



Gloucester City Swimming Club Constitution

1) INTERPRETATIONS

Reference in this Constitution to the following words shall have the following meaning ascribed to them:

“The Club”	Gloucester City Swimming Club.
“ASA”	Amateur Swimming Association.
“Member”	Any individual who has applied for and has been accepted into membership (in accordance with Section 4) and whose membership has not lapsed or been terminated by the Club Executive Committee.
“By-Laws”	Club Rules.
“Amateur”	A person who engages in sport solely for pleasure and recreation for which no remuneration is received.
“Swimmer”	Any person training with the Club.
“Parent”	Parent, Carer or Guardian.
“Senior Member”	A swimmer or member who is aged 18 years or over.
“Junior Member”	A swimmer who has not yet reached the age of 18 years.
“Non Swimming Member”	A person aged 18 years or over who does not Train with the Club.
“Honorary Life Member”	A person who through dedicated service to the Club is awarded life membership by the Club at its annual general meeting.
“Committee”	The Executive Committee responsible for the management of the Club.
“Membership Fee”	A sum paid annually by a member.
“Membership Year”	1 st August – 31 st July.
“Financial Year”	1 st August – 31 st July.
“Training / Squad Fee”	A fee paid each month.
“Fees”	To include any monies payable to the Club for services, Gala fees and goods.
“WCASA”	Western Counties ASA.

- 2) **NAME**
a) The name of the Club shall be Gloucester City Swimming Club.
- 3) **AIMS OF THE CLUB**
a) The aims of the Club shall be the objects of the ASA and in particular the teaching and practice of swimming with a view to the encouragement and development of swimmers to reach competitive standards.
i) The Club is committed to treat everyone equally within the context of their activity, regardless of sex, ethnic origin, religion, disability or political persuasion.
ii) The Club believes that the welfare of children is everyone's responsibility and that all children and young people have a right to have fun, be safe and be protected from harm.
b) The Club shall be affiliated to WCASA (and shall adopt and conform to the rules of such association) and such other bodies as the Club may determine from time to time.
c) The business and affairs of the Club shall at all times be conducted in accordance with the Laws and Technical Rules of the ASA (ASA Laws) and in particular:
i) All competing members shall be eligible competitors as defined in ASA Laws.
ii) The Club shall in accordance with ASA Laws adopt the ASA Child Protection Procedures.
iii) Members of the Club shall in accordance with ASA Laws comply with the ASA Child Protection Procedures.
d) By virtue of the affiliation of the Club to WCASA the Club and all members of the Club acknowledge that they are subject to the laws and rules of.
i) WCASA and Gloucester County ASA.
ii) The ASA (to include the ASA/ISTC Code of Ethics).
iii) The Amateur Swimming Federation of Great Britain (to include in particular the ASFGB Doping Control Rules and Protocols and ASFGB Disciplinary Code).
iv) FINA, the world governing body for the sport of swimming in all its disciplines (together "the Governing Body Rules").
- 4) **MEMBERSHIP**
a) 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 Committee Meeting of the Club. The Committee shall have the right to impose (and remove) from time to time any limits on total membership (or any category of membership) of the Club.
b) All persons who assist in any way on a day to day basis with the club's activities shall become members of the club and hence of the ASA and the relevant ASA membership fee shall be paid. Assisting with the club's activities shall include, but not be restricted to, administrators, associate members, instructors, teachers and coaches, whether employed, self employed or voluntary, Committee members, helpers, Honorary members, life members, officers, patrons, presidents, technical and non-technical officials, temporary members, vice presidents and verifiers or tutors of the ASA's educational certificates.
c) Any person who wishes to become a member of the Club must submit a signed application annually to the Membership Secretary (and in the case of a junior swimmer the application must be signed by the swimmer's parent). Election to membership shall be at the discretion of the Committee or other person(s) authorised by the Committee. The Committee or such authorised person(s) shall not be required to give reasons for the refusal of any application for membership.
i) The annual membership fee paid by junior members will include membership for one named parent.
ii) Temporary membership may be granted with the permission of the appropriate coach and Membership Secretary, to junior members only, for up to 4 weeks who are ASA registered and visitors to the area.
- iii) The Committee shall have the right to suspend and to refuse membership to the Club, to any person or family, who is repeatedly in arrears with Training or Membership fees as the Committee see fit.
- 5) **MEMBERSHIP, TRAINING AND OTHER FEES**
a) The annual membership, coaching and training/squad fees (as applicable) shall be determined from time to time by the Committee and the Committee shall in so doing make special provision for different classes of membership as it deems appropriate.
i) In special circumstances it may be possible for Officers of the Club to remit whole or part of fees for an agreed period of time.
b) The annual membership fee shall be due in full on joining the Club and thereafter on the 1st August each year.
i) A member whose membership remains unpaid by the 30th September shall not be permitted to take part in any Club activity. Members whose membership remains unpaid on the 31st October of the year in which they become due shall be deemed to have resigned from the Club.
ii) The membership fee for members elected after the 31st January shall be 50% of the annual fee and if elected after 30th April shall be 25% of the annual fee and shall be valid until the 31st July in that current year.
c) The monthly training/squad fee shall be due in full on the 1st day in each calendar month.
i) The Committee reserves the right to suspend any member who fails to pay fees on time or who is in arrears by one calendar month.
ii) A member whose training/squad fee remains unpaid for 4 weeks may not be allowed entry in to the water until the outstanding amount is paid.
iii) The parent will bear responsibility for any fees for a member who is not or has not yet reached the age of 18 years.
iv) Training/squad fees will be due regardless of attendance.
d) The Committee shall, from time to time, have the power to determine the annual membership, training/squad and other fees. This shall include the power to make such increase in the fees as shall, where the Club pays the individual ASA Membership Fees to the ASA on behalf of members, be consequential upon an increase in individual ASA membership fees. Any increase in subscriptions shall be advised to the members in writing with the reasons for any increase to be reported to the members at the next Annual General Meeting.
- 6) **RESIGNATION**
a) A member wishing to resign membership of the Club must give to the Membership Secretary written notice of their resignation. A member's resignation shall only take effect when this (Rule 6.a) has been complied with.
b) Notwithstanding the provisions of Rule 6.a above a member whose subscription is more than two months in arrears shall be deemed to have resigned. Where the membership of a member shall be terminated in this way, they shall be informed in writing that they are no longer a member. Either by notice handed to them or sent by post to their last known address.
- 7) **EXPULSION AND OTHER DISCIPLINARY ACTION**
a) The Committee shall have power to expel a member when in its opinion; it would not be in the interests of the Club for that person to remain a member.
b) The Club shall adopt and comply with the ASA Guidelines for handling Internal Club Disputes ("the Guidelines") as the same may be revised from time to time. The Guidelines are set out as an Appendix to the ASA Judicial Laws and appear in the ASA Handbook. A copy of the current Guidelines may be obtained from the ASA Legal Affairs Department.
c) A member may not be expelled or (subject to Rule 7.d below) be made the subject of any other penalty unless the panel hearing the complaint shall by a two-thirds majority vote in favour of the expulsion of (or other penalty imposed upon) the member.

d) The Officers of the Club (or any person to whom the Committee shall delegate this power) may temporarily suspend or exclude a 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 Guidelines.

8) **COMMITTEE**

a) The Club shall be managed by an Executive Committee (detailed as in 8a – 8a ii) only those stated in 8a – 8a iii may attend the Committee meetings. When the Committee deem it necessary for a person or person's to attend a meeting, those person or person's will be informed by the Club Secretary or Chairman. All Committee members must be not less than 18 years of age though the Committee may allow younger member(s) to attend their meetings as observers without power to vote.

i) The Club Officers shall be:

- Chairman
- Honorary Secretary
- Honorary Treasurer

ii) The Executive Committee shall consist of the Club Officers plus:

- President
- Membership Secretary
- Competition Secretary
- Fixture Secretary
- Up to 10 Elected Members, one of which shall be elected Child Protection Officer

iii) The following ex officio members

- A maximum of 2 coaches
- Senior Men's Captain
- Senior Ladies Captain

iv) Co – opted members

b) All of the Committee must be Club members.

c) The Committee members shall be proposed, seconded and elected by ballot at the Annual General Meeting each year except for the President and all ex officio members listed in 8a iii above and shall remain in office until their successors are elected at the next Annual General Meeting. Any vacancy occurring by resignation or otherwise may be filled by the Committee. Retiring members of the Committee shall be eligible for re-election.

d) A Vice – Chairman may be elected from the Elected Members of the Committee at the first Executive Committee following the annual general meeting.

e) Committee meetings shall be held not less than Six times a year, and the quorum of that meeting shall be 50% of those eligible to vote, two of whom must be Officers of the Club. The Chairman and the Secretary shall have discretion to call further meetings of the Committee if they consider it to be in the interests of the Club. The Secretary shall give all the members of the Committee not less than five days written or email notice of a meeting. Decisions of the Committee shall be made by a simple majority of the Committee members present and voting, [and in the event of equality of votes the Chairman (or the acting Chairman of that meeting) shall have a casting vote.] The Secretary, or in their absence a member of the Committee shall take minutes.

f) 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.

i) The Committee has the power to co – opt any person likely to be of service to the Club or to delegate any of its functions to individuals within the Club for specific purposes.

g) The Committee members have the power to fill any post not filled at the Annual General Meeting. Should the position of Chairman, Honorary Secretary, Honorary Treasurer, Competition Secretary, Fixtures Secretary or Membership Secretary fall vacant because of resignation, illness or otherwise, the Committee have the power to elect any member to such a position from the elected members of the Executive Committee.

h) Any elected or co – opted member of the Committee who fails to attend three consecutive Committee meetings without justifiable apology, shall be liable to disqualification from the Executive Committee.

i) The Committee shall be responsible for the management of the Club and shall have the sole right of appointing and determining the terms and conditions of service of employees 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 by the members in General Meeting.

j) The members of the Committee shall be indemnified by the members of the Club against all liabilities properly incurred by them in the management of the affairs of the Club.

9) **OFFICERS AND HONORARY MEMBERS**

a) The Annual General Meeting of the Club, if it thinks fit, may elect a President and Vice-Presidents. A President or Vice-President need not be a member of the association and on election shall be an honorary member of the Club and must be included in the Club's Annual Return of Members to the ASA.

b) The Committee may elect any person as an honorary member of the Club for such period as they think fit and they shall be entitled to all the privileges of membership except that they shall not be entitled to vote at meetings and serve as officers, or on the Committee, unless any such person shall have retained in addition his ordinary membership of the Club. Such honorary members must be included in the Club's annual return as to membership.

10) **ANNUAL GENERAL MEETING**

a) All Club members shall be entitled to attend the annual general meeting which will be held in October of each year. It will be the responsibility of the Honorary Secretary to give fourteen days notice of the venue, date and time. The notice together with the agenda shall be displayed on the Club notice board and posted to all life members.

i) The agenda shall consist of

- A definition of those entitled to vote
- President's opening remarks
- Apologies
- Chairman's report
- Minutes of the previous year's annual general meeting
- Matters arising from previous year's minutes
- Annual reports from:
 - Honorary Secretary
 - Honorary Treasurer (together with annual accounts, certified as correct by an Independent party of the Club, and a forecast for next year).
 - Appointment of Independent Professional Accountant
 - Coaches
 - Fixture Secretary
 - Competition Secretary
 - Membership Secretary
- Nomination of President by the Executive Committee
- Election of Officers and Executive Committee
- Changes to Club rules
- Approval of Honorary Life Members (if proposed)

- b) The purpose of the Annual General Meeting is to transact the following business.
- i) To elect holders of the following positions from senior members who have been duly nominated as stated in 10d i
 - President (biennial appointment)
 - Chairman
 - Honorary Secretary
 - Honorary Treasurer
 - Membership Secretary
 - Fixture Secretary
 - Competition Secretary
 - Up to 10 Executive Committee members
 - To appoint Independent Professional Accountant
 - To approve certified accounts
 - To vote on any rule changes
- c) **Proposals**
- i) Any member with voting rights as defined in 10e may make proposals for changes to the Club Constitution. All such proposals shall be sent in writing to the Honorary Secretary no later than 21 days before the date of the annual general meeting. No amendment to the Constitution shall become effective until such amendment shall have been submitted and validated by WCASA.
- d) **Nominations**
- i) Any member in 10e may nominate any other member for positions on the Executive Committee. All such nominations shall be sent in writing to the Honorary Secretary, or entered on the nomination list placed on the Club notice board, no later than 30th September in any year and shall contain the name of the proposer and seconder. If nominations for any of the positions are not received, nominations will be accepted at the annual general meeting.
- e) **Voting**
- i) Members eligible to vote are those who are senior members at a date 14 days before the date of the annual general meeting.
 - ii) All senior members shall be entitled to one vote per proposal or nomination.
 - iii) All decisions of the annual general meeting shall be reached by an ordinary majority (except for changes to the Constitution) where a two thirds majority of the eligible members present and voting.

11) SPECIAL GENERAL MEETING

- a) A Special General Meeting must be called by the Honorary Secretary.
 - i) On receipt of a written application containing the reason for the meeting and bearing the names of no less than twenty five members entitled to vote at the annual general meeting and who support the application.
 - ii) At the direction of the Club Executive Committee.
- b) A Special General Meeting shall be held within twenty eight days of the date of receipt of the application.
- c) It shall be the responsibility of the Honorary Secretary to notify Club members by post or email, at least fourteen days prior to the date of the meeting, specifying the matters which are to be put to that special general meeting.
- d) A notice of the meeting shall in addition wherever possible be put on the Club Notice Board.
- e) A Special General Meeting may determine anything that is able to be determined by the annual general meeting on any matter affecting the Club.
- f) The business of a special general meeting shall be confined to the matter appearing in the application.
- g) Voting at a special general meeting shall be the same as that of an annual general meeting as detailed in 10e.

12) BY-LAWS

- a) The Executive Committee shall have the 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. These by – laws shall have effect until set aside by the Executive Committee.

13) FINANCE

- a) All moneys payable to the club shall be deposited into a bank account in the Club name. This may be deposited by the Honorary Treasurer, Honorary Secretary, Chairman or Membership Secretary. All cheques must be signed by two of the four signatories as named here. Any moneys not required for immediate use may be invested as the Committee in its discretion see fit.
- b) The financial transactions of the Club shall be recorded by the Treasurer in such a manner as the Committee think fit.
- c) The Committee shall have the power to authorise the payment of remuneration and expenses to any officer, member or employee of the Club and to any other person or persons for services rendered to the Club.

14) CHILD PROTECTION

- a) Any senior member, who has personal contact in any capacity with the Club's swimmers, shall complete and submit an ASA Child Protection Registration Form.

15) TROPHIES

- a) All trophies remain the property of the Club and a written undertaken of the well being of any trophy must be signed for by a senior member or a parent of a junior member.

16) CLUB FUNDS

- a) All funds or other property of the Club shall not be paid or distributed amongst the members of the Club except as allowed under ASA laws relating to expenses, but shall be applied to the furtherance of the Club's aims or any charitable purpose. In the event of the Club's dissolution the funds remaining will be devoted to aims similar to those of the Club.

17) LIABILITY

- a) Whilst doing everything in their power to ensure the safety, conduct and convenience of Club members, Officers and Executive Committee cannot except any responsibility for any accident, loss or injury to members (except swimmers, coaches and helpers whilst in the pool or on poolside during Club activities).
- b) Any matter not provided for in these rules shall be dealt with by the Executive Committee in accordance with the aims of the Club.

18) ACKNOWLEDGEMENT

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