



**HILLARYS YACHT CLUB INC. SPECIAL GENERAL MEETING
HYC HARBOUR ROOM 65 NORTHSIDE DRIVE HILLARYS
THURSDAY 7 DECEMBER 2023 AT 6.30PM**

AGENDA:

ORDER OF BUSINESS

1. Consideration of Notices of Motion – Nomination Fees
 - 1.1 Constitution New Clause 6.1.12 and Constitution Amendment Clause 6.1.3 – Special Resolution
Nomination Fees

Close of Meeting

Item 1.1 Constitution Clause Addition and Amendment - Special Resolution

Rationale: The Management Committee is proposing an amendment to the nomination fees required to become a member of Hillarys Yacht Club.

At present, the Constitution requires that the nomination fee be set as a percentage of the Ordinary Membership Subscription, as shown in the table at Clause 6.1.3 of the Constitution.

To enable the Management Committee to act in a timely manner with the ever-changing financial influences on membership numbers, and in order to encourage new memberships, the Management Committee sees the need to introduce flexibility regarding the cost and timing of nomination fees. Currently, if Management wishes to introduce a reduction in the price of nomination as a special promotion, they must either wait until the next Annual General Meeting (AGM) or call a Special General Meeting (SGM) and thus seek member approval. This can take time and can result in the Club reacting too slowly to market influences and opportunities.

A Special Resolution to effect these changes to the Constitution was proposed at the August 2023 AGM. The Special Resolution was not passed, and Members requested that Management Committee make changes to the Special Resolution to tighten up on the wording of the Special Resolution to ensure special "one-off" offers of a reduced Nomination Fee could not be made. The revised Clause 6.1.3 aims to address this requirement.

Additionally, it is the Management Committee's view that any Member who is allocated a pen, must have paid the full 200% Nomination Fee when being granted pen occupancy. This includes paying the Nomination Fee difference between what a member has paid as a discounted Nomination Fee ("advertised special") in prior periods and the full 200% Nomination Fee of the day when being granted pen occupancy. The proposed new Clause 6.1.12 aims to address this requirement.

Note that any Member who has paid the full 200% Nomination Fee in prior years, even if at a lesser price, will not be affected by this change to fee arrangements.

There will be one motion put forward to add Clause 6.1.12 and replace Clause 6.1.3 in the HYC Constitution. The motion will include the wording being proposed.

For your convenience, the existing clause is copied below:-

Current Clause:

6.1.3 All other subscriptions and nomination fees shall be expressed as a percentage of the Ordinary Membership subscription as shown in the following table:

Category of Membership	Subscription	Nomination Fee	Food & Beverage Levy P/A
<i>Ordinary</i>	<i>100%</i>	<i>200%</i>	<i>Applicable Rate</i>
<i>Associate</i>	<i>67.5%</i>	<i>Nil</i>	<i>Applicable Rate</i>
<i>Corporate</i>	<i>100%</i>	<i>200%</i>	<i>Applicable Rate</i>
<i>Student</i>	<i>20%</i>	<i>Nil</i>	<i>Nil</i>
<i>Country</i>	<i>50%</i>	<i>200%</i>	<i>Nil</i>
<i>Reciprocal</i>	<i>50%</i>	<i>200%</i>	<i>Nil</i>
<i>Honorary</i>	<i>Nil</i>	<i>Nil</i>	<i>Nil</i>
<i>Honorary Life</i>	<i>Nil</i>	<i>Nil</i>	<i>Nil</i>
<i>Junior (Under 18)</i>	<i>10%</i>	<i>Nil</i>	<i>Nil</i>
<i>Crewing</i>	<i>20%</i>	<i>Nil</i>	<i>Nil</i>
<i>Senior Citizen</i>	<i>75%</i>	<i>200%</i>	<i>Applicable Rate</i>
<i>Temporary</i>	<i>Nil</i>	<i>Nil</i>	<i>Nil</i>
<i>Transitional</i>	<i>20% (5yrs)</i>	<i>20% (5yrs)</i>	<i>Applicable Rate</i>
<i>Clubhouse Single</i>	<i>50%</i>	<i>Nil</i>	<i>Applicable Rate</i>
<i>Clubhouse (with spouse/partner)</i>	<i>60%</i>	<i>Nil</i>	<i>Applicable Rate</i>
<i>Absentee</i>	<i>10%</i>	<i>Nil</i>	<i>Nil</i>

Motion: It is therefore proposed that the Management Committee is given the authority to alter the Nomination fee in the range of no less than 25% and no more than 200% of the Ordinary Subscription. It is further proposed that any Member requiring pen occupancy must have paid a full 200% Nomination fee.

A Special Resolution is proposed for the addition of new Clause 6.1.12, and to replace current Clause 6.1.3 with the proposed Clause 6.1.3. To pass, it must be accepted by a three quarters majority of the Members present and entitled to vote.

Proposer: Kerry Lewis

Secunder: Des Riley

PROPOSED NEW CLAUSES:

6.1.12 A full Nomination Fee (200%) of Ordinary membership will apply to:

- a) any new member who joins the Club and requires pen occupancy. That member must pay the full (200%) Nomination Fee applicable at the time of being allocated a pen.
- b) any member who upgrades their membership to Ordinary Member or another category of membership to lease, rent or occupy a club pen, and who at any time thereafter enters into pen occupancy with the Club.

A member who has previously paid a discounted Nomination Fee, is required to pay the difference between the previously discounted Nomination Fee paid and the full (200%) Nomination Fee applicable at the time of being allocated a pen. A Member who has previously paid a full (200%) Nomination Fee, is not required to pay an additional Nomination Fee upon being allocated a pen.

- c) any member who is granted a pen. That member must pay the full (200%) Nomination Fee applicable at the time of being allocated a pen unless that Member has previously paid the full (200%) Nomination Fee.
- d) any past member who applies to re-join the Club within five (5) years of their previous membership expiring or terminating and who at any time thereafter is allocated a pen. Any re-joining member who is allocated a pen cannot have a Nomination Fee waived per Clause 6.1.11.

6.1.3 All other subscriptions and nomination fees shall be expressed as a percentage of the Ordinary Membership subscription as shown in the following table.

The Management Committee has the authority to amend the Nomination Fee provided it is not lower than 25% and provided it is not higher than 200% of the Ordinary Membership subscription.

Should the Management Committee approve a temporary amendment to the nomination fee, the amendment must apply to all affected membership categories, for a specific promotional purpose and for a specific period of time. The period of time shall not be less than one day and shall not exceed one calendar month up to 3 times per annum in any given financial year. The amendment shall not apply to an individual's or group's request for a reduced Nomination Fee.

Category of Membership	Subscription	Nomination Fee	Food & Beverage Levy P/A
<i>Ordinary</i>	<i>100%</i>	<i>200%</i>	<i>Applicable Rate</i>
<i>Associate</i>	<i>67.5%</i>	<i>Nil</i>	<i>Applicable Rate</i>
<i>Corporate</i>	<i>100%</i>	<i>200%</i>	<i>Applicable Rate</i>
<i>Student</i>	<i>20%</i>	<i>Nil</i>	<i>Nil</i>
<i>Country</i>	<i>50%</i>	<i>200%</i>	<i>Nil</i>
<i>Reciprocal</i>	<i>50%</i>	<i>200%</i>	<i>Nil</i>
<i>Honorary</i>	<i>Nil</i>	<i>Nil</i>	<i>Nil</i>
<i>Honorary Life</i>	<i>Nil</i>	<i>Nil</i>	<i>Nil</i>
<i>Junior (Under 18)</i>	<i>10%</i>	<i>Nil</i>	<i>Nil</i>
<i>Crewing</i>	<i>20%</i>	<i>Nil</i>	<i>Nil</i>
<i>Senior Citizen</i>	<i>75%</i>	<i>200%</i>	<i>Applicable Rate</i>
<i>Temporary</i>	<i>Nil</i>	<i>Nil</i>	<i>Nil</i>
<i>Transitional</i>	<i>20%</i>	<i>200%</i>	<i>Applicable Rate</i>
<i>Clubhouse Single</i>	<i>50%</i>	<i>Nil</i>	<i>Applicable Rate</i>
<i>Clubhouse (with spouse/partner)</i>	<i>60%</i>	<i>Nil</i>	<i>Applicable Rate</i>
<i>Absentee</i>	<i>10%</i>	<i>Nil</i>	<i>Nil</i>