

COLNE SMACK PRESERVATION SOCIETY

CONSTITUTION AND RULES

(Changes from 2012 version are in italics)

Name

1. The Society shall be called the COLNE SMACK PRESERVATION SOCIETY, *an incorporated community group.*

Objectives

2. The Society's objective shall be to FOSTER AND ENCOURAGE THE PRESERVATION AND RESTORATION OF TRADITIONAL SAILING WORKING CRAFT in the district, also to include the following:
 - d. The preservation of the ALDOUS HERITAGE SMACK DOCK.
 - e. The management of the annual COLNE SMACK AND BARGE MATCH.
 - f. Encouraging the preservation of traditional sailing, fishing and associated skills.
 - g. The engagement of Members and non-members to participate in the Society's events through the Society's Newsletter, the Society's website (www.colnesmack.co.uk) and appropriate social media.

Membership

3. Membership of the Society is open to those interested in the Society's objectives. New Members must be nominated by an existing Member and seconded by another Member. Membership is subject to acceptance of the nomination at a meeting of the Society, or of its Committee.
4. Upon election each Member shall be notified that upon payment of their subscription, the person becomes a Member entitled to attend the Society's meetings and to vote and that this confirms acceptance of the Society's Rules, which are available on the Society's website (www.colnesmack.co.uk). A paper copy will be available if required.
5. Junior Memberships may be awarded by the Committee for such a period as it deems appropriate.
- 5a. Single Membership entitles one person to vote at Meetings of the Society. A further person at that same address may be included in Society records as a matter of courtesy.
6. The Committee may nominate Honorary Members of the Society for life or for a period which is at the discretion of the Committee. Each Honorary Member shall have a vote.
7. The Committee may expel a Member for conduct which it considers against the best interest of the Society, such Member being given the right of hearing before the next Annual General Meeting (AGM), which need not give reasons for its decision.

Meetings

8. The Society shall meet once a year at an Annual General Meeting (AGM) and at such other occasions as decided by the Committee for the purposes of the Committee, the times and places of the meetings to be notified by the Secretary, by notice in the Society's Newsletter and on the Society's website.
9. Minutes of the AGM and of other meetings shall be prepared by the Secretary and presented for approval at the next meeting of the Society. *Deleted- reference to the website.*

10. The Committee is empowered to call an Extraordinary General Meeting (EGM).
11. The annual subscription(s) and Berthing craft and dinghy Fees shall be set at the AGM for introduction at the 1st November of the following year.

The Officers

12. The Officers of the Society are the President, Chair, Treasurer and Secretary. *No one person may hold the position of more than two Officers'.*
13. No person may become an Officer of the Society, or an elected Member of the Committee, who has not been a Member of the Society for at least two years. This provision does not apply to Acting Officers
14. The Officers of the Society shall serve for a term of two years, after which they are eligible to serve again. Where there are vacancies, or their terms of office have expired, Officers shall be elected at the AGM. Committee Members shall be elected at the AGM for a period of one year. Candidates for office must be nominated by an existing Member and seconded by another Member. Nominations for both Officers and Committee members may be made at the AGM.
15. The elections for Officers and Committee Members shall be by ballot. The candidate(s) receiving the most votes shall be elected. In the event of a tie, a deciding vote shall be cast by the Chair.
16. All donations, subscriptions and other moneys received must be handed to the Treasurer, by whom all outgoings shall be paid on the decisions of the Society or its Committee. All funds in hand shall be placed by the Treasurer to the account of the Society. All cheques shall be signed and counter-signed.
17. A balance sheet and a profit and loss statement shall be prepared by the Treasurer for presentation at each AGM and the accounts made up to 30th September annually. The accounts shall be examined and the name of the Independent Examiner shall be included in the accounts. *Deleted- reference to this only being necessary if more than 30 deductions are made from the Society's accounts up to 30 October annually,*

The Committee

18. The Chair, Treasurer and Secretary, together with up to seven Committee members, constitute the Society's Committee.
19. Any Committee meeting shall have a quorum of not less than four Members present.
20. The Committee shall be responsible for the day to day business of the society and for reporting decisions taken to the AGM of the Society.
21. Minutes of all Committee meetings shall be prepared by the Secretary and presented for approval at the next Committee meeting. *Deleted- reference to posting on the Society's (open-access) website.*
22. The Committee shall be empowered to organise, appoint and arrange events, such as social events as it deems appropriate.
23. The Committee shall be empowered to raise monies to charities from an annual social event.

24. The Committee may invite a representative of *Brightlingsea Town Council* and/or the Harbour Commissioners to Committee meetings and other non-members to Committee meetings when it deems appropriate.
25. The Committee is empowered to co-opt up to two additional Members.
26. The Committee shall appoint sub-Committees and appointments such as a Race Committee or Newsletter Editors as it deems necessary.
27. The Committee shall appoint a Berthing Master, to be responsible for the management of Berthing in the Society's dock.
28. Members are entitled to apply to the Berthing Master for berthing facilities for traditional sailing working craft. Such berthing facilities are subject to such Berthing Conditions as the Committee may from time to time determine.
29. The Berthing Master may make provisions for visiting craft, insofar as this seems appropriate and does not disadvantage Members' craft.

The Trustees

30. There shall be a minimum of three Trustees of the Society and their method of appointment and responsibilities are described in the following paragraphs
31. . If by any reason the number of Trustees is less than three, nomination(s) shall be offered by the Committee for election at the next AGM.
32. The Trustees shall be elected by ballot at the AGM. The property of the Society shall be vested in them (other than cash which shall be under the control of the Treasurer) to be dealt with by them as the Society, or its Committee, shall from time to time direct by resolution of which an entry in the minutes shall be conclusive evidence. The Trustees shall be indemnified against risk and expense out of the Society property.
33. For the purpose of giving effect to such an election, the President *or in his absence the Chairman*, is hereby nominated to appoint new Trustee(s) to the Society within Section 36 of the Trustees Act 1925 and shall by deed duly appoint the person(s). The provisions of the Trustees Act 1925 shall apply to any such appointment. All costs and expenses incurred in the carrying out of these provisions shall be paid out of the funds of the Society.
34. The Trustees, individually or collectively, shall be empowered to ensure the Society is solvent and in compliance with its Objectives and, if considered not, shall be empowered to call an Extraordinary General Meeting (EGM) through the offices of the Committee. Such an EGM called by the Trustees shall take place within two months; at least thirty days' notice shall be given in the Society's Newsletter and on the Society's website.
35. Any Trustee may be removed by a ballot at the AGM or an EGM. Otherwise, Trustees shall hold office until death or resignation.

The Society's Year, Due Date and Revocation of Membership or Berthing entitlement

36. The Society's Membership Year commences on the 1st November and ends on the next 1st October.

37. All subscriptions and Berthing Fees are due on the 1st November.

38. A Member whose subscription shall be in arrears for three months or more shall cease to be a Member.

39. Any Member whose Berthing fees shall be in arrears for three months shall cease to be entitled to a Berth and shall be required to move their craft from the Dock forthwith.

Borrowing

40. The Society may request funds from the Members if a majority vote is cast at an EGM or AGM.

Rule Amendment(s) and Dissolution

41. The foregoing Rules may be amended by a majority of Members, attended by not less than *one sixth* of the Society's Membership, voting at an AGM or an EGM called by the Committee and notified by the Secretary to the Members, with at least thirty days' notice, in the Society's Newsletter and on the Society's website.

42. If at any meeting, attended by not less than one sixth of the Society's Membership, a resolution for the dissolution of the Society shall be passed by a majority of the Members present, the Society shall thereupon or at such future date as shall be specified in such resolution, proceed to realise the property of the Society and after the discharge of all liabilities, including the repayment of all monies advanced by members, shall donate the same to the Marine Society, or in the event that they cease to exist The Missions to Seamen, and upon the completion of such donation the Society shall be dissolved.

Approved by the AGM of the Society 23 November 2019

.....M Doe..... Chairman

