

Rules/Constitution of Malvern Cycle Sports Community Amateur Sports Club

Draft for Amendment Nov 2019, in preparation for AGM – Dec 2019

All proposals for amendment are highlighted yellow.

- 1 **The club will be called** MCS: Malvern Cycle Sports Community Amateur Sports Club, and may also be known as Malvern Cycle Sport
- 2 **The purposes of the Club** are to promote the amateur sport of cycling in Malvern and district in Worcestershire 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 Memberships

- 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. The Club will have three levels of membership: 'Under 16', 'Family' and 'Over 16'. Please see Malvern Cycle Sports web site for details.
- 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 and supporters may attend all general meetings of the Club in person. Only paid members may vote.
- B. Such meetings need 21 (proposed to change to 14) clear days' written notice to members.
- C. The quorum for all general meetings is 1/3 or twenty persons of the total membership whichever is greater.
- D. The Chair or Vice Chair or a 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. Standing Orders make provision that that any rule changes will be notified to the secretary in writing, 21 (proposed to change to 14) days before a general or special meeting. These may be amended 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; Other officer posts have been established and are elected at the meeting. These are:
 - Membership secretary (propose to remove, co-opt as required)
 - Welfare officer
 - Go Ride officer
 - Club Coaching organiser (propose to rename to Junior Section Representative)
 - Two young riders representatives who will be under the age of 20. (propose to remove)
 - Propose to add in an Adult Section Representative
- B. The Treasurer will produce accounts of the Club for the latest financial year audited as the Committee shall decide. These are audited by an external qualified accountant as agreed at the AGM of the Club;
- C. The Committee will present a report on the Club's activities since the previous AGM;
- D. The Members will appoint a suitably (propose to change to suitable) person to audit the accounts;

- 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 20 members or 1/3 of the membership (whichever is the greater) 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

- 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

- i. The Committee shall consist of at least three and not more than 9 members (including Officers).
- ii. The Committee members may co-opt club members (up to the maximum of 3 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. A Committee member will have been deemed to have resigned if they are not in attendance for three consecutive ordinary club meetings.

D. Committee meetings

- i. Whenever a Committee member has any personal interest or financial 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:
- iii. At least 5 members of the elected committee must be present for the meeting to be valid. At least two of these members will be officers of the club from the following: Chair, Secretary, Treasurer, Membership Secretary, Go Ride Officer, Club Coaching Organiser or Welfare Officer;
- iv. Members related by direct family or civil partnership shall be deemed to represent one person for the purposes of a quorum;
- v. Committee meetings shall be held face to face;
- vi. The Chair shall normally chair meetings. In the absence of the Chair another officer of the club shall chair the meeting;
- vii. Decisions shall be by simple majority of those voting;
- viii. A resolution in writing signed by every Committee member shall be valid without a meeting; (propose to add in "service and communication via a validated eMail address will be deemed acceptable"
- ix. The chair of the meeting shall not have a casting vote;
- x. The minutes of each meeting shall be signed by The Chair and two other officers of the club at the next meeting. (Propose to add in the word 'next')

E. Delegation

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.