

ALFORD OTTERS AMATEUR SWIMMING CLUB

CONSTITUTION AND BYELAWS



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CONSTITUTION

C 1.0 NAME

The Club shall be called Alford Otters Amateur Swimming Club (hereinafter referred to as the Club).

C 2.0 OBJECTIVES

C 2.1 The objectives 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 of the SASA Constitution (see appendix A).
- b) To provide a safe and happy environment to allow young people to meet socially in a range of water-based activities which are both instructive, and fun.
- c) To encourage and assist young people in stroke improvement and water safety techniques.
- d) To provide an opportunity for young people to be involved in and learn from the planning and decision making process of the group.
- e) To provide an opportunity for Junior Club Members and Swimming Members to compete.

C 3.0 MEMBERSHIP

C 3.1 The membership shall consist of the following categories :-

- Club Learn to Swim Member *
- Junior Club Member *
- Non Swimming Adult Member *
- Swimming Member *
- Life Members

*Sub Categories as defined in SASA Bye-Law BL3.2 (see appendix A)

C 3.2 Members (other than Life Members) shall pay membership and subscription fees as fixed at each Annual General Meeting. The Club in General Meeting may also require Members to contribute to the funds of the Club by way of a special levy.

C 3.3 All Club Members must be registered with the SASA.

C 3.4 All members joining the Club shall be deemed to accept the terms of this Constitution and any Bye-laws and Regulations from time to time adopted by the Club.

C 3.5 Any person seeking to join the Club shall submit an application to the Management Committee. Members shall be admitted by the Management Committee only.

C 3.6 The Management Committee shall have the power to turn down an application for membership, provided they act in accordance with BL 3.6.

C 4.0 GOVERNANCE

C 4.1 The Club shall be subject to and bound by the Constitution and Bye-Laws of the SASA, Memorandum, Articles and Rules of SASA Ltd. and North District SASA District Rules.

C 4.2 The Club shall comply with the SASA Code of Conduct (see Appendix B), the SASA Code of Ethics (see Appendix C) and the SASA Child Protection Guidelines.

C 4.3 The Club shall be governed by its Constitution, Bye-Laws and Regulations.

C 4.4 Changes to the Constitution and Bye-laws can only be made at a General Meeting.

C 4.5 Any change to the Constitution shall require a two thirds majority of those present, eligible to vote and voting at a General Meeting.

C 5.0 MANAGEMENT

C 5.1 The affairs of the Club shall be conducted by a Management Committee which shall consist of the Officers of the Club plus 4 ordinary members, all of whom shall be elected at the Annual General Meeting. There will also be 2 ex-officio members (Swimming Members) who shall be appointed at the Annual General Meeting.

C 5.2 The Officers of the Club, who shall be honorary, shall be the Chairperson, Vice-Chairperson, Treasurer and Secretary.

C 5.3 If the post of any Committee Member (including any Officer) should fall vacant after such an election, the Management Committee shall have the power to fill the vacancy until the next Annual General Meeting.

C 5.4 All Management Committee members must be members of the Club.

C 5.5 The Management Committee shall have full power to deal with all matters relating to the Club not reserved to a General Meeting in terms of this Constitution. This includes the power to make public and enforce such regulations and rules as the Management Committee feel necessary to govern the activities of the Club.

C 6.0 MEETINGS

C 6.0.1 Any decision that may be taken at an Extraordinary General Meeting or a Management Committee Meeting may be taken electronically provided that such decisions are made in accordance with the provisions of BL 6.3. This shall be called an e-vote.

C 6.0.2 With the exception of changes to the Constitution, decisions put to a vote at all meetings shall be resolved by simple majority of persons present entitled to vote.

C6.1 General Meetings

C 6.1.1 The Secretary shall publish notice to all members the date of any General Meeting at least 21 days prior to the date of the meeting.

C 6.1.3 The quorum at General Meetings shall be 8 Club Members (age 16 and over) including 2 Officers of the Club.

C 6.1.4 Annual General Meetings

The Club shall hold an Annual General Meeting in the month of June to:

- Approve the minutes of the previous year's AGM.
- Receive reports from the Chairperson and Secretary.

- Receive a report from the Treasurer and approve the Annual Accounts.
- Receive a report from those responsible for certifying the Club's accounts.
- Elect the Management Committee.
- Fix the subscription for the ensuing year.
- Consider any proposed changes to the Constitution.
- Review and consider any proposed changes to the Bye-laws.
- Deal with other relevant business.

C 6.1.5 Extraordinary General Meetings

C 6.1.5.1 An EGM shall be called by an application in writing to the Secretary supported by at least 8 Club Members (age 16 and over).

C 6.1.5.2 The Management Committee shall have the power to call an EGM by decision of a simple majority of its members.

C 6.1.5.3 Any Member of the Club over the age of 16 may call for a vote of "no confidence" in the Management Committee or its members by proposing a motion at a Management Committee Meeting or General Meeting. If the motion is carried then an EGM must be called to vote on the issue.

C 6.2 Management Committee Meetings

C 6.2.1 Management Committee Meetings shall be held no less frequently than once each term, where a term is as published by Alford Academy (there being 4 terms per year).

C 6.2.2 The quorum at Management Meetings shall be 4 including 2 Officers of the Club.

C 7.0 FINANCE AND ACCOUNTS

C 7.1 The financial year shall run from 1 April to 31 March each year.

C 7.2 The Treasurer shall be responsible for the preparation of Annual Accounts of the Club.

C 7.3 The Accounts shall be certified by an appropriate independent person elected by the Management Committee.

C 7.4 All cheques drawn against the Club's funds shall be signed by the Treasurer and one other office-bearer.

C 7.5 A voting member of the committee may not be appointed to a salaried office or receive any benefit in money or moneys worth.

C 7.6 All members of the Club shall be jointly responsible for the financial liabilities of the Club.

C 7.7 Any surplus of the Club's income will be reinvested in the Club and not distributed to its members.

C 8.0 DISCIPLINE

C 8.1 The Management Committee may take action (eg. fine, suspend or cancel membership) against any Club Member proved guilty of infringing the Club Regulations or acting in such a manner as to bring disrepute to the Club. Such action shall only be taken if the principles and procedures embodied in the Complaints, Appeals and Suspension & Fines sections of the SASA Constitution Bye-Laws and the SASA Ltd Rules, have been applied (C16, C17 and C18; BL16, BL17 and BL18; R16, R17 and R18 see Appendix A).

C 8.2 All Grievances, Complaints and Appeals except for doping, child abuse or alleged criminal offences, shall be dealt with in accordance with Section 8 of the Club Bye-Laws.

C 8.3 Grievances and Complaints involving doping, child abuse or other criminal offences shall be referred to the SASA Chief Executive within 48 hours, in accordance with SASA Ltd. Rule R16.1.3. (see Appendix A).

C 9.0 AWARDS

C 9.1 Nomination and selection procedures shall be in accordance with Section 9 of the Club Bye-Laws.

C 10.0 TROPHIES

C 10.1 All trophies belong to the Club in perpetuity and cannot be won outright.

C 10.2 The Club Treasurer shall act as Trustee of Club trophies.

C 11.0 DISSOLUTION

C 11.1 In the event of the dissolution of the Club any funds, property and other assets shall not be distributed amongst the members of the Club in any way whatsoever, but shall be applied towards the objective of the SASA.

C 11.2 So long as three members agree to support the Club it cannot be dissolved.

BYE-LAWS

BL 1.0 Not used

BL 2.0 Not used

BL 3.0 MEMBERSHIP

BL 3.1 Club Subscriptions

BL3.1.1 The Club subscription of existing members (agreed at the AGM) shall become due on the first Sunday of each term (where a term is a school term unless otherwise published by the Management Committee) and those of new members on the date of acceptance for membership.

BL3.1.2 The SASA subscription of existing Members shall become due on the first Sunday of the term starting in January each year.

BL 3.2 Members not renewing their Club subscriptions by the end of each term will be deemed to be non-members and will be notified in writing accordingly.

BL 3.3 All members will be excluded from taking part in any of the Clubs activities, competitions or meetings until their Club subscription is paid.

BL 3.4 A member wishing to resign from the Club shall inform the Secretary in writing.

BL 3.5 A Junior Club Member or Swimming Member wishing to change their 1st or 2nd Claim Club must do so in accordance with SASA Bye-Law BL8.2.4. (see Appendix A).

BL 3.6 When an application for membership is turned down by the Management Committee, the applicant must be advised of the reason and their right of appeal to the SASA, in writing.

BL 4.0 Not used

BL 5.0 MANAGEMENT

BL 5.1 There will be 2 Swimming Members of the Club acting as ex-officio members of the Management Committee.

BL 5.2 The term of office for Management Committee members shall be one year but each member shall be eligible for re-election. No person shall be entitled to serve for more than two years. An exception to this ruling shall only be allowed if there are not enough candidates put forward to fill the vacant seats.

BL 5.3 Management Committee member(s) elected or co-opted may only be replaced by the Management Committee until elections at an Annual General Meeting.

BL 5.4 The Management Committee shall be responsible for :-

- Carrying out the business of the group as will properly attain the aims in C2.0
- Appointing an appropriate independent person to certify the Club accounts.
- Hiring premises as may be needed.

- Purchasing/providing equipment as may be needed for use by the group.
- Receiving money and make payments on behalf of the group.
- Organising and controlling all members during Club hours.
- Appointing coaches and instructors.
- Selection of members to represent the Club.
- Organising of swimming activities as may be requested by other bodies.
- Recommending two Swimming Members to the A.G.M. each year.
- Considering and approving or otherwise nominations for Life Membership of the Club.
- The Management Committee shall appoint such sub-committees as may be considered necessary.

BL 5.4.1 The Management Committee shall appoint a Child Protection Officer (CPO) who has attended a SASA approved training course.

BL 6.0 MEETINGS

BL 6.0.1 At all meetings, if a quorum is present, the Chair shall be taken not later than fifteen minutes after the appointed time of the meeting.

BL 6.0.2 All Members when called to order at any meeting or gathering of the Club and not complying to the “rule of order” shall be expelled from the meeting.

BL 6.0.3 In the absence of the Chairperson at all meetings of the Club the Vice Chairperson shall substitute.

BL 6.0.4 In the absence of the Chairperson and Vice Chairperson, those in attendance shall appoint a substitute.

BL 6.0.5 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.

BL 6.0.6 The Chairperson of a meeting, shall be the sole judge of questions of order and interpreter of the “rules” governing the Club.

BL 6.0.7 The Chairperson shall not speak to, oppose or 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.

BL 6.0.8 The minutes of all meetings will be published in Alford Swimming Pool.

BL 6.1 General Meetings

BL 6.1.1 Annual General Meeting

BL 6.1.1.1 Appended to the notice of intimation of an AGM shall be the Agenda, minutes of the last AGM and a note of the process governing alteration to the Constitution and Bye-Laws and nominations for the Management Committee.

BL 6.1.1.2 Nominations for all Members of the Management Committee can be made at any time up to and including the election of the Management Committee Members agenda item at the AGM.

BL 6.1.1.3 Proposed alterations to the Constitution and Bye-Laws must be received by the Secretary not later than 14 days prior to the AGM. They must be signed by 2 members eligible to vote at the meeting.

BL 6.1.1.4 Having received all proposed alterations, the Secretary shall arrange for this information to be displayed on the Club notice board at least 7 days before the AGM.

BL 6.1.1.5 The order of business for a AGM shall be :

- Chairperson's Remarks
- Apologies for Absence
- Approval of minutes from previous AGM & matters arising.
- Financial Report and approval of accounts
- Proposed changes to Constitution
- Proposed changes to Bye-Laws
- Election of Management Committee Members
- Election of Office Bearers
- Life Membership Awards
- Other relevant business

BL 6.1.2 Extraordinary General Meeting

BL 6.1.2.1 Appended to the notice of intimation of an EGM shall be the Agenda.

BL 6.1.2.2 The order of Business for an EGM shall be :

- Chairperson's Remarks
- Apologies for Absence
- Business to be transacted of which due notice has been given

BL 6.1.2.3 No business shall be transacted at the EGM other than business of which due notice has been given.

BL 6.2 Management Committee Meetings

BL 6.2.1 Notice of the date, time and venue of each MCM shall be published in Alford Swimming Pool at least 7 days prior to the meeting.

BL 6.2.2 Adult Members who are not members of the MC, may attend, but may only participate with the agreement of the Chairperson.

BL 6.2.3 All Committee Members except ex-officio members shall have a deliberative vote.

BL 6.2.4 No decision of the Management Committee may be altered or revoked without 14 days prior notice of intent, in writing, being given to the Secretary.

BL 6.3 Electronic Meetings (E-votes)

BL 6.3.1 Any member of the Management Committee may submit a question, to the Secretary so that it may be put to an e- vote provided that the question has a Yes

- or No answer and that it falls within the remit of a Management Committee Meeting.
- BL 6.3.2 Any member of the Club may submit a question to the Secretary so that it may be put to an e- vote provided that the question has a Yes or No answer, falls within the remit of an Extraordinary General Meeting and has the same support as is required under the constitution to call an EGM.
- BL 6.3.3 The Secretary shall, as soon as reasonably practical, send the question to be put to an e- vote by e- mail to all Members eligible to vote in respect of the question. A notice of the e- vote, the question and all details on the e- vote message shall be posted on the Club notice- board at least one week before the close of vote date and time.
- BL 6.3.4 The e- mail shall clearly indicate the question to be answered, the date by which responses are required and that the following answers are permissible:
- Yes
 - No
 - Needs further discussion
- BL 6.3.5 A period of not less than one week shall be allowed for votes to be cast.
- BL 6.3.6 Any vote of 'Needs further discussion' shall immediately suspend the e- vote and automatically add the relevant question to the agenda of the next appropriate meeting. In the event that the question to be answered falls within the remit of an Extraordinary General Meeting, the Chairman shall immediately call an EGM in accordance with the provisions of the constitution.
- BL 6.3.7 The majority required to resolve an e- vote shall be the same as that required at other meetings as defined in the constitution.
- BL 6.3.8 The Secretary shall publish the result of an e- vote as soon after the closure date as is reasonably practical. Such publication shall be to the same distribution list as that used to put the relevant question.
- BL 6.3.9 The question and result of any e- vote shall be included in the minutes of the next EGM or Management Committee Meeting as is appropriate.

BL 7.0 FINANCE & ACCOUNTS

- BL 7.1** The Treasurer shall arrange for the selected appropriate independent person to examine and certify the Club accounts and balance sheet before presentation of a financial summary to the AGM.
- BL 7.2** The Treasurer shall submit a budget, to the last meeting of the MCM prior to the AGM, for the following financial year.
- BL 7.3** The Treasurer shall submit a financial statement to the MCM no less frequently than each term.

BL 8.0 DISCIPLINE

- BL 8.0 1 Any member guilty of conduct in breach of the Constitution, Bye- laws, Regulations, which is detrimental to the interests or aims of the Club, may be disciplined by the Management Committee provided Paragraph C 8.1 of the Constitution has been satisfied.
- BL 8.1** Suspensions and Fines
The MCM may suspend from activities wholly within its own jurisdiction, impose a fine or expel a member as a means of discipline.

BL 8.2 Grievances

BL 8.2.1 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

BL 8.2.2 A grievance is made in writing to the Club Secretary, not later than 30 (thirty) days after the incident.

BL 8.3 Complaints

BL8.3.1 A complaint may be made against decisions taken by the Club in respect to the outcome of a submitted grievance or as a formal expression of dissatisfaction or allegation of unfair practice in connection with aquatic sports as governed by the SASA.

BL8.3.2 A complaint must be made and dealt with in accordance with Section 16 of the SASA Ltd. Rules (See Appendix A).

BL 8.4 Appeals

BL 8.3.1 An appeal may be made against decisions taken by the National Enquiry Panel.

BL 8.3.1 An appeal must be made in accordance with Section 18 of the SASA Ltd Rules.

BL 9.0 AWARDS

BL 9.1 Life Membership

Life membership may be presented to person who has given outstanding service to the Club, over many years. Life Membership shall be presented at the Annual General Meeting or at any other time decreed suitable by the Management Committee.

BL 9.2 A recommendation for Life Membership must be made to the Secretary for submission to an MCM by any Club Member aged 16 or over. Full details of the nominee's service should be included with the recommendation.

BL 10.0 TROPHIES

BL 10.1 The winner of a trophy (or the parent or guardian of a Member aged under 16) shall be responsible for the safe custody and return of the trophy when requested by the MCM.

BL 10.2 The Club shall be responsible for arranging and funding the engraving of the winners name on the trophy.

BL 11.0 Not Used