

Unincorporated Association

1. Name

- 1.1. The Club will be called Bewl Canoe Club herein after referred to as the Club and will be affiliated to The British Canoeing (BC) and shall incorporate its rules and regulations.
- 1.2. Interpretation of all the Rules must be consistent with the statutory requirements for CASCs (which means Community Amateur Sports Clubs as first provided for by the Finance Act 2002.). In the event that there shall be any conflict between any rule or by-law of the Club and of the rules and regulations set out above in clause 1.1 the rules above shall prevail unless this is inconsistent with the statutory requirements for CASCs.

2. Aims and Objectives

The aims and objectives of the Club will be:

- 2.1. To promote participation in the sport and recreation of Canoeing.
- 2.2. To provide facilities for the sport of Canoeing.
- 2.3. To offer coaching, recreational and competitive opportunities in Canoeing.
- 2.4. To promote the Club within the local community and Canoeing.
- 2.5. To ensure a reasonable duty of care to all members of the Club.
- 2.6. To provide all its services in a way that is fair to everyone, where possible.
- 2.7. To adhere to the BC policies regarding Good Practice, Child Protection and Equal opportunities

3. Membership

- 3.1. To ensure all present and future members receive fair and equal treatment.
- 3.2. Membership should consist of officers and members of the Club.
- 3.3. All members will be subject to the regulations of the constitution and by joining the Club will be deemed to accept these regulations and codes of practice that the Club has adopted.
- 3.4. The General Committee may refuse membership, or remove it, only for good cause such as conduct or character likely to bring the Club or sport into disrepute. Appeal against refusal or removal may be made to the members.

- 3.5. Qualification: Any person interested in Canoeing who undertakes to behave in the best interest of the Club’s objectives shall be eligible for membership regardless of sex, age, disability, ethnicity, nationality, sexual orientation, religious or other beliefs.
- 3.6. Limit: The total membership of the Club shall be limited to 200 or as agreed in the terms of the Lease.
- 3.7. Classes of Membership
 - 3.7.1. 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
 - 3.7.2. Members will be enrolled in one of the following categories: which may be varied from time to time as agreed by the Committee.
 - 3.7.3. Any member age 18 or over is entitled to vote at General Meetings.
 - 3.7.4. Categories:

Adult	Eighteen years and over.
Family	Family: Main adult member and spouse/partner and their children under the age of 18.
Junior	Age up to 18
Student	Any active canoeist age 18 and under 25 living away from home during term time.
Support	An Adult Member may enrol a non paddling spouse or partner as a Club Supporter on payment of an amount which may be varied from time to time by the General Committee.

- 3.8. Guests
 - 3.8.1. A Member may request permission to bring each guest on four separate occasions during the year.
 - 3.8.2. Guests may accompany a Member only if prior agreement has been given by the Secretary or in his/her absence, the Chair or Treasurer and on payment of amount which may be varied from time to time by the General Committee.
- 3.9. **Election of members**
 - 3.9.1. Candidates for election to membership shall make written application to the Club Secretary on the form provided.
 - 3.9.2. The power of election shall rest with the General Committee.
 - 3.9.3. The General Committee shall be required to give reasons for the refusal of an application for membership in writing.

- 3.9.4. Any person refused membership may seek an appeal before an appeal panel comprising of 3 full members.
- 3.9.5. The rates of subscription, racking fees & fees for the use of equipment shall be determined by the General Committee and submitted to members at the AGM for approval.

4. Membership Fees

- 4.1. A joining fee is payable in addition to Membership fees for new Members. The amount will be determined by the General Committee.
- 4.2. Membership fees will be set annually, determined by the General Committee and agreed at the Annual General Meeting. Membership fees shall be due on election and thereafter, on or before 1st April in each year.
- 4.3. Fees will be paid annually or any other way agreed by current committee
- 4.4. Any member that has not paid his/her membership fee for a period in excess of 30 days from the due date shall be immediately suspended from the Club until an overdue renewal surcharge and annual membership fee is received or that member is deemed to have resigned in accordance with this constitution.
- 4.5. Club Members who are current BC members may benefit from a reduction in fees of an amount which may be varied from time to time by the General Committee
- 4.6. The Chair and Secretary have the authority to vary Membership fees in the case of hardship which will remain confidential.

5. Cessation of Membership

- 5.1. Any member may resign at any time however no refund of membership fees will be due.
- 5.2. Any member violating rules or regulations of the Club or being adjudged guilty of unsatisfactory conduct may, by resolution of the committee, be suspended or expelled. Any member so suspended or expelled may appeal in accordance with clause 3.4.
- 5.3. A member shall be deemed to have resigned from the Club if, after due notice he has not paid by 1st May the annual subscription which became due on 1st April. He may, however, rejoin the Club at any time during the Club year upon payment of the appropriate fee.

6. Expulsion and Disciplinary Action

- 6.1. All concerns, allegations or reports of poor practice/abuse relating to the welfare of children, young people and vulnerable adults will be recorded and responded to swiftly and appropriately in accordance with the Club's child protection policy and procedures. The Club Welfare Officer(s) is the lead contact for all members in the event of any child protection concerns.
- 6.2. On any occasion of a matter involving children or vulnerable adult protection, a phone call will be made straight away to the Police child protection team to seek advice.

- 6.3. The club should have one suitably trained Child Protection Lead person to act as a single point of contact within the club and as the main conduit with the police and other relevant services.
- 6.4. It is better to discuss such matter with the Police sooner rather than later. The Police would much rather prevent and protect than investigate something that is left to develop into an offence.
- 6.5. The name and contact details of the Welfare Officer(s) should be clearly published for the club members.
- 6.6. All such matters should be reported and recorded immediately within the club.
- 6.7. All persons who are involved in the training or direct supervision of persons under 18 years should have a current DBS/CRB check pertaining to that specific role.
- 6.8. All complaints regarding the behaviour of members should be presented and submitted in writing to the Secretary.
- 6.9. The General Committee will meet to hear complaints within 10 days or as soon as possible after a complaint being lodged. The committee has the power to take appropriate disciplinary action including the termination of membership.
- 6.10. The outcome of a disciplinary hearing should be notified in writing to the person who lodged the complaint and the member against whom the complaint was made within 7 days of the hearing.
- 6.11. There will be the right of appeal to the General Committee following disciplinary action being announced. The Committee should consider the appeal as soon as possible thereafter but within at least one calendar month of the Secretary receiving the appeal.
- 6.12. The General Committee may temporarily suspend or exclude a member from particular activities where it is deemed in the best interests of the Club.
- 6.13. Any member so suspended or expelled may also appeal to the British Canoeing/Canoe England.

7. Officers of the Club

7.1. The Honorary Officers of the Club, who shall be Full Members, will be:

- Chair
- Vice Chair
- Secretary
- Treasurer
- Membership Secretary
- Training Coordinator
- Volunteer Coordinator
- Welfare Officer(s)

- Clubmark Officer
- Any other relevant position

7.2. Officers will be elected annually at the Annual General Meeting.

7.3. All officers will retire each year but will be eligible for re-appointment.

8. Sections

8.1. The Club may organise sections to cover its various activities as agreed by the General Committee.

9. General Committee

9.1. The General Committee shall conduct the affairs of the Club as a whole and shall consist of the Officers of the Club and a minimum of 3 other elected members.

9.2. Any member who wishes to offer themselves for election to the position of Chair should already be a member of the General Committee.

9.3. The General Committee meetings will be convened by the Secretary of the Club and held at least four times per year.

9.4. The quorum required for business to be agreed at General Committee meetings will be: 3 and where a quorum is not present the meeting shall be adjourned to a time and date not less than 7 days from the date of the meeting.

9.5. The General Committee will be responsible for adopting new policy, codes of practice and rules that affect the organisation of the Club.

9.6. The General Committee will have powers to appoint subcommittees as necessary and appoint advisers to the General Committee as necessary to fulfil its business. Additionally, the General Committee may co-opt no more than 4 members of the Club to its number. The General Committee may also co-opt a Junior member with no voting rights onto the Committee. In the case of an unexpected vacancy among the General Committee, the said Committee shall have the option to appoint another eligible person to act until the next AGM

9.7. The General Committee will be responsible for disciplinary hearings of members who infringe the Club rules/regulations/constitution. The General Committee will be responsible for taking any action of suspension or discipline following such hearings.

9.8. Special meetings of the General Committee shall be called by the Secretary on instructions from the Chair, or not less than three committee members.

9.9. Nominations for the position of Chair, Secretary, Treasurer and other officers shall be proposed, seconded and elected by ballot at the General Meeting of the Members. The term of office shall be for one year, and members shall be eligible for re- election.

Date of adoption: 18th January 2012

Updated: 3rd April 2012; 18th March 2013, 25th Oct 2013, 26th Feb 2014,
31st March 2019

- 9.10. All decisions of the General Committee shall be taken by a simple majority (with the Chair having the casting vote) save that expulsion of a member shall require a two thirds majority of the General Committee.
- 9.11. The members of the Committee shall be indemnified by the members of the Club against all liabilities properly incurred by them in performing their duties.
- 9.12. Any member who is under the age of 18 shall not be eligible for election to the General Committee.
- 9.13. If required, at least one member of the General Committee shall represent the Club on the Bewl Water Users Committee.
- 9.14. Any member of the General Committee shall declare any relevant interest, financial or otherwise by himself or any member of his family, in any matter before the General Committee and may be required to withdraw from the meeting during discussions of such matter.
- 9.15. Any member who is disqualified as an amateur under the rules of the BCU will not be eligible for election to the General Committee of the Club but such a person may be co-opted without voting rights.
- 9.16. The Committee will have due regard to the law on disability discrimination and child protection.

10. Annual General Meeting & Extraordinary General Meeting

- 10.1. The Annual General Meeting shall be held in the September or as soon as possible thereafter each year.
- 10.2. Notice of Annual General Meetings (AGM) will be given by the Secretary. Not less than 21 clear days notice to be given to all members.
- 10.3. There shall be laid before the meeting a statement of accounts made up to the 31st day of December preceding.
- 10.4. The AGM will receive a report from officers of the General Committee and a statement of the accounts verified by an Independent Examiner.
- 10.5. At every Annual General Meeting a competent person to act as an Independent Examiner of the Accounts shall be appointed for the following year. He will receive from the Treasurer or Secretary the financial records of the Club to 31st December for the year under review and verify the accuracy of the Income & Expenditure accounts and of the Balance Sheet.
- 10.6. The General Committee shall be empowered to set any remuneration due to the Independent Examiner.

- 10.7. Motions for discussion at Annual General Meetings, not of origin from within the General Committee, shall be lodged with the Secretary at least 14 days preceding the AGM and signed by two full members.
- 10.8. A resolution put to vote at 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.
- 10.9. At all general meetings the Chair will preside or, in his absence, a Vice-Chair will be elected by the committee.
- 10.10. The quorum for AGMs will be 20% of the full members.
- 10.11. Nominations for officers of the General Committee will be proposed and seconded prior to their nominations being submitted on the appropriate form to the Secretary at least 14 days prior to the AGM.
- 10.12. Elections of officers are to take place at the AGM.
- 10.13. All Full members have the right to vote at the AGM. A list of all current Full members will be available at the AGM for signing by those members present to verify their attendance.
- 10.14. Proxy votes may be accepted at the AGM.
- 10.15. An Extraordinary General Meeting shall be called on the instructions of a simple majority of the General Committee, or on a requisition signed by not less than 20% of the full members.
- 10.16. Procedures for EGMs will be the same as for the AGM.
- 10.17. Absence of quorum
 - 10.17.1. If after half an hour from the appointed time 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 until a time and place to be fixed by the General Committee.
 - 10.17.2. If a quorum is not present within half an hour from the appointed time for an adjourned meeting those members present shall be the quorum.
- 10.18. Accidental Omissions: Accidental omissions to give notice of or the non receipt of a notice of a meeting by any Member shall not invalidate the proceedings of a meeting.

11. Proxy Voting

- 11.1. Proxies may only validly be appointed by a notice in writing (a "proxy notice") which:
 - 11.1.1. States the name and address of the member appointing the proxy;

- 11.1.2. Identifies the person appointed to be that member's proxy and the general meeting in relation to which that person is appointed;
 - 11.1.3. Is signed by the member appointing the proxy; and
 - 11.1.4. Is delivered to the Club in accordance with the Constitution and any instructions contained in the notice of the general meeting to which they relate.
- 11.2. The Club may require proxy notices to be delivered in a particular form, and may specify different forms for different purposes.
- 11.3. Proxy notices may specify how the proxy appointed under them is to vote (or that the proxy is to abstain from voting) on one or more resolutions.
- 11.4. Unless a proxy notice indicates otherwise, it must be treated as;
- 11.4.1. allowing the person appointed under it discretion as to how to vote on any ancillary or procedural resolutions put to the meeting, and
 - 11.4.2. Appointing that person as a proxy in relation to any adjournment of the general meeting to which it relates as well as the meeting itself.
- 11.5.
- 11.5.1. A person who is entitled to attend, speak or vote (either on a show of hands or on a poll) at a general meeting remains so entitled in respect of that meeting or any adjournment of it, even though a valid proxy notice has been delivered to the Club by or on behalf of that person but subject to the authority of the proxy appointed being revoked as in 11.5.2 and 11.5.3 below.
 - 11.5.2. An appointment under a proxy notice may be revoked by delivering to the Club a notice in writing given by or on behalf of the person by whom or on whose behalf the proxy notice was given.
 - 11.5.3. A notice revoking a proxy appointment only takes effect if it is delivered before the start of the meeting or adjourned meeting to which it relates.

12. Liability

- 12.1. 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.
- 12.1. All members or other persons (GUESTS) who attend Club tours or activities do so at their own risk, they are deemed to have accepted for themselves that they are sufficiently skilled and are suitably equipped for the activities proposed, and neither the Club or its officers can accept liability for any loss or injury of any kind sustained at headquarters or elsewhere.

13. Amendments to the Constitution

- 13.2. Any resolution to amend The Constitution will be deemed a special resolution and can only be adopted when there is a majority of at least 75% of the votes cast at the meeting in favour of the resolution.

14. Finances

- 14.1. The Club Treasurer will be responsible for the finances of the Club.
- 14.2. The financial year of the Club will end on 31st December. Any change to the financial year shall require the approval of the Members in a General Meeting.
- 14.3. A statement of annual accounts verified by an Independent Examiner will be presented by the Treasurer at the Annual General Meeting.
- 14.4. All Club monies will be banked in an account held in the name of the Club.
- 14.5. Any new Account opened in the name of the Club shall be agreed by the General Committee.
- 14.6. Any cheques drawn against Club funds shall hold the signatures of at least two approved signatories who shall not be a beneficiary of the payment.
- 14.7. Approval must be given by the General Committee prior to any expenditure in excess of an amount which may be varied from time to time by the General Committee.
- 14.8. Any approved expenditure incurred by individuals will only be reimbursed on completion of an expenses form which will be accompanied by the appropriate receipts and submitted to the Treasurer in the membership year to which it relates.
- 14.9. The Club may not make payment to members for participation in the sport which would contravene amateur status nor can any profit be distributed to members, but any profits earned shall be contributed to a General Fund for furthering the objects of the Club.

- 14.10. The General Committee shall retain for a period of six years all financial records relating to the Club.

15. Property

- 15.1. The property and funds of the Club cannot be used for the direct or indirect private benefit of members other than as reasonably allowed by the Rules and all surplus income or profits are reinvested in the club.
- 15.2. The Club may provide sporting and related social facilities, sporting equipment, coaching, courses, insurance cover, medical treatment, competition expenses, post competition refreshments and other ordinary benefits of Community Amateur Sports Clubs as provided for in the Finance Act 2002.
- 15.3. The Club may also in connection with the sports purposes of the Club:
- 15.4. Sell and supply food, drink and related sports clothing and equipment;
- 15.5. Employ members (though not for playing) and remunerate them for providing goods and services, on fair terms set by the Committee without the person concerned being present;
- 15.6. Pay for reasonable hospitality for visiting teams and guests;
- 15.7. Indemnify the Committee and members acting properly in the course of the running of the Club against any liability incurred in the proper running of the Club (but only to the extent of its assets).

16. Safety Rules

- 16.1. The General Committee together with BC qualified Coaches shall be empowered to draw up the rules for the safe conduct of canoeing activities which will be adhered to by all members.

17. Dissolution and Termination

- 17.1. A resolution to dissolve the Club can only be passed at an AGM or EGM through a majority vote of the not less than three quarters of those present and voting in favour.
- 17.2. In the event of the dissolution of the Club, any assets remaining after the satisfaction of all debts and liabilities shall not be paid to or distributed among the members of the Club, but shall be given or transferred to one or more of the following approved sporting or charitable bodies:
1. A registered charitable organisation(s).
 2. Another Club which is registered as a CASC.
 3. The sport's governing body for use by them for related community sports.

- 17.3. The Committee will then be responsible for the orderly winding up of the Club's affairs.

18. Power of Decision

- 18.1. 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.

19. Declaration

Bewl Canoe Club hereby adopts and accepts this Constitution as a current operating guide regulating the actions of members.

Signed:

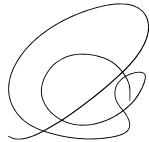


Date: 31st March 2019

Name: Nigel Piper

Position: Club Chair

Signed:



Date: 31st March 2019

Name: Carly Porter

Position: Club Secretary

DEFINITIONS

In these Articles the words standing in the first column of the following Table shall bear the meaning set opposite to them respectively in the second column if not inconsistent with the subject or context:-

Words	Meaning
The Club	The above named Club
The General Committee	The elected members responsible for the management of the Club
Month	Calendar Month
Special resolution	A resolution from the Members is only valid if supported by a majority of 75% of the votes cast at a meeting
In writing	Written, printed or lithographed or partly one and partly another and other modes of representing or producing words in visible form
Clear days	In relation to a period of notice means the period of time between the day when the notice is given and the day for which it is given or on which it is to take effect.
Unincorporated Association	Two or more persons bound together for common purposes, not being business purposes, by mutual undertakings, each having mutual duties and obligations, in an organisation which has rules which identify in whom control of it and its funds rests and on what terms and which can be joined or left at will.

Any words importing the singular number shall include the plural and vice versa

Words importing the masculine gender only shall include the feminine gender and vice versa