



METUNG YACHT CLUB INCORPORATED
BY-LAWS
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METUNG YACHT CLUB INCORPORATED

PREAMBLE

The objects of the Club's By-Laws.

The use of By-Laws is enabled in the Club's Rules under Rule 41 where the General Committee is given the power to:

"make, repeal and amend any By-Laws necessary or convenient for the good conduct and management of the Club and which are not inconsistent with these Rules".

Aspects of Club activities that may be covered by these By-Laws include but are not limited to:

- (a) The management of the Club House and Grounds.
- (b) Any matter relating to the sport of yachting and the conduct of competitions.
- (c) The terms and conditions upon which Members may use the premises and the property of the Club.
- (d) The times of opening and closing the Club House and premises of the Club or any part thereof.
- (e) The prohibition of particular games on the premises of the Club entirely or at any particular time or times.
- (f) The conduct of Members of the Club in relation to one another and to the Club's employees.
- (g) The setting aside of the whole or any part or parts of the Club's premises for Members or visitors or any particular purpose or purposes
- (h) The imposition of penalties for the breach of the Club's By-Law or Rules.
- (i) The procedure for the nomination of members of the Committee of the Club.
- (j) The eligibility requirements, voting Class, benefits and fees applicable to Membership Categories.
- (k) And generally all such matters as are commonly the subject matter of Club By-Laws.

The Club's Rules make the By-Laws "binding on all members" and provide that "any By-Law may be set aside by a Special Resolution of a General Meeting of the Club."

Membership Classes and Categories

In the Club's Rules the General Committee is given the power to determine the Club's Membership Categories and their Class, either "Voting or Non-voting". These Categories and their Class must be ratified by Special Resolution of a General Meeting of Members before becoming effective (see rule 9).

The General Committee may add, change or remove the, fees, benefits and requirements applicable to any Membership Category (see Rule 9).

The Club's Financial Year

In the Club's Rules the General Committee is given the power to change the Club's Financial Year as long as the change is ratified by Special Resolution of a General Meeting of Members (see Rule 3)

The Club's Financial Year currently ends on June 30th each year.

The Size of the General Committee

In the Club's Rules the General Committee is given the power to change the number of members of the Club's General Committee as long as the change is ratified by Special Resolution of a General Meeting of Members (see Rule 43).

The maximum number of members of the General Committee is currently set at 14 (including Flag Officers).



METUNG YACHT CLUB INCORPORATED

MEMBERSHIP

MEMBERSHIP CATEGORIES & ELIGIBILITY

1. All Members belong to one, and only one, of the Membership Categories below. The membership benefits and subscriptions payable depend on the Membership Category a Member belongs to. A Member's voting rights depend on whether the Category they are in is of a "Voting" or a "Non-voting" Class. The eligibility requirements and Class of each Category are shown below:
 - (a) **Full Member** - A person is eligible for nomination if he or she has attained the age of eighteen (18) years and is of good repute. This Category carries voting rights and provides the Member with the full range of Member benefits including the Club Bar discount. The partner of a Full Member or Honorary Life Member is eligible to become a Full Member with a reduced "partner rate" subscription applicable.
 - (b) **Honorary Life Members** - A Club Member who has rendered outstanding services to the Club is eligible for nomination as an Honorary Life Member. The process of election is covered later in these By-Laws. This Category carries voting rights and provides the Member with the full range of Member benefits including the Club Bar discount. The Member is deemed to be a financial member without the payment of any annual subscription.
 - (c) **Intermediate Member** - A person between the ages of eighteen (18) and twenty five (25) years at the beginning of the Financial Year and of good repute, shall be eligible for nomination as an Intermediate Member of the Club. This Category carries no voting rights or discount benefits but enables the Member to participate in all the Club's sailing activities, subject to the payment of any applicable fees.
 - (d) **Junior Member** - any person between the ages of five (5) and seventeen (17) years at the beginning of the Financial Year and of good repute shall be eligible for nomination as a Junior Member of the Club. Such membership shall not continue after the 30th of June in the Financial Year when the Member has achieved his or her eighteenth birthday. If the Member has a parent who is a Full Member, he or she is deemed to be a financial Junior Member without the payment of any annual subscription.

- (e) **Honorary Member** - any person who has attained the age of eighteen (18) years and who, for services rendered to the Club, or other appropriate reason, the Committee decides is eligible. This Category carries no voting rights but gives access to the Club Bar discount. Honorary Membership may be cancelled at any time by resolution of the General Committee.
 - (f) **Day Member** - A person is eligible for Day Membership if he or she has registered with the Club as a Day Member using the systems and processes required by the Club. The Membership is valid only for the particular day or days for which the person has registered and only if the relevant fees (if applicable) have been paid. The Club may limit the total number of days in a year or a lifetime that a person may register. This Category carries no voting rights or Club Bar discount but does allow the Member access to the Clubhouse during open hours on days the membership is active.
2. The following Membership Categories have herewith been formally discontinued:
 - (a) Family Member – Adult members of a family unit who were previously in this Category have been assigned to the Full Member Category. One of these Members has been granted the discounted Partner subscription rate. Junior Family Members have been assigned to the Junior Category with no subscription payable while at least one parent is a Full Member.
 - (b) Social Member – Members who were previously in this Category have been assigned to the Full Member Category with subscriptions grandfathered at the new “Partner Rate”.
 3. Notwithstanding anything hereinbefore contained no person shall be entitled to become a member of the Club in any of the aforementioned categories unless he or she shall have agreed to observe and to be bound by all Rules and By-Laws of the Club.
 4. Under the Rules, the Committee may at any time fix or alter the maximum number of Members or of any Membership Category. No such limits are currently in place.

ADMISSION TO MEMBERSHIP

5. The Club Secretary has currently delegated responsibility for membership processing, records and communications to a Membership Coordinator appointed by the General Committee.
6. The nomination for membership and the seconding thereof shall be in writing upon such form as shall be supplied by the General Committee of the Club. Such form shall disclose the full name and address of the proposed member and any other information deemed necessary by the Committee and shall be lodged with the Membership Coordinator.
7. On the election of each Member the Membership Coordinator shall notify the new Member in writing, and furnish him or her with a Membership Card (if applicable) and a copy of the Club Rules and By-Laws.

8. The nomination for admission as an Honorary Life Member must be supported by two financial Full Members of the Club, shall detail the reasons such Membership should be considered and must be voted upon at the next General Committee Meeting. Acceptance of the application must be by a unanimous resolution of the Committee and the application must then be put to the next General Meeting of the Club. The application is deemed successful if not less than two-thirds of the Club Members present and eligible to vote at the meeting vote in favour.

EX-MEMBER REJOINING & CHANGE OF CATEGORY

9. A Junior Member who attains the age of eighteen (18) years by the first day of the Club's Financial Year shall be deemed to be an Intermediate Member as long the applicable subscription is paid by the due date and he or she agrees to comply with the Rules and By-Laws of the Club. The normal approval process is not applicable.
10. When an Intermediate Member reaches the age of twenty five (25), he or she shall have the right to apply to the General Committee to transfer to any other open Category of Membership for which he or she is eligible and has paid the applicable subscription. The normal approval process is not applicable.
11. Any Member of the Club wishing to transfer between Membership Categories shall make application to the Membership Coordinator in writing to have such transfer implemented. This shall be effective immediately as long as the Member is eligible for the new Category, pays any difference in Subscription applicable and is not prevented by the Category being full. Refunds are not applicable if moving to a Category with a lower Subscription rate.
12. In the event of the deemed breakup of the family relationship of a Full Member receiving the Partner Subscription Discount, the Full Member status continues but the discount ceases to apply.
13. Any person who has previously been a Member of the Club and wishes to re-join must follow the same process applicable to a new applicant in accordance with the Rules and By-Laws of the Club.

MEMBERSHIP SUBSCRIPTIONS & OTHER FEES

14. Subscriptions and other fees shall be reviewed annually by the General Committee prior to the commencement of each Club financial year. The General Committee shall decide the amount of joining fees (if applicable), subscription, sailing fees and race entry fees for the next year prior to the 30th June in each year. These shall be listed in the Schedule of Fees and posted on the noticeboard in the Club Rooms.
15. Joining Fee - each candidate for admission to Membership may be required to pay a Joining fee determined by the General Committee and listed in the Schedule of Fees. Currently no Joining Fees apply.
16. Subscriptions - Each member other than Honorary Life Members, Honorary Members and Junior Members with a Full Member parent shall pay the applicable annual subscription each year prior to the due date set by the General Committee.
17. Full Member Partner discount – The annual subscription of the partner of a Full Member, who is also a Full Member, is discounted so the partner pays 30% of the

Full Member rate. The Full Member partner of an Honorary Life Member also qualifies for this discount.

18. Intermediate Member subscription – An annual subscription of 40% of the Full Member rate is applicable except if the Member provides satisfactory evidence that she or he is a full time student in which case 30% of the Full Member rate applies.
19. Junior Member subscription – An annual subscription of 30% of the Full Member rate is applicable for Members with no Full Member parent. If a Junior has a parent who is a Full Member, no subscription is payable.
20. In the case of new members the subscription payable for a new Member joining the Club after the 1st of January in any year shall be 50% of the applicable current full year's subscription.
21. The Secretary or delegated officer shall notify all Members at least twenty-one (21) days prior to the holding of the Annual General Meeting that subscriptions are due and payable.
22. Any Member who has not paid their subscription by the due date may have their membership privileges revoked until payment is made.
23. A Member being subject to serious illness or other disability may apply to the General Committee in writing for reduction or deferral of their subscription. The General Committee may as it sees fit, suspend, defer or reduce the subscription payable by such Member during the period of serious illness or other disability.
24. The Committee may in a deserving case waive some part of the subscription due from a Member undergoing significant financial difficulties but the reduced subscription shall not be less than 10% of the Full Member rate.

CONTACT DETAILS OF MEMBERS

25. Every Member at the time of his or her application shall inform the Membership Coordinator in the application form of his or her residential address, postal address (if different), telephone numbers and email address. The Member shall inform him or her of any changes to this information on an ongoing basis so as to ensure the member can receive Club notices and communications.
26. The postal address and email address last provided by the Member shall be deemed to be the correct address of the Member and all notices required to be given to the Member shall be deemed to be duly given if emailed or posted to this address.

MEMBERS RIGHTS & RESPONSIBILITIES

MEMBERS RIGHTS & LIMITATIONS

27. Subject to the provision of the Rules and these By-Laws, all Members of the Club shall be entitled to use in common all the premises and property of the Club and to be supplied at such charges as the Committee shall from time to time prescribe with meals, refreshments, liquor and other things as are provided by the Club for the use of the Member.
28. Junior Members shall not introduce visitors to the Club without the approval of a Member of the Committee.
29. The Club rooms shall open to Members on the days and during the hours as shall be decided by the Committee from time to time. This will be advised in the Club Newsletter and Events emails.

MEMBERS RESPONSIBILITIES

30. No Member shall remove from the Club premises or deface, damage or destroy any property of the Club whatsoever. Any Member so removing defacing damaging or destroying the Club's property shall pay for the same at a price fixed by the General Committee and may be subject to a club disciplinary hearing.
31. No Member of the Club shall have any interest whatsoever in any property assets or funds of the Club.
32. No Member of the Club shall complain to the Club's staff. Any complaints must be written, signed and forwarded to the Secretary.
33. Members shall abide by all requirements of the Club's Code of Conduct as published by the General Committee from time to time and displayed in the Clubhouse. Any Member breaching this Code may be subject to a club disciplinary hearing.

CLUB FACILITIES & SERVICES

LIQUOR LICENSE & BAR

34. A copy of the Register of Members showing the full names and address of all Members of the Club and their membership financial status shall be kept on the Club premises. This copy shall be available for inspection at any time by officers or inspectors authorised under the Liquor Licensing Act.
35. Alcohol is not permitted to be consumed anywhere on the Club property except inside the Clubhouse and on the side deck.
36. No more than 175 persons shall be permitted on the Club premises at any one time.
37. Smoking is not allowed in any inside space of the Club house, any upstairs balcony or deck or any other area listed in Victorian Government Tobacco Amendment Act 2016. In particular smoking is not allowed in any area where food preparation is in progress, either inside or outside.

38. A visitor shall not be supplied with liquor on the Club premises unless the visitor has been signed in by a Member, except at a particular function or occasion where the whole of the expense is borne by the Member or Members arranging the function or at a particular function or occasion in respect of which a permit has been granted under Section 38(8) of the Liquor control Act 1968 or on a special occasion as provided by By-Law 53.
39. No liquor shall be sold or supplied to any person under eighteen (18) years of age.
40. No payment or part payment shall be made to any Secretary, Manager or other officer or servant of the Club by way of commission or allowance from or upon the receipts of the Club for liquor supplied.
41. No liquor shall be sold or supplied for consumption elsewhere than on the premises of the Club unless such liquor is removed from the Club premises by the Member purchasing same.
42. No liquor shall, be sold, disposed of or consumed on the Club premises except in accordance with the Liquor Control Act or any licence or permit granted by the Liquor Control Commission during the hours prescribed by the said Act or Licence or Permit.
43. No person under eighteen (18) years of age except persons who are being trained as food waiters or waitresses and who are not allowed to serve behind the bar shall be employed in the Club.
44. Any employee, volunteer or Member assisting behind the bar must have a current Responsible Serving of Alcohol certificate, a copy of which must be held behind the bar.
45. Notwithstanding anything herein contained while the Club is licensed pursuant to the Liquor Control Act 1968 or any other subsequent corresponding enactment the Secretary of the Club shall within one month from the making of any amendment or alteration in the Rules of the Club lodge with the Secretary of the Commission a certified copy of every such amendment or alteration.

VISITORS

46. Members may introduce to the Club as Visitors their personal friends and acquaintances.
47. A Member introducing a Visitor shall immediately upon the Visitor entering the Club enter the Visitor's details in the Club's Visitors Register and sign the entry.
48. A Member introducing a Visitor to the Club shall be responsible for the conduct of such Visitors while on the Club premises and shall require such person to leave immediately if requested to do so by a Member of the General Committee.
49. The Committee may suspend or limit the admission of Visitors to the Club on any occasion during any hours.
50. No person shall be introduced on more than twelve occasions in any period of twelve months. This restriction on Visitors shall not apply to spouses, offspring or fiancés of Members.

51. The General Committee may declare that Members, officials and accompanying supporters of any sporting team visiting the Club for the purpose of competing with the Club Members in any organised sporting fixture, are Visitors to the Club for the duration of their visit.
52. Attendees at functions held in the Club premises which have previously been declared by the Committee to be special occasions and for which a permit under S.38(8) of the Liquor Control Act 1968 has been obtained by the Club, shall be regarded as Visitors.
53. The limitations herein on the number of visitors shall not apply in respect of any meeting of any body constituted by or under any Statute or by or under any Government Department or local Government body or any public meeting approved of by the Committee, provided that the bar facilities shall be closed and no liquor shall be sold or consumed by persons attending such meeting.

ADMINISTRATION

NOMINATION PROCESS FOR GENERAL COMMITTEE MEMBERS

54. For the eligibility and nomination requirements for General Committee members see Rules 48 and 50 of the Club Rules.
55. At any General Meeting held after the 31st July in any year such proposers and nominees for Office and Committee Membership shall have paid all moneys then due by them to the Club as at 31st July.
56. At least fourteen (14) clear days before the Annual General Meeting the name of each Member so nominated together with the names of his or her proposer and seconder shall be sent, in writing, to the Secretary of the Club, accompanied by a memorandum signed by the candidate, consenting to serve if elected.
57. A list of candidates' names in alphabetical order with proposer's and seconder's names shall be posted in a conspicuous place in the Club House of the Club for at least seven (7) days immediately preceding the Annual General Meeting.
58. Balloting lists shall be prepared (if necessary) containing the names of the candidates only in alphabetical order, and each Member entitled to vote at the Annual General Meeting shall be entitled to vote for any number of such candidates not exceeding the number of vacancies.
59. In case there shall not be sufficient number of candidates nominated, nominations of Member entitled to vote may be called for at the Annual General Meeting and Members so nominated elected, provided that no Member shall be nominated who is absent from the Annual General Meeting and who does not state that he or she consents to serve if elected.

APPOINTMENT OF AUDITOR

60. At each Annual General Meeting one auditor, who shall not be an Officer or member of the Committee, shall be appointed and the remuneration (if any) to be paid to such auditor, shall be fixed at such a meeting.

MODIFICATION OR REPEAL OF BY-LAWS

61. These By-Laws may be amended or repealed at any General Meeting subject to Rule 41(7).
62. A Member proposing an amendment or repeal shall give notice thereof in writing to the Secretary not less than twenty one (21) days before the meeting at which the proposal is to be considered.
63. The proposed amendment or repeal shall not have been passed unless not less than three quarters of the Members of the Club being entitled under the Rules to vote, vote in favour thereof.
64. By-Laws which require a Special Resolution of a General Meeting to become effective are listed in the Preamble to these By-Laws.

INDEMNITY OF OFFICERS

65. If the Honorary Secretary or Honorary Treasurer in his or her office has paid or is required to pay money such money shall be refunded to him or her by the Club.

RESTRICTION OF POWER TO ALIENATE LAND

66. The Committee shall not without the sanction of a General Meeting of the Club, demise exchange, sell or otherwise divide the whole or any part of the real property of the Club.