

Rules/Constitution of Torbay BMX Racing Club Community Amateur Sports Club

1 The club will be called: Torbay BMX Racing Club Community Amateur Sports Club

2 The Purposes of the Club

The purposes of the Club are to promote the amateur sport of BMX racing in Torbay and community participation in the same area.

3 Permitted means of advancing the purposes

The Committee has the power to:

- a.** Acquire and provide grounds, equipment, coaching, training and playing facilities, club house, transport, medical and related facilities
- b.** Provide coaching, training, medical treatment, and related social and other facilities
- c.** Take out any insurance for club, employees, contractors, players, guests and third parties
- d.** Raise funds by appeals, subscriptions, loans and charges
- e.** Borrow money and give security for the same and open bank accounts
- f.** Buy, lease or licence property, and sell, let or otherwise dispose of the same
- g.** Make grants and loans and give guarantees and provide other benefits
- h.** Set aside or apply funds for special purposes or as reserves
- i.** Deposit or invest funds in any lawful manner
- j.** Employ and engage staff and others and provide services
- k.** 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
- l.** 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.

4. Membership

a. 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.

b. 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.

c. The Club Committee may refuse membership, or remove it, only for good cause such as conduct or character likely to bring the Club or sport into disrepute. Appeal against refusal or removal may be made to an appointed panel consisting of club members.

5 All General Meetings

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

b. Such meetings need 21 clear days' written notice to members.

c. The quorum for all general meetings is five members present

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

e. 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.

f. 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:

a. The Members will elect a Committee including a Chair, Treasurer and Secretary to serve until the next AGM;

b. The Treasurer will produce accounts of the Club for the latest financial year audited as the Committee shall decide;

c. The Committee will present a report on the Club's activities since the previous AGM;

d. The Members will appoint a suitable person to audit the accounts; and

e. 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 5 unrelated members signed by them. Such an EGM shall be held on not less than 14 or more than 21 days' notice at a place decided upon by the Committee or in default by the Chair.

8 The Committee

A Role –

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

B Property etc –

i. 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.

ii. The Club may provide sporting and related social facilities, sporting equipment, coaching, courses, insurance cover, medical treatment, event expenses, post event refreshments and other ordinary benefits of Community Amateur Sports Clubs as provided for in the Finance Act 2002.

iii. 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 riding) 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).

iv. The Committee will have due regard to the law on disability discrimination and child protection

C Composition etc -

i. The Committee shall consist of at least three and not more than ten members (including Officers).

ii. The Committee members may co-opt club members (up to the maximum permitted number) to serve until the end of the next AGM.

iii. Any Committee member may be re-elected or re-co-opted without limit.

iv. 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.

D Committee meetings -

a. 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.

b. The Committee may decide its own way of operating. Unless it otherwise resolves the following rules apply:

a. At least 2 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 those present choose 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 shall not have a casting vote.

E 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.

F 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

a. 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 in 9 (b) has been followed) or winding up provisions.

b. 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

a. 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.

b. The Committee will then be responsible for the orderly winding up of the Club's affairs.

c. After settling all liabilities of the Club, the Committee shall dispose of the net assets remaining to one or more of the following:

i. To another Club with similar sports purposes which is a charity and/or

ii. To another Club with similar sports purposes which is a registered CASC

and/or

iii. To the Club's national governing body for use by them for related community

sports.