



**Bridge of Don Amateur Swimming Club  
Constitution, Bye-Laws and Regulations**

**2020  
Version 1**

## Bridge of Don ASC

### CONSTITUTION, BYE-LAWS AND REGULATIONS

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The club Rules and Regulations are contained in the current version of the Club Handbook which is also available on the Club website [www.bodasc.co.uk](http://www.bodasc.co.uk).

## CONSTITUTION

### C1.0 NAME

C1.1 The Club shall be called Bridge of Don ASC (Hereinafter referred to as the Club)

### C2.0 OBJECTS

C2.1 The objectives of the Club shall be to:-

- a) Advance the public participation in Aquatic Sports by promoting and managing the teaching, knowledge and practice of one or more Aquatic Sports, in accordance with paragraph C2.1 of the SASA Constitution where relevant.

### C3.0 MEMBERSHIP

C3.1 The membership of the club is open to all of the community without discrimination and shall consist of the following categories:-

- a) Adult Member

An Adult is an individual 16 years and over, as recognised in Scots Law. They can be a club volunteer or one of the following;

- (i) Technical official – A Member who holds a Technical officials qualification(s) issued by a recognised governing body for aquatics i.e. British Swimming, Scottish Swimming.
- (ii) Teacher/Coach – A Member who holds a current teaching or coaching qualification(s) issued by a recognised governing body for Aquatics i.e. Scottish Swimming, ASA or Swim England
- (iii) Swimmer.

- b) Junior Member

A Junior is an individual not recognised in Scots Law as an adult and not as defined in Scottish Swimming Company Rule R4.5.6.

- c) Life Member

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

C3.2.1 The Membership fees of existing members (agreed at the AGM) shall become due on 1 September in each year and those of new members on the date of acceptance for membership.

C3.2.2 Members not renewing by 30<sup>th</sup> September will be deemed to be non-members and will be notified in writing accordingly.

C3.2.3 The Management Committee shall have discretion to offer Scottish Swimming (SASA) membership at a reduced rate for members joining the Club between 1<sup>st</sup> April and 30<sup>th</sup> June. The fee is non-refundable.

C3.2.4 Members will be notified of the Membership fee due 28 days in advance of the due date.

C3.2.5 All members will be excluded from taking part in any of the Club's activities, competitions or meetings until their annual subscription is paid.

C3.3 All Club Members must be registered with the SASA in accordance with the categories defined in SASA Constitution C3.3.3.

C3.4 All members joining the Club shall be deemed to accept the terms of this Constitution, the Club Bye-Laws and any Regulations adopted by the Club.

- C3.5 A member wishing to resign from the Club shall inform the Secretary in writing.
- C3.6 A Club member wishing to change their 1st or 2nd Claim Club must do so in accordance with SS Company Rule R5.2.
- C3.7 The Management Committee shall have the power to turn down an application for membership, provided they act in accordance with paragraph C3.7.1.
- C3.7.1 When an application for membership is turned down by the Management Committee, the applicant must be advised of the reason for refusal and their right of appeal to Scottish Swimming, in writing.

**C4.0 GOVERNANCE**

- C4.1 The Club and its members shall be subject to and bound by, the Scottish Swimming Governance Documentation (SASA Constitution, Company Articles and Company Rules) and the appropriate SASA District Rules.
- C4.2 The Club shall comply with the Scottish Swimming Codes of Conduct, Ethics and Child Protection Policies.
- 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.*

**C5.0 MEETINGS**

**C5.1 General**

- C5.1.1 Notices  
At least 30 days notice and the Agenda shall be given to all Adult members of any General Meeting
- C5.1.2 Attendance  
All Adult Members and Life Members are entitled to attend, take part and vote unless specifically excluded from doing so by the Club's Constitution.
- C5.1.3 Voting
  - a) With the exception of changes to the Constitution, decisions put to a vote shall be resolved by simple majority at General Meetings.
  - b) Voting shall be by a show of hands unless decided otherwise by a majority of those attending the meeting.
- C5.1.4 Quorum  
The quorum at General Meetings shall be two Officers of the Club plus seven members eligible to vote.
- C5.1.5 Changes to the Constitution and Bye-Laws
  - a) *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.*
- C5.1.6 Conduct of Business  
*The conduct of business shall be in accordance with Bye-laws Section BL2.1*

**C5.2 Annual General Meeting (AGM)**

- C5.2.1 The Club shall hold an Annual General Meeting in the month of March to:
- a) Approve the minutes of the previous year's AGM.
  - b) Receive reports from the President and Secretary.
  - c) Receive a report from the Treasurer and approve the Annual Accounts.
  - d) Receive a report from the Auditor(s) / Independent Examiner(s).
  - e) Elect Management Committee Members.
  - f) Appoint Auditor(s) / Independent Examiner(s) for the Club's Accounts.
  - g) Consider changes to the Constitution.
  - h) Consider changes to the Bye-Laws.
  - i) Present Life Membership(s).
  - j) Deal with other relevant business
- C5.2.2 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.
- C5.2.3 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 nomination for the Management Committee.
- C5.2.4 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 the date of the meeting.
- C5.2.5 Proposed alterations to the Constitution and Bye-Laws, and notices of motion must be received by the Secretary not later than 28 days prior to the meeting.
- C5.2.6 Having received all nominations and proposed alterations to governance, the Secretary shall arrange for this information to be displayed on the Club notice board at least 7(seven) days before the meeting.
- C5.2.7 The business for an AGM shall include:
- a) Presidents Remarks
  - b) Apologies for Absence
  - c) Approval of minutes from previous AGM & matters arising.
  - d) Hon. Secretary Report
  - e) Meet Secretary Report
  - f) Coaching Report
  - g) Financial Report
  - h) Set Membership fees for the next year
  - i) Proposed changes to Constitution
  - j) Proposed changes to Bye-Laws
  - k) Election of Management Committee Members
  - l) Appointment of Auditors / Independent Examiners
  - m) Life Membership Awards)
  - n) Other relevant business

**C5.3 Extraordinary General Meeting (EGM)**

- C5.3.1 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. The Management Committee shall also have the power to call an EGM by decision of a simple majority of its members.
- C5.3.2 The Secretary will give notice, in writing of all Extraordinary General Meetings, stating the Agenda, to all Adult and Life Members at least 15 days prior to such meetings being held.
- C5.3.3 The order of Business for an EGM shall be:
- a) President's Remarks

- b) Apologies for Absence.
- c) Business to be transacted of which due notice has been given.

C5.3.4 No business shall be transacted at the EGM other than business of which due notice has been given.

**C6.0 AWARDS**

**C6.1 Life Membership**

C6.1.1 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 Management Committee.

C6.1.2 A recommendation for Life Membership may be made by any Adult or Life Member to the Secretary for submission to the Management Committee. Full details of the nominee's service should be included with the recommendation.

**C6.2 Audrey Deans Volunteer Award**

C6.2.1 The Audrey Deans Volunteer awarded annually to the club volunteer who has shown outstanding volunteering service on behalf of the club

C6.2.2 The Award shall be presented annually at the Club Championships or at any other time decreed suitable by the Management Committee.

**C7.0 TROPHIES**

C7.1 All trophies belong to the Club in perpetuity and cannot be won outright.

C7.2 The Club Honorary Treasurer shall act as Trustee of Club Trophies.

C7.3 The winner of a Club trophy shall guarantee safe custody and return of the trophy when requested by the Management Committee.

C7.4 The Club shall be responsible for arranging and funding the engraving of the winner's name on all Club trophies.

C7.5 If any Member resigns, that Member shall immediately return all trophies to the club.

C7.6 The winner of a club trophy shall guarantee safe custody and return of the trophy when requested by the management committee. In the event of loss or damage thereto, the member aged 16 years and over or the parents of the member aged 15 and under, shall be responsible for the repair or replacement of the same.

C7.7 As part of the clubs SwiMark accreditation a new trophy "Volunteer of the Year" will be presented at Club Champs each year. The trophy is proposed to be the Audrey Deans Volunteer of the Year Memorial Award.

**C8.0 DISSOLUTION**

C8.1 *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 objectives of Scottish Swimming.*

C8.2 So long as four honorary members agree to support the Club it cannot be dissolved.

## **BYE-LAWS**

### **BL1.0 MANAGEMENT**

- BL1.1 The affairs of the club shall be conducted by a Management Committee which shall consist of the Officers of the Club plus five other Adult Members as set out in Bye-Law BL1.5.1 with the support of ex-officio members as appropriate as set out in BL1.5.9.
- BL1.2 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.
- BL1.3 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.
- BL1.4 All Management Committee members shall be Adult members of the Club.
- BL1.5 Management Committee
- BL1.5.1 The Management committee shall comprise the Officers of the Club (as defined in paragraph BL1.2), Assistant Secretary, Meet Secretary, STO co-ordinator, Membership Secretary and Head Coach.
- BL1.5.2 The term of office for President, Secretary and Treasurer shall be one year.
- BL1.5.3 The Vice President, the Assistant and Meet Secretaries shall be elected for a term of one year.
- BL1.5.4 The term of office for the other Adult Members shall be one year.
- BL1.5.5 Retiring members of the Management Committee may offer themselves for re-election.
- BL1.5.6 Management Committee members shall hold a post consecutively for no more than three years, unless if no new member applies for election, then with the agreement of adult members at the A.G.M. the existing member may continue for one further year.
- BL1.5.7 Management Committee members co-opted by the committee shall be subject to endorsement at the first EGM or AGM thereafter.
- BL1.5.8 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) Appoint auditors for the club accounts
  - g) Presenting annually their nominations for Hon. President and Hon. Vice President(s) to the AGM for ratification.
  - h) Considering and approving or otherwise nominations for Life Membership of the Club.
  - i) Set training fees
- BL1.5.9 The Management Committee shall appoint such sub-committees as may be considered necessary. The following positions are required by the committee and will form membership on the subgroups where appropriate. These positions may attend committee meetings where necessary but will be ex-officio; Squad

Coaches, Coaches Co-Ordinator, Assistant Meet Secretary, Meet Co-ordinator, Equipment Convenor, Marketing Co-ordinator, Social Convenor, Beta league Match Co-ordinator, Ordinary Member.

BL1.5.10 The Management Committee shall appoint at least one Wellbeing and Protection Officer (WPO) in accordance with section C10.6 of the SASA Constitution.

**BL2.0 MEETINGS**

**BL2.1 Standing Orders**

BL2.1.1 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.

BL2.1.2 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.

BL2.1.3 The Chair 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.

BL2.1.4 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 Chair of a meeting shall have a second or casting vote.

BL2.1.5 The Chair of a meeting shall be the sole judge of questions of order and interpreter of the “rules” governing the Club.

BL2.1.6 The Chair 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 Chair elected from among those present.

BL2.1.7 The minutes of all meetings will be available to Adult and Life Members.

**BL2.2 Management Committee Meetings**

BL2.2.1 The club shall hold Management Committee Meetings no less frequently than every two months.

BL2.2.2 A Management 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.

BL2.2.3 A quorum for Management Committee Meetings shall be at least one Officer of the club plus four Committee members

BL2.2.4 The business of the meeting shall be enacted in accordance with Section BL2.1.

BL2.2.5 Notice of the date, time and venue of each committee meeting shall be published on the Club notice board at least 7(seven) days prior to the meeting.

BL2.2.6 Adult Members who are not members of the Committee, may attend, but may only participate with the agreement of the Chairperson.

BL2.2.7 All, except ex-officio members shall have a deliberative vote.

BL2.2.8 No decision of the Management Committee may be altered or revoked without 14 (fourteen) days prior notice of intent, in writing, being given to the Secretary.

**BL3.0 FINANCE & ACCOUNTS**

BL3.1 The financial year shall run from 1<sup>st</sup> January to 31<sup>st</sup> December each year.



- BL3.2 The Treasurer shall be responsible for the preparation of Annual Accounts of the Club.
- BL3.3 The Accounts shall be audited / examined by an independent person(s) elected annually at the Annual General Meeting.
- BL3.4 All cheques and BACS payments drawn against the Club's funds shall be signed or confirmed by a minimum of two Officers of the Club.
- BL3.5 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.
- BL3.6 All adult members of the Club shall be jointly responsible for the financial liabilities of the Club
- BL3.7 Any surplus of the Club's income will be re-invested in the Club and not distributed to its members.
- BL3.8 The Treasurer shall arrange for the Auditor(s) / Independent Examiner(s) to examine and certify the accounts and balance sheet before presentation of a certified summary to the AGM.
- BL3.9 The Treasurer shall submit a budget, to the last meeting of the Management Committee prior to the AGM, for the following financial year.
- BL3.10 The Treasurer shall submit a financial statement to the Management Committee no less frequently than every 3 (three) calendar months.
- BL3.11 All outgoing payments will be made by Bank Automated Clearance System (BACS) or Company cheque, signed by the authorised person(s).
- BL3.12 The treasurer will make payments through the secure BACS system when possible, the Treasurer shall obtain e-mail agreement from the President or another member of the executive committee prior to making electronic payment.
- BL3.13 No financial commitment can be made without the approval of the management committee.

#### **BL4.0 DISCIPLINE PROCEDURE, COMPLAINTS and APPEALS**

##### **BL4.1 General**

- BL4.1.1 All Complaints and Appeals, except for doping, child abuse or alleged criminal offences, shall be dealt with in accordance with Sections BL4.2, BL4.3 and BL4.4.
- BL4.1.2 Complaints involving doping should be referred to British Swimming as Per Scottish Swimming Company Rule R13.1.3.
- BL4.1.3 Complaints involving child abuse or other criminal offences shall be referred to Scottish Swimming within 48 hours, in accordance with Scottish Swimming Company Rule R13.2.1.
- BL4.1.4 The Management Committee may Suspend, from activities wholly within its own jurisdiction, impose a Fine or Expel a member as a means of discipline.

##### **BL4.2. Disciplinary Procedure**

- BL4.2.1 In the event that the behaviour of a swimmer, member of the coaching team or Management Group or a parent volunteer contravenes the Club's codes of conduct, the following action will be taken.
- BL4.2.2 The President, or a deputising club official, will conduct an investigation into the alleged breach of the Club's codes of conduct as they see fit and all persons and parties shall cooperate fully with the same. Failure to co-operate may amount to misconduct.
- BL4.2.3 The Investigating Club Official shall thereafter be entitled at any time to decide to:
  - a) Apply a sanction to the person(s) being investigated
  - b) Refer the matter to a Club Complaint panel
  - c) Take no further action
  - d) Pursue an alternative resolution, which may include Mediation, Arbitration or Conciliation.
- BL4.2.4 The Club will keep a record of each stage of the disciplinary process.

**BL4.3 Complaints**

- BL4.3.1 A complaint is a formal expression of dissatisfaction or allegation of unfair practice in connection with aquatic sports as governed by Scottish Swimming.
- BL4.3.2 A complaint must be made in accordance with Scottish Swimming Company Rules Sections R12 to R15.

**BL4.4 Appeals**

- BL4.4.1 An appeal may be made against decisions taken by the Club in respect to the outcome of a submitted grievance or against decisions taken by a National Complaints Committee.
- BL4.4.2 An appeal must be made in accordance with Scottish Swimming Company Rules Sections R12 to R15.

**BL4.5. Suspensions and Fines**

- BL4.5.1 The Management Committee may take action (e.g. fine, suspend or cancel membership) against any Club Member proved guilty of conduct or breach of the Constitution, Bye-laws, Regulations which is detrimental to the interests or aims of the Club or for 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 Scottish Swimming Governance Documentation have been applied.