

Statute of the Royal Malta Yacht Club

1. Name and Constitution

The name of the Club shall be the ROYAL MALTA YACHT CLUB situated at Ta' Xbiex Seafront, Ta' Xbiex. XBX 1028 Malta. The Club exists to encourage and provide facilities for the sport of yachting and related social activities and it is a not for profit organization. Membership is open to all persons interested in the sport of sailing or motor yachting, be it cruising or racing, subject to approval by the Committee.

2. Membership

2.1 There shall be the following categories of membership:

2.1.1 Full Membership open to all persons over 18 years of age;

2.1.2 Family Membership- Open to all persons and their partners over 18 years of age, as Full Members, including children up to the age of 18 as cadet members;

2.1.3 Life Membership – A Full Member may acquire Life Membership upon payment of the appropriate fee, after the first year of membership. Life membership shall also be extended to members who would have served on the RMYC committee for a minimum period of five full years, and who would have remained uninterruptedly full members on reaching the age of 65.

2.1.4 Cadet Membership – Open to persons under the age of 18 years subject to consent of their legal guardian and full time students up to the age of 25.

2.1.5 Associate Membership- Open to persons over 18 years of age who would be entitled to use the club's facilities and participate in club events;

2.1.6 Honorary Membership- Granted by the Committee at its discretion, for a specific period;

2.2 Voting Rights may only be acquired after one full year of membership by, Paid up Full Members, and Paid up Full Members and their Partners in a Family Membership, and Life Members.

3. The Committee and Officers of the Club

3.1 The management of the Club shall be conducted under the direction of a Committee consisting of (9) nine members who, subject to the transitional provisions contained in article 3.3, shall be elected at an Annual General Meeting for a period of (3) three years each. Only members who have held voting rights for the previous two consecutive years, may be nominated for election to the Committee.

3.2 The Officers of the Club shall be as follows, in order of seniority:

Commodore
Vice Commodore
Honorary Secretary
Honorary Treasurer
Three Rear Commodores

The Commodore shall be elected for a period of (3) three years by by the Committee from amongst its members at a meeting chaired by the person having obtained the highest number of votes during the election of the Committee, or otherwise by the most senior officer of the previous Committee present. The elected Commodore shall nominate appointments of Officers to be approved by election amongst the members of the Committee. Any of the Officers with the exception of the Commodore, the Honorary Secretary and the Treasurer, may or may not be appointed at the discretion of the Committee. The appointed officers shall be the Flag Officers of the Club. No person can be elected to serve as Commodore unless he or she has (anytime before) served in the RMYC committee for a minimum period of (2) two years. No person can serve as Vice-Commodore unless he or she has (anytime before) served in the RMYC committee for a minimum period of (2) two years. No person shall be eligible to be elected as Commodore for more than (2) two uninterrupted terms of (3) three years each.

3.3 Transitional provisions shall apply to the election of Committee members in 2024. In particular, with respect to the Annual General Meeting to take place in 2024 of the (9) nine elected Committee members,

- i. The (3) three elected Committee members who obtained the highest number of votes shall serve for a period of (3) three years.
- ii. The (3) three elected Committee members who obtained the lowest number of votes shall serve for a period of (1) one year.
- iii. The remaining (3) three elected Committee members shall serve for a period of (2) two years.

In the event that two or more elected Committee members obtain the same number of votes, then they shall draw lots in order to determine who of them will fall under each of i, ii, or iii above.

With respect to the Annual General Meeting to take place in 2025 and following years, there will be (3) three members that may be elected as Committee members at each Annual General Election.

3.4 The Committee may approach the President of Malta with a view to being the Club's patron.

3.5 The honorary office of President may be offered to a suitable person selected by the Committee. Any person so selected may remain in office for three years, but may be reappointed on an annual basis by the Committee. The President's role shall be an advisory one, to be sought at the discretion of the Committee.

3.6 The Honorary Treasurer will be the Club's financial adviser and the finances of the Club will be under his direction. He will also be responsible for supervising the Club accounts, the preparation of annual budgets and the preparation and presentation of the audited financial statements to the members at the Annual General Meeting. The financial year of the club shall commence on the 1st of January and end on the 31st of December of each year. All financial transactions relating to the Club shall be done under the signatures of any two of the following: the Honorary Treasurer, the Commodore, or the Honorary Secretary, or any other delegated member of the Committee, after receiving Honorary Treasurer's written consent.

3.7 The Committee shall have the power to make any bye-laws it may deem necessary, provided such bye-laws are not in conflict with the Statute. The Committee shall cause any such bye-laws to be communicated to all members of the Club, and to be available for inspection in the Club office. Bye-laws shall be numbered sequentially and dated.

3.8 Meetings of the Committee shall be chaired by the Commodore or in his absence by the senior Officer present. A record of all proceedings and decisions of the committee shall be kept in writing.

3.9 Decisions requiring a vote to be taken shall be based on a simple majority vote, with the Chairman having a casting vote.

3.10 A meeting of the Committee shall only be deemed to be properly constituted if due notice in writing has been given to all members, which ordinarily should be at least seven days in advance.

3.11 The quorum necessary to constitute a Committee meeting shall be five. If only five members are present at a meeting, any decision taken must be unanimous.

3.12 The Committee may appoint sub-Committees with such Chairmen, members and powers as it deems fit. Chairmen of such sub-Committees may co-opt such members as may be deemed necessary. Co-opted members shall not be entitled to attend meetings of the Committee; however Committee members are entitled ex-ufficio to attend any sub-Committee meeting.

3.13 Any Committee member who fails to attend three meetings held in the term of office of the same Committee shall be required to stand down if a majority vote so determines.

3.14 The Committee shall cause an Official Club Notice Board to be erected and maintained within the Club House, on which all official notices issued by the Committee shall be posted. Notices shall be deemed to have been effectively published after having been posted on the Notice Board.

3.15 Should a Committee member resign during his term of office, the next un-elected candidate with the most number of votes in his favour shall fill the vacancy and carry voting rights within the Committee. If there is more than one vacancy, then the same procedure shall apply. In the case there are no un-elected candidates the committee shall call for a by-election to fill in the vacant posts. The term of office of the co-opted member shall mirror that of the Committee member that he / she replaced.

3.16 The club's judicial and legal representation is vested in the Hon. Secretary and the Commodore, or in either Officers absence or indisposition, any Flag officer of the club nominated by the committee. In addition, and without prejudice to the aforesaid, the club may be represented by any person or persons specifically appointed by the Committee for this purpose".

3.17 The Committee is also empowered to appoint two or more of it's Officers to represent the Club on any agreement, contract and public deed and to provide guarantees, hypothecary security, pledges and do anything conducive and ancillary to the application for, acceptance and administration of loans, other banking facilities and dealings with registered credit and financial institutions for the purpose of financing any project which has been approved by the Members in a General Meeting.

3.18 Flag Officers and Committee Members fulfilling an executive role on behalf of the club, as well as the members of any sub-committee, shall act in accordance with the decisions of the Committee. They shall report regularly to the Committee and refer any extraordinary matters to the Committee.

4. Admission of Club Members

4.1 The admission of members is vested in the Committee and should any question arise in respect of any candidate his or her admission shall be by majority ballot. Each application shall be made on the appropriate form issued by the Committee, shall be duly proposed and seconded, and shall be accompanied by payment of the Entrance Fee if appropriate. Should the application not succeed this fee will be refunded.

4.2 No member may propose or second a candidate for admission until he / she has acquired Voting Rights.

4.3 A completed application form for membership shall be displayed on the Notice Board of the Club for a period of not less than 7 days prior to being put before the Committee for its consideration. Any member may submit comments to the Committee regarding any application for membership, and the Committee shall consider such comments before approving the application.

4.4 A written notice of admission shall be sent to each newly admitted member, together with a copy of the Statute and of any current Bye-laws and a request for payment of the first subscription appropriate to the category of membership.

4.5 Except for Honorary members, membership shall not become effective until the subscription has been paid. If it has not been paid within three months of the posting of the notice of election, the election shall be deemed void, and no refund of entrance fee will be made.

5. Fees

5.1 Only Applications for Full, Family and Associate membership shall be subject to the payment of an Entrance Fee, which fee shall be as determined by the Committee. All categories with the exclusion of Honorary and Life membership shall be subject to payment of Subscription Fees as determined by the Committee.

5.2 The table of Fees and Subscriptions shall be issued as a Bye-law to this Statute. The Committee shall have the power at any time to alter the amount of Subscription provided that the variation does not exceed twenty percent in one calendar year.

5.3 Members elected between 1st January and 30th June in any year shall pay the full subscription. Those elected between 1st July and 31st December shall pay one half only during the year of election.

5.4 Subscriptions are payable annually in advance on January 2nd and not later than January 31st. Members are responsible for payment of their Subscription without the Club having any liability to send any notification. If any member shall be in arrears with his or her Subscription after this date the Committee may cause his or her name to be posted on the Notice Board of the Club, but whether posted or not he / she shall cease to be entitled to use or enjoy any of the Club facilities, benefits or privileges as long as the Subscription shall remain in arrears. If this Subscription is not paid by the 30th June of the year for which it was due, such member shall cease to be a member of the Club. A member whose membership has been so terminated may be proposed and considered for re-election at the discretion of the Committee.

5.5 The Committee may accept applications from members for a change in category when requested by the member. All categories of membership applying to convert to Full membership shall pay with such application the difference between the current entrance

fee payable for their previous category of membership, if any, and that of the new category of membership applicable at the time of such application.

5.6 The first payment of a Subscription shall be an acknowledgement by the member that he or she is bound by the Statute and Bye-laws of the Club, and all alterations and additions duly made to them.

6. General Meetings

6.1 No less than 21 days' notice of any General Meeting shall be given to life and paid up Full Members and their partners, in a Family Membership. Due notice of a General Meeting shall be deemed to have been given on the day on which it was posted (by ordinary and electronic post where possible), addressed to the Member at the last known address according to the Club register.

6.2 To constitute a General Meeting, there shall be at least 30 members with voting rights present, provided that if the required number of members is not present fifteen minutes after the time fixed for the Meeting, the Meeting shall be held only if at least nineteen in number of such Members are present and every decision taken at that Meeting shall be binding on all Members of the Club. If less than nineteen members are present, the meeting shall be postponed by one week and then the meeting will proceed irrespective of the number of such Members present.

6.3 General Meetings shall be chaired by the Commodore of the Club, or in his absence by the most senior Club Officer present.

6.4 Decisions at any General Meeting shall be taken on the basis of a simple majority vote, with the exception of decisions regarding Amendments to the Statute or Dissolution of the Club which will require a two thirds majority of the members present and entitled to vote. The Chairman of the Meeting shall have a casting vote.

6.5 The Annual General Meeting shall be held at or before the end of February of each year for the following purposes, to be considered in the order as listed:

Approval of Minutes of previous General Meeting/s;
Receiving and discussing the Reports of the Flag Officers and of the Honorary Treasurer and approval of the Audited Financial Statements for the previous year;
Appointing Auditors to hold office until the end of the year;
Transacting any business of which due notice has been given;
Appointing Electoral Commissioners;
Introduction of the candidates and opportunity for questions
Closure.

6.6 All proposals for items of business to be discussed at the Annual General Meeting shall be seconded and submitted in writing to the Honorary Secretary at least fourteen days before the date of the Meeting. Proposals submitted for a vote may be amended as long as the chairman in his sole discretion considers them to be within the scope and spirit of the original proposal.

6.7 At least seven days before the date of the Meeting an agenda of all business to be brought before the Annual General Meeting, together with a list of candidates standing for committee (if applicable) shall be put on the official notice board at the club and circulated to "Life and paid up Full Members and their partners, in a Family membership" by electronic-mail. The Minutes of the previous General Meeting/s to be approved during the Annual General Meeting and a copy of the Audited Financial Statements for the previous year shall be available for inspection in the Club office to the above category of members.

6.8 Two separate attendance sheets shall be available to Members at any General Meeting, one to be signed by Members present carrying voting rights and one to be signed by Members present not carrying voting rights.

6.9 Three Electoral Commissioners shall be elected by the Members present at the Annual General Meeting to conduct the election of the club committee. The electoral commissioners may request club staff to assist them in the organization of the election. They shall also assign responsibility to club staff for the safekeeping of the ballot documents and ballot box until such time when votes shall be counted.

6.10 The Commodore shall call an Extraordinary General Meeting if required by the Committee, or if requested in writing to do so by not fewer than twenty one voting members. Not less than twenty one days' notice of such Meeting shall be given, and the Notice shall specify the business to be conducted. No other business shall be conducted at that Meeting.

7. Election of Committee

7.1 Names of eligible candidates for election to the Committee, duly proposed and seconded by Members with voting rights, shall be submitted on the prescribed form, to reach the Honorary Secretary at least fourteen days before the date of the Annual General Meeting, and shall be posted on the Club Notice Board not less than ten days before the date of this meeting. The prescribed form must be accompanied by a curriculum vitae of the candidate, together with a motivation letter indicating the reason why the candidate is seeking election. A passport photo is also to be attached. A copy of the prescribed form. The curriculum vitae, passport photo and the motivation letter of each of the candidates is then to be circulated (not less than ten days before the date of the Annual General Meeting) to all members via email for their review and consideration.

7.2 Election of membership to the Committee shall be by secret ballot and open for three days after the Annual General Meeting. Members entitled to vote for the election of candidates to the Committee, shall do so by selecting not less than (3) three of the candidates nominated for election. Voting shall start fifteen minutes after the Annual General Meeting and shall that day remain open until all members present for the Annual General Meeting have had the opportunity to Vote. A ballot box will be made available, at the Club office, for three days after the Annual General Meeting during office hours, during which times members entitled to vote may cast their votes. Voting will cease at 13:00hrs of the third day. Votes will be cast on the prescribed ballot sheets.

7.3 The Electoral Commissioners shall open the ballot box, count the votes cast and announce the result of the election as soon as possible after the conclusion of voting. In the event of a tie between candidates for the 9th or any other additional number of posts on the Committee, another election shall be held between the unelected candidates until all posts are fulfilled. Such elections shall be held not later than two weeks after the Annual General Meeting. Voting for such elections shall be open for one day during office hours and between 18:00hrs and 20:00hrs of the same day. Should such election prove inconclusive, another election shall be held under the same conditions as set above

7.4 The outgoing committee will remain in office until the results of the election are published by the electoral commissioners. Ballot documents shall be sealed and kept at the club for 1 year, after which they may be destroyed.

7.5 All members appointed to serve on the Committee shall do so without remuneration and shall at all times be expected to act in a proper and fit manner and in the sole interest of the Club and its aims and objectives. In the event that any member of the Committee is aware that he/she may have a financial interest in any contract or transaction to be entered into, or entered into between the Club and third parties, then such financial interest must be disclosed to all the committee members, and that Committee member shall withdraw from the discussion and abstain from voting on the said contract or transaction.

8. Affiliation and Reciprocal Agreements

8.1 The Club shall be affiliated to the National Authority for the Sport of Sailing in Malta, as long as this Authority is affiliated to the International Sailing Federation.

8.2 The Club may enter into reciprocal arrangements with other yacht clubs when the Committee considers it to be of benefit to do so. Members of such clubs shall be deemed Honorary Members of the Club.

9. Club House

9.1 Visitors to the Club House may be introduced by any category of member. Visitors' names shall be entered by the Members introducing them in a book kept at the Club House

for that purpose. A Member may not introduce the same visitor on more than four days within one calendar year, except as a guest in the club bar, nor may he or she invite more than six guests at any one time except by prior arrangement with the Committee. The member shall be responsible for the behavior of his guests.

9.2 No Member shall use the address of the Club in any advertisement connected with business, or otherwise abuse the privilege of membership by using the Club name and / or its address for business purposes.

10. Discipline

10.1 The Royal Malta Yacht Club (hereinafter referred to as “RMYC”), through the elected committee, shall from time to time approve a pool of persons, outside the committee, to serve as Disciplinary Commissioner (hereinafter referred to as “the Commissioner”).

10.2 Competence

The Commissioner shall be empowered to hear and make recommendations to the committee on any of the below complaints made by:

1. RMYC Officials;
2. Club members.
3. Members of RMYC staff

10.3 Any Member or guest may be investigated, when reported to the Club Secretary in writing for unacceptable actions or behaviour, during club activities or on Club premises, which actions or behaviour are considered to be contrary to the accepted standards of the Club.

10.4 Communications

The chosen commissioner shall be notified by the Commodore or next senior committee member, who shall forward the report/s received. The commissioner shall notify in writing the parties involved, indicating time and place of hearing the complaint. Recommendations and other notifications shall be passed on to the Committee, who in turn shall notify the parties as detailed below.

1. In the case of reports involving club members or staff, notification shall be made to them directly.
2. In the case of reports involving guests of members, the notification shall be made to the hosting member.

iii. In the case of unidentified guests, the notification shall be made via the club's notice board.

10.5 Secretary to the Commissioner

The Commissioner shall be assisted by the Hon Secretary, and/or by another person appointed for this purpose by the Commodore or in his absence, by the next senior committee member. Such person shall act as secretary and shall inform the Commissioner of any evidence or other records concerning the party/parties involved, as well as any past decisions that may be relevant to the case. The secretary or the appointed person assisting the Commissioner, may be asked to explain the facts of the case, yet shall otherwise refrain from interfering in the deliberation and recommendations of the report.

10.6 Hearings

1. The hearings should be held within two weeks of from date of complaint.
2. The Commissioner shall call in to give evidence, any person who in his/her opinion is relevant to the complaint.

iii. The Commissioner shall be guided by the club statute and byelaws in concluding his/her report.

10.7 Recommendations

1. The Commissioner may in his /her report make any recommendations s/he may deem fit for the consideration of the General Committee. This may be a recommendation to penalize the Member concerned as contemplated in the Statue or elsewhere in the byelaws of the RMYC, by suspending him or her from the Club, or from participation in any number of Club activities as may be deemed appropriate
2. The Commissioner shall exercise his/her discretion to the best of his/her ability, and is to give a report with a recommendation to the committee as soon as possible. Where the report concerns a member, the report must preferably be given prior to the next committee meeting preceding a General Meeting.

iii. The General Committee shall have the right to change or nullify any recommendation given by the commissioner, however, both the commissioner's recommendation and the committee's decision shall be posted on the club's notice board for a period as stipulated in (v) below.

1. The report must be in writing and signed by the Commissioner.

2. All recommendations shall be posted on the club's notice board for a period of at least two weeks from date of issue.

10.8 Implementation of Recommendations:

It shall be the duty of the Committee, if at any time it shall be of the opinion that the interests of the Club so require, to invite by letter any Member to resign from the Club within a time specified in such letter, giving the reasons. In default of such resignation the Committee shall invite the Member in question to make representations, verbally or in writing, as to why he or she should not be expelled, following which the proposal to expel such a Member shall be put to a vote of a Committee meeting to be held at the earliest opportunity.

Decisions in this respect shall be final and not subject to appeal

11. Club Flags, Badges, Ties and Scarves.

11.1 The Club Burgee shall be white at the hoist for two-sevenths of the length and red at the fly, with a Tudor Crown proper superimposed at the centre of the division. The hoist of the flag shall be one half of the length, and height and width of the Crown shall be equal and shall be one third the length of the hoist of the flag.

11.2 The Club Ensign shall be whichever of the following is appropriate:

- a. The Maritime Flag of the Republic of Malta, or
- b. The Blue Ensign defaced with the Maltese Cross and the Tudor Crown. No yacht may wear this Ensign without a permit from the Club.

11.3 The President's Flag shall be rectangular of the same design as the Club Burgee.

11.4 The Commodore's Broad Pennant shall be a swallow-tail Burgee of the same design otherwise as the Club Burgee. The distance between the points of the tail to be one half the hoist and the angle of the tail to be sixty degrees.

11.5 The Vice Commodore's pennant shall be similar to the Commodore's pennant with the addition of one red disc, the diameter of which is to be one-sixth the hoist of the flag, in the centre of the upper canton next to the staff.

11.6 The other Club Officers' pennant shall be similar to the Vice Commodore's pennant but with two red discs disposed symmetrically on a line bisecting the upper canton lengthwise and at a distance from each other equal to their radius.

11.7 The Club Blazer badge and Cap badge shall be a Tudor crown above an anchor, both in gold embroidery, with a Maltese cross in white and red silk embroidery superimposed upon

the anchor, all enclosed within a gold cable. Extreme dimensions to be 90mm x 70mm for the Blazer badge and 45mm x 30mm for the Cap badge. Wearing of these Badges shall be restricted to Club members.

11.8 The Club Tie and the Club Scarf shall be Navy Blue in colour with images of the Club burgee flying from a gold coloured staff superimposed in columns laid out in a diagonal fashion at an angle of 72 degrees to the horizontal. Extreme dimensions of burgee to be 18mm x 10mm, height of staff to be 21mm. Vertical orthogonal spacing of burgees in each column to be 64mm measured from lines drawn horizontally through the tails, horizontal orthogonal spacing of columns to be 53mm measured between lines drawn along the tails. Rows are to be staggered so that vertical orthogonal distance between tails of burgees in adjacent columns is 21mm. Wearing of this tie and scarf shall be restricted to Club members.

11.9 Any former Flag Officer of the Club who has served in such position for three years or more shall be granted the privilege of flying the relative pennant when not in the presence of the Flag Officer in office, unless such privilege is expressly withdrawn by the Committee.

12. Amendments to the Statute

12.1 This Statute may be amended or repealed by resolution at an Annual or Extraordinary General Meeting, carried by a majority of at least two-thirds of the Members present carrying voting rights.

13. Dissolution of the Club

13.1 The Club shall be dissolved if it is so resolved by a majority of not less than seventy-five per cent (75%) of Members entitled to vote at an Extraordinary General Meeting called for in accordance with Rule 6.10.

13.2 On the passing of such a Resolution the Committee shall appoint Trustees forthwith who shall take immediate steps to settle any debts, and dispose of the monies and property remaining as determined by the General Meeting; and thereupon the Club shall for all purposes be dissolved. In the event of dissolution of the Club, any remaining funds and/or property shall be donated to either, a voluntary non-profit making organisation, a non-profit charitable institution or the Voluntary Organisations Fund chosen by the appointed Trustees in line with the stated aims of the Royal Malta Yacht Club as indicated in article 1 of the statute. In the event of dissolution of the Club, the outgoing Executive Committee is to inform the Commissioner for Voluntary Organisations within 15 days of the decision taken to dissolve.

14. Interpretation of the Statute

14.1 The Committee shall be the sole authority for the interpretation of this Statute and any Bye-Laws made thereunder. The decision of the Committee shall be final and binding on all Members.

Approved at an EGM held on the 18th September 2013, amended at the AGM held on 22nd February 2017, at the AGM held on the 23rd February 2021 and at the AGM held on the 21st February 2023.

Marco Napier
Hon. Secretary

David Cremona
Commodore