



Rules of Crewe Flyers Amateur Swimming Club as at 25th June 2013

1. Name

- 1.1. The name of the Club shall be Crewe Flyers Amateur Swimming Club, herein after called the Club.

2. Objects:

- 2.1. The objects of the Club shall be the teaching, development and practice of swimming, the promotion of competition and championships for its members and entry into competitions and championships at Local, County, Region, National and International level. 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 age, sex, ethnic origin, religion, disability or political persuasion, on any grounds.

- 2.1.2. The Club shall implement the ASA Equal Opportunities Policy.

- 2.2. The Club shall be affiliated to ASA North West Region and the Cheshire County Water Polo and Swimming Association and shall adopt and conform to the rules of these Associations 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, Regulations and Technical Rules of the Amateur Swimming Association (ASA Laws) and in particular:

- 2.3.1. All competing members shall be eligible competitors as defined in ASA Laws; and

- 2.3.2. The Club shall in accordance with ASA Laws adopt the ASA Child Safeguarding Procedures; and shall recognise that the welfare of the child is everyone's responsibility and that all children and young people have a right to have fun, be safe and protected from harm;

- 2.3.3. Members of the Club shall in accordance with ASA Laws and Regulations comply with the ASA Child Safeguarding Procedures.

- 2.4. By virtue of the affiliation of the Club to ASA North West Region, the Club and all members of the Club acknowledge that they are subject to the laws, rules and constitutions of:



- 2.4.1. The Cheshire County Water Polo and Swimming Association and
 - 2.4.2. The ASA North West Region and
 - 2.4.3. The Amateur Swimming Association (to include the ASA/IOS Code of Ethics) and
 - 2.4.4. British Swimming (to include in particular its Doping Control Rules and Protocols and Disciplinary Code) and
 - 2.4.5. FINA, the world governing body for the sport of swimming in all its disciplines (together the “Governing Body Rules”).
- 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 put forward appropriate proposals for consideration at a General Meeting of the Club. The members shall have the right to impose (and remove) from time to time any limits on total membership (or any category of membership) of the Club.
- 3.2. All persons who assist in any way with the Club’s activities shall become members of the Club and hence of the ASA and the relevant ASA 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 non-technical officials, temporary members, Vice Presidents, and verifiers or tutors of the ASA’s educational certificates.
- 3.3. 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 ASA’s Code of Ethics, the Laws relating to Child Safeguarding 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 ASA shall be subject to all the constraints and privileges of the Judicial Laws and Rules.
- 3.4. Any person who wishes to become a member of the Club must submit a signed application to the Membership Secretary (and in the case of a junior swimmer the application must be signed by the swimmer’s parent or guardian). Election to membership shall be determined by the Membership Secretary but other persons



authorised by the Committee may make recommendation as to the applicant's acceptability.

- 3.5. The Membership Secretary 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 comprised of not less than three members, who may or may not be members of the Committee. The panel shall, where practicable, include one independent member nominated by the ASA North West Region. The person refused membership shall be entitled to make representation to the Review Panel. The procedures for review shall be at the discretion of the Review Panel whose decision shall be final and binding.
- 3.6. The Club shall not refuse an application for membership on discriminatory grounds, whether in relation to ethnic origin, age, gender, religion, disability, political persuasion or sexual orientation.
- 3.7. The Club may refuse membership only for good and sufficient cause, such as conduct or character likely to bring the Club or sport into disrepute, or, in the case of an athlete, being unable to achieve the entry standards as laid down and provided by the Club to the applicant for membership.
- 3.8. All membership shall be renewed on an annual basis through the process of reapplication not later than 1st January and completed no later than 1st February.
- 3.9. The membership of the Club shall be in the following categories:
 - 3.9.1. Senior Members, who shall be not less than 18 years of age, shall be eligible to hold office and to attend and vote at Committee and General Meetings.
 - 3.9.2. Junior Members, who shall be less than 18 years of age, shall not be allowed to hold office, attend meetings of the Committee, unless by invitation of the Committee or vote at Committee or General Meetings.
 - 3.9.3. Honorary Members, who shall be elected by the Committee, with the exception of the President, for such a period as they think fit and they shall be entitled to all the privileges of membership except that they shall not be entitled to vote at meetings and serve as officers or on the Committee unless any such person shall have retained in addition their ordinary membership of the Club. Such Honorary members must be included in the Club's annual return as to membership.
 - 3.9.4. Life Members, who shall be elected at the Annual General Meeting on a recommendation made by the Committee in recognition of outstanding services



rendered to the Club. Life Members shall be entitled to all the privileges of membership, shall be members of the Committee without the power to vote, shall be eligible to attend General meetings without the power to vote and must be included in the Club's annual return as to membership.

- 3.9.5. Associate Members, who shall be elected by the Committee in recognition of support or services rendered to the Club. Associate Members shall be entitled to all the privileges of membership including the right to vote at General Meetings, to hold office and be elected to the Committee and must be included in the Club's annual return as to membership.
- 3.9.6. Temporary Members, who are individuals granted temporary membership by the ASA by virtue of their participation in specific event(s) organised by the Club in conjunction with a club, body, association or organisation under the provision of the ASA Regulation on temporary membership. Temporary Members shall not be entitled to make proposals and resolutions, to vote at meetings and serve as officers or on the Committee.
- 3.9.7. Student Members, who shall not be less than 18 years of age, shall be eligible to hold office and to attend and vote at Committee and General Meetings.

4. Subscription and Other Fees

- 4.1. The annual members' subscription, coaching, squad, session 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 the Committee shall determine.
- 4.2. The annual subscription and entrance fee (if any) shall be due on joining the Club and thereafter on the 1st day of January each year.
- 4.3. Any member whose subscription is unpaid by (the due date or the date falling 30 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. Student fees apply to a university student or those pursuing a higher education course of level four or above. Evidence of relevant student card required.
- 4.5. 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 ASA Membership Fees to the ASA on behalf of members, be consequential upon an increase in individual ASA



membership fees. Any increase in subscriptions shall be advised to the members in writing with the reasons for any Meeting.

- 4.6. The Committee shall have the power in special circumstances to remit the whole or part of the fees, including the ASA fees, to address issues of social inclusion.

5. Resignation

5.1 A member wishing to resign membership of the Club must give to the Membership Secretary written notice of their resignation. A member's resignation shall only take effect when agreed by the Committee and there is no outstanding financial commitment or disciplinary action outstanding against the individual and this (Rule 5.1) has been complied with.

5.2 A member who resigns in accordance with Rule 5.1 shall not be entitled to have any part of the annual membership fee or any other fees refunded.

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

5.4 The ASA shall be informed should a member resign from the Club with outstanding financial or other commitments to the Club.

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 6.3 and 6.4 below.

6.2 Upon expulsion the former member shall not be entitled to have any part of the annual membership fee or other fees refunded and must return any Club or external body trophies held forthwith.

6.3 The Club shall comply with the requirements and procedures of ASA Laws and Regulations for handling all Internal Club Disputes as the same may be revised from time to time. A copy of the relevant Regulations and Procedures are given as an appendix to the constitutional rules.

6.4 A member may not be expelled or (subject to Rule 6.5 below) be made the subject of any other penalty unless the panel hearing the dispute shall



unanimously vote in favour of the expulsion of (or other penalty imposed upon) the member.

6.5 The 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 incident or matter will thereafter be dealt with in accordance with the appropriate Judicial Rules and Regulations.

6.6 The Officials in charge of a particular event shall be responsible for the discipline. If further action is required this is to be referred to the Internal Disputes procedures as laid down in ASA Judicial Laws and Regulations

7. Committee

7.1 The Committee shall consist of the Chairperson, Secretary, Treasurer, Membership Secretary, and up to 15 elected members all of whom must be members of the Club. All Committee members must be not less than 18 years of age though the Committee may allow younger member(s) to attend their meetings without power to vote.

7.2 The Committee shall appoint as and when required a member of the Club as Welfare Officer who must be not less than 18 years of age, who should have an appropriate background and who is required to undertake appropriate training in accordance with ASA Child Safeguarding courses. The Welfare Officer shall not be a member of the teaching and coaching staff or the Team Manager or a member of the family of an officer, committee member, the teaching and coaching staff or the Team Manager. The Welfare Officer shall not be a member of the committee but will have a right to attend Committee meetings without a power to vote and shall report to the Committee on all aspects of welfare concerning members of the club.

7.3 The Officers and Committee members, with the exception of the Life Members shall be proposed seconded and elected at the Annual General Meeting each year and shall remain in office until their successors are elected at the next Annual General Meeting and will take office when the Chairman has closed the meeting. Any vacancy occurring by resignation or otherwise in any position previously filled at the Annual General Meeting or other General Meeting may be filled by the Committee. Retiring Officers and members of the Committee shall be eligible for re-election.

7.4 Committee meetings shall be held not less than once a month save where the Committee itself shall by a simple majority resolve not to meet, but there shall not be less than twelve meetings of the Committee per year. The Chairperson 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 seven days notice of a meeting in writing or by email. Decisions of the Committee shall be made by a simple majority and in the event of equality of votes, the Chairperson or the acting Chairperson of that meeting, shall have



a casting or additional vote. The Secretary, or in their absence a member of the Committee, shall take minutes.

7.5 The quorum for a Committee meeting shall be such number as shall represent not less than a simple majority of the Committee members entitled to attend and vote, to include not less than one Officer. In the event that a quorum is not present within 30 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 but shall be reconvened on a date within one month of the original date and a minimum of seven days advance notice given to the members of the rescheduled date, time and venue. At this meeting, the same agenda as originally issued shall be used. 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 and Rule 11.2 shall not apply.

7.6 In addition to the members so elected, the Committee may co-opt up to 5 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. Co-opted members must be not less than 18 years of age.

7.7 The Committee may from time to time appoint from among their number and/or the wider club membership 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.

7.8 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 the service of employees and voluntary helpers of the Club. The Committee shall have power to enter into contracts for the purposes of the Club on behalf of all members of the Club.

7.9 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.

7.10 The Committee shall have the power to make regulations, create by-laws and to settle disputed points not otherwise provided for in this Constitution.

7.11 The members of the Committee shall be entitled to an indemnity out of the assets of the Club for all expenses and other liabilities properly incurred by them in the management of the affairs of the Club.

7.12 The Committee shall maintain an Accident Book in which all accidents to club members at swimming related activities shall be recorded. Details of such accidents



shall be reported to the ASA Office. The Club shall make an annual return to the ASA in the prescribed form.

7.13 The Committee shall ensure that the financial records and minutes of meetings are retained for a period of at least 6 years.

7.14 At the first Committee meeting following the Annual General meeting the Committee shall appoint delegates to attend the Council meetings of the North West Region, the County Association and such other bodies and associations to which the Club is affiliated, as required.

7.15 In the event of any members of the Committee, with the exception of the appointed or co-opted members, not attending three consecutive committee meetings without an apology it shall be considered equivalent to their resignation and the committee shall proceed to fill the vacancy, unless the committee are satisfied that such absence is unavoidable, the Committee has been notified of the same and has given approval for the period of absence.

8. Officers

8.1 The Officers of the Club shall be the Chairperson, the Secretary and the Treasurer.

8.2 The Officers shall be proposed, seconded and elected at the Annual General Meeting each year and shall remain in office until their successors are elected at the next Annual General Meeting and will take office when the Chairman has closed the meeting. Any vacancy occurring by resignation or otherwise in any position previously filled at the Annual General Meeting may be filled by the Committee. Retiring Officers shall be eligible for re-election.

8.3 The Annual General Meeting of the Club, if it thinks fit, may elect a President and Vice –Presidents. A President or Vice-President need not be a member of the Club and on election shall, *ex officio*, be an honorary member of the Club and must be included in the Club's Annual Return of Members to the ASA.

9. Annual General Meeting

9.1 The Annual General Meeting of the Club shall be held each year on a date in June. The Committee shall fix the date, time and venue for the Annual General Meeting.

9.2. Only in the event of exceptional circumstances shall an AGM be postponed by the Committee once the date, time and venue has been fixed and advised to members. A postponed AGM shall normally be reconvened on a date within one



- month of the original date and a minimum of 7 days advance notice given to the members of the rescheduled date, time and venue. At this meeting, the same agenda as originally issued shall be used.
- 9.3. In any event no more than 15 months shall elapse between any two consecutive Annual General Meetings.
 - 9.4. The purpose of the Annual General Meeting is to transact the following business:
 - 9.4.1. To receive the Chairperson's report of the activities of the Club during the previous year;
 - 9.4.2. 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;
 - 9.4.3. To remove and elect the independent examiner (who must not be a member of the Committee or a member of the family of a member of the Committee), or confirm that he/she remain in office;
 - 9.4.4. To elect the Officers and other members of the Committee; with exemption of life members.
 - 9.4.5. To decide on any resolution, which may be duly submitted in accordance with Rule 9.6.
 - 9.5. Nominations for election of members to any office or for members of the Committee shall be made in writing by the proposer and seconder to the Secretary, not later than 28 days prior to the AGM. The nominee shall be required to indicate in writing on the nomination form their willingness to stand for election. The nomination form shall also contain the signatures of the proposer and seconder.
 - 9.6. Notice of any resolution, proposal or submission to be moved at the Annual General Meeting, duly proposed and seconded shall be given in writing to the Secretary not later than 28 days prior to the date of this meeting.
- 10. Special General Meeting**
- 10.1 A Special General Meeting may be called at any time by the Committee.
 - 10.2. Only in the event of exceptional circumstances shall a Special General Meeting be postponed by the Committee once the date, time and venue has been fixed and advised to members. A postponed Special General Meeting shall be reconvened on a date within one month of the original date and a minimum of 7 days advance notice given to the members of the rescheduled date, time and venue. At this meeting, the same agenda as originally issued shall be used.
 - 10.3. A Special General Meeting shall be called by the Secretary within 28 days of receipt by the Secretary of a requisition in writing signed by not less than seven members entitled to attend and vote at a General Meeting, stating the purposes for which the meeting is required and the resolutions proposed.



10.4. A Special General Meeting shall be called in response to a resolution to that effect passed at the Annual General Meeting or at any other Special General Meeting.

11. Procedure at the Annual and Special General Meetings

11.1 The Secretary shall personally be responsible for making available to each member a written notice of the date, time and place of the General Meeting together with the closing date for any resolutions to be proposed thereat least 28 days before the meeting. The Secretary may, alternatively, with the agreement of member(s) concerned distribute these materials by e-mail or similar form of communication. The Notice of the Meeting shall in addition wherever possible be displayed on the Club Notice Board where one exists.

11.2 The Secretary shall personally be responsible for making available to each member a written agenda for a General Meeting together with the resolutions to be proposed thereat at least 14 days before the meeting and in the case of the Annual General Meeting a copy of any reports to be considered, a list of the nominees for the Committee posts and a copy of the examined accounts. The Secretary may, alternatively, with the agreement of member(s) concerned distribute these materials by e-mail or similar form of communication.

11.3 The quorum for the Annual and Special General Meetings shall be seven members entitled to attend and vote at the Meeting including at least one Officer.

11.4 Having called a General Meeting, it may only proceed to business if the correct quorum of members is present within 30 minutes after the time fixed for the meeting; otherwise, the meeting is convened at the requisition of the members shall be dissolved; if convened by the direction of the Committee it shall be adjourned to the same time in the following week save that the adjourned meeting may proceed to business whatever the number of members present.

11.5 If the meeting commences but is adjourned for want of time (or other good reason); the members present at the meeting will be notified there and then of the adjourned date it practicable. If not and the matter is adjourned for more than 14 days all members shall receive 7 days notice in writing of the adjourned meeting; otherwise only those who attend the original meeting will be notified of the date.

11.6 Any adjourned meeting must be re-convened and business completed within 2 months of the adjournment.

11.7 Members who have reached their 18th birthday who are not excluded under the condition of Rule 3.9.2, Rule 3.9.3, Rule 3.9.4 and Rule 3.9.6 shall be entitled to be heard and to vote on all matters. Members who are excluded under the conditions of Rule 3.9.2, Rule 3.9.3, Rule 3.9.4 or Rule 3.9.6 may be heard by invitation of the Chairman only. Members who have not reached their 18th birthday shall be entitled to



be heard by invitation of the Chairman only on those matters determined by the Chairman as matters concerning juniors, such as the election of club captains.

11.8 The Chairman, or if the Chairman is not available or declines to act as Chairman, a member appointed by the Committee, shall take the chair. Each member present who is entitled to attend and vote shall have one vote and resolutions shall be passed by a simple majority. In the event of an equality of votes the Chairman shall have a casting or additional vote.

11.9 The Secretary, or in their absence a member of the Committee, shall take minutes at the Annual and Special General Meetings.

11.10 The Chairperson shall at all General Meetings have unlimited authority upon every question of order and shall be, for the purpose of such meeting, the sole interpreter of the Rules of the Club.

12. Alteration of the Rules and other Resolutions

12.1 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.

12.2 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 ASA North West Region or at a subsequent date decided by the meeting.

12.3 Any Senior member who is not excluded under the conditions of Rule 3.9.2, Rule 3.9.3, Rule 3.9.4 and Rule 3.9.6 shall be entitled to put any proposal, resolution or submission for consideration at any General Meeting provided the proposal, resolution or submission in writing shall have been handed to or posted to the Secretary of the Club so as to be received by him/her not later than 28 days before the date of the meeting in case of the Annual General Meeting or a Special General Meeting and thereafter the Secretary shall supply a copy of the proposal, resolution or submission to the members in the manner provided in Rule 11.1 and Rule 11.2.

13. By-Laws

13.1 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. See appendix for by-laws.

14. Finance

14.1 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 above £1000 shall be paid from



that account except by cheque or by electronic means or online and sanctioned by two of the three authorised individuals who shall be the Chairperson, Secretary and Treasurer. Any moneys not required for immediate use may be invested as the Management Committee in its discretion think fit.

14.2 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).

14.3 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.

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

14.5 The financial year of the Club shall be the period commencing on 1st April and ending on last day of March. Any change to the financial year shall require the approval of the members in a General Meeting.

14.6 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.

15. Borrowing

15.1 The Committee may **not** borrow money on behalf of the Club.

16. Property

16.1 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.

16.2 The Custodians shall be elected at a General Meeting of the Club and shall hold office until death or resignation unless removed by a resolution passed at a General Meeting.

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

17. Dissolution

17.1 A resolution to dissolve the Club shall only be considered 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.

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

17.3 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 organisations having objects similar to those of the Club for the furtherance of such objects) nominated by the last Committee.

18. ACKNOWLEDGEMENT

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

The following statement needs to appear on Club membership forms and is to be signed by the member and must also be countersigned by the parent, or a person having parental responsibility for the member, if under 18 years of age:

I acknowledge receipt of the rules of Crewe Flyers Amateur Swimming Club and confirm my understanding and acceptance that such rules (as amended from time to time), shall govern my membership of the Club. I further acknowledge and accept the responsibilities of membership upon members as set out in these rules.

Revision March 2014