



INTERNAL RULES OF PROCEDURE
OF
REAL CLUB NÁUTICO DE BARCELONA



REAL CLUB NÁUTICO DE BARCELONA

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INTRODUCTION

By virtue of the powers vested in it by the Constitution and Bylaws, the Board of Directors approves the Internal Rules of Procedure of the Real Club Náutico de Barcelona which regulates the use of the services provided by the Club and the use of its premises.

The natural progress of the club, its partners and the changes there had been in the association have recommended an enhancement of the Internal Rules of Procedure of the Real Club Náutico de Barcelona, collecting from it the various agreements which have been adopted by the Board of Directors in the last few years, rewriting them and republishing this new Internal Rules of Procedure.

These Rules of Procedures which replaces the previous one in force until the present date, collects the rules of social operations, the end use of its facilities, police rules and in general matters of social coexistence not expressly specified in the Constitution and Bylaws.

The members shall be notified of the amendments, revisions, appending and corrections that are generated in this Internal Rules of Procedure and they can be rewritten in a single text.



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GENERAL PROVISIONS

Article 1.- Objective

These regulations aim to establish the general rules in the use and operations of the moorings, piers and wharves as well as the social building and other premises and services of the *Real Club Náutico de Barcelona* situated within the area.

The buildings and the facilities of the Real Club Náutico de Barcelona are properties of the State and are managed by the *Autoridad Portuaria de Barcelona* (Barcelona Port Authority) and its management and operation are conferred upon the club through an administrative concession granted by several *Resoluciones y Ordenes Ministeriales* (Ministerial Directives and Orders) and currently adapted to the prevailing legal provisions by way of specifications approved by the Barcelona Port Authority in February 2007, therefore its use is governed by those Regulations and other provisions of the *Puerto de Barcelona* (Barcelona Port) which may be applicable.

Article 2.- Scope

These regulations are applicable, within the Club's scope of authority, to:

- Vessels, vehicles, materials and individuals who use the inner harbours, piers, wharves and the services afloat or on land.
- Individuals, vehicles and vessels which use the paths, parking areas, facilities and land-based services.
- Individuals who avail of the facilities and services of the social building such as restaurants, function rooms, secretariat, cabins, etc.
- Individuals avail of or make use of the warehouse, classrooms, lockers, repositories, storage compartments, etc.

Article 3.- Adoption of the Regulations

The members and users of the Club facilities and services shall have to comply with the established rules in these Regulations and look after the facilities that for that purpose are carried out by the concerned staff.

Mere Club membership implies knowledge and acceptance of the Constitution and Bylaws, these Regulations, as well as the decisions of the General Assembly and the resolutions of the Board of Directors by the member.

Incompliance with the rules laid down in the Internal Rules of Procedure can lead to the start of a disciplinary proceeding pursuant to the provisions of the Constitution and Bylaws.

New members shall be furnished with a copy of the Constitution and Bylaws and Internal Rules of Procedure in force upon admission.

The members shall be informed in writing within 15 days after the approval of any amendment set by the Board of Directors in these Regulations.



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These Regulations shall be applicable without prejudice to those provisions laid down by the Board of Directors or otherwise the Public Administration using its executive powers.

Article 4.- Overall responsibility

The members, guests, visitors and other have access to the club under the terms specified in these regulations at their own risk.

The permanence of the vessels, merchandise, vehicles and all types of articles within the club shall be at the owner's risk.

Neither the club, nor the Board of Directors, nor its employees shall be held accountable for accidents, damages, thefts or losses incurred by individuals, vessels, merchandise and other elements found within the club.

Notwithstanding the foregoing, the *Real Club Náutico de Barcelona* may arrange civil liability insurance at any time in order to come up against any possible liability to be incurred. The Board of Directors may arrange other insurance that it may deem necessary, with appropriate coverage at any moment, in order to insure those matters that are suitable, as well as other insurance that may be required by the legal provisions in force at any time.

Any damage or loss suffered by individuals or private property within the club premises or inner harbour shall be considered haphazard unless a clear and direct accountability of anyone of those involved or a third party is established; in this case they shall be responsible in repairing the damages incurred and indemnify for the losses caused. *Real Club Náutico de Barcelona* shall not have the subsidiary civil liability in such cases.

The owners of the vessels, vehicles, materials, etc. or the end users of these shall be liable for the damages brought about in the club's facilities, as well as in one's own possessions or those of others.

The owners of the vessels shall be, in any case, responsible for the infractions committed or the civil liabilities that could be alleged against the employers and other staff of their respective vessels. All vessels should be provided with the corresponding statutory insurance.

It is compulsory for everyone who enters the club premises in order to perform a function, task or work to be covered by an employer's liability insurance, or to be listed in a Social Service registry in accordance with the Law and their status and their labour or professional relationship on the part of the member or the owner or contractor of the vessel. *Real Club Náutico de Barcelona*, as well as the Board of Directors and its staff, is expressly absolved from any accident that may occur in the club premises.

Article 5.- Suggestions, claims and complaints

Suggestions, claims and complaints that members or end users of the club facilities may lodge shall have to be drawn up in writing addressed to the Board of Directors which shall reply in a maximum period of 30 working days.



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CLUB MANAGEMENT AND STAFF

Article 6.- Club Management

The club manager, appointed and reporting directly to the Board of Directors is the highest executive authority and to whom the members should address themselves to solve any problem or any incidence that may arise, in their relationship to the club as well as to other members.

All the club working staff shall report to the management.

The manager has, among others, the following duties:

- Supervise club activities with reference to service provision
- Look after the maintenance and preservation of the facilities and equipment
- Deal with the club administration and be in charge in all aspects
- Fulfil and safeguard the compliance of these regulations
- Take on the club representation as delegated by the Board of Directors in specified cases where this delegation may be possible
- Advise the Board of Directors attending the meetings with voice but without vote

Article 8.- Club staff

In order to provide services, carry out of activities and maintain the club facilities and equipment, the manager may hire and classify the staff and the companies required according to the instructions coming from the Board of Directors.

In discharging their duties, the said staff or companies shall have to abide by the laws in force for rules and instructions issued by the Board of Directors, by way of the club management.

The club staff, in discharging its duties shall have to be duly in uniform following the instructions issued by the management.

The employees in their respective areas of operations shall have to safeguard the orderly use of the club facilities and services. The staff in charge of each area shall have to look after the compliance of the club rules in force.



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CLUB AREAS AND ACCESS

Article 9.- Club area

Five areas or zones are established in the club:

- Social building
- Sports building
 - Locker rooms
 - Multi-purpose rooms
 - Fitness Room
- Parking area and esplanade
- Wharf, piers and dry dock
- Warehouse and storeroom

Article 10.- Club access

The members and their guests have free access to all club premises with limitations in the areas intended for administrative services, crew and the club kitchen.

Members of other clubs with links have access to the club social building and classrooms when there are events held by the club. When they have gained access by sea they also have access through the wharf, piers and dry dock and esplanade.

The operators and owners transit vessels have access to the club social building or the wharf or piers where they are moored.

Regatta competitors, students and teaching staff who participate in sport activities or training activities held by the club have access to the social building, lockers and classrooms from the sports building, esplanade, wharf, piers and dry dock while the activities are going on.

Vessel staff and sailors have access to the professional's locker from the sports building, to the wharf, piers and dry dock and esplanade and warehouse and storerooms in case of having materials for repository.

The staff and employees of companies who are going to perform tasks in the vessels, as well as those who perform tasks in the same for some members have access to the professional's locker from the sports building, to the wharf, piers and dry dock and esplanade.

All staff members of vessels, companies hired for their services and employees who intend to gain access to the club premises for any type of task, shall have to comply with the rules laid down by the club for this purpose, in accordance with existing labour-related regulations in force, as well as legislation for anticipation of occupational hazard and must be covered by social security.

Restriction or prohibition of access or permanence in specified areas of the club for individuals, vessels or vehicles due to security reasons or where required for holding sport activities or exceptional events may be laid down by the Board of Directors.



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Article 11.- Place and manner of access

Anyone who wants to gain access to the club facilities shall have to do it in places of designated access.

At the request of the club employees, the members shall be obliged to identify themselves by way of their corresponding identification credentials which are personal and non-transferrable.

In order for the members' guests to gain access to the club, they shall have to be accompanied by a member who is at least 14 years old or appear in a list that the member shall have previously submitted to the secretariat for the purpose of identification. For security reasons, the security access to the club control service may deny access to anyone whose name does not appear in the said list.

Otherwise, the member who wishes to invite a non-member shall have to provide them with an invitation so they can be granted access which shall be retained by the guest to be made available to any club employee. These invitations shall be provided free of charge by the club secretariat to the members with no restrictions on its use, neither the number of invitations available within reasonable limits at the discretion of the Board of Directors. The invitations shall have validity of one day after the expiry of which, it shall be invalid.

The number of guests per member shall be subject to the availabilities in the club at any given time and the ceremony or event that is being held or is going to be held, for which consultation with the secretariat shall be made regarding this matter.

Invitations shall not be needed for guests below 14 years old and accompanied by someone duly authorized with an invitation.

Neither shall invitations be needed for those who come in between 1:30 and 4:00 p.m. and between 8:30 p.m. until closing time, or for guests who go to the restaurant on invitation by a member.

Likewise, an invitation shall not be need for those non-members who are competing in any regatta as crew member of any boat or participating in any other activity held by the club. In these cases, a system of accreditation or identification to be presented to the staff upon request may be established.

In order for certain sailors and other staff of vessels and other workers who come to perform some tasks in the members' vessels to gain access to the club premises, they shall have to appear in a list that the member or staff in charge shall have furnished the secretariat for the purpose of identification. Failure of notification on the part of a sailor or authorised staff enables the club to deny them access to the club facilities.

The Board of Directors is empowered to invite anyone that it deems appropriate, as well as the club management in discharging its duties.

Article 12.- Minimum age for admission

Admission to club has no age restriction except in the following cases and premises:

For access to the first floor of the Social Building, those who are below 12 years old must be accompanied at all times by someone of legal age and who assumes responsibility for them. Members and their guests must comply with the requirements in this regard, including leaving the first floor as instructed by a club staff in charge.



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To gain access, due to age, to the restaurant on the first floor, the provisions in article 23 of these Regulations shall be taken into account.

The use of the lift is not allowed for those below 14 years old unless they are accompanied by a responsible adult.

Access to locker rooms is not allowed for those below 10 years old unaccompanied by responsible adult.

The minimum age for access to the Fitness Room is 15 years old. People between 15 and 17 years old can always access once submitted a proper authorization from a parent or guardian at the Club offices.

Article 13.- Access of members of clubs with reciprocity agreement

Real Club Náutico de Barcelona maintains reciprocity agreements with other clubs, in which the list is available to the members in the club secretariat.

The members of other reciprocal clubs of the Real Club Náutico de Barcelona shall enjoy the established access conditions in the respective reciprocity agreements and shall be accommodated pursuant to the provisions of these Regulations.

In order to gain access to the club, these members shall have to have their membership status to the club where they belong duly accredited and in force by way of appropriate means such as identification card or their club's endorsement letter.

In case the members of clubs with reciprocity agreement wish to make use of the restaurant they shall have to make prior reservation.

Article 14.- The General Public

The Board of Directors may allow access to the club's facilities to the general public, for the purpose of attending events and activities as it may deem appropriate.

Article 15.- Access reservation

Real Club Náutico de Barcelona, reserves the right of admission that the Board of Directors may exercise, or any of its legal representative at any moment.

The club reserves the right to deny access to the staff members of vessels, companies whose services have been hired and employees who seek admission to the club facilities to perform any task, particularly to those individuals or firms who have outstanding debts to the club until such debts remain unpaid.

Article 16.- Member's responsibility

The members are responsible for their actions and behaviour and for the consumption and expenses of their guests and the staff members hired permanently or temporary, while they are in the club facilities.



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Article 17.- Pets

In addition to the provisions of the existing laws on the matter, the access of pets to and their stay in the club facilities is authorised and subject to their being permanently leashed and muzzled, and in no case shall they be allowed inside the club social or sports buildings. Guide dogs for the blind are exempted from the foregoing provision.

The members are responsible for the actions of their pets while they are in the club facilities.

Article 18.- Vehicle access, movement and parking

The use of club parking space is exclusively reserved for the members.

If there are spaces available within the club premises, guests, staff members of vessels, staff members of firms whose services have been hired, competitors and club staff members may use them. The entry of vehicles is subject to restrictions laid down by the management at any moment at the disposal of the Board of Directors.

Reservation of parking spaces, areas; auxiliary boats or other items occupying parking spaces without due authorisation is not allowed. Exception from the foregoing provision applies when regattas or other events of particular importance in which the Board of Directors may arrange reservation of certain areas for guests, sponsors, officials and regatta participants, etc.

All vehicles shall have to be identified at the entrance when there is concierge service and take heed of the instruction that may be given regarding possible entry, the availability of spaces to ensure proper operation of the parking space.

All vehicles shall move about and park in designated areas in accordance with the established allocation. At the appropriate time, the esplanade and the dry dock area may be authorized as vehicular parking area.

During regattas and other events that are particularly important, vehicular access for members may be restricted. In this case, the club shall inform the members enough time in advance and shall try to look for alternative solutions for their vehicles.

The maximum speed allowed within the club premises is 10 kph.

Parking for extended period of time, beyond the member's stay in the club or duration of a regatta participated in by the member or navigation time at weekend, is likewise prohibited.

Parking of recreational vehicles and trailers is prohibited.

Repair and maintenance of vehicles within the club premises is prohibited except for breakdown at a precise moment. Car wash is likewise prohibited.

Non-compliance with the previous rules empowers the club to proceed with the removal of the vehicle from the club premises, holding the owner responsible and not the club, regardless of what may transpire starting that moment regarding the said vehicle.



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CLUB USE AND SERVICES

Article 19.- Adequate general behaviour

All members shall conduct themselves respectfully within all the club facilities, refraining from any activity or posture that may disturb or offend the sensitivity of other members, and the peaceful and correct use of all club installations in accordance with its purpose, as well as the activities held by the club.

Access to the club halls, bar restaurant and library located at the first floor of the club is only allowed in street clothing appropriate to the setting, not allowing wearing a pair of shorts or bermuda shorts for men. In any case, access shall not be allowed to the social building in swimsuit or sailing attire of the water suit type or waterproof boots except for going to the locker room.

For certain events, the Board of Directors may take up a particular dress code that the occasion may require.

Access to the terrace in the first floor using the outer staircase wearing bermuda shorts is allowed.

Members wearing bermuda shorts and adequate street clothes are allowed to stay in the metopes and the terrace bar.

In the remainder of the club facilities, wearing sailing attire may be allowed while moving about in swimsuit in any facility is not allowed.

Article 20.- Club Image and Emblems

Image rights, emblems, logos, logotypes, images of the facilities, advertising spaces, club website, etc. are part of the club's assets and are club properties.

Shooting of images, taking pictures of the club facilities, neither the activities held by the club are not allowed, except if it is only meant for personal use and not for commercial purposes.

Any filming or photo shoots that a member or anybody wishes to carry out for promotional and commercial purposes shall require the Board of Directors expressed authorisation which shall lay down the conditions in which it shall have to be carried out and the compensation that shall have to be paid in each case.

Any transfer of the club's image rights shall require the Board of Director's expressed authorisation which shall lay down the conditions in which it shall have to be carried out and the compensation that shall have to be paid in each case.

The use of club emblems is reserved for members who may not use them for commercial purposes.

Members may provide their crew's apparel with the club emblems.

Only items for personal use, such as ties, cufflinks, handkerchiefs, needles, polo shirts, sweaters, jackets, sailing clothes, publications, etc. with club emblems, can be sold to members or people endorsed by a member. The Board of Directors may deliver said elements to non-members as a courtesy. The sale of the club pennant is reserved exclusively for the member.



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Vessels which are within the club premises may not hoist sailing flags, placards or advertising materials which bear brands, messages or corporate names except when regattas, in which the corresponding rates may be laid down, are held or as expressly authorised by the Board of Directors.

Article 21.- Files with members' personal data

The registry of members shall be subject to the *Ley Orgánica* (Organic Law) 15/1999 dated 13 December, Personal Data Protection Law and a few rules that implement, complement or replace it.

The image registry for surveillance and security purposes shall be carried out in accordance with the provisions of the existing laws.

Article 22.- Payment for services

The payment of services rendered by the club to its members may be made either in cash or by credit card or direct debit payment, in which in the latter the corresponding remittance notes and utility bills shall be signed.

The Board of Directors may lay down the general or particular restrictions in the amounts that may be charged to account.

The club will avoid collections and payments in cash, and under no circumstance will accept payments in cash above the limitations legally provided.

Article 23.- End use and application of the social building and its services

All the club facilities and particularly the halls, the main dining room, the library and the club terraces have a specific purpose, and any activity that entails damage risks to the furniture or the facilities is not allowed.

The main hall of the first floor may be used as dining room upon expressed authorisation of the Board of Directors or the manager in special events that may be held in the club.

The gaming room and the library may be set up as private dining room, whenever there is enough prior notice to the club's restaurant service, and the staff is available and can render service and on the condition moreover that the said halls are not used for other purposes. The use of the gaming room or the library as the private dining room may also entail extra charges for the service that shall be set up by the Board of Directors.

The club can have computer service with internet access. Its use is restricted to members more than 14 years old and minors accompanied by a member. The access to wireless internet available within the social building and other club facilities must be in accordance with proper decorum and good practices.

The use of electronic games and music players in the first floor of the social building is not allowed.

In order for children and their parents to have adequate space, the metope hall may be set up as a dining hall with children under 12 years of age. On the days when the dining hall is enabled in the metope hall, members that come with children may use the metope hall and also the dining area on the terrace on the first floor, not being allowed the use in the interior dining room on the first floor



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for children under 12 years of age, even in case the dining room in the metope hall or the terrace area are full.

The Board of Directors shall set up those dates meant for family affairs, wherein children below 12 years of age may gain access to the dining hall in the first floor.

The library, the gaming room, lecture halls, the metope hall, the dining hall and other facilities of the club may be leased for holding events, putting in order of promotional or advertising material, etc. subject to payment of the corresponding fees at any time, at the discretion of the club manager, authorising its use in response to the club's needs and the events to be held.

Article 24.- Bulletin Board and other information notice boards

Advertisement or information placement in the different club bulletin and notice boards is reserved for the club secretariat.

The club has a particular information notice board for the members' private advertisement. In the said board subject to request to the secretariat, advertisements related to nautical sport activities such as crew member bureau, buy and purchase of vessels and service offers for members.

Article 25.- Holding of events

The club offers the members material and logistic resources to hold ceremonies, meetings, events, etc., as long as they do not interfere in the usual course of the club's activities which may be of personal, family or professional nature, etc. The holding of these events shall be subject to the conditions and rates in force at any time.

The members, prior to the planning of an event or any restaurant service, shall request the secretariat for availability in the dates in order to avoid any conflicts with other events. In any case, they shall be obliged to give details on the number of attendees and the type of event they aim to hold. The rights of the members to use the facilities of the club shall have to be respected at all times.

Likewise, the club can hold all types of events and ceremonies.

Those who organise an event shall have to be accountable by themselves without shifting responsibility to a third party who is not a club member.

Moreover, the following rules must be observed:

- Reservations shall only be carried out on behalf of a member
- Reservations shall be carried out in the secretariat unless it involves restaurant service, in which, reservation shall have to be made in the restaurant. The secretariat shall confirm the availability for the execution of the event, and shall fix the corresponding rates and agree on the conditions with the established rates.
- The halls may be used by the members free of charge for meeting lasting less than 4 hours provided that they are available subject to consultation with the secretariat.
- In case the reservation of halls for holding a specific event entails expenses to be incurred by the club, it shall charge a deposit which shall have to be paid by the requesting member.



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- Unless there is prior agreement, the bills shall be paid towards their end of the events held.

The bills shall be compulsorily issued to the Members who have arranged the events and can be issued likewise to third parties upon instruction of the organising member who shall be held accountable for it.

Article 26.- The library

All members have the right to use the library, when it is not used for other purposes at a time when the secretariat is open and to make use of the books, magazines, nautical maps available and may not take them out without proper authorisation, and where possible posting the established bail.

Article 27.- The metope hall

Aside from its previous, customary use; the metope hall shall be used for holding lectures or having meetings. The reservation of the hall as well as the rates that have to be paid where appropriate shall have to be done by way of the club secretariat.

The metope hall has a television set and audiovisual projector for the use of the members and their guests.

Article 28.- The cabins

The club has several cabins for use of the members and their guests, in which the use must be requested for in the club secretariat. Its use shall entail the payment of the corresponding rates.

The duration for the use of the cabin shall be determined by the Board of Directors. Their cleanliness shall be in the club's care. The users of the cabin are accountable for the damages that they may cause as well as in the linen and equipment.

Under no circumstances the club shall be held liable for any theft or pilferage of the occupants' personal effects that they have left in the cabins, neither for accidents nor for neglect of the equipment that may arise.

Article 29.- The dining hall and bars

The club has a restaurant and bar which may be used by the members, their guests, and the ship owners and the crew of the vessels docked at the club premises.

The restaurant and bar service may be provided to the different, authorised facilities of the club in that regard and in accordance with the established rules of use in these regulations.

Under no circumstances is consumption of food or drinks not supplied by the club restaurant allowed within the social building.

The use of mobile phones or other means of communication is restricted within the enclosures of the dining hall.



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Article 30.- The sports building

The schedule for the availability of the sports building, locker rooms and Fitness Room shall be set up by the Board of Directors periodically.

Children above six years of age cannot enter the locker rooms for persons of the opposite sex. There are several lockers available for the members in the locker rooms upon payment of the corresponding fees.

The Board of Directors will pass the rules of use of the Fitness Room.

Article 31.- Classrooms

The club's classrooms shall be used as venues for classes, seminars or round table discussions, conferences and meetings that are held, and also may be used for the club's younger members' recreational activities along with their guests subject to the Board of Directors or the management's authorisation and compliance with the requirements laid down.

Article 32.- Lockers, storage compartments and containers

There are a number of lockers, storage compartments and containers available for members who a vessel registered with the club, by means of paying the corresponding fees. Each member and vessel is entitled to only one locker, storage compartment or container.

In case the vessel assigned to a locker, storage compartment or container were dropped from the registry rolls, sold, yielded or transferred to another member, the member who occupies the locker must evacuate it and make it available to the club. In the event that the member does not comply with the said obligation within a given set period, the Board of Directors is authorized to open it and proceed with the removal of its contents setting them for deemed, appropriate use including donating them to third parties. All of the foregoing is without prejudice to the provisions of article 49 of these Regulations.

If a member swaps vessel that is assigned to a locker, storage compartment or container, the new vessel shall be entitled to the same right.

A member who is holder of a locker, storage compartment or container is not allowed to transfer or partially or totally lease them neither to another member or a third party, however, they may be shared by different members for which the club secretariat must be notified.

A regulation or request for taking turns for assigning lockers, storage compartments and containers that are available shall be laid down.

The club takes no responsibility for any robbery, theft, accidents and desertion of equipment that may arise in lockers, storage compartments or containers.

A duplicate of keys shall always have to be present in the secretariat.



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Article 33.- Cranes, dry dock and esplanade

The members can use the dry dock, crane and esplanade service following an appropriate order taking turns upon request and paying the corresponding fees.

Irrespective of request for their turn, there shall be an order of priority which shall be as follows:

1. Emergency cases
2. Vessel that participate in regattas, as indicated by the Board of Directors
3. Members with vessels registered with the club, which have made prior reservation.
4. Other end users

Members whose vessels are registered with the club may install their carts or trolleys in the esplanade of the dry dock if there is any vacancy upon paying the fees in effect for the sojourn corresponding to the space occupied.

The cranes and dry dock platform shall solely and exclusively be operated by the club's staff members.

The boatswain is the one responsible for work coordination and setting orders and preferences.

The grounding or suspension of the crane shall only be allowed for the duration required.

The esplanade is intended for the grounding of vessels for their repair as well as leaving them for the winter season. It may also be assigned other uses when regattas, events or functions are held.

In case of non-payment of the rates or subscription fees for the vessels, beach trolleys or other parts, the club may have free use of them.

The vessels, beach trolleys and other parts may be moved away, stowed or transferred because of social, sport, cultural or other type of events to be held duly authorised by the Board of Directors. The club shall inform the members of any actions foreseen well in advance.



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MEMBERS' ACTIVITIES AND THE BOARD OF DIRECTORS

Article 34.- Members' activities

Pursuant to the provisions of articles 1 and 2 of the Constitution and Bylaws, RCNB is a lawfully constituted non-profit sport entity.

The rights and duties of the members are contained in articles 12 and 13 of the Constitution and Bylaws; it is for this reason that a member may not perform for self-profit or for those of third parties activities of business, professional, commercial, industrial or political nature invoking capacity as members.

Article 35.- Assistance to members participating in competitions

The Board of Directors, upon the proposal of the Sport Committee shall lay down the assistance, benefits and conditions which may be enjoyed by club members who participate in sport competitions.

The members shall be informed of these aids and may apply to such purposes as:

- Stay, mooring, stowage of the vessels within the club.
- Grounding and launching of the vessels.
- Attendance in competitions outside of the club.
- Technical support from staff hired by the club.
- Subsidies, advances and loans in the purchase of materials.
- Discounts in the registration fees in regattas.

Article 36.- The Board of Directors

In the event that the Board of Directors must make a decision regarding economic or professional matters in which the members may be directly or indirectly interested, the concerned members shall have to refrain from mediate in the process of deliberation.



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MOORING AND SERVICES TO THE VESSELS

Article 37.- The facilities

Real Club Náutico de Barcelona possesses within its authorised area and its facilities a water surface of the Barcelona harbour, intended as a quay for the mooring of recreational vessels composed of distinct berths arranged as buoyant jetty or piers and in the wharf, with their corresponding water, electrical power and anchoring services, all subject to legal provisions and rules of concession.

The moorings are properties of the *Real Club Náutico de Barcelona*. The rights to use the moorings for the members or third parties do not grant ownership or exclusivity rights for them, these rights remaining in use as long as the user complies with the duties laid down in these Regulations and the payment of the corresponding fees.

The mooring afloat are divided into two categories, some for free use for all recreational boats by means of payment of the rates in effect at any given time, and others reserved for members.

The Board of Directors may alter the uses of the moorings temporarily and in exceptional circumstances.

The specific services that the club provides, such as electric power, water, grounding means, etc. can be available to all users of the moorings and third parties according to conditions set up and through payment of the corresponding fees.

The rates, fees and taxes which may be implemented by the Port Authority, Municipal, Regional or State Administration due to use of moorings, etc. shall proportionately affect the area of each mooring post on the club's account, the part corresponding to the moorings for public use and the users of moorings for private use,

The expenses for lighting, operations, wireless communication and general maintenance shall be the club's responsibility.

Article 38.- Uses of mooring area

The mooring areas located in the club's facilities, are intended solely for the use of recreational boats, for which they may not be used under usual conditions which do not meet these requirements, excluding vessels meant for any other profitable purposes, except those that may be available to the club for teaching application of navigation and sailing theoretical classes.

However, in cases of force majeure, or due to the club's particular interests, the moorings might be temporarily used for other types of vessels which shall be obliged to comply with the laws in force and the payment of fees that may be fortuitously set up by the Board of Directors.

Article 39.- Services provided by the club to the vessels and berth space

The club provides a range of services to the members' vessels, some of which are included in the schedule of mooring fees and others on separate billing.



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1. Services included in the fees for mooring are:
 - a. The use of mooring sites.
 - b. Reinforcement of the mooring in case of inclement weather
 - c. Provision of assistance needed for the maintenance of the vessels docked such as baling out, forklifts, etc.
 - d. Assistance for grounding of ships, neither towing nor trailer dragging, when relevant, including cranes and dry docking.
 - e. Assistance in mooring and unmooring vessels.

2. Services included without limitation on separate billing:
 - a. The use of cranes and dry docking.
 - b. Water and power supply.
 - c. Towing of vessels.
 - d. Provision of shelter.
 - e. Safes for supplies, storage compartments, lockers and containers.
 - f. The use of punts, platforms or vessels of the club.
 - g. Assistance in movements and manoeuvres of the vessels away from the inner harbour.
 - h. Stay on land of vessels and containers
 - i. Use of tools or pressure washers.

The fees for each service shall be set up by the Board of Directors.

Article 40.- Management of moorings and maintenance of materials and facilities

The management of mooring sites and the maintenance of materials and facilities are incumbent upon the club Board of Directors, and within it, upon the commodore. By delegation of the Board of Directors of the club which exercises executive functions, is the club manager.

Requests for use of the facilities and services shall be addressed to the management which shall fix the mooring site and shall make arrangements completely on the services and the facilities that the club provides.

In all aspects related to the movements of the vessels, entry, exit, berth, mooring, unmooring. In general and with the activities that could be carried out or being carried out on the waters of the port; all orders that may arise from the Port Authority or Maritime Authority of Barcelona shall be observed; aside from those from the club.



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Article 41.- Mooring rights

All members, in accordance with provisions of the Constitution and Bylaws, for holding such position are entitled to mooring of vessels in anchorage of the club, provided that it is possible and complies with the requirements set up by these Regulations. They are likewise entitled to set smaller vessels and several supply boats of vessels in designated areas, provided there are available spaces.

Unless explicitly agreed upon by the Board of Directors, a member is entitled to have only one vessel moored in the club facilities. In case of interest of having more than one vessel docked, it shall have to be requested in writing stating the reasons to the Board of Directors which shall decide on the possibility of having more than one vessel docked and the conditions to be applied, without further appeal on the matter.

Article 42.- Admission of vessels

The member, who wishes to moor a vessel in the club's facilities, shall have to request in writing to the Board of Directors stating the characteristics of the vessels and other related circumstances. Similarly, it shall have to be requested in case of a change or substitution for another vessel.

In view of the information provided and upon inspection of the vessel, the Board of Directors shall decide on whether to admit a vessel or not and shall set up the type of specific mooring for said vessel and other circumstances and requirements needed.

In the event that no space is available for mooring of the vessel due to its characteristics, if the member so wishes, it shall be included in a waiting list, pending on a vacancy that may arise in the appropriate mooring for the type of vessel. The said waiting list shall be established on first come, first served basis. In case in which a large berths are available, the member may opt for them, paying all the corresponding fees to the said berth depending on its characteristics and not the vessel to be moored.

Article 43.- Entry requirements for mooring

The entry of a vessel for mooring effects the owner's acceptance and compliance, aside from the rules laid down by these Regulations, the following requirements:

- The responsibility of having corresponding insurance with enough coverage for liabilities such as thefts and damages against third parties. The club secretary shall request a copy of the corresponding policy and a receipt of the last payment made.
- The responsibility of being registered in a public registry, at all times, in the name of the member, spouse, ancestors or descendants. In cases in which the vessels belong to a legal person, its transfer of use to a member on sufficient legal basis must be authorized.
- Payment of corresponding mooring admission fee.

Article 44.- Berth allocation

After having scrutinized the request for mooring and found out to meet all requirements, a berthing place shall be allocated to the applicant.



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If the vessel that is up for mooring does is not appropriate for the required area so that the right to use is definitely allocated, the allocation shall be provisionally carried out in a berth as adequate as possible as to the dimensions of the vessel that could be changed later as many times as needed in order to adjust the dimensions of the berth to that of the vessel.

After the final berth is obtained, the member may use this while the authorization granted by the management lasts, provided the maintenance fee of the vessel and other fees are paid , which are laid down at all times, as well as the taxes and other legal fees that may arise.

Likewise, the member may maintain the vessel even though there is always a change in vessel and when the new vessel is accustomed to the dimensions of the berth.

In spite of the above-mentioned, if the new vessel has greater dimensions than the previous one, although berth must not be changed, the difference, in square meters at the rate per square meter in effect at all times, between the former and the latter shall have to be paid as mooring entry requirement.

In case the new vessel has lesser dimensions that the previous one, the member shall not get partial refund for the entry fee.

The member may extend the mooring right, when as such, it is needed as a result of the dimensions of the vessel to be moored as long as there are available berths that meet the requirements.

In spite of the above-mentioned, the club may switch the location of the mooring of a vessel temporarily while the circumstance causing the switch lasts, such as, including without limitation, inclement weather, holding of a regatta and other causes of general interest.

Likewise, the mooring location of a vessel may be changed definitely because of force majeure or causes of general interest or total or partial rearrangement of the club's existing moorings.

Article 45.- Mooring of non-club-based vessels

Whenever a space in the club's facility is available, the vessels belonging to members who are not permanently based in the club or belonging to third parties, they may moor in the club anchorage and make use of the services meant for mooring areas. These moored vessels shall be considered transient.

The transient vessels may enjoy this right for a period of eight days, that may be extended only once for the same period at the discretion of the management, which shall decide depending on the existing circumstances. In case in which the concerned party wishes to prolong its stay longer than foreseen, they shall have to request in writing, stating the circumstances to the management which shall decide without further appeal.

The transient vessels shall have to pay the fees and port taxes which are laid down at any time under the terms and conditions set which may be paid in advance. The Board of Directors may agree on specific economic conditions for the transient vessels that participate in regattas held by the club.

The transient vessels may moor even in moorings assigned to members in their absence.

In any case:

- The club's commitment to accommodate transient vessels may not be longer than one year even though the period may be extended to a period not greater than mentioned.



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- The extended stay of these vessels within the club shall be made conditional to the mooring request on the part of the members, which in case of no available berths, shall have to be attended to once the period of stay of any transient vessel lapses.
- The transient vessels may be moved from their location as much as needed for reasonable club occupation.

When a transient vessel wishes to moor in the club's facilities, it shall have to proceed as follows:

- The vessel shall be moored provisionally in a place that the club sailor or the secretariat designates.
- Once moored, the owner or the one in charge shall appear at the club offices to identify and enlist the features of the vessel and other relevant data, bringing with them the needed documents as well as the duration of call.
- The concerned party shall enquire at the secretariat about the clauses of these Regulations that are of importance, as well as the current rates and conditions of the stay, use and payment of the mooring as well the services and duration.
- In case the owner wishes a protracted stay, the secretariat of the club must be notified, which on the basis of availability or other conditions, may accept or reject the prolongation of stay; which in the case of the latter, the vessel shall have to leave the facilities of the club without fail.

Article 46.- Payment of moorings, services and rates

All vessels admitted to the club are obliged to pay the corresponding entrance mooring fees – or where relevant the difference and/or lodging, maintenance dues of the mooring, as well as, correspondent services such as water, electricity and those services in general or particular that have been rendered, including the taxes and fees and other legally applicable obligations. This payment obligation corresponds to the ship owner, the member-proprietor of the vessel or the member to whom the use has been transferred.

The vessels shall take responsibility, as a direct assurance, for the fees for services that have been rendered and the possible damages that may be inflicted to the facilities of the club or to third parties.

The amounts payable shall be laid down by the Board of Directors and shall have to be made in cash together with the membership fee.

In case of non-members, the payment of the corresponding service may be made either monthly or daily, according to what was laid down by the club management at the time of contracting the service on the part of the concerned according to the circumstances and the contractor.

In case the member wishes the mooring expenses and other services rendered by the club to be billed to a legal person, it shall have to be requested on writing addressed to the Board of Directors presenting certified documents personally assuming the responsibility of paying the bills issued to the legal person.



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The issuance of bills to the legal person is taken to mean as a mere administrative process and does not mean any transfer of rights and obligations inherent to the capacity as a member that the natural person holds.

In the payment of the mooring, the following should be taken into consideration: a) overall length by maximum width of the vessel, b) maximum area of the berth.

However, upon detection of an obvious discrepancy between the measures appearing in the crew list and its actual area unless, upon agreement between the club and the member, an independent technical opinion is requested which shall be the one that will definitely determine the measures of the vessels of which it is all about.

Same criterion shall be followed in case in which the proprietor of the vessel does not express in writing the data on the crew list. In this case the expenses for the technical opinion shall be charged to the member.

If there is higher consumption with respect to the expenses or use of supplies that the club provides in the moorings which are not equipped with meters, the Board of Directors may issue additional bills in excess of the use the amount that it may deem appropriate.

In case of accident and if the club has to spend a certain amount in order to avoid damages to persons, vessels or goods, the person in whose interest the spending has been carried out shall be obliged to pay said expenses.

Article 47.- Continuity with the right to use of mooring

In case wherein the mooring is not used by the member with right to hold it, but the mooring fee is being paid for every now and then, it shall imply that the said mooring is reserved for the proprietor; however the club may allow mooring of other vessels in the absence of the member's vessel.

While the mooring is not used by the member, the club may dispose freely its use. If the proprietor reoccupies it, notification shall have to be made with a made 72 hours in advance. No compensation on the part of the club shall be made for such use.

Article 48.- Absence of a vessel for more than six months

Continued absence of all vessels for more than six months and in which the proprietor wants to maintain assuming the mooring rights may request a discount corresponding to the period from the Board of Directors which shall approve it.

Irrespective of the amount and conditions of the discount in the assessment of the mooring that may be laid down, the corresponding port fees in reference to the period of absence shall have to be paid.

Article 49.- Transfer of mooring, lockers, containers and storage compartments

The transfer of mooring right for whatever reason, even those free of charge, to third parties or its use or those of lockers, storage compartments or containers is prohibited.

However, it can be transferred through inter vivos or mortis causa transactions pursuant to the following conditions:



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1. The grantee shall need to be a member of the club.
2. In case of transfer through inter vivos transaction, the new member shall need to be the spouse, parent, child or sibling and must request it in writing addressed to the Board of Directors jointly with the current member, justifying the degree of kinship. In any case, the transfer shall always be free of charge. The infringement of this provision shall result to the automatic and inevitable loss of the right to mooring and use of lockers and storage compartments.
3. In case of death of the member, in the absence of testamentary disposition for the benefit of some of the next of kin cited as follow: the spouse, parents, children or siblings shall appoint among themselves someone who can request for subrogation on the right of mooring and use of lockers and storage compartments. To bring about the subrogation, the appointed next of kin shall have to request it in writing addressed to the Board of Directors, not later than six months from the time of death, justifying the reason bound by right held and with consent of the rest of the next of kin who hold this right.

In case in which the new member is a minor, they shall be represented by those who exercise parental authority or custody.

The member to whom subrogation is granted shall be the one to assume all rights and duties of the deceased.

In case of transfer of rights, the new member should meet the conditions laid down in the Constitution and Bylaws and not pay mooring entrance fees.

Article 50.- Loss of right to mooring

The loss of right to mooring may come about either voluntarily or compulsorily.

The vessel owner who voluntarily wishes to cancel mooring shall notify it in writing to the club secretariat and shall remove the vessel from the place where it is situated, once all expenses and bills arising from the vessel's stay have been settled. While the vessel does not leave the mooring space free, empty and clear, the corresponding fees and taxes shall continue to be accrued even though cancellation has been notified.

Compulsory cancellation may be brought about automatically by previous agreement of the Board of Directors in case of circumstances outlined in these Regulations, especially in non-payment of pecuniary obligations.

A vessel in which mooring rights have been cancelled compulsorily shall mean on the part of the proprietor or the one in charge to proceed with its removal from where it is located, enabling the club, in case of no compliance, to do it chargeable to the owner, notifying the competent authority about the said situation.



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Article 51.- Sale of vessels

For all changes in ownership of a vessel, directly or indirectly, while it is registered in the club, the club secretariat should be notified as soon as possible, stating the name of the buyer and their personal data, even though they are not club members.

Failure to inform of the said transfer shall mean, for all legal purposes for the club, accordingly, the transferring party shall be responsible before the club for all those matters related to the particular vessel.

The sale of a vessel moored in the club carried out by a member, shall accrue for the benefit of the club, the entry fee of the mooring as provided for by Article 43 of these Regulations, in the non-transfer to the purchaser of the vested right to mooring by the seller.

Article 52.- Supply of moorings

The vessels may only moor at measures specially planned for it and in the proper way to avoid damages to the facilities and to other vessels.

All vessels which have been awarded a mooring post are required to have the necessary ropes and materials for proper mooring including bilge pumps in good working order.

Article 53.- Spare parts for anchorage

If in the opinion of the boatswain the mooring or anchorage must be reinforced, the proprietor and where appropriate, the ship's sailors concerned shall lend their spare parts in order to carry it out, and if the club must incur certain expenses in order to avoid accidents in a vessel, it shall chargeable to the account of the vessel's proprietor or to whomever needs the service.

Article 54.- Change in mooring

Neither the owners, nor the sailors may change the vessel's mooring site or the one assigned or grounding location without the authorization of the Commodore.

Article 55.- Transfer and transactions in the vessels

In case a vessel must be transferred due to coastal exigency, or submitted to whatever manoeuvre for considerations of general interest, its crew must comply with the instructions from the club secretariat.

If there is no crew on board, the secretariat shall try to locate the one in charge of the vessel in order to perform the necessary activity but if they are not located during working hours to meet certain needs, or the security of the facilities or other vessels; the club secretariat through its crew, shall perform the necessary activities without right to recourse of any kind on the part the ship owner, supervisor, proprietor or representative on account of such manoeuvre to be carried out, enabling the club to recover the amount of the expenses incurred.



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When the activity shall have been performed the security of the vessel itself or that of other vessels, the expenses incurred shall be charged to the account of the ship owner or the member, proprietor of the vessel or member in charge.

Article 56.- Provision of assistance

Every member shall collaborate in the provision of assistance to another vessel or member, who might be in danger whenever needed.

The vessel owner or crew cannot refuse mooring, anchorage or transfers of other vessels in order to facilitate its manoeuvres or avoid accidents or breakdown.

Private vessel seamen as well as club personnel are obliged to report to the club facilities when they are needed by the Commodore or the boatswain in case of emergency.

Article 57.- Means of grounding

The vessel can only be launched or grounded with means of assistance at the club's disposal.

In case it is not possible due to the vessels' features, other means chargeable to the account of the owner, proprietor or titleholder may be used. Additionally, the owner should consider engaging such services with due approval of the club management.

In the event that the ship owner or proprietor of the vessel shall wish to use other auxiliary means different from their own or that of third parties, when the vessel is not covered by the above-mentioned, they should obtain the corresponding authorization of the club secretariat and pay, where appropriate, the fees and comply with the conditions laid down.

Article 58.- Maintenance and safety of the vessels

Every vessel moored in the facilities of the club must be maintained in good state of upkeep, appearance, buoyancy and safety.

If the club perceives non-compliance of some vessels with these conditions, the proprietor or in charge shall be notified in writing to rectify the defects noted as soon as possible and within a maximum period of five days or withdraw the vessel from the club.

In case the situation persists without the correction of the defects or the vessel runs the risk of sinking or causing damages or inconvenience to third parties, the club shall take the necessary measures chargeable to the account of the owner, member or user to ensure the safety of the vessels and convenience of the users without prejudice to the notification sent to the port authorities to regulatory and legal effects that may arise.

Article 59.- Activities within the vessels

Repair works afloat as well as in dry dock, fairing, grounding, fuel supplying in the club's facilities and other activities which are not usually those of the navigation system shall be performed where they are specially provided for by the club. In any case, the owner or in charge of the vessel shall take the



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corresponding measures in order to avoid accidents and any type of perceived risks and damages to persons as well as to other vessels and club facilities.

Handling of fuel greater than 50 litres within the club's facilities, taking the appropriate measures on the part of whoever performs it is prohibited.

Notwithstanding the foregoing, boats can hire the service of a tanker for refuelling, provided it is in possession of permits and relevant safety certificates, having to coordinate these services with the boatswain.

The auxiliary vessels, watercrafts, motors, rigging parts, provisioning stocks, sails, tools and other parts intended for or coming from moored vessels may not stay on land, piers or wharf for a longer period than needed for their transfer to places intended for that purpose in the event that there is space, otherwise, they must be transferred outside of the club premises.

The ship's crew may ask for the withdrawal any material left in the wharves or piers if they do not comply in accordance with the provisions of this article.

Any activity that causes noise or odour pollution or of any kind and causes discomfort or contravene the existing law is strictly prohibited.

The schedule for performance of any task that makes noise must be observed from 8 a.m. to 8 p.m. Mondays to Fridays and from 8 a.m. to 2 p.m. on Saturdays and is strictly prohibited on Sundays and holidays.

In accordance with existing environmental law, cleaning of tanks and bilges is prohibited and should be performed by authorised companies and agencies.

Article 60.- Emergencies

In case of fire, transient or any other emergency that might directly or indirectly jeopardize the staff, property or involve environmental pollution within the club premises as well as adjacent areas, urban as well as maritime, all owners, crew and supervisors, or overseers should take the necessary precautionary measures and obey the instruction they may receive from the club staff, as well as where appropriate, the ones in charge of emergency or security services.

In case of a fire on board a ship, the supervisor and the crew, aside from taking the immediate and necessary measures, should immediately notify without fail by all means within their reach, the club secretariat or staff.

In case a vessel sinks, the procedures laid down by existing law shall be followed.

In all cases of emergency, accident, pollution or threats that may affect the vessels or facilities, the club shall lay down the notifications that it deems appropriate with the competent authorities in order to lay down the necessary measures.

Article 61.- Prohibitions

Aside from those designated in the previous articles, the following are strictly prohibited:



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- a. To have on board explosive materials, except flares and regulatory distress signals, and gas and liquid fuels in amounts greater than three litres, except those used as engine fuels or gases for heater or kitchen use.
- b. To set on fire flammables on board or in the club premises, start bonfires, barbecues lamps with open flame.
- c. To throw or discharge soil, rubble, refuse, residual liquid, or any other type of materials whether contaminating or not, on land as well as on water. Garbage should be placed in containers prepared for this purpose.
- d. To save or to keep in wardrobes, lockers, storage compartments and storerooms and in general within all club premises, flammable materials beyond the specifications indicated in the previous sections.

The owner of the vessel or storeroom that violates this provision shall be accountable for damages that may be caused to club properties and facilities as well as to third parties.

- e. To use the vessels as the usual place of residence. It is taken to mean that this situation occurs in case of overnight stay for more than one weekend. Overnight stay of professional sailors and staff hired under the ship owner's responsibility shall be allowed.
- f. To carry out on board tasks and activities which are unpleasant to other users.
- g. To go fishing, perform water skiing, take bath and swim in the inner harbour or club entrance.
- h. To carry out tasks and renovations in the club's facilities without the Board of Director's authorisation.
- i. To use anchors within the inner harbours and access channels, except as advised by the club staff in case of emergency
- j. To put signboards in the facilities or berths.
- k. To perform underwater diving or surface supplied diving without permission or without informing the boatswain and without the required qualifications or permits.
- l. To handle port chains and fishing lines without express authorization.
- m. To carry out cleaning works or others using the supply cassettes and its use as a workbench.

Violation of these prohibitions may lead to the removal of the vessel from the club facilities, aside from the bans that the management may impose to the violator depending on the violation committed.

Article 62.- Piers and wharf

The Piers and the wharf must be cleared of any object that may impede the transit. The walkways must not be more than half a metre from the edge of the pier.



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Leaving behind sails, tools and other supplies coming from vessels participating in the regattas is only allowed during the tournament period. The said materials must be left behind in front of the vessels occupying a maximum space of 70 cm in reference to the vessel's maximum beam and should be correctly stowed, identified and earmarked for in bags or storage compartments.

Article 63.- Supply wardrobes and storerooms

Members may avail of wardrobes and storerooms, whenever they are available in order to store the supplies of their vessels by means of payment of the corresponding fees.

Only the interior part may be occupied and it is prohibited to put any object outside of these.

The cleanliness of the wardrobes shall be the responsibility of its users.

The club secretariat shall be provided with a duplicate of the key of the wardrobe to be used in case it is needed.

Article 64.- Sailing in the club waterways

Sailing within the club's area of responsibility, shall be restricted at the points of entry and exit of the vessels or the internal movements due to changes in moorings.

Sailing with remote control vessels is allowed provided that it does not impede the manoeuvre of the vessels in low traffic areas and under the responsibility of the supervisor of the of the remote controlled vessel.

The maximum sailing speed with the club area is 3 knots.

It is strictly prohibited to anchor in the access channel and in the manoeuvre zone of the inner harbour, unless in the event of serious and imminent danger, likewise it is prohibited to perform of manoeuvre procedures with the vessels in the club harbour except those used by the Sailing School.



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PROVISIONS

Transitory Provision: From the adoption of these Regulations, a period of four months shall be settled into order to be able to legalize all reporting obligations and comply with the requirements laid down.

Final Provision 1: These Regulations have been drafted in the official languages of Catalonia, Catalan and Spanish. The Board of Directors may carry out its translations to other languages.

Final Provision 2: The Regulations shall enter into force on the day of its approval by the Board of Directors pursuant to the provision in article 25 of the Constitution and Bylaws of the *Real Club Náutico de Barcelona*.

These Internal Rules of Procedure of the Real Club Náutico de Barcelona have been approved by the Board of Directives on 17 February 2011

Enrique Corominas I Vila
President

Joaquim Barenys i de Lacha
Secretary