



# Club By-laws

Royal Freshwater Bay Yacht Club Inc.



**Royal Freshwater Bay Yacht Club Inc.**

**1 Hobbs Place, Keane's Point, Peppermint Grove, Western Australia, 6011**

**PO Box 373, Cottesloe, Western Australia, 6911**

**[rfbyc@rfbyc.asn.au](mailto:rfbyc@rfbyc.asn.au)**

**[www.rfbyc.asn.au](http://www.rfbyc.asn.au)**

**+ 61 8 9286 8200**

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**Founded 14 December 1896**

**Royal Charter granted 13 June 1934**

**ABN 82 671 754 734**

# Royal Freshwater Bay Yacht Club Inc.

## Club By-laws

The By-laws of the Royal Freshwater Bay Yacht Club (Incorporated), in accordance with Rule 20 of the Rules of Association of the Club.

### DEFINITIONS AND INTERPRETATIONS

The Definitions and Interpretations of the Rules of Association shall have the same meaning when used in these By-laws.

In addition: -

**Club Premises** means the entire area of property inside the gates of the Club;

**Club Licenced Premises** means the main Clubhouse and all rooms thereto attached on all levels, and in addition the west lawn, the upper lawn and the lower lawn to the east of the Clubhouse and the balconies surrounding the Roland Smith Room and the Athol Hobbs Room.

**Clubhouse** means the indoor areas of the main Clubhouse and all rooms thereto attached on all levels.

**Members' Bar and Dining Areas** means the indoor areas consisting of the bar and lounge area in the old part of the Clubhouse plus the Bowline Restaurant and Wardroom. Where function rooms, verandas and balconies are used for dining purposes, these also are included.

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## 1. SUB-COMMITTEES OF THE CLUB

### 1.1 Membership Committee

The duties and powers of the Membership Committee shall be:

- (1) To peruse nominations for membership of the Club and advise the Committee as to whether the nomination should be accepted or rejected;
- (2) To consider any comments from any member as to the nominee's suitability;
- (3) To interview the nominee, if appropriate;
- (4) To form an opinion as to the nominee's suitability for membership;
- (5) To make recommendations to the Committee as to the immediate election, placing on a waiting list or otherwise, of a nominee;
- (6) To make recommendations to the Committee relating to membership matters;

and shall carry out the above through the CEO and relevant staff members.

### 1.2 Finance Committee

The duties and powers of the Finance Committee shall be:

- (1) To monitor all financial affairs of the Club;
- (2) To ensure that budgets are prepared, proper books of accounts are kept and the required financial statements submitted to each Annual General Meeting;
- (3) To recommend to the Committee improvements or changes to the accounting systems and financial policies of the Club;
- (4) To report to the Committee monthly on the general financial situation of the Club.

and shall carry out the above through the CEO and relevant staff members.

### 1.3 House Committee

The House Committee shall be responsible for recommending policy with respect to:

- (1) Club social functions;
- (2) Maintenance and furnishing and fitting out of the Club Licensed Premises excluding the Junior Club;
- (3) Standards and prices of services provided on the Club Licensed Premises in conjunction with Finance Committee;
- (4) Standards of behaviour and dress required on the Club Premises;
- (5) Conditions pertaining to members private functions;
- (6) Proposals for alteration and addition to the Club Licensed Premises;
- (7) Recommend to the Committee the promulgation and cancellation of By-Laws relating to the Club Licensed Premises.

and shall carry out the above through the CEO and relevant staff members.

### 1.4 Capital Works and Maintenance Committee

The duties and powers of the Capital Works and Maintenance Committee shall be to:

- (1) Submit recommendations for the upkeep and development of all lawns, gardens and grounds;
- (2) Submit recommendations for roads and road maintenance;
- (3) Define and allocate parking sites within the Club grounds;
- (4) Supervise all foreshore planning and equipment and the installation and maintenance of wharves, jetties, slipways, moorings and storage sheds;
- (5) Designate areas for hardstanding, positions for class boat storage and dinghy racks;
- (6) Recommend to the Committee the promulgation and cancellation of By-Laws relating to the Club Premises other than the Club Licensed Premises;
- (7) Review all proposals for Club development and major maintenance projects including consideration of the feasibility, design, construction and cost;
- (8) Supervise completion of all construction projects approved by General Committee;

and shall carry out the above through the CEO and relevant staff members.

### 1.5 Harbour Berthing Committee

The duties and powers of the Harbour Berthing Committee shall be to:

- (1) Consider applications for pens and moorings in the Marina and to recommend to the General Committee allocations and changes in allocations in the Marina;
- (2) Recommend to the Committee the promulgation and cancellation of By-Laws relating to the Marina and vessels therein;
- (3) Supervise the observance of and compliance with Club Rules and By-Laws relating to the presence of vessels in the Marina;

and shall carry out the above through the CEO and relevant staff members.

### 1.6 Sailing Committee

The duties and powers of the Sailing Committee shall be to:

- (1) Frame and present to the Committee not later than 31 August, a programme of sailing events (other than offshore) for the coming season;
- (2) Recommend to the Committee the number and value of the prizes to be competed for in each event;
- (3) Organise and control all races (other than offshore) as the organising authority, in accordance with the Racing Rules of Sailing and the Australian Sailing Prescriptions thereto;
- (4) Recommend to the Committee the promulgation and cancellation of By-Laws for the conduct of races for sailing yachts;
- (5) Allocate individual class yacht storage in areas designated by the Capital Works and

- Maintenance Committee;
- (6) Appoint a delegate to the Swan River Racing Committee.
  - (7) Appoint Protest Committees.

and shall carry out the above through the CEO and relevant staff members.

#### 1.7 **Power Committee**

The duties and powers of the Power Committee shall be to:

- (1) Frame and present to the Committee not later than 31 March a programme of power yacht competitions and time trialling events for the coming season;
- (2) Recommend to the Committee the number and value of the prizes to be competed for in each event;
- (3) Organise and control all power yacht competitions and time trialling events and power yachts competing therein in accordance with the Time Trialling Rules of the Power Committee of the Australian Sailing (WA).
- (4) Appoint a handicapper for power yacht time trialling;
- (5) Appoint a delegate to the Power Committee of the Australian Sailing (WA), and where appropriate nominate candidates for election as officers of that committee;
- (6) Recommend to the Committee the promulgation and cancellation of By-Laws for the conduct of power yacht time trialling events;
- (7) Generally, to foster and attend to all power yacht events as directed by the Committee;

and shall carry out the above through the CEO and relevant staff members.

#### 1.8 **Offshore Committee**

The duties and powers of the Offshore Committee shall be to:

- (1) Frame and present to the Committee, not later than 31 August, a programme of offshore events for the coming season;
- (2) Recommend to the Committee the number and value of the prizes to be competed for in each offshore event;
- (3) Organise and control all offshore races as the organising authority, in accordance with Racing Rules of Sailing and the Australian Sailing Prescriptions thereto;
- (4) Recommend to the Committee the promulgation and cancellation of By-Laws relating to the conduct of offshore races;
- (5) Appoint a delegate to the Offshore Racing WA Committee;

and shall carry out the above through the CEO and relevant staff members.

#### 1.9 **Long Term Planning Committee**

The duties and powers of the Long Term Planning Committee shall be to consider and submit recommendations for long term planning issues and initiatives.

The Long Term Planning Committee is to comprise the Flag Officers, the Honorary Treasurer and three nominees of the Vice Patrons plus one member under the age of 35 years appointed by, but not a member of General Committee. The nominees of the Vice Patrons and General Committee to serve for three years.

The Long Term Planning Committee shall meet half yearly or more often as required. The Annual Report of the Long Term Planning Committee shall be presented to the members at the Annual General Meeting.

#### 1.10 **Cruising Committee**

The duties and powers of the Cruising Committee shall be to:

- (1) Frame and present to the Committee a programme of cruising events;

- (2) Conduct and generally foster cruising events;
- (3) Liaise with the Sailing Committee, the Offshore Committee and the Power Committee;
- (4) Liaise with the cruising divisions of other clubs;

and shall carry out the above through the CEO and relevant staff members.

## **2. THE JUNIOR CLUB**

- 2.1 Rule 6.1 and Schedule 1 to the Club's Rules of Association provide that persons who are less than 18 years of age and who are elected by the Committee shall become Junior Members of the Club and shall remain eligible to be Junior Members until attaining the age of 18 years.
- 2.2 The Junior Members of the Club are known as and constitute 'the Junior Club'.
- 2.3 The affairs of the Junior Club shall be conducted in accordance with the following provisions:
  - 2.3.1 The Junior Club shall appoint its own committee (to be known as the Junior Club Committee) to supervise its own activities, and the Junior Club Committee will be chaired by a Rear Commodore.
  - 2.3.2 The Junior Club Officers shall be the Junior Club Captain, Junior Club Vice Captain and Junior Club Treasurer.
  - 2.3.3 The Junior Club Committee shall consist of the Junior Club Officers, Junior Club Secretary and five committee members all of whom shall be members of the Junior Club and shall meet monthly where possible.
  - 2.3.4 The members of the Junior Club Committee shall hold office in each year from the time of election until the next following Junior Club Annual General Meeting.
  - 2.3.5 If any member of the Junior Club Committee fails to attend three consecutive Junior Club Committee meetings their position may be declared vacant and if so they shall be notified in writing.
  - 2.3.6 The Junior Club shall hold a Junior Club Annual General in September each year. This meeting shall be convened by the Junior Club Secretary who shall give 21 days' notice to all Junior Members.
  - 2.3.7 Nominations for Junior Club Officers, the Junior Club Secretary and the Junior Club Committee shall be signed by two members of the Junior Club together with the consent of the nominee and be posted on the Junior Club notice board at least 14 days prior to the Junior Club Annual General Meeting.
  - 2.3.8 All notices of motion for any Junior Club General Meeting must be lodged at least 14 days prior to the meeting and shall be placed on the Junior Club notice board forthwith.
  - 2.3.9 The business of the Junior Club Annual General Meeting shall be conducted in the following order:
    - (1) Receive reports and financial statements made up to 30 April immediately preceding;
    - (2) Election of Junior Club Officers, Junior Club Secretary and Junior Club Committee;
    - (3) Transaction of business of which proper notice has been given;
    - (4) Transaction of any other business as the Chairman may in their absolute discretion permit.
  - 2.3.10 The Junior Club Committee may and shall if required by the Committee convene a Junior Club Special General Meeting. Such a meeting shall be convened in the same manner

as the Junior Club Annual General Meeting except that notices thereof and the business to be dealt with shall be posted to each Junior Member at least 21 days before the date of the meeting.

- 2.3.11 At a Junior Club General Meeting the chair shall be taken by the senior Junior Club Officer present, or if no Junior Club Officer is present, by a member chosen by the meeting.
- 2.3.12 All voting at meetings shall be the same as that provided for at General Meetings of the Club.
- 2.3.13 The quorum at a Junior Club Committee Meeting shall be three.
- 2.3.14 The quorum at a Junior Club General Meeting shall be 11.
- 2.3.15 At least seven days' notice shall be given of all Junior Club Committee and Junior Club General Meetings.
- 2.3.16 A copy of the minutes of all Junior Club meetings shall be forwarded to the CEO within fourteen days of the meeting.
- 2.3.17 The duties of the Junior Club Committee shall be:
  - (1) To assist the Committee and the Sailing Committee in promoting the welfare and activities of the Junior Members;
  - (2) To institute all procedures for the safety, maintenance and care of the Club's boats and gear allotted for Junior Club use or housed on the Junior Club premises;
  - (3) To maintain good conduct and discipline among Junior Members;
  - (4) To supervise and regulate the proper use of the Junior Clubhouse, boat storage areas and equipment and other property of the Club allotted for the use of Junior Members;
  - (5) To communicate to its members Club and Junior Club instructions and information that affects Junior Members;
  - (6) To keep and maintain proper records of its proceedings.
  - (7) To hand promptly to the CEO all monies, donations and funds received for the Junior Club.
- 2.3.18 Subject to the power of veto and direction of the Committee at all times, the powers of the Junior Committee are:
  - (1) To arrange social functions for members of the Junior Club with or without charge;
  - (2) To arrange fund raising;
  - (3) To provide amenities for the members of the Junior Club;
  - (4) To fill vacancies on the Junior Club Committee during the year of office;
  - (5) To recommend to the Committee, through the Rear Commodore Juniors, expenditure on behalf of the Junior Club.
- 2.3.19 Finances
  - 2.3.19.1 The finances of the Junior Club shall be under the control of the Committee. A special account shall be kept in the Club's financial books to record Junior Club receipts and payments.
  - 2.3.19.2 All expenditure shall be first approved by the Rear Commodore Juniors.
  - 2.3.19.3 A copy of the Junior Club account shall be presented to the Committee and the Junior Club Committee each month.

2.3.19.4 At the end of each financial year a statement of income and expenditure together with a budget for the coming year covering the activities of the Junior Club shall be presented to the Committee.

2.4 The members of the Junior Club shall conduct themselves in a proper manner and with the dignity appropriate to the Club.

### **3. HOUSE AND GROUNDS**

#### **3.1 Liquor Act**

The Committee and all members shall observe and comply with the provisions of the Liquor Control Act 1988 which apply to the Club's activities. The Club shall keep an up to date register of members in respect of each class of membership. This register must be continually available for inspection at the club premises.

#### **3.2 Hours of Operation**

The Committee shall set the hours of opening and closing the various facilities in the Club Licensed Premises and notices of such times shall be posted on the Club noticeboard.

#### **3.3 Functions**

The Committee may prescribe what functions may be held within the Club Licensed Premises and when and where they shall take place. The Committee may make all necessary arrangements, including the determination of charges and any other matters.

#### **3.4 Guests**

3.4.1 A person who is not a member shall not be admitted to any part of the Club Licensed Premises, Junior Clubhouse, boat storage areas, outbuildings or jetties except as provided for in these By-Laws.

3.4.2 A member hosting an approved function may introduce individual guests in the member's company without limit to numbers. A member may introduce up to five guests in the member's company at other times.

3.4.3 Guests shall be accompanied at all times by the introducing member. Members are responsible for their guests whilst the guests are on site.

3.4.4 The Committee may prescribe parts of the Club to which guests shall not be admitted. Notices defining the areas shall be displayed on the Club noticeboard.

3.4.5 A guest shall not be supplied with liquor to be consumed other than in the Club Licenced Premises.

#### **3.5 Gate Cards**

Gate cards will be issued to all Ordinary, Special, Senior, Country, Reciprocal and Associate Members upon payment of their annual subscriptions, and to Life and Distinguished Honorary Members. Replacement of a lost or destroyed card will only be made following written application to the CEO and payment of a charge determined by the Committee.

Gate cards may be issued to Junior Members on application and may be subject to restrictions at certain times as directed by the CEO.

A gate card is issued to a member to enable admission to the Club of that member only and his vehicle only. A gate card shall not be used to admit any other vehicle and shall not be loaned to another person. Infringement of this By-Law may entail the withdrawal of the member's gate card.

#### **3.6 No Dogs Permitted**

Dogs (other than guard dogs under the control of their handlers, or guide / assistance dogs) are not permitted anywhere within the Club Premises.



**3.7 Standard of Dress**

The minimum standard of dress within the Clubhouse is shirt, shorts and shoes (not thongs).

Bathers, bikinis and scanty clothing may not be worn on the Club Licenced Premises areas.

**3.8 Members' Bar and Dining Areas**

3.8.1 Mobile phones must not be used to make or receive calls whilst in the Members' Bar and Dining Areas. Electronic devices emitting sound shall not be used in the Clubhouse public areas.

3.8.2 Hats or headwear shall be removed whilst in the in the Members' Bar and Dining Areas, unless worn for medical or religious/cultural reasons.

**3.9 Suggestions and Complaints**

Suggestions or complaints shall be made in writing addressed to the CEO.

**3.10 Gratuities**

A member must not offer any form of gratuity to a member of Club staff. Club staff are under instruction not to accept gratuities.

**3.11 Promotional Material**

Promotional materials, leaflets or notices of any sort shall not be laid on the tables or bars nor put on the Club noticeboard nor displayed anywhere in or about the Club Premises without the prior approval of the CEO.

**3.12 Non-Solicitation**

Members and their guests must not actively promote their commercial interests whilst on Club premises without the prior approval of the CEO.

**3.13 Ringing the Bell**

Ringing the bell on race days requires that person to purchase two jugs of beer or one bottle of wine (whichever is preferred), to be distributed amongst members and guests.

**3.14 Consumption of Food and Liquor**

Members, guests or visitors are not permitted to consume food or liquor on the Club Licensed Premises other than food or liquor purchased from the Club.

**3.15 Smoking**

Smoking is only permitted in specifically designated areas. Cigarette butts must be disposed of properly.

**3.16 Motor Vehicle Parking**

Motor vehicles must only be parked in marked vehicle parking bays or designated lawn areas when access points are open. A fine of \$50 may be imposed where vehicles are left in unauthorised areas, or in parking bays designated for Club Officials where the vehicle is not owned or operated by the designated Club Official. The parking bays in the parking area adjacent to the Clubhouse are strictly for member use.

**3.17 Code of Conduct**

All persons entering the Club premises, in doing so, agree to comply with the Club's Code of Conduct. Persons in breach of the Club's Code of Conduct may be asked to leave the site and/or be subject to the Club's disciplinary procedures.

**3.18 Deferred Payment Options**

Where a rule permits a deferred payment option for nomination fees or other payment and this is to be at a premium rate decided by Committee, this shall be at the stated rate of interest on the Club's cash accounts plus 2%.

**3.19 Feeding Birds**

Members and their guests must not feed birds while on Club premises.

**3.20 Overdue Accounts**

Any member whose account includes a debt or charge that has been outstanding for two months from the date of the statement first detailing the debt or charge shall be debited with an administration charge of 2.5% of the overdue balance per month and shall not be entitled to credit for any purchases or service of any kind whilst the account remains overdue.

**3.21 House Support**

House Support is the minimum expected aggregate expenditure that Ordinary and Senior members must spend with Club bar, catering and/or merchandise each half-year period ending the last Thursday of October and April each financial year without incurring a "shortfall levy" in the terms of this By-Law.

The amount of House Support for an Ordinary Member 36 years of age or more is determined by the Members at the Annual General Meeting.

The amount of House Support for other eligible classes of Members is determined as the percentage set out in the table in Rule 7.3., except that Senior Members over the age of 75 years are exempt from House Support.

Members whose aggregate Club bar, catering and merchandise purchases is less than their House Support amount at the end of the relevant half year House Support period, must pay a "shortfall levy" equivalent to the amount of that shortfall and have their Club account debited with that levy.

The Committee will consider written applications for the Committee's discretionary exemption from the imposition of a House Support shortfall levy for a Member experiencing financial hardship.

**3.22 Damage to Club Property**

Any member who destroys, damages or loses any Club property shall be liable for the full cost of repair or replacement.

**3.23 No Removal of Club Property**

A member shall not take any Club property from the Club Premises for any reason, unless expressly and specifically authorised by the CEO.

**3.24 Other Member's Property**

Members shall not remove, damage or otherwise interfere with the property of another member.

**3.25 Crew**

A regular crew member shall be a member of the Club.

**4. CONDUCT OF RACES FOR SAILING YACHTS**

**4.1 General Authority of the Sailing Committee and the Offshore Committee**

4.1.1 All sailing races shall be under the direction of the Sailing Committee/Offshore Committee. All matters shall be subject to its approval and control and all doubts, questions and disputes which may arise shall be subject to its decision.

4.1.2 The Sailing Committee/Offshore Committee shall appoint starters, handicappers, protest

committee and other officials as may be appropriate.

#### **4.2 Registration of Sailing Yachts**

4.2.1 Boats must be entered into the Club Register of Boats before being eligible to compete in Club races.

4.2.2 The Sailing Committee/Offshore Committee may on occasion, by permission or invitation, allow boats registered with other clubs to compete in races conducted by the Club.

#### **4.3 Sail Numbers**

4.3.1 Boats on the Club Register of Boats shall carry on their sail(s) its number as entered in the Register in accordance with the Racing Rules of Sailing.

4.3.2 A boat on the Club Register of Boats other than an International Class or a class recognised by the Sailing Committee that normally sails in that Class, shall display blue sail numbers prefixed RF that are allocated or approved by that Committee. If blue sail numbers are not distinct on a sail, the owner of a boat may apply to the Sailing Committee for some other distinguishing colour to be used.

4.3.3 If a boat is also on the register of another club it may be permitted by the Sailing Committee/Offshore Committee to wear on its sail, in lieu of the foregoing, the distinguishing number and marks allocated to it by that other club.

#### **4.4 Insurance**

All vessels on the Club Register of Boats or taking part in Club events shall be covered by third party insurance for property damage and injury or death of persons with a minimum cover of \$10 million. This insurance shall be appropriate for the activity taking place and owners are advised to check that their policy is suitable for purpose.

#### **4.5 Racing Rules**

Sailing races shall be conducted under the Racing Rules of Sailing current at the time unless otherwise authorised by the Sailing Committee/Offshore Committee and stated in the program.

#### **4.6 Inspection**

All boats taking part in Club events must comply with the relevant part of the Australian Sailing Special Regulations and boat owners are required to present their boats for audit as required by Sailing Committee / Offshore Committee or the relevant staff members.

#### **4.7 Helmsman**

Unless the conditions of the race otherwise specify, a boat competing in Club races shall be helmed either by a financial Ordinary, Life, Special, Senior or Junior Member of the Club or by any other person who the Sailing Committee/Offshore Committee permits but upon such terms and conditions as the Sailing Committee/Offshore Committee may specify.

### **5. CONDUCT OF POWER YACHT COMPETITIONS AND TIME TRIALLING**

#### **5.1 General Authority of Power Committee**

5.1.1 All power competitions and time trialling events and power boats competing therein shall be under the direction of the Power Committee. All matters shall be subject to its approval and control and all doubts, questions and disputes which may arise shall be subject to its decision.

5.1.2 The Power Committee shall appoint a starter, handicapper, protest committee and such other officials as may be appropriate.

## **5.2 Registration of Power Yachts**

5.2.1 A power boat must be registered on the Club Register of Boats before being eligible to compete in Club events.

5.2.2 The Power Committee may, on occasion by permission or invitation, allow power boats registered with other clubs to compete in events conducted by the Club.

## **5.3 Time Trialling Rules**

Time trialling events shall be conducted under the rules of the Cruising Power Committee of Australian Sailing (WA) current at the time unless otherwise authorised by the Power Committee and stated in the program.

## **5.4 Helmsman**

Unless the conditions of the event otherwise specify, a boat competing in Club events shall be helmed either by a financial Ordinary, Life, Special, Senior or Junior Member of the Club or by any other person who the Power Committee permits but upon such terms and conditions as the Power Committee may specify.

## **6. CLUB UNIFORMS**

### **6.1 Officers' Mess Dress**

Mess Dress shall comprise black trousers and a black mess jacket furnished with three gilt Club buttons one each side, a soft white dress shirt with flat collar and black bow tie and black epaulettes. A black waistcoat furnished with small gilt Club buttons may be worn under the mess jacket. Officers' Mess Dress shall only be worn at the direction of the Commodore.

### **6.2 Officers' Square Rig**

The uniform for general wear shall comprise a navy blue or black double-breasted reefer jacket having four black Club buttons on each side and sleeve and vents at side seams, dark grey trousers, white shirt, black tie and black shoes and socks. On special occasions the Commodore may specify that white trousers, white shoes and socks be worn.

Owners of registered vessels may wear a small black anchor surmounted by a coronet in each side of the top collar of the jacket 25mm above the collar steps.

### **6.3 Officers' Summer Day Dress (1 October to 30 April)**

A white naval type shirt with two pockets and button down flaps, open neck, short sleeves and white epaulettes, white trousers, white webbing belt with brass buckle, white shoes and socks. A dark blue plain pattern crew neck jersey with black epaulettes may be added during inclement weather.

### **6.4 Officers' Winter Day Dress (1 May to 30 September)**

Dark grey trousers with dark blue plain pattern crew neck jersey with black epaulettes over a white shirt, black tie, black shoes and socks.

### **6.5 Officers' Racing Rig**

White shirt with Club logo, navy blue trousers, Club belt and tan deck shoes may be worn at official functions where appropriate and at the direction of the Commodore or most senior Officer present. A jersey, jumper, fleece, jacket or blazer to conform with the above colours may be worn.

### **6.6 Officers' Caps**

Naval cap with white cover with Club badge. The badge shall be a silver fouled anchor with the letters "RFBYC" superimposed surrounded by a laurel wreath and surmounted by a St. Edward's Crown. The badge to be worked in gold (anchor excepted). White cap covers need not be worn from 1 May to 30 September.

## **6.7 Officers' Club Insignia**

### **6.7.1 Buttons**

Club buttons shall be embossed with a St. Edward's Crown surmounting a fouled anchor surrounded by the letters "RFBYC".

### **6.7.2 Epaulettes**

Epaulettes shall be black or white as appropriate to the uniform. They shall measure approximately 130mm long and 50mm wide, fastened at the upper end by a gilt button and shall be square at the shoulder point and peaked at the upper end. The epaulette shall have the letters "RFBYC" woven in gold thread spaced 7mm from the shoulder end and surmounted by a silver fouled anchor above which shall be a crown worked in gold thread and having a red velvet centre. Ranks of office as detailed below shall be 7mm naval gold lace conveniently spaced, the curl having a 7mm centre. The epaulettes for the CEO shall be in silver lace.

### **6.7.3 Jacket Sleeves - Square Rig Uniform**

Rank of office will be denoted on both sleeves of reefer jackets in a 13mm black braid in the same style as for By-Law 6.7.2. The bottom of the lower band shall be placed 65mm from the end of the sleeve with 7mm space between bands and where appropriate, a curl with a 13mm centre placed on the forepart of the sleeve.

### **6.7.4 Ranks of Office**

- Commodore - four bands with curl
- Vice Commodore - three bands with curl
- Rear Commodore - two bands with curl
- Honorary Treasurer - one band with rope band above
- Members of Committee - one band
- Past Flag Officers with more than nine months service - as above without curl

## **6.8 Sailing Uniform**

Crew shirts or jerseys may be any colour providing all crew members wear the same style and colour. Waterproofs and spray jacket colours are optional.

## **6.9 Club Blazer**

Members may wear a blazer coat made from plain navy blue material with a gilt Club buttons and distinguishing pocket badge, being a laurel wreath encircling the Club Burgee surmounted by a St. Edward's Crown.

## **6.10 Club Tie**

The Club tie shall be navy showing in miniature the Club Burgee. This may be worn with either blazer or lounge suit.

Distinguished Honorary, Honorary and Reciprocal Members shall not be entitled to wear Club uniforms or insignia, other than the Club tie.

## **6.11 Ladies Uniforms**

For ladies the female equivalent article of clothing may be applied in regard to this By-Law.

## **7. FLAGS, ENSIGNS AND BURGEEES**

### **7.1 General - Australian Register of Ships**

The *Shipping Registration Act 1981 (Cwlth)* contains the rules governing the registration of Australian ships and the flying of ensigns. Vessels on the Club Register of Boats are entitled (but not compelled) to be registered as Australian ships.

## **7.2 Flying of Ensigns**

- 7.2.1 Vessels on the Club Register of Boats have the choice of flying either the Australian National Flag or the Australian Red Ensign ('the Ensign').
- 7.2.2 In power driven vessels and, where possible, in sailing vessels the Ensign shall be flown at its own special staff at the stern.
- 7.2.3 If it is not possible to fly the Ensign at the stern of a sailing vessel when under way the following rules apply:
- (1) In gaff rigged yachts, the Ensign is flown at the peak of the aftermost sail.
  - (2) In ketches and yawls with Bermudian rigged mizzens the Ensign is flown at the mizzen masthead.
  - (3) In other Bermudian rigged yachts, the Ensign is flown two thirds of the way up the leech of the aftermost sail.

## **7.3 Club Flag or Burgee**

- 7.3.1 On yachts the Club Burgee is to be flown from the masthead or the starboard crosstrees. On power yachts the Club Burgee is to be flown from the foremast or a mast or similar fitting on the highest point of the superstructure.
- 7.3.2 The Club Burgee shall only be flown on a vessel on the Club Register of Boats and while under the control or effective control of a member of the Club.
- 7.3.3 A Flag Officer's Flag shall only be flown on the vessel if the Flag Officer concerned is aboard or in effective control of the vessel.
- 7.3.4 A member lending or letting his vessel to a person who is not a member of the Club shall not permit the Club Burgee to be flown.

## **7.4 Burgees of other Clubs**

- 7.4.1 When in the home waters of another club of which an owner is a member, it is an act of courtesy to fly the burgee of that club in place of the Club Burgee. A Flag Officer should fly his Flag Officer's Flag in preference to any other burgee.
- 7.4.2 The Club Burgee shall not be flown with the burgee or ensign of another club.

## **7.5 Private or House Flags**

- 7.5.1 An owner may register his private or house flag at Lloyd's but is not bound to do so.
- 7.5.2 A description and a drawing of a member's private or house flag should be delivered to the CEO who shall keep a register of such private or house flags. The CEO should be informed if a private or house flag is registered at Lloyd's.
- 7.5.3 The owner of a yacht or a person who has chartered or been lent a vessel may use his private or house flag on that vessel.
- 7.5.4 On single masted yachts the private or house flags should be flown from the starboard upper crosstrees.
- 7.5.5 On schooners or power yachts with more than two masts, the private or house flag should be flown from the fore mast head.
- 7.5.6 On yawls and ketches the private or house flag should be flown either from the mizzen mast head or from the starboard crosstrees of the main mast.

4.5.7 A private or house flag may be flown with or without an Ensign.

## **7.6 Racing Flags**

When racing, only those flags which are authorised by the sailing instructions should be flown.

## **7.7 Times when Flags, Ensigns and Burgees should be flown**

7.7.1 When a vessel is underway the Ensign, Club Burgee, Flag Officer's Flag and private or house Flags may be flown continuously day and night. The Ensign and Flags may be lowered during the hours of darkness.

7.7.2 In harbour, the Ensign should be hoisted at 0800 hours and hauled down at sunset when the owner is onboard.

7.7.3 In harbour, when the owner is onboard, the Club Burgee may be flown either between 0800 hours and sunset or continuously at the option of the owner. The Club Burgee shall not be flown while a vessel is unattended.

7.7.4 A member's private or house flag should be hoisted and lowered at the same time as the Club Burgee.

7.7.5 A Flag Officer's Flag and house flag (if any) should be flown continuously by day and by night in harbour.

## **7.8 Salutes**

7.8.1 Salutes are made by dipping the Ensign, i.e. lowering it slowly to a position about one third from the lower end of its hoist.

7.8.2 The vessel making the salute should keep her Ensign lowered, that is at the 'dip' while the vessel being saluted dips her Ensign. As soon as the vessel which is being saluted starts to re-hoist her Ensign, the vessel making the salute re-hoists hers.

7.8.3 The salute is only made with the Ensign. The Club Burgee and an Officer's Flag should never be dipped.

## **7.9 Customs of the Sea**

In cases not covered by these By-Laws, members are expected to follow the generally recognised custom.

## **8. MARINA, HARDSTANDINGS AND BOAT STORAGE**

### **8.1 Pleasure Vessels Only**

No vessel with a commercial registration or used for trade or business purposes or for letting or hire or for any purpose other than pleasure shall be entitled to the benefits, use or privileges of the Club. If a member occasionally lets his vessel to third parties for private and pleasure purposes the vessel is not entitled to use the Club Facilities during the period of the hire. This By-Law does not preclude a vessel from using the Club Facilities if the owner is the exclusive charterer or lessee of the vessel.

### **8.2 Marina, Hardstanding and Boat Storage Rental**

Annual rental charges shall be assessed by the Committee. Any overall level of increase is subject to the approval of an Annual General Meeting or a Special General Meeting. Rentals are for the period 1 May to 30 April (or portion thereof, if allocated during the year) and are payable in July. A member may elect to pay the annual rentals in two equal instalments in July and January. An administrative fee of 2.5% of the relevant annual rental is applied to members electing to pay their rental half yearly.

### 8.3 Marina Rental Deposits

The Owner of a vessel occupying a pen or mooring within the Marina or licensed mooring area must lodge a deposit with the Club, which will be equal to the annual rental at the time of allocation multiplied by 1.14. This deposit is refundable – subject to the conditions in the pen or mooring agreement:

- (1) When the vessel ceases to occupy the pen or mooring; or
- (2) When the member ceases to be a member of the Club.

### 8.4 Compliance, Liability and Indemnity

8.4.1 Vessels in the Marina shall comply with the Club Rules and By-Laws.

8.4.2 The Club shall not be liable to any member or person for any damage however caused to or sustained by any vessel while such vessel is in or on the Club Facilities or is participating in any Club event or activity.

8.4.3 Any member who is directly or indirectly responsible for locating any vessel not wholly owned by members, in or on the Club Facilities shall indemnify the Club against all actions, damages, costs and expenses to which the Club may become liable in respect of any loss or damage to property or injury to persons arising wholly or in part by the location of such vessel in or on the Club Facilities.

### 8.5 Participation

Members who own vessels occupying a pen in the Marina are expected to participate in Club activities that are practical for and commensurate with their type of vessel to warrant continued pen occupancy. The activity level is to be based on the participation level of similar type, size or design of vessels in Club events programmed or rostered for that type of vessel.

### 8.6 General Conditions for Use of Club Moorings and Hardstand

#### 8.6.1 No Residential Accommodation

No person is allowed to reside on any vessel berthed in the Marina.

#### 8.6.2 Environmental

Attention is drawn to the Club's Environmental Management System, copies of which are available from the Club Office and on the Club Website. In particular, boat owners are reminded of the following: -

- (1) No major works are to be carried out whilst in the marina, alongside the wharf or on Club moorings.
- (2) No spray painting, grinding or other activity which allows airborne particles to spread are permitted whilst in the marina, alongside the wharf or on Club moorings.
- (3) There is to be no discharge of any material into the river other than clean bilge water and rainfall run-off. Contaminated bilge water must be disposed of appropriately in the waste oil receptacle.
- (4) Bilge socks are to be fitted to any vessel in the marina, alongside the wharf or on Club moorings, that is fitted with a combustion engine.
- (5) Abrasive cleaning of hulls in the river is not permitted

#### 8.6.2 Rubbish and Waste

Rubbish, empty bottles, etc, must not be disposed of overboard within the Marina, nor deposited on any of the Club wharves or jetties except in the waste bins. No vessel toilet is to be used for solid sewage in the Marina. Portable toilets shall not be discharged anywhere in the Club Facilities.



8.6.3 Slipways

Only authorised persons may operate the Club slipways.

8.6.4 Trolleys and Barrows

The Club maintains a number of four-wheel trolleys and single-wheel barrows to enable members to load and unload vessels while in the Marina. Members shall not leave a trolley at their pen longer than is necessary for immediate use. The trolleys and barrows shall be returned to the hardstanding parking areas before the vessel leaves its pen.

8.6.5 Club Hoists

The Club hoists are only to be used for launching and recovery of vessels on the Club Register of Vessels which have been approved for lifting. The operator of any hoist must first be registered to do so with the Club and complete the relevant training if appropriate. The hoists are not to be used to support a vessel for maintenance tasks, including the cleaning of the antifouling of boats, which must only take place in the designated area where the discharge is trapped and filtered.

8.6.6 Emergency Access

Forced access by any member or Club employee to deal with fire or other emergency and the movement of a vessel to eliminate a danger to itself or other vessels shall be accepted by the Owner without recourse to the member or employee concerned. Such action is accountable to the Committee.

8.6.7 A vessel shall not be left unattended in the Marina with the propulsion engine running.

8.6.8 A vessel shall not anchor within the Marina without the prior approval of the CEO.

8.6.9 Dinghies, boats, trailers and other items must only be placed in prescribed racks, sheds or hardstanding areas and not elsewhere. They shall not be left indiscriminately around the Club premises. A handling charge of \$100 will be imposed on any member who places his dinghy, boat or trailer in an unauthorised place or in a rack or hardstanding without it having been allocated to him, together with a charge of \$50 per week where a boat dinghy trailer or other item is left without authorisation in the Club premises. Where an item is not reclaimed within a period of 6 months, the Committee is authorised to dispose of it.

8.6.10 The Club does not encourage the entry of road trailers into the Club premises but entry may be authorised where necessary to bring or remove members' items to or from their boats, but this does NOT include the regular launching of boats which are stored elsewhere. The CEO is empowered to refuse entry by or require the removal of a trailer at any time. No road trailer (i.e. one which is normally used on a public road attached to a motor vehicle) shall be left on the hard standing areas, roads or lawns. Such trailers, and the vehicles to which they are attached must be parked only when and where specifically authorised by the CEO in each instance.

8.6.11 Jinkers and trailers which in the absolute discretion of the Capital Works and Maintenance Committee are considered unsuitable or unsafe will be required to be removed from the Club premises and will be re-admitted only when considered suitable by the Capital Works and Maintenance Committee.

8.6.12 All wheeled trailers, jinkers or similar equipment which are permitted on the Club premises shall display clearly the name of the owner and/or the associated vessel.

**8.7 General Conditions for Use of Wharves**

8.7.1 Reference is made to Club Rule 23 which prescribes in general terms that only vessels on the Club Register of Boats may use the Club's facilities.

8.7.2 No vessel shall come alongside any of the Club's jetties or wharves unless it holds a current Certificate of Compliance as defined in the Marina Safety By-Laws or is on the register of and holds a similar certificate from a yacht club affiliated with the Yachting Association of Western Australia.

All vessels moored in the marina or left unattended alongside any Club jetty or wharf shall have all battery master switches turned off.

8.7.3 Vessels may be brought alongside the Club's main wharf or spur jetty for a period of up to two hours to load or unload with the following exceptions:

- (1) The fuelling wharf shall be kept free at all times for refuelling;
- (2) on sailing Saturdays, the main wharf, fuelling wharf and spur jetty shall be kept free of boats from 12.00 noon until the start of the races to allow access for fleets which require the hoists for launching, but vessels may berth alongside after the start of races until 3.30 pm. Once competing yachts which require the hoist have been retrieved, vessels may again berth alongside. As a matter of courtesy, any vessel which at other times is obstructing the use of the hoists should vacate that position to allow reasonable use of it.

8.7.4 Berthing of vessels on the Club wharves or jetties for periods in excess of two hours may be permitted but only with the express permission of the CEO, Bosun or Yachting Operations Manager. Any such permission shall only be for a maximum of 24 hours so long as this does not interfere with any sailing fixture or Club event. Members whose vessel occupies a berth on the Club wharves or jetties without permission may be levied a fee of \$10 per day.

8.7.5 Any vessel found unattended and in contravention of these By-Laws may be moved or removed by the Club and while reasonable care will be taken in so doing, the Club will accept no responsibility for any loss or damage which may result. Similarly, any vessel which is left in an unsafe condition, insufficiently or improperly moored or in an emergency may be moved or removed by the Club.

8.7.6 Fishing or swimming from the Club wharves or jetties is prohibited.

## **8.8 General Conditions of Use of Fuelling Facilities**

8.8.1 Refuelling or transfer of flammable liquids from one container to another including built in fuel tanks is only permitted at the designated fuelling wharf. Portable tanks are to be filled on the fuelling wharf, safely clear of any vessel, or outside the Club facilities.

8.8.2 Before refuelling, all appliances, engines and motors, including automatic bilge pumps and pilot flames and burners of gas units shall be turned off and openings to the bilge closed to prevent the entry of fumes. All crew and other personnel not directly required to assist with the refuelling must be ashore and may only re-embark after the engine has been started.

8.8.3 Contact is to be maintained between the fuel hose nozzle and the deck filler while refuelling to prevent static sparks.

8.8.4 Smoking is not permitted while refuelling.

8.8.5 Petrol, oil, or other flammable liquid shall not be discharged into the marina.

8.8.6 Containers of fuel and LP gas not part of the vessel's fixed tankage or machines with built in tanks are to be stored in compartments which drain overboard and do not connect in any way with the living quarters, machinery spaces or bilge. Tanks may be carried below the water line in compartments that can be sealed and easily contain the entire contents if spilled.

8.8.7 No paint, thinners, kerosene, methylated spirits or other flammable liquids other than engine fuel

shall be stored on board any vessel moored in the marina. Engine fuel shall only be stored in a vessel's normal tanks as used when under way. Bilges will be kept clean and free from any flammable liquid.

### **8.9 General Conditions for Use of Club Pens**

8.9.1 All vessels shall be moored as directed by Harbour Berthing Committee.

8.9.2 All vessels moored in Club pens shall conform to the current Club Mooring Lines Policy.

8.9.3 Members failing to comply with the Club Mooring Lines Policy may be reported to Harbour Berthing Committee who may recommend one or more of the following actions to General Committee as a sanction: -

1. Reprimand with further warning
2. That repair or other works required to make the mooring lines compliant be carried out by the Club or it's contractor with the charges being placed on the members' account.
3. That the member be asked to remove their boat from the pen until works have been carried out to ensure compliance.
4. That the allocation of the pen be rescinded.

### **8.10 General Conditions for Use of Club Moorings**

8.10.1 There are two classes of swinging moorings in the Marina:

- (1) Club moorings owned and maintained by the Club and rented to members;
- (2) Private moorings owned by members and placed and maintained by them on a site allocated to them by the Committee on the recommendation of the Harbour Berthing Committee.

In the event of the termination of a member's right to use a Club mooring or to use a rented mooring site, and after fourteen days' notice, or in an emergency, the member's vessel and if applicable his private mooring may be removed from the mooring or site at the member's risk or cost.

#### **8.10.2 Private Moorings**

8.10.2.1 The placing of a private mooring in its allocated position and subsequent servicing and care is entirely the responsibility of the member to whom the site has been allocated.

8.10.2.2 All private moorings shall comply with all specifications and other directions of the Harbour Berthing Committee and the CEO.

8.10.2.3 Private moorings shall be inspected by an approved maintenance contractor at least every two years, or more frequently if so directed by the Harbour Berthing Committee.

8.10.2.4 If the Harbour Berthing Committee notifies any owner of a private mooring that, in its opinion the mooring is not safe, is unsuitable or is out of position, then as from the date of notification the owner of the mooring shall not allow any vessel to be moored to it until repair, alteration or adjustment of its position is effected to the satisfaction of the Harbour Berthing Committee.

8.10.2.5 Any action or work that has been ordered by the Harbour Berthing Committee and not carried out by the member, may be carried out by the Club and the expenses incurred charged to the member.

#### **8.10.3 Club Moorings**

Club moorings will be serviced and maintained by the Club. Members will be responsible for any damage caused by them.

## **9. PEN AND MOORING ALLOCATIONS**

- 9.1** The Harbour Berthing Committee has the responsibility under By-Law 1.5 to recommend By-Laws for the allocation of pens and control and safety of vessels in the Marina.

All applications for Club moorings or private mooring sites must be made in writing to the CEO.

**9.2 Pen rental agreement**

- 9.2.1 A Member allocated a pen in the Marina shall sign a pen rental agreement and lodge it with the CEO within 14 days of receiving it.
- 9.2.2 An allocation of a pen in the Marina shall not take effect until a pen rental agreement, signed by the owner, has been lodged with the CEO.

**9.3 Policy for allocation:**

- 9.3.1 Only vessels on the Club Register of Boats may occupy a pen in the Marina.
- 9.3.2 A vessel fitted with an engine must have a Certificate of Compliance defined in the Marina Safety By-Laws before it can occupy a pen in the Marina or lie alongside Club wharves or jetties.
- 9.3.3 Where applications for berths in the Marina exceed the available berths the Harbour Berthing Committee will have regard to the following criteria:
- 9.3.3.1 Sailing yachts will have priority over power yachts.
  - 9.3.3.2 Applicants with a longer period of active membership will have priority over those with lesser periods of membership.
  - 9.3.3.3 The applicant's participation in Club events.
  - 9.3.3.4 The applicant's trading support of the Club, such as fuel purchases, catering and bar trade and Club social functions.
  - 9.3.3.5 The applicant's total service to the Club.
  - 9.3.3.6 The date of receipt by the CEO of an application for a pen in the Marina or the date of issue of Certificate of Compliance, whichever is the later. This date will establish initial priority.
  - 9.3.3.7 Members may be allocated more than one pen in the marina providing one vessel is a sailing vessel or a tender vessel under 7 metres in length.
  - 9.3.3.8 When a member relinquishes a pen in the Marina and has observed all the requirements of these By-Laws and applies for a subsequent allocation for a similar sized vessel, that member will normally be given priority over applicants who have not previously been allocated a pen.
  - 9.3.3.9 The vessel's draft, length and class.
  - 9.3.3.10 Priority for allocation to Pens A1 to A9 is for wooden International Dragon Class yachts. Notwithstanding By-Law 9.3.3.7, members whose Dragon is allocated to one of these pens may be allocated a second pen in the Club Marina other than a second 'Dragon pen'.
- 9.3.4 Members seeking consideration for the allocation of a pen in the marina shall have the vessel in question entered on The Club Register of Vessels and pay the appropriate fee.

9.3.5 Members wishing to install a “floating dock” into a pen shall apply in writing to the CEO or Bosun and shall not install the item into the pen until the appropriate permissions have been granted.

**9.4.1 Policy for Retention:**

9.4.1 The initial allocation of pens will be ‘Provisional’ for a period of 12 months. Retention thereafter to be determined from time to time by the Committee and subject to participation and support levels established by the Committee and having regard to the following criteria:

9.4.1.1 The boat’s participation in programmed Club events.

9.4.1.2 The boats owner’s participation in and support for Club activities and administration.

9.4.1.3 The boat owner/s support for, and use of, Club services such as fuel purchases, bar, catering, Club and member social functions.

9.4.1.4 The boat owner’s period of membership

9.4.1.5 The boat owner’s maintenance of his boat in accordance with Club Marina Compliance By-Laws.

9.5 A pen or mooring is allotted to a vessel while it is on the Club Register of Vessels and is not transferable. When a vessel is sold the pen or mooring must be vacated. The allocation may be retained by the Owner if the vessel is to be replaced within a reasonable time, at the discretion of the Committee.

9.6 Vacant pens are available for temporary allocation by the CEO.

9.7 If the Committee terminates a vessel's allocation to a pen, or after 14 days' written notice or in an emergency, a member's vessel may be removed from the berth and placed on a Club mooring. The Club will not accept any liability for the continued safety of the vessel.

**10. MARINA COMPLIANCE BY-LAWS**

10.1 These By-Laws set minimum requirements for all vessels occupying pens or lying alongside any wharf or jetty within the Marina. These By-Laws should not be construed as providing a complete set of safety standards as the safety of each craft and its occupants is the responsibility of its Owner.

**10.2 Definitions and Interpretations**

The Definitions and Interpretations of the Club Rules of Association apply to the By-Laws. In addition, the following words shall have the meanings shown below:

'accessible' - means within reach using standard tools and easily inspected by eye.

'approved' - means as laid down in the Rules or By-Laws or authorised in writing by a Club Inspector.

'attitude' - includes upside down.

'Certificate of Compliance' - means a certificate signed by a Club Inspector certifying that a vessel complies with these Marina Compliance By-Laws.

'Club Inspector' - shall be a member authorised by the Committee.

'portable fuel tanks' - shall be of a proprietary type, corrosion proofed, made of metal or approved plastic, stable shape, with only top access points and including a contents gauge.

'should', 'preferred' and 'recommended' - means strongly advised and subject to review.

### **10.3 General**

- 10.3.1 A vessel shall not moor to any jetty, wharf or pen within the Marina unless a valid Certificate of Compliance has been issued for that vessel.
- 10.3.2 A Certificate of Compliance shall be valid for five years. Re-certification shall be by a different Club Inspector.
- 10.3.3 Changes to equipment the subject of these By-Laws shall invalidate the Certificate of Compliance.
- 10.3.4 A Club Inspector may issue a temporary Certificate of Compliance for a vessel undergoing repair, refit or construction.

### **10.4 Fuel Tanks and Fittings**

- 10.4.1 Fuel tanks shall be constructed of metal or fibreglass to DPI standards. Fibreglass tanks are subject to a manufacturer's certificate. Portable tanks shall be to Australian standards. Copper tanks are not recommended for diesel fuel. Aluminium fuel tanks shall be provided with a galvanic barrier to prevent electrolytic action.
- 10.4.2 Integral tanks, where the hull forms one or more of the tank's sides, are limited to steel or aluminium vessels and must be constructed to DPI standards and certified by a surveyor for use as fuel tanks.
- 10.4.3 Permanent tanks for outboard engine installation shall comply with the requirements listed in this section.
- 10.4.4 Fuel tanks shall not be mounted on inboard engines.
- 10.4.5 Tanks shall be supported and secured in such a way as to prevent any movement of or damage to the tank.
- 10.4.6 Fuel tank fillers nozzles shall be of metal or composite material and of an approved type and set into and sealed to the deck, so that any spilt fuel shall not drain into the vessel. Fuel fillers must not be fitted in self-draining cockpits with hatches or openings less than 150mm above the working surfaces. The connection between the deck filler nozzle and the fuel tank must be flexible enough to permit relative movement between the two. Connection by fuel resistant hose secured by two screw-action stainless steel hose clamps at each end of every hose is recommended. Spring-type hose clamps shall not be used. Connections must be readily accessible for inspection.
- 10.4.7 Metal deck filler nozzles must be earthed to the fuel tank with a bonding metal strip or insulated flexible wire of not less than 2.5mm section.
- 10.4.8 Boats with inboard petrol engines shall be fitted with an approved extractor fan to remove fumes from engine room spaces.
- 10.4.9 Petrol inboard engines shall have the fuel tank and all metal components in the fuel lines (e.g. fuel pumps, filters, etc.) earthed to the engine with a bonding metal strip or insulated flexible wire of not less than 2.5mm section. This is mandatory for petrol engines and recommended for diesel.
- 10.4.10 Welded construction is preferred for metal fuel tanks. Rivets on metal fuel tanks shall also be soft soldered.

- 10.4.11 A gas tight breather line shall vent overboard from the highest point of the fuel tank. A fuel resistant flexible hose or copper pipe free from fuel-retaining sags and fitted with metal gauze at the outboard end shall be used. Metal pipes are to have flared or cone connections. Hoses shall have flared connections or be secured by a screw-action stainless steel hose clamp at each end. Spring-type hose clamps shall not be used.
- 10.4.12 A stopcock shall be fitted as close as possible to all fuel draw-off points. Cocks on return lines are strongly recommended. Ball and diaphragm cocks are acceptable for both petrol and diesel engines: gate valves are acceptable for diesel engines but not recommended for petrol engines.
- 10.4.13 Cocks shall be fitted to the tank draw-off and return points for fuel sight gauges and provided with a device to return them automatically to the closed position. Sludge cocks shall be similarly equipped or fitted with a threaded plug to provide against unintentional discharge.
- 10.4.14 Fuel lines shall be of proprietary flexible fuel resistant hose with flared end fittings or metal pipes with flared cone end fittings. Other proprietary fuel connections may be used equivalent to AS1799.3 - 1985 Small Pleasure Boats Code - Engineering or United States Coast Guard - Recreational Boating Safety Regulations.
- 10.4.15 Final connection between the fuel tank and engine shall be by an approved flexible hose of 150mm minimum length with flared end fittings.
- 10.4.16 Fuel lines shall be positively located with plastic or metal saddles fastened with metal screws.
- 10.4.17 Outboard engine fuel lines shall terminate near the engine with a fitting to match the standard hose quick-release self-sealing coupling. Fuel hoses are to be accessible and supported clear of walking surfaces and hazards from other gear carried.
- 10.4.18 Bilges shall be free of oil and fuel.

## **10.5 Electrical Installation – General Requirements**

- 10.5.1 It is the vessel owner's responsibility to regularly check the electrical installation of his/her boat and take action as is necessary to ensure the safety of the vessel and crew from the possibility of shock or fire. The 240v or 240v/415v part of the fixed electrical installation of a vessel is by law required to comply with the AS/NZS 3000 Wiring Rules, as specified in the Electricity (Licensing) Regulations 1991. The extra low voltage fixed electrical installation (normally 12v or 24v d.c.) of a vessel is recommended to comply with the same Wiring Rules, however this is not mandatory.
- 10.5.2 It should be noted that fixed wiring installation and repair work may only be carried out by licensed electricians if the circuits operate at 240-volt single phase or 415/240 volt 3 phase. Other than for repair work, the owner can request from the licensed electrical contractor carrying out electrical installing work on the vessel, a copy of the compliance certification (referred to as a Notice of Completion 1) required by law to be issued to EnergySafety on completion of the work and it is recommended that boat owners retain a copy of these work records.
- 10.5.3 If a Club Inspector considers that the electrical installation of a vessel has significant safety deficiencies, the Club Inspector may require the vessel owner at his/her own expense to have a licensed electrical contractor:
- conduct a detailed check and test of the electrical installation and related equipment, and carry out repairs as necessary so that all parts of the installation comply with general and regulatory electrical safety requirements; and
  - issue a signed Electrical Safety Compliance Certificate for the vessel, using the form issued by

the Club Inspector,  
and this Certificate is to be returned to the Club Inspector within the time specified.

**10.6 Electrical Installation – Extra Low Voltage (less than 50v DC or 115v AC)**

- 10.6.1 Batteries are to be firmly secured in an acid-proof container capable of containing the entire liquid contents of the battery.
- 10.6.2 A fully enclosed master switch capable of breaking the full load current of the electrical system associated with each battery bank shall be fitted in an accessible position as close as possible to the batteries but not on the engine.
- 10.6.3 Switchboards are to be located so they are not adversely affected by sea-air, water, oil or fumes. Switchboards shall be provided with enclosures that are made of metal or material that is flame retardant and self-extinguishing.
- 10.6.4 All wiring and connectors shall be maintained in good condition and adequately supported. Supports using fastenings which penetrate or damage wiring insulation are not acceptable. All wiring shall be protected against physical damage by virtue of location, or by additional protection such as through armouring or wiring enclosures. Cables of 240v and cables of extra low voltage circuits shall not be enclosed in the same wiring system unless installed as required by the AS/NZS 3000 Wiring Rules.
- 10.6.5 Generators, starter motors, regulators, relays and electrical equipment shall be of approved marine type.
- 10.6.6 All electrical circuits shall be protected/controlled by either moulded case miniature air circuit breakers, or in the case of older vessels, fuses plus enclosed switches. Automatic bilge pumps shall be incorporated in a separate circuit with a fuse of appropriate size.

**10.7 Electrical Installation – 240v (and 415v 3 phase)**

- 10.7.1 Regardless as to whether the vessel has a permanent electrical installation (i.e. wiring is fixed in place) or whether portable, flexible cords are used to connect equipment, shore power consumption is limited to 15 amperes at 240v. Vessels with permanent 240v electrical wiring shall therefore be fitted with a 15 ampere moulded case miniature air circuit breaker to limit the current demand.
- 10.7.2 All shore power leads must be compliant with the testing and tagging requirements of AS/NZS 3760. It is the responsibility of the owner to ensure their shore power lead certification is current and tagged appropriately.
- 10.7.3 The connection between the vessel and the shore shall be made with a heavy duty, double insulated 3 core flexible cord (referred to as the "supply lead"). The shore end shall be fitted with a 3 pin plug complete with knurled locking ring, to secure the plug and prevent entry of moisture. In the case of a vessel with permanent 240v electrical wiring, the vessel end of the supply lead shall plug into an 'appliance inlet socket' installed on the superstructure of the vessel, and this end of the cable shall also be fitted with a 3 pin plug with knurled locking ring. Worn or damaged shore cables should be repaired (e.g. with heat shrink sleeves) or replaced. The supply lead shall be long enough and arranged so that it will permit normal movement of the vessel at its pen without undue stress.
- 10.7.4 Particular requirements for vessels with permanent 240v or 240/415v wiring:
  - a) By law, the electrical installation must comply with the AS/NZS 3000 Wiring Rules (additionally, compliance with Sections 3 and 4 of AS/NZS 3004 is recommended but not compulsory);



- b) If an onboard 240v or 240v/415v generator is installed and able to be connected to the fixed electrical installation of the vessel, there shall be a changeover switch that allows either the shore power supply or the generator output to be connected to the vessel's 240v or 240/415v installation and individual circuits shall not be capable of being energised by more than one source of electrical power at a time. The generator's output shall be protected with a suitably rated moulded case miniature air circuit breaker.

Electrical Safety Compliance Certificate	
Vessel Name: .....	
The electrical installation of this vessel was checked on the date shown.	
<ul style="list-style-type: none"> <li>• Checks and tests confirmed that at this date the installation's low voltage parts (240v or 240/415v a.c.) complied with the essential safety requirements of the current AS/NZS 3000 Wiring Rules and is safe to connect to shore power supply.</li> <li>• Checks confirmed that at this date the extra low voltage parts (&lt; 50v a.c. or 115v d.c.) also complied with the essential safety requirements of the current AS/NZS 3000 Wiring Rules.</li> </ul>	
..... ELECTRICAL CONTRACTOR NAME	..... CONTRACTOR LICENCE NUMBER
..... NAME (PRINT) & SIGNATURE	..... DATE
<p><i>This form has been prepared by EnergySafety WA, for use by Electrical Contractors to issue to vessel owners who wish to have their vessel's electrical installation confirmed as complying with their Yacht Club's requirements. The form is not a substitute for a Notice of Completion which the electrical contractor must submit to EnergySafety after the carrying out of electrical installing work.</i></p>	

## 10.8 Fire Extinguishers

- 10.8.1 Fire extinguishers shall be carried in accordance with Department of Transport regulations. The minimum number of extinguishers to be carried is one for vessels under 7.5 metres in length, two for vessels over 7.5 metres but less than 10 metres, plus one extinguisher for every additional 2.5 metres or part thereof.

Extinguishers are to bear the stamp of the Standards Association of Australia and conform to one of the following:

- AS1841.1 and AS1841.4 (foam)
- AS1841.1 and AS1841.5 (powder)
- AS1841.1 and AS1841.6 (CO2)
- AS1841.1 and AS1841.7 (vaporizing liquid)

- 10.8.2 Fire extinguishers shall be strategically distributed throughout the vessel in easily accessible locations, to the safety officer's satisfaction.
- 10.8.3 The minimum capacity of any fire extinguisher shall be 10BE.
- 10.8.4 A permanently fixed fire suppression system (either automated or manually operated) shall be fitted to the machinery spaces of power yachts over 15 metres and all vessels with a fuel tank capacity in excess of 3000 litres.
- 10.8.4 All fire extinguishers shall be replaced in accordance with the manufacturer specifications, at the owner's expense.

## 10.9 L.P. Gas

- 10.9.1 It is the vessel owner's responsibility to regularly check the gas installation and related equipment of his/her boat and take action as is necessary to ensure the safety of the vessel and crew from the possibility of explosion or fire.

- 10.9.2 The gas installation of a vessel is by law required to comply with the *Gas Standards (Gas fitting and Consumer Gas Installations) Regulations 1999* which stipulate certain requirements in addition to requiring compliance with AS5601 Gas Installations, which contains general requirements for gas installations and requirements specific to LP installations on marine craft.
- 10.9.3 Particular attention is drawn to clause 6.3.7.11 of AS5601 which states: "Where an appliance with a continuously burning flame is to be installed below the upper deck and there is no low level ventilation in the area where the appliance is to be installed, a combustible gas detection system complying with Appendix K (of AS5601) shall be installed".
- 10.9.4 Gas fitting work may only be carried out by licensed gas fitters and on completion the gas fitter is required to fit a compliance badge<sup>2</sup> to the vessel, in respect of the work performed. The gas fitter is also required to complete a Notice of Completion<sup>3</sup> and submit that to *EnergySafety* and a copy to the vessel owner.
- 10.9.5 Gas cylinders are to be within test date and in good condition.
- 10.9.6 Requirements equivalent to those for electrical installations as specified in By-Law 10.6 also apply to gas installations. The Club's Inspector may therefore require an installation to be checked and tested by a licensed gas fitter to confirm compliance, at the owner's expense. In such instances the confirmation must be in the form of a Gas Safety Compliance Certificate for the vessel, using the form issued by the Club Inspector, and this Certificate is to be completed and signed by the licensed gas fitter and then returned by the vessel owner to the Club Inspector within the time specified.

<b>Gas Safety Compliance Certificate</b>	
Vessel Name: .....	
The gas installation of this vessel was checked on the date shown.	
Checks and tests confirmed that at this date the installation complied with the current AS5601 <i>Gas Installations</i> and the additional requirements of the <i>Gas Standards (Gas fitting and Consumer Gas Installations) Regulations 1999</i> .	
GF	
..... GAS FITTER BUSINESS NAME	..... GAS FITTER LICENCE NUMBER
..... NAME (PRINT) & SIGNATURE	..... DATE
<small><i>This form has been prepared by EnergySafety WA, for use by Licensed Gas Fitters to issue to vessel owners who wish to have their vessel's gas installation confirmed as complying with their Yacht Club's requirements. The form is not a substitute for a Notice of Completion which the Gas Fitter must submit to EnergySafety after the carrying out of any gas installing work.</i></small>	

**10.10 Department of Transport Regulations**

All vessels subject to these By-Laws shall comply with relevant Department of Transport regulations regarding navigation, safety, and lifesaving equipment.

**11. VOTING PROCEDURES AT ANNUAL GENERAL MEETINGS**

- 11.1 Nominations for Flag Officers, Honorary Treasurer and Committee shall be signed by two voting members and shall be lodged, together with the nominee's consent, with the Chief Executive Officer not later than 5.00 pm, 21 days prior to the Annual General Meeting. This shall be

<sup>2</sup> See sample of gas Compliance Badge attached.

<sup>3</sup> See attached sample of Notice of Completion re gas installing work.

accompanied by a declaration that the nominee is not excluded from being on a Committee as prescribed by section 39 and 127 of the Association Incorporations Act 2015.

11.2 The election of Flag Officers and Honorary Treasurer and for vacancies on the Committee shall be by ballot and taken in the following manner:

11.2.1 The names of candidates shall be printed on ballot forms. Each voting member present at the Annual General Meeting shall be given one ballot form, from which they should strike out the names of any candidates for whom they do not wish to vote, leaving the same number of names as there are vacancies. Informal or spoiled ballot papers shall be invalid.

11.2.2 Any voting member who will be absent from an Annual General Meeting may obtain a ballot form from the Club Office and record their vote which must be returned to the Club Office not later 24 hours before the time set down for the meeting. Forms may be returned electronically. Once a Member has registered for an absentee vote, that voting paper is their sole option for voting. That member will not be eligible to vote at the AGM in person even if the absentee ballot form is unused or unreturned.

11.2.3 The Chief Executive Officer will use their best endeavours to ensure the confidentiality of voting. However, members electing to vote electronically implicitly accept that the confidentiality of the vote cannot necessarily be maintained. The Chief Executive Officer or their designate will print off the vote and place into the absentee ballot box on behalf of the member.

11.2.4 Scrutineers appointed by the meeting shall collect all the forms, and together with any absentee ballot forms submitted in accordance with this Bylaw, shall determine the candidates that have been elected.

## **12. ON-WATER PASS**

12.1 Non members of the club may participate in specified club events, and have access to the clubs premises and facilities for the purpose of those events on the terms and conditions contained in this By-Law.

12.2 To participate in the specified Club events the participant is required to obtain an On-Water Pass and to pay the fee, if any, specified by General Committee from time to time.

12.3 An On-Water Pass holder shall be deemed a Temporary Member of the Club, by invitation, with rights and obligations as specified herein.

12.4 General Committee shall set the number of passes, costs thereof and terms of use relevant to various club events, and shall publish those terms in relevant Club literature, on a timely basis.

12.5 Access to the club, as a Temporary Member pursuant to this By-Law, shall be taken to mean for 2 hours prior to the commencement of the scheduled event and for 4 hours after conclusion of such event (or closure of the club, if earlier). The CEO shall be at liberty, for a single event, to reduce or expand the above hours where circumstances warrant.

12.6 On-Water Pass Temporary Members shall not:

- i) have a club charge account,
- ii) be provided with an access card,
- iii) be entitled to any member specific purchase discount,
- iv) be entitled to book dining facilities or private functions.

- v) attend club functions (except where integral to On-Water Pass event), unless as a Guest of a non-temporary member (under Guest Rules).
  - vi) be entitled to park in club grounds on days/times where Member Only parking is in place.
  - vii) be entitled to park in Member Only specified parking areas, at any time.
- 12.7 On-Water Pass Temporary Members are entitled to a credit, to the amount of any relevant Nomination fee charged, for any amounts paid as On-Water Pass fees.
- 12.8 On-Water Pass Temporary Members are required to comply with all club Rules, Policies and By-Laws, except where inconsistent with these terms or where not relevant to the Temporary Member category.
- 12.9 For the purposes of compliance with Schedule 1, Item 1.10 (b) (i) of the Rules, the term “2 months” shall be taken to mean “2 continuous months” in relation to the term of membership for an On-Water Pass Temporary member.

## Version Control

<b>Version</b>	<b>Date</b>	<b>Revision</b>
1.0	June 2019	New By-laws passed at June meeting of General Committee
1.1	July 2019	Alter By-law 8.3 to introduce deposits for mooring holders
1.2	June 2020	Add By-law 11. AGM Voting Procedures
1.3	July 2020	Alter By-law 8.9 to simplify and introduce Mooring Lines Policy
1.4	Aug 2020	Amend Bylaw 10.2 (fuel container capacity) and 10.8 (fire extinguishers)
1.5	Mar 2021	Addition of Bylaw 12 On-Water Pass
1.6	April 2021	Addition of Junior Members to Bylaw 3.5 to enable a gate card to be issued.