

# Manchester BMX Club Constitution

## 1. Name

The name of the club is Manchester BMX Club.

## 2. Club Purposes

The purposes of the club are to promote the amateur sport of Bicycle Moto Cross in Manchester and community participation in the same.

## 3. Permitted means of advancing the Purposes

The Committee has the power to:

- Acquire and provide grounds, equipment, coaching, training and playing facilities, clubhouse, transport, medical and related facilities
- Provide coaching, training, medical treatment, and related social and other facilities
- Take out any insurance for club, employees, contractors, players, guests and third parties
- Raise funds by appeals, subscriptions, loans and charges
- Borrow money and give security for the same and open bank accounts
- Buy, lease or licence property and sell, let or otherwise dispose of the same
- Make grants and loans and give guarantees and provide other benefits
- Set aside funds for special purposes or as reserves
- Invest funds in any lawful manner
- Employ and engage staff and others, and provide services
- Co-operate with or affiliate to firstly any bodies regulating or organising the Sport and secondly any club or body involved with it and thirdly with government and related agencies
- Do all other things reasonably necessary to advance the purposes
- NONE of the above powers may be used other than to advance the purposes consistently with the Rules below and the general law.

## 1. **Membership**

Membership of the Club shall be open to anyone interested in the sport 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. The Club will keep subscriptions at levels that will not pose a significant obstacle to people participating.

The Club Committee may refuse membership, or remove it, or restrict entry to club run activities only for good cause such as conduct or character likely to bring the Club or sport into disrepute. This applies to members and non-members alike. Appeal against refusal, restriction or removal may be made to the members of the Committee.

Anybody attending club run sessions or events will be bound by both the clubs Code of Conduct and Constitution.

## 5. **All General Meetings**

All members may attend all general meetings of the Club in person.

Such meetings need 21 clear days' written notice to members (email acceptable).

The quorum for all general meetings is a minimum of 4 members present.

The Chair or (in his or her absence) another member chosen at the meeting shall preside.

Except as otherwise provided in these rules every resolution shall be decided by a simple majority of the votes cast on a show of hands. In the case of an even split, the chair shall have the deciding vote.

Formalities in connection with General Meetings (such as how to put down resolutions) shall be decided by the Committee and publicised to club members.

## 6. **Annual General Meetings (AGM)**

The Club will hold an AGM once in every calendar year and not more than 15 months after the last AGM. At every AGM:

- The Members will elect a Committee including a Chair, Vice-Chair, Treasurer, and Secretary to serve until the next AGM
- The Treasurer will produce accounts of the Club for the latest financial year audited as the Committee shall decide
- The Committee will present a report on the Club's activities since the previous AGM
- The Members will appoint a suitable person to audit the accounts
- The Members will discuss and vote on any resolution (whether about policy or to change the Rules) and deal with any other business put to the meeting.

## **7. Extraordinary General Meetings (EGM)**

An EGM shall be called by the Secretary within 14 days of a request to that effect from the Committee or on the written request of not less than 10 members signed by them. Such EGM shall be held on not less than 14 and not more than 21 days' notice at a place decided upon by the Committee or in default by the Chair.

## **8. The Committee**

### Role

Subject to these Rules the Committee shall have responsibility for the management of the Club, its funds, property and affairs.

### Property etc

- 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.
- The club may provide sporting and related social facilities, sporting equipment, coaching, courses, insurance cover, medical treatment, away-event expenses, post event refreshments and other ordinary benefits of Community Amateur Sports Clubs as provided for in the Finance Act 2002.
- The club may also in connection with the sports purposes of the Club:
  - (a) Sell and supply food, drink and related sports clothing and equipment;
  - (b) 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;
  - (c) Pay for reasonable hospitality for visiting teams and guests;
  - (d) 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).
- The Committee will have due regard to the law on disability discrimination and child protection.

### Composition etc

- The Committee shall consist of at least 5 and not more than 12 members (including Officers).
- The Committee members may co-opt club members (up to the maximum permitted number) to serve until the end of the next AGM.
- Any Committee member may be re-elected or re-co-opted without limit.
- A Committee member ceases to be such if he or she ceases to be a member of the club, resigns by written notice, or is removed by the Committee for good cause after the Member concerned has been given the chance of putting his/her case to the Committee with an appeal to the Club members, or is removed by club members at a general meeting.

The Committee shall fairly decide time limits and formalities for these steps.

- The committee will appoint at least 1 and ideally 2 member(s) to be Club Welfare Officer(s).

#### Committee Meetings

- Whenever a Committee member has a personal interest in a matter to be discussed he/she must declare it, withdraw from that part of the meeting (unless asked to stay), not be counted in the quorum for that agenda item and withdraw during the vote and have no vote on the matter concerned.
- The Committee may decide its own way of operating. Unless it otherwise resolves the following rules apply:
  - (a) At least 3 members must be present for the meeting to be valid
  - (b) Committee meetings shall be held face to face
  - (c) The Chair or whoever else is chosen shall chair meetings
  - (d) Decisions shall be by simple majority of those voting
  - (e) A resolution in writing signed by every Committee member shall be valid without a meeting
  - (f) The chair of the meeting may have a casting vote in the result of an even vote

#### Delegation etc

The Committee may delegate any of their functions to sub-committees but must specify the scope of its activity and powers; the extent to which it can commit the funds of the Club; its membership; its duty to report back to the Committee. The Committee may wind up any sub-committee at any time or to change its mandate and operating terms.

#### Disclosure

Annual club reports and statements of account must be made available for inspection by any member and all club records may be inspected by any Committee member.

### **9. Amendments**

These Rules may be amended at a general meeting by two-thirds of the votes cast but not (if relevant) so as to jeopardise the Club's status as a Community Amateur Sports Club as first provided for by the Finance Act 2002 and not in any event to alter its purposes (unless the procedure set out has been followed) or winding up provisions.

The Club Purposes may be changed to include another eligible sport if the Committee unanimously agree and the members also agreed the change by a 75% majority of votes cast.

**10. Winding Up the Club**

- The members may vote to wind up the Club if not less than three quarters of those present and voting support that proposal at a properly convened general meeting.
- The Committee will then be responsible for the orderly winding up of the Club's affairs.
- After settling all liabilities of the club, the Committee shall dispose of the net assets remaining to one or more of the following:
  - (a) To another club with similar sports purposes which is a registered charity
  - (b) To another club with similar sports purposes which is a registered CASC
  - (c) To the club's governing body for use by them for related community sports

**Adopted at a meeting held**

at Manchester BMX Club facilityPlatt Fields Pavilion

on 05<sup>th</sup> August 2014

**Signed**

Name Peter Taylor

Signature

[Name and signature of chair of meeting]

**Witnessed**

Name Fiona Roy

Role/Occupation Manchester BMX Club Welfare Officer

Signature

## Details needed to complete the model constitution

Before you can complete the model you will need to have made decisions on the following matters. It may help you in this process to refer to the accompanying notes.

1. The name of the club Clause 1
2. The sport or sports which the Club will promote and the area in which it will operate Clause 2
3. Period of notice for general meetings Clause 5(b)
4. Quorum for general meetings Clause 5(C)
5. Number of members required to demand an EGM Clause 7
6. Minimum and maximum number of members of the Committee Clause 8(C)(i)