

# Constitution of Southport & Birkdale Croquet Club

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## 1. NAME AND OBJECTS

The Club shall be the “Southport and Birkdale Croquet Club”. Its objects shall be:

- i. as the main purposes of the Club to provide facilities for and to promote participation in the amateur sport of croquet in Southport and Birkdale and surrounding areas;
- ii. to provide coaching, competition and recreation for members and the community;
- iii. to offer social activities for members;
- iv. to provide, for members and guests only, the ordinary benefits of an amateur sports club.

## 2. ACCOUNTING AND MEMBERSHIP PERIODS

- a. The financial year shall commence on 1st October and end on 30th September.
- b. The membership year shall commence on 1st January and end on 31st December.
- c. All surplus income or profits are to be reinvested in the Club. No surpluses or assets will be distributed to members or third parties.

## 3. OFFICERS

- a. The Officers of the Club shall be: President, Chairman, Secretary and Treasurer. The position of President shall be non-executive and the Chairman, Secretary and Treasurer will form the Executive. All positions shall be Honorary.
- b. The Officers shall be elected at the Annual General Meeting (AGM) and hold office until the next AGM, but shall be eligible for re-election. Members of the Executive shall not serve as Officers for more than six consecutive years and shall not be eligible for re-election to the Committee – in any capacity – for one year. The Committee shall have the power to fill casual Officer vacancies until the next AGM.
- c. The duties of these Officers shall be as follows:
  - i. the President shall preside at General Meetings and Club functions;
  - ii. the Chairman shall chair Committee meetings and act on behalf of the President as necessary;
  - iii. the Secretary shall keep minutes of General and Committee Meetings, ensure a register of members is maintained and act as directed by the Committee;
  - iv. the Treasurer shall keep the accounts of the Club and be responsible for all monies belonging to, due to or payable by the Club. The Treasurer shall present to the AGM a statement of all the accounts for the financial year, approved and signed by an Independent Examiner or a member of the club who is not an officer or committee member;
  - v. to encourage members to participate in the management of the affairs of the Club and to seek to develop potential Officers and plan for succession.
- d. A Vice-Presidency is a position of honour, with no specific duties or privileges, granted by way of recognition for special services to the Club. Any suitable person may be created a Vice-President, for life or lesser period, by proposal from the Committee and approval by a simple majority of a General Meeting.

## 4. COMMITTEE

- a. The affairs of the Club shall, except as provided elsewhere in this Constitution, be managed in an open and democratic manner by a Committee consisting of the Executive and not more than six elected members.
- b. Elected members shall be determined at the AGM to serve until the next AGM. They shall be eligible for re-election, but may not serve for more than six consecutive terms in that capacity. A member may not serve for more than six consecutive years whether elected or co-opted (see d. below).
- c. The Committee shall meet as soon as convenient after the Annual General Meeting and shall meet thereafter as necessary as decided by the Chairman but not less than six times per annum. The Secretary shall arrange meetings and shall give not less than seven days’ notice of the time, place and

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business to be conducted to those entitled to attend. Five members of the Committee shall constitute a quorum.

- d. The Committee may fill casual vacancies until the next AGM. The Committee may also co-opt to the Committee up to two suitably qualified members to act in such capacities as it sees fit. The Committee may also appoint suitably qualified members of the Club (or Committee) to form sub-committees to deal with relevant matters. Each sub-committee shall appoint its own Chairman who shall report to the Committee on progress towards any goals determined by the Committee and other activities.
- e. All Committee members and co-opted members shall be entitled to vote. A simple majority shall be decisive on all questions; in the event of a tie the Chairman shall exercise a casting vote. Members of any sub-committee may attend meetings and speak on relevant issues but shall not be entitled to vote. Any full member may attend meetings as an observer.
- f. Committee meetings of the Club shall normally be chaired by the Chairman, in the absence of whom the meeting shall elect the Chair.

## 5. GENERAL MEETINGS

- a. General Meetings of the Club shall normally be chaired by the President or the Chairman, in the absence of whom the meeting shall elect the Chair. One quarter of full members shall constitute a quorum. Voting shall be by show of hands, except where otherwise indicated or at the discretion of the Chairman, when a secret ballot shall be taken; a simple majority of those voting shall be decisive. Members unable to attend may apply in writing for a postal vote up to 14 days before the date of the General Meeting.
- b. The AGM of the Club shall be held prior to the 1st December each year. Twenty-eight days' notice of the timeplace shall be given to all members eligible to attend.
- c. Business conducted shall be as follows:
  - i. to confirm the minutes of the previous AGM and any subsequent Special General Meetings;
  - ii. to receive the report of the Committee;
  - iii. to receive the Treasurer's accounts, set subscriptions for the following year and consider any budget presented;
  - iv. to elect the Officers and Committee for the ensuing year;
  - v. to consider any motions of which notice has been given to the Secretary not less than 14 days before the date fixed for the meeting, included in a meeting agenda which will be circulated by the Secretary not less than 7 days before the date fixed for the meeting;
  - vi. to consider, at the discretion of the chair, any other business not involving any alteration to the Constitution of the Club, the transfer of any of the Club's assets or the borrowing of any money, or any expenditure outside the immediate resources of the Club.

Nominations of candidates for election as Officers or of the Committee, duly proposed and seconded by two other full members and with the signed approval of the person nominated, must be delivered to the Secretary not less than fourteen days before the day fixed for the Annual General Meeting.

If there are more candidates than vacancies for any post a secret ballot shall be held, otherwise the persons nominated shall be deemed elected. In the event of there being more candidates than vacancies, postal ballot forms will be despatched by the Secretary not later than seven days prior to the meeting to those members requesting same. Postal votes received by the Secretary shall be included in the first secret ballot.

Candidates with the most votes shall be elected; in the event of a tie a further ballot shall be taken for tied positions. If any post remains unfilled, nominations shall be accepted from the meeting and a ballot held if necessary: if insufficient nominations are forthcoming, the Committee shall have power to fill the vacancy.

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- d. The chairman of the committee may call a Special General Meeting (SGM) at any time. Seven days' notice of the time, place and business to be conducted shall be given to all members eligible to attend. A SGM shall be called by the Secretary within one month of receipt of a written request signed by not less than one third or thirty, whichever is the fewer, of members eligible to vote and stating the business it is proposed to conduct. Seven day's notice of the time, place and business to be conducted shall be given to all members eligible to attend.
- e. The Constitution of the Club may only be amended by a two-third majority of those voting at SGM.
- f. A SGM shall be competent to remove any of the Officers or Committee, and to fill any vacant posts. In the event of the Committee becoming inquorate, through resignations or other causes, the President shall call a Special Meeting to elect a new Committee.

## 6. MEMBERSHIP

- a. Membership of the Club shall be open to anyone interested in the sport of croquet on application regardless of sex, age, disability, ethnicity, nationality, sexual orientation, religion or other beliefs. However, limitation of membership according to available facilities is allowable on a non-discriminatory basis. The Club may have different classes of membership and subscription on a non-discriminatory and fair basis.

**Full Members** are those listed in categories i to vi below:

- i. Full playing membership;
- ii. Student playing membership – members aged 17 years and over and pursuing a course of full time education;
- iii. Country playing membership – members residing over 25 but less than 50 miles from the Club;
- iv. Far Country playing membership – members residing over 50 miles from the Club;
- v. Honorary playing membership – Honorary membership shall only be granted by the Committee.
- vi. New members joining as a full playing member who are beginners in the game of croquet and who have not previously been members of any other croquet club.

Only members in categories i, iii, iv and vi above shall be entitled to vote and may stand for election as an officer or committee member.

Where the appropriate category of membership is uncertain, the Committee shall have discretion to determine the appropriate category on a case by case basis.

**Associate Members** are those listed in categories i to iv below:

- i. Non-playing membership; Non-playing members shall only be entitled to use club facilities when open.
- ii. Temporary membership e.g. guests, visitors or tournament players;
- iii. Junior membership – any member under the age of 17 and in full time education;
- iv. Group membership

Associate members shall not be eligible to vote, stand for election or receive keys to the Clubhouse.

**Membership Subscriptions** shall be payable on application for membership and afterwards on 1st January each year. Any member wishing to resign must give notice in writing to the Secretary before 1st January. Any member whose subscription is not paid by 1st March in any year shall be deemed to have resigned. A new member in category 6.a.vi above joining after 1st July in any year or after completing the club's initial coaching course, if earlier and paying the appropriate subscription will be entitled to the benefits of membership until 31st December of the following year.

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- b. Any member who is deemed to have resigned under paragraph 6.b.i above will be able to re-join the club upon payment of the subscription fee and an administration fee, except if the period of non-membership exceeds a full membership year, the administration fee will not be applied.
- c. The Club will keep subscriptions at a level that will not pose a significant obstacle to people participating. The Committee shall also have discretion to review any individual case of hardship.
- d. The Committee may determine or rescind rules to control the use of Club facilities and equipment. The Club shall have no liability for any loss, damage or injury sustained. A copy of the rules (and this Constitution) shall be given to each member and members shall be deemed to be conversant with and bound by them. The rules can only be altered by a properly minuted resolution of the Committee.
- e. The Club Committee may refuse membership only for good cause such as conduct or character likely to bring the Club or sport into disrepute. Appeal against refusal may be made in writing to the Club President within fourteen days of the Club Committee's notification of refusal. The decision of the President is final.

## 7. DISCIPLINARY PROCEDURE

- a. If any Club member (the Complainant) wishes to raise a grievance or make an allegation of misconduct against any other Club member (the Respondent) they must do so in writing addressed to the Club Secretary (unless the Club Secretary is involved in the grievance or allegation in which case it should be addressed to another Executive Officer).
- b. The Club Secretary or other Executive Officer so informed, shall, in confidence, inform the Respondent, provide them with details of the grievance or allegation and request their version of events in writing.
- c. Once the Respondent's response has been received the Club Committee (but not any Committee member involved in the grievance or allegation) shall meet to peruse the information provided and decide whether there is a case to answer. If they believe that there is no case to answer, they shall inform the Complainant to that effect. If they believe that there is a case to answer they shall consider whether an attempt should first be made to resolve the matter informally or whether a Disciplinary Hearing (Hearing) should be convened. If an attempt at informal resolution is made but proves unsuccessful a Hearing shall then be convened.
- d. If a Hearing is required, the Club Committee shall appoint a Disciplinary Sub-Committee (Sub-Committee) consisting of three Committee members to hear the matter. No Committee member who is involved in the grievance or allegation shall sit on the Sub-Committee. Once the Sub-Committee has been formed copies of any submissions in writing made by the Complainant will be sent to the Respondent and vice versa and a date will be agreed for the Hearing.
- e. The Complainant and the Respondent shall be given the opportunity to appear before the Sub-Committee at the Hearing and give evidence or make representations to it. Either may be accompanied by another Club member if they wish and may with the permission of the Sub-Committee (not to be unreasonably withheld) call upon other Club members or third parties to give evidence or submit written statements on their behalf. The Sub-Committee may call for evidence from other Club members or third parties of its own volition.
- f. If the Sub-Committee finds that the grievance or allegation is substantiated, it may recommend to the Club Committee that the Respondent:
  - i. receives guidance from the Club Committee concerning future behaviour but no other formal sanction,
  - ii. be issued with a written warning that in the event of any future misconduct such warning shall be considered an aggravating factor and influence any disciplinary action then taken,
  - iii. be banned or temporarily suspended from participation in certain Club events,
  - iv. receives a suspension of Club membership for a fixed period, or
  - v. be expelled.

The Club Committee shall after consideration of the Sub-Committee's recommendations take such action as it considers appropriate and notify the Respondent accordingly.

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- g. The Respondent has a right of appeal, which must be made in writing to the Club President within fourteen days of the Club Committee's notification as above. The President cannot increase any sanction but can reduce a sanction or overrule the Committee. The decision of the President is final.

## 8. TRUSTEES

- a. The property of the Club shall be safeguarded by not fewer than two or more than four Trustees.
- b. Trustees hold responsibility for dealing with property on behalf of members and shall act on consideration of a properly minuted request by the Committee. Trustees shall be indemnified against risk and expense out of the Club property.
- c. Trustees shall hold office until death or resignation or until removal from office by the Committee. Where, by reason of such death, resignation or removal it is necessary that a new Trustee or Trustees be appointed, the Committee shall nominate the member or members to be appointed the new Trustee or Trustees.
- d. For the purpose of giving effect to such nomination the Secretary is hereby nominated as the person to appoint new Trustees within the meaning of Section 36 of the Trustee Act 1925 and shall duly appoint the person or persons so nominated by the Committee.

## 9. DISSOLUTION

- a. The Club shall, and shall only, be dissolved by a resolution of a General Meeting approved by not less than two thirds of those voting upon it.
- b. The Meeting shall, in that case, request that the Trustees wind up the affairs of the Club.
- c. In the event of the liabilities of the Club exceeding assets, all members at the beginning of that membership year shall be equally liable for the deficit.
- d. Upon dissolution of the Club any remaining assets after discharging all debts and liabilities of the Club shall be given or transferred to another registered Community Amateur Sports Club, a registered charity or the sport's governing body for use by them in related community sports.