owned or chartered yacht must be Members of the Club.

The following particulars must be supplied for entry in the Club Register:

- a) Name of owner or owners or charterers.
- b) Name of the yacht.
- c) Rig and working sail area.

d) Hull dimensions.

Should any of these particulars be changed, the yacht must be re-registered. A change of part ownership must be notified to the Sailing Secretary forthwith.

89. Handicapping

The handicapping of yachts shall be the responsibility of the Sailing Secretary and the Sailing Committee, or an official handicapper to be appointed by that Committee.

90. Entrance Fees for races

The General Committee may decide that an Entrance Fee shall be paid by each starter in any race held at the Club.

91. Protests

A protest shall be accompanied by a fee of an amount to be decided by the Sailing Committee from time to time which shall be returned to the person protesting if the protest is upheld. If the protest is not upheld the fee shall go to the general revenue of the Club.

92. Conduct of Races

The conduct of races shall be controlled by the Sailing Secretary, or his representative and the Sailing Committee.

93. Moorings

Members wishing to lay mooring lines on the Club beach may do so at their own expense and risk upon making application to and receiving authority from the Honorary Beachmaster. Members shall be responsible for maintaining in good order such mooring lines and all gear connected therewith. Yachts must be secured to their mooring lines in such a manner as not to cause damage to other yachts or inconvenience to other Members having adjacent moorings.

The allocation of deep water moorings for keel yachts shall be governed by separate regulations to be made by the General Committee from time to time.

94. Night Sailing

Members not intending to return to their moorings before dark shall so inform the Club servants of their intention.

95. Class Racing

All matters affecting class racing shall be governed by Bye-Laws.

96. Sailors Discussion Meetings

The owners of yachts registered at the Club and Members who have sailed as helms or crews in at least five events at the Club in the twelve month period preceding the date of the Meeting shall meet at least once in every Season for the purpose of discussing sailing matters and making recommendations to the Sailing Committee.

Meetings shall be called by the Sailing Secretary with at least fourteen days notice.

Resolutions passed at the meeting shall be decided by simple majority.

The sailors of one design class yachts recognised from time to time by the Club, shall be entitled to hold separate meetings for their classes, and regulations governing the conduct of such meetings shall be specified in the Bye-Laws.

97. Charges to Visiting Yachts

The Captain and every member of the crew of a visiting yacht, ie a yacht not registered with the Club under Rule 88, shall become a Temporary Member of the Club for the period of his or her stay in Mombasa, and the Captain of such a yacht shall pay whatever total charges are appropriate to such Memberships.

The Captain of a visiting yacht which makes use of specific facilities offered by the Club, eg moorings, jetty spaces, boat park space etc shall pay the charges set by the General Committee from time to time for such use.

BYE-LAWS OF THE MOMBASA YACHT CLUB

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BYE-LAWS OF THE MOMBASA YACHT CLUB

1a. DUTIES AND RESPONSIBILITIES OF OFFICERS

a) COMMODORE

- i) To be the principal representative of the Club
- ii) To ensure that all aims and objectives of the Club are attained.
- iii) To take part in the proceedings of any Committee or Subcommittee as he may deem appropriate.

b) VICE COMMODORE SAILING

- i) To deputize for the Commodore in his absence.
- ii) To be responsible for all aspects of sailing.

c) VICE COMMODORE HOUSE

- i) To deputize for the Commodore in his absence, if the Vice Commodore Sailing is not available.
- ii) To be responsible for all revenue earning activities and for the maintenance and upkeep of all Club property.
- iii) To be responsible for the supervision of all staff and to ensure appropriate records of service are kept.
- iv) To be responsible for the Club social activities.
- v) To be responsible for the maintenance of the Club buildings, furniture and fittings, swimming pool and its filtration plant, and for upkeep of the Club grounds and Car Park.
- vi) To be responsible for control of Stock.
- vii) To advise the General Committee on Club social activities and organise social activities as decided by the House Sub Committee.
- viii) To keep minutes of meetings of the House Sub Committee

d) HONORARY GENERAL SECRETARY

- i) To act as Secretary of the General Committee and to maintain the Minute Books of General Meetings and of General Committee Meetings.
- ii) To ensure that a register of Members is kept.
- iii) To keep the Balloting Register and to be responsible for all formalities in connection with the election of Members.
- iv) To undertake all general correspondence on Club affairs, and to maintain the necessary files and records.
- v) To ensure the renewal of the Club Liquor Licence as required by the Liquor Ordinance.

e) HONORARY TREASURER

- i) To be responsible for ensuring that all the Club's financial transactions are conducted according to the Rules of the Club and as authorised by Members in General Meetings and by the General Committee.
- ii) To make available to the General Committee such facts and information as will enable them to make sound financial decisions.
- iii) To keep a Members Ledger in which shall be recorded each month the subscription, fees, bar accounts and other charges payable by Members, all sums received from them and all outstanding balances.
- iv) To render a statement of account to each Member as soon as possible after the end of each month, and to render other statements of account as necessary from time to time.
- v) To be responsible for the receipts and account for all monies received from Members or from other sources and to issue the Club's official Receipts for all such sums received.
- vi) To ensure that all sums received are banked promptly.
- vii) To report to the General Committee each month all Members whose accounts are more than one month in arrears together with the amounts owed.
- viii) To make disbursements as follows:-
 - 1) to pay for all goods and services as invoiced by the Club's regular suppliers unless otherwise directed by the General Committee.
 - 2) to pay all regular and mandatory subscriptions, licence fees, taxes and other such dues as they become due unless otherwise directed by the General Committee.
 - 3) as authorised by the Members in a General Meeting or by the General Committee.
- ix) To make payments to the appropriate authorities or beneficiaries of any fees, donations or other fund contributions collected from Members in accordance with the intentions of those Members.
- x) To pay staff wages and salaries, to record for each member of staff the calculation of his monthly Net Pay and to keep records of all leave earned and taken and of all loans allowed and repaid.
- xi) To make timely payments to the appropriate authorities of taxes and contributions to various funds deducted from staff wages and salaries.
- xii) To arrange, as directed by the General Committee, for the insurance of the Club's assets and for cover under the Workmen's Compensation Ordinance and to see that all renewal premia are paid at the appointed time.
- xiii) To keep proper books of account and to prepare each month, for presentation to the General Committee, Trading Accounts explaining the profits made in the Bar, in Catering and from Miscellaneous Sales, an Income and Expenditure account and a Balance Sheet.

xiv) To have available for the Auditor all the information that he requires for his audit at the end of the financial year in sufficient time for the accounts to be audited and printed for the Annual General Meeting.

f) HONORARY SAILING SECRETARY

- i) To be responsible in conjunction with the Vice Commodore Sailing for all aspects of sailing and racing.
- ii) To act as Secretary of the Sailing Committee and to maintain the Minute Book and correspondence files of that Committee and all race records.
- iii) To keep the Register of Yachts and advise the Honorary Treasurer regarding the payment of Port charges, race fees, park fees, locker fees and protest fees.
- iv) To notify Members of the arrangements made by the Sailing Committee for racing, courses and other events.
- v) To draw up a roster of Officers of the Day.
- vi) To be responsible for the provision and operation of the flag staff, signal flags, starting guns and other gear necessary for the control of races under I.Y.R.U. Rules and to provide, when necessary, a safety boat.
- vii) To receive the Declarations required by I.Y.R.U. Rule 11 on behalf of the Sailing Committee.
- viii) To arrange for the safe custody of Club trophies and prizes.

g) HONORARY BEACHMASTER

- i) To be responsible for the upkeep of the Jetty, the Seawall, the Slipway, the Beach, the Dinghy Park, the Boatsheds and Stores and for the allocation of facilities therein to individual Members.
- ii) To maintain the Mark Buoys belonging to the Club.
- iii) To advise the Hon. Treasurer to raise statements of account for the use of the beach, the boat park, the boatsheds and stores.

h) HONORARY CATERING OFFICER

- i) To be responsible for Club catering.
- ii) To maintain a Roster of volunteer catering helpers.

i) HONORARY CRUISING OFFICER

- i) To be responsible for all aspects of off-shore cruising and racing.
- ii) To be responsible for the allocation of moorings and jetty space, to supervise mooring arrangements generally and to lay and maintain Club moorings.
- iii) To advise the Hon Treasurer to raise statements of accounts for the use of moorings, jetty space and any other facilities provided by the Club for the use of Cruising Yachts which are being, or have been, used by cruising yachts.

- iv) To advise visiting yachts in all matters pertaining to Kenya entry formalities and local conditions.

j) HONORARY ROWING OFFICER

To be in charge of all rowing activities including racing and the maintenance of the rowing boats.

1b. FUNCTIONS OF THE COMMITTEES

a) GENERAL COMMITTEE

- i) Dealings with members including the setting of subscription rates and entrance fees and the control of members' accounts.

- ii) Approval of all expenditure except:

Normal purchases for stock.

Expenditure on self-funding projects which are planned by the House or Sailing Committee to show a profit.

Expenditure on normal maintenance or emergency repairs up to a maximum amount to be set each month by the General Committee for the coming month.

- iii) Assessing the availability of Club funds and the allocation of available funds to projects, planned by the House and Sailing Committees, which are not immediately self-funding.

- iv) The acceptance of all receipts into and the making of all payments from the Club accounts.

- v) Management of Club funds and funds in the Club's care, including keeping the Income & Expenditure and Balance Sheet accounts, dealings with banks and managing investments.

- vi) The engagement and discharge of Club Staff.

- vii) Dealings on behalf of the Club with officials of the Government, Police, Municipality, Ports and other authorities and compliance with any regulations imposed by them.

- viii) Dealings on behalf of the Club as a whole with other clubs and organisations, visitors and guests.

b) HOUSE SUB-COMMITTEE

- i) Provide Revenue for the Club:

by operating the bar and standard catering including the purchase and control of stocks.

and through special functions such as dinners, parties, raffles and entertainment.

- ii) Maintain Club buildings and grounds at the upper level from the boat park cliff to the African Marine fence including the Swimming Pool, the boundaries, the road down to the boat park and the fence bordering the main road.
 - iii) Maintain the Club's furniture, machinery and all kitchen and other equipment (except that in the charge of the Sailing Committee), plan for timely replacements and dispose of anything that is replaced or irreparable.
 - iv) All dealings with the Club staff including the setting of working hours and duties, discipline and recommending wage increases, provided that any proposal to engage new staff or discharge staff shall be brought to the General Committee for approval.
- c) **SAILING COMMITTEE**
- i) Handle all sailing matters, including the preparation of the Race Calendar and sailing instructions, the provision of race committees, the organising of races and dealing with other clubs and organisations in sailing matters.
 - ii) Encourage sailing among members and provide sail training.
 - iii) Allocate boats, lockers and boat park space and set fees for the use of them.
 - iv) Maintain the boat park and the Club buildings and grounds at the lower level including the boat sheds, beach, sea walls and jetty.
 - v) Maintain all Club boats in the care of the Club and all machinery, moorings and equipment belonging to the Club and kept at the lower level or for use with boats.

2. **MEMBERS' CHILDREN**

- a) Children over the age of fourteen years may only use the Club as guests or as Cadet or Student Members. The rest of this Bye-Law refers to children who are under the age of fourteen years, who are the children or guests of Members or have been brought to the Club as provided under paragraph (f) of this Bye-Law. No other children may use the Club.
- b) Children shall be permitted to use the Club grounds without liability to the Club. Children under the age of eight years must be accompanied by a responsible adult.
- c) Children may use the Club House, verandah and quarter deck provided they do not interfere in any way with the enjoyment by other Members of the Club's facilities or in any way hamper the starting and finishing of races, but they may not in any circumstances attend the Bar within the Club House nor be served from the Bar except through the hatch leading on to the verandah.
- d) Children are not permitted on to the Club jetty or catwalk except when boarding or disembarking from boats, when they must be under adult control.
- e) Infants shall not be breast fed nor shall they have their clothing changed in the Club house or on the Club verandah.

- f) Children, other than children of Members, shall only be brought to the Club on special occasions notified by the General Committee, or with the permission of a Flag Officer or the Honorary General Secretary, and any children so permitted to use the Club grounds and premises shall be subject to all the requirements of this Bye-Law and it shall be the responsibility of the Members bringing the said children to the Club to ensure that the terms of the Bye-Law are observed by them.

3. **SAFETY APPLIANCES**

- a) **Personal Buoyancy Equipment** (for dinghy sailors)

Personal buoyancy shall be worn by all persons in a sailing dinghy whilst participating in any event organised by the Club.

- b) **Personal Buoyancy Equipment** (for cruiser sailors)

One or more lifebelts or lifebuoys or other approved lifesaving equipment shall be carried on deck or in the cockpit ready for immediate use.

Boats which have insufficient buoyancy to support the crew in case of an accident shall carry adequate lifesaving equipment for all persons on board in a readily accessible position.

(Non-swimmers are strongly advised to wear lifejackets at all times whilst on the water)

4. **RACING**

Racing is carried out in accordance with the rules set out in the Sailing Instructions of the Club.

5. **HARBOUR REGULATIONS**

- a) Members shall at all times observe the Kenya Ports Authority Regulations, including where necessary acquiring licences and paying licence fees.
- b) Any Member who infringes a Kenya Port Authority regulation may, if the General Committee decides that his action has jeopardized the Club's reputation, be suspended from the Club.

6. **POWER BOATS AND FUEL**

- a) The allocation of space for parking powerboats shall be under the control of the Honorary Beachmaster and if the space available is insufficient to accommodate both a sailing boat and a power boat the sailing boat shall be given priority.
- b) No petrol or other similarly volatile solvents or fuels shall be stored on the Club premises except for what is required for any boat used by the Club.
- c) No outboard motor may be kept in any of the Club's stores or buildings except for any owned by the Club or on loan to the Club.
- d) The Club's rescue boat may not be used for any purpose other than in an emergency where there is risk of injury or damage unless permission has been given by a Flag Officer or by the Sailing Secretary for its use for a specified purpose at an agreed time.

7. **MOORINGS**

Mooring positions in the Kilindini Harbour off the Club premises at Liwatoni are allocated by the Sailing Committee.

8. **CHARTERING BOSUNS AND OTHER BOATS**

Bosun Dinghies and other boats, owned by or in the care of the Club, may be offered for charter to Club Members under conditions to be set by the General Committee.

9. **PRIVATE STAFF**

Club Members employing private staff on the Club premises shall notify the Vice Commodore House and obtain from him a permit to be carried by each member of his staff who must show it to any officer of the Club on demand.

The Vice Commodore House shall keep a record of all such people employed by Members.

10. **CUSTODY AND USE OF COMMON SEAL**

- a) The Common Seal of the Club shall remain in the custody of the Honorary General Secretary of the Club but if so directed by the General Committee may be given into the custody of the Club's Bankers or its Solicitors or its Accountants.
- b) The Common Seal shall not be affixed to any document, instrument, paper or parchment except by not less than two of the registered Trustees acting under the written directions of the General Committee.
- c) The General Committee shall minute each occasion upon which the Common Seal is used and such minute shall contain particulars of the document, instrument, paper or parchment to which the same is affixed.

11. **LATE HOURS**

- a) An "Overtime" Book shall be left in the Club House in which shall be recorded all "overtime" worked by the Club's servants.
- b) It shall be the duty of the last Member to leave the Club House after 10.00 pm on any night to sign the Overtime Book certifying the hour at which the Bar was closed.

12. **DRESS**

The minimum standard of dress after 7.00 pm shall be a shirt & shorts.