

Aireborough Swimming Club

Rules at 26th November 2019

1. Objects

- 1.1 The objects of Aireborough Swimming Club shall be the teaching, practice and encouragement of swimming.
 - 1.1.1 The Club is committed to treat everyone equally within the context of its activity and with due respect to the differences of individuals. It shall not apply nor endorse unlawful or unjustified discrimination , and shall act in compliance with the protections afforded by the Equality Act 2010.
 - 1.1.2 The club shall implement the Swim England Equality Policy (as may be amended from time to time).
- 1.2 The Club shall be affiliated to Swim England North East Region and such other bodies as the Club may determine from time to time.
- 1.3 The business and affairs of the Club shall at all times be conducted in accordance with the Articles, Regulations and Technical Rules of Swim England (“Swim England Regulations”) and in particular:
 - 1.3.1 all competing members shall be eligible competitors as defined in Swim England Regulations; and
 - 1.3.2 the Club shall in accordance with Swim England Regulations adopt Swim England 's Child Safeguarding Policy and Procedures (“Wavepower”) ; and shall recognise that the welfare of children is everyone's responsibility and that all children and young people have a right to fun , be safe and be protected from harm.
 - 1.3.3 members of the Club shall in accordance with Swim England Regulations comply with Wavepower.
- 1.4 By virtue of the affiliation of the Club to Swim England North East Region, the Club and all members of the Club acknowledge that they are subject to the regulations, rules and constitutions of:
 - 1.4.1 North East Region; and
 - 1.4.1 Swim England (to include the code of Ethics); and
 - 1.4.3 British Swimming (in particular its Anti-Doping Rules and Judicial Code); and
 - 1.4.4 FINA, the world governing body for the sport of swimming in all its disciplines (together “ the Governing Body Rules”)
- 1.5 In the event that there shall be any conflict between any rule or by-law of the Club and any of the Governing Body Rules then the relevant Governing Body Rule shall prevail.

2. Membership

- 2.1 The total membership of the Club shall not normally be limited. If however the Committee considers that there is a good reason to impose any limit from time to time then the Committee shall put forward appropriate proposals for consideration at a General Meeting of the Club.
- 2.2 All persons who assist in any way with the Club’s activities shall become members of the Club and hence of Swim England. and the relevant Swim England membership fee shall be paid. Assisting with the Club’s activities shall include, but not be restricted to, administrators, associate members, voluntary instructors, teachers and coaches, Committee members, helpers, Honorary active life members, Officers, Presidents, technical and non-technical officials, temporary members and verifiers or tutors of Swim England's educational certificates.
- 2.3 Any person who wishes to become a member of the Club must submit a signed application to the Secretary (and in the case of a swimmer under 18 years the application must be signed by the swimmer’s parent or guardian). Election to membership shall be at the discretion of the Committee. The Committee shall be required to give reasons for the refusal of any application for membership. Any person refused membership may seek a review of this decision before a review panel appointed by the Executive Committee (“Review Panel”) comprising of not less than three members (who may or may not be members of the Committee). The panel shall [wherever practicable] include one independent member nominated by the Swim England North East Region. The person refused membership shall be entitled to make representation to the Review Panel. The procedures for review shall be at the discretion of the Review Panel whose decision is final and binding.
- 2.4 The Club shall not refuse an application for membership on discriminatory grounds, whether in relation to ethnic origin, sex, religion, disability, political persuasion or sexual orientation.
- 2.5 The Club may refuse membership only for good and sufficient cause, such as conduct or character likely to bring the Club or the sport into disrepute, or, in the case of a swimmer, being unable to achieve the entry standards as laid down and provided by the Club to the applicant for membership.
- 2.6 Any member aged eight years or under must have present a parent, guardian or other nominated adult on Aireborough Leisure Centre premises whilst attending Club activities.
- 2.7 Should the committee consider it necessary: unless there are extenuating circumstances, members aged 13 years and over may be restricted to attend swimming sessions that take place after 8:00pm.

3. Subscription and Other Fees

- 3.1 The annual members subscription shall be set at a General Meeting for all classes of membership.
- 3.2 The annual subscription shall be due on joining the Club and thereafter on the 1st of January each year.

3.2.1 Reduction in annual subscription fees shall be set at a General Meeting.
eg. Joining dates after 1st September etc.

3.3 Swim England's membership fees are payable in addition to the clubs own annual members subscription and are due on joining the club and thereafter on the 1st January each year.

3.4 Any member whose subscription is unpaid by the 31st January each year may be suspended by the Committee from some or all Club activities from a date to be determined by the Committee and until such payment is made.

3.5 The Committee shall, from time to time, have the power to determine the nightly admission fees. Any increase in the fee shall be advised to the members, with the reasons for any increase to be reported to the members at the next Annual General Meeting

3.6 The Executive Officers (or the Committee) shall have the power in special circumstances to remit the whole or part of the fees, including the Swim England membership fees, to address issues of social inclusion.

4. Resignation

4.1 A member wishing to resign membership of the Club must give to the Secretary written notice of their resignation. A member's resignation shall only take effect when this (Rule 4.1) has been complied with.

4.2 The member who resigns from the Club in accordance with Rule 4.1 above shall not be entitled to have any part of the annual membership fee or any other fees returned.

4.3 Notwithstanding the provisions of Rule 4.1 above a member whose subscription is not renewed by 28th February each year shall be deemed to have resigned. Where the membership of a member shall be terminated in this way he/she shall be informed by e-mail that they are no longer a member.

4.4 The Swim England Membership Department shall be informed should a member resign when still owing money or goods to the Club.

5. Expulsion and other Disciplinary action

5.1 The Committee shall have power to expel a member when, in its opinion, it would not be in the interests of the Club for them to remain a member. The Club in exercising this power shall comply with the provisions of Rules 5.3 and 5.4 below.'

5.2 Upon expulsion the former member shall not be entitled to have any part of the annual membership fee to be refunded and must return any Club or external body's trophy or trophies held forthwith. Clubs in exercising this power are required to comply with the provision of Rules 5.3 and 5.4 below.

5.3 The Club shall comply with the relevant Judicial Regulations for handling Internal Club Disputes Procedure ("the procedures") as the same may be revised from time to time. (a copy of the procedures may be obtained from the Swim England website,Swim England Handbook or from the Office of Judicial Administration).

5.4 The Officers of the Club (or any person to whom the Committee shall delegate this power) may temporarily suspend or exclude member from particular training sessions and/or wider club activities, when in their opinion, such action is in the interests of the Club. Where such action is taken the complaint will thereafter be dealt with in accordance with the appropriate Judicial Regulations.

6. Committees

6.1 The Executive Committee shall consist of The President (who acts as Chairman), Secretary and Treasurer (together " the officers of the Club"),a Gala Chairman, Swimming Chairman, Finance & Admin Chairman plus two committee members from each of the three Sub-Committees. All Committee members must be not less than 18 years of age though the Committee may allow younger members to attend their meetings without the power to vote.

6.1.1 The Gala Committee shall consist of a Chairman and up to 6 other members.

6.1.2 The Swimming Committee shall consist of a Chairman and up to 6 other members.

6.1.3 The Finance & Admin Committee shall consist of a Chairman plus up to 8 members including the Club Treasurer, Secretary, & Welfare Officer, the Chairman acts as Club Assistant Treasurer.

6.1.4 From the sub committees the following jobs function are seconded: Vice Chairman, Communications Officer, Registration Officer, Membership Club Night Administrator & Trophy Controller.

6.2 The Committee shall appoint a member of the Club as Welfare Officer who must be not less than 18 years of age, who should have an appropriate background and who is required to undertake appropriate training in accordance with Wavepower.

6.3 The Committee members shall be proposed, seconded and elected by ballot at the Annual General Meeting. Election to the Sub-Committees shall be for two years. Half of the members of the Committees shall retire annually but shall be eligible for re-election. The members so retiring being those who have been longest in office. Chairman of sub-committees are elected for one year only. Any casual vacancy occurring by resignation or otherwise may be filled by the Committee but any member so chosen shall retire at the next Annual General Meeting but shall be eligible for re-election at that Meeting.

6.4 Executive Committee meetings shall be held not less than quarterly, and the quorum of that meeting shall be 5, numbers to include not less than two Officers. The Chairman and the Secretary shall have discretion to call further meetings of the Committee if they consider it to be in the interest of the Club. The Secretary shall give all the members of the Committee not less than two days oral notice of a meeting. Decisions of the Committee shall be made by a simple majority (and in the event of equality of votes the Chairman (or acting Chairman of that meeting) shall have a casting or additional vote.) The Secretary, or in their absence a member appointed by the committee , shall take minutes.

6.4.1 In the event that a quorum is not present within thirty minutes of the published start time, a meeting shall stand adjourned to the time and date falling seven days after the date of the meeting, or such other date and time as may be determined by the Chairman.

If a quorum is not present at the adjourned meeting then those Committee members attending may act for the purpose of calling a Special General Meeting of the members, to which the provisions as to minimum notice contained in Rule 10.1 shall not apply.

- 6.5 The Committee shall be responsible for the management of the Club. The Committee shall have power to enter into contracts for the purposes of the Club on behalf of all the members of the Club. The Committee shall be responsible for ensuring that the Accounts of the Club for each financial year be examined by an independent examiner to be appointed at the Annual General Meeting.
- 6.6 The members of the Committee shall be entitled to an indemnity out of the assets of the Club for all expenses and other liabilities properly incurred by them in the management of the affairs of the Club.
- 6.7 The Committee may from time to time appoint from among their number such sub-committees as they may consider necessary (and to remove (in whole or in part) or vary the terms of reference of such sub-committees) and may delegate to them such of the powers and duties of the Committee as the Committee may determine. All sub-committees shall periodically report their proceedings to the Committee and shall conduct their business in accordance with the directions of the Committee.
- 6.8 The Committee shall maintain an Accident Book in which all accidents to Club members at swimming related activities shall be recorded. Details of such accidents shall be reported to the insurers in accordance with the Accident/Incident Notification guidelines. The Club shall make an annual return to the Swim England Membership Department indicating whether or not an entry has been made in the prescribed online form.
- 6.9 The Committee shall have power to make regulations, create by-laws (see Rule 13.1) and to settle disputed points not otherwise provided for in this Constitution.

7. Presidents & Honorary Life Members

- 7.1 The Committee may elect to honour a member by awarding them life membership of the Club and they shall be entitled to all the privileges of membership of the Club. Such active Life Members must be included in the Club's annual return of members to Swim England.
- 7.2 Nominees for President must be a person with at least three consecutive years membership, or who has done the Club substantial service.

8. Annual General Meeting

- 8.1 The Annual General Meeting of the Club shall be held each year during the last week of October or nearest available date. The date for the Annual General Meeting shall be fixed by the Committee.
- 8.2 The purpose of the Annual General Meeting is to transact the following business:
- 8.2.1 to receive the Chairman's report of the activities of the Club during the previous year;
 - 8.2.2 to receive and consider the accounts of the Club for the previous year and the report on the accounts of the independent examiner and the Treasurer's report as to the financial position of the Club.
 - 8.2.3 to remove and elect the independent examiner (who must not be a member of the Committee or a member of the family of a member of the Committee) or confirm that they remain in office;
 - 8.2.4 to elect the Officers and other members of the Committees;
 - 8.2.5 to decide on any resolution which may be duly submitted in accordance with Rule 11.2.
- 8.3 Nominations for election of members to any office or for membership of the Committee shall be made in writing by the proposer and seconder (both of whom shall be members of the club and aged 18 years or over) to the Secretary not later than 21 days before the A.G.M. The nominee shall be required to indicate in writing on the nomination form their willingness to stand for election. If there are no nominations for any of the officers or committee members with the Secretary prior to the A.G.M., nominations can be taken from the floor at the A.G.M.

9. Special General Meeting

- 9.1 A Special General Meeting may be called at any time by the Committee. A Special General Meeting shall be called by the Secretary within 21 days of receipt by him of a requisition in writing signed by not less than one-tenth in number of adult members entitled to attend and vote at a General Meeting, stating the purposes for which the meeting is required and the resolutions proposed.

10. Procedure at the Annual and Special General Meetings

- 10.1 The Secretary shall notify the membership of the date, time and place of the General Meeting together with the resolutions to be proposed thereat, at least 7 days before the meeting and in the case of the Annual General Meeting on request a list of the nominees for the Committee posts and a copy of the examined accounts. The Notice of the Meeting shall in addition, wherever possible be displayed on the Club Notice Board.
- 10.2 The quorum for the Annual and Special General Meetings shall be 7 members entitled to attend and vote at the Meeting.
- 10.3 The Chairman, or in his absence a member selected by the Committee, shall take the chair. Each adult member present shall have one vote and resolutions shall be passed by a simple majority. For the procedures for submitting resolutions to be considered at a General Meeting members are referred to Rule 11.2. In the event of an equality of votes the Chairman shall have a casting or additional vote. Members who have reached their 16th birthday shall be entitled to be heard but not to vote.
- 10.4 The Secretary, or in their absence a member of the Committee, shall take minutes at the Annual and Special General Meetings.

10.5 The Chairman shall at all General Meetings have unlimited authority upon every question of order and shall be, for the purpose of such meeting, the sole interpreter of the Rules of the Club.

11. Alteration of the Rules and other Resolutions

11.1 The rules may be altered by resolution at an Annual or Special General Meeting provided that the resolution is carried by a simple majority of members present and entitled to vote at the General Meeting. No amendment to the rules shall become effective until such amendment shall have been submitted to and validated by Swim England North East Region.

11.2 Any adult member shall be entitled to put any proposal for consideration at any General Meeting provided the proposal in writing shall have been handed to or posted to the Secretary of the Club so as to be received not later than 14 days , in the case of the Annual General Meeting or, in the case of a Special General Meeting 21 days before the date of the meeting and thereafter the Secretary shall supply a copy of the proposal or resolution to the members in the manner provided in Rule 10.1.

12. By-laws

12.1 The Committee shall have power to make, repeal and amend such by-laws as they may from time to time consider necessary for the well being of the Club which by-laws, repeals and amendments shall have effect until set aside by the Committee or at a General Meeting.

13. Finance

13.1 All monies payable to the Club shall be received by the Treasurer or Assistant Treasurer and deposited in a bank account in the name of the Club. No sum above £100 shall be drawn from that account except by cheque signed by two of the four signatories who shall be the Chairman, Secretary, Treasurer & Assistant Treasurer. Where transactions are via online banking the Treasurer should gain the approval of another signatory prior to making a payment. This approval should be recorded and retained by the Club. Any monies not required for immediate use may be invested as the Committee in its discretion thinks fit.

13.2 The income and property of the Club shall be applied only in furtherance of the objects of the Club and no part thereof shall be paid by way of bonus, dividend or profit to any members of the Club.

13.3 The Committee shall have power to authorise the payment of remuneration and expenses to any member of the Club and to any other person or persons for services rendered to the Club.

13.4 The financial transactions of the Club shall be recorded by the Treasurer in such manner as the Committee think fit.

13.5 The financial year of the Club shall be the period commencing on 1st September and ending on 31st August. Any change to the financial year shall require the approval of the members in a General Meeting.

13.6 The Committee shall have no power to borrow money on behalf of the Club.

14. Property

14.1 The property of the Club, other than cash at the bank, shall be vested in three Custodians: The President, Secretary & Treasurer. They shall deal with the property as directed by resolution of the Committee and entry in the minute book shall be conclusive evidence of such a resolution.

14.2 The Custodians shall be entitled to an indemnity out of the property of the Club for all expenses and other liabilities properly incurred by them in the discharge of their duties.

15. Dissolution

15.1 A resolution to dissolve the Club shall only be proposed at a General Meeting and shall be carried by a majority of at least three - quarters of the members present and entitled to vote.

15.2 The dissolution shall take effect from the date of the resolution and the members of the Committee shall be responsible for the winding-up of the assets and liabilities of the Club.

15.3 Any property remaining after the discharge of the debts and liabilities of the Club shall be given to other non-profit making organisation having objects similar to those of the Club, nominated by the last Committee.

16. ACKNOWLEDGEMENT

16.1 The Members acknowledge that these Rules constitute a legally binding contract to regulate the relationship of the members with each other and the Club.