



# Haversham Sailing Club

RYA Affiliated.

RYA Recognised Training Centre

Member of Milton Keynes and Bucks Youth Sailing Association

## RULES AND BYE-LAWS

### OBJECTIVE

The primary objective of the club is to encourage sailing as a sport and pastime for all, regardless of age, ability, ethnicity, sex or sexual orientation. The secondary objective is to utilise club resources in useful ways taking special account of community and environmental sensitivities.

### ORGANISATION

Management consists of a Board of Directors, Club Officers, and Groups. The Directors are responsible for running the club and are empowered to appoint Officers and Groups with delegated powers. Directors meet as part of the Management Board meetings held monthly apart from during August. Processes defined in the Articles & Memorandum of the Company govern the convening of meetings, in particular the Annual Meeting at which Directors present themselves for re-election. The Directors main role is to determine strategic planning and to involve as many members as possible in the Club organisation and activities. The Company Secretary is responsible for maintaining the required register of Company Directors.

### 1. MANAGEMENT BOARD

The Directors and Officers sit together as a Management Board. Officers consist of: the Commodore who is responsible for the overall running of the club in accordance with member's wishes, the Rear Commodore (who acts as deputy), Vice Commodore, Treasurer, Membership Secretary, Company Secretary and other co-opted/appointees.

### 2. MANAGEMENT GROUPS

There will be management groups/committees (e.g. Sailing or Social) that look after particular activities, each one coordinated by at least one Director and/or Officer/Appointee. In addition there will be individuals appointed to look after other areas such as Health and Safety, Child Welfare, Safety Boats, Fishing etc. whose details will be found on the website or in the clubhouse.

### 3. MEMBERSHIP

All members must each guarantee to pay £1.00 to creditors should the club be unable to meet obligations. Members meet annually to elect a Board of Directors. The Annual General Meeting of the Club will be held in May/June each year after the accounts have been drawn up and audited.

No member may use the Club premises, or any of the facilities of the Club until forty-eight hours have elapsed from the date of posting of notice of election.

(i) Applicants will be accepted into club membership if approved by a majority vote of the Board of Directors. The Board of Directors will have sole discretion regarding the acceptance or renewal of membership. Applicants shall be informed of the Board decision by the Membership Secretary who shall furnish newly elected members with a copy of the rules of the club. Club entitlements and age specifications come into force at membership renewal date.

*Concessionary rates will be given at the discretion of the Board to any member, for example, retired Individual or Family members.*

(ii) Categories of membership and license holders:

- **Individual member:** Any member of the club aged 18 or over
- **Family member:** Any member, his or her spouse, partner, family and any children under the age of 18 (or 24 in full time education), all living at the same address
- **Student member:** Those aged 18-24 in full-time education.
- **Junior member:** A Junior member is any member under the age of 18 who joins the club other than as a family member where the Junior member is entitled to sail a dinghy or sailboard. Junior members under the age of 16 require the written consent of their parent or legal guardian. Junior members need to be sponsored by an existing member.
- **Block member:** Block membership may be granted to any bona fide organised group of individuals who are interested in the sport of sailing and racing. Block members may apply to join under the sub categories of Individual or Family. Craft owned by individual members of a block group may only be registered with and used at the club if the block member has acquired full membership.
- **Social member:** Non sailing membership may be granted to individuals to support the activities of the club. Social membership shall at no time exceed 15% of total membership. Membership is for individuals only.
- **Temporary member:** The Board may grant temporary membership to prospective new annual members upon completion of an appropriate form, acceptance of the club constitution and rules and receipt of a fee. Membership may be effected immediately but is subject to ratification by the Board. It does not confer the rights and privileges of full membership and the period will not exceed 31 days. Item 12 (i) applies. The Board may also grant temporary membership to those that are providing a service to the club which the current members are unable to provide. This could be for up to 7 days in any calendar month.



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- **Associate member:** A member of another club which is a recognised club within the meaning of Section 193 of the Licensing Act 2003 may be admitted into the club whilst visiting or taking part in activities organised by the club. Associate members may introduce their guests into the club, subject to compliance with rule 8. Associate members shall be entitled to all the privileges of membership save that they shall have no voting rights nor may they be appointed to any office or committee of the club. The admission of an associate member is conditional upon his first signing the visitors book or open meeting sign in form. By signing, the Associate member agrees to be bound by the rules and bye-laws of the club.
- **Senior member:** A member whose main source of income is State Retirement Pension and has been a club member for the preceding five years.
- **Honorary member:** Elected by the Board for services to the club. The number of Honorary Members at any one time shall not exceed 10. Honorary members are entitled to one free berth.
- **Licensed walker:** Allows a family, resident in the High Street, Haversham to use part of the club estate. Is not a member of the club but specific rules apply. (See Appendix E)

(iii) The Board of Directors will exercise its discretion regarding an applicant's eligibility for any specific class of membership.

(iv) Voting rights

- a All members who have completed and signed a current membership application form.
- b Block membership representatives (one for each affiliated group) are entitled to two votes for each craft registered.

## 4. ENTRANCE FEE

(i) If so required by the Board, non-refundable fees, payable on election to membership, of such sums as the Board shall prescribe. Members transferring between categories of membership shall not be called upon to pay an entrance fee.

## 5. SUBSCRIPTIONS, REGISTRATION and CHARGES

(i) There shall be an annual subscription, payable by the 31<sup>st</sup> March, or upon election, of such sum as the Board of Directors prescribe. This subscription is non-refundable, apart from in exceptional circumstances, as approved by the Board.

(ii) Any new applicant elected and approved for membership in August or September will be charged 67% of the fee and those from the 1<sup>st</sup> October will be charged 50%. As above, this is non-refundable, apart from in exceptional circumstances, as approved by the Board.

(iii) The annual subscription for Block members will be: for craft an amount equal to twice standard berth rate, for membership (either individual or family) at one quarter relevant category.

(iv) Every member, including members of a Block membership, shall furnish the Membership Secretary with an up-to-date address and email address which shall be recorded in the register of members and any notice sent to either address shall be deemed to have been delivered. Additionally, in the event that a member does not have an email address, the Membership Secretary must be notified in order that official notices and other communications may be properly received.

(v) It shall be the sole responsibility of each member to ensure details (class, number, name and address of owner) of any craft used or kept at the Club are entered on the Club Register and that **the craft is marked in such a way that it can be traced to the owner**. This will normally be done by attaching a tag to the boat's trolley. Sailing craft must have a number clearly marked on a sail to RYA, UKBSA, or class recommendations. Where the class of craft does not have a sail number a number shall be issued by the Membership Secretary. This number shall at all times be displayed on the sails of the craft when in use on the club waters. The numbers shall be of reasonable dimensions for the class of craft being sailed.

(vi) **Every trailer or trolley left at the Club shall be clearly marked** with number and class of related boat or name of owner. Where such a marking is not clearly present the Board of Directors may treat such a trailer or trolley as if it were an abandoned boat or unregistered craft.

(vii) Berths shall be charged for annually, except those taking a berth in August or September will be charged 67% of the fee and those taking a berth from the 1<sup>st</sup> October will be charged 50%. The fee will be determined from time to time by the Board.

## 6. DISCIPLINE

(i) By implication every member on joining the club undertakes to adhere to the provisions of the Constitution, Bye-Laws and Rules.

(ii) No member shall be entitled to exercise any rights or privileges conferred by their membership of the club until their Entrance Fee, Annual Subscription and any other fees for the current year, together with any arrears, have been paid.



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- (iii) Any refusal or neglect to comply with Clause 6 (i) above, or any conduct deemed unworthy of a member, or otherwise injurious to the interest of the Club, shall render the offending member liable to expulsion or lesser penalty as determined by the Board of Directors. Provided that before any such action the Board of Directors shall call upon the member for an explanation of the alleged offence/conduct and shall give the member an opportunity to defend themselves or alternatively resign as a member. The vote on a resolution for expulsion shall be by ballot and such a resolution shall be carried out by a majority of a properly convened meeting of the Board of Directors.

## 7. NON PAYMENT OF SUBSCRIPTIONS

Any member who has not paid the subscription within 3 months of the due date may be requested in the name of the Board of Directors to pay the same within 21 days and if the subscription is not so then paid the member's name will be removed from the membership register. A member's name may subsequently be restored at the sole discretion of the Board of Directors after all arrears have been paid in full.

## 8. GUESTS

Any member may introduce as their guests any persons provided that the member so introducing, enters the names of the said guests and their own into a book kept for the purpose. The aforesaid member shall at no time leave the club premises while the said guests are thereon and is responsible for all liabilities incurred by such guests. No member may introduce more than three guests at any one time. Sailing and fishing guests may not be introduced more than four times in any one year. Social guests may not be introduced more than 10 times in any one year. Any guest having been introduced for the permitted number of times shall not be introduced by other members in order to increase their visits to the club.

## 9. OFFICERS AND DIRECTORS

- (i) The Officers of the Club shall consist of a Commodore, Rear-Commodore, Vice-Commodore, Company Secretary, Treasurer and Membership Secretary. All officers shall be appointed by the Board of Directors. Other responsibilities are the concern of the Estate Manager, Bar Manager, Safety Manager, Public Relations Manager and Fishing Manager.
- (ii) Candidates for election to the Board of Directors shall be such members of the club whose nominations, duly proposed and seconded by voting members of the club, shall have notified to the Company Secretary at least seven days before the date of the Annual General Meeting. The Bar Manager may be an ex officio member of the Board.

## 10. MANAGEMENT

- (i) The Board of Directors shall manage the affairs of the club according to the rules and the Articles & Memorandum of the Company and shall have power to expend the funds of the club as they think fit in accordance with the objectives of the club.
- (ii) The Board of Directors shall make such rules as they think fit as to the management of the club premises and membership. Such rules shall come into effect immediately and shall be binding on all members and be construed as rules of the club and shall remain in force until ratified or set aside by a vote at the General Meeting of the club.
- (iii) The Board of Directors shall interpret any bye-law or rule where doubt or ambiguity may exist or be deemed to exist.
- (iv) Extraordinary General Meetings. The Board of Directors may, on giving fourteen days' notice, call a general meeting of the club for any specific business, the nature of which shall be stated in the summons convening the meeting, and discussions at that meeting shall be confined to that business only. The Board of Directors shall call an extraordinary general meeting on the written request of at least twenty members.

## 11. FINANCE

- (i) It shall be the responsibility of the Treasurer to keep a complete and accurate account of the club's finances and liaise with the Club Accountant in the preparation of the certified annual accounts. The Treasurer shall cause the same to be exhibited in the club premises at least fourteen days before the date of the Annual General Meeting.
- (ii) Any bank account enacted from time to time on behalf of the club shall be declared at the Annual General Meeting. Full details of the account, the address of the bank and four signatories shall be named at this time. Signatures will consist of the Club Treasurer and three other Directors.
- (iii) The Treasurer shall present the Annual Balance Sheet to the Club at its Annual General Meeting.

## 12. SUPPLY OF INTOXICATING LIQUOR

- (i) The purchase for the club and the supply by the club of intoxicating liquor shall be exclusively controlled by the Bar Manager. The consumption of intoxicating liquor shall be limited to members and their guests aged 18 years and over. No guest may purchase intoxicating liquor at any time. A list of names and addresses of all members will be kept on the premises. There shall be no supply of intoxicating liquor for consumption off the premises except to a member in person.



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- (ii) No person shall take commission, percentage or other payment in connection with the purchase of intoxicating liquor for the club.
- (iii) The Bar Manager shall account to the Board of Directors for bar finances.
- (iv) Members of the club, subject to the permission and approval of the Board of Directors, may apply for a temporary event notice (TEN) to provide licensable activities of description or at times outside those permitted by the Club Premises Certificate, for members and their guests.
- (v) Members/ Non-members of the club may, subject to the permission and approval of the Board of Directors, hire the facilities of the club for events. Any licensable activity, including the sale of alcohol, may only be carried out under the authority of a TEN. Any profit arising from the sale of alcohol and hire of the facilities shall be used for the benefit of the club.

## 13. LIMITATION OF LIABILITY

- (i) Members of the Haversham Sailing Club and their guests or visitors use the club premises, boats, moorings and other facilities provided by the club, entirely at their own risk and impliedly agree to and accept the following limitation of liability. The club will not be responsible for any damage to or loss of property belonging to members, their guests or visitors, nor will the club accept any liability for personal injury sustained by members, their guests or visitors, arising out of the use of the club premises or estate, the club boats (or any other facilities provided by the club) or participation in any event organised by the club, whether or not such damage or injury shall be occasioned by the neglect, default or negligence of any of them, the Officers, Board of Directors or servants of the club.
- (ii) The Board of Directors, or any person or subgroup delegated by the Board of Directors to act as agent for the club or its members, shall enter into contracts only so far as expressly authorised, or authorised by implication, by the members. No one shall, without the express authority of the membership in General Meeting, pledge the credit of the membership.
- (iii) In pursuance of the authority vested in the Board of Directors by members of the Board of Directors by members of the club, members of the Board of Directors are entitled to be indemnified by the members of the club against any liabilities properly incurred by them or any one of them on behalf of the club wherever the contact is of a duly authorised nature or could be assumed to be of a duly authorised nature and entered into on behalf of the club.
- (iv) Intoxicating liquor may be sold to persons attending the club premises for social or other activities organised or authorised by the club provided always that the number of such functions does not exceed 12 in any one year, but no function shall be permitted to which admission is charged at the door whether by ticket or otherwise.

## 14. DISSOLUTION OF THE CLUB

If, upon the winding up or dissolution of the club, there remains after the satisfaction of all its debts and liabilities any property whatsoever, the same shall be given or transferred to some other institution(s) having objects similar to those of the Club. Such institution(s) to be determined by members of the Club by Resolution passed at a General Meeting at or before the time of the dissolution passed and if and so far as effect cannot be given to such provision then to some charitable object.

## 15. ABANDONED SAILCRAFT

If any fee payable to the club by any member or former member shall be more than three months in arrears and the property of a member or former member remains upon the club premises, the Board of Directors may:-

- (i) Move the property to any part of the club premises without being liable for any loss or damage however caused.
- (ii) Give one month's notice in writing to the member, or former member, at their last known address or email address as shown in the Club Register and thereafter sell the property and deduct any monies due to the club from the proceeds of sale, before accounting for the balance (if any) to the member or former member. Berth fees will be due for all the time that the property remains within the club premises.
- (iii) Alternatively, if the property is unsaleable, after giving notice in writing as aforesaid, dispose of the property in any manner the Board of Directors may think fit and deem the cost of so doing to be a debt owing to the club by the member or former member. Provided that when the property is sold the proceeds of sale (less any indebtedness by the member or former member to the club) shall be placed upon bank deposit account and retained against the eventuality of a claim by the owner (whether he be the said member or former member or another) for a period of six years.

## 16. NEW RULES, AMENDMENTS AND ALTERATIONS

Notice of any alteration or addition to the Constitution or Bye-Laws intended to be proposed by any member of the club shall be given to the Company Secretary in writing, at least 21 days before the date of the Annual General Meeting, or at least one month before any special general meeting at which such amendment is to be brought forward.



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## 17. USE OF CLUB BY NON MEMBERS

The Board of Directors may license individuals or groups access to and use of part of the Club estate. All such use will be advised to members and will not interfere significantly with Club organised events. Levels of charges will be determined by the Board who will be responsible for ensuring that proper controls are imposed and acted upon.

## ADDITIONAL RULES

### 1. REGISTER OF CRAFT

Every member, being the owner of any craft, shall register their ownership with the membership secretary and site boatswain before bringing the craft onto club premises. Any change affecting the club register or additional craft being brought to the club must be notified to the site boatswain and membership secretary. This includes kayaks, canoes, sailboards etc

**Note:** No multi-hulled craft are allowed on the lake without approval of the Board.

### 2. MOORINGS and STORAGE

All members shall remove their craft, tackle and gear from the water and stow them neatly in the shore berths allocated to them. **Berthed craft must be properly secured to the ground.** Any craft not so secured may be secured by the Board or removed to another part of the premises, without the Board being responsible for any loss or damage however caused.

All launching areas should be kept clear and free of craft.

Craft, trailers and launching trolleys shall only be left within the dinghy compound and within the berth allocated, exceptions may be allowed with the express authorization of the Board.

**Berths are to be maintained in a tidy and responsible manner.** The Board reserves the right to move craft and other items belonging to members. (see also Item 13 i). Where berths are continually not maintained in a tidy and responsible manner, the Board reserve the right to change the berth to another part of the premises.

### 3. POWER VESSELS

Except in the case of boats authorised by the Board, no mechanically powered craft are to be used on Haversham Lake.

### 4. BATHING

No bathing is permitted in club waters.

### 5. MOTOR VEHICLES

Vehicles driving through or into the dinghy park must not cause any obstruction or remain longer than necessary. They should not be driven or parked on grassed areas adjacent to the roadways or the grassed areas between the dinghy park and the edge of the lake.

Movements should be limited between 1000h and 1700h on race days and Saturdays. In addition, there should be no movement into or through the dinghy park on Saturdays when Buccaneers and Youth Sailing is taking place except in extreme circumstances and only with prior approval of either a Board member or the person in charge of the session.

Vehicles are not allowed access around the lake from the car and dinghy park areas without Board authorisation

All drivers of vehicles (with the exception of the tractor) driven in the carpark, dinghy compounds and camping fields must be fully licensed and insured to drive that particular vehicle.

### 6. CLUBHOUSE KEYS AND MEMBERSHIP CARDS

Any registered member should apply for a clubhouse key which will be a personal issue not transferable to any other member. A refundable deposit will be required of an amount which the Board of Directors shall prescribe. Membership cards will be issued to all registered members who may be asked to produce their card at the club at any time.

### 7. SAFETY and SUPERVISION

- (i) All persons are responsible for their own safety when sailing or otherwise using the club premises. All persons must satisfy themselves that their equipment, skill and experience are adequate to meet the prevailing conditions.
- (ii) All persons when engaging in activity on or near the water shall wear a non-inflatable buoyancy aid or flotation vest suitable for their weight, appropriate for the type of craft in use, that exceeds 50N as specified in BS EN 393 or ISO 12402.
- (iii) All persons when on the water throughout the winter months (i.e. outside BST) shall wear wetsuits or drysuits, apart from those operating the weed boat who should ensure that their clothing is suitable for the prevailing conditions,
- (iv) Every boat shall have sufficient positive buoyancy, adequately secured bags, cases or bulkheads or otherwise within the structure so as to be able to support itself and crew when swamped. Buoyancy tests on dinghies may be carried out as





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required for the appropriate class rules.

- (v) All children under sixteen must have parent/carer/sponsor supervision on site at ALL times, except those undertaking formal courses where they may be supervised by an appropriate coach or instructor. Saturday youth sessions are NOT in this formal category.
- (vi) **The Club takes a zero tolerance view of anyone being under the influence of, or consuming, alcohol or recreational drugs whilst fulfilling duties as safety boat helm and crew, instructor, beachmaster and race officer.** Members are responsible for informing the Club of any medical condition which might impact on their ability to perform these duties safely, including as a result of side effects of any prescription medication.

## 8. CONTROL OF ANIMALS

Within the club compound, including the camping field, road and car park, dogs should at all times be on a lead no more than 5 feet in length, either hand held or tied in a location where they are not a nuisance to other club members. Also:

- **No dogs are allowed in the clubhouse at any time, or on the balcony when food is being served**
- All dog faeces must be picked up from the site, and disposed of at home or in the bin at the end of the drive.
- Dogs should not be allowed to be a nuisance to other club members, sheep or wildlife. Dogs must be put on a lead when near sheep.

The Management Board reserves the right to permanently bar any pet from club property.

## 9. INSURANCE

- (i) No sailcraft, or other craft including canoe, kayak, board etc shall be used on the lake unless it has been insured with an approved company against damage and theft and with a third party liability of minimum £2,000,000. A valid receipt shall be produced on demand for certification by an Officer.
- (ii) Premises and property belonging to the club shall be insured as and when appropriate.

## 10. CLUB DUTIES

All members are expected to perform duties to help run club activities. Preferences will be identified annually and/or allocated throughout the year.

## 11. BAR OPENING TIMES

The Bar may be opened at any time agreed by the Board and falling within those times fixed by Law and within those notified and agreed with the Milton Keynes Licensing Committee (Weekdays 11am - 11.00pm, Sundays 12.00 - 10.30pm: Saturdays same as weekdays). The Board may make applications to the Milton Keynes Licensing Committee for extensions and shall be entitled to reduce opening hours subject to demand.

## 12. RACE OFFICER

The duty Race Officer or Beachmaster has authority over all lake users and his instructions must be complied with at all times.

## 13. SMOKING

No smoking is allowed in the clubhouse or on the balcony at any time.

## ADDITIONAL APPENDICES

### APPENDIX A – Use of Club Boats

The rules applying to the use of club boats, together with the numbers and berths of those boats, are displayed in the clubhouse and within the Members' area of the club website. They should be strictly adhered to at all times.

### APPENDIX B – Hire of Clubhouse

The rules applying to the hire of the clubhouse are displayed within the Members' area of the club website

### APPENDIX C – Camping and Caravanning Rules

The rules applying to camping and caravanning are displayed in the clubhouse and within the Members' area of the club website. They should be strictly adhered to at all times.

### APPENDIX D – Fishing

Members primarily wishing to fish are limited in numbers as determined by the Board from time to time. Sailing members wishing to fish may do so with the prior approval of the Fishing Manager and having agreed to accept the specific rules in this Appendix.

Members who have primarily joined to fish may sail or carry out other watersports with the approval of the Membership Secretary and having their boat and insurance particulars listed in the club register.



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- (i) Anglers are expected to maintain a high degree of site cleanliness and to pursue their sport in accordance with best practice as regards the consideration of the environment and other living creatures
- (ii) The Board reserves the right to close the water on any days that they require to do so by giving prior notice.
- (iii) During all organised sailing events boats will take priority over rods.
- (iv) At all times anglers and sailors will be expected to treat each other with courtesy and consideration.
- (v) Any boats kept at the Club should be kept on a dedicated berth allocated by the Site Boatswain and fees will be payable.

## Rules

- 1 Day tickets will not be available.
- 2 Three rods only.
- 3 Lines must be reeled in before being left unattended.
- 4 An Environment Agency Rod Licence is required and Environment Agency bye-laws observed.
- 5 No litter including cigarette butts must be left in swims
- 6 No 'lines' must be left discarded as this is dangerous to wildlife.
- 7 No fish are to be taken away or introduced into the water without permission.
- 8 Multiple baits to be used in moderation and prepared correctly (i.e. soak for 24 hours and boil) before use.
- 9 Permanently fixed weights are not allowed. If using fixed weights they should be fixed in such a way that they are easily released.
- 10 No bent hooks or live baits allowed.
- 11 Always use an unhooking mat (and carp sack for retaining purposes) for carp or larger fish.
- 12 Follow the Environment Agency keep-net, keep-sack and landing net bye-laws and take maximum care of your catch and retain fish for the minimum of time.
- 13 No fishing from boats.
- 14 Life jackets must be worn at all times when on the water.
- 15 Baiting from a boat allocated for this purpose may only be undertaken when no sailing events are on the water.
- 16 Dead bait fishing for pike is only allowed between 01/10 - 31/03. Lure fishing is allowed all year round. All anglers fishing dead baits or lure fishing are to use wire traces and carry a minimum 30ins landing net, unhooking mat and large forceps in order to safely unhook and return fish to the water
- 17 Anglers are encouraged to monitor all fishing activities.
- 18 No multiple hook rigs are to be used except when fishing for pike

## APPENDIX E - Walkers

Constitution Items and Club Bye laws apply where appropriate.

- 1 Access is for pedestrians only. It does not include the main dinghy park or clubhouse, but includes the path within the northern dinghy park
- 2 No children under 16 allowed unless accompanied by a responsible adult.
- 3 Within the club compound, including the camping field, road and car park dogs should at all times be on a lead no more than 5 feet in length, either hand held or tied in a location where they are not a nuisance to other club members.
- 4 All dog faeces must be picked up from the site, and disposed of at home.
- 5 Dogs should not be allowed to be a nuisance to other club members, sheep or wildlife.
- 6 The Management Board reserves the right to permanently bar any pet from club property.
- 7 Licensees are responsible for their own safety at all times
- 8 Limitation of liability is defined under Item 13 of the Constitution