

WARRENDER BATHS CLUB

CONSTITUTION, BYE-LAWS AND REGULATIONS

INDEX

Constitution

| | | |
|---------|-------|--|
| Section | C1.0 | Name |
| Section | C2.0 | Objectives |
| Section | C3.0 | Membership |
| Section | C4.0 | Governance |
| Section | C5.0 | Management |
| Section | C6.0 | Meetings |
| | | C6.1 General Meetings |
| | | C6.2 Annual General Meeting (AGM) |
| | | C6.3 Extraordinary General Meeting (EGM) |
| | | C6.4 Executive Committee Meetings (ECM) |
| Section | | C7.0 Finance and Accounts |
| Section | C8.0 | Discipline |
| Section | C9.0 | Awards |
| Section | C10.0 | Trophies |
| Section | C11.0 | Dissolution |

Bye-Laws

| | | |
|---------|--------|---|
| Section | BL1.0 | (not used) |
| Section | BL2.0 | (not used) |
| Section | BL3.0 | Membership |
| Section | BL4.0 | (not used) |
| Section | BL5.0 | Management |
| Section | BL6.0 | Meetings |
| | | BL6.1 General |
| | | BL6.2 Annual General Meeting (AGM) |
| | | BL6.3 Extraordinary General Meeting (EGM) |
| | | BL6.4 Executive Committee Meetings (ECM) |
| Section | BL7.0 | Finance and Accounts |
| Section | BL8.0 | Discipline |
| | | BL8.1 Suspension and Fines |
| | | BL8.2 Grievances |
| | | BL8.3 Complaints |
| Section | BL9.0 | Awards |
| Section | BL10.0 | Trophies |
| Section | BL11.0 | (not used) |

Regulations

Regulations will be specific to the individual Club.
The following are examples of possible subjects:-

Colours

Standing Committees

Club Sessions

Training Squads

Competition Entries

Coach(es)

Team Managers and Chaperones

Technical Officials

Trophies

Annual Championships

Life Saving Activities

(Not yet used)

Sept. 2004

CONSTITUTION

C 1.0 NAME

The Club shall be called “Warrender Baths Club” hereinafter referred to as “the Club”.

C2.0 OBJECTIVES

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 Member (16 years and Over)

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

Junior Members (Under 16 years)

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

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

Family Members, as defined in Club Bye-Law BL 3.7

Associate Members, as defined in Club Bye-Law BL 3.8

Student Members, as defined in Club Bye-Law BL 3.9

Non-Resident Members, as defined in Club Bye-Law BL 3.10

Life Members, as defined in Club Bye-Law BL 9.1

Honorary Life Associates, as defined in Club Bye-Law BL 9.2

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

- C3.3 All Club Members must be Registered with the SASA, to include all swimming / Competitive members enjoying Family Membership.
- 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 Executive 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 subject to and bound 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 Executive 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 an Executive Committee which shall consist of the Officers of the Club, other than the Honorary President and the Honorary Vice-Presidents, plus further members as set out in Club Bye-Law BL 5.1.
- C5.2 The Officers of the Club, who shall be honorary, shall consist of an Honorary President, five Honorary Vice-Presidents, President, Senior

Vice-President, Junior Vice-President, Treasurer and Secretary who shall be elected at an Annual General Meeting.

C5.3 If the post of any Officer or Adult committee member should fall vacant after such an election, the Executive Committee shall have the power to fill the vacancy.

C5.4 All Executive 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 thirteen 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 honorary 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 October, or within one week thereafter, as per Club Bye-Law BL 6.2, to:

- Approve the minutes of the previous year's AGM.
- Receive reports from the President and Secretary.
- Receive a report from the Treasurer and approve the Annual Accounts.
- Receive a report from the Auditors.
- Elect Executive 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 twenty Adult Members of the Club. The Executive Committee shall also have the power to call an EGM by decision of a simple majority of its members.

C6.4 Executive Committee Meetings (ECM)

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

C6.4.2 An Executive 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 Executive Committee Meetings shall be at least five 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 August until the 31st July in the following calendar 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 the honorary Treasurer or by the President of the Club.

C7.5 The Executive 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 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 Suspensions & Fines sections of the SASA Constitution Bye-Laws and the SASA Ltd. 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 or other assets shall not be distributed amongst the members of the Club in any way whatsoever, but shall be applied towards the objectives of the SASA. See Club Bye-Law BL 11.
- C11.2 So long as three members agree to support the Club it cannot be dissolved.
- C11.3 In the event that it is decided that the Club shall be wound up or Dissolved, the procedures shall be as per Club Bye-Law BL 11.

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 the date of the Annual General Meeting in each year and must be paid within one month of that date. The subscriptions of new members shall become due on the date of acceptance for membership.
- BL3.2 Members not renewing by 28th February will be deemed to be non-members and will be notified in writing accordingly.
- BL3.3 All members will be excluded from taking part in any of the Club's 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 before the date of the Annual General Meeting, otherwise they will be liable for the ensuing year's subscription.
- 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 Executive Committee, the applicant must be advised of the reason and of their right of appeal to the SASA, in writing.
- BL3.7 Family Membership.
- BL3.7.1 Family Membership shall be available on payment of a modified Annual Subscription to a parent or parents and his, her or their child or children under the age of 16 years on the 31st December in each year.
- BL3.7.2 There must be a minimum of one parent (Adult, aged sixteen years and over) in each Family Membership.

BL3.7.3 Family Membership will only entitle the Adult parent or Adult parents to vote at all general meetings, but the members of the family will otherwise enjoy all rights, privileges and responsibilities of ordinary membership.

BL 3.8 Associate Members.

BL3.8.1 Associate Memberships shall be available on payment of a Modified Annual Subscription to friends and supporters who wish to join the Club without becoming full members.

BL3.8.2 Associate members shall not have any voting rights at general meetings nor shall they be eligible for appointment as Office Bearers nor shall they be competing members, but with these exceptions, they may enjoy all other rights, privileges and responsibilities of full members.

BL3.9 Student Members.

BL3.9.1 Student Membership may be granted on payment of a modified Annual Subscription to full-time students holding a Matriculation card.

BL3.9.2 Student Members shall enjoy all the rights, privileges and responsibilities of full membership.

BL 3.10 Non-resident Members.

BL3.10.1 Non-Resident Membership may be granted on payment of a modified Annual Subscription to persons normally resident outwith Scotland-but who are otherwise qualified to swim for Scotland or in Scotland.

BL 3.10.2 Non-Resident Members shall not have any voting rights at general Meetings nor shall they be eligible for appointment as Office Bearers but with these exceptions they shall enjoy all other rights, privileges and responsibilities of full members.

BL4.0 Not used

BL5.0 MANAGEMENT

- BL5.1 The Executive Committee shall comprise the Officers of the Club (as defined in paragraph C5.2) with the exception of the Honorary President and the Honorary Vice-Presidents, plus other necessary Convenors of Standing Committees and the three Club Delegates to the East District. Ex-Presidents of the Club shall be ex-officio members of the Executive Committee.
- BL5.2 All retiring Office Bearers shall be eligible for re-election.
- BL5.3 The President as Chairman of the Executive Committee, and Convenors of Standing Committees shall have the power to co-opt any full Member to their Committee.
- BL5.4 Executive Committee members co-opted as per BL 5.3 shall be subject to endorsement at the first AGM or EGM thereafter.
- BL5.5 The Executive 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.
 - g) Presenting annually their nominations for Hon. President and Hon. Vice President(s) to the AGM for ratification.
- BL5.6 The Executive Committee shall appoint such sub-committees as may be considered necessary.
- BL5.10 The Executive Committee shall appoint a 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 Senior Vice President shall substitute. In the absence also of the Senior Vice-President, the Junior Vice-President shall substitute. In the absence of the President and Vice Presidents, those in attendance shall appoint a substitute.
- BL6.1.4 In the event of equality of votes in any resolution before the meeting that 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 circulated to Adult and Life Members.

BL6.2 Annual General Meeting (AGM)

- BL6.2.1 The Annual General Meeting shall be held each year on the last Tuesday of October, or within one week thereof, as long as two month’s notice is given of a change of date. Any such change of date would rest with the Executive Committee.
- BL6.2.2 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.
- BL6.2.3 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 nominations for the Executive Committee.
- BL6.2.4 Nominations for Officers of the Club and other members of the Executive Committee shall be submitted in writing to the Secretary,

to be received no later than twenty-one clear days prior to the date of the AGM, such nominations to be signed by two Adult Members and the nominee.

BL6.2.5 Proposed alterations to the Constitution and Bye-Laws and notices of motion must be received by the Secretary not later than the fifteenth day of September immediately preceding the AGM.

BL6.2.6 All nominations and proposed alterations received by the Secretary shall be displayed for on the Club notice board at least 7(seven) days before the meeting.

BL6.2.7 The order of business for an AGM shall be:

Presidents Remarks
Apologies for Absence
Approval of minutes from previous AGM & matters arising.
Hon. Secretary Report
Swimming Convener's Report
Financial Report
Proposed changes to Constitution
Proposed changes to Bye-Laws
Election of Executive Committee Members
Appointment of Hon. President & Hon Vice President(s).
Appointment of Auditors
Life Membership Awards
Associate 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 Executive Committee Meetings (ECM)

BL6.4.1 Notice of the date, time and venue of each ECM 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 ECM, may, with the agreement of the Chairperson attend, present a report or advise any committee.

BL6.4.3 All, except ex-officio members shall have a deliberative vote.

BL6.4.4 No decision of the ECM 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 ECM prior to the AGM, for the following financial year.

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

BL7.0.4 All outgoing payments shall be made by cheque, signed by either the President or the Treasurer.

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 ECM, provided Paragraph C8.1 of the Club Constitution has been satisfied.

BL8.1 Suspensions and Fines

BL8.1.1 The ECM 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 an 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 Notification of a grievance should be 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 of 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 been Members of the Club and 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 ECM.

BL9.1.2 One such member may be appointed annually, and shall be the Nominee of the current President of the Club.

BL9.1.3 The Executive Committee shall keep a Roll of Life Members, containing the names of persons appointed to Life Membership of the Club.

BL 9.1.4A Life Member shall be entitled to all the rights and privileges of an ordinary Club member.

BL9.2 Honorary Life Associates.

BL9.2.1 Honorary Life Associateship may be presented to person(s) who are or have been members of a swimming club under the jurisdiction of a National Aquatic Organisation. The honour shall be conferred in respect of services rendered to the Club or to the sport, and shall be presented at the AGM or at any other time decreed suitable by the ECM.

BL9.2.2 One such member may be appointed annually and shall be the nominee of the current President of the Club.

BL9.2.3 The Executive Committee shall keep a Roll of Honorary Life Associates, containing the names of persons appointed To Honorary Life Associateship of the Club.

BL10.0 TROPHIES

BL10.1 The winner of a trophy shall guarantee safe custody and return of the trophy when requested by the ECM.

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

BL11.0 DISSOLUTION OF THE CLUB

BL11.1 In the event that it is decided that the Club shall be wound up or dissolved, the procedures shall in general follow those laid down for the voluntary liquidation of a Company.

BL11.2 The whole administration of the winding up shall be under the supervision of a Committee of Inspection consisting of all the Ex-Presidents of the Club who are available and willing to serve on this Committee.

BL11.3 The detailed procedures to be followed shall be settled by the Committee of Inspection who shall determine all matters that arise out of and during the dissolution.

BL11.4 This Committee shall be empowered to appoint such officers and other persons as they deem necessary to carry on the affairs of the Club during the dissolution and to carry out their instructions and to attend to such matters as they determine.

REGULATIONS

R 1 Club Colours.

R 1.1 The colours of the Club shall be navy blue, sky blue and scarlet, and the swimming colours shall be scarlet and white.

R 2 Standing Committees.

R 2.1 The Executive Committee shall allocate the Club business amongst necessary Standing Committees, one of which shall be Finance.

R 2.2 The members of the Finance Committee shall be the Honorary Treasurer, the Membership Secretary and the Meet Entries Secretary.