



ROYAL PAPUA YACHT CLUB Inc.
BY-LAWS
(As amended at 5 May 2015)

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1. REPEAL OF FORMER BY-LAWS

- (1) At the date of adoption of these By-laws, any By-laws that were in operation immediately prior to that adoption are repealed, but such repeal shall not prejudice or affect any right of the Club nor relieve any person of any obligation or penalty accruing or resulting from the application of any former By-law.

2. DISPLAY OF BY-LAWS

- (1) A list of current By-laws shall at all times be prominently displayed in the Club Rooms.
- (2) The current By-laws are also to be displayed on the RPYC Website found at: <http://www.rpyc.com.pg/>

3. DEFINITION OF CLUB ROOMS

- (1) The Club Rooms are defined as being all the upstairs portions of the Club building known as the "Main Deck" and the "Top Deck".

4. RPYC ADMINISTRATION

- (1) All correspondence, applications, payments and queries should be directed to the General Manager on Tel. 321 1700 or e-mail admin@rpyc.com.pg
- (2) The club also has a suggestion box situated near the entrance door after the reception area.
- (3) A handbook containing instructions for visiting boats is to be available on the RPYC website.

5. SCALE OF FEES

- (1) The fees and subscriptions that are payable by members and persons seeking admission to membership are to be displayed on the RPYC Website.
- (2) A person admitted to membership after 1 September shall pay the nomination fee and a subscription for the balance of the year of one quarter of the annual subscription.
- (3) Notwithstanding the provisions of the preceding paragraph, a person admitted to membership after the first week of December may pay a full annual subscription which shall remain current until the end of the following year.

- (4) For an extension of honorary membership granted under the provisions of Rule 15(b)(i) a subscription is payable at the rate of K 6.00 for one month, K 18.00 for three months and K 36.00 for six months.
- (5) For an extension of honorary membership granted under the provisions of Rule 15(b)(ii) a subscription is payable at the rate of K 6.00 per month or part thereof.
- (6) A member who is placed on an absentee list under Rule 40(c) shall pay an annual subscription of K 200.00.

6. BAR TRADING HOURS

- (1) Bar trading hours shall be as determined from time to time by the Executive Committee, subject to the provisions of the liquor licensing laws, and shall be prominently displayed by notice In the Club Rooms.
- (2) The bar may be closed for any period during normal trading hours that the Executive Committee may from time to time determine, but notice of such intended closure shall be posted at the bar at least 12 hours before the period of closure.

7. DRESS IN CLUB ROOMS

- (1) No person shall be admitted to the Club Rooms in other than clean and approved dress.
- (2) The following are not permitted:
 - (a) wet clothing of any description;
 - (b) clothing that does not properly or adequately cover the torso;
 - (c) thongs and/or bare feet.
 - (d) hats and caps.
- (3) Dress for male members in the dining room after 1800 hours must include a collared shirt, unless the member is attired in recognised national dress.
- (4) The Executive Committee may from time to time vary the dress regulations applying to the whole of the Club Rooms or particular parts of the Club Rooms on specified occasions or during specified hours.
- (5) Notwithstanding the foregoing Provisions of this By-law, the General Manager may at his discretion permit a person to enter or remain in any part of the Club Rooms if he considers that person to be suitably attired for the occasion.

8. MEMBERS NOT TO OBSTRUCT OTHERS

- (1) Members shall not congregate at the bar or in the immediate vicinity thereof so as to impede access by others nor otherwise create or contribute to obstructions in the Club Rooms or elsewhere on Club premises to the detriment of other members.

9. DOMESTIC PETS

- (1) No member shall, on any account, bring a domestic animal or pet into the Club Rooms.

10. POSTING AND REMOVAL OF NOTICES

- (1) The posting and removal of notices from the section of the notice board reserved for general notices shall be carried out by, or with the approval of, the General Manager.

11. CLUB LIBRARY

- (1) Members wishing to borrow and remove from the Club Rooms any book, magazine or other article contained in the library shall enter the appropriate details in the register kept for that purpose by the General Manager.
- (2) Books, magazines or other articles belonging to the library shall not be cut mutilated or defaced in any way.

12. COMPLAINTS

- (1) All complaints shall be made in writing to the Honorary Secretary.
- (2) No member shall personally reprimand any employee of the Club, but if he has any complaint in respect of such a person, shall lodge the complaint without delay.

13. COMPETITORS TO BE MEMBERS

- (1) Persons participating regularly in competitive Club events must be financial members, but, a non-member who wishes to compete in any event may do so provided that, should he wish to continue participation in competitive events, he must apply for membership within one calendar month of first entering into such events.
- (2) Only members will be permitted to participate in Club championship events.

14. REGISTRATION OF BOATS

- (1) All boats, the property of members, shall be registered with the Club by 1 January in each year and shall have either their identifying registration numbers or name prominently displayed on the hull.

- (2) A boat which is not so numbered or named by 31 January shall be allotted a registration number and the hull so marked by an officer of the Club; the cost of so doing is recoverable from the owner.

15. RPYC MARINA

(1) Marina Management Committee

- (a) The Marina Management Committee (MMC) is chaired by the Marina Captain and deals with matters affecting members who live aboard their boats and all other issues affecting berth holders.
- (b) The MMC is to inspect newly arriving vessels if approval to live aboard a vessel is being sought.

(2) Marina Berths

- (a) There are currently 206 berths in the RPYC marina, which has four main fingers (A, B, C and D). All berths are fully serviced ie: they have water, metered electricity (240v AC), telephone and also cable television connections. There is however no holding tank pump-out facility.
- (b) There is a laundry located on the ground floor of the clubhouse. Tokens for the washing machines and dryers can be purchased from the administration office.
- (c) Toilets, showers, gymnasium and changing rooms are also located on the ground floor of the clubhouse.
- (d) Approximately 80% of berths in the marina are available for rental to members and visitors. The sizes of berths available are:- 9m, 10m, 11m, 12m, 14m, 15m, 17m, and 20m.
- (e) Berth fees are due quarterly in advance and fees vary according to the length of the berth.
- (f) A schedule of Marina will be promulgated on the RPYC Website.

(3) Applying for a Berth

- (a) Applications to rent a berth are to be made at the RPYC administration. Details of the berth size and name of boat (if available) are to be included with a K200 application fee.
- (b) If a suitable size berth is available, the applicant will be informed and an allocation made. If there is no suitable size berth available, the applicant's

name will be placed on a waiting list and allocation will be made when a suitable berth becomes available.

- (c) If a vessel's length exceeds the length of a particular berth being sought, the matter will be referred to the MMC for a ruling to be made as to whether or not a vessel will be allowed to occupy that berth.

(4) **Occupancy Agreement**

- (a) All berth holders, including sub lease owners, must enter into an occupancy agreement that states the terms, conditions and rules relating to occupying a berth in the RPYC marina.
- (b) A berth holder can only use the berth for the purpose of berthing a nominated vessel. Should a berth holder wish to use their berth for a different vessel, approval must first be obtained from the RPYC.
- (c) The RPYC reserves the right to terminate occupancy agreements should a berth holder be in breach of the occupancy agreement and the defaulter will be required to remove their vessel from the marina.

(4) **Third Party Insurance**

- (a) All vessels in the marina must be covered by Liability Protection / Indemnity Insurance to the value of at least KI million.
- (b) Berth holders must provide the RPYC with a copy of their current insurance policy and yearly renewal receipts.
- (c) Comprehensive insurance for your boat is also strongly recommended
Private Berths

(5) **Privately Owned Sub Leases**

- (a) Approx. 40 berth sub leases are privately owned (All Sub Leases expire in 2020). Occasionally there are opportunities to rent privately owned berths. Payment is a matter between the owner of the sub lease and the tenant, and the RPYC is not involved.
- (b) The leaseholders of privately owned berths must enter into an occupancy agreement with the RPYC and comply with all RPYC rules. The RPYC must at all times be advised of occupancy details.
- (c) An annual maintenance levy applies to all privately owned berths to assist the RPYC to maintain the facilities.

- (d) If you wish to purchase a marina berth sub lease, the RPYC must be informed of the proposed transaction as the RPYC has the first option to buy back any privately owned berth that comes onto the market. The RPYC has only exercised this option on rare occasions.

16. MARINA USE

(1) Marina Rules

- a. No pets allowed on Fingers A, B or C.
- b. No bikes or skateboards on the fingers
- c. Fingers to be locked from 1800hrs till 0600hrs and all visiting guests to be collected from Fox 1 & 2 gates and escorted back to same gates.
- d. No equipment or rubbish to be stored on fingers (one set of stairs for boat access permitted)
- e. No refilling of fuel on the marina fingers A, B or C.
- f. No wash with a maximum speed limit of 4 knots inside the marina.
- g. Designated areas of work on boats is the work berth bookable through RPYC Marina Coordinator.
- h. No "Projecting" works on boats to take place on fingers. Such work to be completed at work berth. Projecting operations include and are not limited to: spray painting, grinding, use of circular saws, electric arc welders, oxy-acetylene cutting etc. "Non-projecting" operations such as oxy-acetylene brazing or MIG welding etc may be carried out under supervision of a committee member.
- i. All waste fuels to be placed in the waste oil drums provided.
- j. No commercial operations to be commenced or completed from RPYC Marina unless authorised by RPYC Management in writing.
- k. Commercial Boats – refer appendix – are to be approved by the Marina Management Committee.
- l. All boats with live-aboard status must be in accordance with by-laws and pass criteria on an occupancy agreement. Period of compliance may be approved by MMC.
- m. Subleasing a boat as a live-aboard – refer appendix – must be in accordance with by-laws and pass criteria on an occupancy agreement. Period of compliance may be approved by MMC.
- n. Short term leases require a 3 month bond on signing of an occupancy agreement. Bond repayable on termination of lease.
- o. Be aware of neighbours at all times.
- p. Boat owners expecting a large number of 6 or more non member guests are to leave a list of names with RPYC Management to give to Front Gate Security
- q. Use of fishing nets is strictly prohibited to catch fish in the marina.
- r. Boat staff are not permitted to fish in the Marina.
- s. Cleaning of fish is not permitted in the Marina.
- t. Boat staff to keep on finger water usage to a minimum under guidance of all boat owners.
- u. All Boat Staff to have valid RPYC ID cards
- v. Boat Staff allowed on Marina from 0730hrs till 1700hrs Monday to Friday & 0730hrs till 120hrs on Saturday. All other times by arrangement with RPYC Management

- w. Boat staff are only permitted to work on boats during marina gate opening hours.
- x. No Power tools or other loud noises from 1200hrs on Saturday and nil on Sundays on Fingers A, B or C.
- y. All contractors on the Marina to have contractor passes.
- z. Non-residential members can apply for staff identification card for personal staff, eg. Babysitter haus meri. Standard rules apply (access Fox1/wear card at all times).
- aa. Short term leases require a 3 month bond on signing of Occupancy Agreement. Bond repayable on termination of lease.
- bb. Use of Hardstand – refer appendix – must be done so in accordance with the by-law.
- cc. Process to sell boats/trailers/kayaks to recover debts owed to club – refer appendix - must be done so in accordance with guidelines.
- dd. A member may only have a maximum of two long term leases as of October 2014. This includes the individual and personal company.

(2) Hardstand

- (a) The use of the hardstand is governed by the Policy and Procedures, as amended from time to time, as set out in the RPYC – Policy & Procedures document attached at Annexure 'A'

17. LIVING ON BOARD

- (1) If the Occupant wishes to live permanently on board then the Occupant will apply in writing to the Club, providing name, sex, age and relationship to the Occupant of persons seeking to live on the Vessel with the Occupant. The Club's approval shall not unreasonably be withheld provided always that:-
 - (a) All boats are subject to inspection by an appointed member of the Marina Management Committee before being given live aboard status. Approval is only given when the boat has met requirements of the Occupancy Agreement.
 - (b) the Vessel is of sufficient size, is seaworthy, safely manoeuvrable under its own power and is suitably equipped to sustain living aboard .
 - (c) All boats with live aboard status to be fitted with toilet macerator or lectrasan. Non-compliance should be reported to the Marina Office.
 - (d) the Occupant may permit guests to live on board for up to three (3) days without giving notice in writing to the Club. If the Occupant wishes a non-member guest to live on board in excess of three (3) days the Occupant will notify the Club and arrange for adult guests to apply for temporary Club membership for the period of their stay with the Occupant. Guests must be

under the direction of the Occupant at all times whilst on the Club's premises.

- (e) other conditions and terms as imposed by the Club from time to time are upheld, such conditions being imposed to prevent unnecessary abuse of the facilities by the Occupant or persons living on the Occupant's vessel or guests of the Occupant, as a result of living aboard.
- (f) the Vessel has a minimum of two suitable and operational fire extinguishers, one near the cooking facilities and one near the main cabin entrance.

- (2) Boat boys are not allowed to live on board at any time unless they are a member of the Club and have complied with the rules above. If a member's personal staff are needed to care for a boat in the member's actual absence, then special permission must be requested from the Club in writing and it must be for a short defined period only. A special ID card will be provided to the personal staff for this defined period for the cost of K20.00.
- (3) The number of people sleeping overnight on a live-aboard cannot exceed the number of fixed berths/bunks installed in the vessel. This is to ensure safety and not overburden the marina environment and Club facilities. Please note that the 'Live-aboard Occupancy Register' form is used to update the database by filling in the form and returning it to the Front Desk at the Club.
- (4) In order to protect the member's assets in the Marina, the Committee will ask members who do not comply with the above to show cause

18. SUBLEASING A BOAT AS A LIVEBOARD

- (1) A liveboard Boat may be subleased subject to the following conditions:
 - (a) the Boat is compliant with the Club's liveboard guidelines;
 - (b) the Boat is leased and fully paid-up;
 - (c) the lessee and lessor are current ordinary members of the Club;
 - (d) the lessee and lessor disclose any other information reasonably required of them.

19. USE OF FACILITIES

- (1) The facilities of the Club are for the exclusive use of members except as may be otherwise authorised by the Executive Committee in special circumstances.

- (2) The Executive Committee may regulate the use of certain facilities at specified times or for specified purposes.
- (3) The Club moorings, marina, careening, hard standing and foreshore boat parking areas may only be used by arrangement with the Honorary Secretary or the Executive Committee and on payment of such fees and on such conditions as are determined by the Executive Committee from time to time for such use. Boat parking fees, manna fees and/or mooring fees are due and payable on 1 January in each year. A member whose parking, marina and/or mooring fees remain unpaid on 1 February is ineligible to make use of the facilities and shall remain so ineligible until the fees are paid.
- (4) Boats shall not be tied up to the front or sides of the pontoon except for the purpose of loading or unloading or in the case of emergency.
- (5) Boats shall not be rigged, washed or left standing on the launching ramps for any reason while other boats are waiting to enter or leave the water.
- (6) All members shall observe the areas of the Club grounds designated by the Executive Committee or General Manager for vehicle parking, boat and trailer parking, rigging and washing down of boats respectively and shall use these areas only for the purposes so designated and shall not park vehicles, boats or trailers so as to prohibit or impede access to these areas by other members, or impede access to Club or members property, driveways, paths or roadways.
- (7) Access to and use of the member's carpark shall be for vehicles owned or under the control of a member. Exceptions may be made for authorised delivery and trade vehicles, or for special events on a short-term basis, and must be authorised by the Executive Committee or the General Manager and in their absence, a member of the Executive Committee. Other vehicles are restricted to the designated visitor's carpark.
- (8) Members are entitled to park one vehicle at a time in the member's carpark, and family members may park a maximum of two vehicles in the carpark at any one time.
- (9) Vehicles shall not be driven or under the control of intoxicated persons or persons not licensed to operate them (where a license would be required for use on a public road), whilst on Club grounds.
- (10) Whilst on Club grounds vehicles shall be operated and parked in such a way as they obey any marked speed-limits, and do not damage or threaten damage to any person or property.
- (11) The Executive Committee or General Manager may designate certain vehicle parking areas as reserved for certain purposes, staff, or individuals. No vehicle may be parked in these

locations unless it is owned or under the direct control of a person who is so authorized to park at that location.

- (a) Club Management may issue specific passes to indicate authority for a vehicle to park in designated locations, including designated disabled parking locations.
- (12) Unless specifically authorized by the Executive Committee or General Manager, vehicles entering or present anywhere within Club grounds must:
- (a) Be registered and display a current registration sticker; and
 - (b) Display a current safety or roadworthiness sticker; and
 - (c) Be able to move safely under power of the engine unless temporarily and unexpectedly disabled for a period of not more than 1 week; and
 - (d) Not be parked continuously on Club property without departure for a period of 3 months or more; and
 - (e) Not constitute a risk to any property or health & safety of any person; and
 - (f) Not be abandoned, and
 - (g) Not be used as any form of accommodation.
- (13) Requests for permission to enter Club property or park a vehicle outside of the conditions above must be addressed in writing to the General Manager, and approval received prior to the entry or parking in question.
- (14) Where a breach of these conditions is detected, the Executive Committee or General Manager may at their discretion:
- (a) Issue a parking administration charge notice of up to K500; and/or
 - (b) Issue a notice imposing a daily parking charge equivalent to the current rental amount charged for trailer or boat hardstand charges for each day a vehicle breaches these conditions within Club grounds; and/or
 - (c) Direct that the vehicle be removed from Club grounds by a specified date; and/or
 - (d) Apply a wheel-clamp to the vehicle until such a time a the breach is remedied or charge paid; and/or
 - (e) Direct that the identified breach be remedied within a specified time.
- (15) Costs incurred by the Club in enforcing these provisions and any costs of damage to the Club shall be recoverable from members in breach.

20. DAMAGE TO CLUB PROPERTY

- (1) Any member wilfully or negligently causing damage to any Club property may be held responsible for such damage.
- (2) Any cost incurred by the Club in making good such damage maybe recovered from the member in default.

21. METHOD OF BALLOT

Any ballot required under the Club Rules shall be non-preferential ballot and votes shall be counted by scrutineers appointed by the Executive Committee.

22. NOMINATIONS FOR HONORARY LIFE MEMBERSHIP

- (1) Nominations for Honorary Life Membership shall be proposed and seconded in writing by two financial members and signed by the nominee to signify his willingness to accept the nomination.
- (2) Nominations shall be lodged with the Honorary Secretary at least 28 days before a general meeting.

23. PRODUCTION OF MEMBERSHIP BADGES

- (1) A member may at any time in the Club Rooms be requested by a person authorised by the Executive Committee to produce his membership badge.
- (2) Any person who fails to produce his badge or other satisfactory evidence of membership on request may be refused admittance to or asked to leave the Club Rooms.

24. SECURITY

- (1) Finger gates are locked at 6.00pm and are re-opened at sunrise.
- (2) All security incidents must be reported to the club management.
- (3) Finger gate keys are only issued to berth holders.
- (4) Although the RPYC has security guards employed to patrol the perimeter, no guarantee is given that break and enters or thefts will not occur. Boat owners should be aware that crime is a problem and take the necessary steps to protect their possessions.

25. W.A.G.S.

- (1) The Wednesday Afternoon Gentlepersons Sailing (WAGS) is one mechanism by which the RPYC aims to promote yachting as required by Rules of Association Rule 3 (a). RPYC yacht owners and skippers are invited to participate in the program.
- (2) Skippers know their boats' passenger limits in terms of the safety regulations and the number of trained crew required. RPYC Sailing Division and WAGS skippers warmly welcome visitors interested in sailing but ask guests and visitors to understand that space may be limited from time to time. On such occasions, normal boat crew, active sailors and other RPYC financial members will be given precedence over visitors/guests. Skippers have the final say over who has priority on the day.

- (3) RPYC Rules of Association permit visitor's entry to the RPYC on a maximum of 4 separate occasions during a calendar year once signed in by a financial RPYC Member. After 4 times, the visitor must apply for club membership.
- (4) A table in the wet bar adjacent the stairs is to be reserved for WAGS each Wednesday evening.
- (5) A sign-up sheet is to be filled out for each boat.

26. RPYC GYMNASIUM

(1) **Gym Membership**

- (a) Must be a valid RPYC Club Member to be a Gym Member.
- (b) Full Gym Member privilege to use the gym facility and to attend gym group classes with minimal fee of K20
- (c) An RPYC Club Member who is not also a Gym Member may attend group classes with a fee of K30 per session.
- (d) RPYC Family Member young adult (from 15 to 18 years of age are allowed to use the gym facility provided they are also a gym member or, they pay the casual fee of K55 per visit at the Main Office and present their parental/guardian's consent letter to the gym management.

(2) **Gym Identification Card**

- (a) Gym Members are required to present a valid RPYC Gym Identification Card each time they visit the gym. NO ID. NO GYM
- (b) K35 will be charged to replace a lost card.

(3) **Gym Attire**

- (a) Gym Members are required to wear gym tops, shorts, gym tights or gym pants and athletic shoes to wear inside the gym
- (b) Thongs or Sandals are prohibited inside the gym

(4) **Gym Facility and Equipment**

- (a) Do not leave equipment, personal items and bags lying around the gym where people walk for all gym users. Think SAFETY!
- (b) Do not attempt to load equipment with more weights without assistance from the gym staff or gym friend. e.g. Barbell weights.

- (c) Be COURTEOUS to others. Unload and return equipment to its proper storage place.
- (d) Avoid grunting or making any loud noises. Learn proper breathing technique.
- (e) Be considerate. Finish your workout quickly or allow fellow gym members to use the gym equipment first.
- (f) Follow basic hygiene practices. If possible, have a quick shower before heading to the gym as body odour is a sign of a build-up of bacteria.
- (f) Wipe the equipment after each use.
- (g) Notify Gym Staff at once should equipment break.
- (h) Share equipment between sets as a form of gym etiquette.
- (i) Improper use of gym equipment is prohibited.
- (j) Members are welcome to ask any of the gym trainers on how to properly use the gym equipment.
- (k) Foul language or any form of harassment is prohibited and may lead to the member being asked to Show Cause.
- (l) Solicitation to train other members without the approval of gym and/or RPYC management is prohibited.
- (m) Members are prohibited from inviting a non RPYC Club trainer without prior approval from RPYC management and/or Gym management.

(5) **Gym Hours of Operation**

| | | | | |
|----------|------|----|------|-------|
| Weekdays | 0500 | to | 2000 | (8pm) |
| Weekends | 0600 | to | 1400 | (2pm) |

27. **INTERPRETATION OF BY-LAWS**

- (1) The Executive Committee has the sole power to interpret the meaning and intent of any By-law.

By Order of the Executive Committee

MH WILSON
Honorary Secretary

K GENIA
Commodore



RPYC – Policy & Procedures

| | |
|----------------|--|
| Function: | Hardstand |
| Department: | Marina & Administration |
| Completed By: | Marina & Administration |
| Task overview: | Revised Terms & Conditions for use of Hardstand - 1 April 2014 |

POLICY

The policy for the use of hard stand is designed to allow equal and fair usage of the hard stand for RPYC members, who are paying for a marina berth or trailer park for their boat, for the purpose of undertaking short term maintenance on their boats.

The policy is set to ensure that vessels who use the hard stand area, are worked on efficiently and do not remain on the hard stand for any lengthy periods. Under no circumstances is the hard stand to become a boat storage area

Terms & Conditions

1. Marina berth occupiers and trailer park users only may use the hard stand.
2. Member must not have any outstanding accounts with the Royal Papua Yacht Club.
3. Member, must fill out, and have approved the “request for hard stand form”, prior to using the hard stand.

4. A refundable deposit of K2,500.00 must be made prior to approval being given.
5. The maximum time limit for use of the hard stand is 3 months. If the hard stand is required longer than 3 months, the marina berth occupier must request an extension in writing, stating the reasons why an extension is required. The Marina Management Committee (MMC) must receive this request at least one week prior to the 3 months time limit.
6. Member is required to ensure that the work area around their vessel is kept tidy and clear of equipment and materials at all times.
7. Member to provide any required protective shielding during spray painting, grinding or other such activity that must be contained within the vessels own area, to ensure no damage to other vessels on hard stand, adjacent areas and to the environment.
8. Member is responsible for any damage and/or graffiti left by themselves or their contractors.
9. Member must provide barrier to separate work area from pedestrian/vehicle zone on hard stand.
10. A permit must be issued by RPYC for access by any crane or heavy equipment.
11. Member agrees that the hard stand area is not to be used for storage and that any boat that is not being worked on must be removed. If not removed within 30 days of written notice by RPYC then RPYC will remove at Member's cost.

Costs

1. The first 30 days for use of the hard stand is free of charge.
2. After 30 days weekly rate is K241.00 plus GST/daily rate K34.42 plus GST.
3. Payment must be paid 7 days in advance based on the estimated time required on the hard stand or for a monthly period.
4. After 3 months the weekly rate is K720.00 plus GST paid 4 weeks in advance. No daily rate.
5. The deposit will be forfeited on pro-rata/cost basis to cover cost of rectification works to repair damage to marina environment (including paint/oils spills) and to cover any unpaid fees.