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**Club Constitution – Tri Lakeland Junior Club**

**1 Name**

* 1. The name of the Club shall be Tri Lakeland Junior Club

**2 Objects**

2.1 The objects of the Club shall be the teaching, development and practice of swimming, cycling and running for its members in the furtherance of these objects:

2.1.1 The Club is committed to treat everyone equally within the context of its activity. This shall be, for example, regardless of sex, ethnic origin, religion, disability or political persuasion, on any grounds.

2.1.2 The Club shall implement the B.T.F (British Triathlon Federation) Equal Opportunities policy.

2.2 The Club shall be affiliated to Triathlon England North East Region, and shall adopt and conform to the rules of this Association, and to such other bodies as the Club may determine from time to time.

2.3 The business and affairs of the Club shall at all times be conducted in accordance with the Laws and Technical Rules of the B.T.F and in particular:

2.3.1 all competing members shall be eligible competitors as defined in B.T.F Laws; and

2.3.2 the Club shall in accordance with B.T.F Laws adopt the B.T.F Child Protection

Procedures; and shall recognise that the welfare of children is everyone’s responsibility and that all children and young people have a right to have fun, be

safe and be protected from harm.

2.3.3 members of the Club shall in accordance with B.T.F Laws comply with the B.T.F Child Protection Procedures.

2.4 By virtue of the affiliation of the Club to Triathlon England North East Region, the Club and all members of the Club acknowledge that they are subject to the laws, rules and constitutions of:

2.4.1 Triathon England North East Region; and

2.4.2 the B.T.F (in particular its Doping Control Rules and Protocols and

Disciplinary Code)

2.5 In the event that there shall be any conflict between any rule or by-law of the Club and any of the Governing Body Rules then the relevant Governing Body Rule shall prevail.

**3 Membership**

3.1 The total membership of the Club shall not normally be limited. If however the Committee considers that there is a good reason to impose any limit from time to time then the Committee shall decide the limit and the period of time for which the limit shall apply. All persons who assist in any way with the club’s activities shall become members of the club and hence of Triathlon England North East and the relevant membership fee shall be paid. Assisting with the club’s activities shall include, but not be restricted to, administrators, associate members, voluntary instructors, teachers and coaches, Committee members, helpers, Honorary members, life members, officers, patrons, Presidents, technical and nontechnical officials, temporary members, Vice Presidents and verifiers or tutors of the B.T.F educational certificates. Paid instructors, teachers and coaches who are not members of the club must be members of a body which accepts that its members are bound by the B.T.F’s Code of Ethics, the Laws relating to Child Protection and those parts of the Judicial Laws, Judicial Rules and procedures necessary for their implementation and whilst engaged in activities under the jurisdiction of the B.T.F shall be subject to all the constraints and privileges of the Judicial Laws and Rules.

3.2 Any person who wishes to become a member of the Club must submit a signed application to the Membership Officer (and in the case of a junior member who has not reached their eighteenth birthday, the application must be signed by the swimmer’s parent or guardian). Election to membership shall be determined by the Membership Officer but other person(s) authorised by the committee may make recommendation as to the applicant’s acceptability. The Membership Officer shall be required to give reasons for the refusal of any application for membership. Any person refused membership may seek a review of this decision before a review panel appointed by the Committee (“Review Panel”) comprised of not less than three members (who may or may not be members of the Committee). The panel shall wherever practicable include one independent member nominated by the Triathlon England North East Region. The person refused membership shall be entitled to make representations to the Review Panel. The procedures for review shall be at the discretion of the Review Panel whose decision shall be final and binding. The Club shall not refuse an application for membership on discriminatory grounds, whether in relation to ethnic origin, sex, religion, disability, political persuasion or sexual orientation.

**4 Subscription and Other Fees**

4.1 The annual membership subscription and coaching and squad fees (as applicable) shall be determined from time to time by the Committee and the Committee shall in so doing make special provision for different classes of membership as it shall determine.

4.2 The annual subscription and entrance fee (if any) shall be due on joining the Club and thereafter on the 1st of January each year.

4.3 Any member whose subscription is unpaid by the date falling thirty days after the due date for payment may be suspended by the Committee from some or all Club activities from a date to be determined by the Committee and until such payment is made.

4.4 The Committee shall, from time to time, have the power to determine the annual

membership subscription and other fees. This shall include the power to make such

increase in the subscription as shall, where the Club pays the individual Membership

Fees to Triathlon England on behalf of members, be consequential upon an increase in individual membership fees. Any increase in subscriptions shall be advised to the members in writing with the reasons for any increase to be reported to the members at the next Annual General Meeting.

**5 Resignation**

5.1 A member wishing to resign membership of the Club must give to the Secretary written notice of his resignation. A member’s resignation shall only take effect when this (Rule 5.1) has been complied with.

5.2 Notwithstanding the provisions of Rule 5.1 above a member whose subscription is more than three months in arrear shall be deemed to have resigned. Where the membership of a member shall be terminated in this way he shall be informed in writing that he is no longer a member by notice handed to him or sent by post to his last known address.

**6 Expulsion and other Disciplinary action**

6.1 The Committee shall have power to expel a member when, in its opinion, it would not be in the interests of the Club for him to remain a member. The Club in exercising this power shall comply with the provisions of Rules 6.2 and 6.3 below.

6.2 The Club shall adopt and comply with the B.T.F Guidelines for handling Internal Club Disputes (“the Guidelines”) as the same may be revised from time to time. The Guidelines are set out as an Appendix to the B.T.F Judicial Laws and appear in the B.T.F Handbook.

6.3 A member may not be expelled or (subject to Rule 6.4 below) be made the subject of any other penalty unless the panel hearing the complaint shall by a two-thirds majority vote in favour of the expulsion of or other penalty imposed upon the member.

6.4 The Executive Officers of the Club (or any person to whom the Committee shall delegate this power) may temporarily suspend or exclude a member from particular training sessions and/or wider club activities, when in their opinion such action is in the interests of the Club.Where such action is taken the complaint will thereafter be dealt with in accordance with the Guidelines.

**7 Committee**

7.1 The Committee shall consist of the Chairman, Secretary, Treasurer (together “the Executive Officers of the Club”) and up to thirteen elected members all of whom must be members of the Club. The club shall have a Welfare Officer. All Committee members must be not less than eighteen years of age though the Committee may allow younger member(s) to attend their meetings without power to vote.

7.2 The Committee members shall be proposed, seconded and elected by ballot at the Annual General Meeting each year and shall remain in office until their successors are elected at the next Annual General Meeting. Any vacancy occurring by resignation or otherwise may be filled by the Committee. Retiring members of the Committee shall be eligible for re-election.

7.3 Committee meetings shall be held not less than quarterly (save where the Committee itself shall by a simple majority resolve not to meet), and the quorum of that meeting shall be such number as shall represent not less than a simple majority of the Committee members (to include not less than one Executive Officer). The Chairman and the Secretary shall have discretion to call further meetings of the Committee if they consider it to be in the interests of the Club. The Secretary shall give all the members of the Committee not less than two days oral or written notice of a meeting. Decisions of the Committee shall be made by a simple majority. The Chairman (or the acting Chairmen of that meeting) shall only be entitled to vote in the event of an equality of votes and in such circumstances shall have a casting vote. The Secretary, or in his absence a member of the Committee, shall take minutes.

7.4 In the event that a quorum is not present within thirty minutes of the published start time, a meeting shall stand adjourned to the time and date falling seven days after the date of the meeting, or such other date and time as may be determined by the Chairman. If a quorum is not present at the adjourned meeting then those Committee members attending may act for the purpose of calling a Special General Meeting of the members, to which the provisions as to minimum notice contained in Rule 11.1 shall not apply.

7.5 In addition to the members so elected the Committee may co-opt further members of the Club who shall serve until the next Annual General Meeting. Co-opted members shall not be entitled to vote at the meetings of the Committee and shall not be counted in establishing whether a quorum is present.

7.6 The Committee may from time to time appoint from among its number such sub-committees as they may consider necessary and to remove in whole or in part or vary the terms of reference of such sub-committees and may delegate to them such of the powers and duties of the Committee as the Committee may determine. All sub-committees shall periodically report their proceedings to the Committee and shall conduct their business in accordance with the directions of the Committee.

7.7 The Committee shall be responsible for the management of the Club and shall have the sole right of appointing and determining the terms and conditions of service of employees of the Club. The Committee shall have power to enter into contracts for the purposes of the Club on behalf of all the members of the Club. The Committee shall be responsible for ensuring that the Accounts of the Club for each financial year be examined by an independent examiner to be appointed by the members in General Meeting. The Committee shall also have power to make regulations and to settle disputed points not otherwise provided for in this Constitution.

7.8 The members of the Committee shall be indemnified by the members of the Club against all liabilities properly incurred by them in the management of the affairs of the Club.

**8 Annual General Meeting**

8.1 The Annual General Meeting of the Club shall be held each year on a date in December. The date for the Annual General Meeting shall be fixed by the Committee.

8.2 The purpose of the Annual General Meeting is to transact the following business:

8.2.1 to receive the Chairman’s report of the activities of the Club during the previous

year;

8.2.2 to receive and consider the accounts of the Club for the previous year and the report on the accounts of the independent examiner and the Treasurer's report as to the financial position of the Club;

8.2.3 to elect the members of the Committee;

**9 Alteration of the Rules and other Resolutions**

9.1 The rules may be altered by resolution at an Annual or Special General Meeting provided that the resolution is carried by a majority of at least two-thirds of members present and entitled to vote at the General Meeting. No amendment(s) to the rules shall become effective until such amendment(s) shall have been submitted to and validated by such person as is authorised to do so by the North East Region.

9.2 A minimum of ten members or such number of members as represent one-tenth in number of the members entitled to attend and vote at a General Meeting shall be entitled to put any proposal for consideration at any General Meeting provided the proposal in writing shall have been handed to or posted to the Secretary of the Club so as to be received by him not later than twenty one days before the date of the General Meeting and thereafter the Secretary shall supply a copy of the proposal or resolution to the members in the manner provided in Rule 11.1.

**10 By-Laws**

10.1 The Committee shall have power to make, repeal and amend such by-laws as they may from time to time consider necessary for the well being of the Club which by-laws, repeals and amendments shall have effect until set aside by the Committee or at a General Meeting.

**10 Finance**

10.1 All moneys payable to the Club shall be received by the Treasurer and deposited in a bank account in the name of the Club. No sum shall be drawn from that account except by cheque signed by two of the three signatories. The signatories shall be appointed by the Committee from time to time and recorded in the minute book. Any moneys not required for immediate use may be invested as the Committee in its discretion think fit.

10.2 The income and property of the Club shall be applied only in furtherance of the objects of the Club and no part thereof shall be paid by way of bonus, dividend or profit to any members of the Club, (save as set out in Rule 17.3).

10.3 The Committee shall have power to authorise the payment of remuneration and expenses to any officer, member or employee of the Club and to any other person or persons for services rendered to the Club.

10.4 The financial transactions of the Club shall be recorded by the Treasurer in such manner as the Committee thinks fit.

10.5 The financial year of the Club shall be the period commencing on 1st January and ending on 31st December*.* Any change to the financial year shall require the approval of the members in a General Meeting.

10.6 The Committee shall retain for a minimum period of six years all financial records relating to the club and copies of Minutes of all meetings.

**11 Property**

11.1 The property of the Club, other than cash at the bank, shall be vested in not more than four Custodians. They shall deal with the property as directed by resolution of the Committee and entry in the minute book shall be conclusive evidence of such a resolution.

11.2 The Custodians shall be elected each year at the Annual General Meeting of the Club and shall remain in office until their successors are elected at the next Annual General Meeting. Any vacancy occurring by resignation or otherwise may be filled by the Committee. Retiring Custodians shall be eligible for re-election.

11.3 The Custodians shall be entitled to an indemnity by the members of the Club for all expenses and other liabilities properly incurred by them in the discharge of their duties.

**12 Dissolution**

12.1 A resolution to dissolve the Club shall only be proposed at a General Meeting and shall be carried by a majority of at least three-quarters of the members present and entitled to vote. A specific date for the dissolution shall be included in the resolution.

12.2 The dissolution shall take effect from the date specified in the resolution and the members of the Committee shall be responsible for the winding-up of the assets and liabilities of the Club.

12.3 Any property remaining after the discharge of the debts and liabilities of the Club shall be given to a charity or charities (or other non-profit making organisation having objects similar to those of the Club for the furtherance of such objects) nominated by the last Committee.

**13 ACKNOWLEDGEMENT**

13.1 The Members acknowledge that these Rules constitute a legally binding contract to regulate the relationship of the members with each other and the Club.