

# CONSTITUTION, BYE-LAWS AND REGULATIONS

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# CONSTITUTION

## 1.0 NAME

The Club shall be called Inverclyde Masters Swimming Club. (hereinafter referred to as “the Club”).

## 2.0 OBJECTS

The object of the Club shall be to:-

- (a) Promote and manage the teaching, knowledge and practice of one or more Aqua Sports, in accordance with paragraph C2.2 & C2.5 of the SASA Constitution.
- (b) Promote adult fitness through swimming and to advance masters swimming and competitive masters swimming throughout Inverclyde.

## 3.0 MEMBERSHIP

3.1 The membership shall consist of the following categories:-

(a) **Adult Member**

An Adult is an individual 16 years and over.

(b) **Junior Member**

A Junior is an individual not recognised in law as an adult and not as defined in SASA Company Rule R13.5.6.

(c) **Life Member**

A Life Member is an individual 16 years and over who has been elected as a Life Member by a majority so voting at an AGM.

3.2 Membership fees shall be as agreed at each Annual General Meeting.

3.3 All Club Members must be registered with the SASA in accordance with the sub-categories defined in SASA Bye-Law BL3.2.

3.4 All members joining the Club shall be deemed to accept the terms of this Constitution, the Club Bye-Laws and any Regulations adopted by the Club.

3.5 The Executive Committee shall have the power to turn down an application for membership provided they act in accordance with any relevant SASA guidelines.

## **4.0 GOVERNANCE**

- 4.1 The Club shall be subject to and bound by, the Constitution and Bye-Laws of the SASA Ltd and the appropriate SASA District Rules.**
- 4.2 The Club shall comply with the SASA Code of Conduct, the SASA Code of Ethics and the SASA Child Protection Guidelines.**
- 4.3 The Club shall be governed by its Constitution, Bye-Laws and Regulations.**
- 4.4 Amendments to the Constitution shall only be made at a General Meeting, provided at least a two thirds majority of those present and voting is secured.**
- 4.5 Amendments to any Bye-Laws shall only be made at a General Meeting provided a simple majority of those present and voting is secured.
- 4.6 The Executive Committee shall have the power to publish and enforce such Regulations as the Committee feels necessary to govern the activities of the Club.

## **5.0 MANAGEMENT**

- 5.1 The affairs of the Club shall be conducted by an Executive Committee which shall consist of the Officers of the Club plus one other Adult Member, the latter being known as the “General Committee Representative”, the Club Coach and the immediate Past President.**
- 5.2
  - (a) The Officers of the Club, who shall be honorary, shall consist of a President, Vice-President, Treasurer and Secretary who shall be elected at an Annual General Meeting for a duration, in terms of Bye- Law 9.2.2, of two years.**
  - (b) The General Committee Representative shall be elected at an Annual General Meeting for duration, in terms of Bye- Law 9.2.2, of two years.**
  - (c) The Past President is the immediately preceding President to the President elected at an Annual General Meeting**

- 5.3 If the post of any Executive or General Committee member should fall vacant after such an election, the Executive Committee shall have the power to fill the vacancy from the Adult Members.
- 5.4 All Executive Committee members shall be Adult Members of the Club.
- 5.6 The Club shall have a General Committee comprising of the Executive Committee and the Lane Representatives (noting that one of the Lane Representatives will be the General Committee Representative). The purpose of the General Committee is to discuss, review and action such steps as are necessary for the proper and efficient fulfilment of the Club's objectives and to review the actions of the Executive Committee.
- 5.7 The Lane Representatives will be elected by each lane annually (under exception of the General Committee Representative whose appointment will endure for two years)

## **6.0 MEETINGS**

### **6.1 General Meetings**

#### **6.1.1 Notices**

**At least 14 days notice and the Agenda containing all items for discussion and decision shall be given to all Adult Members of any Annual General Meeting.**

**At least 30 days notice shall be given to all Adult Members of any Extraordinary General Meeting.**

#### **6.1.2 Attendance at General Meetings**

**All Adult Members and Life Members are entitled to attend, take part and vote unless specifically excluded from doing so by the Club's Constitution. All Junior Members are entitled to attend any General Meeting but not to take part and vote.**

#### **6.1.3 Voting**

- With the exception of changes to the Constitution, Decisions put to a vote shall be resolved by simple Majority at General Meetings.

- Voting shall be by a show of hands unless decided  
Otherwise by a majority of those attending the meeting.

#### 6.1.4 **Quorum**

The quorum at General Meetings shall be six members eligible to vote.

#### 6.1.5 **Changes to the Constitution and Bye-Laws**

A proposal to change the Constitution or Bye-Laws must be Submitted in writing to the Secretary and signed by two Members eligible to vote at a General Meeting.

### **6.2 Annual General Meeting (AGM)**

**The Club shall hold an Annual General Meeting between the months of February to March in any calendar year to:**

- Approve the minutes of the previous year's AGM.
- Receive reports from the President and Secretary.
- Receive a report from the Honorary Treasurer and approve the Annual Accounts.
- **Receive a report from the Auditors**
- **Elect Executive and General Committee Members as and where appropriate in respect of the two- yearly cycle of elections or otherwise to fill vacancies arising**
- **Appoint Auditors for the Club's Accounts**
- Consider changes to the Constitution
- Consider changes to the Bye-Laws
- Present Life Membership(s)
- Deal with other relevant business.

### **6.3 Extraordinary General Meeting (EGM)**

An Extraordinary General Meeting shall be called by an application in writing to the Secretary supported by at least ten Adult Members of the Club. The Executive Committee shall also have the power to call an EGM by decision of a simple majority of its members.

### **6.4 EXECUTIVE COMMITTEE MEETINGS**

1. The club shall hold Executive Committee Meetings as and when required by the President. Additionally, Executive Committee Meetings shall be called by the Secretary when there is business to transact or on request of two Officers of the Club or by an application in writing by at

least three Adult Members of the Club. The secretary must give seven days written notice of the date and time of the Executive Committee Meetings.

2. A quorum for Executive Committee Meetings shall be four provided that such shall comprise at least two Officers of the Club.
3. The Executive Committee Meetings shall transact all normal business of the Club
4. The business of meeting shall be enacted in accordance with Section 6 of the Bye-Laws.

## **6.5 GENERAL COMMITTEE MEETINGS**

1. The club shall hold General Committee Meetings no less frequently than every three months.
2. General Committee Meetings shall be called by the Secretary when there is business to transact or on request of an Officer of the Club or by an application in writing by at least three Adult Members of the Club.
3. A quorum for General Committee Meetings shall be six provided that it shall comprise at least two Officers of the Club.
4. The business of meeting shall be enacted in accordance with Section 6 of the Bye-Laws.

## **7.0 FINANCE & ACCOUNTS**

1. The financial year shall run from 1<sup>st</sup> March to 28<sup>th</sup> February each year.
2. The honorary Treasurer shall be responsible for the preparation of Annual Accounts of the Club.
3. **The Accounts shall be audited by an independent person(s) elected annually at the Annual General Meeting.**
4. All cheques drawn against the Club's funds shall be signed by a minimum of two Officers of the Club.
5. The Executive Committee can enter into contracts and/or partnerships, on behalf of the Club, provided each proposal is relevant to the objects of the club and is fully discussed at and recorded in the minutes of a quorate Executive Committee Meeting prior to the commitments being made.
6. All Adult Members of the Club shall be jointly responsible for the financial liabilities of the Club.
7. Any surplus of the Club's income will be re-invested in the Club and not distributed to its members except in the event of termination of the Club.

## **8.0 DISCIPLINE**

**The Executive Committee may take action (e.g. fine, suspend or cancel membership) against any Club Member infringing the Club Regulations or acting in such a manner as to bring disrepute to the Club.**

## **9.0 CLUB BYE-LAWS**

1. Retiring Members of the Executive and General Committees may offer themselves for re-election.
2. **The Executive Management Committee**
  1. The Committee shall have authority to make regulations within the framework of the constitution and the Laws of the SASA, and to deal directly with any matter not provided for in the Constitution or Laws.
  2. The Officers of the Club and General Committee Representative shall serve for a maximum period of two years. The Past President shall also serve for a maximum period of two years and thereafter be filled by succession from the serving President. Officers of the Club and the General Committee Representative standing down may be put forward for re-election at the AGM.
  3. The Committee shall meet no less frequently than every three months and at any time that the Chairperson, in conjunction with the Secretary, shall deem necessary.
  4. The Chairperson shall have a deliberative and casting vote at Committee meetings where the voting is tied.
  5. The Committee shall have the power to appoint a Sub-Committee for any special purpose, with or without power to act.
  6. The Committee will have the power, after suitable investigation to suspend or expel any Member who has infringed Club regulations or who has acted in such a manner as to bring disrepute to the Club. Any property held by such a person, belonging to the club, must be returned within one week of termination of membership.
  7. The Executive Committee shall appoint such sub-committees as may be considered necessary.
  - 8 **The Executive Committee shall appoint at least one Child Protection Officer (CPO) who has attended an SASA approved training course.**

## **9.3 Meetings**

### **General**

1. At all meetings, if a quorum is present, the Chair shall be taken not later than five minutes after the appointed time of the meeting.
2. The Chairperson at all meetings of the Club shall be the President. In the absence of the President, the Vice President shall substitute.



In absence of the President and Vice President, those in attendance shall appoint a substitute.

3. In the event of equality of votes in any resolution before the meeting which requires a choice to be made for the continued good governance of the Club, the Chairperson of a meeting shall have a second or casting vote.
4. The Chairperson of a meeting shall be the sole judge of questions of order and interpreter of the "rules" governing the Club.
5. The Chairperson shall not move any motion from the Chair. In order to do so, they shall vacate the Chair until that business is concluded. The meeting shall be presided over by a substitute Chairperson elected from among those present.

### **Annual General Meeting (AGM)**

1. The Secretary shall give written notice of not less than 14 (fourteen) days prior to the date of the AGM. This notice shall be published on any club notice board and circulated to all Adult and Life Members.
2. Nominations for Officers of the Club and any other Members of the Executive Committee may be made usually at any AGM and shall be proposed and seconded.
3. Proposed alterations to the Constitution and Bye-Laws and notices of motion must be received by the Secretary not later than 7 days before any AGM.
4. The order of business for an AGM shall include:

Apologies for Absence

Approval of minutes from previous AGM & matters arising

Receive reports from the President and Secretary.

Receive a report from the Honorary Treasurer and approve the Annual Accounts.

Receive a report from the Auditors

Election of Executive Committee Members as and where appropriate in respect of the two-yearly cycle of elections or otherwise to fill vacancies arising

Appoint Auditors for the Club's Accounts

Proposed changes to the Constitution

Proposed changes to Bye-Laws

Award Life Membership(s)

Other relevant business

### **Extraordinary General Meeting (EGM)**

1. The Secretary will give notice, in writing of all Extraordinary General Meetings, stating the Agenda, to all Adult and Life Members at least thirty days prior to such meetings being held.

2. **The order of Business for an EGM shall be:**

**President's Remarks**

**Apologies for Absence**

**Business to be transacted of which due notice has been given.**

3. **No business shall be transacted at the EGM other than business of which due notice has been given.**

### **Executive and General Committee Meetings**

1 Notice of the date, time and venue of each committee meeting shall be published on the Club notice board at least 7 (seven) days prior to the meeting.

2 Adult Members who are not members of the Committees may attend with the agreement of the Chairperson but may not participate.

## **9.4 Finance & Accounts**

1. **The Treasurer shall arrange for the Auditor(s) to examine and certify the Club accounts and balance sheet before presentation of an audited summary to the AGM.**

2. The Treasurer shall submit a budget, to the last meeting of the Executive Committee prior to the AGM for the following financial year.

3. The Treasurer shall submit a financial statement to the Executive Committee no less frequently than every 3 (three) calendar months.

4. All outgoing payments shall be made by cheque, signed in accordance with paragraph C7.4 of the Constitution.

## **9.5 Discipline**

**Any Member guilty of conduct or breach of the Constitution, Bye-Laws, Regulations which is detrimental to the interests or aims of the Club may be disciplined by the Executive Management Committee, provided Paragraph C8.1 of the Constitution has been satisfied.**

### **Suspensions and Fines**

**The Executive Committee may Suspend, from activities wholly within its own jurisdiction, impose a Fine or Expel a member as a means of discipline.**

### **Grievances**

- 1. A Grievance, which is a formal expression of dissatisfaction or allegation of unfair practice in connection with the Management of the Club, can be made by:**
  - Any member of the Club**
  - A parent or guardian on behalf of a member under the age of 16 years.**
  - Any Individual.**
- 2. A grievance is made in writing to the Club Secretary, not later than 30 (thirty) days after the incident.**
- 3. An Enquiry Panel will be set up by the Club to consider the grievance in accordance with the Club Regulations.**
- 4. If the decisions of the Enquiry Panel do not satisfy the person who made the grievance, that person shall have a right of appeal to SASA in accordance with Club Bye-Law BL8.4.**

### **9.6 Complaints**

- 1. A complaint is a formal expression of dissatisfaction or allegation of unfair practice in connection with aquatic sports as governed by the SASA.**
- 2. A complaint must be made in accordance with Section 16 of the SASA Ltd Rules.**

### **9.7 Appeals**

- 1. An appeal may be made against decisions taken by the Club in respect to the outcome of a submitted grievance or against decisions taken by a National Enquiry Panel.**
- 2. An appeal must be made in accordance with Section 18 of the SASA Ltd Rules.**

### **9.8 Awards**

- 1. Life membership**
- 2. Life Membership may be presented to person(s) who have given outstanding service, over many years, to the Club and shall be presented at the Annual General Meeting or at any other time decreed suitable by the General Committee.**

3. A recommendation for Life Membership may be made by any Adult or Life Member to the Secretary for submission to the Executive Management Committee. Full details of the nominee's service should be included with the recommendations.

## **9.9 Trophies**

The winner of a Club trophy shall guarantee safe custody and return of the trophy when requested by the Executive Management Committee.

## **10.0 GENERAL**

1. The club will be affiliated to the Western District of the Scottish Amateur Swimming Association (SASA).

### **2. Membership and Subscription**

Each candidate for membership shall complete a Membership Application Form which, together with the appropriate fee, shall be submitted to the Secretary for consideration by the Committee.

3. All members will abide by the Committee instructions and will support the aims and objects of the Club.
4. The annual subscription shall be payable on joining the Club and thereafter on the first day of March each year. The amount will be determined annually at the Annual General Meeting (AGM).
5. Members in arrears will not be eligible to take part in the activities of the Club and e.g. will not be eligible to participate in training sessions of the Club.

## **Club Funds**

1. All funds, and any other property of the Club, will be applied to the furtherance of the Club. No funds or other property of the Club will be paid to or distributed among Members of the Club, except as allowed by SASA Law relating to expenses.
2. In the event of dissolution, the remaining assets or funds of the Club after the proper payment of all debts and liabilities shall be given as proposed by the Committee for charitable purposes to another recognised charitable organisation that has objects similar to those of the Club. In the event that effect cannot be given to this provision any remaining assets or funds shall be applied to some other charitable aim or aims as the membership shall decide.
3. The Club accounts will be closed in February of each year, and will be audited and submitted for approval at the AGM.

## **11.0 DISSOLUTION OF CLUB**

1. The Club may be dissolved by a two-thirds majority of members present and voting therefor after due notice of such a motion has been given to a properly convened EGM.