1. NAME

The club shall be called the CLEVEDON AMATEUR SWIMMING CLUB

2. OBJECTS

(a) The objects of the Club shall be the objects of the Amateur Swimming Association and in particular:

(i) to promote and encourage the art of swimming, diving and water sports

(ii) to organise fund-raising and other events to finance the Club’s activities and the general furtherance of the Club’s objects

(iii) to provide financial or other support to such other charitable or voluntary organisation whose activities in the opinion of the Club serve to support or further the objects of the Club.

(iv) to treat everyone equally within the context of its activity. This shall be, for example, regardless of sex, ethnic origin, religion, disability or political persuasion, on any grounds.

(v) to implement the ASA Equal opportunity policy.

(b) The Club shall be affiliated to the Somerset A.S.A (SASA), ASA South West Region (ASA SW), British Long Distance S.A (BLDSA) and such other bodies as the committee shall from time to time decide and shall adopt and conform to the rules of these associations.

(c) The business and affairs of the Club shall at all times be conducted in accordance with the Laws and Technical Rules of the Amateur Swimming Association (“ASA Laws”) and in particular:

(i) all competing members (except for those competing in Masters competitions) shall be eligible competitors as defined in ASA Laws and

(ii) the Club shall in accordance with ASA Laws adopt the ASA Child Protection Procedures and shall recognise that the welfare of children is everyone’s responsibility and that children and young people have a right to have fun, be safe and be protected from harm.
(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 Somerset Amateur Swimming Association, Amateur Swimming Association South West, the Club and all members of the Club acknowledge that they are subject to the laws and rules of:

(i) ASA SWR and S.A.S.A.;

(ii) the Amateur Swimming Association; (to include the ASA/IOS Code of Ethics); and

(iii) British Swimming (to include in particular the Doping Control Rules and Protocols and Disciplinary Code); and

(iv) FINA, the world governing body for the sport of swimming in all its disciplines (together “the Governing Body Rules”)

(e) 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.

3. MEMBERSHIP

(a) Membership shall consist of:

(i) category A members

(ii) category B members

(iii) category C members

(iv) honorary members

(b) Paid instructors, teachers and coaches who are not members of the club must be members of a body which accepts that its members are bound by the ASA’s Code of Ethics, the laws relating to Child Protection and those parts of the Judicial Laws, Judicial Rules and procedures necessary for their implementation and whilst engaged in activities under the jurisdiction of the ASA shall be subject to all the constraints and privileges of the Judicial Laws and Rules

(c) category B members shall be under the age of 17 years of age as at the 31st day of December preceding each year of membership

(d) category C members shall include: officials, pool-side helpers, teachers and coaches. Membership shall be available to parents of junior members, and such other persons involved in Club sessions sanctioned by the committee, not involving coaching or tuition

(e) Temporary membership shall be available to persons attending learn to
swim courses for the duration of the course and to any other individual approved by the committee. Temporary members have no voting rights, but are otherwise subject to the rules.

(f) Honorary membership may only be awarded for outstanding achievement, in the sport or to persons who have rendered great service to the Club.

4. APPLICATION FOR MEMBERSHIP

(a) Application for membership shall only be made on forms prescribed for the purpose by the committee and in the case of a junior swimmer the application must be signed by the swimmer's parent or guardian.

(b) All applications shall be considered by the committee who shall have the power (without assigning any reason) to refuse any application at its absolute discretion.

(c) Any person accepted for membership shall be deemed to accept the Club's rules and regulations made there under and shall be bound by them

(d) Nominations for Honorary membership shall be made to the secretary at least 14 days before the AGM and shall be supported by the signatures of at least fifteen senior members

(e) The club shall not refuse an application for membership on discriminatory grounds, whether in relation to ethnic origin, age, sex, religion, disability, political persuasion or sexual orientation.

5 SUBSCRIPTIONS

(a) Annual subscriptions shall be fixed by the Club at its Annual General Meeting (“AGM”)

(b) The annual subscription is due on the first day of September each year.

(c) Any member failing to pay his or her subscription by the last day of October shall cease to be a member of the Club and may be re-admitted to membership only at the absolute discretion of the Committee and upon such terms (including payment of such surcharge or additional administration fee as the committee shall from time to time prescribe) as the committee shall consider appropriate.

6 TERMINATION OF MEMBERSHIP

The committee shall have the power to terminate the membership of any
member whom the committee considers shall have been guilty of any of the following:

(i) behaving in an unruly manner
(ii) causing wilful damage to Club property or to any property loaned or hired to the Club

(b) Membership shall automatically terminate by reason of non-payment of membership subscriptions in accordance with clause (E) hereof

(c) The committee shall in all respects have the power to terminate the membership of any member who is in the opinion of the committee unworthy of membership and it is not in the interest of the Club for him/her to remain a member.

(d) Any person whose membership is terminated under clauses 6(a) or 6(c) hereof shall have the right to require the committee to review its decision and shall have the right for written submission to be put to the committee for its consideration

(e) Where a membership is terminated the member shall not be entitled to return of the membership fee or any part thereof otherwise at the committee’s absolute discretion

(f) 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.

(g) A member may not be expelled or (subject to Rule 6(h) 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.

(h) 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.

(i) A member wishing to resign membership of the Club must give the Membership Secretary notice of his resignation. A Member’s resignation shall only take effect when this has been complied with.

7 OFFICERS AND COMMITTEE MEMBERS

(a) The officers and committee of the Club shall be elected at the AGM
The officers of the Club shall consist of:

(i) President                  (viii) Competition Secretary
(ii) President Elect          (ix) Development Officer
(iii) Vice Presidents         (x) Officer for Swim Sub Committee
(iv) Chairman                 [xi] Welfare & Child Protection Officer
[v] Secretary                 (xi) Disability Officer
(vi) Treasurer

The Executive Officers of the Club are the Chairman, Treasurer and Secretary

The committee shall consist of:

(i) The elected officers of the Club
(ii) No more than seven elected committee members

The number of vice-presidents shall not exceed six

All Committee members must be not less than 18 years of age though the Committee may allow younger member(s) to attend their meeting without a power to vote.

8 POWERS OF THE COMMITTEE

In addition to the powers and discretions specifically vested in the committee hereunder the committee shall have the powers of:

(i) fixing the rate of pool charges from time to time
(ii) fixing the date of the AGM
(iii) subject to any contrary direction of the Club at its AGM to take any step or to conduct any business on behalf of the Club that the Club could take or authorise in General Meeting
(iv) to fill any vacancies in their number until the next AGM
(v) to co-opt additional members and to delegate to appoint sub-committee of any of the committee’s powers hereunder.

(b) The committee shall meet each month or at such other times as the committee shall decide

(c) A minimum of five members shall be required to form a quorum including at least one Executive Officer

(d) The Chairman, Secretary and Treasurer shall be automatic ex-officio members of all sub-committee appointed by the committee.

(e) 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 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. The Committee shall also have power to make regulations and to settle disputed points not otherwise provided for in this constitution.

(f) 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

(g) The Committee shall ensure that the financial records and minutes of meetings are retained for a period of at least 6 years.

(h) 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 ASA Office. The Club shall make an annual return to the ASA in the prescribed form.

9 ANNUAL GENERAL MEETING (A.G.M.)

(a) The AGM shall be held no later than the 30th day of April of each year

(b) At least 14 days notice of the AGM shall be given by the secretary to each member of the Club over the age of 17 years and who shall be entitled to attend and vote at the AGM.

(c) At the AGM the Club shall appoint its officers and committee, appoint an auditor, approve the accounts of the Club, establish the membership subscriptions for the succeeding year, and deal with any other business of which details have previously been submitted to the secretary and circulated to members entitled to receive notice of the AGM at least 14 days before the date fixed for the AGM.

(d) The quorum for the AGM shall be 7 members entitled to attend and vote at the Meeting to include at least one executive officer of the club.

(e) The Chairman or in his absence a member selected by the Committee, shall take the chair. Each member present shall have one vote and resolutions shall be passed by a simply majority. In the event of an equality of votes the Chairman shall have a casting or additional vote.

(f) 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.

(g) Nominations for election of members to any office or for membership of the Committee shall be made in writing by the Proposer and seconder to the secretary not later than 21 days before the AGM. The nominee shall be required to indicate on the nomination form his willingness to stand for election.
10 EXTRA-ORDINARY GENERAL MEETING

An Extra-Ordinary General Meeting (EGM) of the club shall be called:

(i) at the discretion of the committee; or
(ii) on application in writing of no less than 20 members of the club submitted to the secretary.

and in either case:

(i) at least 7 days notice of such EGM shall be given to all members entitled to receive notice of the AGM

(ii) such notice shall specify the nature and purpose of the business to be dealt with at the EGM and (if appropriate) the wording of any specific resolution intended to be proposed at the EGM.

(iii) The quorum for the EGM shall be 7 members entitled to attend and vote at the meeting to include at least one executive officer of the club.

11 COMPETITIONS

(a) All competitors in junior competitions shall be under the age of 17 years on 31st December in the year of the competition.

(b) The rules of the annual Club Championship shall be determined by the committee in each year

(c) Annual “long swim” perpetual trophies may be presented only to Club members having current membership for the period of six months immediately preceding the event.

12 FINANCE

(a) All monies payable to the Club shall be received by the Treasurer and deposited in a bank account in the name of the Club. No sum shall be drawn from that account except as authorised by two signatories, at least one of whom shall be the Chairman or Treasurer and/or an additional person, as appointed by the Committee.

(b) 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, (save as set out in Rule 17.3.)
(c) The Committee shall have 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.

(d) The financial transactions of the Club shall be recorded by the Treasurer in such manner as the Committee thinks fit.

(e) The financial year of the Club shall be the period commencing on 1st January and ending on 31st December. Any change to the financial year shall require the approval of the members in a General Meeting.

(f) The Committee shall retain for a minimum period of six years all financial records relating to the Club and copies of Minutes of all meetings.

13 CUSTODIANS

(a) The property of the Club, other than cash at the bank, shall be vested in not more than four Custodians. 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.

(b) The Custodians shall be elected at a General Meeting of the Club and shall hold office for the period of one year unless removed by a resolution passed at a General Meeting.

(c) 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.

14 DISSOLUTION

(a) 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.

(b) The dissolution shall take effect from the date specified in the resolution and the members of the Committee shall be responsible for the winding-up of the assets and liabilities of the Club.

(c) Upon any dissolution of the Club (whether voluntary or otherwise), all
surplus funds of the Club shall be released to such other organisations having objects similar to those of the Club at the date of dissolution approved by the Charity Commissioners.

15 ALTERATIONS TO RULES

No rule can be altered, or additions made, except at the Annual General Meeting or Extra General Meeting and cannot be passed unless carried by a two-thirds majority of those present and voting. Notice of such alterations or additions shall be sent to the Honorary Secretary one month preceding the AGM. All constitution changes to be submitted to the SASA for confirmation.

16 MATTERS ARISING FROM RULES

All matters that may arise concerning the foregoing rules shall be settled by the committee whose decision shall be final and binding.

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