



**Royal Victorian
Motor Yacht Club Inc.**

By-Laws 2019

Amended as at 24 July 2019



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Royal Victorian Motor Yacht Club

By Laws

These By-Laws are made under the Royal Victorian Motor Yacht Club Inc. Rule 26(2).

Definitions

“Boat Owner” as per the definition contained in the Rules of the Club.

Club House, Premises, Yard and Jetties

1. Persons who are not members are not entitled to admission to the Club premises, unless accompanied by and signed in by a member.
2. Only members and staff cars may be parked in the inner Club Yard, and then only in the defined areas. Visitors cars may be parked in the top yard as marked. Cars must not be driven over 8kph.
3. Members are requested to assist the Committee in preventing the admission of non-members who are unaccompanied by a member other than those attending a function or visitors dining.
4. Members should carry their Membership Card to produce if necessary.
5. Members introducing visitors shall remain in their company during their visit. No individual visitor may be introduced to the Club on any more than 5 occasions in any subscription year.
6. Children are only admitted to the Club premises when under the close supervision of a member.
7. Visitors must not at any time bring a dog onto Club Premises.
8. Members bringing a dog on to club premises must do so on a leash and remain in the physical control of the member at all times except when adequately tethered in the area nominated by the Committee from time to time. Dogs are never permitted inside the Clubhouse. Dogs must not be exercised on the lawns. Any droppings must be cleaned up by the owner of the dog.



9. Papers or Magazines belonging to the Club must not be removed from the Clubhouse, and must be returned to their respective place after use.
10. The Club premises shall be kept in a clean and orderly manner.
11. The Club Keys are the property of the Club, and no member or non-member shall use any key that has not been issued by the Club. Members who resign, allow their membership to lapse or whose membership is terminated for any reason must immediately return to the Secretary all keys and other access cards granted to them.
12. The Club House, yard, marinas and Lockers shall be used by members only, subject to any By-Laws made by the Committee. Provided that on request in writing by the Secretary, the owner of any gear or article left therein shall remove same within a reasonable time to be fixed by the Committee. Upon default the Committee may cause same to be removed to any place at the risk and expense of the owner without being liable for any loss or damage occasioned thereby.
13. Any gear or article left in the Club premises for more than three months, and for which the owner cannot be found, shall be forfeited and may be disposed of by order of the committee after one month's notice posted on the club House Notice Board. The proceeds to go into the Club's funds.
14. Members, their employees or contractors, who are engaged in any activity on the Clubs premises shall promptly remove all scrap or waste material, including engine oil and batteries, generated by these activities. This includes all waste that is generated from boating or barbeque activities. All waste is to be deposited in the appropriate bin for recyclables or garbage, or in the case engine oil and batteries placed in the designated area. If such scrap or waste material is not promptly disposed of in the appropriate manner, then the Club may, at its discretion, arrange for the clean-up and disposal of all such scrap and waste material and pass on all associated costs to the responsible boat owner or members account.
15. The Club premises must not be unnecessarily obstructed with equipment, gear or materials. If stored, these items must be placed in lockers or removed from club premises.
16. Members shall on request of any member of the Committee, remove any Spars, Sails Gear or other equipment from the Club's premises.
17. Where Lockers are provided by the Club, applications for their use will be submitted to the Committee or its delegate annually and be allocated to members by such delegate for a charge to be fixed by the Committee. Lockers are to be used for their respective purposes only and the storage of any hazardous material in same is prohibited. The Committee may at any time terminate the letting of a locker or



require it to be opened for inspection. Any Lockers must not be allocated to members without a boat.

18. All Motor Yachts, Dinghies or other property while at the Marinas, in the Yard or Club premises are at the owner's risk. The Club accepts no responsibility whatsoever for such Motor yachts, Dinghies or other property.
19. Electrical equipment shall be used as follows:
 - (1) All electrical equipment used on the Club premises must have a current Test and Tag certificate.
 - (2) Only protected lights are to be used on Club premises and the electric power must not be interfered with.
20. Jetties are to be kept clear of all refuse, litter and unused material or equipment.
21. Members are requested to use their best endeavours to secure the observance of all rules and By-Laws, and to report any breach thereof to the Committee.

Club Yard

22. The Club Yard shall be used by Members only, subject to any By Laws made by the Committee. Provided that the use of the Yard and any Club Stand involved shall be subject to the express condition that the owner (as defined in the Club's Rules) or member in charge of any boat using the same shall, on request by the Secretary, remove their boat, together with all gear within a reasonable time to be fixed by the Committee. On default the boat and gear may be removed away from the Club Site at the risk and expense of the owner, and neither the Club nor Committee shall be liable for any loss or damage occasioned by any such removal.
23. Any Members boats whilst occupying space in the Club Yard will be charged at a rate fixed by the Committee.
24. Private cradles/stands for use in the Club Yard shall not be built or used without permission of the Committee.
25. The allocation of space in the yard shall be at the discretion of the Committee.
26. The Club reserves the right to remove any boat in the yard to any position when it is necessary to facilitate the most expedient use of the yard. Such movement may be at the owner's expense.



27. Under no circumstances is sandblasting permitted in the Club Yard. Spray painting and soda blasting are only permitted after receipt of approval from the Committee.
28. Slipping, traversing and blocking off of boats shall be by arrangement between the boat owner (as defined) and the boat lift management.
29. Removal of weed and shell from slipped boats must not be done in the yard.

Club Marinas

30. Any boat owner intending to dispose of, substantially alter, or to substitute a boat, is required to give notice to the Secretary of such intent one month prior to doing so.
31. In cases where a boat is owned by more than one person the Committee may, at its discretion, require the owners to provide written proof of the ownership arrangement.
32. Only vessels registered in accordance with the Marine Act 1988 and any subsequent corresponding Acts or amendments will be accepted on the Club Boat Register.
33. Allocations of marina berths on an annual or temporary basis shall be restricted to vessels which have been accepted in the Club Boat Register in accordance with Rule 37 and Rule 38.
34. Marina berths:
 - (1) Applications for allocation of marina berths shall be submitted in writing to the Secretary.
 - (2) Such application shall provide details of the vessel's name, overall length, beam draft and whether single or twin screw and will include a recent photograph of the boat.
 - (3) The application will be accompanied by a non-refundable deposit as determined by the Committee.
 - (4) Such application will include a signed undertaking by the owner/s of the vessel to the effect that the terms and conditions under which marina berths are allocated have been received, read, understood, and agreed. This undertaking will be retained by the Secretary.
 - (5) A Member may apply for a marina berth prior to purchase of a vessel and such application shall clearly state that the vessel has not yet been purchased and will include details of the intended style



of the vessel including the approximate overall length, beam and draft and whether twin or single screw.

35. Where marina berths are not available for immediate allocation, applications which have been correctly lodged as above will be recorded, in date received order on the Club Marina Waiting List and displayed on the Club Notice Board.
36. As a marina berth becomes available the Committee may allocate same to the first vessel of suitable dimensions listed on the Club Marina Waiting List.
 - (1) In cases where an existing Member purchases a new boat that necessitates a change in berth size, that Member may, upon submitting the required Application for Allocation of a Marina berth, be placed at the head of the waiting list subject to the discretion of the Committee. In such cases the Member must have held their existing berth for a period of not less than 12 months and the aforementioned berth must be returned to the Club prior to the allocation of the new berth.
 - (2) As a Marina Berth becomes available the Committee may allocate same to the first vessel of suitable dimensions listed on the Club Marina Waiting List except that Members who are on the Waiting List and have not yet advised the Club of the purchase of a vessel shall not be eligible for a berth allocation at that time.
37. Where a marina berth has been allocated on an annual basis, marina fees at an annual rate as determined by the Committee shall be payable half yearly in advance.
38. Where a marina berth has been allocated on a temporary basis, marina fees at a rate as determined by the Committee shall be paid on presentation of accounts.
39. Owners of vessels allocated temporary marina berths are required to remove their vessels immediately on receipt of a request by the Committee or its representative.
40. No vessel, other than those allocated annual or temporary marina berths, shall occupy a berth without the prior approval of an officer of the Club or the Duty Officer of the day.
41. A daily charge as determined by the Committee may be made in cases where a member or other persons berth any vessel without authority at the Clubs jetties or marinas.
42. Charges for overnight or casual berthing may be made in cases where a member or other persons berth any vessel without authority at the Club jetties or marinas.



43. Members allocated an annual or temporary marina berth shall occupy same under the following conditions:
- (1) They shall not cause any vessel other than that registered in his/her/their name on the Club Boat Register to occupy the allocated or any other marina berth without the prior approval of an officer of the Club.
 - (2) They shall indemnify the Club in writing against any damage to any vessel registered to him/her/them or under his/her/their control.
 - (3) They shall not transfer or assign an allocated berth to any other person.
 - (4) They shall make themselves available from time to time, or make such other necessary arrangements, to permit the Committee or its representative to inspect the fire-fighting, safety and communication equipment fitted or carried aboard his/her/their vessel and produce such evidence that such equipment, where appropriate, has been assigned a current test certificate or licence.
 - (5) They shall berth his/her/ their vessel as prescribed by the Committee.
 - (6) They shall refrain from modification or installation of fixtures, fittings, jetty piles, or moorings, unless given written approval by the Committee.
 - (7) They shall provide, use and maintain such berthing lines, and shock absorbing springs, as prescribed by the Committee.
 - (8) They shall make separate application to the Committee for approval to connect power to his/her/their vessel. The Committee may require any such applicant to provide details of all appliances on such vessels and their intended use.
 - (9) They shall provide annually, concurrent with renewal of club membership, details of his/her/their vessel as required by Rule 37.
 - (10) They shall keep his/her/their vessel in a sound, presentable, and seaworthy condition.
 - (11) Failure to comply with any of these conditions in this By-Law may require the owners to remove his/her/their vessel from the Marina.
44. No marina berth or swing mooring allocated to a vessel under the Club Rules or By-Laws may be transferred, assigned, sold or otherwise disposed of except by the Committee.



45. Where a vessel is sold the allocation of the berth remains with the owner/s of the vessel for a period not to exceed one year following the sale of the vessel, provided the owner/s pay the marina fees for this period. The berth may be re-allocated after this period, the allottee being entitled to a pro-rata refund of such annual marina fees as may be appropriate. Refunds shall not apply to temporary marina monthly payments.
46. Where a member sells a vessel which has previously been allocated an annual marina berth and he/she intends to acquire another, he/she/they shall provide an application for a marina berth to the Secretary and be placed on the Club Marina Berth Waiting List as of that date of the Member's first approved application for a marina berth. No further marina deposit is required in this instance.
47. In the event that the owner/s of a vessel to which a marina berth has been allocated fails to comply with the Club Rules or By-Laws the Committee may withdraw the marina berth allocation and call on the owner/s to remove his/her/their vessel from the club within seven days of notice to quit having been posted to the address recorded on the Register of Members, subject to disciplinary action having been taken under the Rules.
48. Where a marina berth allocation has been withdrawn, no refund or rebate of marina fees shall be made by the club.

Visiting Boats

49. Visiting boats:
 - (1) Visiting boats may only moor at Club marinas and jetties with approval from an Officer of the Club or Duty Officer of the day. Prior arrangements should be made where possible.
 - (2) Visiting boats should tie up at the visitor's berth and immediately contact the Club Officer for a berth allocation.
 - (3) No visiting boat shall tie alongside any other boat without the express permission of the owner and the duty officer of the day.
 - (4) Club access key will be made available on payment of a refundable deposit of \$50.00 and the name of such depositor entered in the ledger kept for this purpose.
 - (5) Electric leads may only be connected to marinas with the approval of the Club or Duty Officer of the day.



- (6) A charge may be made for the use of Club facilities, power and water etc.

Club Flags

50. Club flags:

- (1) **BURGEE:-** The Club Burgee shall be navy blue with a white St George Cross, having the Royal Crown at the centre of the cross, three blade propeller in red in upper canton with a white star in centre of lower canton. Any member may fly the Club's Burgee on their own boat if it is registered on the Boat Register. The Burgee shall be flown in accordance with Flag Etiquette By-laws.
- (2) **FLAG OFFICERS FLAGS:-** The Commodore's flag shall be the Club Burgee with a swallow tail. The Vice Commodore's a similar flag with one red ball in lower canton. The Rear Commodore's, a similar flag with two red balls in outer lower canton-the balls to be placed horizontally. The Past Commodore's a similar flag with a Red "P" in the lower canton. No Flag Officers Flags shall be displayed on any boat unless such Officer is on board, unless it is his/her intention to return before sunset on the same day. (See Flag Etiquette). Flag officers shall always display their flags when aboard their boats.

Flag Etiquette

51. Flag etiquette:

- (1) Members should fly the Club Flag on all occasions when the vessel is in commission and should be careful to fly only the proper flag and in correct position. A vessel is considered in commission, for the purpose of these By-Laws, when being used.
- (2) The Burgee should be flown by all vessels-and may be flown without the Ensign.
- (3) **ENSIGN:-** A boat on the club Boat Register may at specified times fly the Australian National Flag, the Red Ensign or with approval, the Victorian State Flag or Blue Ensign. The Ensign should never be flown without the Burgee being hoisted. A defaced Ensign should only be flown by boats under the Admiralty-Warrant.
- (4) **FLAG POSITIONS:-** (These positions only apply to motor driven yachts and small boats. NOT TO BOATS UNDER SAIL.)
CLUB BURGEE: Dinghy or speed boat:- on a small staff at the stem head or bow. Motor Yachts with one mast:- at the masthead. Motor Yachts with two masts:- at the foremost head.
ENSIGN: The Ensign is hoisted on a flagstaff at the stem of power



boats.

OWNER'S PRIVATE FLAG OR RACING FLAG: On Motor Yachts these flags shall be flown midships.

- (5) **TIME FLAGS SHOULD BE HOISTED:** All flags at 0800 hours until sunset (on no account should they be left up at night). The time should be taken from the senior officer present at the anchorage, or if no officer present from the ships mate. Flags may be hoisted on a Motor yacht when entering or leaving port before 0800 hours or after sundown if it is light enough for them to be seen, and lowered when the yacht has anchored. The order of hoisting is as follows:
UP: Ensign 1st. Club Burgee 2nd Private flag 3rd
DOWN: Reverse order, viz. Private flag 1st Club burgee 2nd Ensign last.
- (6) **ABSENT FLAG:** Blue rectangular flag flown from main starboard crosstrees or at that position, and is only used when the owner is absent, and the motor yacht is at anchor.
- (7) **MEAL FLAG:** White rectangular flag is flown from the main starboard crosstrees or at that position, it denotes the owner is at meals, and is only flown when the Motor Yacht is at anchor. (Boarding a motor yacht when this flag is flying is considered very bad form).
- (8) **MOURNING:** The Ensign only is half-masted. All flags should be masthead before being lowered and saluting with the Ensign at half-mast; it should be mastheaded, then dropped to the salute, then mastheaded again, and then lowered to half-mast. Flag Officers; Ensign and his rank should be half-masted on his motor yacht.
Death on board Motor Yacht: All flags should be half-masted until the coffin leaves the Motor Yacht, except when the Ensign only should only be half-masted. (except in the case of Flag Officers).
Duration of Mourning: From 0800 hours to sunset on each day that the mourning is ordered.
- (9) **FLAG SALUTING:** Salute by dipping once to a Royal or Vice Royal yacht or boat with a governor on board, warships, the senior officer's flag present, foreign war-ships, merchant ships flying the Blue Ensign. All ships when passed at sea, colours should be hoisted, and if dipped should be acknowledged. Flag Officers of Club's when passed at sea, should also be saluted. It is also courteous to salute a Flag Officer of a club on the first meeting during the day on ceremonial occasions. All Motor Yacht Club and Royal Club's, when visited should be saluted.
Method: Lower Ensign from the masthead to below the half mast



position, and when answered by the vessel saluted by lowering of its flag to the same position, re-hoist your flag to masthead.

- (10) The following flags must not be flown without authority; Royal Standard, White Ensign, Union Jack, or Australian Blue Ensign Defaced.

Gun Salutes on Ceremonious Occasions

52. Commodore, 11 guns, Vice Commodore, 9 guns, Rear Commodore 7 guns, The Ensign should always be hoisted during a gun salute. A Commodore saluted by a Vice Commodore would reply with 9 guns. If saluted by a Rear Commodore he/she would reply with 7 guns. A winning yacht is saluted with 5 guns on special occasions.

Distinguishing Lights at Night

53. When under way the usual lights, as set down by the Marine Act 1988 and regulations under the Act, shall be carried. (A motor yacht is considered under way when she is not at anchor, or made fast to the shore or aground). A motor yacht is any vessel propelled by machinery. A yacht, when under way, under sail, and power, is a sailing yacht.

Motor Yachts at Anchor at Night

54. Are required to carry all lights, as set down by the Marine Act 1988 and regulations under the Act.
55. The following club lights may also be lit; Commodore, when on board his motor yacht only, two blue lights perpendicularly at the stern. Vice Commodore, when on board only, two red lights perpendicularly at the stern. Rear Commodore when on board only two white lights perpendicularly at the stern. All motor yachts should carry one white light at the gangway at night.

Uniforms

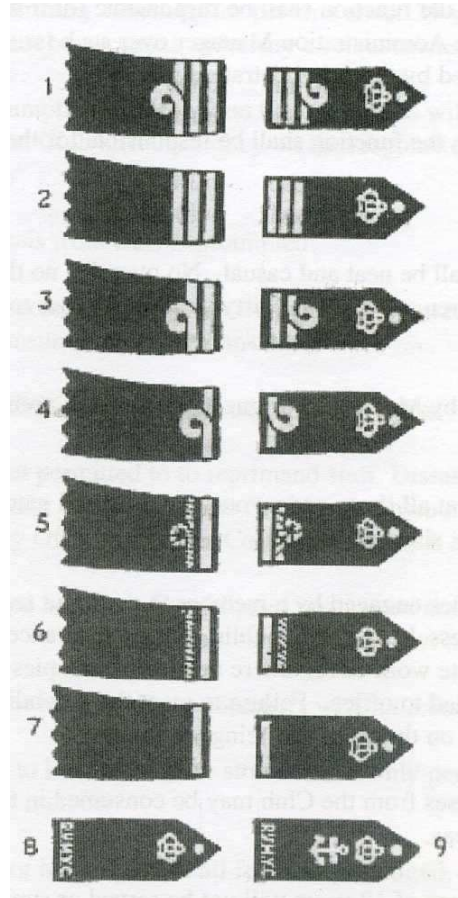
56. The uniform of the Club shall be as follows:
- (1) The DARK UNIFORM shall be a dark blue double breasted coat, which shall have four buttons on each side.
 - (2) The WHITE UNIFORM shall be a white double breasted coat. The designation shall in this case be worn on the shoulder straps in gold. The coat shall be fitted with brass Club buttons.
 - (3) NAVAL CAP with Club Badge. The Badge shall be a Club Burgee, surrounded by a Ducal Coronet, and the badge to be worked in gold.



- (4) The Officers uniforms shall differ only from the above by the following: The Commodore to have three half inch bands, the top band to have a small loop. The Vice Commodore to have two half inch bands, the top band to have a small loop. The Rear Commodore to have one half inch band with small loop. The Hon. Secretary to have one half inch band with one rope above it, with small loop in rope band. The Hon. Treasurer to have one half inch band with one plain rope band above it. The General Committee to wear one half inch band. The Judge, Starter, Race Secretary, Handicapper, TimeKeeper, and Social Secretary to wear one rope band.
- (5) On the Dark Uniform the bands are worn each sleeve, the bottom of the first band to be two and one half inches from the sleeve and to be spaced one half inch apart, the bands and buttons to be gold in this case.
- (6) On the White Uniform brass Club buttons will be worn and the rank of the office will be displayed on each shoulder strap, and not on the sleeve. The shoulder straps to be black, five inches by two inches, to be cut at a point at the collar and fastened with brass buttons. The bands to be quarter inch gold, spaced quarter inch apart. The first band to be about half an inch from the shoulder end of strap. The bands and rope to be the same for each officer as worn on sleeve of the Dark Uniform.
- (7) MOTOR YACHT OWNERS UNIFORM: Registered motor yacht owners shall be entitled to wear a small brass anchor with a crown on each lapel of the coat, on the Dark Uniform, and a brass anchor on the shoulder straps above the bands on the White Uniform.
- (8) DRESS UNIFORMS: The evening dress uniforms shall be either white or dark mess jacket with black tie and black trousers. White mess jacket shall have shoulder straps and gilt Club buttons, white vest with four Club buttons. Dark mess jacket shall have no shoulder straps, but bands in gold braid on sleeves for officials with gilt buttons and black vest with four gilt buttons.
- (9) PAST COMMODORES: Past Commodores to wear three half inch bands without a loop on the top band in each case.
- (10) CLUB BLAZERS: The casual wear of the Club shall be a dark double or single breasted blazer with three patch half pockets including one on the left breast on which shall be worn the Club Badge, worked in gold and surrounded by a Dual Coronet or a fouled anchor worked in gold, either with the letters R.V.M.Y.C. below.



- (11) Designation to be worn by Officers of the Club on coat, sleeve and shoulder strap:- 1, Commodore, 2, Past Commodore, 3, Vice Commodore, 4, Rear Commodore, 5, Secretary, 6, Treasurer, 7, Committee, 8, Shoulder Strap, Ordinary Member, 9, Should Strap, Boat Owner Member.



Miscellaneous

57. Credit on members' accounts are subjected to a limit set by the Committee from time to time.
58. The trading hours of the bar will be specified by the Committee and are subject to change from time to time. Bulk packaged beer will be made available for purchase by member at discounted prices on a take-away basis only and is intended for consumption on boats or locations other than the first floor area. All alcoholic beverages for consumption within the Clubs licensed premises are to be purchased from the bar at normal over the counter prices. No alcoholic beverages are to be



brought into the club for consumption within the first floor area during trading hours. Licensed premises include the first floor area and grassed areas. The BBQ area for the purpose of this By-Law is a BYO area not included in the licensed premises.

59. Any member wishing to hold a function at the Club may apply to the Club Manager. The BBQ area at the Club is intended to be used by Members and their guests, however the maximum number of Members and guests in one self-catered party should not exceed 36 people. For groups exceeding this number, the services of the Club's Caterer must be utilised by the Member to provide a fully catered function. Members who hold a BBQ area self-catered function are responsible for the cleaning and restoring of the area to an acceptable standard. This is to be done immediately following the function and not left until the following day.
60. The Club Kitchen is not available for use by any outside caterer.
61. The person holding the function shall be responsible for it when it is held and must liaise with the Club Manager over such issues as decorations which must be approved by the Club Manager.
62. The person holding the function shall be responsible for the good behaviour of their guests.
63. Dress in the Club Rooms and Bar shall at all times be neat and casual. Overalls, dirty work clothes, rubber thongs and bare feet are not permitted at any time. Hats are not to be worn by members, guests or visitors within the Club Rooms and Bar unless otherwise directed by the Committee. Hats or head coverings worn for medical or religious reasons are exempted from this requirement. Members making over the bar purchases to be removed to their boats are required to adhere to this dress code.
64. The language used by Members and guests in the Club premises must be moderate at all times.
65. All Members must at all times endeavour to see that all gates and doors to Club Premises are kept shut and locked.
66. Persons or companies engaged by a member to carry out repairs or maintenance to a member's vessel must have public liability insurance of at least \$10 million or such other amount as determined by the Committee, and appropriate work cover where applicable. Copies of relevant documents are to be



provided to the Administration Office. Failure to meet these conditions will result in permission to work on the premises being withdrawn.

67. Persons under the age of 18 years will not be served or supplied with alcohol other than whilst participating in a substantial meal in the Club dining room in the company of an adult or guardian.
68. Legal acceptable proof of age documents must be presented to bar staff, security staff, and officers of the Club and Committee persons on request.
69. Bookings for Birthday functions for persons under 25 years of age from non-members will not be accepted without prior approval from the Committee. The Committee may at its sole discretion, without further explanation, reject such applications, or it may approve them subject to receiving increased deposit amounts and additional security guards.
70. Members consumption of alcohol on Club premises will at all times be in accordance with the Club's House Policy on the responsible serving of alcohol.
71. Refuelling vessels from cans is prohibited.
72. Smoking is prohibited in all areas of the Club Premises except in designated smoking areas.
73. Members are not permitted to reprimand staff. Dissatisfaction with staff is to be referred to the Secretary. In the Secretary's absence complaints may be referred to the Duty Officer or senior Committee person if appropriate.
74. Member access to kitchen and bar store areas is only permitted with the approval of a Committee member.
75. Discrimination or harassment in all forms is prohibited.
76. Gambling on Club premises is prohibited, unless part of a Club function.
77. The Club is bound by and committed to upholding the National Privacy principles.
78. The club observes the principles of Equal Opportunity.
79. An additional loading to berth fees may be applied to all permanent berth allocations, at the discretion of the Committee, based on the Berth Holders Participation Program. This loading will be determined by the Committee and adjusted from time to time.