

Constitution April 2015, Issue 5

FRIENDS OF ALLONBY CANOE CLUB LIVERPOOL

CONSTITUTION

1. NAME

The Club shall be known as Friends of Allonby Canoe Club Liverpool hereinafter known as the Club.

2. OBJECTIVES

The objectives of the Club are to promote and provide facilities for the sport and recreation of canoeing.

3. AFFILIATION

The Club shall be affiliated to the British Canoe Union.

4. MEMBERSHIP

4.1 Qualification:

Membership of the Club shall be open to anyone interested in the sport on application regardless of sex, age, disability, ethnicity, nationality, sexual orientation, religion or other beliefs. However, limitation of membership according to available facilities is allowable on a non-discriminatory basis.

4.2 Classes of Membership:

The Club may have different classes of membership and subscription on a non-discriminatory and fair basis. The Club will keep subscriptions at levels that will not pose a significant obstacle to people participating.

Full Members: Over the age of 18.

Family Members: Up to two adults and up to four under 18's of immediate family.

Junior Members: Under the age of 18. Those under 16 will only be admitted when one or both parents/guardians are either full members or non-paddling administrators.

Honorary Members: Determined by the General Committee

Non-paddling Administrators: As defined on current membership form.

Temporary Members: entitled to attend 4 paddling sessions for the cost of a temporary membership.

Affiliated group: As defined on current membership form.

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### 4.3 Election, Refusal or Removal:

Candidates for election to membership shall make written application to the Membership Secretary of the Club on the form provided. The power of election shall rest with the General Committee of the Club who, by a majority of those voting, may refuse membership or remove it, only for good cause such as conduct or character likely to bring the Club or sport into disrepute. The reasons for refusal are to be conveyed to the applicant in writing, by the Honorary Secretary.

### 4.4 Appeal

An appeal against the decision to refuse membership (Section 4.2), renewal of membership (Section 4.3), expulsion or suspension from membership (Section 8.1) can be made to the General Committee in writing to the chairman. The appellant will then be given an opportunity to appear before the General Committee to appeal against the decision. The General Committee will then decide, by a majority decision, whether to accept the appellant as a member. If the appeal is unsuccessful the appellant may appeal to a Special General Meeting if such an appeal is sponsored by not less than fifteen members.

### 4.5 Restriction

A person who has been expelled from, or refused membership of, the British Canoe Union or any affiliated Club shall not be eligible for membership.

## 5. JOINING FEE

Each new applicant for membership shall, if his/her application be accepted pay a joining fee, the amount of which shall be determined by the members in General Meeting.

## 6. SUBSCRIPTION

The rates of subscription shall be determined by the members in General Meeting and shall be due on election and, thereafter, on or before 1<sup>st</sup> April each year.

## 7. RESIGNATION

7.1 Any member may resign at any time, but shall not be entitled to a refund of any subscription paid.

7.2 A member shall be deemed to have resigned from the Club if, after due notice in writing, he/she has not paid by 30th April the annual subscription which became due on 1st April. He/she may, however, rejoin at any time during that year with payment of the joining fee and subscription, subject to the provision of clause 4.3 and 6 above. If membership has lapsed the member shall not have access to the Club's facilities or equipment until he/she has rejoined.

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### 8. SUSPENSION AND EXPULSION

8.1 Any member violating rules or regulations of the Club or being adjudged guilty of unsatisfactory conduct may, by three-quarter majority of the General Committee, be suspended or expelled. Any member so suspended or expelled may appeal to the General Committee using the appeals process set out in clause 4.5.

### 9. DISQUALIFICATION FROM HOLDING OFFICE

9.1 Only members entitled to vote are eligible to hold office except that a Junior Rep. may be elected by the Junior members of the Club or appointed by the Annual General Meeting.

9.2 Any member who is under the age of 18 years shall not be eligible for direct election to the General Committee of the Club.

9.3. Any member whose main income is derived from the sale or manufacturer of canoes and/or accessories, or who is disqualified as an amateur under the rules of the British Canoe Union, will not be eligible for election to the General Committee of the Club, but such a person may be co-opted without voting rights.

### 10. GENERAL COMMITTEE

10.1 The General Committee shall conduct the affairs of the Club as a whole and is responsible for the general conduct of the Club's business and activities.

10.2 The General Committee shall consist of a Chairperson, Secretary, Treasurer and other Officers as necessary elected at the Annual General Meeting.

10.3 The General Committee may co-opt other members of the Club to its number, as appropriate. Co-opted members of the Committee tenure on the Committee may be terminated by resolution of the Committee and ceases in any case at the Annual General Meeting.

10.4 Nominations for the position of Chairperson, Honorary Secretary, Honorary Treasurer and other Officers shall be put forward in the form of a motion under the terms of Rule 14.4.

10.5 The General Committee shall elect a Vice-Chairperson from among its number.

10.6 The term of office for all Officers shall be for one year, and members shall be eligible for re-election. However, in order to ensure continuity of experience within the general Committee, the Club encourages the Chairperson, Secretary and Treasurer to each undertake a three year term of office ending in successive years, subject to annual re-election.

10.7 In the case of casual vacancy among the General Committee, the said Committee shall appoint another eligible person to act until the next Annual General Meeting.

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10.8 The Junior Rep. is not a member of the General Committee but is entitled to attend and participate in the General Committee.

10.9 A quorum shall consist of not less than six Members in the case of the General Committee of which one must be a Principal Officer of the club (i.e. Chairman, Honorary Secretary, Honorary Treasurer, Vice-Chairman) and not less than four Members in the case of Section Committees one of whom must be the Section Chairman or Section Secretary.

10.10 The General Committee shall meet at regular intervals during the year, as required by the business to be transacted.

10.11 Special meetings of the General Committee shall be called by the Honorary Secretary on instructions from the Chairperson, or not less than three Committee Members.

10.12 Non-active committee members are to be approached after 3 months by the Chairperson and asked their intentions regarding their role in the club. Depending on the individual's response the Chairperson may ask the committee to vote to remove the member from their role and to look for a suitable replacement.

### 11. DUTIES OF OFFICERS OF THE CLUB

#### 11.1 Chairperson:

The Chairperson will preside at all general Meetings of the Club and at all meetings of the General Committee. He/She shall be responsible for guiding the activities of the Club in accordance with its rules and general policy as expressed by the majority of its members. The Chairperson shall represent or arrange for the representation of the Club at BCU regional level and at meetings of other organisations. He/She shall be an ex-officio member of any other committee of the Club. He/She shall act as a signatory to key club documents.

#### 11.2 Honorary Secretary:

The Honorary Secretary will be responsible for the organisation of meetings of the General Committee and of the Club, the recording and archiving of minutes and all correspondence relating to the general business of the Club. He/She shall provide up to date records of regular club committee and annual meetings, including decisions and actions. He/She shall also be responsible for transmitting to the Section Secretaries all correspondence relating to the particular activities of the Section concerned at the earliest opportunity. He/She will receive copies of the minutes relating to the meetings of the Section Committees. The Honorary Secretary will ensure the club affiliation to the BCU is renewed annually.

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### 11.3 Honorary Treasurer:

The Honorary Treasurer will be responsible for the collection of all monies, including subscriptions, and payment of all bills. He/She shall keep such books of account, and archives of these, as required by the General Meeting. He/She shall ensure that cash and cheques are deposited promptly in the club's bank or building society accounts. He/She shall have the power to examine, after giving one week's notice, the books of any Section, and shall report any discrepancies to the General Committee. He/She shall examine the books of each Section annually and shall produce at the Annual General Meeting balance sheets showing the financial state of each Section and of general funds, accompanied by the Honorary Independent Examiners report. The Honorary Treasurer shall report regularly to the committee on the club's financial status and provide financial planning and forecasting statements as required by the club. He/She must make the Committee aware of any existing or potential financial or cash flow problems.

The financial status shall be presented to the Membership in March of each year. He/She shall act as one of three signatories authorised to sign club cheques. Cheques should have two signatures.

### 11.4 Cheque signatories

The committee shall appoint two committee members in addition to the Honorary Treasurer authorised to sign club cheques.

### 11.5 Duties of other Officers:

The duties of the officers of the club may be defined by the General Committee and shall be written down and published.

## 12. SECTIONS

12.1 The Club may organise various sections to cover the various activities of canoeing.

12.2 Any member with an interest in the activities of a Section is a member of the Section.

12.3 The affairs of each section shall be conducted by a sub-Committee of members.

## 13. SECTION COMMITTEES

13.1 The Section Committees shall consist of members elected by the section concerned, one of whom shall be the section Chairperson and/or section Secretary.

13.2 The Section Chairperson or his/her deputy shall serve on the General Committee.

13.3 A Section Committee may nominate other members of the section to serve the Section Committee.

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13.4 The Secretary of each section shall keep the minutes of all section meetings and be prepared to produce these if required to General Committee Meetings. He/She shall also be responsible for the collection of all monies relating to the section and forwarding to the Club Honorary Treasurer with appropriate description of the monies. He/She shall submit a balance sheet showing the financial state of the section at the Annual General Meeting. He/She shall also be prepared at all General Committee meetings to give a statement of the section's finances.

13.5 Meetings of the Section Committees shall be called by the Secretaries concerned on instruction from the Section Chairperson, or on the instruction of twenty percent of the members of the Section Committee.

13.6 Section Committees may draw up rules and regulations necessary for the efficient management of the section, but such rules and regulations shall not become operative until approved by the General Committee. Approval may only be given by a vote by General Committee members in which the majority of those voting are not members of the Section Committee.

13.7 Section Committees shall meet at such intervals as are required to satisfactorily conduct the business of the section, or upon demand signed by not less than twenty percent of the members of the section committee.

### 14. GENERAL MEETINGS

14.1 The Annual General Meeting shall be held in the month of October of each year. There shall be laid before the meeting a statement of accounts made up the 31<sup>st</sup> day of the month of March immediately preceding.

14.2 An Extraordinary General Meeting shall be called on the instructions of a simple majority of the General Committee, or on a request signed by not less than 10% of the members of the Club entitled to vote.

14.3 Not less than 21 days clear notice shall be given, specifying to all members the time and business of the General Meeting.

14.4 Motions for discussion at Annual General Meetings, not of origin from within the General Committee, shall be lodged with the Honorary Secretary at least 14 days preceding the Annual General Meeting, and signed by two members entitled to vote.

14.5 At any General Meeting, a resolution put to the vote of the meeting shall be decided by a show of hands of those entitled to vote, except when more than one nomination has been received for a position on the General Committee, in which case voting will be by secret ballot.

14.6 At all General Meetings the Chairperson will preside or, in his/her absence, a Chairperson for the meeting will be elected by the voting members present.

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14.7 A member may nominate a proxy to vote on their behalf at a General Meeting by giving notice in writing to the Honorary Secretary, Membership Secretary and to the person nominated to act in proxy. If the member who has given notice of proxy is present at a vote of the General Meeting the vote in proxy will not be counted and the vote given by the member shall be.

14.8 At all General Meetings not less than fifteen Members of the Club shall constitute a quorum.

14.9 Absences of Quorum:

If after half an hour from the time appointed for the meeting, a quorum is not present, the Meeting, if called at the request of the members, shall be dissolved. In any other case the meeting shall be adjourned. If a quorum is not present within half an hour from the time appointed for an Adjourned Meeting, the members present shall be the quorum.

14.10 Accidental Omission:

Accidental omission to give notice of a meeting to, or the non-receipt of notice of a meeting by, any member shall not invalidate the proceedings of a meeting.

### 15. VOTING

15.1 All members of the club over the age of 18 are entitled to vote at General and Special Meetings of the club.

15.2 Persons who are in affiliated groups and not otherwise members of the club are not entitled to vote.

15.3 Committee members are entitled to vote at Committee meetings.

15.4 Section Committee members are entitled to vote at Section Committee meetings.

15.5 The Junior Rep. is entitled to vote at General Committee meetings if over 16 years of age.

15.6 Temporary members are not entitled to vote.

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### 16. LIABILITY

16.1 The General Committee shall manage the affairs of the Club. Financial or legal liability incurred in the rightful exercise of their office shall not, however, be the personal liability of the Committee, but shall be the responsibility of the Club as a whole.

16.2 All Members or other persons who attend Club tours or meets do so at their own risk, and neither the Club or its Officers can accept any liability for any loss or injury of any kind sustained at headquarters or whilst on a Club tour, meet or other activity.

### 17. EXAMINER

Every Annual General Meeting shall appoint an Honorary Independent Examiner who shall at least once in every year examine the accounts of the Club and ascertain the correctness of the income and expenditure accounts and of the balance sheet.

### 18. DISTRIBUTION OF CLUB FUNDS

18.1 The Club shall not be established or conducted for profit.

18.2 The club may not make payment to members for participation in the sport which would contravene amateur status. All surplus income or profits are to be reinvested in the Club. No surpluses or assets will be distributed to members or third parties.

### 19. TERMINATION

The Club shall not terminate except by a resolution of a Special General Meeting convened for the purpose. Upon dissolution of the Club any remaining assets shall be given or transferred to another registered CASC, a registered charity or the sport's governing body for use by them in related community sports.

### 20. RULES

The General Committee shall be empowered to draw up rules for the safe conduct of canoeing activities applicable to all members including those specifically related to Juniors and Novices.

### 21. ALTERATION OF CONSTITUTION

21.1 This Constitution shall not be altered, amended or rescinded except by a General Meeting of the Club.

21.2. A resolution to give effect to a change must be passed by at least 75% of the members present at the General Meeting, and voting on this behalf.



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### 22. POWER OF DECISION

Any matter not provided for in this Constitution, or any question over the interpretation of it shall be dealt with by the General Committee whose decision shall be final.

### 23. DECLARATION

Each member upon joining shall sign the declaration on the membership form.

### 24. History

24.1 The Friends of Allonby Liverpool Canoe Club Constitution is based on the revised British Canoe Union Model Club Constitution and Rules 2005.

24.2 Issue 1 / 14.10.05 - First Issue for consideration / approval at the 2005 Annual General Meeting.

24.3 Issue 2 / 20.10.05 - Incorporates formal change of Club name from Friends of Allonby Canoe Club, Liverpool to Friends of Allonby Liverpool Canoe Club.

24.4 Issue 3 / 30 October 2012 - Revisions to Club name to 'Friends of Allonby Canoe Club Liverpool' Classes of Membership, Election, Resignation, addition of Affiliation, and of Suspension and Expulsion as separate section (and consequent increment in clause numbers), addition of proxy vote at AGM, various other lesser changes.

24.5 Issue 4 / Oct 2013 – Addition of section 10.12. Deleted 'and act as one of the three signatories authorised to sign club cheques.' from Chairman and 'He/She shall act as one of three signatories authorised to sign club cheques.' from Secretary duties, sections 11.1 and 11.2. Section 11.4 added with previous section 11.4 becoming 11.5.

24.6 Issue 5 / April 2015 – Amend section 4.1 & 4.2 regarding classes of Membership; section 4.3 Election and include Refusal or Removal; delete section 4.4, amend 4.5 to 4.4 and 4.6 to 4.5; change title of 17 to Examiner; Amend section 18.2 and 19 in line with HMRC wording.