
**RETFORD ATHLETIC CLUB
CONSTITUTION
March 2008**

This constitution replaces all previous previously adopted constitutions of the club. It shall remain in place until it is amended or replaced at a properly convened AGM or EGM

1. Name and Colours

The Club, established in **1983**, is called **RET福德 ATHLETICS CLUB** ("the Club").

The Club Colours are a WHITE/RED/BLUE vest. The wearing of these colours is required when competing for the Club unless the Rules of Competition of UKA or the IAAF provide otherwise.

2. Definitions

- 2.1 "the IAAF" means the world governing body for athletics, which at the date of adoption of these Rules is the International Association of Athletics Federations;
- "the Chairman" means the person appointed from time to time to be the chairman of the Club in accordance with Rule 9;
- "the Secretary" means the person appointed from time to time to be the secretary of the Club in accordance with Rule 9;
- "the Treasurer" means the person appointed from time to time to be the treasurer of the Club in accordance with Rule 9;
- "the Management Committee" means the committee appointed under Rule 9 to manage the Club;
- "the Members" means the members of the Club admitted from time to time to membership of the Club in accordance with Rule 5;
- "National Association" the Home Country Athletics Association to which the Club is from time to time affiliated which at the date of adoption of these Rules



is

- "the President" means the person appointed from time to time to be the president of the Club in accordance with Rule 9;
- "Vice Presidents" means those persons appointed from time to time to be Vice presidents of the Club in accordance with Rule 9;
- "the UKA" means the UK Athletics Limited which is the governing body of athletics within the United Kingdom of Athletics House, Central Boulevard, Blythe Valley Park, Solihull B90 8AJ;
- "the Trustees" means the Trustees appointed in accordance with rule 10.6

2.2 Words denoting the singular number include the plural number and vice versa; words denoting the masculine gender include the feminine gender.

3. Objects

The objects of the Club are:

- (a) principally to provide facilities (including coaching and competitive opportunities) for athletics and generally to promote, encourage and facilitate athletics in the area of ***Retford and the district of Bassetlaw*** and amongst the community;
- (b) to provide and maintain a Club venue at ***The Elizabethan School Retford and Oakland's running track*** and club-owned equipment for the use of its Members;
- (c) to provide other ordinary benefits of an amateur sports club as set out in Schedule 18 of the Finance Act 2002 including without limitation provision of suitably qualified coaches, coaching courses, insurance, medical treatment, post-match refreshments;
- (d) Not used
- (e) to obtain funding for the activities of the Club, by collecting

membership subscriptions, by obtaining sponsorship and other available funding;

- (f) to affiliate to UKA and the National Association;
- (g) to comply with and uphold the Rules and Regulations of the National Associate, UKA and the IAAF as amended from time to time and the rules and regulations of any body to which UKA is affiliated;
- (h) to acquire, establish, own, operate and turn to account in any way for the Members' benefit the facilities of the Club together with buildings and easements, fixtures and fittings and accessories as shall be thought advisable;
- (i) to make rules, regulations, bye-laws and standing orders concerning the operation of the Club including, without limitation, regulations concerning disciplinary procedures that may be taken against the Members;
- (j) to discipline the Members where permitted by its rules/regulations and to refer its Members to be disciplined by UKA or the National Association (as appropriate) where so required by the Rules and Regulations of UKA or the National Associate (as the case may be); and
- (k) to do all such other things as the Management Committee thinks fit to further the interests of the Club or to be incidental or conducive to the attainment of all or any of the objects stated in this Rule 3.

4. Application of Surplus Funds

4.1 The Club is a non-profit-distributing organisation. All surpluses will be used to maintain or improve the Club's facilities and in furtherance of the Club's objects.

4.2 Nothing in Clause 4.1 shall prevent the Club from entering an agreement with a Member for his employment by the Club, provided that such arrangements are approved by the Management Committee (without the Member being present) and are agreed with the Member on an arm's length basis. [If a Member is to be employed by the Club and the person concerned is also a member of the Management Committee or a Trustee, any remuneration, salary, fees or benefit in money or money's worth paid to such Member (or someone connected to him) by the Club for discharging his duties as such

must:

- (i) be fixed having regard to the current remuneration of officers in comparable posts;
- (ii) not exceed the general market rate for officers providing comparable services; and
- (iii) not to any extent be determined by or conditional upon the profits or losses derived from some or all of the activities of the Club or by reference to the level of the Club's gross income from some or all of its activities.

Nothing herein shall prevent the Club from entering an agreement with a Member for the supply by him to the Club of goods or services, nor prevent any payment in good faith by the Club:

- (a) of interest on money lent by a Member or its officers at a commercial rate of interest;
- (b) to any officer, committee or sub-committee member of reasonable and proper out-of-pocket expenses;
- (c) of reasonable and proper rent for premises demised or let by any Member or by any officer; or
- (d) of any premium in respect of the purchase and maintenance of indemnity insurance in respect of liability for any act or default of the officers (or any of them) in relation to the Club.

4.3 No Member shall be paid a salary, bonus fee or other remuneration for competing for the Club.

5. Membership

5.1 *Eligibility for membership*

5.1.1 No person shall be denied membership of the Club on the grounds of race, ethnic origin, creed, colour, age, disability, sex, occupation, sexual orientation, religion, political or other beliefs.

5.1.2 Persons below the age of 18 may be elected as Junior Members without the right to hold office.

5.1.3 The number of Members is unlimited but maybe restricted by the Committee if considered necessary due to available facilities.

5.2 *Admission of Members*

Any person who wishes to become a Member must submit an application in such form as the Management Committee shall decide. Every candidate for membership shall be considered by the Management Committee, which shall admit that candidate to membership of the Club unless to do so would be contrary to the best interests of the sport or the good conduct and interests of the Club.

5.3 *Classes of Members*

There shall be the following classes of members for the Club:

Senior Member

Junior Member

Associate Member

Honorary members

Only Members who pay and have paid an annual subscription shall be entitled to receive notice of, attend and vote at general meetings. A parent or guardian at general meetings shall represent junior members under the age of 16.

An Associate member shall be

- Members who retire from athletics over the age of 60 and who wish to continue their association with the club.
- Athletes who have been incapacitated from participating and wish to continue their association with the club.
- Club committee members, and volunteers who are not otherwise members of the club.
- All the above require the approval of the committee and become void if the member actively participates in athletics.

All Members shall be subject to these Rules and the regulations of the Club and respect the Rules for Competition as set from time to time by the IAAF.

An Honorary member shall be persons not being members but have non-the less made an outstanding contribution to the clubs objectives.

5.4 *Subscriptions*

5.4.1 The annual subscription for each type of Member shall be determined from time to time by the Management Committee provided that the Management Committee shall ensure that the fees set by it do not preclude open membership of the Club.

5.4.2 The Members shall pay the annual subscription fees set by the Management Committee from time to time. Payment shall be for 6months paid in advance.

5.4.3 No candidate who has been elected a Member shall be entitled to the privileges of membership until he has paid his annual subscription.

5.4.4 Any Member whose annual subscription is not paid by 6 months shall be deemed to have resigned his membership of the Club.

5.4.5 The Club shall be required to register those members as defined by the National Association, for competition purposes, as being "*active members*".

6. Resignation

6.1 A Member may withdraw from membership of the Club on ***giving written*** notice to the Club Secretary. Membership will cease upon the tendering of resignation. Membership shall not be transferable in any event and shall cease immediately on death or dissolution or on the failure of the Member to comply or to continue to comply with any condition of membership set out in these Rules.

6.2 The club will only accept a resignation when satisfied that the member has cleared any debt owed to the club.

6.3 The member intending to resign should ensure that they comply with the Eligibility process of the sport in the event that they wish to join another affiliated Athletics Club.

7. Expulsion

- 7.1 The Management Committee shall have power to expel a Member when, in its opinion, it would not be in the interests of the sport or of the Club for him to remain a Member.
- 7.2 A Member shall not be expelled unless he is given 14 days' written notice of the meeting of the Management Committee at which his expulsion shall be considered and written details of the complaint made against him.
- 7.3 The Member shall be given an opportunity to make written representations and/or to appear before the Management Committee and at any such meeting to be accompanied by a representative or friend, who may answer complaints made against the Member and to cross-examine any witnesses on behalf of the Member. The Member must not be expelled unless at least two-thirds of the Management Committee then present vote in favour of his expulsion.
- 7.4 The Management Committee may exclude the Member from the Club's premises until the meeting considering his expulsion has been held. For the avoidance of doubt, the Member shall be entitled to attend that meeting for the purpose of making his representations.
- 7.5 Any member expelled may appeal, within 14 days of written notice of his expulsion by written notice to the secretary of the club. The appeal will take the same format as 7.3 above but will be heard by a appeals panel drawn from the membership of the club. The panel shall consist of 4 members none of whom shall have been involved in the original decision.

8. Effect of Resignation or Expulsion

Any person ceasing to be a Member forfeits all rights in relation to and claims upon the Club, its property and its funds and he has no right to the return of any part of his subscription. The Management Committee may refund an appropriate part of a resigning Member's subscription if it considers it appropriate taking account of all the circumstances.

9. The Management Committee

9.1 The Club shall be managed by a Management Committee consisting of:

- (a) the Chairman;
- (b) the Vice Chairman;
- (c) the Club Secretary;
- (e) the Club Treasurer;
- (f) Road running secretary
- (g) Fell running secretary
- (h) Membership secretary
- (i) Track and field secretary
- (j) Minute secretary
- (k) Junior secretary
- (l) Cross country secretary
- (m) Grand Prix secretary
- (n) Development Secretary
- (o) Data protection officer
- (p) Child protection officer
- (q) Communications officer
- (r) General member representatives.

9.2 The Club Secretary shall make available to the Members each year a nomination form for the election of members of the Management Committee in the place of those retiring. Those persons proposed to be nominated as members of the Management Committee to fill any vacancies that have arisen must be nominated by **any two Members** on the form prescribed by the Management Committee and must be submitted to the Club Secretary by such date as the Management Committee shall prescribe each year and must be signed by **the Nominee and the two nominating members**. No Member may nominate more than one candidate.

If no nominations are received for any particular post nominations may be sort from Members present at the meeting.

9.3 Any person nominated as a member of the Management Committee must be

a Member of the club.

- 9.4 If there is only one candidate nominated to fill any particular vacancy, that candidate shall be declared elected unopposed for that particular vacancy at the next annual general meeting. If there is more than one candidate for any particular vacancy there shall be an election at the annual general meeting for that position. In the event of a tie, the candidate to be elected shall (unless the candidates otherwise agree) be determined by lot.
- 9.5 The Management Committee members shall be proposed, seconded and elected by ballot at the annual general meeting. Election to the Management Committee shall be for three years. One-third, or if their number is not three or a multiple of three, the number nearest to one-third of the members of the Management Committee appointed under paragraph (f) of Rule 9.1 shall retire annually but [shall be eligible for re-election (*or*) shall not be eligible for re-election until the next annual general meeting]. The members so retiring being those who have been longest in office. As between those who have served for an equal length of time, the member to retire shall (unless they otherwise agree) be determined by lot.
- 9.6 In addition to the members elected [or appointed] in accordance with this Rule 9, the Management Committee may co-opt further Members *who* shall serve until the next annual general meeting. Co-opted members shall be entitled to vote at the meetings of the Management Committee.
- 9.7 The Management Committee may appoint any Member to fill any casual vacancy on the Management Committee until the next annual general meeting when that person shall retire but shall be eligible for re-election.
- 9.8 Retiring members of the Management Committee may be re-elected.
- 9.9 A member of the Management Committee shall be deemed to have vacated office if:
- (a) he becomes bankrupt or makes any arrangement or composition with his creditors generally; or

- (b) he is, or may be, suffering from mental disorder; or
- (c) he resigns his office by notice to the Club; or
- (d) he shall without sufficient reason for more than three consecutive meetings of the Management Committee have been absent without permission of the Management Committee and the Management Committee resolves that his office be vacated; or
- (e) he is suspended from holding office or from taking part in any activity relating to the administration or management of the Club by a decision of the Constituent Body or the RFU; or
- (f) he is requested to resign by not less than two-thirds of the other Management Committee members acting together.

9.10 The Committee may appoint a person as President. The appointment should be for 3 years, which can be renewed. The President shall pay no fee may attend committee and general meetings, but will not have any voting rights.

9.11 The Committee may appoint Vice Presidents, which shall be reserved for those members who have made a significant and outstanding contribution to the club over a period of years. The appointment shall be for life but subject to the disciplines required of other membership. Fees and voting rights shall be as his current membership status.

10. Proceedings of the Management Committee

10.1 Management Committee meetings shall be held as often as the Management Committee thinks fit provided that there shall not be less than **six** meetings each year. The quorum for such meetings shall be **four**, The Chairman and the Club Secretary shall have discretion to call emergency meetings of the Management Committee if they consider it to be in the interests of the Club. The Club Secretary shall give all the members of the Management Committee not less than **7** days' notice of a meeting except due to exceptional circumstances it is considered in the members interest to reduce this period of notice.

10.2 The Chairman shall be the chairman of the Management Committee. Unless he is unwilling to do so, the Chairman shall preside at every meeting of the Management Committee at which he is present. But if there is no person

holding that office, or if the Chairman is unwilling to preside or is not present within five minutes after the time appointed for the meeting, the Vice-Chairman *shall* preside. If there is no Vice-Chairman or if he is unwilling to preside, or if he is not present within five minutes after the time appointed for the meeting, the members of the Management Committee present may appoint one of their number to be chairman of the meeting.

- 10.3 Decisions of the Management Committee shall be made by a simple majority and in the event of an equality of votes the Chairman or the acting chairman of that meeting shall have a casting or additional vote.
- 10.4 The Management Committee may from time to time appoint from among its number such sub-committees as it considers necessary and may delegate to them such of the powers and duties of the Management Committee as the Management Committee may determine. All sub-committees shall periodically report their proceedings to the Management Committee and shall conduct their business in accordance with the directions of the Management Committee.
- 10.5 The Management 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 Management Committee shall have power to enter into contracts for the purposes of the Club on behalf of all the Members.
- 10.6 The Management Committee may appoint Trustees, to hold office until death or resignation unless removed from office by a resolution of the Management Committee or by a resolution duly passed at a general meeting. The [Chairman] from time to time is nominated as the person to appoint new Trustees within the meaning of Section 36 of the Trustee Act 1925. A new Trustee or new Trustees shall be nominated by resolution of the Management Committee and the Chairman shall by deed duly appoint the person or persons so nominated as the new Trustee or Trustees of the Club and the provisions of the Trustee Act 1925 shall apply to any such appointment. Any statement of fact in any such deed of appointment shall in favour of a person

dealing with the Club or the Committee in good faith be conclusive evidence of the fact so stated.

10.7 The number of Trustees shall not be more than four or less than two.

10.8 The members of the Management 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.

11. Annual general meeting

11.1 The annual general meeting of the Club shall be held at such time as the Management Committee shall decide each year to transact the following business:

- (a) to receive the Chairman's report of the activities of the Club during the previous year;
- (b) to receive and consider the accounts of the Club for the previous year, the auditor's report on the accounts (if appointed) and the Treasurer's report as to the financial position of the Club;
- (c) to remove and elect the auditor or confirm that he remain in office;
- (d) to elect the members of the Management Committee;
- (e) to decide on any resolution which may be duly submitted in accordance with Rule 11.2 below; and
- (f) to deal with any special matters which the Management Committee desires to bring before the membership.

11.2 Notice of any resolution proposed to be moved at the annual general meeting shall be given in writing to the Secretary not less than 28 days before the meeting.

11.3 No period greater than fifteen months shall elapse between one annual general meeting and the next.

12. Extraordinary general meetings

An extraordinary general meeting may be called at any time by the Management Committee and shall be called within 1 calendar month of receipt by the Secretary of a requisition in writing signed by not less than 10 Members stating the purposes for which the meeting is required and the resolutions proposed

13. Procedures at the annual and extraordinary general meetings

13.1 The Secretary shall post on the Club web site and the club notice board notice of the date of the general meeting together with the resolutions to be proposed at least 21 days before the meeting.

13.2 The quorum for the annual and extraordinary general meetings shall be **15** Members.

13.3 The Chairman shall preside at all meetings of the Club but if he is not present within 15 minutes after the time appointed for the meeting or has signified his inability to be present at the meeting, the Members present and entitled to vote may choose one of the other members of the Management Committee present to preside and if no other member of the Management Committee is present or willing to preside the Members present and entitled to vote may choose one of their number to be chairman of the meeting.

13.4 Each Member present and entitled to vote, shall have one vote and resolutions shall be passed by a simple majority of those Members present and voting. In the event of an equality of votes the chairman of the meeting shall have a casting or additional vote.

13.5 The minutes Secretary, or in his absence a member of the Management Committee, shall take minutes at annual and extraordinary general meetings.

13.6 There shall be no right for a Member to vote by proxy.

14 Not used.

15 Not used

16. Guests

16.1 Any Member may introduce guests to the Club, and any athlete, coach, other team representative, match official or spectator attending the Club's premises by invitation of the Club who is not a Member shall be a guest of the

Management Committee, provided that no one whose application for membership has been declined or who has been expelled from the Club may be introduced as a guest.

16.2 A Member introducing a guest and any person introduced as a guest of the Management Committee in accordance with Rule 16.1 must enter the name and address of the guest together with the name of the introducer in a book which must be kept on the Club's premises.

16.3 No one may be admitted as a guest on more than four occasions in any calendar year. Unless approved at a meeting of the Management Committee.

17. Opening of Club

The Club is open for such periods as the Management Committee shall decide. The Club's facilities shall be available to the members without discrimination.

18. Not used

19. Alteration of the Constitution

These Rules may be altered by resolution at an annual or extraordinary general meeting provided that the resolution shall not be passed unless carried by a majority of at least two-thirds of the Senior members **and** two-thirds of the junior members (Parent or guardian), present and voting.

The Management Committee may make minor amendments in the drafting, which shall be ratified at the next at the next AGM.

20. Regulations and Standing Orders

The Management Committee shall have power to make, repeal and amend such regulations and standing orders as it may from time to time consider necessary for the wellbeing of the Club. Such regulations and standing orders and any repeals or amendments to them shall have effect until set aside by the Management Committee.

21. Finance

- 21.1 All moneys payable to the Club shall be received by the person authorised by the Management Committee to receive such moneys and shall be deposited in a bank account in the name of the Club. No sum shall be drawn from that account except by cheque signed by two of the three signatories who shall be the Chairman, Club Secretary and Treasurer. Any moneys not required for immediate use may be invested as the Management Committee in its discretion thinks fit.
- 21.2 Subject to Rule 24.3, 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 Member.
- 21.3 The Management Committee shall have power to authorise the payment of remuneration and expenses to any Officer, member of the Management Committee, Member or employee of the Club and to any other person or persons for services rendered to the Club, [provided that any payment to any officer of the Club shall comply with Rule 4.2].
- 21.4 The financial transactions of the Club shall be recorded in such manner as the Management Committee thinks fit by the Treasurer.
- 21.5 Full accounts of the financial affairs of the Club shall be prepared each year. A report on these accounts shall be prepared by an auditor **OR** independent person. The accounts must be made available when notice concerning the annual general meeting is given.

22. Borrowing

- 22.1 The Management Committee may borrow a maximum total amount of **£1000** on behalf of the Club for the purposes of the Club from time to time at its own discretion and with the sanction of a general meeting any further money above that sum.
- 22.2 When so borrowing, the Management Committee shall have power to raise in any way any sum or sums of money and to raise the repayment of any sum

or sums of money in such manner on such terms and conditions as it thinks fit provided that in the event that the repayment of any sum or sums is to be secured (in particular by mortgage of or charge upon, or by the issue of debentures charged upon all or any part of the property of the Club) the grant of such security must be approved by the Club at a general meeting).

22.3 The Management Committee shall have no power to pledge the personal liability of any Member for repayment of any sums so borrowed.

22.4 The Trustees shall, at the discretion of the Management Committee, make such dispositions of the Club's property or any part thereof, and enter into and execute such agreements and instruments in relation thereto, as the Management Committee may deem proper for giving security for such moneys and the interest payable thereon.

23. Property

23.1 The property of the Club, other than cash at the bank, shall be vested in the Trustees. They shall deal with the property as directed by resolution of the Management Committee and entry in the minute book shall be conclusive evidence of such a resolution.

23.2 The Trustees shall be indemnified by the Club and the Management Committee shall pay all costs, losses and expenses which any such Trustee may incur or for which he may become liable by reason of any contract entered into or act or thing done by him in good faith as such Trustee in accordance with the instructions of the Management Committee or of a general meeting of the Club or otherwise in the discharge of his or their duties. The Management Committee may give to any Trustee, who has incurred or may be about to incur any liability, at the request of or for the benefit of the Club such security by way of indemnity as may seem expedient.

24. Dissolution

24.1 A resolution to dissolve the Club shall be proposed only at a properly convened extraordinary general meeting and shall be passed by a majority of the Members present and voting. If passed a further general meeting shall be convened, to be held not less than four weeks thereafter (of which two weeks

written notice shall be given to each Member in addition to the other provisions for Notice), to further consider the matter.

The members may vote to wind up the club if not less than two thirds of the senior members, present and voting **AND** two thirds of the junior members, present (Parent or guardian) and voting support that proposal.

24.2 Following a successful resolution to dissolve the club, the committee shall proceed to realise the property of the club and discharge all liabilities.

24.3 Any property remaining after the discharge of the debts and liabilities of the Club shall be paid to or distributed to Nottinghamshire AAAs for use by them in community related sports.