

CONSTITUTION

C1.0 NAME

C1.1 The Club shall be called Alloa Amateur Swimming Club (hereinafter referred to as the Club)

C2.0 OBJECTIVES

C2.1 The objectives of the Club shall be to:-

- a) Advance the public participation in Aquatic Sports in accordance with paragraph C2.1 of the SASA Constitution.

C3.0 MEMBERSHIP

C3.1 The membership shall consist of the following categories:-

- a) **Adult Member**
An Adult is an individual 16 years and over, as recognised in Scots Law.
- b) **Junior Member**
A Junior is an individual not recognised in Scots Law as an adult and not as defined in Scottish Swimming Company Rule R4.5.6.
- c) **Life Member**
- d) **Associate Member**

C3.2 Membership fees shall be as agreed at each Annual General Meeting.

C3.2.1 The Scottish Amateur Swimming Association (SASA) Annual Membership fees for existing members (agreed at the SASA AGM) shall become due on 28 February each year and those of new members on the date of acceptance for membership.

C3.2.2 Members not renewing SASA Membership by 31 March will be deemed to be non-members and will be notified in writing accordingly.

C3.2.3 All members will be excluded from taking part in any of the Clubs activities, competitions or meetings until their SASA annual membership fees are paid.

C3.3 All Club Members must be registered with the SASA in accordance with the categories defined in SASA Constitution C3.3.3.

C3.4 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.

C3.5 A member wishing to resign from the Club shall inform the Secretary in writing.

C3.6 A Club member wishing to change their 1st or 2nd Claim Club must do so in accordance with Scottish Swimming Company Rule R5.2.

C3.7 The Management Committee shall have the power to turn down an application for membership, provided they act in accordance with paragraph C3.7.1.

C3.7.1 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 Scottish Swimming, in writing.

C4.0 GOVERNANCE

C4.1 The Club shall be subject to and bound by, the Scottish Swimming Governance Documentation (SASA Constitution, Company Articles and Company Rules) and the appropriate SASA District Rules.

C4.2 The Club shall comply with the Scottish Swimming Codes of Conduct, Ethics and Wellbeing and Protection Guidelines.

- C4.3 The Club shall be governed by its Constitution, Bye-Laws and Regulations.
- C4.4 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.
- C4.5 Amendments to the Bye-Laws shall only be made at a General Meeting provided a simple majority of those present and voting is secured.
- C4.6 The Management Committee shall have the power to publish and enforce such Regulations as the Committee feels necessary to govern the activities of the Club.

C5.0 MEETINGS

C5.1 General

C5.1.1 Notices

At least 30 days notice and the Agenda shall be given to all Adult and Life Members of any General Meeting

C5.1.2 Attendance

All Adult and Life Members are entitled to attend, take part and vote unless specifically excluded from doing so by the Club's Constitution.

C5.1.3 Voting

- a) With the exception of changes to the Constitution, decisions put to a vote shall be resolved by simple majority at General Meetings.
- b) Voting shall be by a show of hands unless decided otherwise by a majority of those attending the meeting.

C5.1.4 Quora

The quorum at General Meetings shall be two Officers of the Club plus Five members eligible to vote.

C5.1.5 Changes to the Constitution and Bye-Laws

- a) A proposal to change the Constitution or Bye-Laws must be submitted in writing to the Secretary, signed by two members eligible to vote at a General Meeting.

C5.1.6 Conduct of Business

The conduct of business shall be in accordance with Bye-laws Section BL2.1.

C5.2 Annual General Meeting (AGM)

C5.2.1 The Club shall hold an AGM in the month of April.

C5.2.2 The Secretary shall give notice not less than 30 days prior to the date of the AGM to all Adult and Life Members. The format of the notice shall be agreed by the Management Committee.

C5.2.3 Appended to the notice of intimation of an AGM shall be the Agenda, minutes of the last AGM, a note of the process governing alteration to the Constitution, Bye-Laws and nomination for the Management Committee.

C5.2.4 Nominations for Officers of the Club and other members of the Management Committee shall be submitted in writing, signed by two Adult or Life Members and the nominee, to the Secretary no later than 30 March.

C5.2.5 Proposed alterations to the Constitution and Bye-Laws and notices of motion must be received by the Secretary not later than 30 March.

C5.2.6 The Secretary shall arrange for all nominations and proposed alterations to be circulated at least seven days before the meeting. The format of the circulation shall be agreed by the Management Committee.

- C5.2.7** The business for an AGM shall include:
- a) Presidents Remarks
 - b) Apologies for Absence
 - c) Approval of minutes from previous AGM & matters arising.
 - d) Financial Report
 - e) Proposed changes to Constitution and Bye-Laws
 - f) Proposed changes to Bye-Laws of Motion
 - g) Appointment of President & Vice President(s)
 - h) Election of Management Committee Members (Secretary, Treasurer, Child Welfare Officer)
 - i) Other relevant business

C5.3 Extraordinary General Meeting (EGM)

- C5.3.1** An EGM shall be called by an application in writing to the Secretary supported by at least Five Adult Members of the Club. The Management Committee shall also have the power to call an EGM by decision of a simple majority of its members.
- C5.3.2** The Secretary will give notice, in writing of all EGMs, stating the Agenda, to all Adult and Life Members at least 30 days prior to such meetings being held.
- C5.3.3** The order of Business for an EGM shall be:
- a) President's Remarks
 - b) Apologies for Absence.
 - c) Business to be transacted of which due notice has been given.
- C5.3.4** No business shall be transacted at the EGM other than business of which due notice has been given.

C6.0 AWARDS

C6.1 Life Membership

- C6.1.1** 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 AGM or at any other time decreed suitable by the Management Committee.
- C6.1.2** A recommendation for Life Membership may be made by any Adult or Life Member to the Secretary for submission to the Management Committee.
Full details of the nominee's service should be included with the recommendation.
- C6.1.3** In the event that a Life Membership should require to be removed from any recipient, the Management Committee will make the decision to rescind and notify the Member concerned.

C7.0 TROPHIES

- C7.1** All trophies belong to the Club in perpetuity and cannot be won outright.
- C7.2** The Club Treasurer shall act as Trustee of Club Trophies.
- C7.3** The winner of a Club trophy shall guarantee safe custody and return of the trophy when requested by the Management Committee.

C8.0 DISSOLUTION

- C8.1** 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 given to the Sport's Governing body for use by them in community related sports.

BYE-LAWS

BL1.0 MANAGEMENT

- BL1.1** The affairs of the Club shall be conducted by a Management Committee which shall consist of the Officers of the Club
- BL1.2** The Officers of the Club, who shall be Honorary, shall consist of a President, Vice-President, Treasurer, Secretary and Child Welfare Officer who shall be elected at an AGM, as shall be the said Adult Committee Members.
- BL1.3** If the post of any Officer or Adult Committee Member should fall vacant after such an election, the Management Committee shall have the power to fill the vacancy.
- BL1.4** All Management Committee members shall be Adult or Life Members of the Club.
- BL1.5** Management Committee
 - BL1.5.1** The term of office for President, Vice President, Secretary and Treasurer shall be two years.
 - BL1.5.2** The term of office for the Adult Committee Members shall be two years.
 - BL1.5.3** Retiring Office Bearers of the Management Committee may offer themselves for re-election.
 - BL1.5.4** Management Committee members co-opted by the committee shall be subject to endorsement at the first EGM or AGM thereafter.
 - BL1.5.5** The Management Committee shall be responsible for:
 - a) Running the day to day management and affairs of the Club.
 - b) The organisation and control of all members during Club hours.
 - c) The appointment of coaches and instructors.
 - d) The selection of members to represent the Club.
 - e) The organisation of swimming activities as may be requested by other bodies.
 - BL1.5.6** The Management Committee shall appoint such sub-committees as may be considered necessary.
 - BL1.5.7** The Management Committee shall appoint at least one Wellbeing and Protection Officer (WPO) who has attended a Scottish Swimming approved training course.

BL2.0 MEETINGS

BL2.1 Standing Orders

- BL2.1.1** 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.
- BL2.1.2** 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.
- BL2.1.3** The Chair at all meetings of the Club shall be the President
In the absence of the President, the Vice President shall substitute.
In the absence of the President and Vice President, those in attendance shall appoint a substitute.
- BL2.1.4** 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 Chair of a meeting shall have a second or casting vote.
- BL2.1.5** The Chair of a meeting shall be the sole judge of questions of order and interpreter of the “rules” governing the Club.

- BL2.1.6 The Chair 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 Chair elected from among those present.

BL2.2 Management Committee Meetings

- BL2.2.1 The club shall hold Management Committee Meetings no less frequently than every two months.
- BL2.2.2 A Management Committee Meeting 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 four Adult or Life Members of the Club.
- BL2.2.3 A quorum for Management Committee Meetings shall be at least one Officer of the Club and two Committee members.
- BL2.2.4 The business of the meeting shall be enacted in accordance with Section BL2.1.
- BL2.2.5 The Secretary will give Notice of the date, time and venue of each committee meeting at least 7(seven) days prior to the meeting. The format of the notice shall be agreed by the Management Committee.

BL3.0 FINANCE & ACCOUNTS

- BL3.1 The financial year shall run from 1 April – 31 March each year.
- BL3.2 The Treasurer shall be responsible for the preparation of Annual Accounts of the Club.
- BL3.3 The Accounts shall be audited/examined by an independent person(s) elected annually at the AGM.
- BL3.4 All invoices / expenses received by the club should be signed off by an Officer of the Club before being processed by the Treasurer. All cheques drawn against the Club's funds shall be signed by a minimum of two Officers of the Club. When payments are required to be made by direct Bank transfer the Treasurer shall obtain e-mail/written agreement from the President or another Officer of the Club prior to making an electronic payment.
- BL3.5 The Management committee can enter into contracts and/or partnerships, on behalf of the Club, provided each proposal is fully discussed at and recorded in the minutes of a quorate committee meeting prior to the commitment being made.
- BL3.6 All Adult Members and Life Members, who are Adult Committee Members of the Club, shall be jointly responsible for the financial liabilities of the Club
- BL3.7 Any surplus of the Club's income will be re-invested in the Club and not distributed to its members.
- BL3.8 The Treasurer shall arrange for the Auditor/Independent Examiner to examine and certify the accounts and balance sheet before presentation of a certified summary to the AGM.
- BL3.9 The Treasurer shall submit a financial statement to the Management Committee no less frequently than every three months.
- BL3.10 All outgoing payments shall be made by cheque or direct Bank transfer duly authorised in accordance with paragraph BL3.4.

BL4.0 DISCIPLINE

- BL4.0.1 All Grievances, Complaints and Appeals, except for doping, wellbeing or protection, or alleged criminal offences, shall be dealt with in accordance with Sections BL4.2, BL4.3 and BL4.4.
- BL4.0.2 Grievances and Complaints involving doping should be referred to British Swimming as Per Scottish Swimming Company Rule R13.1.3.

BL4.0.3 Grievances and Complaints involving, wellbeing or protection, or other criminal offences shall be referred to Scottish Swimming within 48 hours, in accordance with Scottish Swimming Company Rule R13.2.1.

BL4.1 Suspensions and Fines

BL4.1.1 The Management Committee may take action (e.g. fine, suspend or cancel membership) against any Club Member proved guilty of conduct or breach of the Constitution, Bye-laws, Regulations which is detrimental to the interests or aims of the Club or for 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 Scottish Swimming Governance Documentation (Sections R12 to R15) have been applied.

BL4.2 Grievances

BL4.2.1 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:

- a) Any member of the Club
- b) A parent or guardian on behalf of a Junior member as defined in paragraph C3.1(b)
- c) A parent or guardian on behalf of a Member classified as a Vulnerable Person, defined as a person who lacks sufficient capacity to present a grievance by themselves.
- d) Any Individual

BL4.2.2 A grievance is made in writing to the Club Secretary, not later than 30(thirty) days after the incident.

BL4.2.3 An Enquiry Panel will be set up by the club to consider the grievance in accordance with the Club Regulations.

BL4.2.4 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 Scottish Swimming in accordance with Section BL4.4.

BL4.3 Complaints

BL4.3.1 A complaint is a formal expression of dissatisfaction or allegation of unfair practice in connection with aquatic sports as governed by Scottish Swimming.

BL4.3.2 A complaint must be made in accordance with Scottish Swimming Company Rules Sections R12 to R15.

BL4.4 Appeals

BL4.4.1 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 Complaints Committee.

BL4.4.2 An appeal must be made in accordance with Scottish Swimming Company Rules Sections R12 to R15.