

## **CONSTITUTION OF THE DWSC SUPPORTERS' CLUB**

**APPROVED BY THE CASC DIRECTORS – 12<sup>th</sup> March 2019**

**OPERATIONAL FROM 1<sup>st</sup> April 2019**

### **SECTION 1 - NAME AND PURPOSES**

#### **1. Name**

The name of the supporters club shall be 'The DWSC Supporters' Club' (hereinafter referred to in this constitution as the Supporters' Club).

#### **2. Purposes of Supporters' Club**

The purposes for which the Supporters' Club is formed are to provide support to the Draycote Water Sailing Club (hereinafter referred to as the CASC) and provide access to social and other facilities of the CASC for members of the Supporters' Club as may be from time to time determined. The Supporters' Club is an affiliate of the CASC.

### **SECTION 2 - OFFICERS**

#### **3. Officers of the Supporters' Club**

The Officers of the Supporters' Club shall consist of a Chairperson, Secretary and Treasurer. All Officers must be either Members of the CASC or members of the Supporters' Club (who have attained the age of eighteen years). Officers shall be appointed by the CASC Directors and announced at the Annual General Meeting of the Supporters' Club held in each year and shall hold office for one year, retiring at the termination of the Annual General Meeting in each year. All Officers of the Supporters' Club shall be eligible for re-appointment by the CASC Directors.

#### **4. Duties of Officers**

##### 4.1. Duties of Secretary

The Secretary shall:

- (a) keep a register of the Supporters' Club members' names and addresses;
- (b) conduct the correspondence of the Supporters' Club;
- (c) keep custody of all Supporters' Club documents;
- (d) keep full minutes of all meetings of the Supporters' Club and the Management Committee which shall be confirmed and signed by the appropriate Chairperson upon the agreement of the Supporters' Club or the Management Committee at the next following meeting of the Supporters' Club or the Management Committee; and
- (e) maintain any such certificates or registrations, and complete any such non-financial returns, as may be required by law.

##### 4.2. Duties of Treasurer

The Treasurer shall:

- (a) cause such accounting records to be kept as are necessary to give a true and fair view of the state of finances of the Supporters' Club.
- (b) cause all returns as may be required by law in relation to such accounts to be rendered at the due time.
- (c) prepare an Annual Balance Sheet as at 31<sup>st</sup> March in each year and cause such Balance Sheet (and accounts as necessary) to be reviewed by the Management Committee at least once annually and shall thereafter cause the same to be exhibited in the CASC's premises at least fourteen days before the date of the Annual General Meeting.
- (d) present the Annual Balance Sheet to the Supporters' Club at its Annual General Meeting for members' approval.

### **SECTION 3 – MEMBERSHIP**

#### **5. Membership**

The Management Committee shall delegate the admission of members of the Supporters' Club to the CASC Directors.

The Supporters' Club may have such categories of members as the CASC Directors decide.

All members aged 18 or older at the start of the membership year shall have the power to vote at all meetings of the Supporters' Club as indicated hereunder.

No member may receive the benefits of membership (including the use of any facilities of the CASC on such terms as the CASC decides) until forty-eight hours have elapsed from the date of posting of notice of admittance.

#### **6. Rights and Privileges of Members**

Members shall have rights to use the CASC's facilities upon such terms as the CASC Directors shall in their absolute discretion decide from time to time and as may be stipulated in an agreement between the Supporters' Club and the CASC and / or all provisions in the CASC's Regulations.

#### **7. Membership Subscription Fee**

The rate of Subscription fee or other annual payments for each category of membership, including the terms and conditions of payment or any applicable waivers, shall be set by the Management Committee and announced at the Annual General Meeting of the Supporters' Club in each year and shall become operative on the first day of April in the year following or such other time as may be decided by the Management Committee from time to time. The current rate of Subscription and other fees shall be prominently displayed in the CASC's premises.

#### **8. Members' Duty to Provide an Up-to-Date Address**

Every member shall furnish the Secretary with an up-to-date postal and e-mail address which shall be recorded in the Register of Members and any notice sent to either such address shall be deemed to have been duly delivered.

#### **9. Admission, Renewal and Removal of Membership; and Conduct of Members**

The Management Committee shall delegate the admission of new members, renewal of membership, removal of membership and disciplinary action in relation to the Supporters' Club's members to the CASC Directors.

The Management Committee will periodically review and approve the CASC Directors' decisions on membership matters which have been delegated to it under this Rule.

The CASC's rules relating to admission of members, refusal of membership, conduct of members and removal of membership shall apply to the members and prospective members of the Supporters' Club as amended from time to time; provided that if the CASC rules include a right of appeal to the members of the CASC against a decision for example to remove membership, such appeal shall go to the members of the Supporters' Club instead. For the avoidance of doubt, if a member is expelled from the CASC following disciplinary action, the Supporters' Club may refuse that individual membership.

#### **10. Retirement of a Member and Moving Membership To and From the CASC**

A member who retires during a membership year shall not be entitled to have any part of the annual membership fee or any other fees refunded.

### **11. Limitation of Supporters' Club Liability**

All references to the Supporters' Club in this Rule shall mean each and every individual member of the Supporters' Club from time to time.

Members are bound by the following Rule which shall also be exhibited in a prominent place within the CASC's premises:

Members of Draycote Water Sailing Club, DWSC's Supporters' Club, affiliated clubs, guests and visitors use the Club Facilities entirely at their own risk and accept that:

(a) neither the Sailing Club nor the Supporters' Club will accept any liability for any damage to or loss of property belonging to Members, guests or visitors;

(b) Members of Draycote Water Sailing Club, DWSC Supporters' Club, affiliated clubs, guests and visitors are responsible for any injury, damage or loss to the extent caused by their own actions or omissions.

### **12. Data Protection**

Membership of the Supporters' Club and acceptance of these Rules by the member will be deemed to constitute consent to the processing of relevant personal data for the purposes of the Data Protection Acts and consent for the Supporters' Club to share this data with the CASC.

## **SECTION 4 – MANAGEMENT COMMITTEE**

### **13. Constitution of Management Committee**

The Management Committee of the Supporters' Club (herein referred to as 'the Management Committee') shall consist of not less than two nor more than four Members of the CASC or the Supporters' Club (who have attained the age of eighteen years).

### **14. Retirement of Members of the Management Committee**

At the Annual General Meeting all members of the Management Committee shall retire unless reappointed, provided that one will only be eligible for re-appointment if they continue to be Members of the CASC or the Supporters' Club (who have attained the age of eighteen years).

### **15. Appointment by the CASC Directors**

Management Committee members shall be appointed or reappointed by a decision of the CASC Directors, with such decision being announced at the Supporters' Club's Annual General Meeting.

### **16. Casual Vacancy**

If, for any reason, a casual vacancy shall occur, the CASC Directors may co-opt Members of the CASC or Supporters' Club (who have attained the age of eighteen years) to fill such a vacancy until the next following Annual General Meeting.

### **17. Removal of Management Committee Members**

Management Committee members may be removed by a decision of the CASC Directors from time to time or by a resolution of the Supporters' Club members.

### **18. Management Committee Meetings**

The Management Committee shall call meetings as required, making such arrangements as the conduct, place of assembly and holding of such meetings as it may wish.

### **19. Voting at Management Committee**

Voting shall be by show of hands. In the case of equality of votes the Chairperson shall have a second and casting vote.

## **20. Quorum**

Two members personally present shall form a quorum at a meeting of the Management Committee.

## **21. Powers of the Management Committee**

### 21.1. Management of Supporters' Club by Management Committee

The Management Committee shall manage the affairs of the Supporters' Club (including entering into contracts on behalf of the Supporters' Club by authorising an individual or individuals of the Management Committee to sign such contracts) according to these Rules and shall cause the funds of the Supporters' Club to be applied solely to the purposes of the Club.

In particular the Management Committee shall ensure that the property and funds of the Supporters' Club will not be used for the direct or indirect private benefit of members other than as reasonably allowed by the Rules and that all surplus income or profits are re-invested in the Supporters' Club or donated to the CASC.

### 21.2. Disclosure of Interest to Third Parties

A member of the Management Committee or any Officer of the Supporters' Club, in transacting business for the Supporters' Club, shall disclose to third parties that he is so acting.

### 21.3. Members' Indemnification of Management Committee

In pursuance of the authority vested in the Management Committee by members of the Supporters' Club, members of the Management Committee shall be indemnified by the members of the Supporters' Club out of the assets of the Supporters' Club from and against any liability, costs, expenses or payments whatsoever which may be properly incurred or made by them or any one of them in the exercise of their duties on behalf of the Supporters' Club wherever the contract is of a duly authorised nature or could be assumed to be of a duly authorised nature and entered into on behalf of the Supporters' Club.

Should the assets of the Supporters' Club be insufficient to satisfy such liability, costs, expenses or payments the Management Committee shall be entitled to a personal indemnity from the individual members of the Supporters' Club.

The limit of any individual member's indemnity in this respect shall be a sum equal to one year's subscription at the then current rate of that category of membership unless the Management Committee has been authorised to exceed such limit by a General Meeting of the Supporters' Club.

## **SECTION 5 – MEETINGS OF THE SUPPORTERS' CLUB**

### **22. Annual General Meeting**

An Annual General Meeting of the Supporters' Club shall be held each year in the month of November on a date to be fixed by the Management Committee. The Secretary shall at least fourteen days before the date of such meeting post or deliver to each member notice hereof and of the business to be brought forward thereat.

### **23. Business at Annual General Meeting**

No business, except the passing of the Accounts and the announcement of the appointment of the Officers and members of the Management Committee, and any business that the Management Committee may order to be inserted in the notice convening the meeting shall be discussed at such meeting unless notice thereof be given in writing by a member entitled to vote to the Secretary at least forty two days before the date of the Annual General Meeting.

#### **24. Special General Meeting**

The Management Committee may at any time, upon giving twenty one days' notice in writing, call a Special General Meeting of the Supporters' Club for any special business, the nature of which shall be stated in the summons convening the meeting, and the discussion at such meeting shall be confined to the business stated in the notice sent to members.

#### **25. Chairperson at Meetings**

At every meeting of the Supporters' Club, a Chairperson elected by those present shall preside, such Chairperson to be a member of the Management Committee.

#### **26. Quorum at Meetings**

Three members entitled to vote and personally present shall form a quorum at any meeting of the Supporters' Club.

#### **27. Voting at Meetings**

All members who have reached the age of 18 or over shall be entitled to vote and voting shall be by show of hands.

#### **28. Equality of Votes**

In the case of an equality of votes the Chairperson shall have a second or casting vote.

#### **29. Voting on Rule Change**

On any resolution properly put to a meeting of the Supporters' Club relating to the creation, repeal or amendment of any Rule, Byelaw or Regulation of the Supporters' Club such Rule, Byelaw or Regulation shall not be created, repealed or amended except by a majority vote of at least two-thirds of those present and entitled to vote.

### **SECTION 6 - DISSOLUTION OF THE SUPPORTERS' CLUB**

#### **30. Dissolution of the Supporters' Club**

If, upon the winding up or dissolution of the Supporters' Club, there remains after the satisfaction of all its debts and liabilities any property whatsoever, the same shall not be paid to or distributed amongst the members of the Supporters' Club. The Management Committee shall dispose of the net assets remaining to the CASC except if the CASC no longer exists in which case to the following:

- (i) to a charity and / or
- (ii) to another club with similar sports purposes which is a registered Community Amateur Sports Club and / or
- (iii) to the sport's national governing body for use by it for related community sports.

### **SECTION 7 – MISCELLANEOUS**

#### **31. Acknowledgement**

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