

# Shearwater Yacht Club

## CONSTITUTION

# Table of Contents

## Contents

Name.....	2
Definitions.....	2
Authority for Establishment and Operation .....	2
Purpose .....	2
Affiliation.....	3
Membership.....	3
Membership Restrictions and Limitations .....	4
Executive Committee .....	4
Sub Committees.....	5
Meetings .....	5
Quorum.....	5
Voting.....	5
Submission of Minutes.....	6
Amendments.....	6
Discipline and General Conduct.....	6
Liability Insurance .....	7
Club Liability.....	7
Authorizing Signatures.....	8

# Shearwater Yacht Club Constitution

## Name

The name of the organization is **Shearwater Yacht Club (SYC)**.

## Definitions

1. The following definitions and terms shall apply:
  - a. “Club” means Shearwater Yacht Club.
  - b. “Former CAF member” means an individual who completed Basic Military Training in the Canadian Armed Forces (CAF) and has been released from the CAF with an honourable discharge.
  - c. “Family/Dependant” is defined as the spouse and dependants of a member who may be claimed as a personal exemption under the Income Tax Act. Further definition is found in the Special Interest Activities Policy, dated June 2012.

## Authority for Establishment and Operation

2. Shearwater Yacht Club is established as a Specialty Interest Activity by the Base Commander at CFB Halifax, as part of the Personnel Support Program (PSP).
3. SYC shall operate in accordance with the following directives:
  - a. CSPS Directive 2013/001 dated 7 March 2013;
  - b. Implementation Directive Specialty Interest Activities Policy, June 2012;
  - c. Specialty Interest Activities Policy (SIA) June 2012;
  - d. CFAO 50-20 (as it refers to Community Recreation Programs);
  - e. A-PS-110-001/AG 002; and
  - f. A-FN 105-001/AG 001.

## Purpose

4. The primary role of Shearwater Yacht Club (SYC) is to provide facilities for recreational boating (sail and power) to members of the Canadian Armed Forces in Halifax Regional Municipality area, their dependents, and associates as provided for in this constitution.
5. SYC will also foster the qualities of leadership, self-reliance, physical fitness and teamwork by:
  - a. Providing the club members with training in seamanship and boating;
  - b. Organizing opportunities for members to take part in all forms of boating;
  - c. Encouraging racing and cruising on both the national and international levels;
  - d. Promoting water safety;
  - e. Providing members and their dependants with information and advice, with respect to participation in all forms of boating; and
  - f. Encouraging and promoting liaison between club members and members of other yacht clubs and sailing associations.

## Affiliation

6. SYC has an affiliation with Sail Canada, Sail Nova Scotia, the Can-Sail Training Program and local boating associations.

## Membership

7. SYC must at all times reflect the priority of the Regular Members in order to ensure that they are able to fully participate in the operation and activities of the Club. All memberships must be renewed annually.
8. Membership may be granted to either individuals or families. In the case of a family membership, the principle of “one membership, one vote” shall apply, but either one of spouses/partners may exercise the vote at General Meetings.
9. SYC shall have the following categories of membership:
  - a. **Regular Members** as follows:
    - i. Serving and former CAF members (Regular and Reserve Force) and their families; and
    - ii. Foreign military personnel on duty with the CAF and their families.
  - b. **Ordinary Members** as follows:
    - i. Current and pensioned DND public servants and staff of NPF and their families;
    - ii. Serving RCMP and CCG, and their families;
    - iii. Current staff of MFRCs, staff of DRDC, DCC, and their families; and
    - iv. Currently serving Honorary Colonels/Captains(N) and Honorary Lieutenant-Colonels/Commanders and their families.
  - c. **Associate Members** as follows:

Subject to the approval of the Base Commander or his/her representative, any person not specified in paragraphs above may be invited to become an associate member. Associate membership shall be for one year only with no guarantee of renewal for further one-year terms. Associate memberships may be renewed upon approval of the Executive Committee.
10. Within the membership categories above, the following sub-categories apply:
  - a. **Junior Members:** Dependent youth who are 16 years or older and whose parents are not members of SYC may become junior members.
  - b. **Crewing Members:** Individuals who qualify for membership, but do not own a boat at the club, who wish to participate in boating activities, may join as a crewing member.
  - c. **Social Members:** Individuals who qualify for membership and are not focused on boating activities may join as social members.
  - d. **Out-of-Port Members:** Members who move or are posted outside the Halifax area may retain affiliation with the club as out-of-port members.
  - e. **Life Members:** Life membership may be granted by a majority vote of the membership at a General Meeting for outstanding and meritorious service to SYC. Recommendations for Life Membership shall be made in writing to the

Executive Committee. A Life Membership may be revoked for just cause by the Executive Committee.

## Membership Restrictions and Limitations

11. The Membership of the Shearwater Yacht Club must at all times reflect the priority that must be maintained to ensure that military personnel and their families are able to participate fully, hence:
  - a. The proportion of Associate members shall normally not exceed 20 per cent of the total membership;
  - b. The combined total of Ordinary and Associate members shall not exceed 50 per cent of the total membership;
  - c. All memberships must be renewed annually by completing an official Shearwater Yacht Club application form for consideration by the Executive. All applications must be completed in their entirety before submission and must reach the office for processing by March 1;
  - d. Any and all outstanding fees from the previous season must be paid in full by March 1. If there are outstanding fees, the application may be held back with no guarantee of membership for the following season;
  - e. Payment of all annual fees relating to new season membership must be paid in full by April 01. Proof of insurance for boat owners must accompany the application form if not already on file;
  - f. Acceptance of the principle of mutual help and participation in work parties and self-help projects are conditions of membership. Failure to comply with the principle of mutual help and participation (without reasonable justification as determined by the Executive) shall be reason for non-renewal of membership and will be enforced;
  - g. All persons submitting applications to join as an Associate Member must be sponsored by a regular or ordinary member in writing. Applications must be approved by the Executive Committee; and
  - h. Approval of membership does not oblige SYC to provide boating facilities.

## Executive Committee

12. SYC shall be administered by an Executive Committee as follows:
  - a. **Flag Officers**
    - i. Commodore
    - ii. Vice Commodore (Facilities & Infrastructure)
    - iii. Rear Commodore (Boating Operations)
    - iv. Rear Commodore (Club Operations)
  - b. **Committee Members**
    - i. Treasurer
    - ii. Executive Secretary (non-voting)
    - iii. Senior Manager, PSP (*ex officio*, as required)
  - c. **Period of Office and Eligibility**

All Executive Committee positions will be for the duration of one year and elected at the Fall General Meeting. All positions shall take office on the 2nd day of January. Position Terms of Reference are defined in the club By-Laws. If a position becomes vacant, the Executive Committee may appoint a member to fulfill the duties until the next General Meeting.

**Note:** The positions of Commodore, Vice Commodore and Treasurer shall be held by serving CAF members. If suitable serving members aren't available to fill the positions, the membership shall nominate and elect regular members, subject to approval from the Speciality Interest Activity Manager.

## Sub Committees

13. In order to accomplish its duties, the Executive may appoint members to Sub-Committees as required and as detailed in the Club's by-laws.

## Meetings

14. Meetings shall be called in order to conduct Club business at the following times:
- a. Two general meetings shall be held each year. Members shall be notified at least 10 days prior to meetings in order to allow time for submission of items for the agenda. Notice of meetings shall be posted at the Club and on the Club's website.
    - i. The **Fall General Meeting** shall be held not later than mid-November. The proposed operating and capital budgets and the fee structure for the next fiscal year shall be submitted, and the annual elections shall be held.
    - ii. The **Spring General Meeting** shall be held in May. The prior year's financial statement and the business plan for the current year shall be presented.
  - b. The Executive Committee shall meet once a month and all Executive Committee Members shall make it their duty to attend. The Commodore may call a meeting of the Executive at any time when deemed necessary.

## Quorum

15. A quorum is defined for the following meetings:
- a. A quorum for a General Meeting shall exist when 20 per cent of the voting members are present; and
  - b. A quorum of the Executive Committee shall exist when a majority is present. The Commodore shall have a second vote in the case of a tie.

## Voting

16. Regular, Ordinary, Associate, Life, and Crewing members are eligible to vote at SYC General Meetings. Out-of-Port, Social and Junior memberships are non-voting.

## Submission of Minutes

17. The Executive Secretary shall record and keep the minutes of all General and Executive meetings. Minutes shall be posted at the Club within one month of the meeting. The minutes of all meetings shall be sent to PSP for final approval. Should the Secretary be absent from a meeting, the Commodore shall appoint a recorder from the Executive.

## Amendments

18. The procedure to amend the Constitution and/or By-Laws is as follows:

- a. Constitution**

- i. Amendments to the Constitution shall be posted in the clubhouse 10 full days prior to a General Meeting at which they are to be considered. Members wishing to sponsor a change shall submit the proposed amendment, in writing, to the Executive Committee in time to permit posting. Amendments to the Constitution cannot conflict with the directives/orders referenced in paragraph 4, and must eventually be approved by the Base Commander before they can be considered enacted.
    - ii. Approval of the amendment to the Constitution requires the affirmative vote of two-thirds of the voting members at a General Meeting.
    - iii. Amendments to the Constitution necessitated by a change in Canadian Armed Forces Regulations become effective upon receipt of the revised regulations by the Executive Committee and shall not require a vote by the members.

- b. By-Laws**

- i. By-Laws may be approved or amended by a majority vote of the Executive Committee, and enacted immediately if an urgent requirement exists. Changes must, however, be presented for ratification at the next General Meeting.
    - ii. The normal process shall be as for amendments to the Constitution, except that ratification by the membership requires the affirmative vote of a simple majority.
    - iii. Members may propose changes or amendments at a General Meeting and, if agreed by a majority of the members present, these shall be referred to the Executive Committee for further action.

## Discipline and General Conduct

19. SYC and its members shall be held to the following:

- a. All members of SYC are to conduct themselves in a manner that will bring respect and credit to the Club.
  - b. The Executive Committee shall remove a Member's name from the list of members when the Member has failed to pay his/her fees in accordance with SYC policy or for cause. Before removing a Member's name for either of these reasons, the Commodore shall call upon the Member for an explanation of the

conduct giving rise to the proposed action. The member shall be given the opportunity to respond to the Executive Committee or he/she may resign.

## Liability Insurance

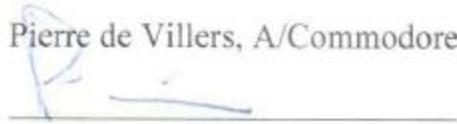
20. It is mandatory that all boat owners using the facilities of SYC shall carry liability insurance on their boats at all times, to a minimum value as specified in the By-Laws. A current copy of the insurance policy shall be provided and kept in the member's file.

## Club Liability

21. All members must accept that as a condition of membership at SYC, the club will not be liable for damages to persons and/or property whilst the member is using any of the SYC facilities. As well, members will be held financially accountable for any and all injury or damage that has occurred due to negligent behaviour by the members, their dependants, or their guests while on club property, or during the use of facilities or equipment owned by the club. All members and prospective members must sign the Non-Public Property Consolidated Insurance Program (NPPCIP) approved Waiver of Liability, Assumption of Risk, and Indemnification Agreement.

## Authorizing Signatures

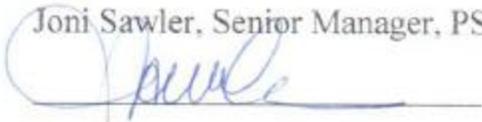
Pierre de Villers, A/Commodore



Date

13 Dec 16

Joni Sawler, Senior Manager, PSP

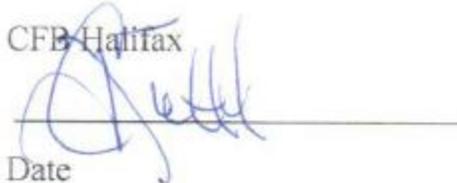


Date

13 Dec 2016

C.F. Sutherland, Capt(N) Base Commander

CFB Halifax



Date

4 Feb 17