



# TRENT POWER BOAT AND SKI CLUB CONSTITUTION AND RULES

Revision 3

Founded

1965

<b>Amended</b>	<b>Revision</b>	<b>Detail</b>
2002	1	
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## **TRENT POWER BOAT AND SKI CLUB CONSTITUTION AND RULES**

### **1. TITLE**

The name of the Club shall be the Trent Power Boat and Ski Club hereinafter referred to as the TPSC or the Club.

### **2. OBJECTS**

The objects of the TPSC shall be:-

- a) to encourage the sport and practice of water-skiing.
- b) to take part in and organise water-ski events of all types.
- c) to protect the interests of the TPSC members on the River Trent or other waters for the time being under the control or usage of the TPSC.
- d) to provide and maintain suitable equipment to facilitate the practice and control of water-skiing on the River Trent or other waters for the time under the control or usage of the TPSC.
- e) to do all such things as are incidental or conducive to the furtherance of the objects of the Constitution and Rules of the TPSC.

### **3. ADDRESS**

The registered address of the TPSC shall be that of the currently elected TPSC Secretary.

### **4. MEMBERSHIP**

The Trent Power Boat and Ski Club shall consist of the following categories of membership:-

- a) Full Members, who shall be of over 19 years of age and who shall have registered and continue to register a boat-owning membership within the TPSC.
- b) Family Membership, shall be for those family groups registering a boat with the TPSC and shall be available to a husband and /or wife and shall include any children, who are members of the family, below the age of 19.
- c) Associate Membership, shall be available to all, non boat owning persons over the age of 19.
- d) Junior Membership, shall be available to all persons 18 years and under wishing to take part in water-skiing within the TPSC.

Responsibility for such Junior Members shall be at all times rest with the registered boat-owning member/s with whom the Junior member is skiing.

- (e) DAY MEMBERSHIP, shall be available to all persons, wishing to take part in water-skiing with registered TPSC boat-owning members. Day Membership tickets must be completed Before any non registered person takes part in water-skiing activities within the TPSC. Responsibility for the registration and conduct of a Day Member shall be at all times rest with the registered boat-owning member with whom the Day Member is participating.
- (f) HONORARY MEMBERSHIP, may be conferred upon any person who shall have deemed to have been of particular service or distinction to the TPSC and/or its objectives. The election of Honorary Members shall be at a Annual General Meeting (AGM) or a Special General Meeting (SGM) of the TPSC. Honorary Membership shall be for such period and under such conditions as shall be decided at the time of appointment, but shall not include a right to vote at meetings of the TPSC.

Any person may resign from any category of membership by giving written notice to the TPSC Membership Secretary.

## **5. DISCIPLINARY PROCEEDINGS**

The Committee of the TPSC shall be empowered to take such disciplinary action/s as it deems necessary against any member of the TPSC, who has acted against the Constitution and/or Rules of the TPSC or who has acted in such a way to be considered to be against the best interests of the TPSC.

Notification of pending disciplinary proceedings shall be sent to the member/s concerned, giving at least (7) clear days notice of the date at which the matter will be considered. Such notification shall state the full details of the circumstances leading to the consideration of disciplinary proceedings.

The member/s shall have the right to reply either in writing or by way of personal hearing before the Committee of the TPSC and shall have the right to be represented at any personal hearing and to call any witnesses that may be appropriate.

When a member/s requested a personal hearing in connection with disciplinary proceedings, the TPSC Secretary shall call a meeting at which the matter will be considered and shall give the member/s concerned at least seven (7) days notice of the date of the meeting.

Disciplinary actions against any member/ s who are found to have acted against the Constitution and/or Rules of the TPSC, or who have found to have acted contrary to the best interest of the TPSC, shall be the way of:-

- a) Official Warning as to the member/ s future conduct within the TPSC
- b) Suspension from membership of the TPSC for such period and under such conditions as the Committee shall deem appropriate.
- c) Expulsion from membership of the TPSC.

All decisions relating to Disciplinary Proceedings shall require a two thirds majority of the TPSC Committee voting in favour of the Disciplinary Action/s.

## **6. EFFECT OF SUSPENSION OR EXPULSION**

Any member/s who are suspended or expelled from membership of the TPSC may not utilise any property, facility or waters of the TPSC. Expelled members may not take out Day Membership within the TPSC or rejoin the TPSC in any category of membership, other than at the discretion of the TPSC Committee, voting by a two third majority in favour.

If a suspended person/s membership comes due during the period of suspension, such membership must be renewed in the usual way, or it will lapse and the member/s will, in due course have to re-apply for membership of the TPSC.

Renewal of membership will not effect the terms and conditions of any suspension, but will nevertheless reserve the continued rights of membership during the period of suspension.

## **7. MEMBERSHIP FEES AND SUBSCRIPTIONS AND BOAT DOCUMENTS**

Fees and subscriptions for all categories of membership within the TPSC shall be decided by the Committee of the TPSC, subject to ratification by the voting members of the TPSC at an Annual General Meeting, or a Special General Meeting.

All fees and subscriptions for current members of the TPSC become due and are payable, not later than 31st March of the due year. Any member not renewing by that date, will be deemed to have resigned from the TPSC and will have forfeited all rights and privileges of membership of the Club. All boats must have valid Boat Insurance and River Licence for either the full period of the Club Year or by taking out an Explorer Licence. The Explorer Licence currently gives up to thirty days

use on our zones at any time within a 12 month period - the days do not need to be consecutive. Proof of purchase plus the display on the boat of a current valid licence is mandatory.

## **8. COMMITTEE**

(a) The management and administration of the TPSC shall be vested in the TPSC committee which may consist of:-

CHAIRMAN  
SECRETARY  
TREASURER  
SAFETY OFFICER  
ZONE CO-ORDINATORS  
MEMBERSHIP SECRETARY

The Membership Secretary may be paid such honorarium as the Committee shall decide. The Membership Secretary shall not, by virtue of this office, be entitled to vote at any meetings of the TPSC or its Committee.

Annual membership subscriptions may be waived for any member/s, in any category of membership, during the period they serve on the TPSC Committee. The Committee shall meet at such times as the Chairman shall deem appropriate and at all such meetings a 50% attendance of the elected Committee shall constitute a quorum.

(b) Casual Vacancies

The Committee shall have the power to appoint any suitable person, from within the TPSC membership, to fill any vacancies which may occur on the Committee. Any member/s so appointed shall retire at the next AGM, but shall be eligible for nomination and election to any future position on the Committee.

(c) Sub-Committees

The Committee shall have the power to appoint suitable persons to serve on sub-committees of the TPSC. The Committee shall depute to the sub-committees such powers and duties as shall be appropriate to their function/s. All sub-committees shall produce written reports on their proceedings and shall, at the discretion of the Chairman, attend and report to a meeting of the TPSC Committee.

The TPSC Committee shall have the power to dissolve any sub-committee by a majority vote at a meeting of the TPSC Committee.

(d) Voting

Voting at the meeting of Committee shall be a show of hands and, unless otherwise called for by the TPSC Constitution and Rules, a simple majority will required for the passing, or acceptance, of any motion or resolution. In the event of a tied vote, the Chairman shall have a second or casting vote.

## **9. PRESIDENT AND Vice-Presidents**

The members of the TPSC may, on the recommendation of the Committee, or on a motion from the members at an AGM or a SGM, elect a President and/or Vice President/s in order to show the Clubs appreciation of outstanding services to the TPSC.

Election of a President and/or Vice President/s shall be by a simple majority of voting members present. Persons elected to the positions of President and/or Vice Presidents of the TPSC shall not

be entitled to voting rights, other than those to which they may already be entitled by virtue of any membership they already hold within the TPSC.

A resolution calling for the removal of a President and/or Vice President/s shall be considered at an AGM or SGM. At least two thirds of the voting members present must vote in favour of the resolution in order for it to have effect.

## **10. ANNUAL GENERAL MEETING**

- a) An Annual General Meeting (AGM) shall be held not less than ten (10) and not more than fourteen (14) months from the date of the previous Annual general Meeting.
- b) The precise date and venue for the holding of and AGM shall be at the discretion of the Committee.
- c) At least twenty one (21) clear days notice of the Annual General Meeting shall be given to all currently registered members at the TPSC. Notice of the meeting shall be sent to the registered address of the member. Non-receipt of notice, by any member, shall not invalidate the holding of an Annual General Meeting.
- d) The business of the Annual General Meeting shall include:-
  - i. the submission of the audited accounts for the previous year.
  - ii. the Chairman's report
  - iii. election of Officers and Committee members for the forthcoming year.
  - iv. the appointment of auditors.
- e) Nominations for election of Officers and Committee members must be made in writing and must be received by the Secretary at least seven (7) days prior to the date of the Annual General Meeting.
- f) Voting at the TPSC Annual General Meeting and at any Special General Meetings, shall be by currently registered Full and Family members. In the case of Family Members, only one vote shall apply in respect of each boat so registered.
- g) Members wishing to raise any item under "Any Other Business" at the AGM, should send details to the Secretary, prior to the date of the AGM.

## **11. SPECIAL GENERAL MEETING**

A Special General Meeting shall be called upon receipt of a written resolution signed by at least ten (10) Full and/or Family members of the TPSC, or on a resolution passed by at two thirds majority of the Committee. Such a resolution shall state the purpose for which such a meeting is to be called. The TPSC Secretary shall call a Special General Meeting within twenty eight (28) days of receipt of a valid resolution, made in accordance with this, Section 11, of the Constitution. Notification of the Special General Meeting, giving the date, time, venue and purpose for the meeting, shall be sent to all members at least seven (7) days prior to the date of the SGM. In the event that the Secretary does not call a Special General Meeting in accordance with the conditions of Section ii of this Constitution, the signatories to the resolution calling for a SGM shall be empowered to call the meeting at their discretion.

## **12. TRUSTEES**

The Committee shall appoint, from within the members of the Committee, suitable persons to act as Trustees on behalf of the TPSC. Up to four (4) Trustees may be appointed and shall be indemnified against all actions, claims and costs arising from their appointment as Trustees of the TPSC, provided always that this indemnity shall not extend to any actions or decisions the Trustees may take contrary to the Constitution and Rules of the TPSC.

Trustees may be removed or replaced on a resolution giving at least twenty one (21) days notice, to the effect and passed by a two third majority of the TPSC Committee.

### **13. RULES AND BYE LAWS**

The Committee shall make, amend and repeal all such rules and bye-laws not inconsistent with the Constitution, as they shall think expedient for the well being and management of the Club.

All rules and bye-laws made under this section, shall be binding upon all TPSC members, but shall be subject to ratification at the next AGM or SGM. No such rule or bye-law shall, however, be considered to have effect unless and until details of the rule, and/or bye-law have been circulated, in writing, to all current TPSC members.

### **14. DISSOLUTION**

If, at any Annual General Meeting, a resolution calling for the dissolution of the Trent Power Boat and Ski Club shall be passed by a majority of the voting members present and such a resolution shall, at a Special General Meeting held not less than one month thereafter, at which not less than one third of the currently registered voting members shall be present, be passed by a majority of at least two thirds of the members voting thereon. The Committee shall thereupon at such future date as shall be specified in the resolution, proceed to realise the property and assets of the TPSC. After discharge of all liabilities, any residual equity of the TPSC will be equally divided amongst the currently registered members of the TPSC, or may, with agreement of the members, be passed to a body having objects of similar nature to those of the Trent Powerboat and Ski Club.

Upon completion of such distribution, the Trent Powerboat and Ski Club will be deemed to have been dissolved.

### **15. AMENDMENT OF THE TPSC CONSTITUTION**

Amendments, alterations or additions to the Constitution of the TPSC may only be made at an Annual General Meeting, or Special General Meeting of the Club. Notification and details of the proposed changes must be sent to all members of the TPSC in accordance with the Section 10c of this Constitution.

### **16. INTERPRETATION**

The interpretation Act of 1978 shall apply to this Constitution and Rules.

### **N.B.**

The Committee shall be empowered to make a decision on any question that may arise and which is not covered by the Constitution and Rules of the TPSC, provided always that such decisions are not contrary to Statutory or Natural Justice, or against the best interests of the TPSC.

The Constitution shall take effect upon passing of a resolution for its adoption at the Annual General Meeting of the Trent Power Boat and Ski Club, to be held on February 7th 2011 and shall thereafter be binding upon all members of the TPSC.

## **TRENT POWERBOAT AND SKI CLUB RULES AND BYE-LAWS**

1. These Rules and Bye-Laws are made and implemented under Section 13 of the TPSC Constitution.
2. Rules and Bye-Laws are necessary in order to facilitate the smooth effective management of the Club and to ensure that the sport of water-skiing can be Practised by our members in safety and with the enjoyment and consideration of all those who are on, in or by any waters for the time being used by TPSC members.
3. It shall be the duty of all TPSC members to point out to other members any infringement/s of the TPSC Constitution, Rules or Bye-Laws. If necessary any such infringement/s should be reported to the TPSC Secretary, giving details of the particular incident, together with the names of any witnesses, who are able to confirm what occurred.
4. No member shall operate a TPSC registered boat without excepting personal responsibility for all those that are either in the boat or participating in water- skiing activities with the boat. The boat owner is also responsible for the following:-
  - a) For the observance of the TPSC Constitution , Rules and Bye-Laws.
  - b) Maintaining a valid River Licence and Boat Insurance for the full period of the Club year.
  - c) For making good any damage, and accepting personal liability for any claims made upon the TPSC, its Officers, or Committee or upon the Canal and River Trust as a direct result of the operation of the boat, engine or ancillary equipment therein.
  - d) That, except at times and in areas specified by the TPSC, the speed limits imposed by the Canal and River Trust shall be observed.
  - e) A competent and responsible observer shall accompany the driver at all times whilst anyone is being towed.
  - f) Only TPSC members over the age of 17 years may drive TPSC registered boats. Inexperienced drivers must at all times be accompanied by a competent driver who is not also acting as an observer. "Day Members" of any age may not drive TPSC registered boats unless they have passed the BWSF or equivalent Boat Drivers examination. Members under 17 years of age, who have passed the BWSF or equivalent Boat Drivers examination may drive boats on TPSC controlled waters on condition they are accompanied by a competent driver who is not also acting as an observer.
  - g) No interference or inconvenience shall be caused to other persons who are either in, on or by the River Trent or others waters for the time being used by the TPSC.
  - h) That all persons being towed are fully proficient or are under supervision of a competent person who is not the boat driver.
  - i) That all passengers in the boat shall at all times wear suitable and adequate buoyancy aid.
5. All TPSC Registered Boats must at all times comply with the following:-
  - a) The Official Club Identification sign and number must be clearly displayed on both sides of the boat. These signs remain the property of the TPSC and must be returned to the Membership Secretary on demand.
  - b) A current TPSC Boat Licence and appropriate zone qualifications must be clearly displayed on the windscreen.
  - c) All boats must be fitted with a fully functional emergency cut-off facility (jack plug) which must be attached to the driver at all times whilst the boat is underway.
  - d) An approved fire extinguisher, first aid kit, electric horn (fitted to the boat), and suitable buoyancy equipment, must be on/in the boat at all times whilst the boat is

operating on the TPSC controlled waters. For details of specifications of essential equipment, please contact the TPSC Secretary or Safety Officer.

- e) It is a condition of the Clubs privilege to operate on the River Trent, that all boats clearly display the Canal and River Trust registration number on both sides of the boat and that the licence is displayed on the windscreen.

6. Only six (6) boats may operate on the Gunthorpe Zone at any one time. Learners are not allowed to use the Gunthorpe Zone on Saturdays, and Sundays or Bank Holidays, other than with the express approval of a Club Official.
7. All boats being submitted for registration within the TPSC must comply with the current specifications, as laid down by the Club Safety Officer and Committee and approved at a TPSC Annual General Meeting. A copy of these specifications may be obtained from the Club Secretary.
8. The Committee shall have the power to register a boat/s which do not confirm to the current specifications for TPSC boats, for the purpose of training, coaching, demonstrations or other purposes deemed by the Committee to be in furtherance of the Objects of the TPSC.
9. Except in emergency, no TPSC boat may land or moor at any area other than at a designated landing areas/ski platforms.
10. Camping or overnight parking of caravans or similar vehicles is not permitted on any of the areas adjacent to, or within the TPSC Zones, other than by written permission of the appropriate authority.
11. All persons in the boat must be properly seated whilst the boat is under-way. Disciplinary action will be considered against anyone sitting on the side of the boat, or on the engine cover etc., whilst the boat is moving. The Committee and/or Safety Officer may waive this Bye-Law for approved coaches carrying out instruction on authorised courses or events.
12. All TPSC members must be able to produce their membership cards at any time whilst they are using the TPSC waters. It is the responsibility of the boat driver to ensure that anyone using the boat, (including day members) do have a current membership and can produce their membership card if requested by a Club Official. A person unable to produce a current membership may be refused access and use of TPSC facilities.
13. If a non-member is towed behind or allowed to drive a TPSC registered boat, the boat will be suspended from operating on TPSC waters and could result in permanent expulsion of the registered Full/Family membership.
14. Petrol Cans must not be left on, or boats refuelled at, any TPSC landing-stage, ski platform or jetty.
15. Boats operating on TPSC waters or zones from one hour after sunset to one hour before sunrise, must show correct navigational and/or anchor lights.
16. TPSC registered boats shall not tow anyone during the period from one hour after sunset to one hour before sunrise.
17. Open fires, other than controlled barbecues, are not allowed on any areas adjacent to, or within TPSC Zones.



18. All persons being towed behind TPSC boats must wear suitable wet-suits, dry suit, life-jacket or approved buoyancy aid.
19. Life jackets are not compulsory for the driver whilst he/she is actually driving the boat and connected to the jack plug
20. TPSC members are not allowed to jump from any bridge, wharf or jetty, other than designated TPSC platforms or take off areas.
21. Inflatable Ski Rings:- Members can only use these items when the boat, being used for towing, is displaying a special licence disc, obtained from the Membership Secretary, following production of confirmation that the boats insurance policy includes the use of this type of product. Not more than two such items may be towed at any one time with a tow-line, not exceeding 40ft. in length from the stern of the boat. Applications must be in writing to the TPSC Secretary. These products may not be used at the Gunthorpe Zone on weekends and Bank Holidays.
22. Inflatable items, other than defined under the Bye-Law 21 above, may not be used on any of the TPSC river zones.
23. A Club Official may decide and rule upon any situation that arises which is not covered by the Constitution, Rules and Bye-Laws provided/always that such decisions are taken in the best interests of the TPSC and/or its members and are not contrary to the Constitution and Rules, Rules and Bye-Laws or Statutory Laws or Natural Justice.
24. Any accident or injury must be reported to a Committee Member on the day it occurred.