



The Swan Yacht Club (Inc.) By Laws

The By Laws of The Swan Yacht Club (Inc.), pursuant to Clause 3 of the Constitution.

RULES CONCERNING CLASSES OF MEMBERSHIP

AFFILIATE CLUBS

1. All active members of a body seeking affiliation shall become financial members of the Club as Affiliate Members in accordance with the By Laws.
2. Affiliate bodies shall, upon affiliation and yearly thereafter, submit a complete list of their members' names and addresses to the General Manager, together with the payment of the prescribed nomination and /or annual membership fees as listed in Appendix A of the By -Laws
3. A member of an affiliate body, elected as an Affiliate Member of the Club, shall cease to be a member of the Club upon his/her resignation from the affiliate body or on becoming an unfinancial member of that body.
4. An Affiliate Member shall not have the right to vote, nominate or second an application for membership or office, hold office, tenancy of a mooring pen or the use of slipping and launching facilities.
5. An Affiliate Member shall be afforded the privileges of membership, subject to such restrictions as the Constitution and By Laws of the Club provide.
6. Affiliate bodies must advise the General Manager of the Club in writing if, during the year, any of their members who are Affiliate Members of the Club resign from or become unfinancial with the affiliate body.

PARKING

1. Parking permits will be issued annually after full payment of all subscriptions and levies owing by the member.
2. Parking permits for boat trailers will be available to pen holders and financial ramp permit users and shall be attached to the winch post of the trailer. Permits for boat trailers shall be numbered and recorded in a register.
3. The parking permit for a vehicle must be displayed on the right-hand side of the windscreen while parked on the Club premises.
4. Boat trailers shall not be left parked on the Club premises unless attached to a vehicle without approval from the General Manager.
5. Vehicles and/or trailers are not to be left parked on the Club premises for more than seven consecutive days.
6. Vehicles are not to be parked on the grass on the trailer parking area at the front of the club house.
7. Failure to comply with parking By Laws may result in a fine imposed by the ranger of the Town of East Fremantle.



8. Vehicles of members and guests shall not park in a reserved car bay (that are marked in yellow: Commodore, Vice Commodore, Rear Commodore, Rear Commodore P&S, and Treasurer). These bays are exclusively for the Management Committee member's use.

MEMBERSHIP OBLIGATIONS

1. All members, other than Associate, Honorary, Temporary, Reciprocal, Special Circumstance, Life and Members for Life shall be subject to a nomination fee and shall pay in advance a subscription as prescribed in Appendix A. Memberships are valid for 12-month periods and required annually.
2. Members shall pay all amounts owing to the Club within one month from the end of the month in which the debt is incurred. In the case of a jointly owned boat, the joint owners shall be jointly and severally responsible for all monies due to the Club in respect thereto. The Committee may post the names of outstanding accounts on the Club notice board. Payments received by members will come off any outstanding debt before being used to pay Membership fees and that Membership Fee Renewal payments will not be accepted for the coming year unless all the outstanding debt due as of June 30 that year is paid in full.
3. Members employed by the Club, on a full-time basis other than the General Manager, shall:
 - a. Have membership rights suspended, except the right to retain a boat in the marina.
 - b. Remain liable for all the obligations of membership for the duration of their employment.
4. Members bringing persons into the Club as guests or proposing persons as Honorary Members shall accept full responsibility for the actions of those persons.
5. A person shall not whilst on the premises wilfully obstruct, disturb, interrupt or annoy any other person in his proper use and enjoyment of the premises.
6. No paper or notice, written or printed, shall be laid on the tables or put up on the Club's notice board or anywhere in or about the Club premises without the sanction of the General Manager first having been obtained.
7. The Management Committee, by simple majority vote, may repeal Life Membership or Member for Life status, in the event the relevant member is found guilty of misconduct (gross misconduct or otherwise) with the determined penalty including suspension of any membership privileges for a period exceeding 91 days.
8. No boat registered for commercial purposes shall be penned within the Club premises.
9. All persons using the Club premises, or any property of the Club shall be deemed to do so at their own risk.
10. Any person shall not disobey or fail to comply with:
 - a. Any direction, instruction, request or requirement lawfully given or made by an authorised person in the discharge of his/her duty.



- b. Any notice or sign posted, erected or displayed pursuant to these By Laws.
11. Upon request, a member shall satisfy any Club official that he/she is a financial member.
 12. A member shall be responsible for any loss, damage or expense caused by him or her guests, themselves and or their guests or to property of the Club.
 13. Members shall not remove damage or otherwise interfere with the property of another member.
 14. No liquor shall be sold or supplied for consumption other than on the Club premises. No liquor shall be sold or supplied to any person under the age of 18 years. A guest shall not be supplied with liquor to be consumed other than on the Club's premises.
 15. No person shall store articles or equipment in or on the Club premises without the prior permission of the General Manager and without having the owner's name attached thereto. Any such article or equipment left in the Club premises for more than three months shall be forfeited and may be disposed of by order of the Committee after one month's notice posted on the Club's notice board. Proceeds from the disposal shall go to the Club funds.
 16. Barrows and trolleys will be returned to the shore end of the jetty immediately after use.
 17. Trophies and prizes shall be presented at a social evening to be held as soon as possible after the termination of any competitive season unless a protest has been entered and is undecided.
 18. No person is permitted to bring any animal onto the Club licenced area without permission of the General Manager.
 19. A member who fails to comply with any of the Club By Laws may be required to explain and justify his actions before the Committee, where they may be subject to disciplinary action of under section 22 of the Constitution.
 20. All members and guests shall abide by the Code of Conduct policy.
 21. Parents and or Guardians shall agree to indemnify the SYC from any liability and or claim whilst they attend/utilise the SYC facilities. Note that Parents/Guardian' are responsible for their children and those guests they bring to the club and are to ensure that they are all appropriately always supervised. The member will be held responsible for their children, guests and guest's families. In the absence of a member, responsible adults are responsible for the actions of their family and guests.
 22. Voting members wishing to become or acting as a committee person shall abide by the Disclosure policy.
 23. Affiliate club members agree to abide by the same rules at the equivalent SYC membership level.
 24. Host guests and function persons agree to abide by the same rules at the equivalent SYC membership level.

TRANSFER OF MEMBERSHIP

1. Full Member, whose permanent residence becomes outside a radius of 150km from the Clubhouse by the shortest road route, may be transferred (on making written application) to Country Member, with no pro-rata reduction of fees paid for the current year.



2. A Country Member ceasing to be qualified for membership as a Country Member shall be liable as a Full Member, with a pro-rata adjustment of fees.
3. A Social Member wishing to transfer to Full Membership must pass through the membership procedures applicable to a new applicant for Full Membership. Any Social Member when transferring to Full Membership shall pay full nomination and membership fees, together with pro-rata subscription for the year in which the transfer occurs, less any nomination and membership fee paid as a Social Member in the year of transfer of membership.
4. Members wishing to transfer their membership category to Social Membership must pass through the normal procedures of the Club without a pro-rata reduction of fees paid for the current year.

REGISTER OF MEMBERS

1. An up-to-date register of members' names and addresses shall be kept available on the Club's premises.
2. Members shall advise the General Manager of his/her change of address. Notices required by these By Laws to be sent or given to members shall be deemed to have been received by the member two days after dispatch by ordinary mail to such address.

SUB- COMMITTEES AND COMPLIANCE OFFICERS

1. The Committee shall appoint a Compliance Officer/s and the following Sub-Committees:
 - a. House Committee.
 - b. Mooring Committee.
 - c. The Mooring Committee shall appoint and coordinate the compliance officer/s.
2. Power, Angling and Sporting Committee.
 - a. Angling Subcommittee reporting. Under Power, Angling and Sporting Committee
3. The committee may create or disband from time to time such Sub-Committees as it may deem expedient.
 - a. The quorum for meetings of a Sub-Committee shall be 50% of its members.
 - b. All persons appointed to any Sub-Committee shall be members.
 - c. Sub-Committee shall have at least two Full voting members then may comprise of other levels of membership.
4. The Commodore shall, ex officio, be a member of each Sub-Committees.
5. The Vice-Commodore and Rear Commodore shall each be a Chairperson of either the House Committee or Mooring Committee.



6. Usually the Vice Commodore shall be the Chairperson of the House Committee and the Rear-Commodore shall be Chairperson of the Mooring Committee but may vary depending on individual's skillset and preference of the management committee.
7. The Rear-Commodore Power and Angling shall be Chairperson of the Power, Angling and Sporting Committee. The Angling Captain may chair the Angling subcommittee if invited or directed to do so.

HOUSE COMMITTEE

1. A Sub-Committee consisting of either the Vice-Commodore or Rear Commodore as Chairperson and not less than three members of the Management Committee shall be appointed to act as a House Committee. The Management committee shall allocate, vary, or move areas of responsibility as it sees fit but shall usually consist of the following in relation to the House Committee:
 - a. Supervise the Clubhouse and its immediate surrounds.
 - b. Meet at least once a month and hear and consider all complaints, recommendations and suggestions concerning the Clubhouse and its immediate surrounds.
 - c. Submit a report at each Committee meeting.
 - d. Formulate proposals of maintenance, alterations and/or additions from time to time.
 - e. Review the events, functions, and proposed club social calendar events.
 - f. General Manager to oversee the annual events calendar which shall be reported monthly to the House Committee.
2. All acts of the House Committee shall be subject to confirmation by the Committee.
3. Review draft plan and the budget proposal annually and report to the Committee.
4. Discuss and report on event proposals and outcomes from the Ladies Sub Committee.
 - a. General Manager to receive and approved budgetary requests from the Ladies Sub Committee where applicable under the Delegated Authority policy.
5. In the event of a member of this Sub Committee being an interested party in any protest or dispute, he/she shall not participate, and the Commodore shall appoint a substitute from voting members of the Club.

MOORING COMMITTEE

1. A Sub-Committee consisting of either the Rear-Commodore or Vice Commodore as Chairperson and not less than three members of the Committee shall be appointed by the Committee to act as a Mooring Committee. The Management committee shall allocate, vary or move areas of responsibility as it sees fit but shall usually consist of the following in relation to the Mooring Committee:
 - a. Allocate and supervise the wet and dry pens.
 - b. Upon allocation, the member concerned shall be advised in writing.



- c. Supervise slipways, cradles, launching ramps, jetties, foreshore and all areas associated with boating activities.
 - d. Maintain a plan of jetties and mooring pens, specifying each pen number and the name of the boat owner to whom that pen has been allocated. Such plan shall be displayed in a prominent position in the Clubhouse.
 - e. Submit a monthly report of its activities to the Committee. All decisions arising therefrom shall be subject to confirmation by the Committee.
 - f. Maintain an up-to-date register of all applications for wet or dry pens and launching rights, showing the name of the applicant, length, beam and draught of the boat and date of application. Subject to Appendix C, allocations shall be made in strict date order receipt of such applications.
 - g. All acts of the Mooring Committee shall be subject to confirmation by the Committee.
 - h. Review draft plan and the Mooring budget proposal annually and report to the Committee.
2. Biannual Mooring meetings shall be held for boat owners.
 3. In the event of a member of this Sub Committee being an interested party in any protest or dispute, he/she shall not participate and the Commodore shall appoint a substitute from voting members of the Club.

POWER ANGLING and SPORTING COMMITTEE

1. A Sub Committee consisting of the Rear-Commodore Power and Angling shall hear matters that arise from affiliate clubs Adjudicate, subject to confirmation by the Management Committee, on all protests and disputes in connection with affiliate members and any water-based events.
2. In the event of a member of this Sub Committee being an interested party in any protest or dispute, he/she shall not participate and the Commodore shall appoint a substitute from voting members of the Club.
3. Land based affiliates to report to the Rear-Commodore Power and Angling, who will raise any matters under the Committee agenda listed item from the affiliate membership bodies.

ANGLING SECTION

1. A Sub-Committee consisting of the Rear-Commodore Power and Angling who will endorse the newly appointed the chairperson (being the Angling Captain) and to include not less than two voting members and up to three other types of members shall be appointed by the committee.
2. Angling Section shall report all activities and events to the Rear-Commodore Power and Angling.
 - a. Angling Sub Committee, with the following responsibilities:
 - a. One month prior to the Annual General Meeting, to elect from their members an Angling Captain.
 - b. Members at the Annual General Meeting shall ratify such election.
4. Meet at least once a month and submit a written report to the to the Rear Commodore Power and Angling who will present the report to the Management Committee.



5. Ensure that all angling events are conducted strictly in accordance with the SYC Angling Section rules.
6. If a vacancy should occur on this Sub-Committee, it shall appoint a replacement from its SYC angling members.

SOCIAL COMMITTEE

1. A Sub-Committee reporting through to the House Committee consisting of not less than three voting members, one of who shall be a Committee Person, shall be appointed by the Committee to act as the Social Committee, with the following responsibilities:
 2. To meet at least once a month.
 3. To be responsible for assisting in the arrangement of events as directed by the house committee from time to time.
 4. If a vacancy should occur on this Sub-Committee, it shall appoint a replacement from voting members of the Club.

CLUB REGISTER OF BOATS

1. The Club shall keep a register of boats owned by members.
2. The register shall contain the following information:
 - a. The name of the owner.
 - b. Telephone numbers(s) of the owner(s).
 - c. Name of boat, if applicable.
 - d. Department of Transport number.
 - e. Material of which the hull is constructed and colour.
 - f. Length overall, beam and draught.
 - g. Endorsement by Club Compliance Officer.
 - h. Mooring pen or storage particulars.
 - i. Size of cradle required for slipping.
3. No member shall be allotted more than one wet mooring pen, one dinghy rack and one launching ramp permit.
4. The Committee has discretion to register, deregister or refuse to register a boat on the Club register.
5. Boats not registered with the Club may use the Club's facilities with the permission of the Committee only to the extent and on such conditions as the Committee determines.
6. Commercial vessels shall not be placed on or permitted to remain on the Club register.



FLAGS

1. The Australian National Flag (Blue) or the Australian Red Ensign should be flown only in a manner befitting the National Emblem. It shall not be placed below or inferior to any flag aboard a Club member's boat.
2. When more than one flag is flown on a Club member's boat, the order of ranking is as follows:
 - a. The Australian National Flag or the Australian Red Ensign.
 - b. The Swan Yacht Club burgee.
 - c. The burgee of any other boat Club of which the owner is also a member.
3. The Australian flag or ensign may be flown at all times when under way. In harbour, it should be hoisted at 0800 hours and lowered at sunset.
4. The Club burgee may be flown whenever the member is on board and during short absences. It should be hauled down before the member leaves the boat at the Club moorings.
5. The Swan Yacht Club burgee is a gold, triangular flag with a black swan at its centre.
6. The Commodore's burgee is a gold, swallow-tailed flag with a black swan at its centre.
7. The Vice-Commodore's burgee is similar, with one black ball in the upper canton near the hoist.
8. The Rear-Commodore's burgee is similar, with two black balls in the upper canton near the hoist.
9. The Rear-Commodore Power's burgee is similar, with two black balls in the upper canton near the hoist and the letter "P" in the lower canton near the hoist.
10. The Life members burgee is similar, with the letter "L" in the upper canton near the hoist.
11. The Past Commodore's burgee is similar to the Commodore's, with a black cross in the upper canton near the hoist.
12. The Sailing Instructions or By Laws issued for any Club race or competition may provide for the flying of racing or competition flags.
13. In cases not covered by the above By Laws, members are expected to observe the established custom of the sea in wearing flags and ensigns.

CLUB UNIFORMS

1. Uniforms to be issued and worn by Officers and Management Committee of the Club shall be as hereinafter prescribed:
 - a. Summer uniform shall consist of an open-neck, white short-sleeved shirt with shoulder straps, white or black shorts/skirt and plain white deck shoes. Alternatively, long white trousers may be worn with white shoes. A black long-sleeve jumper shall be optional. Epaulettes on white shirt shall be of white material with black bands showing rank of office. Epaulettes on black navy jumpers shall be of navy-blue material with gold band/s showing rank of officer. Anchors placed above rank of officer shall signify a boat owner. SYC may issue a White Polo shirt to committee members to be worn in place of the short-sleeved shirt for casual events only, when directed by the Commodore.



- b. Winter uniform shall consist of a blue-black double-breasted jacket having the appropriate four black buttons on each side and vents at side seams. Trousers/skirt shall be black and worn with black shoes. A black tie (optional) and white shirt are correct. Ranks of office in the form of black braid bands worn on both sleeves of the jacket shall be of the order as set out in the By Laws. Anchors placed above rank of officer shall signify a boat owner. Boat owners may also wear gold anchors on their jacket lapels.
- c. Formal evening dress uniform shall consist of navy/black trousers/skirt and navy mess jacket, white dress shirt and black bow tie. Epaulettes shall be of blue material with appropriate gold braid of rank of office. Anchors placed above rank of officer shall signify a boat owner. Boat owners may also wear gold anchors on their jacket lapels. Ranks of office shall be worn on uniforms as follows:
 - d. Commodore 4 bands with a curl
 - e. Past Commodore 4 bands
 - f. Vice-Commodore 3 bands with a curl
 - g. Rear-Commodore 2 bands with a curl.
 - h. Honorary Treasurer 1 half-band with a curl
 - i. Club captains 1½ bands with a curl
 - j. Bands shall be braid approximately 7mm wide, half-band 3-3.5mm rope.
2. Club members and guests must comply with the Swan Yacht Club Members Dress Code
3. The uniform to be worn shall be specified in invitations, notice of official functions and Club events and shall be at the Commodore's discretion.

REGULATIONS

1. The regulations of the Club shall be as hereinafter set out in the following appendices:
 - a. Appendix A—Schedule of fees.

Appendix A, which shall be amended, added to and deleted from by a resolution passed by a simple majority of members present and entitled to vote at a General Meeting
 - b. Appendix B—House By Laws.
 - c. Appendix C—Moorings and slip regulations.
 - d. Appendix D—Safety code.
 - e. Appendix E—PAW Power, Angling and Water
 - f. Appendix F—Form of proxy for voting at General Meetings.
2. The respective Sub-Committee shall submit any proposed outcome of a discussion paper to be considered by the committee for ratification and final decision.