

# By-Laws

of

## Sydney Amateur Sailing Club

ACN 000 409 727

These BY-LAWS have been compiled by the BOARD under Clause 9 of the Club's Constitution.

### Section 1 – General By-Laws

**This document – Section 1 – contains the General By-Laws.**

#### Preliminary

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

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

**Constitution** of the SASC means the Rules, By-Laws, and any other document forming the Constitution of the SASC, and including the original Memorandum and Articles of Association of the Company.

1. **Direction.** The overall management and control of the business and affairs of 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:

- (a) the Finance and Governance Committee;
- (b) the Membership Committee;
- (c) the Boatshed Committee;
- (d) the Clubhouse/Social and Special Events Committee; and
- (e) 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 of the committee, subject to the approval of the Board. The chairperson may establish such sub-committee meetings as he/she considers necessary and appoint persons to that sub-committee. The Chairperson of each committee is the only Director empowered with any executive authority.

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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. **Visitors.** All **full**, life, associate and crew members, aged 18 years and over are entitled to introduce bona fide acquaintances as Visitors to the Club subject to the following provisos;
  - (a) The member shall be responsible for the conduct and dress of all Visitor's introduced by him.
  - (b) The member who has introduced a Visitor to the Club must not leave the premises while the Visitor remains.
  - (c) 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.
  - (d) No visitor shall be supplied with liquor on the Club premises unless in the Company and on the invitation of a member.
4. **House Rules**
  - (i) Non members or visitors shall not be allowed on the Club premises unless introduced and accompanied by a club member. The member shall remain with the visitor until the latter leaves the Club and shall be responsible for the visitor's conduct.
  - (ii) No animals are permitted in the Clubhouse. Dogs must remain on a leash in the vicinity of the clubhouse, boatshed, deck, pontoon and tenders.
  - (iii) Children must be under the control of a member and under no circumstances are children permitted on the pontoon without an accompanying adult.
  - (iv) 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 should at all times be worn in the Clubhouse.
  - (v) 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.

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- (vi) 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.
- (vii) Members and visitors, whose conduct is considered to be in breach of any of the by-laws, must at all times obey the direction of any Director of the Club and if called on by such, to leave the Club premises, must do so immediately. Persons so called on to leave will NOT use the premises again until the information or incident that resulted in them being called on to leave has been dealt with.

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**5. Storage and Work**

- (i) 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 and no member shall use any part of the premises other than his own locker for the storing of goods equipment or material.
- (ii) Work benches are provided in the dinghy shed for members use and must be cleaned up after use.
- (iii) No member shall use any part of the Club premises for any purpose unless he can do so without hampering the employees or function of the Club and without inconveniencing any other member.
- (iv) No member shall store flammable materials of any kind within his locker, dinghy storage area or anywhere in the vicinity of the Clubhouse, dinghy shed or Green Shed other than in an authorized flammable goods storage locker.

**6. The Serving of Liquor**

- (a) Intoxicating liquor will not be served in any part of the Club premises other than the Bar, and hereafter referred to as “The Licensed Premises”.
- (b) Junior members, under the age of 18 years shall not be served with intoxicating liquor on any part of the Club premises.
- (c) If in the opinion of any Flag Officer or Director, 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 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,

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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.

- (d) Temporary members other than members of affiliated yacht clubs are not permitted to purchase liquor at the Club except on race days when the races are conducted.
- (e) No liquor shall be brought into or consumed in the designated licensed area of the club unless it has been purchased from the Bar of the Club.

By way of explanatory note, this by law prohibits club members and guests using the club as a BYO establishment.

- 7. **Business Activity.** No member apart from those engaged in Marine Activities with the consent of the Board, shall carry on his profession trade or business on the club premises or use the premises by advertisement or otherwise as a business address or use the same as a place for meeting applicants for employment.
- 8. Members and visitors must not interfere with the Club facilities without the permission of a Board member.
- 9. **Club Premises – Property – Decorations.** Photos, Plaques, Trophies, Notices or any form of decoration will NOT be placed or written on any floor table bench or wall of the Clubhouse without the prior permission of the Board or the Chairman of the Clubhouse without prior permission of the Board. 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 Clubhouse is not permitted without prior approval of the Board.
- 10. **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.
- 11. **Gambling.** Unauthorised gambling is NOT permitted on Club premises.
- 12. **Removal of Club Property.** No member shall take away from the Club premises any paper, book, pamphlet or other article which is the property of the Club.
- 13. **Damage of Property.** Any member or any member the guest of whom causes damage to the Club premises or any Club property shall be responsible to the Club for the cost of repairing such damage.
- 14. **Smoking is strictly forbidden within the Clubhouse, Dinghy Shed and workshop.**

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15. **Suggestions and Complaints** – Any member wishing to make any suggestions as to the conduct of Club 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.
16. **Pontoon, and Moorings.**
- (a) **Occupation**
- (i) 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.
  - (ii) Notwithstanding the above Clause (i), other classes of membership and visitors may be granted casual license berthing from time to time at the discretion of the Board of the SASC. Fees for casual license berthing shall be at a daily rate as determined by the Board of the SASC.
  - (iii) The non-exclusive mooring license granted by the SASC to the member shall be personal to the member and the member covenants with the SASC that neither the member's control of the vessel shall be altered nor shall be assign, sub-license or otherwise deal with his or her right to occupation of the, hardstand or mooring or accept, take, receive or demand any fee from any person for the right to occupy the marina berth, hardstand or mooring.
  - (iv) The member acknowledges in deciding to occupy a mooring that he or she has not relied in any way on the SASC's skill and judgement and has satisfied himself or herself as to the conditions and suitability or the hardstand or mooring.
  - (v) The member acknowledges that the license for occupation of a mooring shall be subject to review from time to time as decided by the Board.
  - (vi) The SASC does not guarantee the continuous license of a mooring and reserves the right at any time to terminate, permanently or temporarily, the use of the mooring.
  - (vii) Provided that the member is given seven days' notice from the SASC, the member acknowledges that the SASC may move at its discretion, the vessel and/or its equipment to mooring at the members risk.

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- (viii) It shall be the responsibility of the member to provide his or her own mooring lines and warps, and to moor the vessel in a seamanlike fashion.
- (ix) All boats occupying an SASC mooring shall be listed on the Club's Registry of Yachts and display the SASC initials on the stern.

**(b) Insurance**

Each member shall insure and keep their vessel and its equipment against any loss, damage, injury or death occasioned by the use of the Club facilities and or 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.

**(c) Charges**

- (i) Each member shall pay to the SASC a license for mooring, slipping or berthing as per the published Club Schedule of Charges.
- (ii) The SASC may at any time increase such fees. The amount of such increase shall be at the SASC'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) General Rules**

- (i) Each member shall keep and maintain their vessel, its equipment and docking lines in good and proper seaworthy order.
- (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.

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- (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 craft or any jetty.
- (v) The Club premises, wharves and pontoons shall be kept clear of all gear, including dinghies, unless otherwise sanctioned by the Board, the Commodore, Vice Commodore or Rear Commodore.
- (vi) Disorderly conduct by the member or any guests shall be cause for cancellation off this agreement.
- (vii) 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, in order to cause the minimum amount of annoyance to others at the Club premises or in the vicinity of the Club premises, wharves or pontoons.
- (viii) Each member undertakes not to allow any of his or her crew, agents, invitees or guests to cause any disturbance in or around the Club premises in such a way as to prevent or hinder other members use and enjoyment of the facilities.
- (ix) Major repairs and fitting of or to the vessel at the main wharf area or floating pontoon is prohibited. The work wharf and slipways are available for those purposes and the Boat Shed Manager of the SASC should be contacted when these facilities are required.
- (x) Minor repairs touch up painting, mechanical adjustment and electrical work will be permitted provided that no nuisance or interference with others using the marina is caused by such work.
- (xi) Toilets, oil, chemicals, spirits, inflammables and oily bilges may not be discharged into the marina waters.
- (xii) Each member is responsible for all rubbish associated with the vessel and expressly agrees to remove same from the Club premises. Rubbish includes but it is not limited to bilge, engine and other oils, discarded equipment, marine growth, paint scrapings and effluent and expired flares.

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No vessel may be advertised or offered for sale while occupying a marina berth, hard stand or mooring. This restriction shall not apply to private sale by a member or sale by the authorised broker appointed by the Board of the SASC.

**17. Wharf / Pontoon Rules/Green Shed**

- (i) No yacht shall moor on the pontoon in the area reserved for dinghy launching.
- (ii) Major repairs and fitting of or to the vessel at the pontoon is prohibited. Mooring Piles may be available for these purposes and the Boat Shed Manager of the SASC should be contacted when these facilities are required.
- (iii) Minor repairs, touch up painting, mechanical adjustment and electrical work will be permitted at the pontoon, provided that no nuisance or interference with others using the facility is caused by such work.
- (iv) Yachts moored to 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 Club tender and other vessels.
- (v) Owners/skippers must remain on the club premises while yachts are moored to the pontoon and wharf area. No yacht attended or otherwise is permitted to remain overnight on the pontoon and only attended yachts are permitted to remain overnight while moored to the wharf.
- (vi) Members may use a club dinghy but must return it within a reasonable time to the dinghy shed. Under no circumstances may a club dinghy be removed from Mosman Bay.
- (vii) Masts after removal from yachts are to be carried to the grassed area south of the Clubhouse. Long term work on masts is not permitted on the wharf.
- (viii) The Western side of the Green Shed pontoons must be kept clear on weekends and public holidays to allow the unfettered operation of the Tender Service.
- (ix) Members wishing to utilise the Green Shed to work on their vessels must book with the office for any stay longer than one day. A vessel must vacate the Green Shed by 10.00 hours on the final day of its booking if the berth has been booked by another yacht.
- (x) The Boat Shed Staff at the owner's cost shall remove a yacht that is occupying a berth booked for another vessel.

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- (xi) Routers, electric planes and other noisy electrical equipment should not be used at The Green Shed.
- (xii) Members are responsible for the removal of all rubbish and debris from the Green Shed after completion of their work. Rubbish/Debris left behind will be removed by club staff at a cost to the Member involved.

**18. Special Rules Pertaining to the Dinghy Shed, Workshop, Slipway and Tender.**

- (a) Hazardous Equipment.

Such 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.

- (b) Slipway.

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 its Agent.

Members working on yachts shall comply with Occupational Health and Safety Acts and shall ensure contractors, tradesmen and crew are protected from work

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hazards and shall work in safe and hygienic working conditions. All staging or scaffolding erected by members shall be entirely at their own risk.

All contractors must report to the Office or Boat Shed Manager before being allowed access to the slipway, pontoon, deck or Green Shed to perform work on any Member's vessel.

Spray equipment is not to be used at the Club unless approved by the Board.

Members wishing to use their own spray-painting equipment must obtain the permission of the board.

(c) Tenders.

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.

(d) Fire Safety.

Preservation of Fire Safety. Members shall not do anything likely to affect the operation of fire safety devices so as to reduce the level of Clubhouse fire Safety.

19. **Service Charge**

That the Board may at its discretion impose a Service Charge upon all SASC members debtor accounts (excluding subscription fees) which are overdue in payment under the Club's terms for such sum, the value of the Service Charge to be set by the Board as it sees fit from time to time.