

Constitution 2009

The following updated and revised constitution was approved at the AGM held on Friday 1st February 2008.

1. Name (Amended AGM 1982)

The Club shall be called "Woodham Ferrers Water Ski Club" (hereinafter referred to in these rules as "the club")

2. Objectives

The objectives of this club are:

- To encourage and promote the sport of waterskiing.
- To provide and maintain facilities and other equipment for the use of club members.
- To take part in regional, national and international waterskiing events.
- To retain affiliation to, and membership of, the British Water Ski Federation.

3. Construction

The club shall consist of Boat Members, Family Members, Crew Members and Honorary Members.

4. Definition of boat as used in these rules

The word "boat" when used in these rules shall be deemed to be one that is suitable for towing a water skier. Boats in excess of 7 meters in length, unless a tournament ski boat, are unlikely to be suitable under this definition.

5. Qualification for membership

All persons shall be eligible for Boat or Crew membership provided that:

- They are 18 years of age.
- They sign an undertaking that they absolve the club, its officers and members, from liability from any injury or damage to themselves or their property from any cause whatsoever, whilst engaged in the activities of the club.
- They become associate members of the B.W.S.F
- Places being available due to limitations imposed by the Crouch Harbour Authority or the club.

Family members shall be the spouse and, children under the age of 18, of Boat or crew members provided that:

- They become associate members of the B.W.S
- Children shall not have the right to vote or to hold office.

6. Election of members

All applications for members shall be accompanied by a remittance for the amount of club membership subscription, for associate membership of the B.W.S.F and any other annual levies as may be due, including occasional levies as deemed necessary by the management committee. New boat members shall also pay a one off joining fee. The application for membership shall be submitted to the Membership Secretary, on a form supplied by the club and signed by the candidate. The Membership Secretary shall process the application for membership as soon as practically possible and in accordance with the vacancies available. No person shall be admitted to the club until the Membership Secretary has notified him or her of their election and they have attended a formal induction meeting or been inducted by a club official. All regular crew members of club boats, whether skiers, drivers or observers must join the club as a crew member and pay the appropriate fees including the subscription for Associate Membership to the B.W.S.F

7. Subscription

Details to both joining fees (where applicable) and periodical subscriptions, are determined by the management committee, and published annually prior to the membership renewal.

The membership year shall run from 1st March for twelve months and no member shall be entitled to use the club facilities, take part in club activities, or to exercise voting rights until the subscription for the current year and all arrears have been paid and an undertaking signed as outlined in Rule 5. If a subscription has not been paid within one month of its due date the defaulter shall cease to be a member of the club, and must re-apply for membership, unless an explanation which satisfies the committee can be given.

8. Resignations

Any member may resign his membership by giving notice to the Membership Secretary in writing to that effect, however there shall be no entitlement to any reimbursement of subscription fees.

9. Honorary Members

The committee is empowered to elect persons who have been of particular service to the club and persons of distinction in the sport as Honorary Members.

10. Expulsion and Suspension of Members

If at any time the committee shall be of the opinion that the interest of the club so require, they may be registered letter, invite any member to resign from the club within a time period specified in such a letter. In default of his / her resignation the question of this expulsion shall be submitted to the committee whose decision shall be final, but for the purpose of this rule the vote of at least two thirds of the whole committee shall be necessary. In the event of such a decision the member will have the right of appeal to a quorum of the committee.

The committee shall have the right at its absolute discretion to suspend any member.

11. Effect of ceasing to be a member

Any person on ceasing to be a member of the club shall forfeit all right to and claim upon the club, its property and funds.

12. Officers and Committee

The entire management of the club shall be deputed by a committee consisting of the Chairman, Vice Chairman, Honorary Secretary, Honorary Membership Secretary, Honorary Treasurer and not more than six other members. Half of the committee and officers will stand down every three years by rotation but shall be eligible for re-election.

As this commenced at the AGM in 1987 and again 1988 there will be no re-election (unless by provisions elsewhere) in 1989 and every third year thereafter.

All nomination for these offices must be made in writing on the prescribed form and left with the Honorary Secretary and posted by him/her on the Club notice board not less than seven days before such Annual General Meeting.

With effect from 1997 the chairmanship shall be a cyclical position held for a maximum period of three years where upon the current vice chairman shall automatically assume the role for the next three year period. Any elected member of the committee who does not attend at least three meetings in any year, without reasonable and proper excuse, shall automatically cease to be a member of the committee.

13. Election of President

Members may elect a president, and / or vice president to mark appreciation for outstanding service to the club. The election shall take place annually at the Annual General Meeting.

14. Casual Vacancies on Committee

In the event of a casual vacancy on the committee, the committee shall have the power to elect any full member of the club to fill such a vacancy. The person so appointed shall hold office for such a period only as the person in whose place he is appointed, would have held office, if no such vacancy had occurred.

15. Sub Committees

The committee may from time to time appoint from their number such sub-committees as they deem necessary and may depute or refer to them such powers and duties as the committee may determine. Such sub-committees may co-opt any members of the club to serve with them. The conveyor of any such sub-committees should normally be a member of the activities of his / her sub-committee.

16. Trustees

a. There shall be at least four trustees of the club who shall be appointed from time to time as necessary from the committee of officers of the club who are willing to be so appointed. The trustee shall hold office during his / her lifetime or until he / she resign by notice in writing given to the committee or until a resolution removing him / her from the office shall be passed at a meeting of the committee by a majority comprising two thirds of the members present entitled to vote.

b. All property of the club including land and investment shall be held by the trustees for the time being in their own name so far as is necessary and practical, on trust for the use and benefit of the club. On the death, resignation or removal from the office of any trustee the committee shall nominate a new trustee in his place and shall as soon as possible thereafter take lawful and practicable steps to procure the vesting of the club property into the names of the trustees as constituted after such nomination.

c. For the purpose of giving affect to any such nomination the Secretary for the tie being is hereby nominated as the person to appointing new trustees of the club within the meaning of section 36 of the trustees act 1925.

d. The trustees shall in all respects as in regard to any property of the club held by them in accordance with the direction of the committee and shall have power to sell, lease, mortgage or pledge any club property so held for the purpose of raising or borrowing money for the benefit of the club in compliance with the committee's directions (which shall be duly recorded in the minutes of the proceeding of the committee) but no purchaser, leaser or mortgagee shall be concerned to enquiry whether any such direction has been give.

e. The trustees shall be effectually indemnified by the committee out of the assets of the club from and against any liability, cost expenses and payments whatsoever which may be properly incurred or made by them in the exercise, of their duties or in relation to any legal proceedings, or which otherwise relates directly or indirectly to the performance of the functions of a trustee of the club.

17. Annual General Meeting

The AGM shall be held on the first Friday in February each year or on any other date as the committee may decide, and at least twenty-one days notice thereof shall be given to every member. Any members desirous of moving a resolution at the AGM shall give at least seven days notice in writing thereof to the Secretary.

18. Extraordinary General Meeting

a. The committee may at any time for any special purpose call an EGM and they shall do so stating forthwith the purpose for which the meeting is required. At least 14 days written notice of an EGM shall be given to every member.

b. An EGM shall be convened on the request of a petition submitted by not less than one third of the full membership of the club.

c. All voting at the AGM and at an EGM shall be by the show of hands, unless a ballot is demanded by not less than one fifth of members present and qualified to vote.

19. Quorum

The quorum at General Meetings shall be seven members. The quorum at committee meetings shall be three members.

20. Byelaws

The committee may from time to time, make, repeat, and amend all such byelaws and regulations (not inconsistent with the rules) as they shall think expedient for the management and well being of the club. All such byelaws and regulations shall be binding upon the members until repeated.

21. Alteration of Rules

The committee shall have the power to alter the rules but no such alteration shall take effect until the same has been confirmed at the AGM or an EGM convened for the purpose.

22. Duty of Members

It shall be the duty of every officer, committee member, or full member to take every available means to note any infringement of the rules or byelaws coming under their notice, and to report them to the committee through the Secretary.

23. Salaried Officials

The committee may appoint from time to time such salaried officials as they may deem necessary.

24. Insurance

The club shall effect in respect of its property an insurance against third party liability.

25. Boat Owners Insurance

It is a condition of membership that all privately owned boats registered with the club must be insured at the owners expense against third party, passenger and water-skier risks, for a minimum of £2,000,000 or such limits as set by the Crouch Harbour Authority.

26. Bank Accounts

Bank accounts will be maintained to contain club funds. Such accounts to be lodged with any clearing bank at the committees discretion but with due regard to prevailing benefits/charges/interest. Sums may be deposited in a suitable deposit account to take advantage of beneficial interest rates providing the capital is available at no more than three months notice. Any cheque account will be kept immediately available to indemnify the club, its officers and committee against personal liability and foreseeable debts.

27. Club Compound

With effect from a lease dated 26th February 1987, the club together with the South Woodham Ferrers Yacht Club, hold a 28 year lease from 1984 on the joint clubs compound. A sub-committee of not less than four persons from each club is to be set aside for the control and management of this land and lease. It will be known as the Woodham Water Sports Association. The controlling sub-committee will hold the lease as trustees for the club and will endeavor at all times to act in the best interest of the club and within the confines of these regulations and lease. Funds will be maintained to personally indemnify the sureties of the lease, who may not be the same as the trustees, against rent, rates and any other liabilities from the current committee or officers and will be automatically replaced in the event of 8, 11, 12 or 28 herein. On their resignation they will be deemed to have no further interest in liability.

28. Dissolution

If at any AGM a resolution for the dissolution of the club shall be passed by a majority of the members present and if such a resolution shall be an EGM subsequently held, (with not less than one half of the clubs voting members present) be confirmed by a majority of two thirds of the members voting thereon, the committee shall thereupon, or at such a future date as shall be specified in such resolution, proceed to release the property of the club and after the discharge of all liabilities any assets so remaining shall be given over or transferred to some other voluntary organization having similar objectives to those of the present club.