

WHITNASH SPORTS AND SOCIAL CLUB

CONSTITUTION

19th April 2018

The constitution of the Whitnash Sports and Social Club that is currently in force is binding on all Members, Guests and Visitors.

They should be read in conjunction with the Byelaws which provide additional rules defined by the management committee.

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1. NAME OF THE CLUB

- (a) The name of the Club shall be "Whitnash Sports and Social Club".
- (b) The Clubrooms and Headquarters of the Club shall be at Heathcote Road, Whitnash, Warwickshire or at any such address as the Club may in General Meeting determine.

2. OBJECTS OF THE CLUB

- (a) The main objects of the Club are to provide sporting facilities and promote the participation in sports for its members, for all ages, and to provide a social environment which supports these functions.
- (b) The Club shall be a Members' Club and shall consist of Ordinary Members including Life Members, together with such Honorary, Junior, and Associate Members as are hereinafter mentioned.

3. MANAGEMENT STRUCTURE

- (a) There are two standing committees: The Management Committee and the Bar and Property Committee.
- (b) The Steward reports to the Management Committee.
- (c) In the first instance all other employees report to the Steward.

4. OFFICERS

- (a) The Chairman, Treasurer and Secretary constitute the officers of the club.
- (b) Any of the Officers shall be removable at any time, provided that two thirds or more of the Ordinary Members present at an Extraordinary General Meeting (EGM) called for that purpose shall vote in favour of such removal, subject to the requirements of Rule 19 being fulfilled.
- (c) In the event of a vacancy arising amongst the Officers, for any reason, the Committee shall have the power to fill the vacancy until the next AGM.

5. MANAGEMENT COMMITTEE

- (a) The Management Committee shall consist of the Chairman, Vice-Chairman, Secretary, Treasurer and up to ten other Ordinary Committee Members.
- (b) Five members of the Committee shall be a Quorum. No meeting shall become incompetent to transact business from want of a quorum arising after the Chair has been taken.
- (c) Times of the Management Committee meetings are set out in the Club Byelaws.
- (d) Any Committee Member not attending for three consecutive meetings shall, unless they send an explanation which the Committee considers satisfactory cease to be Committee Member.

- (e) The Committee, in addition to the powers herein specifically conferred upon them, shall have the following powers:
Control of the finances of the Club, control of the intoxicants, power to engage control and dismiss the Club Servants (as distinct from the Officers of the Club) and all such administrative powers as may be necessary for properly carrying out the objects of the Club in accordance with these rules.
- (f) No resolution passed at a General or Extraordinary General Meeting shall be rescinded by the Management Committee without the authority of a subsequent General or Extraordinary General Meeting.
- (g) The investment of the Club Funds, other than in banking accounts at one of the Joint stock Banks, shall be subject to the approval of the majority of Ordinary Members present at the AGM.
- (h) No Officer or Committee Member shall, by virtue of his appointment, have power to order goods or services for the Club, unless specifically authorised by the Bar and Property Committee to do so.

6. BAR AND PROPERTY COMMITTEE

- (a) This committee shall comprise of the Chairman, Secretary and the Treasurer.
- (b) The Bar and Property Committee shall be responsible for the efficient day-to-day management of the Club and they shall hold office until the next AGM when they shall retire but shall be eligible for re-election from year to year.

7. SUB-COMMITTEES

- (a) The Management Committee may appoint Sub-Committees consisting of any members of the Club and may delegate any of the powers of the Management Committee to such Sub-Committees.
- (b) The Management Committee shall also be empowered to co-opt persons other than Club Members to serve on or advise the Sub-Committee.

8. ELECTION OF OFFICERS AND COMMITTEE MEMBERS

- (a) Any two Ordinary Members of not less than two years standing shall be at liberty to nominate an Ordinary Member of not less than two years standing, to serve as an Officer or as a Committee Member. The names of each Member so nominated shall be given to the Secretary at least 10 days before the AGM.
- (b) The Secretary shall fix a list of the names, in alphabetical order, to the Club Notice Board, 10 days before the AGM. Balloting lists shall be prepared containing only the names of the candidates and each Ordinary Member present at the AGM shall be entitled to vote for any number of such candidates, not exceeding the number of vacancies. If two or more candidates obtain an equal number of votes, lots will be drawn to select which of such candidates are to be Members of the Committee.

- (c) Of the Members of the Committee, 4 shall retire every year at the AGM and shall be eligible for re-election. Members shall retire in order of seniority of service and, in cases of equal seniority, the order of retirement shall be determined by lot.
- (d) The whole Committee or any Member(s) thereof may be removed by a majority vote exceeding two thirds of the Ordinary Members present at an EGM called for that purpose, subject to the requirements of Rule 19 being fulfilled.

9. CASUAL VACANCIES ON THE COMMITTEE

- (a) Any casual vacancy on the Management Committee may be filled by the Management Committee. Any Member so chosen shall retire at the next AGM but shall be eligible as a candidate for election on the Committee at that AGM.
- (b) The service of any Member on the Committee chosen to fill a casual vacancy shall not be reckoned in calculating the seniority of that Member if subsequently elected to serve on the Committee.

10. DUTIES OF THE OFFICERS

- (a) Chairman: The Chairman shall chair the meetings of the Management Committee and the Bar and Property Committee and, in addition to their own personal vote at meetings, shall exercise his/her right to a casting vote in the event of a tie on any issues raised.
- (b) Secretary: The Secretary shall carry out the directions of the committees and shall conduct the correspondence and generally assist the committees in the management of the club. The Secretary shall, subject to the directions of the Committee, have the custody of all the documents belonging to the Club and shall keep full and correct Minutes of all proceedings.
- (c) Treasurer: The Treasurer shall keep financial books and records and maintain financial documents of the Club and shall present them to the elected auditor(s) for them to make up the Annual Statement of Accounts and balance sheet of the Club to 31st December in each year, which shall be printed and circulated at the AGM. He/she will be responsible for the payment of the Club's employees and accounts as directed by the Bar and Properties Committee.
- (d) President:
 - i) Shall serve as an ex-officio Member of the Management Committee, but has no voting rights.
 - ii) Chairs Annual General Meetings.
 - iii) The President is elected at the AGM from a list of members put forward to the vote.
 - iv) The President must have been a member for at least 10 years.

11. EXAMINATION OF ACCOUNTS

- (a) The accounts shall be put forward for examination by someone other than the treasurer. The person shall be appointed by the membership at an AGM and he/she shall have responsibility for preparing the accounts and balance sheet from books, records and documents maintained by the Treasurer.

12. MEMBERSHIP

- (a) Membership of the Club shall be open to anyone on application, regardless of sex, age, disability, ethnicity, nationality, sexual orientation, religion or other beliefs.
- (b) The Club Subscription and Entrance fee must accompany all applications, otherwise the application shall be void.
- (c) The Committee shall have the power to refuse any application, provided it is with good cause.
- (d) A member may at any time, by giving notice in writing to the Secretary, resign their Membership of the Club, but shall continue to be liable for any Annual Subscription due and unpaid at the date of his resignation.
- (e) Members are required to provide their full name, address, telephone number, and date of birth.
- (f) To enable the club comply with current data protection regulations (GDPR), membership requires all members to sign to acknowledge their agreement to our data protection policy.

13. ENTRANCE FEE AND SUBSCRIPTION

- (a) Unless and until altered at a General Meeting in manner hereinafter provided, the Entrance Fee and Subscription shall be as set out in the Byelaws.

14. PAYMENT OF SUBSCRIPTIONS

- (a) If an automated membership system is in operation the Management Committee have the option to make membership be defined as twelve months from the date of full payment of the subscription.
- (b) The Annual Subscriptions will cover the months of January to December in any year and will be collected between the months of December and January, with the exception of the Rugby and Football sections, who will pay at the start of their season, in June or September respectively. The Secretary shall put up a notice to that effect on the Club Notice Board.
- (c) No Member whose subscription is in arrears shall compete for any Club prize or vote at any Meeting.
- (d) Any Member whose subscription is unpaid on the 1st February shall cease to be a member and their name shall be erased from the books of the club.

15. GUESTS AND VISITORS

- (a) Ordinary Members may introduce guests to the Club, provided that:
 - The Member and their guest must both sign the Guest Book kept for that purpose at the entrance to the Club, and pay the agreed fee.
 - The Member must accompany his guest whilst they are on the Club premises and must ensure that the Rules and Byelaws are strictly observed.
- (b) Intoxicating liquor may be sold to persons who are not members of the Club provided such persons are members of a visiting sports teams who are playing matches against the Club. Such sale is restricted to the days upon which such other Club, or Association, shall be visiting the Club for some social, education, or competitive purpose.
- (c) The Management Committee may hire the Club facilities to an outside organisation.

- (d) Any profit derived from the functions shall accrue to the Club as a whole.
- (e) The Club Steward or any Officer or Member of the Management Committee may refuse access to any person whose attendance is considered to be not in the best interests of the Club and shall refuse admittance to:
 - Former Members who have been expelled
 - Members who are under suspension
 - Persons who have been refused Membership within 6 months of the date of that refusal.

16. TYPES OF MEMBERSHIP

- (a) **Ordinary Membership:** An Ordinary Member including Life Members in all Rules and Byelaws hereinafter mentioned, is a person over 18 years of age and shall, upon election, be entitled to the full rights and privileges of Membership.
- (b) **Reduced Rate Membership:** The Management Committee may allow reduced annual subscription to be paid by Ordinary Members of retirement age. Such Members shall continue to enjoy all the privileges of membership. A further reduced membership will be given to any members over 80 years of age.
- (c) **Joint Ordinary Membership:** A reduced Annual Subscription may be granted to couples at the discretion of the Management Committee. Joint Ordinary Members shall make application to join as if they were applying for individual Ordinary Membership and upon admission each shall enjoy the same rights and privileges as those of an Ordinary Member.
- (d) **Junior Membership:** Junior membership comprising children between 5-17 years of age of current Ordinary and Honorary Members, or children wishing to join a Sporting Section of the Club, shall be entitled to rights and privileges upon election, excluding the right to vote at any Meeting of the Club, excluding the right to take part in the management of the Club and including any restrictions hereinafter mentioned in the Club Rules and Byelaws.
- (e) An Adult Member must accompany a Junior Member under the age of 15 years when using the Clubrooms. At the age of 18 years, Junior Membership shall cease and Junior Members shall be required to apply for Ordinary Membership upon renewal.
- (f) **Life Membership:** On the recommendation of the Committee, an Ordinary Member may be elected a Life Member at any General Meeting of the Club and shall thereafter be entitled to all the privileges of Membership without paying the Annual Subscription or special payment for such Life Membership. A two-thirds majority of those Ordinary Members present and voting shall be necessary at such election.
- (g) **Honorary Membership:** On the recommendation of the Committee, Honorary Members may be elected at any General Meeting of the Club. A two-thirds majority of Ordinary members present and voting shall be necessary at such election.

Honorary Members may be elected for life, or for such period as the General Meeting may deem expedient and they shall be entitled to all the privileges of Membership, except that they shall not be entitled to vote at Meetings. Their Membership may be terminated by a majority vote of the Ordinary Members present at any General Meeting

Temporary Membership: Subject to the Committee's approval of the application, Temporary Membership to cover a period of 28 days may be obtained subject to the payment of a fee which will be determined by the Committee.

- (h) Temporary Membership will not be effective until at least 48 hours have elapsed following the receipt of the application.

17. ANNUAL GENERAL MEETING

- (a) The Annual General Meeting (AGM) of the Club shall be held each year in the month of April, at such time and place as the Committee shall determine.
- (b) The business of the AGM shall be:
 - i) Elect President, Chairman, Secretary and Treasurer by vote.
 - ii) Election of general members of the Management Committee.
 - iii) Presentation of audited accounts.
 - iv) Election of Auditor.
 - v) Reports from sections.
 - vi) Set the membership fees for the following year.
 - vii) Motions from members.

18. EXTRAORDINARY GENERAL MEETING

- (a) An Extraordinary General Meeting (EGM) may be called by the Management Committee at any time and may also be called by a requisition signed by not less than 20 Ordinary Members of the Club being submitted to the Secretary.
- (b) The meeting must be held not less than 14 days nor more than 21 days after receipt of the requisition and shall only deal with the business specified in the requisition.

19. NOTICE OF GENERAL MEETINGS

- (a) In the case of the AGM, a notice shall be posted on the Club Notice Board stating the date, place and time of the Meeting, together with the Agenda and a request for nominations for vacancies on the Management Committee at least 21 days prior to the date set.
- (b) In the case of an EGM, a notice shall be posted on the Club Notice Board stating the date, place and time of the Meeting, together with the business to be discussed at least 14 days prior to the date set.
- (c) Any Ordinary Member wishing to introduce a motion not connected with the Rules (See Rule 25) shall give written notice of the motion to the Secretary at least 7 days before the date of the Meeting at which the motion is to be raised.

20. CONDUCT OF GENERAL MEETINGS

- (a) At any General Meeting the Chair will be occupied by the President if present and, in his absence, by the Chairman of the Management Committee, failing which a Chairman shall be elected from amongst the Ordinary Members present.
- (b) Voting will be confined to Ordinary Members only, each of whom will have one vote.

A simple majority shall be sufficient for ordinary motions put to the Meeting, but alterations to Rules or amendments to the Constitution must receive a majority of two-thirds. In the case of a tie, the motion shall be lost. Members entitled to vote but not attending a General Meeting shall be bound by the decisions of that Meeting.

The quorum for any General Meeting shall be 20 Ordinary Members. No motion shall be put to a Meeting attended by fewer than that number.

21. EVIDENCE OF PASSING A RESOLUTION

- (a) At any General Meeting a declaration by the Chairman that any resolution has been carried and an entry to that effect in the Minutes of the Meetings of the Club shall be sufficient evidence of the fact without proof of the number or proportion of votes recorded in favour or against such resolutions.

22. NOTICES

- (a) No Paper, Notice or Placard, written or printed, shall be put up on the Club premises without the sanction of the Committee or the Secretary.

23. PAYMENT OF EXPENSES

- (a) Members are required to pay all expenses they incur on their own behalf.
- (b) Expenses likely to require reimbursement must be pre-approved by the officers of the Management Committee.

24. ALTERATION TO CONSTITUTION

- (a) No Rule of the Club shall be repealed or altered and no new Rule shall be made, save by a two-thirds majority of the Ordinary Members present and voting at a General Meeting.
- (b) Notice of the intention to propose, alter or repeal any Rule shall be given to the Secretary at least 10 days before the General Meeting. The Secretary shall append notice of such proposal on the Club Notice Board at least 7 days before the date of the meeting.

25. BYELAWS

- (a) Subject to these Rules, the Committee is empowered to make, repeal and amend such Byelaws as they may from time to time consider necessary for the wellbeing of the Club, which Byelaws, repeals and amendments, shall have effect until set aside by the Committee or a General Meeting.
- (b) A copy of the current Byelaws must be published on the Club Notice Board at all times. The Byelaws shall be binding on all Members, Guests and Visitors.

26. COMPLAINTS

- (a) All complaints shall be made in writing to the Secretary who, if he or she shall be unable to deal with them shall submit them to the Committee, whose decision shall be final. In no instance shall a Member reprimand a servant of the Club.

27. CLUB PROPERTY

- (a) No Member shall take away nor permit to be taken away, nor shall injure or destroy any Newspaper, Pamphlet, Book or other article belonging to the Club under any pretence whatsoever.

28. HOURS OF OPENING (for the sale of intoxicants)

- (a) The Bar shall be open for the sale of intoxicants as follows:
 - Intoxicating liquor shall be supplied on the Club premises to Members and on their order to Guests and Visitors (subject to Rule 14b) during such hours as are fixed by the Committee under the Byelaws of the Club, in accordance with the terms of the current Licensing Act.
 - The hours so fixed shall be posted on the Club Notice Board at all times.

29. INTOXICATING LIQUOR

- (a) The permitted hours for the supply of intoxicating liquor are covered in Rule 29 and the Byelaws.
- (b) No intoxicating liquor shall be supplied to Members or to any other persons using the Club premises otherwise than by or on behalf of the Club.
- (c) No person shall be paid at the expense of the Club any commission, percentage or similar payment, on or with reference to, purchase of intoxicating liquor by the Club; nor shall any person directly or indirectly derive any pecuniary benefit from the supply of intoxicating liquor by or on behalf of the Club, to Members, Guests and to any other persons, apart from any benefit accruing to the Club as a whole.
- (d) The Management Committee shall arrange for the supply of intoxicating liquor by the Club to Members and shall secure the due observance of the provisions of the Licensing Act 1964 as amended and all Acts relating hereto and of any conditions attached to any license, or to any Registration Certificate granted in respect of the Club premises.

30. HOURS OF OPENING OF THE CLUBHOUSE

- (a) The hours of opening and closing of the Clubhouse shall be during such hours as are fixed by the Committee under the Byelaws of the Club. The hours so fixed shall be posted up on the Club Notice Board at all times.

31. ADDRESSES OF MEMBERS TO BE REGISTERED

- (a) The Secretary shall keep a register of the names and addresses of the Members of the Club. Every Member shall give notice to the Secretary of any change of his address and all notices sent to such address shall be deemed to have been delivered on the day following the date of sending.

32. INSPECTION OF CLUB BOOKS

- (a) Any Ordinary Member may on payment of 50 pence see any book or document of the Club made up to the date of his inspection at the Clubhouse.

33. EXCLUSION OF LIABILITY

- (a) Neither the Club nor any Officer or Management Committee Member shall be liable to any Member, Guest or Visitor for any loss or damage to any property occurring from whatever cause in or about the Club premises, including the Club Car Park, nor for any injury sustained by any Member, Guest or Visitor whilst on or entering or leaving the Club premises.

34. CONDUCT OF MEMBERS

- (a) If in the opinion of the Secretary or Management Committee the conduct of any Member either inside or outside the Club is such as to cause injury to the Club's reputation or is against the interests of the Members as a whole, they may as they think fit suspend that person from Membership or warn the Member as to his future conduct.
- (b) Where the Member is suspended, the Secretary shall send notice of, and reasons for the suspension to the home address of the Member and shall summon them to attend before the Management Committee to explain their conduct.
- (c) If that Committee, on hearing any evidence that may be called and after affording the Member a fair and honest hearing, decides that the offence is of a serious nature, they may either suspend that Member for a period of not less than 3 months or immediately terminate that person's Membership.
- (d) Any Member whose Membership has been suspended or terminated shall have the right to appeal to the Club in General Meeting provided that the appeal is lodged with the Secretary within 7 days of the suspension or termination. The Management Committee must on receipt of the appeal immediately convene an EGM following the procedure laid down in Rule 20b, but in this case the Meeting must take place within 21 days of receipt of the appeal.
- (e) At the EGM, a Member of the Management Committee shall relate the details of the complaint or allegation to the Meeting in the appellant's presence and may summon any witnesses where necessary. In turn, the appellant or his representative (who must be an Ordinary Member of the Club) may address the Meeting and may summon witnesses where necessary and may then call for a vote as to whether the suspension or termination shall take effect. The appeal shall be won or lost on a simple majority.
- (f) During the interval between the suspension or termination referred to in Rule 35b and any appeal referred to in Rule 35d the Member under sentence may not use the Club.

35. SPORTING AND AUXILIARY SECTIONS OF THE CLUB

- (a) Membership of the Sporting and Auxiliary Sections of the Club is conditional on Membership of the main Club itself. These sections shall be constituted as Sub-Committees at the Management Committee and as such shall at all times be subject to the authority of the Management Committee and answerable in all ways to the Management Committee for the behaviour of their Members and the conduct of their affairs.
- (b) The names and addresses of Members of these Sections shall be recorded by the Secretary of the Section concerned and any subscriptions to, or money received by the Sections shall be payable to the Treasurer of that Section, who will be responsible with the Chairman of the Section for preparing a statement of Income and Expenditure for each year to the 31st December. The Chairman and Secretary of the Section will also be responsible for supplying a certified inventory of the stock of equipment in the hands of the Section as at the 31st December in each year, both documents to be handed to the Treasurer of the Club by 31st January next at the latest.
- (c) All assets and equipment of any Sporting and Auxiliary Section from whatever source acquired shall be the property of the Club.
- (d) Chairmen of these Sections shall be ex-officio Members of the Management Committee and shall attend the Management Committee Meetings if requested to do so by the Management Committee.

36. TRUSTEES OF THE CLUB

- (a) There shall be not less than 2, nor more than 4 Trustees of the Club, who shall be appointed as necessary by the Membership in General Meeting. Such a duly appointed Trustee shall hold office at the pleasure of the Club or until they resign in writing to the Management Committee or until a resolution to remove them shall be passed at a General Meeting of Members by a majority comprising at least two-thirds of the Members present and entitled to vote.
- (b) All property of the Club shall be vested in the Trustees as from time to time appointed and the Trustees shall act in all aspects as regards such property, land or investments in strict accordance with the directions of the Management Committee. They shall have the powers to sell, lease, mortgage or pledge any property of the Club for the purpose of raising or borrowing money for the benefit of the Club, in accordance with the directions of the Management Committee.
- (c) The liability of each and every Trustee shall be limited to the extent of such funds of the Club as may be actually received by the Trustees.
- (d) The Trustees of the Club shall be Honorary Members of the Club during their term of office.

37. DISSOLUTION

- (a) If the number of Ordinary Members of the Club shall at any time fall below 50, or at any time the Club shall pass in General Meeting by a majority comprising two-thirds or more of the Members present and entitled to vote, a resolution (hereinafter called the First Resolution) of its intention to dissolve the Club, the Management Committee or, failing them, the Trustees shall take immediate steps to convert into money all the property of the Club, with power however to postpone or delay the conversion of any particular property of the Club, if the Club in General Meeting so authorises.
- (b) Out of the proceeds of such conversion, the Trustees shall discharge all debts and liabilities of the Club, including the expenses of any such conversion and such balances and property remaining in their hands shall be disposed of to a Sports or Charitable organisation as the Club in General Meeting shall so resolve and thereupon the Club shall be for all purposes dissolved.