

## Rules/Constitution of HAWKS BMX CLUB

**1 THE CLUB WILL BE CALLED:** *HAWKS BMX CLUB COMMUNITY AMATEUR SPORTS CLUB*

## **2 THE PURPOSES OF THE CLUB**

The purpose of the Club is to promote BMX racing in Hayes and the local 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 the club, employees, contractors, riders, guests and third parties
- d. Raise funds by appeals, subscriptions, entry fees, loans and charges
- e. Open and manage bank accounts
- f. Set aside or apply funds for special purposes or as reserves
- g. Deposit or invest funds under normal Bank/Building Society arrangements
- h. Employ and engage staff and others and provide services
- i. 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
- j. Do all other things reasonably necessary to advance the purposes of the club as the committee documents (must be documented in constitution as per section 13).

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. Membership is for a calendar year to 31st December. Members joining after 1st October will be offered a reduced membership fee for the remaining year until 31st December.
- c. The Club may have different classes of membership and subscription on a non-discriminatory and fair basis.
- d. 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, club members, committee members, volunteer and riders or the sport into disrepute. This applies to members and non-members alike.
- e. Anybody attending club run sessions or events will be bound by both the clubs Code of Conduct and Constitution
- f. Appeal against refusal, removal or restriction of membership may be made to the committee of the club.
  - i. This has to be made in writing in, within 14 days of the initial decision (in writing).
  - ii. The appeal will be reviewed within 14 days of receipt, by an appointed panel consisting of a minimum of 3 but no more than 5 committee members
  - iii. The meeting & the outcome of the appeal meeting will be fully documented and full details will be sent in writing to the member or members appealing.

## 5 FINANCE

- a. The Club shall operate on a not-for-profit basis.
- b. Any money obtained by the Club shall be used only for the benefit of Club members and to allow the Club to fulfil its purpose.
- c. Any project to improve the club, the track or equipment that is over £500, has to be written in a proposal document that needs to be e-mailed to;  
[hawksbmxclub@gmail.com](mailto:hawksbmxclub@gmail.com)  
This will then be presented at the next committee meeting, general meeting or AGM (whichever comes first), as an agenda item and voted on by all present, before the project is commenced.

## 6 ALL GENERAL MEETINGS

- a. All members of the club may attend all general meetings of the Club in person.
- b. Such meetings need 21 clear days' written notice to members. This may be via email and social media, or notice posted in the container, on the club noticeboard, as long as all members are informed.
- c. The quorum for all general meetings is 5 members present of the total membership, whichever is greater.
- d. The Chair or (in his or her absence) another officer of the Committee chosen at the meeting shall preside.
- e. Every resolution shall be decided by a simple majority of the votes cast. At the Committee's discretion, this can include proxy voting and electronic voting. In the case of an even split, the Chair shall have the deciding vote.
- f. If necessary voting can be private and the Officers of the Committee should provide a mechanism where only club committee members can vote and votes can only be counted once, whichever channel they come through.
- g. Formalities in connection with General Meetings (such as how to put down resolutions) shall be decided by the Committee and publicised to Club members.

## 7 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, Secretary, Membership Secretary, general committee members and all other roles necessary to run the club, to serve until the next AGM;
- b. The Treasurer will produce accounts of the Club for the latest financial year ending 31<sup>st</sup> December along with an update of activity up to the AGM date.
- c. The committee will present a report on the Club's activities since the previous AGM.
- d. 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.

## 8 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, signed request of not less than 5 members. 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.

## 9 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 5 and not more than 15 members (including Officers).
- ii. The Committee members may co-opt club members (up to the maximum permitted number) as officers of the club 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

- i. 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.
- ii. The Committee may decide its own way of operating. Unless it otherwise resolves, the following rules apply:
  1. At least 5 members must be present for the meeting to be valid
  2. Committee meetings shall be held face to face;
  3. The Chair, or whoever else those present choose shall chair meetings
  4. Decisions shall be by simple majority of those present at the meeting and voting
  5. A resolution in writing signed by every Committee member shall be valid without a meeting

### E – DELEGATION etc.

- i. The Committee may delegate any of their functions to subcommittees 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.
- ii. The Committee may wind up any sub-committee at any time or to change its mandate and operating terms.

### F – DISCLOSURE etc.

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.

## 10 CLUB SOCIAL MEDIA COMMUNICATIONS

Social media communications via the Hawks club Whatsapp group, Facebook page or Instagram account, should be restricted to club matters, must not offend, intimidate, humiliate or bully any member, rider, volunteer or those associated with the club or be misleading, false or injure the reputation of members. Contravention of any of the above may result in restrictions on activities or expulsion from the club by committee decision and subject to the clubs appeal process.

## 11 GENERAL COMMUNICATION

If there is a matter that needs to be raised, in a formal capacity regarding the club, members, coaching or riders, this should be raised by sending an e-mail, with full details to; [hawksbmxclub@gmail.com](mailto:hawksbmxclub@gmail.com) This will then be reviewed by the officers of the committee and where necessary escalated within the committee, discussed at a general meeting and be voted upon.

## 12 COACHING

As the club has a number of British Cycling qualified BMX (specific) coaches, which run coaching sessions for all riders of all levels, it will be at their discretion and not the committee's discretion, which rider will be suitable for which level of coached session.

Level 1 – Novice riders

Level 2 – Intermediate riders

Level 3 – Expert riders

## 13 AMENDMENTS

These rules may be amended at a general meeting by the majority of committee members voting to amend them.

## 14 WINDING UP THE CLUB

- a. The members may vote to wind up the Club if the Committee propose it and it is backed by not less than three quarters of those present and voting supports 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

### CONSTITUTION ADOPTED

**At a meeting held on (date):** 27<sup>th</sup> September 2018

**At:** Hayes Cricket Club, Hayes

**Name:** Scott Dick

**Signature:** Upon original document

**Position:** Club Chairman

# HAWKS BMX CLUB



**Witnessed by:**

**Name:** Samantha Way

**Signature:** Upon original document

**Position:** Club Secretary