

## **MEMBERSHIP RULES**

### **Made pursuant to Article 76 of the Articles of Association of The Association of Sail Training Organisations (“ASTO”)**

**April 2009**

#### **1 ASTO MEMBERSHIP STRUCTURE**

ASTO is an umbrella organisation that exists to represent the major Sail Training schemes in the British Isles. Sail Training is a challenging personal development activity which takes place on a residential sea going vessel. It may therefore take place on either sail or power vessels. ASTO has four categories of membership: “Full Membership”, “Individual Membership”, “Associate Membership” and “Honorary Membership” which are described further below.

Pursuant to the Articles of Association of ASTO (the “**ASTO Articles**”) the Board of Directors of ASTO (the “**ASTO Board**”), have absolute discretion when considering applications for all types of membership (whether statutory or otherwise).

Details of the various requirements and criteria for, and rights and obligations of, membership are given below.

For the avoidance of doubt, nothing in these Rules shall take precedence over anything in the Memorandum of Association of ASTO (the “**ASTO Memorandum**”) or the ASTO Articles each in force from time to time.

#### **2 FULL MEMBERSHIP**

A “Full Member” is a statutory member of ASTO and may be a corporate, or any other organisation or entity pursuant to Article 3 of the ASTO Articles.

Any organisation seeking Full Membership of ASTO shall comply with the following criteria:

##### **Organisation and Structure**

A Full Member shall be a not-for-profit organisation based within the British Isles with charitable aims. It shall have a properly constituted Board of Trustees/Directors. A signed copy of that organisation’s Memorandum and Articles of Association, or such other appropriate governing documents, together with a realistic operating budget will be required with the initial application.

The primary aim of the organisation shall be one of youth development and/or working with adults with special needs. This is normally included in the Memorandum and Articles of Association of that organisation (or such other appropriate governing document), and shall be reflected in practice.

To verify that an organisation is a bona fide Sail Training organisation, ASTO would normally look for evidence of 2 years successful operation, including copies of audited accounts.

Adequate insurance, including public liability, covering all activities ashore and afloat must be held. A declaration to this effect will be required annually.

Upon application, each organisation shall nominate a person responsible for upholding the standards and maintaining compliance with these Rules, the ASTO Memorandum and ASTO Articles and any other rules, bye laws or policies of ASTO in force from time to time. This person will, unless otherwise directed, be the primary contact for that organisation. Normally this will be a senior person in the organisation’s shoreside offices and usually available during the working week. In the case of an organisation which is itself not a legal entity, it shall nominate a person to

hold the membership for and on behalf of that organisation, pursuant to Article 3 of the ASTO Articles.

### **Vessels**

Full Members shall own, or have a long-term contract for the use of, suitable sail or motor vessels. Vessels must be operated under appropriate regulations issued by the Maritime and Coastguard Agency or other Flag State authority. Copies of any certification or proof of classification will be required.

All vessels used shall be well maintained, commensurate with the professional image of ASTO and its members. Cooking areas, utensils, food storage and preparation areas must be hygienic. Guidelines for the safe handling and stowage of food shall be kept onboard. Adequate foul weather clothing, in good condition, shall be provided for all trainees.

Vessels shall be available for inspection by ASTO.

### **Duty of Care**

Full Members shall provide a good level of care for trainees. Suitable supervision ratios shall be in place and all staff must receive adequate training to carry out the tasks required of them in managing a crew of young people or vulnerable adults.

Organisations shall also have a clear Child Protection/Vulnerable Adult policy that defines the organisation's commitment to providing a safe environment. The policy shall include procedures that cover:

- a) the safe recruitment of staff and/or volunteers, including Criminal Record Bureau checks;
- b) good practice guidelines to ensure the safety and welfare of trainees at all times, both on and off the water; and
- c) the handling of concerns, reports or allegations concerning trainees.

### **Administration and Procedures**

Within the administration of voyages, the following shall exist:

- a) health declaration for all participants;
- b) in the case of trainees under 18 years old, a form of parental consent;
- c) the issuing of clear joining and leaving instructions; and
- d) form CG 66 Voluntary Safety Identification Scheme held with the Coastguard for each vessel.

The organisation shall have a clear set of Operating Procedures available to all staff and/or volunteers. In addition to the policies mentioned in 'Duty of Care', it shall cover:

- a) a clear policy for dealing with refunds and cancellations;
- b) crew details, including next of kin, held ashore and a procedure to ensure these details are accurate before the vessel sails;
- c) a clear action plan for dealing with incidents, including a designated person to liaise with ASTO and the media; and
- d) a clear procedure for dealing with complaints.

## Conditions of Full Membership

By accepting Full Membership of ASTO, an organisation agrees to:

- a) the paying of an annual membership fee, such fee to be determined by the ASTO Board from time to time;
- b) make vessels and supporting administration available for audit by ASTO from time to time. ASTO reserves the right to request evidence of continued compliance of any of the above criteria at any time; and
- d) comply with the ASTO Memorandum and the ASTO Articles in force from time to time.

Organisations that meet all of the above criteria, and having a satisfactory inspection by ASTO will be recommended to the ASTO Board for Full Membership, however, new applicants will normally be asked to serve one year as an Associate Member.

## Benefits

As a Full Member, an organisation will enjoy the following benefits:

- a) automatic allocation of an annual grant from the Hammond Innes Bursary Scheme;
- b) inclusion in the ASTO brochure, website and other media ASTO may produce;
- c) staff and volunteers eligible for the Trinity House Career Development Bursary Scheme;
- d) trainees eligible for international exchanges organised by ASTO;
- e) at cost use of the ASTO CRB disclosure service;
- f) input and access to national and international representation for regulatory matters;
- g) authorised to issue RYA qualifications<sup>1</sup> up to RYA Watch Leader; and
- h) the rights of statutory membership of ASTO, as set out in companies legislation and the ASTO Memorandum and the ASTO Articles from time to time and including (but not limited to) voting rights at general meetings of ASTO.

## 3 INDIVIDUAL MEMBERSHIP

Subject to the provisions of Article 4 only members of the Board shall be entitled to be Individual Members. An Individual Member is a statutory member of ASTO.

### Terms of Individual Membership

The following terms of membership apply:

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<sup>1</sup> Subject to:

- a) a nominated person, acceptable to the RYA Training Managing, being responsible for the standards of training;
- b) completion of RYA syllabi during training voyages;
- c) if requested, RYA logbooks are available to trainees; and
- d) all training is delivered by suitably qualified or experienced personnel.

- a) An Individual Member is not required to pay an annual membership fee.
- b) An Individual Member is not entitled to be eligible for any grants.
- c) An individual Member is required to resign his membership in writing on ceasing to be a Director of the Company.

#### **4 ASSOCIATE MEMBERSHIP**

Associate Membership exists to allow access for organisations that do not meet all of the criteria for Full Membership. The ASTO Board will consider each application for Associate Membership on its individual merits. The Board can terminate an Associate Member's membership at any time if in their opinion the Associate Member has failed to comply with the Membership Rules applicable to such membership. For the avoidance of doubt, an Associate Member is not a statutory member of ASTO and shall have no rights (or obligations) in relation thereto.

##### **4.1 Membership of a Corporation or an Organisation**

Organisations must comply with the following minimum criteria; however it is expected that Associate Members will comply with the majority of the criteria for Full Membership:

##### **Organisation and Structure**

The primary aim of the organisation shall be one of youth development and/or working with adults with special needs. The aims shall be achieved by the provision of Sail Training through ownership, long-term or short-term charter of a suitable vessel.

Adequate insurance, including public liability, covering all activities ashore and afloat shall be held. A declaration to this effect will be required annually.

Upon application, each organisation shall nominate a person responsible for upholding the standards and maintaining compliance with these Rules and any other rules, bye laws or policies of ASTO in force from time to time. This person shall be the primary contact for that organisation. Normally this shall be a senior person in the members' shoreside offices and usually available during the working week.

##### **Duty of Care**

Associate Members must provide a good level of care for trainees. Suitable supervision ratios shall be in place, and all staff must receive adequate training to carry out the tasks required of them in managing a crew of young people or vulnerable adults.

Organisations shall also have a clear Child Protection/Vulnerable Adult policy that defines the organisation's commitment to providing a safe environment. The policy shall include procedures that cover:

- a) the safe recruitment of staff and/or volunteers, including Criminal Record Bureau checks;
- b) good practice guidelines to ensure the safety and welfare of trainees at all times, both on and off the water; and
- c) the handling of concerns, reports or allegations concerning trainees.

##### **Conditions of Associate Membership**

By accepting Associate Membership, an organisation agrees to:

- a) the paying of an annual membership fee, such fee to be determined by the ASTO Board from time to time; and
- b) make vessels and supporting administration available for audit by ASTO from time to time. ASTO reserves the right to request evidence of continued compliance of any of the above criteria at any time.

### **Benefits**

As an Associate Member, an organisation may enjoy the following benefits:

- a) be considered for a grant from the Hammond Innes Bursary Scheme;
- b) inclusion in the ASTO brochure, website and other media ASTO may produce;
- c) staff and volunteers eligible for the Trinity House Career Development Bursary Scheme;
- d) trainees eligible for international exchanges organised by ASTO;
- e) at cost use of the ASTO CRB disclosure service;
- f) input and access to national and international representation for regulatory matters; and
- g) the right to attend, but not vote at, general meetings of ASTO.

## **5 HONORARY MEMBERSHIP**

Honorary Members are organisations or individuals with similar or complimentary aims to those of ASTO and its Full Members and Associate Members. Honorary Membership is by invitation only. Honorary Members are proclaimed by a resolution at a general meeting of ASTO, following a motion/proposal from the ASTO Board.

Honorary Members may attend general meetings as observers but, as they are not statutory members of ASTO, they have no voting rights.

Honorary Members pay no membership fees and have no access to bursaries or grants.