

SIDMOUTH GIG CLUB



SIDMOUTH --- GIG RACING CLUB

CONSTITUTION AND RULES OF SIDMOUTH GIG CLUB

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Sidmouth Gig Club Constitution

Adopted at the Annual General Meeting of the Club held at
the Port Royal Club on 15 September 2009

Section 1 – Name Objects and Activities

1.1 Name

The name of the Club is Sidmouth Gig Club ("the Club")

1.2 Objects ("the Objects")

1.2.1 The Objects of the Club are to promote and encourage participation in the healthy recreation of rowing ("the sport") by residents of Sidmouth and surrounding areas for the benefit of all-comers and including young people, the disabled, persons with special needs and those who are otherwise disadvantaged.

1.2.2 In order to advance the Objects, but not otherwise, the Club has powers to:

- (a) acquire and provide boats, equipment, coaching, training and rowing facilities, clubhouse, transport, first aid and related facilities;
- (b) provide coaching, training, first aid, and related social and other facilities;
- (c) take out any relevant insurance cover for the Club, employees, contractors, players, guests and third parties;
- (d) raise funds by appeals, subscriptions, loans, charges and similar methods;
- (e) borrow money and give security for the same, and open bank accounts;
- (f) buy, lease or licence property and sell, let or otherwise dispose of the same;
- (g) make grants and loans and give guarantees and provide other benefits;
- (h) set aside funds for special purposes or as reserves;
- (i) invest funds in any lawful manner;
- (j) employ and engage staff and others and provide services;
- (k) co-operate with or affiliate to any bodies regulating or organising the Sport, any clubs or bodies involved with the Sport and with government and related agencies;
- (l) do all other things reasonably necessary to advance the Objects.

1.3 Activities

1.3.1 The Club will as far as it is able provide sporting and related social facilities, boats and other sporting equipment, coaching, courses, insurance cover, first aid, transportation expenses for rowing events, post event refreshments and other ordinary benefits of Community Amateur Sports Clubs as provided for in the Finance Act 2002.

1.3.2 The Club may also in connection with the sports purposes of the Club:

- (a) sell and supply food, drink and related sports clothing and equipment;
- (b) organise social and fundraising events;
- (c) employ members (though not for rowing or participating in any sporting activity) and remunerate them for providing goods and services on fair terms set by the Committee without the persons concerned being present;
- (d) indemnify the Committee and members acting properly in the course of the running of the Club against any liability incurred in the proper running of the Club (but only to the extent of its assets);
- (e) pay for reasonable hospitality for visiting teams and guests.

1.3.3 In the provision of these activities the Club will have due regard to the laws on disability discrimination and child protection.

1.3.4 The Club will have due regard for its duty of care to all Members and to the public.

Section 2 – Membership

2.1 Membership of the Club shall be open to anyone interested in the Sport on application regardless of sex, age, disability, ethnicity, nationality, sexual orientation, religion or other beliefs. However, limitation of membership according to available facilities is allowable on a non discriminatory basis.

2.2 The Club may have different classes of membership and subscriptions on a non discriminatory and fair basis and voting rights may be restricted to certain classes of membership ("Voting Members"). The Club will endeavour to keep subscriptions at levels which will not pose a significant obstacle to people participating.

2.3 The membership year for 2009 will run from 1 October until the end of the following October. Subscription levels will be agreed by the Committee in September and will be notified to the membership during the first half of October. Members who fail to subscribe or renew their subscriptions by 31 October without giving a reason satisfactory to the Committee will be deemed to have resigned their memberships.

2.4 The Club Committee may refuse membership, or remove it, for good cause such as conduct or character likely to bring the Club or sport into disrepute. Appeal against refusal or removal may be made to an appeal committee comprising three committee members who have not been involved in the recommendation to refuse membership.

Section 3 – Management

3.1 The management of the Club's affairs including the control over all questions of policy and finance shall be vested in the Committee ("the Committee") which shall consist of a maximum of 12 members elected at the Club's AGM in accordance with these rules. Committee members may be paid up members of the Club. The Committee members may co-opt club members on to the Committee (up to the maximum permitted number) to serve until the end of the next AGM. All serving committee members shall resign at the AGM and shall be eligible for re-election. The Committee shall meet as often as it thinks fit but in any event not less than 6 times each year.

3.2 The Committee shall appoint such officers as it thinks fit from within its membership and shall nominate a maximum of four officers to be responsible for the day to day management of the Club.

3.3 Any Committee member may be re-elected or re-co-opted. Officers may usually serve for a maximum of 3 years continuously.

3.4 A Committee member ceases to be such if he or she fails to attend committee meetings on 3 successive occasions without offering satisfactory explanation, ceases to be a member of the Club, resigns by written notice, or is removed by the Committee for good cause (after the Member concerned has been given the chance of putting his or her case to the full Committee), or is removed by club members at a general meeting. The Committee shall decide time limits and formalities for these steps in accordance with natural justice.

3.5 The Committee shall have the power to appoint such sub-committees as it considers desirable for any purpose. The Committee shall decide on the terms of reference for all such sub-committees including any delegated powers. Each sub-committee shall appoint its own Chairman and Secretary. A sub-committee shall have the power to co-opt any person having special knowledge or experience. The Officers of the Club shall be ex-officio members of all such sub-committees and shall be entitled to receive notice of sub-committee meetings. All acts and proceedings of any sub-committees shall be reported back to the Management Committee as soon as possible.

3.6 The Committee may appoint experts who may or may not be members of the Club to advise on specific subjects including but not limited to rowing, training, health and safety.

3.7 Committee Meetings

3.7.1 Whenever a Committee member has a financial interest in a matter to be discussed he/she must declare it, withdraw from that part of the meeting, not be counted in the quorum for that agenda item and withdraw during the vote and have no vote on the matter concerned.

3.7.2 The Committee will decide on its method of operating. Unless it otherwise resolves the following rules will apply:

- (a) at least 4 members must be present for the meeting to be valid;
- (b) committee meetings shall be held face to face;
- (c) the Chairman or whoever else those present choose shall chair meetings;
- (d) decisions shall be by simple majority of those voting;
- (e) a resolution in writing signed by every Committee member shall be valid without a meeting;
- (f) the Chairman of the meeting shall have a casting vote;
- (g) committee meeting minutes shall be made available to members on request provided that matters of commercial confidence may be withheld by the Committee;

Section 4 – Meetings and Notices

4.1 Meetings Rules

4.1.1 Any meeting at which resolutions will be put before members will be either an Annual General Meeting or an Extraordinary General Meeting ("General Meetings") and these rules will apply.

4.1.2 All members may attend all General Meetings of the Club in person.

4.1.3 Except as provided in clause 5.2 hereof (proposal to wind up the Club), not less than fourteen clear days written notice of General Meetings including details of resolutions to be proposed will be given to all members. Members who have given email addresses to the Club are deemed to have agreed to accept receipt of notices by email and are responsible for ensuring changes of email addresses are notified to the Secretary.

4.1.4 The accidental omission to give notice of a General Meeting to any person entitled to receive notice or non-receipt by any person entitled to receive notice shall not invalidate the proceedings at the Meeting.

4.1.5 The quorum for all General Meetings is 8 members present.

4.1.6 The Chairman of the Committee or in his or her absence another member chosen at the General Meeting shall preside.

4.1.7 Except as otherwise provided in these Rules every resolution shall be decided by a simple majority of the votes cast by Voting Members on a show of hands. In the event of an equality of votes the Chairman shall have a second or casting vote.

4.2 Annual General Meetings ("AGM")

The Club will hold an AGM once in every calendar year and not more than 15 months shall elapse between AGMs. The notice for the AGM will be accompanied by an agenda for the meeting and a copy of the accounts and will invite nominations for election as officers or committee members. At every AGM:

- (a) The Chairman will present a report on the Club's activities since the previous AGM;
- (b) The Treasurer will present accounts of the Club for the latest financial year (audited as the Committee shall decide) for the approval of the meeting;
- (c) The Members will discuss and vote on any resolution (whether about policy or to change the Rules) of which due notice has been given to the Members;
- (d) The Members will discuss any special matter which the Committee may wish to bring before the members and may make suggestions for consideration by the Committee and deal with any other business put to the meeting;
- (e) The Members will elect a chairman, secretary and treasurer and up to a maximum of 9 members to the Committee to serve until the next AGM. Nominations for the positions of chairman, secretary and treasurer must be submitted to the current chairman or secretary at least two days before the meeting. The consent of Nominees must be obtained before the election.

4.3 Extraordinary General Meetings (EGM)

An EGM shall be called by the Secretary within 14 days of a request to that effect from the Committee or of the receipt of a written request of not less than 15 members signed by them and detailing the resolution or business to be discussed. Such EGM shall be held at a place decided upon by the Committee or in default by the Chairman on not less than 14 nor more than 21 days notice unless the business includes a resolution to wind up the Club in which case 28 days notice is required.

Section 5 – Alterations, Dissolution, Miscellaneous

5.1. Amendments

5.1.1 These Rules may be amended at a General Meeting by two-thirds of the votes cast but not (if relevant) so as to jeopardise the Club's status as a Community Amateur Sports Club as first provided for by the Finance Act 2002 and not in any event to alter its objects (unless the procedure in Clause 5.1.2 has been followed) or the winding up provisions hereof.

5.1.2 The Objects may be changed to include another eligible sport if the Committee unanimously agree and the members also agree the change by a 75% majority of votes cast.

5.2. Winding Up Provisions

5.2.1 The members may vote to wind up the Club if not less than 75% of those present and voting support that proposal at a properly convened General Meeting of which not less than 28 days notice has been given to all members.

5.2.2 The Committee will then be responsible for the orderly winding up of the Club's affairs.

5.2.3 After settling all liabilities of the Club, the Committee shall dispose of the net assets remaining to one or more of the following:

- (a) to another Club with similar objects which is a registered charity;
- (b) to another Club with similar sports objects which is a registered CASC Club;
- (c) to the Cornish Pilot Gig Association for use by them for related community sports.

5.3 The Property and funds of the Club shall be applied solely towards the promotion of the Objects and may not be used for the direct or indirect benefit of members other than in accordance with these rules. Surplus income shall be reinvested in the Club. Provided that nothing in these rules shall prevent payment of bona fide salaries or the reimbursement of out-of-pocket expenses with the approval of the Committee.

5.4 Communications. In the interests of economy email will be used as much as possible and members providing email addresses are deemed to have agreed to receive all communications by email and to be responsible for notifying the Club of changes.

5.5 Priority

Where there is any conflict between any of the above Rules ("key Rules") and any other rule or rules the key Rule(s) will take priority. Interpretation of all the Rules must be consistent with the statutory requirements for CASCs (which means Community Amateur Sports Clubs as first provided for by the Finance Act 2002.)

