



**NEWCASTLE CRUISING
YACHT CLUB**

By-Laws

Newcastle Cruising Yacht Club Limited

By-Laws

These by-laws have been compiled by the Board of Directors of Newcastle Cruising Yacht Club Limited (NCYC) pursuant to clause 7.1(i) of NCYC's Constitution and should be read in conjunction with the Constitution of NCYC.

Preliminary

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

To the extent an ambiguity exists between these by-laws and the NCYC's Constitution the Constitution will take precedence.

1 Alteration of By-Laws

The Directors reserve the right to alter or amend the By-Laws from time to time. Following an amendment to the By-Laws members of the Club will be notified.

2 Board Committees

Pursuant to clause 39 of the Constitution and as outlined in these by-laws NCYC will have the following Board Committees with the delegated responsibility as outlined below. The purpose of these committees is to assist the Board to carry out the objects of the Club.

2.1 Sailing Committee

The objectives and delegated responsibilities of the Sailing Committee, which will generally be chaired by the Rear Commodore, are:

- To develop and implement NCYC's annual sailing program by preparing a calendar, plan and budget for approval by the Board.
- Following approval, oversee the sailing activities at NCYC and support NCYC's employees and volunteers involved in conducting NCYC's sailing activities.
- Determine strategies for the future growth of sailing at NCYC and provide recommendations for Board approval regarding those strategies and how they will be achieved.

The Sailing Committee may be structured into sub-committees which are delegated with the responsibility of determining and achieving certain Sailing Committee objectives. The organisation of any such sub-committees will rest with the Sailing Committee.

2.2 Sailing Safety Committee

The objectives and delegated responsibilities of the Sailing Safety Committee, which will generally be chaired by the Club Captain and which sits within the Sailing Committee are:

- To carry out annual vessel safety audits and inspections and where appropriate issue safety certificates in compliance with Yachting Australia's Special Regulations in addition to the Racing Rules of Sailing.
- To ensure, as required, that competitors remain compliant with their safety certificates throughout the duration of each sailing season and if not determine the most appropriate action.
- Assist the Sailing Committee to develop a program to increase the awareness of safety issues related to the conduct of sanctioned aquatic activities undertaken by NCYC.

In addition, the Sailing Safety Committee has the ability to provide advice to the Sailing Committee and, where appropriate directly to the Board, on issues related to safety in respect to all sanctioned aquatic events conducted by NCYC.

2.3 Finance Committee

The objectives and delegated responsibilities of the Finance Committee, which will generally be chaired by the Honorary Treasurer and which another Director will also sit on, are:

- To review and provide recommendations and direction to the Board regarding the management of the Club's financial position;
- Provide review and provide recommendations regarding the management of the financial risks to which the Club is exposed;
- To review and ensure the internal control systems are adequate;
- To assist with ensuring legal and regulatory compliance;
- To provide a Risk Management overview mechanism for the Club's activities and in particular to respond to requests by the Board to investigate relevant areas of concern;
- To assist with the annual audit process and preparation of the annual financial statements; and
- To carry out other special and strategic projects as directed by the Board from time to time.

2.4 Marina and Buildings Committee

The objectives and delegated responsibilities of the Marina and Buildings Committee, which will be generally chaired by the Vice Commodore, are:

- To review and determine maintenance and capital improvements to the Club's sublet and occupied buildings and the marina;
- To develop, cost and following Board approval monitor the whole of life maintenance program for the marina structures; and
- To develop, cost and monitor following Board approval a maintenance program for each building on a rolling 5 year cycle; and

- To recommend, carry out and/or monitor specific capital projects up to and following Board approval of the project.

2.5 Social Committee

The objectives and delegated responsibilities of the Social Committee which will generally be chaired by the Vice Commodore are:

- To prepare an annual social programme covering activities supported by the members for Board approval including the conduct of Club raffles.
- To assist NCYC staff implement the social program.
- To monitor the effectiveness of the Club's social events and with the assistance of the Management advise any actions to improve the offering

3 Committee Reporting Responsibilities

The Chairman of each Committee is responsible for reporting to the Board on a monthly basis or as necessary regarding recommendations proposed or work carried out by the Committee on behalf of the Board.

4 Direction to NCYC staff

The Board will exercise its executive authority through the Chief Executive Officer or if unavailable through other senior management staff only, and no Director will, except in very exceptional circumstances, give directions to the NCYC employees.

5 Complaints in respect to and discipline of NCYC Employees

Any complaint regarding an employee of NCYC shall be made to the CEO or Club Manager if the CEO is unavailable and no member shall personally reprimand any employee of NCYC.

6 Member complaints and feedback

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 Commodore or CEO of NCYC.

7 Special Members

Pursuant to 13.13 of the Constitution a General Member (or equivalent) of another Club with which NCYC has a formalised reciprocity arrangement may be admitted as a Special Member for a period not exceeding one (1) month or such extension of time as determined by the board. In order to receive the benefits of Special (Reciprocal Club) Membership the person must show their membership card of their Reciprocal Club and that Club must be identified on NCYC's Reciprocal Clubs Board inside the NCYC clubhouse.

8 Access to Restricted Parts of the Club

No member shall access restricted areas of the Club without good reason and where such a reason exists shall do so in the company of an NCYC employee. Restricted areas include the following:

- The bar area
- The dry stores
- The cool room
- All NCYC plant rooms and fenced off outdoor areas containing plant
- Gardening sheds
- Non-sailing related containers

9 Dress Standard in Clubhouse

Members and Guests are expected to be appropriately dressed as publicized on the Club's noticeboard.

10 Conduct and damage to property

Members, guests and visitors upon the Club premises must not engage in conduct which:

- is prejudicial to the interests of the Club;
- causes offence to other members, their guests and visitors; and
- is unbecoming of a member.

Members should at all times be mindful of the beliefs and cultural diversity of other members and their guests and be mindful of the concepts of equal opportunity and anti-discrimination for all.

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.

11 NCYC Car Parks

Authorised parking shall be determined from time to time by the Board and CEO. Generally, parking for a purpose other than Club related activities (except NCYC tenants) shall not be regarded as authorised parking. Members may be required to show cause why their parking privileges should not be withdrawn for unauthorised parking.

12 Marina and Hardstand

NCYC prepares a set of Marina Rules and Hardstand Rules in respect to the running of the marina and hardstand in accordance with clause 7.1(i) of the Constitution of NCYC. These Rules are subject to change from time to time as agreed by the Board of Directors and are located in Appendix 1 to these by-laws. The Marina and Hardstand Rules apply to all Members of NCYC as well as all boat owners occupying marina or hardstand space at NCYC.

13 Use of NCYC's Equipment

Members must take every care to maintain the good condition of NCYC's equipment. If an item of equipment is damaged while being used by a member, they must as soon as possible notify the:

- Club Captain;
- Marina & Assets Manager; or
- Chief Executive Officer.

14 NCYC's Boats

Only members with a valid NSW boat licence and with the authorisation of NCYC are allowed to drive NCYC's committee boats. Only authorised committee boat crew members are allowed on NCYC's boats. Authorisation can be granted by a Director (generally the Club Captain), NCYC's marina staff or the CEO.

Following use of any of NCYC committee vessels the vessel's log must be thoroughly completed and if re-fuelling is required the committee vessel crew members must organise for the vessel to be re-fuelled as soon as convenient.

All crew members on George Keegan must wear PFDs while on the vessel regardless of whether they are inshore or offshore.

Only the Club Captain, Board of Directors or NCYC's Marina & Assets Manager or CEO can approve alterations to NCYC's Boat or repairs and maintenance to the boats by contractors.

Appendix 1 – Marina Rules