

# NEWTON ABBOT SWIMMING CLUB

## RULES - NOVEMBER 2011

1. The name of the club shall be "Newton Abbot Swimming Club".
2. The aims and objects of the club shall be the objects of the Amateur Swimming Association (ASA) and in particular the teaching and practice of swimming, water polo, open water, synchronised swimming and life saving.
3. The club shall be affiliated to Devon County ASA, and ASA South West Region and shall adopt and conform to the rules of this Association, and to such other bodies as the Club may determine from time to time.
4. 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:
  - a) All competing members must be eligible competitors as defined in ASA laws.
  - b) All competitions shall be held under the Laws of the Amateur Swimming Association.
  - c) All swimmers competing for Club trophies must comply with the conditions agreed by the Committee and published 28 days prior to the event.
  - d) No club trophy may be held by anyone who ceases to be a member of the club.
  - e) The Club shall in accordance with ASA Laws adopt the ASA Child Protection Procedures and members of the club shall in accordance with the ASA Laws comply with the ASA Child Protection Procedures.
  - f) The Club is committed 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.
  - g) The Club shall implement the A.S.A. Equal Opportunities policy.
5. By virtue of the affiliation of the Club to Devon County ASA the club and all members of the club acknowledge that they are subject to the laws and rules of:
  - a) Devon County Amateur Swimming Association
  - b) Amateur Swimming Association South West Region
  - c) The Amateur Swimming Association, including the ASA/STA Code of Ethics and Child Protection procedures
  - d) British Swimming (in particular its Doping Control Rules & Protocols and Disciplinary Code)
  - e) FINA the world governing body for the sport of swimming in all its disciplines.  
Together "the Governing Body rules")In the event that there is any conflict between any rule of the club and any of the governing body rules then the relevant governing body rule shall prevail.

### MEMBERSHIP

6. Any person who wishes to become a member of the club must submit a signed application and in the case of a swimmer under the age of 18 years the swimmer's parent or guardian must sign the application. Admittance to membership shall be at the discretion of the committee or other person(s) authorised by the committee, who shall not be required to give reasons for the refusal of any application for membership.
7. The membership year shall run from 1st September to 31st August. Members may be divided into different categories as decided by the committee from time to time. The Committee shall decide annual subscriptions for different classes of membership and admission charges/training fees for all club sessions.
  - a) The annual subscriptions shall be due on joining the club and thereafter on 1st September each year.
  - b) Any member whose subscription is unpaid by 30th September may be suspended by the committee from some or all club activities from a date to be determined by the Committee and until such payment is made.
  - c) The committee shall have the ability to remit all or part of the fees in special circumstances.
  - d) A member wishing to resign membership of the club should give written notice to the secretary.
  - e) A swimmer whose subscription or training fees are more than 2 months in arrears may be deemed to have resigned.
  - f) Parents/Carers of competitors are required to assist at competitions as requested by the Competition Sub Committee. If parents/carers are unable to commit as requested, and sufficient helpers are not available, our members may not be able to compete.
  - g) All Swimmers from Junior, Senior and Water Polo Squads will be required to attend the educational sessions and swimmer workshop events held by the club.

8. The Committee shall have the power to expel a member when, in its opinion it would not be in the interests of the club for him to remain a member, or to temporarily suspend or exclude a member from particular training sessions and/or other club activities when in their opinion such action is in the interests of the club.

The club shall adopt and comply with the ASA guidance (printed in the ASA handbook) for handling internal club disputes.

9. Life members may be nominated each year, on individual merit, by any member of the club. They will be given free membership for their lifetime and free admission to swim sessions and galas. They shall be entitled to attend committee meetings, and should be sent a copy of all committee minutes.

## **COMMITTEE**

10. The management of the club shall be conducted by a Committee comprising: - President, Chairman, Secretary, Treasurer, Competition Secretary, Team Manager, Minute Secretary, Water Polo Secretary, together with up to 8 Committee members.

a) All committee members must be members of the club and not less than 18 years of age although younger members may be allowed to attend and take part in meetings without the power to vote.

b) Committee meetings shall be held at least every 2 months and the quorum of that meeting shall be such number as shall represent not less than a simple majority of the Committee members (to include not less than one Executive Officer i.e. Chairman, Secretary or Treasurer). In the event that a quorum is not present within thirty minutes of the published start time, a meeting shall stand adjourned to the time and date falling seven days after the date of the meeting, or such other date and time as may be determined by the Chairman.

c) The committee shall have the power to co-opt members to fill any vacancy who shall serve until the next Annual General Meeting. Co-opted members shall be entitled to vote at the meetings of the Committee and shall be counted in establishing whether a quorum is present.

d) The committee shall have the power to suspend for a time or disqualify or take other appropriate action against anyone proved guilty of an infringement of the laws of the ASA or any unfair practice in connection with the sport giving the reason in writing. Anyone against whom such action has been taken shall have the right to appeal within 21 days.

e) Any member of the Committee absenting themselves for three consecutive meetings without reasonable excuse may have their membership of the Committee terminated.

f) Prior notice of 7 clear days must be given before all Committee meetings, except Emergency Committee meetings.

g) There shall be an Emergency Committee comprising of 5 or more members to include at least two of the following: - President, Chairman, Secretary, Treasurer plus any other Committee members. The duties of the Emergency Committee shall be to deal only with matters of urgency requiring an immediate decision.

h.) There shall be a Competition Sub Committee comprising of the Competition Secretary, the Team Manager, Open Meet Secretary and two other members. The duties of the Competition Sub Committee shall be to deal with all competitions, and make arrangements for home Galas including the Club Annual Trophy Gala and Ribbon Galas.

i) There shall be a Water Polo Sub Committee comprising of the Water Polo Secretary and up to 3 other members. The duties of the water polo sub committee shall be to deal with matters relating to water polo including the collection of membership subscriptions and training fees from water polo players. The approval of the Club Committee is required before incurring any expenses.

j) The members of the 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.

k) 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 A.S.A. Office. The Club shall make an annual return to the A.S.A. in the prescribed form.

## **ANNUAL GENERAL MEETING**

11. The Annual General Meeting of the Club shall be held between 1st October and 30th November each year to transact the following business:

a) To receive reports from the secretaries of the activities of the club during the previous year.

b) To receive and consider the accounts of the club for the previous year and the report on the accounts of the independent examiner and the Treasurer's report as to the financial position of the club.

c) To appoint the independent examiner (who must not be a member of the committee or a member of the family of a member of the committee).

d) To elect a President.

e) To elect the Officers and other members of the committee.

f) To elect Trophy Controller, Publicity Officer, Social Secretary, Registration Officer, Welfare Officer, Assistant Welfare Officer, Swim 21 Co-ordinator, Schools Co-ordinator, Workforce Co-ordinator, Masters Secretary, Open Meet Organiser, Officials Organiser, Membership Secretary, Assistant Secretary, Webmaster, and Life Saving Secretary. Any of these post holders may be members of the committee and may hold other posts.

g) To elect the members of the competition and water polo sub-committees.

h) To consider any proposals for changes to the rules of the club which must have been notified to the members at least 14 days in advance of the meeting.

i) Any other relevant business.

Prior notice of 14 clear days must be given before the Annual General Meeting.

Nominations for Committee and other officers should be placed in writing to the Secretary not less than 21 days before the meeting. Nominations may be made from the floor at the discretion of the Chairman of the meeting. All fully paid up members aged 16 and over shall be entitled to vote.

12. The Committee may call a Special General Meeting when any matter of urgent importance shall occur. A Special General Meeting shall be called by the Secretary within 28 days of receipt of a requisition in writing signed by not less than 10 members of the Club entitled to attend and vote at a General Meeting. The requisition must state the purpose for which the meeting is required and the resolutions to be proposed.

## **RULES**

13. No alteration to these rules may be made except by resolution at an Annual or Special General Meeting and provided that the resolution is carried by a majority of at least 2/3 of members present and entitled to vote.

No amendment(s) to the rules shall become effective until such amendment(s) shall have been submitted to and validated by such person as is authorised to do so by the County Association/ASA Region.

Any member entitled to attend and vote at a General Meeting shall be entitled to put any proposal for consideration at any General Meeting provided the proposal in writing shall have been handed to or posted to the Secretary of the Club so as to be received by him not later than 18 days before the date of the meeting in the case of the Annual General Meeting or a Special General Meeting, and thereafter the Secretary shall supply a copy of the proposal or resolution to the members in the manner provided in Rule 11.h

## **FINANCE**

15. All monies payable to the Club shall be received by the Treasurer and deposited in a bank account in the name of the Club. Cheques drawn on that account shall be signed by 2 of the 3 signatories who shall be the Chairman, Secretary and Treasurer. Any moneys not required for immediate use may be invested as the Committee in its discretion thinks fit.

a) The Committee shall have the power to authorise the payment of expenses to any officer, member or employee of the club.

b) The Treasurer shall record the financial transactions of the Club.

c) The Financial year of the Club shall be the period commencing on 1st September and ending on 31st August each year. Any change in the financial year shall require the approval of the members in a General Meeting.

## **DISSOLUTION**

16. A resolution to dissolve the Club shall only be proposed at a General Meeting and shall be carried by a majority of at least ¾ of the members present and entitled to vote. A specific date for the dissolution shall be included in the resolution.

The members of the committee shall be responsible for the winding-up of the assets and liabilities of the club. Any property remaining, after the discharge of the debts and liabilities of the club, shall be given to a charity or charities or non profit making organisation, having objects similar those of the club for the furtherance of such objects, nominated by the last committee.

The Committee shall have the power to meet any case that is not provided for in the foregoing rules.

## **ACKNOWLEDGEMENT**

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