

# **HAMILTON BATHS AMATEUR SWIMMING CLUB** **CONSTITUTION, BYE-LAWS AND REGULATIONS**

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## CONSTITUTION

### **C1.0 NAME**

The Club shall be called “ **Hamilton Baths Amateur Swimming Club**”  
(Hereinafter referred to as the Club)

### **C2.0 OBJECTS**

The objectives of the Club shall be to :-

- a) Promote and manage the teaching, knowledge and practice of one or more Aqua Sports, in accordance with paragraph C2.2 of the SASA Constitution

### **C3.0 MEMBERSHIP**

C3.1 The membership shall consist of the following categories :-

**Adult Member** ( 16 years and Over)

- a) Swimming Member \*
- b) Non Swimming Member \*
- c) Masters Swim Member

**Junior Members** (Under 16 years )

- a) Learn to Swim Member\*
- b) Junior Club Member \*
- c) Swimming Member \*

\* Sub Categories as defined in SASA Bye-Law BL3.2

**Life Members**

C3.2 Membership fees shall comprise of an annual subscription along with an annual coaching fee. The level of payment will be as agreed at each Annual General Meeting.

C3.3 All Club Members must be Registered with the SASA

C3.4 All members joining the Club shall be deemed to accept the terms of this Constitution, the Club Bye-Laws and any Regulations from time to time adopted by the Club.

C3.5 The Management Committee shall have the power to turn down an application for membership, provided they act in accordance with Bye-Law BL3.6.

#### **4.0 GOVERNANCE**

- C4.1 The Club shall be subject to and bound by, the Constitution and Bye-Laws of the SASA, Memorandum, Articles and Rules of SASA Ltd. and the appropriate SASA District Rules.
- C4.2 The Club shall comply with the SASA Code of Conduct, the SASA Code of Ethics and the SASA Child Protection Guidelines.
- C4.3 The Club shall be governed by its Constitution, Bye-Laws and Regulations.
- C4.4 Amendments to the Constitution shall only be made at a General Meeting, provided at least a two thirds majority of those present and voting is secured.
- C4.5 Amendments to the Bye-Laws shall only be made at a General Meeting provided a simple majority of those present and voting is secured
- C4.6 The Management Committee shall have the power to publish and enforce such Regulations as the Committee feels necessary to govern the activities of the Club.

#### **5.0 MANAGEMENT**

- C5.1 The affairs of the Club shall be conducted by a Management Committee which shall consist of the Officers of the Club plus six other Adult Members and ex-officio members set out in Bye-Law BL5.1
- C5.2 The Officers of the Club, who shall be honorary, shall consist of a President, Vice-President, Treasurer and Secretary who shall be elected at an Annual General Meeting, as shall be the said Adult Members.
- C5.3 If the post of any Officer or Adult committee member should fall vacant after such an election, the Management Committee shall have the power to fill the vacancy.
- C5.4 All Management Committee members shall be Adult members of the Club.

## **C6.0 MEETINGS**

### **C6.1 General Meetings**

#### C6.1.1 Notices

At least 30 days notice and the Agenda shall be given to all Adult members of any General Meeting.

#### C6.1.2 Attendance

All Adult Members and Life Members are entitled to attend, take part and vote

#### C6.1.3 Voting

- With the exception of changes to the Constitution, decisions put to a vote shall be resolved by simple majority at General Meetings.
- Voting shall be by a show of hands unless decided otherwise by a majority of those attending the meeting.

#### C6.1.4 Quora

The quorum at General Meetings shall be two Officers of the Club plus five members eligible to vote.

#### C6.1.5 Changes to the Constitution and Bye-Laws.

A proposal to change the Constitution or Bye-Laws must be submitted in writing to the Secretary, signed by two members eligible to vote at a General Meeting.

### **C6.2 Annual General Meeting (AGM)**

C6.2.1 The Club shall hold an Annual General Meeting within the first 2 weeks of the month of December to :

- Approve the minutes of the previous year's AGM.
- Receive reports from the President and Secretary.
- Receive a report from the Honorary Treasurer, approve the Annual Accounts and set the annual subscriptions and fees.
- Receive a report from the Auditors.
- Elect Management Committee Members
- Appoint Auditors for the Club's Accounts

- Consider changes to the Constitution
- Consider changes to the Bye-Laws.
- Present Life Membership(s)
- Deal with other relevant business

### **C6.3 Extraordinary General Meeting (EGM)**

C6.3.1 An Extraordinary General Meeting shall be called by an application in writing to the Secretary supported by at least six Adult Members of the Club. The Management Committee shall also have the power to call an EGM by decision of a simple majority of its members.

### **C6.4 Management Committee Meetings (MCM)**

C6.4.1 The club shall hold Management Committee Meetings no less frequently than every three months.

C6.4.2 A Management Committee Meeting shall be called by the Secretary when there is business to transact or on request of a Officer of the Club or by an application in writing by at least seven Adult Members of the Club.

C6.4.3 A quorum for Management Committee Meetings shall be at least one Officer of the Club and five Committee members.

C6.4.4 The business of the meeting shall be enacted in accordance with Section 6 of the Bye-laws.

### **C7.0 FINANCE & ACCOUNTS**

C7.1 The financial year shall run from 1<sup>st</sup> November to 31<sup>st</sup> October each year

C7.2 The honorary Treasurer shall be responsible for the preparation of Annual Accounts of the Club.

C7.3 The Accounts shall be audited by an independent person(s) elected annually at the Annual General Meeting.

C7.4 All cheques drawn against the Club's funds shall be signed by the Treasurer and one other nominated Officer of the Club

C7.5 The Management committee can enter into contracts and/or partnerships, on behalf of the Club, provided each proposal is fully discussed at and recorded in the minutes of a quorate committee meeting prior to the commitment being made.

C7.6 All members of the Club shall be jointly responsible for the financial liabilities of the Club

C7.7 Any surplus of the Club's income will be re-invested in the Club and not distributed to its members.

C7.8 The coaches must submit a monthly account of the hours worked and any authorised expenses incurred on the approved form.

## **C8.0 DISCIPLINE**

C8.1 The Management Committee may take action (eg. fine, suspend or cancel membership) against any Club Member proved guilty of infringing the Club Regulations or acting in such a manner as to bring disrepute to the Club. Such action shall only be taken if the principles and procedures embodied in the Complaints, Appeals and Suspension & Fines sections of the SASA Constitution Bye-Laws and the SASA Ltd. Rules, have been applied.

C8.2 All complaints, except for doping, child abuse or alleged criminal offences and Appeals, shall be dealt with in accordance with Section 8 of the Club Bye-Laws.

C8.3 Complaints involving doping, child abuse or other criminal offences shall be referred to the SASA Chief Executive within 48 hours, in accordance with SASA Ltd. Rule R16.1.3.

## **C9.0 AWARDS**

C9.1 Nomination and selection procedures shall be in accordance with Section 9 of the Bye-Laws

## **C10.0 TROPHIES**

C10.1 All trophies belong to the Club in perpetuity and cannot be won outright.

C10.2 The Club Honorary Treasurer shall act as Trustee of Club Trophies.

**C11.0 DISSOLUTION**

C11.1 In the event of the dissolution of the Club, any funds, property and other assets shall not be distributed amongst the members of the Club in any way whatsoever, but shall be applied towards the objective of the SASA.

C11.2 So long as three members agree to support the Club it cannot be dissolved

## **BYE-LAWS**

BL1.0 Not used

BL2.0 Not used

### **BL3.0 MEMBERSHIP**

BL3.1 The annual subscription of existing members (agreed at the AGM) shall become due on 1 January in each year and those of new members on the date of acceptance for membership. Members not renewing by 31 March will be deemed to be non-members and will be notified in writing accordingly.

BL3.2 The annual coaching fees may be paid on a monthly basis with fees being added on the 28<sup>th</sup> of each month. Members not fully paid up of the previous year's fees by 31 March will be deemed to be non-members and will be notified in writing accordingly.

BL3.3 All non-members will be excluded from taking part in any of the Clubs activities, competitions or meetings until their annual subscription is paid.

BL3.4 A member wishing to resign from the Club shall inform the Secretary in writing.

BL3.5 A Junior/Swimming member wishing to change their 1<sup>st</sup> or 2<sup>nd</sup> Claim Club must do so in accordance with SASA Bye-Law BL8.2.4.

BL3.6 When an application for membership is turned down by the Management Committee, the applicant must be advised of the reason and their right of appeal to the SASA, in writing.

BL4.0 Not used

### **BL5.0 MANAGEMENT**

BL5.1 The Management Committee shall comprise the Officers of the Club (as defined in paragraph C5.2), Assistant Secretary, Entry Secretary, Squad Coaches, and six other Adult members (who may also be coaches). Boy & Girl Captains

BL5.2 The term of office for President, Secretary and Treasurer shall be three years, one retiring annually in rotation.

BL5.3 The Vice President, the Assistant and Meet Secretaries shall be elected for a term of two years.

BL5.4 The term of office for the other Adult Members shall be two years, half retiring annually.

- BL5.5 Retiring members of the Management Committee may offer themselves for re-election.
- BL5.6 Management Committee member(s) elected or co-opted to fill a vacancy part way through a term of office shall retire in sequence with the original order of rotation.
- BL5.7 Management Committee members co-opted by the committee shall be subject to endorsement at the first EGM or AGM thereafter.
- BL5.8 The Management Committee shall be responsible for :-  
a) The organisation and control of all members during Club hours.  
b) The annual appointment of coaches and instructors.  
c) The selection of members to represent the Club.  
d) The handicapping of Club events as necessary.  
e) The organisation of swimming activities as may be requested by other bodies.  
f) Appointing the Boy and Girl Captains in January each year.  
g) Presenting annually their nominations for Hon. President and Hon. Vice President(s) to the AGM for ratification.  
h) Considering and approving or otherwise nominations for Life Membership of the Club.  
i) Setting the annual payment to coaches.  
j) Setting annual Club subscriptions and coaching fees.
- BL5.9 The Management Committee shall appoint such sub-committees as may be considered necessary.
- BL5.10 The Management Committee shall appoint a Child Protection Officer (CPO) who has attended an SASA approved training course

## **BL6.0 MEETINGS**

### **BL6.1 General**

BL6.1.1 At all meetings, if a quorum is present, the Chair shall be taken not later than fifteen minutes after the appointed time of the meeting.

BL6.1.2 All Members when called to order at any meeting or gathering of the Club and not complying to the "rule of order" shall be expelled from the meeting.

BL6.1.3 The Chairperson at all meetings of the Club shall be the President. In the absence of the President, the Vice President shall substitute. In the absence of the President and Vice President, those in attendance shall appoint a substitute.

BL6.1.4 In the event of equality of votes in any resolution before the meeting which requires a choice to be made for the continued good governance of the Club, the Chairperson of a meeting shall have a second or casting vote.

BL6.1.5 The Chairperson of a meeting, shall be the sole judge of questions of order and interpreter of the “rules” governing the Club.

BL6.1.6 The Chairperson shall not speak to, oppose or move any motion from the Chair. In order to do so, they shall vacate the Chair until that business is concluded. The meeting shall be presided over by a substitute Chairperson elected from among those present.

BL6.1.7 The minutes of all meetings will be circulated to Adult and Life Members.

## **BL6.2 Annual General Meeting (AGM)**

BL6.2.1 The Secretary shall give written notice of not less than 30(thirty) days prior to the date of the AGM. This notice shall be published on the Club notice board and circulated to all Adult and Life Members

BL6.2.2 Appended to the notice of intimation of a AGM shall be the Agenda, minutes of the last AGM, a note of the process governing alteration to the Constitution, Bye-Laws and nomination for the Management Committee.

BL6.2.3 Nominations for Officers of the Club and other members of the Management Committee shall be submitted in writing, signed by two Adult Members and the nominee, to the Secretary no later than 20 November.

BL6.2.4 Proposed alterations to the Constitution and Bye-Laws and notices of motion must be received by the Secretary not later than 20 November.

BL6.2.5 Having received all nominations and proposed alterations, the Secretary shall arrange for this information to be displayed on the Club notice board at least 7(seven) days before the meeting

BL6.2.6 The order of business for a AGM shall be :

- Presidents Remarks
- Apologies for Absence
- Approval of minutes from previous AGM & matters arising.
- Hon. Secretary Report
- Financial Report
- Entry Secretary Report
- Head Coach Report
- Proposed changes to Constitution
- Proposed changes to Bye-Laws
- Election of Management Committee Members
- Appointment of Hon. President & Hon Vice President(s).
- Appointment of Auditors
- Life Membership Awards

Other relevant business

### **BL6.3 Extraordinary General Meeting (EGM)**

BL6.3.1 The Secretary will give notice, in writing of all Extraordinary General Meetings, stating the Agenda, to all Adult and Life Members at least 30 days prior to such meetings being held.

BL6.3.2 The order of Business for an EGM shall be :

President's Remarks  
Apologies for Absence.  
Business to be transacted of which due notice has been given.

BL6.3.3 No business shall be transacted at the EGM other than business of which due notice has been given.

### **BL6.4 Management Committee Meetings (MCM)**

BL6.4.1 Notice of the date, time and venue of each MCM shall be published on the Club notice board at least 7(seven) days prior to the meeting.

BL6.4.2 Adult Members who are not members of the MCM, may attend, but may only participate with the agreement of the Chairperson.

BL6.4.3 All, except ex-officio members shall have a deliberative vote.

BL6.4.4 No decision of the MCM may be altered or revoked without 14(fourteen) days prior notice of intent, in writing, being given to the Secretary.

## **BL7.0 FINANCE & ACCOUNTS**

BL7.0.1 The Treasurer shall arrange for the Auditor(s) to examine and certify the Club accounts and balance sheet before presentation of an audited summary to the AGM.

BL7.0.2 The Treasurer shall submit a budget, to the last meeting of the MCM prior to the AGM, for the following financial year.

BL7.0.3 The Treasurer shall submit a financial statement to the MCM no less frequently than every 3(three) calendar Months.

BL7.0.4 All outgoing payments shall be made by cheque, signed by the Treasurer and one other nominated Officer of the Club.

## **BL8.0 DISCIPLINE**

BL8.0.1 Any member guilty of conduct or breach of the Constitution, Bye-laws, Regulations which is detrimental to the interests or aims of the Club may be

disciplined by the MCM, provided Paragraph C8.1 of the Constitution has been satisfied

### **BL8.1 Suspensions and Fines**

BL8.1.1 The MCM may Suspend, from activities wholly within its own jurisdiction, impose a Fine or Expel a member as a means of discipline.

### **BL8.2 Complaints**

BL8.2.1 A Complaint, which is a formal expression of dissatisfaction or allegation of unfair practice in connection with the management of the Club can be made by :-

Any member of the Club

A parent or guardian on behalf of a member under the age of 16 years

BL8.2.2 A complaint is made in writing to the Club Secretary not later than 30(thirty) days after the incident.

### **BL8.3 Appeals**

BL8.3.1 An appeal may be made against decisions taken by the MCM.

BL8.3.2 An appeal must be made in accordance with Section 18 of the SASA Ltd. Rules

## **BL9.0 AWARDS**

BL9.1 Life Membership

BL9.1.1 Life membership may be presented to person(s) who have given outstanding service, over many years, to the Club and shall be presented at the Annual General Meeting or at any other time decreed suitable by the MCM.

BL9.1.2 A recommendation for Life Membership may be made by any Adult or Life Member to the Secretary for submission to the MCM. Full details of the nominee's service should be included with the recommendation.

## **BL10.0 TROPHIES**

BL10.1 The winner of a trophy shall guarantee safe custody and return of the trophy when requested by the MCM.

BL10.2 The winner of a trophy shall be responsible for arranging and funding the engraving of the trophy.

## **REGULATIONS**

### **R1.0 CLUB SESSIONS**

- R1.1 The swimmers will train at times as advised by the coaching staff.
- R1.2 A list of squad training times will be posted on the club notice board.

### **R2.0 TRAINING SQUADS**

- R2.1 It will be the responsibility of the coaching staff to liaise with each other and to select the swimmers that will train within each squad.
- R2.2 Swimmers will be selected for the squads on the basis of time trials, which will be held no fewer than 3 times per year, at club championships and through times achieved at competition throughout the year.  
Note: Time trials which allow movement between squads will typically be held in December, March and June, although this is a flexible arrangement.
- R2.3 The coaching staff will have the right to move a swimmer at any time if they feel that the squad the swimmer is training with is unsuitable for the swimmer's abilities. This will only be done with the consent of coaches from the squads concerned and the swimmer.

### **R3.0 COMPETITION ENTRIES**

- 3.1 It is the responsibility of the coaching staff to select swimmers for competition.
- 3.2 If a swimmer withdraws from an event after the entries have been accepted then the swimmer is liable for the entry fee.
- 3.3 If a swimmer does not turn up for an event without informing the coaching staff prior to the start of the competition, the swimmer will be liable for the entry fee and any fines levied to the club as a result of their absence.
- 3.4 Every swimmer is expected to follow the current club dress code when representing the club at competitions.  
Any kit issued by the club **MUST** be worn at competition.

## **R4.0 COACHES and TEAM MANAGERS**

- 4.1 Coaching staff and Team Managers are responsible for the supervision of swimmers on poolside at competitions.
- 4.2 Team managers will be responsible for supervising swimmers at other times agreed by the committee before the event.
- 4.3 Coaches are expected to attend a minimum agreed number of competitions per annum, plus the Club Championships.
- 4.4 The team staff will be entitled to travel expenses to and from events, at a mileage rate agreed at the AGM.
- 4.5 The team staff will be entitled to other expenses agreed by the committee for all events where they represent the Club.

# CLUB CONSTITUTION