

## **P.W.C. RULES AND REGULATIONS**

The Point Watersport Club (PWC) is a non-profit entity formed by the members, Durban Ski Boat Club (DSBC) and Durban Undersea Club (DUC) and providing clubhouse, operational and related facilities to the clubs and their members.

Both these clubs have their own constitutions and rules to govern their members and it is necessary to align these members enjoying the facilities of the PWC under a commonly adopted set of PWC facility, use and enjoyment rules. This is necessary for the efficient operation and harmonious enjoyment of the club and its facilities by the members and guests of the two clubs. Accordingly, the rules below shall apply to the members and guests of the two clubs, temporary members and visitors at all times when making use of the PWC facilities.

### **MEMBERSHIP**

Membership is considered on the application to each of the member clubs except in the instance of temporary daily or 30 day membership, the Club General Manager and, on approval, granted by the PWC. Memberships of the clubs as well as temporary membership when granted, is for the applicant only **and is strictly not transferrable to any other person including family members.** Each family member of either of the clubs who has attained the age of 18 years old must hold their own membership card to enjoy and make use of the club facilities. Any children of valid card carrying members who apply for membership **within three years** of the date of their 18<sup>th</sup> birthday will not be required to pay any applicable entrance fees. Their membership application will still be subject to approval of the respective clubs.

### **FULL MEMBERS**

Member benefits for all fully paid up full members include, use of the PWC club facilities and services according to PWC rules.

All Members are required to carry proof of membership and to produce the same at any time if required by the relevant club managers, staff, security or any committee member, any senior PWC management or staff.

### **TEMPORARY MEMBERS / VISITORS**

Temporary memberships are issued on a daily or monthly basis at the prescribed fee at the discretion of the PWC committee and management. Temporary memberships are issued to facilitate the use of the PWC premises by visitors not resident in the Durban Metro area and visiting members of other water sport clubs. Temporary members are not entitled to all the benefits that full annual memberships enjoy. Temporary members will not enjoy discounts on food and beverage offerings and will need to pay additional fees for any PWC services required, such as launching and towing fees.

Temporary memberships are not transferrable. Temporary membership of the PWC is only extended to the children of a temporary member who are under the age of 18. All family members of temporary members 18yrs and over must pay for and be in possession of their own temporary membership to enjoy the PWC facilities.

Temporary members will be issued with Temporary / Visitor / Access Card which will identify them as temporary members to the staff and they will be entitled to make use of the PWC facilities and services. A refundable deposit will be charged for this card. Refund will be made on return of the card.

### **GUESTS / VISITOR**

A GUEST (NON-MEMBER) IS ANY PERSON WHO DOES NOT HAVE A MEMBERSHIP CARD IN THEIR OWN NAME. This includes your spouse, life partner, family and any of your children older than 18 yrs, that don't have their own membership card.

NO GUEST MAY BE AT THE PWC PREMISES WITHOUT THE INTRODUCING MEMBER BEING PRESENT. The introducing member must be the first to arrive and the last to leave when guests are invited to PWC. Such guests shall be entitled to remain upon the premises only so long as the introducing member is also on the premises.

ALL GUESTS ARE TO BE SIGNED IN BY THE INTRODUCING MEMBER ON EVERY VISIT TO THE PREMISES in the guest book to be found in the reception and shall furthermore be responsible for the behaviour of such guests while the guest is on the PWC premises.

NO GUEST MAY VISIT THE PWC MORE THAN TWICE A MONTH unless they are in possession of a temporary membership for the duration of each visit.

GUESTS MAY PARK IN THE MEMBERS' CAR PARK WHEN PERMITTED, BUT THEIR NAMES OR CAR REGISTRATION NUMBERS MUST BE LEFT WITH THE GATE GUARD or they must be met at the gate by the introducing member. (Remember first arrive rule above) When allowing access for guests at the gate, please provide proof of your membership to the gate guard by producing your card. Please note that this concession may be withdrawn at any time by PWC management. (See parking restrictions below under Parking and Access)

TO AVOID UNINTENTIONAL EMBARRASSMENT, GUESTS ARE TO BE INTRODUCED BY THE MEMBER INVITING THEM TO THE PWC TO THE STAFF ON DUTY, SHOWN THE PWC FACILITIES AND MADE AWARE OF THE PWC RULES (e.g. no children in the bar, how to order on a tab, etc) by the introducing member.

MEMBERS MUST ORDER FOOD AND DRINK ON BEHALF OF THEIR GUESTS as membership cards are required to be used when these purchases are made.

MORE THAN 10 ADULT GUESTS (NON-MEMBERS) INVITED BY A MEMBER CONSTITUTES A FUNCTION and the PWC manager, or the duty manager must be notified and approval obtained for the function before the guests arrive to ensure that the facilities can cope with the extra demand.

No member shall introduce anyone, nor shall any person use the premises:

- a) whose presence in the opinion of the committee or management is undesirable;
- b) who has been rejected as a member or expelled or suspended from membership of either the DSBSC or DUC;
- c) who has been struck off the list of members (of either of the clubs) for non-payment of subscriptions or other liabilities; or
- d) who acts against the interests and reputation of either of the clubs or the PWC by verbal, social media comments or by any other means.

Members shall pay for any damages caused by any guest introduced by them.

#### **PWC CLUBHOUSE / GROUNDS (COLLECTIVELY REFERRED TO AS THE "PREMISES")**

The right of admission is reserved: the Board may declare any person/s to be forbidden entrance to the PWC and its grounds.

The use of all PWC facilities is at your own risk.

PWC clubhouse and office hours will be advertised on the applicable PWC website as will the kitchen and bar hours.

No functions may be held at the clubhouse on Sundays, public holidays, during school holidays and days when PWC events are held without the special consent of the Board or PWC management.

The PWC is closed on Christmas Day. Any persons wishing to launch on Christmas day will only be able to self-launch.

No boisterous behaviour or foul language is permitted

No dogs or other pets are permitted in the clubhouse or on the premises other than in any specified demarcated area.

Only persons who have been authorized by the committee may enter the back office, kitchen, storerooms, compressor room, storage containers, workshop, staff ablutions and change rooms or be behind the bar.

No ball games allowed in the Clubhouse adjacent paving or decks or on the grass patch. Ball games on the beach please!

Dress code in the clubhouse is anything goes that is modest, dry and free of sand and dirt. A shirt or vest is required in the restaurant and main bar.

No diving, sailing, boating or surf ski equipment, including wetsuits and buoyancy vests may be washed in the showers inside the clubhouse. Showers and hose pipes are provided outside for this purpose.

No wet equipment, wetsuits or clothing to be worn or taken into the clubhouse dining or bar areas.

No smoking (including vaping and electronic cigarettes) in or under any covered or partially covered area and any areas on the premises as determined by committee, such as near fuel storage areas, kitchens and compressors. Smoking (including vaping and the use of electronic cigarettes) is strictly limited to the designated and open areas.

No crockery, cutlery, glasses or utensils may be removed from the clubhouse facility, the grass area or taken on to the beach at any time without permission from the PWC management.

The clubhouse may not be used for any private function unless specific consent is given by the management or committee, which shall have an unfettered discretion to allow or disallow any function at any time (written application by email to be lodged a month in advance.)

No fireworks on the premises.

## **CHILDREN**

It is the responsibility of the parents or guardians to supervise and ensure the safety of their children at all times while on the premises. This includes but is not exclusive to:

- (a) The roads/routes along which boats and tractors traverse to and from the premises to the beach.
- (b) The beach itself (no life guards).
- (c) The playground.

The PWC furthermore advises all parents that neither the PWC, its management nor the committee take any responsibility for any injury or mishap which may occur to children at anytime.

Children are not permitted to play in the clubhouse or to make excessive noise.

The toilets may not be used by any child under the age of eight (8) years, unless such a child is accompanied by an adult.

## **PARKING AND ACCESS**

Due to the size and nature of the PWC facilities, there is restricted parking and vehicular access to the premises which PWC management, staff and security regulate from time to time.

Any available parking is available on a first come first served basis and at all times subject to the control of the management, staff and security of the PWC.

The security at the gate has the authority to remove any membership card that does not open the boom gate or is deemed by them to be used incorrectly by the card holder and may request you to park outside the premises and go to the PWC admin office for clarification.

On Sundays, Public Holidays, any day that there is an event at the premises, during school holidays and any time that the parking is deemed to be full by club management, parking restrictions will be imposed.

Only one car per membership card is permitted to park in the PWC car park at any one time.

Allowing a non-member vehicle or additional vehicles not covered by membership access to the car park when parking restrictions are in operation without obtaining permission from PWC management first will result in an immediate 3 month membership suspension from the PWC.

Members are required to meet their invited guests at the gate to allow them access. Gate Guards may require proof of membership before allowing guests access.

Cars may not be parked in the designated area for the washing of boats, committee or staff parking or in any area that may cause an obstruction to the PWC operations and various storage facilities.

Speed limit on the premises is 15km/hour.

#### **LIQUOR / BARS**

No children under the age of 18 are allowed in any bar or within 3m of an area serving alcohol.

PWC is a licensed premises and as such, no alcohol may be brought on to the premises without permission of the committee or club manager which permission may be withheld. Corkage is payable on those items permitted.

Only members may purchase liquor in the clubhouse.

No person shall be permitted to purchase any liquor on credit.

No liquor shall be removed from the premises; liquor purchased in the clubhouse is for consumption on the premises.

The PWC abides by the By Laws of the City of Durban which prohibits the consumption of alcohol on the beach (public spaces). No member or guest may take alcoholic beverages onto the beach under any circumstances.

Members shall exercise restraint, particularly in regard to boisterous behaviour or the use of bad language, in the bar.

Any person who is asked by the barman or PWC management to leave the bar and who subsequently fails to do so shall be liable to disciplinary action. No bar service will be afforded any persons, within the clubhouse, unless such persons are wearing a shirt or vest, and footwear.

#### **SOCIAL MEDIA POLICY**

Members are at all times considered representatives of the clubs and should behave in a responsible manner on social media when doing so in the clubs' names or when mentioning the clubs' on social media.

Club members are not to post comments on social media platforms that bring PWC or the club into disrepute.

Members are to raise any complaints and concerns with the management or relevant club committee and not post to social media.

## **WATERCRAFT**

All watercraft shall be registered and inspected in the manner and upon the date advertised from time to time upon the premises.

The failure by any watercraft owner, skipper or crew member to observe the safety and other regulations issued by SAMSA, SAS other relevant authorities such as Transnet and SAPS or the committee at any time, shall be liable to be brought before the disciplinary committee.

The owner of any watercraft shall be fully responsible for any acts on any omission by the skipper of his watercraft, or any crew member.

Any person failing to lodge the required particulars in the launch register or contact the launch control in the duty room by radio whether upon launching or upon return, shall be liable to disciplinary action.

There is a 50m watercraft exclusion zone from the edges of Vetchs Reef.

There is a watercraft no wake zone in the area bounded by the Vetchs beach, north harbour breakwater and Vetchs Reef.

## **DISCIPLINE**

The PWC manager (or his / her deputy on duty at the time) shall have the authority to impose immediate sanctions on a member deemed to be in contravention of these rules. Such sanctions may include temporary suspension of the membership of any member and ejection from the premises.

After any sanction applied by the manager, the manager shall report to the board of directors the behaviour of the member and the sanction imposed, and the board shall within 3 working days thereafter decide whether or not further disciplinary action is to be instituted against the member in which event the member will be notified in writing, telephonically or via email of any disciplinary procedure to be instituted which will be instituted and finalised within 7 working days thereafter. Notice of any disciplinary hearing shall include the details of the alleged contravention by such member.

In the event of a contravention related solely to the member's participation in a water sport, the club-head of that water sports section shall convene an ad hoc Disciplinary Committee comprising of three persons, being a PWC representative, head of the appropriate water sports section and a person with legal representation on behalf of the PWC.

In the event of a contravention of the rules which does not relate solely to the member's participation in a water sport, the PWC shall convene an ad hoc Disciplinary Committee comprising of at least three persons to hear and rule on the complaint / offence. The committee is to consist of three people being at least one PWC board member and one representative each from DUC and DSBC.

The Disciplinary Committee shall meet when necessary to investigate allegations of contraventions of the PWC rules, PWC constitution and serious or persistent misconduct by a member of any person on the club premises and may on reasonable notice request any person whose membership or other privileges may be affected by its findings to attend a hearing before it.

Allegations shall be investigated by the committee in a summary manner at any such hearing; the Disciplinary Committee shall have the power to impose the following sanctions;

a) A severe reprimand;

- b) Suspension of membership or any particular privileges afforded to a member;
- c) Temporary or permanent banning of any person from attending the clubhouse or premises;
- d) Termination of membership.

The Chairperson / Commodore of the affected club shall prepare a report of any such hearing and the resultant sanction (if any) imposed and such report shall be filed in PWC's records.

The clubs shall maintain their own rules for internal governance of their members and any contravention or sanction resulting from such rules may, to the extent that such is not a contravention of the PWC rules, lead to internal club disciplinary procedure and sanction.

The PWC committee shall at any time, as reasonably required, be entitled to amend, alter or vary the rules and such amendment, variation or altering of the rules shall be effected by posting of a notice to such effect on the PWC notice board whereafter such amendment, alteration or variation shall be considered to have come into immediate effect.

## **GENERAL**

All members of the Clubs shall avoid behaviour which will harm the reputation or social standing of the PWC.

Any property of the PWC broken or damaged by any Member or his guest shall be paid for by such member.

MEMBERSHIP CARDS ARE NOT TRANSFERABLE. A member may not give his card to a non-member (or another member) over the age of 18 to use without prior permission of the committee or PWC management. Allowing someone to use a membership card they are not entitled to use will result in an immediate 3 month suspension from the PWC and its premises for the member concerned.

Members shall, at all times and at any location, abide by the safety rulings and regulations prescribed by the South African Marine Safety Authority (SAMSA), Transnet (Port Captain), South African Deep-Angling Association (SADSAA), Natal Deep Sea Angling Association (NDSSA), Diving agencies such as SAUFF (South African Underwater Freedivers Federation), NAUI and PADI, South African Sailing (SAS), the Canoe Union of South Africa (CSA), South African National parks (SANP) and Ezemvelo (KZN) Wildlife and DAFF.

No person shall remove from the premises any book, pamphlet, piece of equipment, vehicle, trailer, property or any other item owned by the PWC without the permission of the Committee.

No member may carry a firearm on the premises.

No person may have accommodation on the premises, unless approved by the committee for special events.

Fish may not be cleaned, nor bait left lying around or placed in bins, anywhere on the premises except the designated area.

Nov 2017

28 August 2019 (Louisa and Paul)

17 September 2019 (Matthew Hancock)