

Approved by the General Committee on 13 January 2017

## **McCRAE YACHT CLUB Inc. BY-LAWS**

*Effective from 13 January 2017*

These By-Laws have been established by the General Committee under Rule 29 of the Constitution of McCrae Yacht Club Inc. to provide for the advancement, management and administration of the Club for all members to enjoy the use of Club facilities, and to ensure the smooth and effective running, of the Club sailing, training and social programmes.

The By-Laws apply to all members of the Club, irrespective of membership category.

It is a condition of family group membership that the adults of the family ensure that their children observe the By-Laws.

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### USE OF CLUB FACILITIES

Use of the McCrae Yacht Club premises, including the grounds surrounding the buildings, is available to all Club members, subject to some limitations as set out in these By-Laws.

### VISITORS AND MEMBERS

#### Visiting Guests

Members may introduce guests to the Club to enjoy the Club facilities but not take part in on-water Club activities. A guest may attend up to 3 visits to the Club before a membership should be taken out.

A Member who introduces a guest remains responsible for the conduct of that guest while the guest remains on Club premises, for any damage to Club property by that guest and may be subject to disciplinary action for any misconduct or

inappropriate behaviour by that guest.

A Member introducing the guest must record details of the guest in a visitors book.

### Visiting Sailors

Visiting sailors or crews are welcome to sail for up to five sailing days in any season, after which time a membership of the Club is to be taken out.

Subject to the payment of the appropriate fees, temporary membership of McCrae Yacht Club may be granted to visiting sailors who are: -

- either skipper or crew, and who are members of an Australian Sailing (AS) affiliated sailing club.
- crewing for a member of McCrae Yacht Club, irrespective of whether they are members of a AS affiliated sailing club.

No sailing fee is required for a crew of a McCrae YC member.

### Temporary Members

This is limited to recognised regattas or five scheduled sailing days per season, Sailing for Schools and Discover Sailing days. Thereafter a membership of the Club is to be taken out. Temporary members have the benefit of limited use of the Club facilities for the period for which a fee has been paid, and are subject to Club Rules and By-laws.

### Day Members

The intention of Day membership is to encourage people to "try sailing" and enjoy the Club's facilities before taking out a membership. This category is not available to current or past Club member without approval of the General Committee. Day membership is a temporary membership and is limited to 10 days for any person.

### Volunteer obligations

All categories of membership except temporary members are expected to undertake a minimum number of volunteer duties in whatever area they choose

## SECURITY

Members (other than temporary members) will be issued with a member's key which will open all peripheral gates to the boat storage area, the sail locker and the Club rooms. Members are provided with the code for the locks on the toilet doors. Each member has an obligation to fellow members for locking any gates or doors that they open. Security of the Club is the responsibility of all members.

## CLUBHOUSE - UPPER LEVEL

### Clubhouse Lounge

Available for the use of Members and their Guests and will be opened by 1000 hours on days of programmed Club events (or earlier for morning activities) and closed by 1900 hours, or later for an approved evening function, or at the Shore Officer's discretion.

Members can open the Clubhouse lounge at their own convenience. Members must ensure that the lounge is clean, tidy and securely locked when they leave.

Young children must be under the control of an adult at all time. After 1600 hrs members are requested to be neatly dressed. No wet sailing gear is allowed in the lounge.

The Clubhouse (or Race Control/Administration area) shall not be used as a dormitory except on special occasions approved by the General Committee for training programmes and under such conditions as may be defined by the General Committee.

### Use of Club facilities

Members of at least two years standing may book the Club for a private function with the approval of the General Committee. The Committee may levy or require:

- a refundable bond against damage
- a cleaning charge
- that the hirer arrange appropriate security at the member's cost
- the member will be responsible for obtaining the relevant liquor licence.

### Clubhouse Bar

(Refer Club Constitution Rule 41) The Club has a restricted Club Licence. The Bar operation is under the overall control of the Bar Manager and is subject STRICTLY to the conditions of the liquor licence.

The Bar may be opened between 1200 and 2400 hours on days as displayed on the Club Licence, at the discretion of the Bar Manager, the Shore Officer or Club Directors.

Adult members may purchase liquor for consumption on the premises. Adult guests of members may also purchase liquor for consumption on the premises, provided that the guests and the members who introduce them, sign the Visitors book. No liquor may be served to - or consumed by - persons under 18 years of age anywhere within the Club buildings or grounds. Under the rules of the Club's licence, BYO liquor consumption is not permitted.

The bar shall be under the supervision of a senior member at all times. Persons under 18 years of age are not permitted behind the bar at any time.

## Clubhouse Kitchen

The kitchen is available for use of members only and users are responsible for cleanliness of crockery and utensils. The Social Committee has charge of this area.

## Race Control and Administration Areas

Entry into the race control area is restricted to rostered personnel, Club Directors, Sailing Committee and the Shore Officer/House Duty person, unless authorised by the Race Officer. Entry into the administration area is restricted to members of Club Committees unless authorised by a member of a Committee.

## Club Administrator

The Club Administration desk should be staffed on scheduled sailing Saturdays from 9am – 1pm. The Club Administrator is supervised by the Commodore.

## CLUBHOUSE - LOWER LEVEL

### Canteen

The Canteen area and the operation of the Canteen is under the care of the Canteen Manager, at the direction of the Rear Commodore and House Manager and will be opened on programmed club days, for the benefit of Club members and visitors.

### Change Rooms and Toilets

These are available for the use of members, their guests and registered visiting sailors. Access is available to members on other days, using the code number. The doors should be closed and locked after use to prevent access by non-members.

### Rescue Boat Storage Areas

Entry into rescue boat storage areas is restricted to members of the General, Sailing and Training Committees and authorised members.

### Sail Locker

The Sail Locker is available for storage of sails/booms and sail training equipment at members' own risk with access using the member's key. The doors should be closed and locked after use to prevent access by non-members.

### Driveways and Boat Launching Ramps

Patience and courtesy to others should prevail when moving boats/trailers. Driveways and launching ramps should be kept clear unless members are actually moving their boat/trailer. Club rescue boats have priority on the eastern launching ramp.

### Club yard and boat storage

The Club yard, lawns and boat storage areas are under the control of the Yardmaster.

Club storage and launching facilities are for the use of member's registered sailboats, visitor's sailboats and rescue boats recognised by the Club.

The Yardmaster is wholly responsible for the allocation of space for storage of sailboats and approved equipment within the yard.

The Yardmaster will allocate boat or sailboard storage, subject to availability, to members who request the same and pay the scheduled storage fee. Storage will be allocated with preference to those who are regular club sailors or active workers within the Club. Boats may be stored in allocated areas in the yard commencing the week of the 1st sailing event and removed 1 week after the last sailing event for the summer season as listed in the club program. Winter storage will be in limited areas and only permitted on payment of a fee set by the General Committee at the discretion of the Yard Master.

Boats will not be left in another boat's storage space – non paid up boats will not be left in the yard - without permission of the Yard-Master.

Boats longer than 5.5 metres (18 feet) or wider than 2.44 metres (8 feet) may be stored only if specifically approved by the General Committee.

## RESTRICTIONS ON ACTIVITIES

Actions or activities, which may inconvenience the public or other Club members or may affect the operation of the Club, must necessarily be restricted. For this reason, Club members **SHALL NOT**:

- A.** Park vehicles in such a manner as to obstruct vehicular access to the entrances or the driveway through the storage yard;
- B.** Leave a boat in the yard, other than in its allocated storage space. Exceptions require the permission of the Yardmaster;
- C.** Leave any boat in the yard in such a way as to cause, obstruction, nuisance or danger;
- D.** Leave any boat or trailer on the launching ramps;
- E.** Leave boat trailers in the yard or on the beach except as necessary for loading or unloading boats. Beach trolleys may be left on the beach during a race, but must not obstruct access to the launching ramps.

General and Sailing Committee members may direct that any vehicles, boats or trailers left in the yard or on the launching ramp be removed immediately.

**F.** Use the sail locker for storage of any gear other than sails, booms, battens, youth and sail training equipment or lost property;

**G.** Drive any unauthorised motor vehicle through any gateway opening on to the beach;

**H.** Allow a dog inside any Club building, on the balcony or in the vicinity of the canteen;

I. Allow a dog into the yard unless on a leash;

### **Smoking** – see Smoking policy

Victoria legislation bans smoking in outdoor drinking and dining areas and within 10 metres of a sporting venue used for underage sporting events.

Smoking is not permitted at any time in the following areas of the Club:

- All indoor areas including balconies and decks whether covered or not;
- The Club lawn area;
- All canteen, catering and eating and drinking areas.

Smoke free areas will be signed where possible.

### **Illegal Drugs** – see Drugs policy

The possession, use or supply of any illegal drugs at the Club's premises or at functions/ events organised by the Club is strictly prohibited and any such behaviour may be reported to the police. The General Committee may take disciplinary action against a person engaging in this behaviour. Sanctions imposed by the General Committee may include suspending or terminating a person's membership in accordance with the procedures set out in the Club's Constitution.

### **Use of Prohibited Substances and Methods**

The use of prohibited substances and methods as defined from time to time by Australian Sailing is strictly prohibited. The General Committee may support drug-testing programs and education initiatives of the Australian Sports Drug Agency and other anti-doping organisations. They may also impose effective sanctions on persons who commit anti-doping violations.

### **Betting**

Betting and gambling on the Club premises is strictly prohibited.

### **Abandoned Yacht and Equipment**

With the approval of the General Committee, the Club may retain, exchange, sell, lease or dispose of any yacht, equipment or personal effects ("goods") left at the Club after the completion of the sailing season without the agreement of the Club, provided:

- The Club has written to the last known owner of the relevant goods at his or her last known email address and place of abode or business or, if such person is deceased, to his or her personal representative in a like manner advising of the Club's intention to so retain, exchange, sell, lease or dispose of the goods within 3 months; and
- the Club has telephoned the last known owner of the relevant goods at his or her last known telephone numbers, and if possible, has either left a voice message or text message advising

of the Club's intention to so retain, exchange, sell, lease or dispose of the goods within 3 months.

### **Yachts Let on Hire**

No vessel, except those owned by the Club, shall be used for trade or business or for letting for hire or for any other purpose than pleasure shall be entitled to the benefits or privileges of the Club provided always that this regulation is not intended to preclude any Member from occasionally letting his vessel or to deprive such vessel of the benefits and privileges aforesaid except for the time during which she shall be let.

## **CLUB BOATS**

### **Skippers**

Rescue boats are an essential facility associated with the activities of the Club. Only an authorised rescue boat skipper may take out a rescue boat. This applies at all times, even in case of an emergency. The names of Club members authorised as rescue boat skippers will be recorded on a list kept in the race control area and sailing noticeboard.

### **Club racing**

The services of an adequate number of rescue boats and rescue boat skippers and crews must be available for Club racing events, having regard to the prevailing or anticipated weather conditions. The Race Officer may abandon a programmed event if, in his opinion, the number of rescue boats available is insufficient for the weather conditions.

### **Rescue boat assistance**

Any person accepting assistance from a rescue boat is thereby deemed to accept full responsibility for any resulting damage to his or her boat or equipment and shall comply with any direction given by the rescue boat skipper.

### **Boat Recovery Tractor**

Only a driver authorised by the Sailing Committee may drive the tractor. The names of members authorised to drive the tractor shall be recorded on a list kept in race control and on the sailing noticeboard. The tractor may be used only for:-

- Launching and retrieval of rescue boats.
- Launching and retrieval of trailer-sailer type boats, provided they are of a type which can be launched or recovered without damage to the Club's launching facilities and without inconvenience to other Club members. In all cases, the decision of the Yard Master or a Club Officer shall prevail.
- Maintenance of the yard and beach.

## Club-owned Sailboats

The Training Centre is responsible for the allocation and maintenance of these boats. They will establish a procedure, which is to be followed by all members wishing to use these Club-owned boats.

## ADMINISTRATION

### Appointments

The following appointments will be made by the General Committee at their first meeting after the AGM – Membership Manager, Yardmaster and any Deputy Yardmasters, Training Centre Principal, Training Centre Administrator, Beacon Editor, Canteen Providore, Canteen Manager, Bar Manager, Youth Co-ordinator, Club Youth Captain/s and any sub-committees.

### Appointment process

Each year, at the time the General Committee publishes the notice of Annual General Meeting, the General Committee will publish an Expression of Interest for appointment to the positions listed above and the sub committees required - Training Centre Committee, Social Committee, House Committee and any additional committees as decided by the General Committee.

At the first meeting of the General Committee following the AGM, the General Committee will:

- consider the members who have expressed an interest in being a member of the Committee or appointed to a position
- appoint those members who the General Committee considers appropriate to serve
- publish the names of the members appointed to each position

### Operations Committee – see Operations Charter

The Operations Committee provides for the overall program planning and daily operations of the club. The committee members are: Vice Commodore (Chair), Club Captain and Training Centre Principal

Ex-officio members of the committee are: Social Committee Chairperson, Yardmaster and Regatta Manager(s) (if any)

Responsibilities include:

- Annual development of the club program of activities
- Purchase and use of club power and sail boats
- Delivery of major events

### House Committee - see House Charter

The House Committee, under the chairmanship of a General Committee director, is responsible for the general care and maintenance of the Club buildings and grounds;

- to arrange cleaning and security services for the Clubhouse on a regular basis;
- to roster members for House Duty, to carry out the house-keeping duties needed to run the Club on a day-to-day basis and assist the Shore Officer,
- to report and make recommendations to the General Committee on works required to maintain, and where appropriate, improve the Club buildings and premises and obtain the approval of the General Committee for the necessary expenditure.

The House Committee may co-opt such other Club members as may be appropriate to carry out its duties.

### Social Committee – see Social Charter

The Social Committee under the chairmanship of a General Committee Director, is responsible for the overall social program planning at the club, to foster, encourage and facilitate social activities for members and to create a social environment for members.

The Social Committee will liaise with the Commodore to organise and assist with the running of the Opening Day activities and new member welcome functions.

Throughout the season their assistance is requested on Australia Day and during major regattas.

They are also to liaise with the Club Captain to organise and assist with the running of the end of season Presentation function.

Other activities to be organised are at their discretion.

### Training Centre Committee – see Training Charter

The Training Committee is to oversee the operations of the Training Centre to ensure that it fulfils its training obligations for Club members (and others) to the standards of Australian Sailing.

Responsibilities include:

- providing training to members (and others) in courses relevant to the operations of the Club.
- providing and maintaining Club sailboats and training equipment subject to the provision of funds by the General Committee.
- Comply with the Operating Standards and Guidelines to ensure continuing Australian Sailing accreditation.

### CLUB YOUTH – see Youth Charter

It is the intention of the General Committee that youth activity of the various age groups up to 18 years should be actively fostered within the Club. Programmes will be developed through the Youth

Co-ordinator and Club Youth Captain/s and youth will be encouraged to have their say in the overall management of Club affairs, which may include from time to time, representation on Club committees.. Funds may be budgeted annually, if required, to provide for appropriate facilities and equipment.

### **Club Youth Captain/s – See Charter**

The General Committee shall appoint a sub-committee consisting of the Commodore and two other General Committee members to consider nominations for the position of Club Youth Captain for the coming season.

The Secretary must receive nominations for the position no later than 21 days prior to the AGM. Where considered appropriate, two persons may hold the position jointly. The sub-committee will advise the General Committee of its preferred candidate/s prior to the first General Committee meeting after the AGM. The General Committee may, at its discretion, decline to appoint a Club Youth Captain if it deems no candidate is suitable to fill the position. The person/s appointed as Club Youth Captain will hold that position for one year, but may be removed from the position after a shorter period at the discretion of the General Committee.

The Club Youth Captain/s will liaise with the Club Youth Coordinator and organise and assist with the running of the Youth Program.

the Opening Day youth activities, Santa's visit, junior and senior youth sleep-overs, pizza nights, the Commodore vs Youth Cricket match, youth sailing/racing events and any other events that are organised from time to time for the Club's youth members.

## **ROSTER DUTIES**

### **Shore Officer**

The Shore Officer is a member of the General Committee, or a member nominated by the General Committee, and is responsible for the co-ordination of on-shore non-sailing activities. A close working liaison with the Race Officer is required.

The duties are broadly as follows : -

- at the beginning of the sailing day, monitor that House Duty Officer has opened the Club as required and is in action.
- ensure that the Club is presented neat, tidy and clean at opening.
- arrange announcements of the days activities/ welcome visiting sailors.
- the induction of new members and welcoming potential new members.
- direction of yard traffic and car/trailer parking when congested

- liaise with the Canteen Manager to ensure the canteen is staffed and that canteen is locked at the end of the day
- liaise with the Bar Manager to ensure the bar is staffed and end of day the bar closing
- the security of the club at the end of the day's activities,
- the maintenance of good order in accordance with Club Rules and By-laws,
- supervision of House Duty member,
- any other matter requiring administration by the General Committee.
- Risk management procedures: note any incidents in the incident book.
- ensure all Club sail boats have been returned securely and signed back in.

### **Race Officer**

The Race Officer is responsible for all on-water activities, the rescue boats, the tractor and the race control area of the tower.

### **House Duty Member**

The rostered House Duty volunteer is responsible for: -

- opening the perimeter gates and the Upper Deck Clubhouse,
- sweeping paved areas and ensuring that the Club premises are clean and tidy prior to the programmed time of commencement of Club events on those days,
- relocating rubbish bins at the end of the days activities,
- ensuring that tables and chairs are returned to within the Club premises,
- checking that lights and heater are switched off and all doors and gates securely locked by 1900 hours, or later by arrangement with the Shore Officer,
- other duties which may be nominated by a Flag Officer or the Shore Officer.

## **EXPENDITURE OF CLUB FUNDS**

Generally, all expenditure of Club funds shall be within Annual Budgets presented at the Annual General Meeting, authorised by the Chair or Principal of the relevant committee or centre and reported to the next meeting of the General Committee. All expenditure shall be supported by tax invoices. In the event that proposed expenditure does not fall within the approved Annual Budgets:

- In an emergency, approval shall be obtained from two Flag Officers but the maximum of such expenditure on one item or group of associated items shall not exceed \$5000; or

- In other cases the request for expenditure shall be submitted to the General Committee; and
- Otherwise subject to the Club rules.

The Persons Responsible for Expenditure by area are as follows:

- General Committee
  - Expenditure of a capital nature shall be approved in advance by the General Committee or at an EGM or AGM as required by the Club Constitution.
- Operations Committee and/or Commodore
  - Engaging volunteers and paid staff.
- Club Captain (Chair of the Sailing Committee)
  - all matters associated with patrol boat operations, repair and maintenance not otherwise managed by the Operations Committee.
  - buoys, markers, tackle, ropes and the like
- House Committee Chair (as appointed by the General Committee)
  - Building repairs and maintenance
  - Building cleaning
- Social Committee Chair (as appointed by the General Committee)
  - Social functions
  - A Provedore is provided with a credit card for purchase of canteen good and services as requested by the Social Committee chair
- Training Centre Principal (as appointed by the General Committee)
  - Maintenance of training yachts and equipment
- Yard Master (as appointed by the General Committee)
  - Engaging contractors to undertake yard maintenance
- Bar Manager (as appointed by the General Committee)
  - Purchase of consumables for sale in the bar with a limit such that stock in hand does not exceed \$5,000 unless prior approval is obtained from the General Committee
  - The Bar Manager shall be issued with a credit card that shall only be used for purchase of bar consumables
- Canteen Manager (as appointed by the General Committee)
  - Purchase of consumables for sale in the canteen with a limit such that stock in hand does not exceed \$4,000
  - A Provedore is provided with a credit card for purchase of canteen good and services as requested by the Canteen Manager
- Provedore (as appointed by the General Committee)
  - The Provedore is provided with a club credit card that may only be used for purchases as directed by the Social Committee Chair or the Canteen Manager
  - Where a Club credit card is available it is be used. Use of personal credit cards for later reimbursement is allowed only with the prior approval of the Treasurer or Commodore.
- Club branded clothing officer (as appointed by the General Committee)
  - Purchase of club branded clothing with a limit such that stock in hand does not exceed a value of \$2,000
- Administrative officer (as appointed by the Commodore)
  - Purchases of stationery, first aid equipment as required to keep adequate stock
  - Payment for goods and services using the Club Administrative Officers credit card as authorised by the Treasurer
- Beacon editor (as appointed by the General Committee)
  - Responsible for publishing and distribution materials to members including Beacon and annual reports.
- Treasurer
  - Computers
  - Insurances
  - Utility services
  - Accounting services
  - Licences and permits
  - Rates and rent
  - Printing and stationery
  - Rubbish removal
  - Telephone and internet
  - Wages, salaries and superannuation
  - Taxes
  - The Treasurer may act as proxy approver for the Person Responsible for other areas of responsibility in the event that the relevant approver is not available in a timely manner, provided that the Treasurer is satisfied that

the relevant goods or services were ordered and have been supplied. The purpose of the proxy approval is to allow bills to be paid before they are due.

It is the responsibility of the relevant person(s) to be familiar with the budget for their area. Responsibility may be delegated to a person or persons by the Person Responsible provided the responsibilities being delegated are defined and the name of the delegated person is notified to the General Committee and the Treasurer in advance of such delegation.

Payment for good and services shall only be made upon receipt of the relevant tax invoice that has been duly authorised by the relevant Responsible Person.

Re-imburement of individual club members for expenditure made on behalf of the Club will comply with the following principles:

- Purchase of the relevant goods or services shall be subject authorised by the Responsible Person
- Authorisation of expenditure must not be by a related club member
- Supply of goods or services must be on normal commercial terms or terms otherwise more favourable to the Club
- Payment by cheque or EFT shall be signed or authorised by two people independent of the claimer
- Reimbursement by EFT or cheque is preferred and only in exceptional circumstances will reimbursement be in cash

Notwithstanding the above, cash from the takings of the bar or canteen may be used to reimburse expenditure associated with either function as follows:

- Cash from the Canteen float may be used to a maximum of \$200 per day to purchase or to reimburse expenditure of perishable foods purchased for sale in the canteen – for example, bread rolls.
- Cash from the Bar float may be used to a maximum of \$200 per day to replenish stock that is fully depleted or likely to be fully depleted on that day.
- Appropriate tax invoices shall accompany all purchases.

## YACHT REGISTER

The Club Yacht Register shall record the particulars of class, sail number, boat name, owner's name and his or her home and holiday address and telephone numbers, subject to the necessary particulars being supplied to the Assistant Secretary.

Where the General Committee is of the opinion that

the general condition, type or name of a boat is unsuitable, it may direct the Assistant Secretary to delete the particulars from the Register and the Race Officer to refuse entry of the boat in any Club event.

## SAILING RULES

The sailing regulations of the Club shall be the Racing Rules of the International Sailing Federation as modified by the prescriptions of Australian Sailing subject to such alterations and modifications as are contained in the sailing instructions issued by the Sailing Committee.

## POCKET BADGES

Flag Officers are entitled to be presented with a gold braided pocket badge on the occasion of their election to office. On completion of their term of office, Flag Officers are entitled to continue to wear the pocket badge.

Life Members will be presented with a silver braided pocket badge on the occasion of their being elected to that class of membership.

## CLUB BURGEE

- The Club Flag or Burgee shall be in the form of a pennant.
- The colours shall be Imperial Blue and White with the lighthouse in White and Gold.
- The Hoist will be 1 and the length 2.
- The width of the blue will be 1/3rd of the length.
- An emblem representing McCrae Lighthouse is positioned in the middle of the panel measuring one-third of the length starting at the bottom side. This panel is Imperial Blue and the Lighthouse White and Gold. The remainder of the flag is to be White with the letters McCYC in Imperial Blue.
- The lettering will be 5/24th of the hoist in height, and cover an area 13/24th of the hoist in length.
- The width of letters will be 1/24th of the hoist. These will be positioned centrally at a distance of 1/16th of the hoist from the fly edge of the Blue panel.
- The Commodore will wear a straight sided Burgee with a swallow tail.
- The Vice Commodore will wear a swallow tail as above, but with 1 White ball at top of the canton.
- The Rear Commodore as above, but with two white balls side by side horizontally.

## POLICIES

The General Committee may, following consultation with members, draft and implement policies to provide guidance on the Club's response to a particular set of issues. These policies will have the same force as by-laws. Current policies adopted by the Club include:

1. Policy on the responsible service of alcohol.
2. Safe transport policy.
3. Policy on smoking at the Club.
4. Policy on illicit drugs.
5. Digital and Social Media Policy
6. Child Safety Policy

By Resolution of the General Committee  
*13 January 2017*

Campbell Miles

Secretary