

CUPAR & DISTRICT SWIMMING CLUB
CONSTITUTION, BYE-LAWS AND REGULATIONS

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SASA in this document refers to the Scottish Amateur Swimming Association.

Regulations

Club Grievance Procedure

The club's Complaints and Grievance procedure shall follow the guidelines set out by SASA.

Child Protection Officer Appointments and Terms of Reference.

The Club shall appoint a Child Protection Officer who will work under the guidance set out by SASA.

Club Championships

The main club championships shall normally be held at the Cupar Swimming Pool towards the end of the calendar year. The distance championships will normally be held at the Cupar Swimming Pool in the Spring.

Life Saving

The Club has a Life Saving section. The club will normally be affiliated to the Royal Life Saving Society.

CONSTITUTION

C 1.0 NAME

The Club shall be called Cupar and District Swimming Club (Hereinafter referred to as the Club)

C2.0 OBJECTS

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

C3.0 MEMBERSHIP

C3.1 The membership shall consist of the following categories:-
Adult Members (16 years and Over)

- a) Swimming Member *
- b) Non Swimming Member *

Junior Members (Under 16 years but 6 years and over)

- a) Learn to Swim Member *
- b) Junior Club Member *
- c) Swimming Member *

* Sub Categories as defined in SASA Bye-Law BL3.2

Life Members

- C3.2 Membership fees shall be as agreed at each Annual General Meeting.
- C3.3 All Club Members must be registered with the SASA
- C3.4 All members joining the Club shall be deemed to accept the terms of this Constitution, the Club Bye-Laws and any Regulations from time to time adopted by the Club.
- C3.5 The Management Committee shall have the power to turn down an application for membership, provided they act in accordance with Bye-Law BL3.6.

4.0 GOVERNANCE

- C4.1 The Club shall be guided by the Constitution and Bye-Laws of the SASA, Memorandum, Articles and Rules of SASA Ltd. and the appropriate SASA District Rules.
- 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.

5.0 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 ten 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

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 fifteen 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 (AGM)

C6.2.1 The Club shall hold an Annual General Meeting in the month of November 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 Management Committee Members
- 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

C6.3 Extraordinary General Meeting (EGM)

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, and stating the business to be

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

C6.4 Management Committee Meetings (MCM)

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

C6.4.2 A Management Committee Meeting shall be called by the Secretary when there is business to transact or on request of a 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 five 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 October to 30th September 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 by an independent person(s) elected annually at the Annual General Meeting.

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 (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 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 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.

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 two 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 The subscription of existing members (agreed at the AGM) shall

become due on 1 January in each year and those of new members on the date of acceptance for membership.

BL3.2 Members not renewing by 31 March will be deemed to be non-members.

BL3.3 All members will be excluded from taking part in any of the Clubs activities, competitions or meetings until their annual subscription is paid.

BL3.4 A member wishing to resign from the Club shall inform the Secretary in writing.

BL3.5 A Junior/Swimming member wishing to change their 1st or 2nd Claim Club must do so in accordance with SASA Bye-Law BL8.2.4.

BL3.6 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.

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), Child Protection Officer, and nine other Adult members. The Squad Coaches, Club Boy Captain and Club Girls Captain will be ex-officio members if not already elected onto the committee.

BL5.2 The term of office for President, Secretary and Treasurer shall be two years.

BL5.3 Not used

BL5.4 The term of office for the other Adult Members shall be two years, half retiring annually.

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

BL5.6 Management Committee member(s) elected or co-opted to fill a vacancy part way through a term of office shall retire in sequence with the original order of rotation.

BL5.7 Management Committee members co-opted by the committee shall be subject to endorsement at the first EGM or AGM 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) Appointing the Boy and Girl Captains in January each year when deemed appropriate by the Committee.~~
g) Considering and approving or otherwise nominations for Life Membership of the Club.

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.

BL5.11 No person shall be eligible for office unless he or she or their child has been a member of the club for at least three months. No member shall be eligible for the position of office bearer until he/she has served on the Management Committee for a

minimum period of one year. No member shall be eligible for the role of president until he/she has served as Vice President, or has been a member of the Management Committee for at least two years.

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 Not used

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.

BL6.2 Annual General Meeting (AGM)

BL6.2.1 The Secretary shall give written notice of not less than 30(thirty) days prior to the date of the AGM. This notice shall be published on the Club notice board and circulated to all Adult and Life Members

BL6.2.2 Appended to the notice of intimation of a AGM shall be the Agenda, minutes of the last AGM, a note of the process governing alteration to the Constitution, Bye-Laws and nominations 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 seven days before 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 30 days before the meeting.

BL6.2.5 Having received all nominations and proposed alterations, the Secretary shall arrange for this information to be displayed on the Club notice board at least four days before the meeting

BL6.2.6 The order of business for a AGM shall be :

Presidents Remarks
Apologies for Absence
Approval of minutes from previous AGM & matters arising.
Hon. Secretary Report
Reports from squad controllers
Financial Report
Proposed changes to Constitution
Proposed changes to Bye-Laws
Election of Management Committee Members
Appointment of Auditors
Life Membership Awards
Other relevant business

BL6.3 Extraordinary General Meeting (EGM)

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 EGM 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 EGM other than business of which due notice has been given.

BL6.4 Management Committee Meetings (MCM)

BL6.4.1 Notice of the date, time and venue of each MCM shall be published on the Club notice board at least 7(seven) days prior to the meeting

BL6.4.2 Adult Members who are not members of the MCM may attend, but may only participate with the agreement of the Chairperson.

BL6.4.3 All management committee members, except those present as ex-officio members shall have a deliberative vote.

BL6.4.4 No decision of the MCM 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) to examine and certify the Club accounts and balance sheet before presentation of an audited summary to the AGM.

BL7.0.2 The Treasurer shall submit a budget, to the last meeting of the MCM prior to the AGM, for the following financial year.

BL7.0.3 The Treasurer shall submit a financial statement to the MCM no less frequently than every 3(three) calendar Months.

BL7.0.4 All outgoing payments shall be made by cheque, signed in accordance with paragraph C7.4 of the Constitution.

BL8.0 DISCIPLINE

BL8.0.1 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 MCM, provided Paragraph C8.1 of the Constitution has been satisfied

BL8.1 Suspensions and Fines

BL8.1.1 The MCM 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 16years.

Any Individual.

BL8.2.2 A grievance is made in writing to the Club Secretary, not later than 30(thirty) days after the incident.

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 16 of the SASA Ltd. 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 18 of the SASA Ltd. 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 MCM.

BL9.1.2 A recommendation for Life Membership may be made by any Adult or Life Member to the Secretary for submission to the MCM. 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.

BL10.2 The Club shall be responsible for arranging and funding the engraving of the winners name on all Club trophies.

BL11.0 Not Used