

QUEEN MARY SAILING CLUB

BYE-LAWS

May 2016

INTRODUCTION

Compliance with these bye-laws is a condition of membership of Queen Mary Sailing Club (the "Club"). Any failure of Members or their Guests to comply with them may prejudice the Club's lease. The Club may therefore bar any Member or Guest who does not comply with these bye-laws.

Throughout these bye-laws the word "boat" is deemed to cover all approved craft having the right to use the reservoir under bye-law 5. The use of the word "sailing" is deemed to include all water based activities (e.g. dinghy sailing, windsurfing, stand up paddle boarding, canoeing, rowing, power driven craft, raft building, dragon boat racing, model boat racing, etc.). Words incorporating the masculine gender only include the feminine and neuter genders and words incorporating the single number only include the plural and vice versa.

1. APPLICATION OF BYE-LAWS

- a. These bye-laws apply to all categories of members of the Club, including but not limited to honorary life members, fee-paying non-temporary members (even if dues not paid, unless otherwise specified), crews of boats with a crew pass, temporary day sailing members, open meeting competitors and sailing school students ("Members") and visitors.
- b. All those to whom these bye-laws apply are also bound by the Club Safety Policy and any applicable Sailing Instructions and/or hire conditions, all as may from time to time be in force.

2. OPENING TIMES

- a. The opening times of the Club will be published.
- b. The reservoir may only be used for sailing during the published on-water hours.
- c. Sailing may only take place when a competently staffed safety boat is ready for immediate use and when the Club Flag is flying.
- d. All boats, tackle and gear must be removed from the water, with the exception of keel boats and other training boats on club moorings, and all boats must be properly berthed or stowed away before the published closing time.

3. AREAS OF ACTIVITY

- a. Members may only use the Club's facilities when they have paid an appropriate membership fee.
- b. Club sailing shall take place only in the part of the reservoir specified on the notice board in the foyer. Those attending courses or organised racing events may sail in other areas designated by their instructor, coach or race officer.
- c. Landing of boats on the bank (other than whilst under instruction or as described in (e) below) is only allowed in case of emergency.

- d. Sailing within two hundred metres of the inlet to the reservoir (south western corner) or the outlet (north eastern corner) is prohibited.
- e. The launching and recovery of boats must be from a pontoon hoist, slipway or the area of bank close to the pontoons. Boats may not be tied onto pontoons and left unattended.
- f. Club members are not permitted beyond the perimeter of the Club's land between the gate behind the secure windsurf racks, the gate on the north east bank and the gate on the bund.
- g. No boats may be allowed to interfere with any other activity on the reservoir authorised by Thames Water (e.g. bird watching, dredging, etc.).
- h. The areas bounded by the dredgers' anchor buoys and the bund shallows marker buoys, known as "exclusion zones", are obstructions to sea room and sailing within them is prohibited.
- i. Boats shall keep clear of barges and motor vessels.
- j. Members and Guests shall follow the instructions of the Duty Officer at all times. The Duty Officer will be named on the Daily Information Board in the foyer.

4. ORGANISATION OF SAILING

- a. All sailing shall come under the control of the Duty Officer.
- b. A Race Officer will be appointed for each day or part of a day on which racing takes place. The instructions of this Race Officer must be observed without demur.
- c. During racing the relevant Club's Sailing Instructions must be observed.
- d. Boats which are cruising must stay well clear of boats which are racing or undergoing instruction.

5. BOATS THAT MAY BE USED

- a. Only boats approved by the Club's Sailing Committee may be sailed on the reservoir. The term sailing is defined in the Introduction above.
- b. No outboard motors or power driven craft other than those approved for safety, racing support or instruction under (a) above are allowed.
- c. Certain classes of non-spinnaker multihulls may be sailed
- d. The use of Stand Up Paddleboards (SUPs) is under the control of the Duty Officer. They may only be used if the green flag is flying and keep within the designated SUP areas
- e. No form of Kite Sailing is allowed on the reservoir.

6. INSURANCE

- a. Each boat owning Member, day sailor visiting competitor or temporary member shall have insurance cover to the value of £2 million on his or her boat and the users thereof against third party liability and shall keep the Club and its officers indemnified against all or any third party claims which may arise in connection with his or her boat or any user thereof.

7. SAFETY

- a. No boat may sail on the reservoir without sufficient buoyancy to enable it to float and support its crew when capsized or holed. If requested, this must be demonstrated to an official of the Club.
- b. All persons must at all times whilst afloat, on the pontoons or on the sloping banks of the reservoir wear a personal flotation device ("PFD"), appropriate to their weight, except that competent persons over 18 may wear a 'windsurfing harness' instead of a PFD whilst windsurfing. A wet suit or dry suit does not constitute a PFD.
- c. No persons shall be afloat during the winter months from 1st November to 31st March, except those in powerboats and keelboats with a length of seven metres or more, unless wearing a full body wet suit or dry suit appropriate for the conditions.
- d. During the summer months from 1st April to 31st October, all persons sailing windsurf boards or SUPing must wear a wet suit or dry suit appropriate for the conditions.
- e. Safety boat crews may act in the interests of safety as they see fit, which may include taking the crew of a boat and abandoning it or requiring boats to immediately return to the shore.
- f. A red flag flown on the Club flagpole signifies a strong wind warning. When the red flag is flying only experienced sailors should attempt to sail; less experienced sailors should not go sailing or should return to shore immediately.
- g. When the Club flag is lowered, all boats (other than safety boats) must return to shore immediately.
- h. Deliberate bodily immersion (swimming) is not permitted except for the safe launching and recovery of craft, or as part of an official training course.
- i. If in need of assistance a sailor should give repeated blasts on a whistle or continuously raise and lower both arms to a point above the head, with fists clenched and arms uncrossed; this should be done standing or kneeling on the boat facing the direction in which it will be seen or understood. A sailor in difficulty should remain calm and stay with his boat.
- j. Any person should exercise care on the sloping banks and pontoons, which may present trip hazards and may be slippery, especially when wet.

8. POLLUTION

- a. Pollution or other contamination of the reservoir is absolutely forbidden. Litter must be placed in the bins provided.
- b. Boats and other equipment must be clean prior to launching to avoid pollution of the reservoir. No antifouling paint or chemical may be used which is not approved by the Club.
- c. For the prevention of the transfer of invasive species boats brought into the Club must have undergone the Check Clean Dry procedure. Further details may be obtained from club staff. The Club may check arriving boats and may reject boats that contain water or are not dry.

- d. Interference with Thames Water plant, valves, machinery, drains or apparatus including that belonging to the licenced gravel extractors is forbidden.
- e. Trees plants hedges or bushes must not be cut down or damaged in any way and soil, clay and sand are not to be dug or removed.
- f. Interference with wildlife of any description, shooting or fishing are not permitted.
- g. Dogs (with the exception of assistance dogs) and other animals are strictly prohibited anywhere on the Club's land.
- h. Advertisements and notices shall not be placed in or around the Clubhouse without permission.
- i. VHF radios or walkie-talkies shall not be used on the Club premises without the permission of the Club.
- j. Mobile electronic devices should not be used in a way that disturbs other Members.

9. CHILDREN & VULNERABLE ADULTS

- a. The Club has a Safeguarding Policy which considers anyone under the age of 18 as a child. The policy also covers 'vulnerable adults' such as those with learning disabilities, those who have difficulty communicating or who rely on others to provide personal care. All members of the Club and Staff should be made aware of this policy. Any member of staff, volunteer or club member failing to comply with this policy may be subject to investigation under the QMSC Club Byelaws or English law, as appropriate.
- b. It is the policy of Queen Mary Sailing Club to safeguard children and young people taking part in activities at QMSC from physical, sexual or emotional harm. The Club will take all reasonable steps to ensure that, through appropriate procedures & training, children participating in QMSC activities do so in a safe environment. We recognise that the safety and welfare of the child is paramount and that all children, irrespective of gender, age, disability, race, religion or belief, sexual identity or social status, have a right to protection from abuse. Full details of the Safeguarding Policy can be found on the Club website.
- c. Parents, or another adult designated by them, must supervise persons under the age of eighteen and will be responsible for their safety, actions and behaviour. The Club accepts no responsibility to exercise supervision or control.
- d. Young people must be kept under strict control and must behave in such a manner that they will not detract from the enjoyment of the Club's facilities by other Members.
- e. A parent or responsible adult of a young person taking part in Club racing must sign on against their name on the race signing on sheet giving their name and mobile phone number and agree to be present at all times whilst the young person is on the premises.

10. CAMERAS & DRONES

- a. Approval should be obtained from the Duty Officer before a Member or Guest may take photographs or videos.

- b. Onboard video devices may be used on the water for the purposes of training – both personal or for training others but may not be used on the land without approval as in 10 a. above.
- c. At times photographs or video footage may be taken, under the direction of a senior member of club staff, strictly for the purposes of coaching, recording events and for general promotional interest.
- d. No drones may be flown from the Club premises or grounds without prior approval by the Club Secretary. Proof of relevant licences and insurance will be required.

11. WiFi

- a. Any public WiFi facility provided by the Club shall only be used for checking email and social media. It shall not be used for downloading large files such as music or videos.
- b. Only material that it would be appropriate for a young person to see may be viewed.

12. BERTHING

- a. Boats must be berthed in positions allocated by the Club.
- b. All boats must be properly secured and tied down in the approved manner when left in the boat park. Halyards are to be made fast in such a manner as to prevent them rattling on masts.
- c. Windsurf boards, ancillary equipment (e.g. masts, sails and booms) and SUPs must be placed in the secure cages.
- d. The Club must be notified in writing of any change in boat ownership.
- e. The Club at any time and without notice to the Member may move any boat or piece of equipment, trolley or trailer associated with it, from its authorised berth or mooring or from any other part of the Club's premises to another berth, mooring or another part of the Club's premises:
 - i. For the safety of the boat or another boat, or
 - ii. For the proper, secure and efficient running of the Club, or
 - iii. Where membership has expired and/or where fees are in arrears.

13. KEELBOATS

- a. All launching and recovery of keel boats is the responsibility of the boat's owner and may only be carried out by methods approved by the Club.
- b. Moorings are the property of the club and must not be adjusted or in any way altered by anyone other than a Club official.
- c. Keelboats may be dry sailed using berths allocated by the club.

14. PARKING

- a. Vehicles belonging to Members, guests or staff employed by the club shall only be parked in the lower car park except for those with passengers with mobility difficulties which display a Blue Badge (Disabled Parking Permit) which may park on the upper level in a designated place.
- b. Vehicles may be temporarily parked on the upper level for a maximum of 20 minutes while loading or unloading boats or equipment.

15. CAMPING

- a. Staying overnight will only be allowed in camper vans or mobile homes. Prior approval is required.
- b. No camping in tents will be allowed.

16. GUESTS

- a. Any Member may bring a person who is not a Member onto the Club's premises provided that:
 - i. The member enters the name and address of his visitor (Guest) and his own name in a book kept for such purpose and at no time leaves the Club premises while the said guest is thereon.
 - ii. The Guest agrees to comply with these bye-laws and acknowledges that he uses the Club premises under the conditions set out in clause 20 below.
 - iii. No member may introduce a guest more than six times in any calendar year
 - iv. No Member may introduce more than two Guests in any one day.
 - v. A Guest may not use the amenities of the Club more than three times in any calendar year, irrespective of who introduces him/her.
- b. Any Member shall be responsible for ensuring that his Guest complies with these bye-laws.
- c. Members may not bring people who are not Members onto the Club premises except if they comply with clause 16 a. above.

17. FOOD & REFRESHMENT

- a. Food and drink may be supplied by the Club's caterers to Members and guests.
- b. Council may authorise the sale of intoxicating liquor to persons over the age of 18 years.
- c. No person may purchase or attempt to purchase intoxicating liquor for consumption by a person under the age of 18 within the Club premises, except that a person over 18 may purchase beer, wine or cider for a person over 16 who is having a meal.

18. PREMISES

- a. Smoking is prohibited in any part of the clubhouse, outbuildings or on Club boats.
- b. Council may authorise the Club Secretary to hire the Club's premises or grounds to any responsible individual or organisation, provided that paragraphs 8, 14, 17 (b), 17 (c) and 20 and other relevant clauses of these bye-laws are complied with.

19. BEHAVIOUR

- a. It is the policy of the Club that all users (members, visitors, participants, coaches, instructors, officials, parents and volunteers) of QMSC show respect and understanding for each other, treat everyone equally within the context of the sport and conduct themselves in a way that reflects the principles of the club. The aim is for all users to safely enjoy the Club and their sport. Abusive language, swearing, intimidation, aggressive behaviour or lack of respect for others and their property will not be tolerated and may lead to disciplinary action.

- b. Full details can be found in the Code of Conduct which is available on the Club website.

20. DISCLAIMER OF LIABILITY

Members, Guests and other visitors use the premises and any other facilities of the Club entirely at their own risk and by doing so accept that:

- a. The Club will not accept any liability for any damage to or loss of property belonging to Members, Guests and other visitors.
- b. The Club will not accept any liability for personal injury arising out of the use of the premises or any other facility of the club, or out of participation in any race or other activity organised by the Club, whether sustained by Members, Guests or other visitors, or caused by the said Members, Guests and other visitors, whether or not such damage or injury could have been attributed or contributed to or was occasioned by the neglect, default or negligence of any of the officers, members or servants of the Club.
- c. Save for death or personal injury caused by the negligence of the Club and for which the Club is proven to be responsible in a court of competent jurisdiction, the club shall not be liable to any person beyond that of a duty to exercise reasonable skill and care.
- d. The Club is not liable to Members or any third party for any indirect or consequential loss or damage, profit, revenue or business, howsoever caused (whether arising out of any negligence or breach of these rules or otherwise).
- e. Before bringing any Guests or visitors on to the premises or to participate in events or other activities organised by the Club, members are required to draw their attention to this rule.
- f. If any provision of these bye-laws is held to be void or unenforceable by any court of law or competent governmental or other authority, the remaining provisions of these bye-laws shall be severable and enforceable accordingly.

21. APPLICABLE RULES

Boats using the reservoir shall be governed by:

- a. The current Part B of the International Regulations for the Prevention of Collisions at Sea (IRPCS), when one or both craft is not racing.
- b. The current Racing Rules of Sailing together with any other rules that the Sailing Instructions for an event may incorporate when they are racing