

**Rules of Frensham Pond Sailability (FPS)**  
**(Revision 4 – post registered charity status) (Vs 2)**

**Organisation**

Frensham Pond Sailability (FPS) is a registered charitable company limited by guarantee and is governed by its Memorandum and Articles of Association, dated ..... The registered charity number is ..... Frensham Pond Sailing Club (FPSC) is the sole subscribing member

**2) Objects:**

The provision and maintenance of sailing facilities and the promotion of sailing for recreation or other leisure activities (including but without limitation recreational and competitive sailing) for disabled people and those managing a long term illness, with the object of improving their quality of life.

**3) Parties:**

a) Unless otherwise stated, all references to Rules, Membership, Committees, and Meetings refer to FPS.

b) It is intended that FPS will maintain a close working partnership with Farnham & District Sports Association for the Disabled (FDSAD), who shall be represented on the Sailability Management Committee

**4) Rules:**

a) The term ‘Membership’ and ‘Members’ as referred to hereafter in these Rules, shall describe ‘Sailors’ as defined in Clause 5a below and ‘Helpers’ as referred to in Clause 5b below

b) All members shall accept and abide by the Rules of FPS and the Rules and By-laws of FPSC. Any changes to the Rules, as recommended by the Management Committee shall require prior approval by the FPSC General Committee.

c) If at any time there is conflict between the Rules of FPS and FPSC, the FPSC Rules shall have precedence. The prevailing FPSC Rules and By-laws are available on the FPSC web-site.

**5) Membership and membership categories:**

a) All sailor and helper members shall be Associate Members of FPS.

b) **Sailor membership (‘Sailors’)** shall be open to any person with a disability or who is managing a long term illness. This will provide sailing rights for the member when using dinghies owned by FPS, social rights to FPS and FPSC for the Member and his or her immediate family and/or partner and/or carer. The member shall have voting rights within FPS Forums, providing the Member is aged 18 or over at the date of any such vote. In the case of members under the age of 18 on the due date, a parent or guardian shall be entitled to one vote on their behalf.

c) **Helper membership (Helpers’)** shall be open to persons actively offering their help and expertise to Sailability. This will provide sailing rights for the member when using dinghies owned by FPS, social rights to FPS and FPSC for the member and his or her immediate family and/or partner. Members shall have voting rights within FPS Forums, providing the Member is aged 18 or over on the date of any such vote.

d) Applicants for Sailor and Helper Membership of FPS may be accepted by the FPS Membership Secretary, subject to any direction given by the Management Committee provided that application acceptance is completed at least 48 hours prior to the commencement of membership.

e) No persons shall be entitled to any of the benefits and privileges of FPS or FPSC until their completed membership application form or annual membership renewal form, as appropriate, has been accepted by the Membership Secretary...

f) No candidate will be denied membership on grounds of race, creed, colour, gender, sexual orientation, occupation, religion or political persuasion.

**6) Annual subscriptions and fees:**

a) Changes to the annual subscription and fees, as proposed by the Management Committee of FPS, shall require approval by the FPSC General Committee.

b) Reduced subscriptions and fees may be made available on application to and at the discretion of the Management Committee.

**7) Retirement and expulsion from Membership:**

a) A member may retire from membership at any time by giving notice in writing to the Membership Secretary. The notice will be effective at the end of the membership year. Subscriptions already paid will not be refunded.

b) Any refusal or neglect to comply with FPS Rules, FPSC Rules and By-Laws, or any conduct unworthy of a member or prejudicial to the interests of FPS or FPSC, renders the member liable to expulsion by a resolution at a Management Committee meeting.

c) At least one week before such meeting, the member concerned must be given written notice of the meeting and of the allegations made against them and of the intended resolution of their expulsion.

d) At the meeting, before the passing of the resolution, the member must be given an opportunity to explain or defend their position either orally or in writing.

e) A member expelled under this Rule may appeal to the FPSC General Committee, but their rights remain suspended until such meeting.

f) A member expelled under this Rule forfeits all rights in and claims upon FPS and its property.

**8) Guests and Visitors:**

a) Members may introduce visitors to FPS and FPSC as guests, subject to the Rules of FPS and FPSC.

b) No more than three adult guests and their partner and children shall be introduced in any one day by one member. The same guest shall not be introduced more than three times in a calendar year.

c) Members shall enter the names of all guests in the FPS registration book. The member will be held responsible for liabilities incurred by such guests, and shall remain on FPSC premises while such guests are present.

d) Members' guests intending to make frequent use of FPS and/or FPSC facilities must apply for the appropriate membership.

e) Visitors who are members of RYA recognised clubs and their supporters, and visiting on the invitation of FPS, are entitled to the privileges of membership of FPS during the period of the events for which they

are invited, provided that such events are connected with FPSC as a Sailing Club.

**9) Sailability Management Committee ('Management Committee'):**

a) The Management Committee shall assist and advise the Trustees of FPS in the management of the Charity and shall have such powers as the Trustees expressly delegate. All Management Committee appointments require the approval of the FPSC General Committee.

b) The Management Committee shall consist of the Chairman, General Secretary, and Finance officer, plus a minimum of 2 and a maximum of 9 additional members. Not less than three of these members shall be Trustees and Trustees shall always be in the majority on the Committee.

c) The members of the Management Committee shall annually elect one of their members to be Vice-Chairman.

d) The first members of the Management Committee shall be appointed by the Trustees. Thereafter members of the Management Committee shall be appointed by the FPSC General Committee or by the existing members of the Management Committee.

e) Whilst the members of the Management Committee shall have a collective 'cabinet' accountability for FPS, they will individually have the lead accountability for different tasks and essential activities ('portfolios').

f) The Chairman shall be a member of FPSC of a category with FPSC voting rights.

g) All members of the Management Committee shall retire annually but shall be eligible for re-appointment by the FPSC General Committee.

h) The Chairman and Vice Chairman of FPS shall be ex-officio members of all FPS committees and sub-committees.

i) The Management Committee shall have the power to co-opt, as necessary, other sailor members or helper members for specific purposes.

j) The Management Committee shall appoint committees and/or sub-committees as are required, and may from time to time vary their composition, powers and duties.

k) Management Committee meetings will be held as required. They shall be convened by the General Secretary, who shall give notice to all the Committee members. All questions shall be decided by a simple majority of those present and voting. All members of the Management Committee, including co-opted members, shall be entitled to vote. Five members shall form a quorum.

**10) General Meetings of Associate Members ('Forums')**

a) Forums will provide the facility for Associate members to express their views and recommendations to the Management Committee on such issues as Management Committee membership, membership fees and other operational aspects of FPS. Decisions and recommendations shall carry no executive authority.

b) The Annual Forum shall be held within three months following the annual accounting date each year (31 October).

c) Additional Forums may be called at any time by the Management Committee or at the request of ten Associate members entitled to vote, or by minuted resolution at the General Committees of FPSC.

d) Notice of Forums shall be sent by the General Secretary to every Associate member at their notified e-mail or postal address, fourteen days prior to the meeting.

e) At every Forum, the Chairman, or in his/her absence, the Vice Chairman shall take the chair. If neither is present, a chairman shall be elected from other members of the Management Committee present, and failing an election of a Management Committee member, an election from the Associate members themselves. Twelve Associate members entitled to vote shall be a quorum for Forums.

f) All decisions and recommendation at Forums shall be made by resolutions of a simple majority of Members at the time entitled to vote who are present and exercise their vote.

### **11) Financial Records**

a) The financial records of FPS shall be maintained by the Finance Officer in a manner as required under Company law and by the Charities Commission. . The Finance Officer shall regularly provide a record and reconciliation of FPS accounts to the Management Committee and to the Treasurer of FPSC.

b) An annual operating budget shall be prepared. This shall be approved by the Management Committee of FPS prior to endorsement by the General Committee of FPSC. The Management Committee shall have full powers for expenditure within the approved operating budget.