

## **CLUB BYE-LAWS 2021**

These Bye-Laws are issued under the authority of the Articles of Association. Failure to comply with them may lead to termination of membership. For the purpose of these Bye-Laws, Permit Holders and Affiliate Membership Groups are considered corporately as a member.

### **Limitation of the Club's Liability**

1. Members of the Club, their guests and visitors may use the Club premises and any other facilities of the Club entirely at their own risk. This implies that the Club will not accept any liability for personal injury, damage to or loss of property belonging to members, their guests or visitors to the Club, arising out of the use of the Club premises and/or any other facilities of the Club, or out of participation in any event organised by the Club whether sustained by members, their guests or visitors, whether or not such damage or injury could have been attributed to or was occasioned by the neglect, default or negligence of any of the Club's Officers, Committee, helpers or servants to the Club.

### **Safety**

2. (a) A boat is entirely responsible for its own safety, whether afloat or ashore, and nothing in notices of events, Club programmes or anywhere else, reduces this responsibility. It is the sole responsibility of the skipper/owner of a boat to ensure that it is sound, suitable for the conditions and adequately equipped to take part in a particular event and the crew is sufficiently competent, experienced, physically fit and suitably clothed to take part. The provision of support boats does not relieve the boat of its responsibilities.  
  
(b) Open Water swimmers:
  - must accept that they swim at their own risk;
  - must evaluate the prevailing water and weather conditions and make their own decision about suitability for swimming;
  - must be accompanied by a swimming buddy in the water at all times;
  - must wear a high visibility swimming cap at all times.
3. Members, particularly parents and guardians, are warned that the Club is only able to provide support boat cover and other support facilities during the hours of Club events. Outside these hours parents and guardians have sole responsibility for their children and wards and must appreciate that the club cannot be expected to exercise supervision or control. Even during a Club event the Club cannot accept responsibility for children, or any other person, not engaged in the event. Parents or guardians who leave their children or wards unsupervised at the lake should make their own safety arrangements. As a guide it is suggested that, as minimum cover, a responsible person remains onshore to summon and provide help in an emergency. If kayaking in a closed kayak, then a minimum of two must always be afloat and in company.
4. A child under 10 years old attending a Club event, including Junior events must be accompanied by a parent or guardian or an adult nominated by them, who will be responsible for the safety and welfare of the child throughout the whole time the child is on Club premises. If appropriate, the name of the nominated person should be made known to the event organiser. It is strongly advised that children of 10 and over should not be left entirely to their own devices even during Club events.

A child under the age of 18 may not take part in Open Water Swimming sessions.

5. When sailing with the Club as visitors to other clubs, C.M.Y.C. members shall be under the jurisdiction of the Race Officer of the host club and will comply with his instructions and the rules of that club. Their sailing instructions shall take precedence over C.M.Y.C. instructions except where they specify a lower level of safety.
6. Individuals, other than the duty crew, are not allowed in powerboats unless an Instructor or Powerboat Helm considers it necessary in an event management and/or safety context.

## **Members, Guests, Permit Holders and Affiliated Groups**

7. (a) No member shall invite a particular visitor, with the exception of member's grandchildren, to participate in Club race meetings or to sail on Hedgecourt on more than three occasions in any calendar year. Host members should make the presence of sailing guests known to the Race Officer and ensure that the visitors are aware of and abide by the Club's rules and Bye-laws.

(b) No Open Water Swimming Restricted Member may invite a particular visitor to join them in any water-based activity.

8. Permit Holders and Affiliated Groups shall accept the authority of Club Officials and show their permits on request. Use of the lake shall be limited to the days and times stated on the permit and to the use of permitted craft.

## **Use of the Lake, Launching and Sailing Areas**

9. (a) The lake is not to be used before sunrise or later than 30 minutes after sunset. Care should be taken to avoid unnecessary noise or disturbance to local residents.

(b) Designated times for Open Water Swimming are:

Monday, Wednesday and Friday mornings to 09:30

Thursday evenings from 17:30

10. (a) Personal buoyancy must be worn at all times by every person when afloat at Hedgecourt, or on a jetty, or at any water based event organised by the Club. Wet or dry suits are not considered to provide adequate personal buoyancy.

(b) Open water swimming is an exception to the above.

11. (a) Boats may only be launched from the jetties and slipways near to the clubhouse and may not land on any of the private land surrounding the lake.

(b) Open water swimmers may only enter and exit the lake by climbing in and out using the ladder at the end of the right hand jetty.

12. (a) Except for emergencies, essential maintenance and ecological surveys, no types of craft nor open water swimmers may enter the areas set aside for bank fishing or other uses. Such areas are normally indicated by white marks laid a few yards/metres from the shore.

(b) Except for emergencies, essential maintenance and ecological surveys, the area occupying the south west corner of the lake, marked by white buoys, is out of bounds to all types of craft during the bird nesting season from March to July and to open water swimmers at all times.

(c) Open Water Swimming is only permitted around the course laid out and marked with yellow buoys and all swimmers must swim in a clockwise direction around the course.

13. (a) Use of the lake is limited to sailing dinghies, sailboards, canoes, kayaks, paddle-boards and rowing dinghies.

(b) Except in case of an emergency the use of the lake by all types of craft is prohibited during open water swimming sessions.

14. Except in an emergency, or as authorised by a Committee Member, swimming - except for designated open water swimming sessions - paddling, use of inflatable floats, use of motor boats or outboard engines, is prohibited.

15. All boats, sailboards and other craft, trolleys and trailers, parked, used or sailed at the lake or used in any Club event shall have valid and adequate insurance cover for third party liability.

16. If there are six or more boats of the same class in the Club, the owner members of those boats may

apply to the Sailing Sub-Committee for the class to be adopted by the Club. A Class Captain should be elected to represent the owner members on sailing matters affecting that class. The continuation of adopted status of a class shall be reviewed annually by the Sailing Sub-Committee.

17. All craft must display a current annual membership sticker in a position on the craft where it can be readily seen, even with the cover in place.
18. The 1972 International Regulations for the Prevention of Collision at Sea (I.R.P.C.S) shall apply to navigation on the lake. When cruising and racing boats are in conflict the I.R.P.C.S shall take precedence.
19. All craft used on the lake and propelled by oars or paddles shall, for the purpose of applying the Collision Regulations, be rated as power driven vessels. All such vessels are required to keep well outside of the boundaries of the racing course, or courses, whilst racing is in progress.
20. The Sailing Sub-Committee may appoint any member to act as Duty Officer or Race Officer and members so appointed have the authority to control the activities of members present and if considered advisable to suspend non racing activity whilst racing is taking place.

### **Club House, Dinghy Park and Launching Areas**

21. The clubhouse facilities must be left clean and tidy by the last user and all lights and showers turned off and exterior doors and windows locked. Any clothing left in the changing rooms will be removed and if not claimed within one month may be disposed of.
22. Craft are stored in the Boat Park at owner's risk and no claims for damages howsoever caused will be entertained by CMYC Ltd. CMYC Ltd reserve the right to move craft for purposes of efficient management of the Boat Park in the interests of all members. Any craft not displaying a current Membership sticker may be removed. If at any time any Boat Park or facility fees payable to the Club by any member or former member are more than three months in arrears:
  - (a) The Committee shall be entitled to move the craft to any other part of the premises without being liable for any loss or damage to the boat however it is caused. In this Bye-Law the term 'craft' includes any accompanying equipment, trailer or trolley.
  - (b) The Committee shall be entitled upon giving one month's notice in writing to the member or former member, at his last known address shown in the register of members, to sell the craft and to deduct any monies due to the Club (whether these are arrears of subscription, Boat Park or other fees) from the net proceeds of sales before accounting for the balance (if any) to the member or former member.

Alternatively, any craft which, in the opinion of the Committee cannot be sold may, following notice referred to above be disposed of in any manner the Committee may think fit and the expenses recovered from the member or former member. Any arrears referred to above shall be considered to be a debt owing to the Club by the member or former member.

The Club shall at all times have a lien over the members' or former members' craft parked on the Club's premises in respect of all monies due to the Club, whether arrears of subscriptions, Boat Park or other fees. Where a member is in arrears with the payment of monies owed to the Club by at least six months, the Club may in any event take possession of the member's craft.

23. All craft kept in the Boat Park should be securely tied down to ground anchors of a suitable type. Anchorage points must be protected and not cause a hazard to free movement in the park. Craft must not be secured to the boat space number post. Trees must not be used for anchoring to, nor for leaning boats, masts, boards or trailers against. These actions are also against the planning policy of Tandridge District Council.
24. Craft may be stored in their allotted space on a trailer and/or trolley. Otherwise, trailers and trolleys must be removed. While craft are being used, trailers and trolleys must not obstruct the launching and rigging area nor prevent access to the slipways, jetties or clubhouse.
25. More than one boat may be stored in each space, provided it does not extend into the access lanes or into adjacent spaces or cause any inconvenience to the tenants of those spaces.

26. All Boat Park spaces must be kept tidy by the tenant.

### **General and Vehicles**

27. All litter is to be taken home. Users of the BBQ must leave it in a clean state and take all waste away.

28. Animals shall be kept under control at all times.

29. Except for authorised use, all portable or other radios are banned from being used at Hedgecourt. Car radios may be used but must not create a nuisance or annoy other persons.

30. No unauthorised fires are allowed nor any activity that could affect water quality or involve damage to the environment, vegetation or wildlife.

31. All vehicles must restrict their speed to 10 mph on the access road and 5 mph in the car park and only park in the designated parking areas. Except on non event days vehicles may not be taken into the Boat Park or launching areas unless permission has been given by the person responsible for running the event.

### **Fishing**

32. All fishing is under the control of East Grinstead Angling Society for CMYC Ltd.

33. CMYC members may fish on a daily basis by first obtaining a license from the Club's Fishing Bailiff. A valid Club Membership Card must be produced and the license returned at the end of the day's fishing. CMYC members must also have a valid rod fishing license.

### **Duties**

34. Each main member and **active** sailing family member, of 18 and over, shall carry out duties as prescribed in the New Member Application or Renewal documentation.