

By-Laws of SASC - Section 1 – General By-Laws



By-Laws of Sydney Amateur Sailing Club ACN 000 409 727

These BY-LAWS have been compiled by the BOARD under Clause 6.2 of the Club's Constitution.

Section 1 – General By-Laws

Preliminary

Words and headings in these By-Laws have the same meaning as the words and headings contained in the Constitution of the SASC.

Company means the **Sydney Amateur Sailing Club (SASC)**.

Constitution means the constitution of the Company as in effect from time to time.

- 1. Direction.** The overall management and control of the business and affairs of the Sydney Amateur Sailing Club (the Club) which is a registered Company Limited by Guarantee, is vested in the Board of Directors consisting of the Flag Officers and Directors who are elected annually by the Members.

Unless otherwise decided by the Board the detailed management of affairs shall be conducted by:

- the Finance, Audit and Risk Committee
- the Membership Committee
- the Boatshed Committee
- the Clubhouse/Social and Special Events Committee and
- the Racing Committee.

All Flag Officers are ex-officio Members of each committee. The Chairperson of each of the above committees shall be appointed by the Board and must be a Director. The Chairperson may nominate other Members to join a committee subject to the approval of the Board. The Chairperson may establish such sub-committee meetings as they consider necessary and appoint persons to that

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sub-committee. The Chairperson of each committee is the only Director empowered with any executive authority.

2. **Alteration of By-Laws.** The Directors reserve the right to alter or amend the By-Laws from time to time and Members will be notified of any alteration or amendment promptly thereafter.
3. **Business Activity.** No Member apart from those engaged in Maritime Activities with the consent of the Board, shall carry on their profession trade or business on the Club premises or use the premises by advertisement or otherwise as a business address.
4. **Club Premises – CCTV.** By being on Club premises Members accept that the premises are being monitored by CCTV at all times for the safety and protection of members and club facilities.
5. **Club Premises – Property – Decorations.** Photos, plaques, trophies, notices or any form of decoration or writing will not be placed on any floor, table, bench or wall of the Clubhouse, without the prior permission of the Board or the Chairperson of the Clubhouse Committee.
6. **Private Functions.** The Clubhouse is not available for private functions. Functions connected with sailing and involving Club Members may be permitted by the Board after a request is made in writing. The erection of tents or awnings about the Club is not permitted without prior approval of the Board.
7. **Gambling.** Gambling is not permitted on Club premises.
8. **Removal of Club Property.** No Member shall remove from the Club premises any furniture, equipment, display, trophy, artwork, paper, book, pamphlet or other item which is the property of the Club.
9. **Damage of Property.** Any Member or any Member's guest who causes damage to the Club premises or any Club property shall be responsible to the Club for the cost of repairing such damage.
10. **Smoking.** Smoking is strictly forbidden within the Clubhouse, dinghy sheds and workshop.
11. **Suggestions and Complaints.** Any Member wishing to make any suggestions as to the conduct of Club's affairs or register any complaint regarding the way the Club's affairs are conducted should make such submissions in writing to the Board. Any complaint regarding any employee shall be made to the Board and no Member shall personally reprimand any employee of the Club.
12. **Service Charge.** The Board may at its discretion impose a Service Charge upon any SASC Member's account (excluding subscription fees) which are overdue for payment with the value of the Service Charge to be determined by the Board from time to time.

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13. House Rules

- a. Dress for all areas of the Club premises shall be determined by the Board of Directors from time to time. Dress should however be neat and a shirt and footwear should at all times be worn in the Clubhouse.
- b. Children must be under the control of a Member and under no circumstances are children permitted on the pontoon without an accompanying adult
- c. No animals are permitted in the Clubhouse. Dogs must remain on a leash in the vicinity of the Clubhouse, dinghy sheds, wharves, pontoons and tenders.
- d. Members are allowed to use the kitchen but are required to clean up and remove their rubbish after use. No Visitor is permitted in the Club kitchen unless accompanied by a Member.
- e. Members and guests must have consideration for our neighbours and are to make sure that cars are parked clear of driveways at all times. Members are to minimise noise when leaving the Club, particularly at night.
- f. Noise shall be kept to a minimum at all times and each Member shall use extreme discretion in operating sound systems or other forms of noise generation, so as to minimise noise impact to others at the Club premises or in the vicinity of the Club premises, wharves or pontoons.
- g. Each Member undertakes not to allow any of their crew, agents, invitees or guests to behave in an unsafe manner or cause any disturbance in or around the Club premises including any behaviour that prevents or hinders other Members' use and quiet enjoyment of the facilities. The premises are monitored by CCTV and any breach of this clause will be discussed by the Board and recourse determined.
- h. Members and Visitors, whose conduct is considered to be in breach of any of these by-laws, must at all times obey the direction of any Director of the Club and if called on by such a Director to leave the Club premises, must do so immediately. Persons requested to leave the premises will not return to the premises until a report of the incident that resulted in them being called on to leave has been discussed by the Board and any recourse determined.

14. Visitors

- a. Non-Members or Visitors shall not be allowed on the Club premises unless introduced and accompanied by a Club Member or when participating in club racing or special events.
- b. All Ordinary, Life, Absentee, Associate and Crew Members, aged 18 years

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and over are entitled to introduce bona fide acquaintances as Visitors to the Club subject to the following provisos:

- (i) The Member shall be responsible for the conduct and dress of all Visitors introduced by them.
- (ii) The Member who has introduced a Visitor to the Club must not leave the premises while the Visitor remains.
- (iii) A Member introducing a Visitor to the Club should introduce such Visitor to the Secretary, a Flag Officer or a Director as soon as convenient after arrival.
- (iv) No Visitor shall be supplied with liquor on the Club premises unless in the Company of and on the invitation of a Member.

15. The Serving of Liquor

- a. The Club holds a Limited Liquor Licence for the Club premises, including the Clubhouse, dinghy shed and wharf areas.
- b. Intoxicating liquor will not be served in any part of the Club premises other than the Bar. When the Bar is open, all liquor must be purchased from the Bar and no other liquor shall be brought into or consumed on the Club's premises.
- c. Persons under the age of 18 years shall not be served with intoxicating liquor on any part of the Club's premises.
- d. Members of affiliated Yacht Clubs are permitted to purchase liquor from the Bar at the Club on race days when the Bar is open
- e. If in the opinion of any Flag Officer, Director or Officer of the Day any Member or Visitor is under the influence of intoxicating liquor to such an extent as to cause annoyance to other persons on the premises or a hazard to themselves, such Member or Visitor shall not be served further with intoxicating liquor and if requested to do so by any such Director shall leave the Club premises immediately. Any person serving further alcohol, from any source, to a person deemed under the influence of intoxicating liquor may also be asked to leave and, if so, shall do immediately.

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Section 2 – By-Laws relating to Maritime Activities

These by-laws are designed to ensure fair and equitable use of our limited facilities by all Members. When mooring Vessels to the pontoon, Members are requested to be cognisant of the need to limit stress on the structure by observing prevailing and forecast weather conditions.

16. Vessels

a. General Rules

- (i) Vessel owning Members shall keep and maintain their Vessel, its equipment and docking lines in good and proper seaworthy order when using Club moorings or docks.
- (ii) It shall be the responsibility of the Member to keep the Vessel in such condition that it does not become unsightly or dilapidated or reflect unfavourably upon the reputation and appearance of the SASC, its premises or facilities.
- (iii) The Vessel shall be kept free and clear of debris, trash or other unsightly material at all times.
- (iv) Laundry or any type or any item of a personal nature shall not be hung to dry out or air in public view aboard any Vessel, wharf or pontoon.
- (v) Vessel owning Members must comply with all legislation concerned with maritime activities including those regulations that relate to the protection of the environment.
- (vi) Vessel owning Members expressly agree to remove their rubbish from the Club's premises. Rubbish includes but is not limited to bilge water, engine and other oils, discarded equipment, marine growth, paint scrapings, effluent and expired flares.

b. Insurance

- (i) Each Vessel owning Member shall insure their Vessel and its equipment for no less than AUD \$10,000.000 for legal liability to third parties against loss, property damage, death or personal injury occasioned by the use of the Club's facilities and the use of the Vessel and its equipment howsoever caused and shall keep SASC indemnified and saved harmless from any claim or demand whatsoever in respect thereto.

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- (ii) A Certificate of Currency or other proof of insurance is to be provided to the Club on demand and may be requested at the time of any overnight bookings.

c. Charges

- (i) Each Member shall pay to the SASC a licence for mooring, slipping or berthing as per the published Club Schedule of Charges.
- (ii) The SASC may at any time vary such licence fees. The amount of any such variance shall be at the Board's discretion.

d. Advertising

- (i) Advertising or any indication of sponsorship displayed on any Vessel occupying a mooring shall be restricted to that permitted or prescribed from time to time by the Board of the SASC.
- (ii) The boom cover or awning of any Vessel shall not be used to display anything other than the registered name of the Vessel.

e. Sales

- (i) No Vessel may be advertised or offered for sale while occupying a Club mooring. This restriction shall not apply to private sale by a Member or sale by an authorised broker approved by the Board of the SASC.

f. Temporary mooring and berthing

- (i) The mooring immediately to the north of the Clubhouse pontoon (the holding Mooring) is allocated for use by the Slipway and otherwise for emergencies. Members may use this mooring for short term stays of no greater than one hour, but owners must always remain at the Club and be ready to vacate the mooring in emergency situations. Any other circumstances need to be approved by the Vice Commodore or other Flag Officers.
- (ii) Vessels berthed on the south-western side of the Clubhouse pontoon must ensure that the dinghy launching area is kept clear.
- (iii) Vessels berthed at the pontoon should ensure bows and sterns do not interfere with the touch and go area at the end of the pontoon and so allow easy access to this area for the Club tenders and other Vessels.
- (iv) Owners and or skippers must remain on the Club premises while their Vessels are berthed at the SASC Clubhouse pontoon and

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wharf area. Vessels should not remain on the pontoon overnight other than in exceptional or emergency circumstances. The Vice Commodore or another Flag Officer is to be contacted as soon as practicable in such situations.

- (v) On days when the Club is conducting racing, access to the pontoon is limited to short term stays of no greater than one hour to collect crew and or equipment. The racing program is published on the Club's website.
- (vi) Vessels may moor to the piles on the southern side of the Clubhouse and may remain overnight. Members are required to remain on Club premises when their Vessels are moored to the piles.

g. Tenders

- (i) No Member shall operate a Club Tender without the Permission of the Board and then only on occasions not interfering with the operations of the Club Staff and the Member must hold a valid boat licence and wear a Personal Flotation Device (PFD).

h. Club Dinghies

- (i) Members may use a Club dinghy during daylight hours and strictly within the limits of Mosman Bay. Members must wear a Personal Flotation Device (PFD) while using the dinghy and must return the dinghy to its rack in the boatshed when finished.
- (ii) On weekends and public holidays the Member must return the dingy within 30 minutes and the dinghy must not be left on the mooring. On days other than weekends and public holidays dinghies may be used for longer periods and there are a small number of dinghies identified with a red tag that may be left on a mooring for the day being used.
- (iii) Dinghies should not be left on the pontoon or tied to the ramped areas for extended periods.

17. Moorings

- a. Each owner, partner, proprietor, lessee or charterer of a Vessel granted a license to occupy a mooring at the SASC shall be an Ordinary Member of the SASC.
- b. Approved Visitors may be granted casual license berthing from time to time at the discretion of the Board. Fees for casual license berthing shall be at a daily rate as determined by the Board.

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- c. The mooring license granted by the SASC to the Member shall be personal to the Member and the Member shall not assign, license or charge a fee to a third party for the right to occupy the mooring.
- d. By agreeing to occupy a mooring the Member acknowledges that they have not relied in any way on the SASC's skill and judgement and has satisfied themselves as to the conditions and suitability of the mooring.
- e. The Member acknowledges that the license for occupation of a mooring shall be subject to review from time to time as determined by the Board.
- f. The SASC does not guarantee the continuous license of a mooring and reserves the right at any time and for any reason to terminate, permanently or temporarily, the use of the mooring.
- g. Provided that the Member is given seven days' notice from the SASC, the Member acknowledges that the SASC at its discretion, may move the Vessel and/or its equipment to another mooring at the Member's risk.
- h. It shall be the responsibility of the Member to provide their own mooring lines and warps and to moor the Vessel securely.
- i. All Vessels occupying an SASC mooring shall be listed on the Club's Registry of Vessels and display the SASC initials on the stern.
- j. All Vessels occupying an SASC mooring must at all times hold a Current Vessel Registration Certificate issued by Transport for NSW.
- k. All Vessels occupying an SASC mooring must at all times hold a current insurance policy that includes third party cover of no less than \$10,000,000.

18. Storage

- a. The passageways paths and stairways of the premises and the fixed and floating wharves, both the main premises and wharves and those at the head of Mosman Bay, known as The Green Shed, must be kept clear of all gear, including dinghies, and no Member shall use any part of the premises other than their own locker for the storing of goods equipment or material.
- b. Users of the dinghy sheds are required to keep their allocated dinghy space or locker neat and tidy. Regular clean-ups will be advertised to Members and items found unlabelled will be disposed of.
- c. Under the Club's insurance policies fuel, thinners, LPG and any other highly flammable liquid or gas is not to be stored on the Club's premises, other than in an authorised flammable goods storage locker, including the dinghy sheds,

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Members' lockers or dinghies or anywhere in the vicinity of the Clubhouse or the Green Shed.

- d. Outboard motors must only be stored in an upright position on the racks supplied. Storage of outboard motors is subject to a charge invoiced by the office.
- e. Except for Club-owned equipment used by staff in relation to the slipway activities, lithium-ion batteries must not be stored on Club premises at any time. Equipment that uses lithium-ion batteries may only be charged when the Member owner is present and supervising the charging, including for outboards, equipment or any other device.
- f. Charging of Standard 12v lead acid style batteries is permitted in the main dinghy shed as long the Member remains on the premises.

19. Repairs, Fitting and Maintenance**a. Generally**

- (i) Major repairs and modifications to any Vessel while berthed at any of the SASC wharves or pontoons is prohibited, this includes the SASC pontoons and the Green Shed berths. The Slipways are available for those purposes and the Boat Shed Manager of the SASC should be contacted when these facilities are required.
- (ii) Minor repairs including maintenance, touch up painting, mechanical adjustment and electrical work are permitted.
- (iii) For insurance purposes, Members must notify the office if outside contractors are performing work on their Vessels.
- (iv) Prior to commencing work, outside contractors are required to provide the office with evidence of insurance cover and are not permitted to occupy or operate from Club premises for any extended period.
- (v) Work benches are provided in the dinghy sheds for Members' use and must be cleaned up after use.
- (vi) No Member's activities shall hamper the activities of the club's employees or impede the normal function of the Club or inconvenience any other Member.
- (vii) Fire Safety. Members shall not do anything likely to affect the operation of fire safety devices, including sprinklers, fire

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extinguishers, fire hoses and the like, thereby reducing the level of fire Safety on the Club's premises.

- (viii) Members must comply with EPA regulations regarding contaminants in the water including paint, sanding dust, dirty bilge water, etc. Toilets, oil, chemicals, spirits, flammables and oily bilges may not be discharged into the harbour. Vacuuming of sanding projects should be undertaken regularly to contain the dust.
- (ix) No spray painting outside the dinghy sheds is permitted.
- (x) Due to our suburban location, major repairs requiring extended use of power tools are prohibited. High noise power tools may be used for short periods inside the dinghy sheds with all doors closed. Use of all power tools and vacuum cleaners is restricted to the hours between 8am–5pm daily.
- (xi) Members are responsible for the removal of all rubbish and debris after completion of their work. Waste materials such as off cuts should not to be stored inside or outside at any time and must be removed at the completion of works.
- (xii) All waste must be correctly disposed of in the recycling and waste bins or removed from the site. Rubbish or debris left behind will be removed by Club staff at a cost to the Member responsible.

b. Slipway

- (i) Only minor maintenance and repairs are permitted. Any work involving grinding, spray painting, major rigging and fitting or that may involve any contamination of the premises or adjacent waterways or lands is forbidden unless undertaken in designated areas with the approval of the Board or the Boat Shed Manager
- (ii) Members must undertake a formal induction from the Slipway Manager prior to undertaking works on vessels on the slipway.
- (iii) Members working on Vessels shall comply with Occupational Health and Safety Acts and shall ensure contractors, tradesmen and crew are protected from work hazards and shall work in safe and hygienic working conditions. All staging or scaffolding erected by Members shall be entirely at their own risk
- (iv) All contractors must report to the Office or Slipway Manager before being allowed access to the slipway, pontoon, deck or Green Shed to perform work on any Member's Vessel.

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- (v) Spray equipment is not to be used at the Club unless approved by the Board.

Hazardous Equipment

- (vi) Hazardous Equipment may only be used with permission of the Board. Any user will be required to undergo training by an approved Agent. Hazardous equipment is inclusive but limited to:
 - The cranes
 - The compressor and its associated air tools
 - The slipway winches
 - The pressure water blaster
 - Items within the workshop.
 - Staging/scaffolding equipment
 - The spray paint equipment
 - The Tenders
 - And any other item that may be nominated from time to time.

c. SASC Wharf and Dinghy Shed

- (i) Work on masts is not permitted on the wharf area. After removal from yachts, masts are to be carried to the grassed area south of the Clubhouse. Masts should not remain on the grassed area for a period greater than two weeks other than with the approval of the Vice Commodore.
- (ii) On non-race days vessels may berth at the pontoon to undertake minor repairs and maintenance. Members are required to remain on the Club's premises when so berthed and should be ready to depart if prevailing weather conditions deteriorate.

d. The Green Shed

- (i) The facilities are provided for Members performing repairs and maintenance on their Vessels
- (ii) Members wishing to utilise of the berths to work on their Vessels for a duration greater than 3 hours must book in advance via the on-line booking system on the SASC website.
- (iii) Bookings are limited to one continuous period of no more than five days per month unless permission is otherwise sought from and granted by the Vice Commodore.
- (iv) Berths are numbered 1 to 4, and Vessels will be allocated a berth number at the time of booking.

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- (v) Vessels will not be allocated Berth 1 (the Westernmost berth) on weekends, public holidays, race days or on other days when a tender service is offered. It is reserved for the operation of the tender service and must be kept clear to allow the unfettered operation of the Tender Service.
- (vi) Both pontoons are to be available and must be kept clear for dinghy launching at all times.
- (vii) The chargeable daily booking period starts at 10am each day and a Vessel must vacate by 9:45AM hours on the final day of its booking.
- (viii) Members may be charged for stays greater than 3 hours if bookings have not been made. The Club may use the CCTV installed to monitor and invoice Members accordingly.
- (ix) The Boat Shed Staff at the owner's cost shall remove a yacht that is occupying a berth booked for another Vessel.
- (x) Masts should not be left in the mast repair area inside the dinghy shed for a continuous period of more than three weeks other than with the permission of the Vice Commodore. Members should inform the office if masts or other spars are being stored at the Green Shed and all such items need to be identified with the Vessel's name or risk being discarded in any Club clean-up.