



Bridge of Don Amateur Swimming Club Constitution, Bye-Laws and Regulations

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The club Rules and Regulations are contained in the current version of the Club Handbook which is also available on the Club website www.bodasc.co.uk.

Constitution

C1.0 Name

The Club shall be called “Bridge of Don Amateur Swimming Club” (Hereinafter referred to as the Club).

C2.0 Objectives

The objectives of the Club shall be to :-

- a) Advance the public participation in Aquatic Sports by promoting and managing the teaching, knowledge and practice of one or more Aqua Sports, in accordance with paragraph C2.2 and C2.5 of the SASA Constitution.

C3.0 Membership

C3.1 Membership Groups

Membership is open to all of the community without discrimination and shall consist of the following categories as per SASA C3.3.3

There are two categories of members of Affiliated Clubs and a member may register in only one category. Those members who fall into both categories must register as a swimmer and pay the higher fee.

- (a) Swimmer – a member of any age who participates in any aquatic discipline.
- (b) Non-Swimmer – a member who does not participate in any aquatic discipline as defined by the following classifications:
 - (i) Club Volunteer – A member 14 years and over and not a competitor, who volunteers for their club in any capacity at any time.
 - (ii) Club Volunteer Technical Official – A member who volunteers for their club and who holds a current technical official qualification issued by a recognised governing body for aquatics i.e. British Swimming or international equivalent.
 - (iii) Teacher and Coach – A member who holds a current teaching or coaching qualification issued by a recognised governing body for aquatics i.e. SASA, ASA, WASA, British Swimming, an international equivalent, or S/NVQ in coaching.

Life Members Awarded as per BL9.0 Awards.

C3.2 Bridge of Don Swim School shall be affiliated to Scottish Swimming and operate in accordance with SASA 3.4.

C3.3 Membership fees shall be as agreed at each Annual General Meeting.

C3.3.1 All Club Members must be registered with the SASA as per SASA C3.3.1.

C3.3.2 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.

C3.3.3 The management Committee shall have the power to turn down an application for membership, provided they act in accordance with Bye-Law BL3.7.

C4.0 Governance

- C4.1** The management Committee shall have the power to turn down an application for membership, provided they act in accordance with Bye-Law BL3.6.
- C4.2** The Club shall comply with the SASA Code of Conduct, the SASA Code of Ethics and the SASA Child 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 Management

- C5.1** The affairs of the Club shall be conducted by a Management Committee which shall consist of the Officers of the Club plus eleven other Adult Members and ex-officio members set out in Bye-Law BL5.1
- C5.2** 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, as shall be the said Adult Members.
- C5.3** 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.
- C5.4** All Management Committee members shall be Adult members of the Club.

C6.0 Meetings

C6.1 General Meetings

C6.1.1 Notices

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

C6.1.2 Attendance

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.

C6.1.3 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.

C6.1.4 Quora

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

C6.1.5 Changes to the Constitution and Bye-Laws.

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

C6.2 Annual General Meeting (A.G.M.)

C6.2.1 The Club shall hold an Annual General Meeting in the month of March to:

- Approve the minutes of the previous year's A.G.M.
- Receive reports from the President and Secretary.
- Receive a report from the Honorary Treasurer and approve the Annual Accounts.
- Receive a report from the Auditor(s)/Independent Examiner(s).
- Approve Management Committee appointing Auditor(s)/Independent Examiner(s) for the Club's Accounts.
- Consider changes to the Constitution.
- Consider changes to the Bye-Laws.
- Elect Management Committee Members.
- Present Life Membership(s).
- Deal with other relevant business.

C6.3 Extraordinary General Meeting (E.G.M.)

C6.3.1 An Extraordinary General Meeting shall be called by an application in writing to the Secretary supported by at least fifteen Adult Members of the Club. The Management Committee shall also have the power to call an E.G.M. by decision of a simple majority of its members.

C6.4 Management Committee Meetings (M.C.M.)

C6.4.1 The club shall hold Management Committee Meetings no less frequently than every two months.

C6.4.2 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 seven Adult Members of the Club.

C6.4.3 A quorum for Management Committee Meetings shall be at least one Officer of the Club and six Committee members.

C6.4.4 The business of the meeting shall be enacted in accordance with Section 6 of the Bye-laws.

C7.0 Finance & Accounts

C7.1 The financial year shall run from 1st March to the last day of February each year.

C7.2 The honorary Treasurer shall be responsible for the preparation of Annual Accounts of the Club.

C7.3 The Accounts shall be audited/examined by an independent person(s) appointed by the Management Committee.

C7.4 All cheques drawn against the Club's funds shall be signed by a minimum of two Officers of the Club.

C7.5 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.

C7.6 All adult members of the Club shall be jointly responsible for the financial liabilities of the Club.

C7.7 Any surplus of the club's income will be re-invested in the club and not distributed to its members.

C8.0 Discipline

C8.1 The Management Committee may take action (e.g. 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 and the SASA Company Rules have been applied.

C8.2 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.

C8.3 Grievances and Complaints involving child abuse or other criminal offences shall be referred to the SASA Chief Executive within 48 hours, in accordance with SASA Company Rule R16.1.4 Failure to do so may result in disciplinary action. If the complaint involves the use of drugs the complaint shall be referred to British Swimming for action and no further action taken under the complaints procedure as per R12.1.5.

C9.0 Awards

C9.1 Nomination and selection procedures shall be in accordance with Section 9 of the Bye-Laws.

C10.0 Trophies

C10.1 All trophies belong to the Club in perpetuity and cannot be won outright.

C10.2 The Club Honorary Treasurer shall act as Trustee of Club Trophies.

C11.0 Dissolution

C11.1 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.

C11.2 So long as three members agree to support the Club it cannot be dissolved.

Bye-Laws

BL1.0 [Not used]

BL2.0 [Not used]

BL3.0 **Membership**

BL3.1 Members of the club aged 16 years or over are classed as Adult Members.

BL3.2 The subscription of existing members (agreed at the A.G.M.) shall become due on 1 September in each year and those of new members on the date of acceptance for membership.

BL3.3 Members not renewing by 30 September will be deemed to be non-members and will be notified in writing accordingly.

BL3.4 Members will be excluded from taking part in any of the Clubs activities, competitions or meetings until their annual subscription is paid.

BL3.5 A member wishing to resign from the Club shall inform the Secretary in writing.

BL3.6 A Club member wishing to change their 1st OR 2nd claim Club must do so in accordance with SASA Company Rule R5.2.

BL3.7 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.

BL4.0 [Not used]

BL5.0 **Management**

BL5.1 The Management Committee shall comprise the Officers of the Club (as defined in paragraph C5.2), Assistant Secretary, Meet Secretary, Assistant Meet Secretary, Child Protection Officer, Equipment Convenor, STO Convenor, Membership Secretary, Learn to Swim Co-ordinator, Coaches representative, Newsletter Editor and a Social Convenor. The Squad Coaches will be ex-officio members.

BL5.2 The term of office for President, Secretary and Treasurer shall be one year.

BL5.3 The Vice President, the Assistant Secretary and Meet Secretaries shall be elected for a term of one year.

BL5.4 The term of office for the other Adult Members shall be one year.

BL5.5 Retiring members of the Management Committee may offer themselves for re-election.

BL5.6 Management Committee members shall hold a post consecutively for no more than three years, unless if no new member applies for election, then with the agreement of adult members at the A.G.M. the existing member may continue for one further year.

BL5.7 Management Committee members co-opted by the committee shall be subject to endorsement at the first E.G.M. or A.G.M. thereafter.

- BL5.8** The Management Committee shall be responsible for:-
- a) The organisation and control of all members during Club hours.
 - b) The annual appointment of coaches and instructors.
 - c) The selection of members to represent the Club.
 - d) The handicapping of Club events as necessary.
 - e) The organisation of swimming activities as may be requested by other bodies.
 - f) Appoint Auditors for the Club accounts.
 - g) Considering and approving or otherwise nominations for Life Membership of the Club.
 - h) Set training fees

BL5.9 The Management Committee shall appoint such sub-committees as may be considered necessary.

BL5.10 The Management Committee shall appoint at least one Child Protection Officer (CPO) who has attended an SASA approved training course.

BL6.0 Meetings

BL6.1 General

- BL6.1.1 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.
- BL6.1.2 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.
- BL6.1.3 The Chairperson 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.
- BL6.1.4 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 Chairperson of a meeting shall have a second or casting vote.
- BL6.1.5 The Chairperson of a meeting, shall be the sole judge of questions of order and interpreter of the “rules” governing the Club.
- BL6.1.6 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.
- BL6.1.7 The minutes of all meetings will be available to Adult and Life Members.

BL6.2 Annual General Meeting (A.G.M.)

- BL6.2.1 The Secretary shall give written notice of not less than 30(thirty) days prior to the date of the A.G.M.. This notice shall be published on the Club notice board and website and circulated to all life members.
- BL6.2.2 Appended to the notice of intimation of a A.G.M. shall be the Agenda, minutes of the last A.G.M., a note of the process governing alteration to the Constitution, Bye-Laws and nomination for the management Committee.
- BL6.2.3 Nominations for Officers of the Club and other members of the Management Committee shall be submitted in writing, signed by two Adult Members and the nominee, to the Secretary no later than the date of the meeting.

- BL6.2.4 Proposed alterations to the Constitution and Bye-Laws and notices of motion must be received by the Secretary not later than twenty eight days prior to the meeting.
- BL6.2.5 Having received all proposed alterations, the Secretary shall arrange for this information to be displayed on the Club notice board at least 7(seven) days before the meeting.
- BL6.2.6 The order of business for a A.G.M. shall be:
- President's remarks
 - Apologies for absence
 - Approval of minutes from previous A.G.M. & matters arising.
 - Hon. Secretary report
 - Meet Secretary report
 - Coach report
 - Financial report
 - Set membership fees for the year
 - Proposed changes to Constitution
 - Proposed changes to Bye-Laws
 - Election of Management Committee members
 - Approve Management Committee appointing Auditors for the Club's accounts
 - Life membership awards
 - Other relevant business

BL6.3 Extraordinary General Meeting (E.G.M.)

- BL6.3.1 The Secretary will give notice, in writing of all Extraordinary General Meetings, stating the Agenda, to all adult and Life Members at least 30 days prior to such meetings being held.
- BL6.3.2 The order of Business for an E.G.M. shall be:
- President's remarks
 - Apologies for absence.
 - Business to be transacted of which due notice has been given
- BL6.3.3 No business shall be transacted at the E.G.M. other than business of which due notice has been given.

BL6.4 Management Committee Meetings (M.C.M.)

- BL6.4.1 Notice of the date, time and venue of each M.C.M. shall be published on the Club notice board at least 7(seven) days prior to the meeting.
- BL6.4.2 Adult Members or parents of junior members who are not members of the M.C., may attend, but may only participate with the agreement of the Chairperson.
- BL6.4.3 All, except ex-officio members shall have a deliberative vote.
- BL6.4.4 No decision of the M.C. may be altered or revoked without 14 (fourteen) days prior notice of intent, in writing, being given to the Secretary.

BL7.0 Finance & Accounts

- BL7.0.1 The Treasurer shall arrange for the Auditor(s)/Independent Examiner(s) to examine and certify the Club accounts and balance sheet before presentation of an audited summary to the A.G.M..
- BL7.0.2 The Treasurer shall submit a budget, to the last meeting of the M.C. prior to the A.G.M., for the following financial year.
- BL7.0.3 The Treasurer shall submit a financial statement to the M.C. no less frequently than every 3(three) calendar Months.
- BL7.0.4 All cheques drawn against the Club's funds shall be signed in accordance with paragraph C7.4 of the Constitution.
- BL7.0.5 The Treasurer will make payments through the secure BACS system when possible.
- BL7.0.6 No financial commitment can be made without the approval of the M.C..

BL7.1 Membership Fees

- BL7.1.1 The membership fee shall be payable by the 1st of September each year. Members will be deemed to have discontinued their membership if they have not paid their fees by the 30th of September. The Management Committee shall have discretion to offer membership at a reduced rate for members joining the Club between 1st April and 30th June. The fee is non-refundable.
- BL7.1.2 Members will be notified of the Membership Fee due 28 days in advance of the due date.

BL8.0 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 M.C., provided Paragraph C8.1 of the Constitution has been satisfied.

BL8.1 Suspensions and Fines

- BL8.1.1 The M.C. may suspend, from activities wholly within its own jurisdiction, impose a fine or expel a member as a means of discipline.

BL8.2 Grievances

- BL8.2.1 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
 - An Individual
- BL8.2.2 A grievance is made in writing to the Club Secretary not later than 30(thirty) days after the incident.
- BL8.2.3 A club enquiry panel will be set up by the President to consider the grievance in accordance with the club regulations.
- BL8.2.4 If the decisions of the club enquiry panel do not satisfy the person who made the grievance that person shall have the right of appeal to SASA in accordance with club BL8.4.

BL8.3 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 in accordance with Section 12 of the SASA Rules.

BL8.4 Appeals

- BL8.4.1 An appeal may be made against decisions taken by the National Enquiry Panel.
- BL8.4.2 An appeal must be made in accordance with Section 14 of the SASA Rules.

BL9.0 Awards

BL9.1 Life Membership

- BL9.1.1 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 Annual General Meeting or at any other time decreed suitable by the M.C.M..
- BL9.1.2 A recommendation for Life Membership may be made by any Adult or Life Member to the Secretary for submission to the M.C.. Full details of the nominee's service should be included with the recommendation.

BL10.0 Trophies

- BL10.1 The winner of a Club trophy shall guarantee safe custody and return of the trophy when requested by the Management Committee. In the event of loss or damage thereto, the Member aged 16 years and over or the parents of the Member aged under 16, shall be responsible for the repair or replacement of the same.
- BL10.2 The Club shall be responsible for arranging and funding the engraving of the winners name on all Club trophies.
- BL10.3 If any Member resigns, that Member shall immediately return all trophies to the Club.

BL11.0 [Not used]