

Constitution and Rules of the Leisure Owners Association (UK)

SECTION 1 - NAME AND OBJECTIVES

- 1.1 The name of the Association shall be "The Leisure Owners Association" (hereinafter referred to in this document as the "Association").
- 1.2 The objectives for which the Association is formed are:
- (a) To provide social and other facilities for Members as may from time to time be determined.
 - (b) To periodically publish a newsletter in which Members can express their views and experiences upon matters of general interest to owners of Leisure Yachts.
 - (c) To promote and provide for the exchange of ideas between the owners of Leisure Yachts.

SECTION 2 – MANAGEMENT OF THE ASSOCIATION

2.1 Officers

- (a) The officers of the Association shall be Members of the Association and shall be a Commodore, Vice Commodore, Honorary Membership Secretary, Honorary General Secretary and Honorary Treasurer. Officers shall be elected at the Annual General Meeting in each year, and shall hold office for one year, retiring at the termination of the next Annual General Meeting.
- (b) All officers of the Association shall normally be eligible for annual re-election, up to a maximum of three consecutive years in office, at which time upon retiring, shall stand down for a minimum period of one year before seeking re-election to any post. The exception shall be the holder of the post of Vice Commodore, who shall normally progress to the Commodore's post automatically when it becomes vacant. However, if no nominations have been received, the retiring officer may be nominated for re-election, providing that he/she agrees and that this is approved by two thirds of all Members present at the Annual General Meeting who are entitled to vote.
- (c) The officers shall jointly manage the affairs of the Association within the duties defined in these Rules. Officers shall not act alone when making any significant decision with respect to the affairs of the Association. (See Rule 4.7)

2.1.1 Duties of the Commodore

The Commodore shall:

- (a) lead Association activities, and maintain contact with all Members, and local groups, as far as may be practicable;

- (b) organise the Annual General Meeting each year at a place and time convenient to as many Association Members as is reasonably possible;
- (c) ensure that the Annual General Meeting is properly established and managed in accordance with the Constitution and that the Agenda and Accounts are distributed twenty one days in advance to all Association Members; and
- (d) ensure that the Annual General Meeting is properly minuted, and that the minutes are distributed to the Membership.

2.1.2 Duties of the Vice-Commodore

The Vice-Commodore shall:

- (a) provide assistance to the Commodore, and assume the Commodore's role, in the absence of the Commodore;
- (b) take the lead on any special activities and projects that may be undertaken by the Association as directed by the Membership at the Annual General Meeting; and
- (c) engender the formation of local groups of members.

2.1.3 Duties of the Honorary Membership Secretary

The Honorary Membership Secretary shall:

- (a) keep a register of Association Members names and addresses;
- (b) conduct the correspondence of the Association relevant to membership;
- (c) keep custody of all Association documents relevant to membership; and
- (d) ensure that members pay their subscriptions promptly, and withdraw membership status from any member whose subscription becomes overdue (Rule 3.5(d)).

2.1.4 Duties of the Honorary General Secretary

The Honorary General Secretary shall:

- (a) keep full minutes of all meetings of the Association, the Committee and Sub-committees that shall be signed by the appropriate Chairman upon agreement of the Association, the Committee or Sub-committee; and
- (b) ensure that the Annual General Meeting minutes include reports from the Vice-Commodore, Honorary Membership Secretary, Honorary Treasurer and such members of the Support Team as may be appropriate, and are agreed at the subsequent Annual General Meeting, before being signed as a true record of proceedings.

2.1.5 Duties of the Honorary Treasurer

The Honorary Treasurer shall:

- (a) cause such books of account to be kept as are necessary to give a true and fair state of the finances of the Association;

- (b) prepare an Annual Income and Expenditure Account, a Budget for the forthcoming financial year, and a Statement of Bank balances, and cause such accounts to be examined at least once annually and shall thereafter cause the same to be available to the Members of the Association at least twenty one days before the date of the Annual General Meeting; and
- (c) draw to the attention of the Committee any predicted and significant worsening of the Association's financial health; and
- (d) recommend to the Committee a person suitable to act as examiner whose duties shall be to review the accounts of the Association, when called upon to do so, and shall give such assurance as to the accuracy of the said accounts as shall be required by law or by the Committee.

2.2 Support Team

2.2.1 Technical Advisers

The Committee shall appoint Advisers for technical enquiries received by the Association relating to Leisure yachts or equipment normally carried on Leisure yachts.

The Advisers will endeavour to ensure that a prompt response is made to all such enquiries and will also ensure that the Membership of the Association is informed about technical matters arising that may affect Leisure yachts. The Advisers, whilst not being officers of the Association, may be requested to attend Committee meetings and discuss enquiries received and responses given.

2.2.2 Editor

The Committee shall appoint a Member of the Association to be the Editor of a newsletter. The newsletter shall be published periodically, as determined by the Committee, and distributed in paper form or electronically, to all Members of the Association. The Editor, whilst not being an officer of the Association, may be requested to attend Committee meetings and discuss any matters arising from the publication of the newsletter.

2.2.3 Webmaster

The Committee shall appoint a Member of the Association to be Webmaster, who shall be responsible for maintaining a website for the Association. The Webmaster, whilst not being an officer of the Association, may be requested to attend Committee meetings and discuss any matters arising from the maintenance of the website.

2.2.4 Others

The Committee shall create such other Support Team posts as it considers appropriate.

SECTION 3 - MEMBERSHIP

3.1 Categories and Voting Rights of Membership

There shall be the following categories of Membership with power to vote at all meetings of the Association as indicated hereunder.

- (a) ORDINARY MEMBER - being a person meeting the requirements of Rule 3.2, shall have one vote. The expression "Ordinary Member" shall include the partner of the Member and immediate children less than eighteen years of age of the Member. The family unit shall have one vote exercisable by either the Ordinary Member or his/her partner. In the event that more than one member of a family is elected to be an officer of the Association, then each shall be entitled to one vote.
- (b) HONORARY MEMBER - who shall be nominated and elected in the manner described in Rule 4.11, shall have one vote.
- (c) ASSOCIATE - being a person or organisation, nominated by the Committee that has a special relationship with the Association. Associates shall include, but not be limited to, members of other class associations, representatives of the media and boat builders.
 - Associates shall not have any right to vote, but may attend any Association meeting, and receive copies of the Association newsletter as the Committee may determine. Associates shall not be required to pay any fees to the Association.
 - No more than ten (10) Associates shall exist at any time, and the Committee shall declare the list of Associates at each Annual General Meeting in the Membership Secretary's annual report.
 - Associates shall not be eligible for election to any office.

3.2 Eligibility for Membership of the Association

Any person, whether or not the current owner (or part owner) of a Leisure yacht shall have the right to Membership of the Association, if the prescribed Membership formalities are completed and the person agrees to abide by the Rules of the Association.

3.3 Entrance and Subscription Fees

- (a) The Entrance fee and rate of Annual Subscription Fee shall be proposed by the Committee to the Members at the Annual General Meeting in each year.
- (b) Any proposed changes shall be approved by a majority of those present and entitled to vote and shall become operative immediately. The current rate of Entrance and Subscription Fee shall be notified to all persons applying to join the Association.
- (c) All Ordinary Members shall pay to the Association their first annual subscription upon joining the Association and thereafter every 12 months.
- (d) Honorary Members, elected in accordance with Rule 4.11, shall not be required to pay an annual subscription.

3.4 Members' Duty to provide an up-to-date address

Every Member shall furnish the Honorary Membership Secretary with up-to-date postal and email addresses, which shall be recorded in the Register of Members, and any notice sent to such address shall be deemed to have been duly delivered.

3.5 Application for, and resignation from, Membership

(a) Every application for Membership shall be in the form prescribed by the Committee and shall include the Name and Address of the applicant and show such sums as may be payable to the Association in respect of Entrance and Subscription Fees.

(b) Upon receipt of an application for Membership, accompanied by the appropriate fees, or confirmation that these have been paid, the Honorary Membership Secretary shall, if requested, furnish the Member with a copy of the Rules of the Association.

(c) A Member desirous of resigning from Membership shall give notice to that effect in writing to the Honorary Membership Secretary. Subscriptions paid shall be non-refundable.

(d) Membership will automatically lapse for any Member whose annual subscription is more than 30 days in arrears. No Member whose annual payment is in arrears may enter any Association event or vote at any meeting.

SECTION 4 – COMMITTEE

4.1 Constitution of Committee

The Committee shall consist of the five officers and a further three Members of the Association, elected at the Annual General Meeting in each year, to hold office until the termination of the next Annual General Meeting

4.2 Candidates for Election to Committee

Candidates for election to the Committee shall be those Members of the retiring Committee eligible and willing to offer themselves for re-election (Rule 2.1) and such other Members whose nomination (duly proposed and seconded by Members of the Association) with their consent shall have been received by the Commodore at least fourteen days before the date of the Annual General Meeting in each year.

4.3 Election of the Committee by Ballot

If the number of candidates duly proposed and seconded exceeds the number of vacancies to be filled, the election at the Annual General Meeting shall be by ballot.

4.4 No Contest for Election

If the number of candidates for election is equal to, or less than, the number of vacancies to be filled, then all candidates shall be deemed to be elected if two thirds of those present at the Annual General Meeting and entitled to vote, vote in favour of such election.

4.5 Equality of Votes

In the event of the ballot failing to determine the Members of the Committee, because of an equality of votes, the candidate(s) to be elected, shall be determined by lot, from those having an equal number of votes.

4.6 Co-opted Committee Members

If for any reason an unexpected vacancy should occur, the Committee may co-opt a Member to fill such a vacancy until the next following Annual General Meeting.

4.7 Management of Association by Committee

(a) The Committee shall manage the affairs of the Association according to the Rules and shall cause the funds of the Association to be applied solely to the objectives of the Association or for a benevolent or charitable purpose nominated by a General Meeting.

(b) Voting shall be by show of hands. In the case of an equality of votes, the Commodore or Chairman (as the case may be) shall have a second or casting vote.

(c) A minimum of 50% of the Committee shall form a quorum and the Commodore or Chairman (as the case may be) shall have a second or casting vote in the event that equal numbers of Committee Members vote for or against a motion.

(d) Decision making may be ex-Committee, but the same rules (see 4.7 (c)) shall apply i.e. that 50% of Committee members shall have been consulted either in person, by email, by telephone or by any other means, and the Commodore or Chairman (as the case may be) shall have a second or casting vote if necessary.

(e) Minutes or Notes shall be kept for all Committee Meetings and ex-Committee decision making, and shall be copied to the General Secretary for filing in the Association records.

4.8 Appointment of Sub-committees

The Committee may appoint such Sub-Committees as it may deem necessary. Such Sub-Committees shall consist of such Members of the Association as the Committee may think fit.

4.9 Nomination of Honorary Members by Committee

The Committee may nominate for election at an Annual General Meeting such Honorary Members as the Committee may think fit. Honorary Membership will normally be for life unless the Honorary Member retires from the Association. The total of such Members shall not however exceed five percent of the total number of Members.

SECTION 5 – GENERAL MEETINGS OF THE ASSOCIATION

5.1 Annual General Meeting

An Annual General Meeting of the Association shall be held each year on a date to be fixed by the Committee. The Commodore will ensure that at least twenty one days before the date of such meeting, or any General Meeting, as hereinafter mentioned, that notice thereof is posted or delivered to each Member with details of the business to be brought forward thereat.

5.2 Business at Annual General Meeting

The business to be completed at the Annual General Meeting shall be the presentation of:

- (a) Commodores Address;
- (b) Vice Commodore's report;
- (c) Treasurer's report and acceptance of the Accounts;
- (d) The Honorary Membership Secretary's report;
- (e) Other reports including from the Support Team as may be available.

Followed by the election of Officers and Committee for the following year.

Upon completion of such business any Member having any point to raise in the interests of the Association shall be free to make that point known in order that full and free discussion may take place, the depth and extent of such discussion shall be at the discretion of the Chairman of the meeting.

5.3 Special General Meeting

- (a) The Committee may at any time upon giving twenty one days notice in writing call a General Meeting of the Association for any special business the nature of which shall be stated in the summons convening the meeting and the discussions at such meeting shall be confined to the business stated in the notice sent to the Members.
- (b) The Committee shall similarly call a General Meeting upon a written request addressed to the Honorary General Secretary by at least ten Members. The discussion at such a meeting shall be confined to the business stated in the notice sent to Members.

5.4 Chairman at Meetings

At every meeting of the Association the Commodore, or the Vice Commodore, or in their joint absences, a Chairman elected by those present shall preside.

5.5 Quorum at General Meetings

Ten Members or Honorary Members entitled to vote and personally present shall form a quorum at any meeting of the Association.

5.6 Voting at Meetings (Entitlement)

Only Members (in accordance with Rule 3.1) shall vote at any meeting of the Association.

5.7 Voting at Meetings (Method)

Voting, except upon the election of the Committee, shall be by show of hands.

5.8 Equality of Vote

In the case of an equality of votes, the Chairman shall have a second or casting vote on any matter other than the election of the Members of the Committee.

5.9 Voting on Rule Change

On any resolution properly put to a meeting of the Association relating to the creation, repeal or amendment of any rule or regulation of the Association, such rule or regulation shall not be created, repealed or amended except by a majority vote of at least two thirds of those present and entitled to vote.

SECTION 6 - DISSOLUTION OF THE ASSOCIATION

6.1 Distribution of Assets

If, upon winding up or dissolution of the Association, there remains after the satisfaction of all its debts and liabilities any property whatsoever, the same shall not be paid to or distributed amongst the Members of the Association, but shall be given or transferred to the Funds of the Royal National Lifeboat Institution.