



**BEAUMARIS
MOTOR YACHT
SQUADRON
LIMITED**

BY-LAWS

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BY-LAWS

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KEYS

1. Keys to Squadron Gates and Premises are the property of the Squadron and remain so at all times. They are issued on loan to members under the following conditions, following payment of a key deposit:
 - (a) are not to be transferred to any other person, except the nominated spouse/partner (only) of a member is to be able to use their respective Club member's keys within the Clubhouse , provided that the Club member is present within the Club grounds; and
 - (b) are subject to recall at any time by the Board of the Squadron without the Board assigning any reason for such recall, and
 - (c) are returnable forthwith to the Secretary or Club Manager when a member resigns from Squadron membership or the membership is otherwise terminated or suspended. The onus of returning such keys is on the member concerned and if this sub-rule is not complied with the Board shall be entitled to withhold any funds due to such defaulting member.

Note: For the purposes of this By-Law, the definition of keys includes both mechanical and electronic devices such as “smart cards”, I.D cards, and discs.

GATES AND ENTRY/EXIT PROCEDURE

2. It is the duty and responsibility of every member who has been issued with Squadron keys to close and lock the pedestrian gate to the No. 1 main jetty, or any other door or gate after entering or leaving Squadron premises, unless otherwise directed or authorised by an official of the Squadron. In the event of an electronic gate failure it is the responsibility of the member to immediately notify the Club Manager or a Director.

It is the responsibility of each member to ensure as far as possible that upon entering or leaving the Squadron that no non-member(s) or unauthorised person(s) enters or remains on the Squadron's premises.

GUESTS

3. Any member bringing or inviting a guest or guests or a member/members of their family on to Squadron premises shall at all times be responsible for the behaviour of such persons and for their compliance with all Squadron rules and By-Laws.
 - (a) The Board may at any time restrict the number of guests invited by a member.
 - (b) Any member inviting guests or any member of their family into the Clubhouse shall immediately register their name and address and sign them into the Visitors Book in the foyer.
 - (c) No person shall be invited as a guest onto Squadron premises:
 - (i) whose membership is currently suspended;
 - (ii) whose membership has been terminated by the Board of Directors;
 - (iii) who has been named by the Board of Directors as an undesirable guest;
 - (iv) whose application for membership has been rejected by the Board of Directors.

CLUB HOUSE HOURS

4. The Clubhouse shall be open at such times as the Board may from time to time prescribe.

However, serving of liquor and consumption of alcohol is determined by and is at the sole discretion of the Licensee (Club Manager), as required by State Licensing Laws.

DRESS

5. **First Floor Zone and Balcony:**

Minimum acceptable dress for gentlemen is tailored shorts, shirt or sweater and suitable footwear, which may include dress sandals. Thongs (flip-flops), 'croc's' or scuffs shall not be worn at any time. Safety clothing, work clothes or work boots are not permitted after 6:00PM. Ladies may wear dress sandals (defined as featuring straps and buckles around the heel, ankle area). Ladies are not permitted to wear thongs (flip-flops) at any time.

Ground Floor Members' Lounge and Lower Bar Zone:

Singlets and shorts worn over sandals, thongs, 'crocs' or scuffs are permitted in this zone during daylight hours until 6:00 PM.

After 6:00 PM, minimum acceptable dress and footwear in this zone is the same as required in the First Floor Zone:

Other Requirements:

- a) A bare torso, bare feet and the wearing of wet clothing or swimming apparel is not permitted in either the First Floor or Ground Floor Zones of the Clubhouse at any time. This applies to all persons entering the Clubhouse including children.
- b) Dress for social functions shall be as specified in the notice of the function.
- c) Gentlemen must not wear hats or caps in the Clubhouse at any time unless part of their ethnic or religious dress, or as specified for social functions and other special occasions.

CHILDREN

6. (a) Children under the age of 18 years of age are permitted in the lounge area of the Clubhouse but at all times must be under the strict control of parent(s) or guardian(s) and must not at any time be a nuisance to other members or their guests.

(b) Children are not permitted into the Clubhouse in bare feet, wet clothing or swimming apparel at any time.

(c) Children under 18 years of age are not required to be signed into the Visitors Book.

LIQUOR

7. (a) All requirements under the Liquor Licensing Laws must be strictly observed at all times.

(b) No person shall bring alcoholic drink onto the Squadron grounds or premises during bar trading hours.

- (c) No person under 18 years of age is allowed in the bar areas of the Clubhouse. The bar area is defined as all areas behind the bar counter as well as the floor area immediately in front of the bar counter to a distance of one (1) metre from the bar counter.
- (d) No person under 18 years of age may consume alcoholic beverages on the Squadron grounds or premises at any time, unless that person is accompanied by a spouse, parent or guardian and the liquor is supplied as part of a meal supplied on the Company premises..
- (e) A member's family or guests will not be permitted to purchase or consume alcoholic beverages on the Squadron grounds or premises unless signed into the Visitor's Book or accompanied by the member who signed them into the Visitors Book.

KITCHENS

- 8. Members shall not use the kitchen located on the 1st floor at any time unless authorised to do so by the Club Manager or a Director during specific Club functions.
 - (a) The members' kitchen located on the ground floor may be used at any time.
 - (b) Members using the ground floor kitchen facilities, including any utensils, crockery or cutlery contained therein, shall ensure that the kitchen facilities and any equipment or articles used are left in a clean and tidy condition. Any breakages must be replaced and any damage to kitchen equipment must be reported to the Club Manager immediately.

BARBECUE AREA

- 9. Because this area in particular is exposed to public scrutiny, members must conduct themselves in a proper manner. In particular, By-Law 7 shall be strictly observed, since use of the barbecue area is deemed to be use of the Clubhouse for the purpose of these By-Laws.

Members are also required to:

- (a) return to the Clubhouse premises in a clean condition any furniture, eating utensils, china, glass, cutlery or other equipment used at any time by them in or about this area;
- (b) dispose of any litter, unwanted food, or any empty drink containers in rubbish containers provided for this purpose;
- (c) extinguish barbecue fires and tidy up barbecue area before leaving.
- (d) ensure that all Clubhouse doors leading to the barbecue area are closed and locked from the inside before leaving the premises.

PIER, RAMPS, JETTIES AND MOORINGS

10. (a) Boats are not to be moored for extended periods at the landing stages and jetties adjacent to the launching ramps.
- (b) Boats may be moored at the landing stages of the No.1 main jetty for extended periods of time.
- (c) Launch and recovery. At all times, boats recovering have precedence over boats launching. Before occupying a position on a launching ramp the boat must be fully prepared for launching. Launch and recovery must be carried out with a minimum of delay.
- (d) Sufficient space must be left on the ramp for at least one other member to launch or recover their boat.
- (e) Parking of a vehicle not attached to a boat trailer is forbidden in the Boat Trailer Car Park unless directed to do so by a Director or the Club Manager.
- (f) The centre and rear areas of the rear car park must be used on those days when the Boat Trailer Car Park is full. In this situation, boats/trailers and cars parked in this area must use due consideration for the efficient utilisation of the available space as practised in the Boat Trailer Car Park.
- (g) All members' guests must angle park their cars along the north face of the fence in the rear car park unless directed to do otherwise by a Director or the Club Manager.
- (h) No umbrellas, chairs, etc. are to be set up on any launching ramp or jetty, without

explicit approval of the Board.

- (i) The Club moorings are only to be used for short stays (up to 8 hours) and no boat may remain on a Club mooring for longer than 24 hours without Board approval.

ANIMALS

- II. Animals are not permitted inside the Clubhouse at any time. Any animal brought onto Squadron grounds must at all times be kept on a leash, or other suitable form of restraint, and must be kept under proper control by the member (or the member's guest) that brought the animal onto Squadron grounds. The person in control of the animal must remove all faecal matter from Squadron grounds.

COMMERCIAL USE OF SQUADRON PREMISES

- 12. No person (being a member or otherwise) who is directly or indirectly connected with the marine or boating industry shall use the Squadron premises or facilities for commercial or business purposes without explicit permission of the Board on:
 - (i) weekends (i.e. Friday evening to Monday morning inclusive),
 - (ii) any public holiday,
 - (iii) any other day or time which the Board shall stipulate.

The use of Squadron facilities and premises under this rule is:

- (a) permissive only and the right is reserved by the Board to prohibit such use at any time without assigning a reason thereof; and,
- (b) subject at all times to compliance with specific Squadron By-Laws governing the use of Squadron facilities and premises.

THE CONTROL OF BOATING FACILITIES AND PARKING

- 13. Every member using the Squadron's boating facilities must ensure that any boat and trailer they own is registered in the Squadron Boat Register. A trailer normally used

with a boat listed in the Squadron register must carry identification clearly showing the member's Membership Number (or Squadron register number) and the boat registration number.

If a member uses another boat and/or towing vehicle, the Membership Number of that member must be clearly displayed on the dash panel of the towing vehicle.

It is a compulsory requirement of the Squadron and the member's own responsibility to ensure that their boat is insured (as a minimum, third-party insurance against death or bodily injury to other people and loss or damage to someone else's property is mandatory). Also, that their boat is seaworthy and equipped with all safety equipment as required by State Law, and that their boat trailer complies with State Law in all respects.

It is a mandatory requirement of the Squadron that BMYS obtains a copy of the member's boat insurance details for its records. It is the responsibility of the member to provide a copy of the actual insurance certificate to BMYS when the insurance is renewed each year; tax invoices are not acceptable.

14. Use of the Squadron's boating facilities is restricted to:
 - (a) a boat listed in the Squadron Boat Register as per By-Law 13 which is under the direct control or supervision of the registered owner being a member of the Squadron, or
 - (b) any other boat listed on the Squadron register being used by a member of the Squadron under their direct control and supervision, only when their own boat as listed in the Squadron register is not using Squadron facilities at the same time, or
 - (c) any boat not registered under By-Law 13, provided that its use of Squadron facilities is under the direct control or supervision of a member of the Squadron whose own boat as listed in the Squadron register is not using Squadron facilities at the same time, or
 - (d) any boat under the direct control and supervision of a person who has first obtained permission from a Director of the Squadron or the Club Manager to use the Squadron's facilities.

15. Permission may be granted by any Director of the Squadron or the Club Manager for the use of Squadron facilities to assist any person or craft in distress.
16. Unless prior permission from a Director of the Squadron or the Club Manager has been obtained, no motor vehicle or trailer (whether attached to a towing vehicle or not) shall be parked or left standing on the premises of the Squadron, otherwise than in an authorised area.
17. The following requirements apply to the parking of motor vehicles and motor vehicle-boat trailer combinations on Squadron premises:
 - (a) Due care is to be taken when parking trailers to ensure optimum use of the space available. When parking on the south side of the main area near the launching ramps, the towing vehicle should face seaward as near as practicable to the sea wall. When parking on the north or cliff side of the main parking area, the trailer should be reversed to a position as close as practicable to the cliff face.
 - (b) Areas defined for manoeuvring near the launching ramps are to be kept clear of parked vehicles and trailers at all times. Similarly, in the parking area at the western end of the Squadron's premises, motor vehicles and boat trailers are to be backed up to the perimeter fence or parked on the central grassed area in such a way as to allow free access to the wash down area at all times.
 - (c) Parking of motor vehicles on the paved surface in the immediate vicinity of the Clubhouse is limited to the marked bays along the garden edging in the front and sides of the Clubhouse. Parking elsewhere on the paved area is prohibited.
 - (d) All vehicles whilst using the Squadron's facilities, with the exception of those being used by authorised visitors or guests of Squadron members, must carry a current car sticker (issued by Squadron management), conspicuously placed on the windscreen to identify the vehicle as belonging to a financial member of the Squadron. It is the responsibility of the member to ensure that the car sticker is removed prior to disposal of the vehicle.
18. Use of all Squadron boating facilities and parking areas by members or any other person is subject at all times to the direction of a Director or a person specifically authorised by the Board to control such facilities or parking areas. Any boat or trailer

which offends against this Rule may, at the discretion of the Board and without the Board incurring any liability whatsoever or responsibility for so doing, be moved by authority of the Board to such place within the Squadron's grounds as the Board sees fit. Costs of moving such boat or trailer shall be the responsibility of the owner and shall be recoverable from the member by the Board as it sees fit.

19. Boats and/or trailers shall not be left standing in Squadron grounds for more than twenty-four (24) hours without the prior permission of the Board or Club Manager. Any boat or trailer which offends against this Rule may, at the discretion of the Board and without the Board incurring any liability whatsoever or responsibility for so doing, be moved by authority of the Board to such place (within or without the Squadron's grounds) as the Board sees fit. Costs of moving such boat or trailer shall be the responsibility of the owner and shall be recoverable from the member by the Board as it sees fit.
20. Boats and trailers may only be washed down on Squadron premises in the area(s) provided for such purpose. Members using these facilities must at all times comply with prevailing Melbourne Water restrictions and any notices displayed in the Wash Down Area that are specific to the proper use of the available equipment.
21. Hazardous material, petrol, oil and any other objectionable matter or fluids shall not be jettisoned on Squadron premises and may only be disposed of in accordance with the relevant environmental statutory requirements.

FISH CLEANING AND FISH CLEANING AREA

22.
 - (a) All fish brought onto the Squadron's premises by a member or their guest(s) must comply with the prevailing size and bag limits set down by either Government or Squadron Regulations, and/or any other law(s) that may be in force at that time.
 - (b) Fish cleaning may be carried out only in the designated area(s) of the Squadron specifically set aside for such purpose by the Board. Fish must not be cleaned on any ramp, jetty or landing or any other place on Squadron premises other than the designated fish cleaning area(s).

- (c) The fish cleaning area(s) must be cleaned after use and all fish remains are to be cut up and disposed of in a proper manner as per the instructions displayed in the cleaning area(s).
- (d) It is the responsibility of the member using this facility that the fish weigh station is cleaned and locked after use.

DISCIPLINE, SUSPENSION AND EXPULSION OF MEMBERS

23. The Board of Directors may exercise its powers to discipline, suspend or expel a member if the Board is convinced that the member has refused or neglected to comply with the Constitution or By-Laws of the Squadron.

It is a mandatory requirement for all members to sign the published Code of Conduct and Ethics as a pre-requisite for membership in the Squadron.

In these respects, Rule 15 of the Constitution will apply.

NOMINATION FOR MEMBERSHIP

24. (a) In any one financial year a member may propose and/or second no more than two applicants for membership to the Squadron.
- (b) Proposers and seconders of applicants for membership must be financial and have been members of the Squadron for a minimum of twelve (12) months.
- (c) Proposers and seconders of applicants admitted as new members are held responsible for the behaviour of their nominees on Squadron's premises for a period of twelve (12) months following the applicant(s) admittance as a member.
- (d) Any new member is considered to be on probation for a period of twelve (12) months following their admittance to the Squadron. During this period they must comply with all probationary conditions prescribed on their application form and the requirement to compulsorily attend certain Club functions as nominated by the Board from time to time.

LEAVE OF ABSENCE

25. Should any member request Leave of Absence for a period of twelve (12) months, and whose place of residence during such absence is 100 kilometres or more from the Squadron, the Board may require that the member provide written notice of their reason(s) for requesting Leave of Absence. Should the Board approve Leave of Absence, the following conditions will apply:
- (a) The member's key is to be handed in to the Manager prior to commencement of Leave of Absence.
 - (b) Upon their return from Leave of Absence, the member's name shall be placed at the top of the current Waiting List. The member may be required to pay an Administration Fee upon re-admission to membership.
 - (c) Under extenuating circumstances, and upon the member making further written application, the Board at its discretion may approve an extension of Leave of Absence beyond the initial period of twelve (12) months.

CATEGORIES OF MEMBERSHIP

26. Categories of Ordinary Membership of the Squadron are restricted to those defined under Rule 6.1 of the Constitution.
- (a) Whereas a full member shall be entitled to all the privileges of the Squadron, other members shall have only those privileges that are defined under Clauses 6.3, 6.4, 6.5, 6.6, 6.7, 6.8 and 6.9 of the Constitution.
 - (b) The total number of Category "B" plus Category "C" members is limited to 15% of the total membership.
 - (c) Any person, not being a prior member of the Squadron, who has been interviewed and accepted by the Board for membership in a particular category, shall be required to accept membership in that category when a vacancy occurs.

- (d) Those who shall be qualified for Category “B” membership shall be those persons who have been full members (Category “A”) for a period of not less than five consecutive years.
- (e) Whereas a Category “A” member shall be entitled to all privileges of the Squadron, Category “B” and “C” members shall have those privileges of a Category “A” member except that access for boat launching shall be restricted to those days other than weekends and public holidays; and special weekend events as determined by the Board.

GAME FISHING

- 27. Members of the Squadron who wish to participate in game fishing through the Game Fishing Section of the Fishing Committee shall abide by the rules, aims and objectives of the Game Fishing Association of Victoria (G.F.A.V.), the Game Fishing Association of Australia (G.F.A.A.) and the International Game Fishing Association (I.G.F.A.).

HONORARY LIFE MEMBERSHIP

- 28. Honorary Life Membership may be awarded under Rule 7 of the Constitution to any member or former member of the Squadron who in the opinion of the Board has made an outstanding contribution to the Squadron over many years and is dedicated to promoting the objectives for which the Squadron is established.
 - (a) Nominations for Honorary Life Membership can only be made to the Board on the recommendation of a majority of the Honorary Life Membership panel comprising the Commodore, Vice Commodore, Rear Commodore, and the Immediate Past Commodore.

Any member who during their term of membership in BMYS has been suspended because they had refused or neglected to comply with the Constitution (Rules), or been found guilty of conduct unbecoming a member or prejudicial to the interests of the Company, shall not be eligible for consideration as an Honorary Life Member of BMYS.
 - (b) Any decision to grant an award shall be made by a special meeting of the Board

called to approve an Honorary Life Membership recommendation with the Immediate Past Commodore having voting rights at that meeting. Voting on the conferring of Honorary Life Membership would require a majority of the Board in assent with not more than one dissenting vote.

- (c) The conferring of Honorary Life Membership shall be made at the following Annual Presentation Dinner of the Squadron.

AWARD OF APPRECIATION

- 29. Nominations for an Award of Appreciation to a member can only be made to the Board on the recommendation of a majority of the Honorary Life Membership panel comprising the Commodore, Vice Commodore, Rear Commodore and Immediate Past Commodore.
 - (a) Any decision to present an award will be made by a special meeting of the Board called to approve such recommendation, with the Immediate Past Commodore having voting rights at that meeting. Voting on the conferring of an Award of Appreciation would require a majority in assent with not more than one dissenting vote.
 - (b) The announcement of the Award should only occur at an Annual General Meeting of the Beaumaris Motor Yacht Squadron Limited with the presentation to be made by the Commodore at the following Annual Presentation Dinner of the Squadron.

OTHER RULES AND POLICES

- 30. The Squadron has additional policies in place to comply with prevailing State and Federal Government Laws.

The following are some examples of the various policies contained in the “Rules and Procedures Manual” which is held in the Club Manager’s office:

- (a) Sexual Harassment
- (b) Discrimination
- (c) Privacy Policy

Copies of these policies are available from the Secretary or Club Manager on request.

If at any time a Squadron member has a concern with possible infringement of any of these policies, it is their responsibility to immediately notify the Club Manager or a member of the Board of Directors so that the matter can be investigated without delay.

CONTROL OF FISHING AND BOATING EVENTS DURING SEVERE WEATHER CONDITIONS

31. Any boating or fishing competition or non-competitive event organised by the Club will be cancelled if the Bureau of Meteorology issues a Strong Wind Warning (or higher).

Cancellation of the competition or non-competitive event will remain in effect while the Strong Wind Warning is current.

The organiser will not resume the competition or non-competitive event until the Bureau announces that the Warning has been lifted. Alternatively, it may be cancelled altogether or postponed to a later date at the discretion of the organiser.

SURCHARGE TO RE-ACTIVATE A MEMBER'S ELECTRONIC KEY FOR LATE PAYMENT OF ANNUAL SUBSCRIPTION

32. Any member who fails to renew their annual subscription by 1st March in any year will have their electronic key cancelled.

The electronic key will be re-activated for a fee of \$50 only when the outstanding subscription has been paid in full.