

The Derby Motor Boat Club

ACTS PREJUDICIAL TO THE CLUB: Clarification of Rules

Introduction.

Rule 9(b) of the Rules of Membership of Derby Motor Boat Club Ltd states:

"If any member commits any act prejudicial to the Club, the Council may, having given such a member an opportunity to explain their conduct, order that their membership shall cease absolutely, and the Club shall not be under any liability to return any part of his subscription. Any member, against whom such action may be taken, shall be entitled to invoke the provisions of Article 11 of the Articles of Association of the Company."

Article 11 of the Articles of Association of Derby Motor Boat Club Limited states:

"Every member shall continue as such until one of the following events happen:-

....

b)iv) He has conducted himself in a manner which in the discretion of the Council is prejudicial to the interests of the Association or unfits him for membership of the Association.

...."

Article 11 also sets out the timescale and conditions that must be met if it becomes necessary for a member to be removed from the Club.

The Council has decided to issue the following clarifications so that all Members can avoid unwittingly breaking the Rules.

Clarification 1.

An 'act prejudicial to the Club' and conduct 'prejudicial to the interests of the Association' are defined as but not restricted to:

- Verbal abuse towards another member whether directly or indirectly.
- Physical abuse towards another member.
- Damage inflicted to another member's property or to the property of the Club.
- Jeopardising the security of Club property and that of other members.
- Removal of Club property from the premises without approval of the Council.
- Removal of property belonging to other members without their permission.
- Any behaviour that brings the Club into disrepute whether on the Club premises or not.
- Non-adherence to the Rules of Membership and the Articles of Association of Derby Motor Boat Club Limited.

Clarification 2.

Except in the most serious circumstances, the Council may, at its discretion and without precedent, decide to return a proportion of a member's subscription if it becomes necessary for a member to be removed from the Club. Rule 9(e) may be used as guidance in such cases.

Approved by DMBC Council 15th April 2014