



## CONSTITUTION OF MAIDSTONE INVICTA ROWING CLUB

Maidstone Invicta Rowing Club  
James Whatman Way  
Maidstone  
Kent  
ME14 1LQ

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## **SECTIONS**

<b>1</b>	<b>DEFINITIONS</b>	<b>3</b>
<b>2</b>	<b>AIMS</b>	<b>3</b>
<b>3</b>	<b>EQUAL OPPORTUNITIES</b>	<b>4</b>
<b>4</b>	<b>MEMBERSHIP</b>	<b>5</b>
<b>5</b>	<b>FINANCE</b>	<b>6</b>
<b>6</b>	<b>WINDING UP</b>	<b>7</b>
<b>7</b>	<b>MEETING</b>	<b>7</b>
<b>8</b>	<b>RULES</b>	<b>11</b>
<b>9</b>	<b>DISCIPLINE</b>	<b>12</b>
<b>10</b>	<b>PROPERTY AND FUNDS</b>	<b>12</b>
<b>11</b>	<b>EQUIPMENT</b>	<b>12</b>
<b>12</b>	<b>AFFILIATION</b>	<b>12</b>
<b>13</b>	<b>CLUB COLOURS</b>	<b>13</b>
<b>14</b>	<b>WELFARE</b>	<b>13</b>
<b>15</b>	<b>SAFETY</b>	<b>13</b>
<b>16</b>	<b>CLUB TRUSTEES</b>	<b>13</b>
	<b>Version History</b>	<b>14</b>

## 1 DEFINITIONS

- 1.1 In this constitution wherever the context permits the following definitions shall apply:

**AGM**, Annual General Meeting;

**British Rowing**, the national governing body for rowing in England;

**Child Protection Procedures**, those procedures contained in 'Safeguarding and Protecting Children Policy' as published by British Rowing;

**Club**, Maidstone Invicta Rowing Club;

**Club Welfare Officer**, the position required under the Child Protection Procedures;

**Constitution**, this document;

**EGM**, Extraordinary General Meeting;

**Management Committee**, comprises the positions of Chairman, Honorary Secretary, Honorary Treasurer, Director of Rowing and any other officers as the Club considers appropriate;

**Rules**, The rules and regulations as decided by the Management Committee for the purposes of running the club on a day to day basis;

**Safety Advisor**, the position required under British Rowing's Row Safe programme.

- 1.2 Words denoting the masculine gender shall include the feminine and neuter genders, and words denoting the neuter gender shall include the masculine and feminine genders.
- 1.3 The headings in this Constitution are inserted for convenience of reference only and shall have no legal effect, nor shall they affect in any way the construction of any clause contained in this Constitution.
- 1.4 Interpretation of this Constitution must be consistent with the statutory requirements for CASCs (which means Community Amateur Sports Clubs as first provided for by the Finance Act 2002).

## 2 AIMS

The aims of the Club are to provide facilities for and to promote, encourage and give instruction in the sport of rowing, including the participation of all members of the community, on the River Medway at Maidstone. The Club will promote and encourage good sportsmanship and friendship.

### **3 EQUAL OPPORTUNITIES**

The Club is fully committed to the principles of equality of opportunity and is responsible for ensuring that no member or volunteer receives less favourable treatment on the grounds of age, gender, disability, race, ethnic origin, nationality, colour, parental or marital status, pregnancy, religious belief, social status, sexual orientation or political belief, or is disadvantaged by conditions or requirements which cannot be shown to be relevant to performance or safety'.

## **4 MEMBERSHIP**

- 4.1.1 The membership of the Club is open to anyone interested in the sport of rowing, regardless of sex, age, disability, ethnicity, nationality, sexual orientation, religion or other beliefs. Limitation of membership according to available facilities is allowable on a non-discriminatory basis.
- 4.1.2 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.
- 4.1.3 The various types of membership and annual subscriptions will be determined by the AGM. However, there are two main classes of membership into which all types of membership agreed by the AGM must fall, they are;
  - 4.1.3.1 Full Membership (**Voting**); with rights to use all the Clubs premises and equipment without any further payment, subject only to authorisation by the coaches or Director of Rowing as set out in the Clubs rules regard to the use of equipment. Note Honorary Life Vice Presidents are Full Members; and,
  - 4.1.3.2 Non-Voting Membership (**Non Voting**); with rights to attend the Club and use the premises but the use of any of the Club's equipment is subject to authorisation by coaches or Director of Rowing as set out in the Club's rules with regard to the use of equipment and a fee may be charged as deemed appropriate by the Management Committee.

### **4.2 Fees and Payments**

- 4.2.1 The amount of annual and monthly membership fees payable by members will be set at each AGM for those classes of members shown in the Rules of the Club.
- 4.2.2 Subscriptions and fees will be due from 1<sup>st</sup> January each year. Those who have not paid their annual subscription and fees under the monthly payment scheme by the 28<sup>th</sup> February will have their membership rights suspended until they have paid.
- 4.2.3 Current members shall be entitled to pay by a monthly payment scheme as may be agreed annually at the AGM.
- 4.2.4 Failure to pay will result in immediate suspension of all membership rights inclusive of all Voting rights.
- 4.2.5 If the annual subscription and fees, or appropriate proportion of fees due under the monthly payment scheme remain unpaid after 1<sup>st</sup> July the membership will lapse and the person must reapply to join the Club.

## **4.3 Applications**

- 4.3.1 Applicants for membership and members renewing their membership will abide by the Rules of the Club and British Rowing.
- 4.3.2 If it is considered by the Management Committee that the granting or renewal of membership would be detrimental to the Aims of the Club, by virtue of conduct or character likely to bring the Club or the sport of rowing into disrepute or for some other similar good cause, the Management Committee shall be entitled to refuse or withdraw such membership. In doing so the Management Committee shall provide full reasons for their decision and grant a right of appeal.
- 4.3.3 Those applying for membership shall apply using the club's online membership portal, or failing that apply in writing on the appropriate form (which will be made available on application to the Membership Secretary). This form, whether online or physical, will provide details of the proposed member relevant to their membership. Once the application is initially authorised by a club officer payment should be made via electronic transfer for the appropriate membership fee for the type of membership applied for. If payment is made by cheque then this should be submitted to the Membership Secretary at the Club's address. The application will be presented for final approval to the Management Committee, which shall make its decision within 2 months of receipt of the membership application.
- 4.3.4 A person who has been expelled from, or refused membership of, British Rowing, shall not be eligible for membership.
- 4.3.5 All members must prove their competence and seek approval from the Director of Rowing or person approved by the Management Committee or rowing sub-committee before using any of the Club's equipment.
- 4.3.6 Prospective members may enjoy the facilities of the Club while awaiting the Management Committee's decision.

## **5 FINANCE**

- 5.1 The Club's financial year will be from 1<sup>st</sup> November to 31<sup>st</sup> October **(the Financial Year)**.
- 5.2 The Treasurer shall maintain the bank current accounts in the name of the Club with a United Kingdom based clearing bank.
- 5.3 The Management Committee may authorise the Treasurer to invest the Club's funds in such secure investments, as the Management Committee considers fit. Accounts held in the name of the Club will have at least four signatures two of whom will be the Treasurer and Secretary. All

withdrawals or cheques from the Club's accounts will require a minimum of any two of the signature holders to sign.

## **6 WINDING UP**

- 6.1 Should it be found necessary to wind up the Club then the Club may only be wound up by calling an EGM and not less than three quarters of the Voting members must be present and vote in support of the proposal to wind up the Club.
- 6.2 The Management Committee will then be responsible for the orderly winding up of the Club's affairs. In the event that the Management Committee is unable to undertake this roll then the responsibility is devolved to British Rowing (or any such National Governing Body of the sport of rowing as may exist at that time).
- 6.3 After settling all liabilities of the Club, the Management Committee shall dispose of the remaining net assets to South East Regional Rowing Council of British Rowing (or such National Governing Body of the sport of rowing as may exist at that time) for the benefit of rowing in the area.

## **7 MEETING**

### **7.1 Annual General Meeting**

- 7.1.1 An AGM will be held each year between the end of the Financial Year and the end of the calendar year. The purpose of the AGM is to:
  - 7.1.1.1 Consider reports from the outgoing officers and Management Committee on the preceding year's activities and to deal with those reports, as they consider fit.
  - 7.1.1.2 Receive the Treasurer's financial statements and consider and deal with, as appropriate, the audited accounts of the Club for the preceding financial year.
  - 7.1.1.3 Elect officers and representatives to the Management Committee to manage the Club's affairs for the ensuing year.
  - 7.1.1.4 Consider and deal with as appropriate the proposed financial plan for the following year in conjunction with clauses 7.1.1.5 to **Error! Reference source not found.** below.
  - 7.1.1.5 Consider the Club's policy and programme for the following year and to choose members responsible for those activities.
  - 7.1.1.6 Set the level of membership fees for the ensuing calendar year.

7.1.1.7 Appoint an Auditor who, at the conclusion of the next financial year, shall examine the accounting records of the Club and submit an Independent Examiners Report to the members on the income and expenditure accounts and balance sheet that are presented to the next AGM.

7.1.1.8 Consider any motions properly notified.

7.1.2 Notice of the date and agenda for an AGM shall be given by the Secretary at least 21 days before the meeting to both Voting and Non-Voting members.

## **7.2 Extraordinary General Meeting**

7.2.1 An EGM may be called by:

7.2.1.1 the Secretary or Chairman after consultation with the other elected members of the club; and/or

7.2.1.2 a requisition of the members. The requisition must be forwarded to the Secretary, it must set out the business to be considered at the EGM in the form of a motion (or motions) to be put to the meeting, and must be signed by ten paid up members.

7.2.2 No other business than that set out in member's requisition (or in the case of an EGM called by the officers as set out in the agenda) shall be considered by the EGM. This will not prevent properly proposed amendments to the main motions being allowed by the Chairman, with the permission of the meeting. If more than one requisition is received from members during the same period they will be considered at one EGM Notice of the date and agenda for the EGM shall be given by the Secretary in writing at least 21 days before the meeting.

## **7.3 Quorums**

7.3.1 An AGM or EGM shall require a quorum of fourteen Voting members to be present within thirty minutes after the fixed time for the meeting. Once a quorum has been established this will be the case for the rest of the meeting even if the requisite number of voting members falls below fourteen.

7.3.2 A Management Committee meeting shall proceed to business if a quorum of four is present. The meeting will be suspended should the numbers present fall below four.

## **7.4 Voting**

7.4.1 All Voting members aged 16 years and over will be entitled to vote any AGM or EGMs.

7.4.2 Non-Voting members are not entitled to vote at any AGMs or EGM.

7.4.3 Other than those motions requiring a two-thirds majority, votes taken in AGM, EGM or Management Committee meeting will be by simple majority of those present who are entitled to vote.



- 7.4.4 Prospective members may attend any AGM or EGM before the acceptance of their membership by the Club but they may not vote.

## **7.5 Motions at AGM's**

- 7.5.1 All motions must be proposed and seconded by members of the Club.
- 7.5.2 Any member desirous of moving any motion involving an amendment of the Club's Constitution at the AGM shall give notice in writing to the secretary at least 28 days prior to the date of the AGM and the motion shall be circulated by the Secretary to members at least 21 days prior to the AGM. If the Management Committee wishes to propose amendments these must also be circulated to members at least 21 days prior to the AGM. A two thirds majority of those voting members present at the AGM will be required to change the Constitution.
- 7.5.3 Other motions shall be moved with the consent of the majority of the Voting members present.

## **7.6 Officers**

- 7.6.1 The AGM will elect the following officers to the Management Committee:
- 7.6.1.1 Chairman;
  - 7.6.1.2 Honorary Secretary **(the Secretary)**;
  - 7.6.1.3 Honorary Treasurer **(the Treasurer)**;
  - 7.6.1.4 Director of Rowing; and
  - 7.6.1.5 Other officers as proposed by the Management Committee and the AGM.
- 7.6.2 Should one of the officers resign from the Management Committee, all Club members should be informed and nominations for a replacement invited. Should there be more than one candidate; the Secretary shall call an EGM at which the Officer will be elected.
- 7.6.3 The AGM may also elect persons to the following honorary positions:
- 7.6.3.1 Honorary President (subject to re-election)
  - 7.6.3.2 Honorary (Life) Vice-Presidents
- 7.6.4 The position of chairman shall be subject to a maximum term of 5 years from the date of election and the incumbent cannot seek re-election for a minimum period of 1 year. A vice-chairman shall be co-opted on to the committee for a minimum of 12 months preceding the end of this term with the intention that this person will put themselves forward for election to the position of chairman when this position becomes vacant.

## **7.7 Management Committee**

- 7.7.1 The day to day running of the Club shall be managed by the Management Committee.
- 7.7.2 All officers and other members of the Management Committee will act as the servants and custodians of the Club; the Constitution, facilities and property. Those responsibilities will be discharged through individual officers appointed by the Management Committee.
- 7.7.3 The Management Committee will be responsible for the acquisition, management and sale of the Club's property and equipment.
- 7.7.4 The Officers of the Management Committee will be elected at the AGM (see Clause 7.1.1.3).
- 7.7.5 The Management Committee may at its discretion co-opt additional Voting members to fill casual vacancies or specific offices. Co-opted positions must not exceed 40% of the elected officers.
- 7.7.6 Management Committee may set up sub-committees to fulfil specific tasks or policies of the AGM or Management Committee. All actions of sub-committees will be subject to ratification by the Management Committee.
- 7.7.7 The four Officers named in Clause 7.6.1 shall be by virtue of their office members of all the Club's Committees.
- 7.7.8 The Management Committee will meet every two months during the calendar year and at such other times as it considers fit.
- 7.7.9 The Management Committee shall appoint a Water Safety Advisor (see Clause 15).
- 7.7.10 The Management Committee shall appoint a Junior Coordinator.
- 7.7.11 The Management Committee shall appoint a Club Welfare Officer (see Clause 14).
- 7.7.12 The Management Committee will maintain a 5 year Development Plan for the Club.

## **7.8 Declarations of Interest**

- 7.8.1 Any member who may have conflict of interest with the Club's Aims, Constitution or general competitiveness must declare such a conflict to the Club and Management Committee immediately it becomes apparent. Such a member may not vote at any meeting or Committee on items where such a conflict may occur.

## **7.9 Liability**

- 7.9.1 The Management Committee shall manage the affairs of the Club. Financial or legal liability incurred in the rightful exercise of their office shall not, however, be the personal liability of the Committee, but shall be the responsibility of the Club (but only to the extent of its assets).

## **8 RULES**

- 8.1 All members as a condition of membership agree to abide by the Club's Constitution and Rules.
- 8.2 Rules governing the management of the Club, the action of members and Officers and the use of equipment will be laid down by the Management Committee.
- 8.3 All Rules will be readily available for Club members and members may propose changes to the Management Committee. Any amendments made to rules throughout the year by the Management Committee will take immediate effect but must be ratified by the AGM following the amendment.

## **9 DISCIPLINE**

- 9.1 The Management Committee may discipline or expel any member whose behaviour is considered unacceptable and/or who infringes the Club's Constitution or Rules. Anyone so expelled will not be allowed on the Club's premises or to take part in the Club's activities from the date that notice is given to him of the expulsion. The process for the disciplining of a member should follow the club disciplinary code as laid down in the club rules.
- 9.2 If a member wishes to raise a grievance then this must be in writing to the Club Chairman setting out full details. The procedure for dealing with a grievance should follow the club grievance code as laid down in the club rules.

## **10 PROPERTY AND FUNDS**

- 10.1 The property and funds of the club must not be used for the direct or indirect private benefit of members except where considered reasonable under the club rules.
- 10.2 All surplus income or profits must be reinvested in the Club.
- 10.3 The Club may also in connection with the sporting purposes of the Club:
- sell and supply food, drink and related sports clothing and equipment; and
  - employ members (other than for rowing) and remunerate them for providing goods and services, on fair terms set by the Management Committee.

## **11 EQUIPMENT**

- 11.1 Ownership of the Club's assets and equipment will vest in the Club.
- 11.2 Direction as to the use of the equipment shall be regulated by the Officers and those appointed to carry out that task from time to time.

## **12 AFFILIATION**

- 12.1 The Club shall be affiliated to British Rowing and compete under its rules. The Club may affiliate to any other organisation considered appropriate by the Management Committee.

## **13 CLUB COLOURS**

- 13.1 The Club colours are lilac, black and white.

## **14 WELFARE**

- 14.1 The Club accepts the Child Protection Procedures, as set out by British Rowing, and requires all members to accept them as a condition of membership.
- 14.2 In accordance with the Child Protection Procedures the Management Committee shall appoint a Club Welfare Officer, who shall also oversee the welfare of adult members where appropriate.
- 14.3 The Club Welfare Officer shall be a Voting member aged 18 or over and independent from all junior members.
- 14.4 It is the duty of the Club Welfare Officer to understand the requirements of the Child Protection Procedures and to act on them where necessary.

## **15 SAFETY**

- 15.1 The duties of the Water Safety Advisor shall be to understand and advise the Club on the requirements of British Rowing's Row Safe programme.
- 15.2 The Water Safety Advisor will carry out an annual safety audit of all the Club's safety rules and procedures.

## **16 CLUB TRUSTEES**

- 16.1 On behalf of the Club, some senior members may from time to time be asked to act as legal trustees (**Trustees**). Members who agree to represent the Club as Trustees will be reimbursed for all legitimate expenses incurred with regard to their being such Trustees and the Club will ensure that they do not suffer loss due to their position as Trustees on behalf of the Club.

## VERSION HISTORY

Version	Status	Date	Detail of Changes	Author
0.1	Approved	04/12/1985	Initial version approved by Maidstone Rowing Committee	J Clayton
1.0	Adopted	11/12/1985	Adopted at AGM by Maidstone Invicta Rowing Club	J Clayton
2.0	Adopted	12/12/1989	Adopted at AGM by Maidstone Invicta Rowing Club	J Clayton
3.0	Adopted	10/01/1995	Adopted at AGM by Maidstone Invicta Rowing Club	J Clayton
4.0	Adopted	16/11/1995	Adopted at AGM by Maidstone Invicta Rowing Club	J Clayton
5.0	Adopted	09/12/1999	Adopted at AGM by Maidstone Invicta Rowing Club	J Clayton
6.0	Adopted	04/12/2001	Adopted at AGM by Maidstone Invicta Rowing Club	J Clayton
7.0	Adopted	10/12/2003	Adopted at AGM by Maidstone Invicta Rowing Club	J Clayton
8.0	Adopted	11/05/2005	Adopted at AGM by Maidstone Invicta Rowing Club	J Clayton
8.1	Issued	22/11/2010	Changed ARA to British Rowing and reformatted for clarity	K Beaumont
8.2	Issued	09/12/2010	Revision of some changed made to 8.1 to satisfy CASC status.	H Gabriel
8.3	Proposed	15/07/2011	Inclusion of "friendship" within club aims.	H Gabriel.
8.4	Issued	01/01/2012	Amendments made to 8.3 at the instruction of the 2011 AGM	J Clayton
8.5	Issued	31/12/12	Amendments made to 7.4 and 7.6 at the instruction of the 2012 AGM	H Salmon
8.6	Issued	31/12/14	Amendments made to 9.1 and 9.2 at the instruction of the 2014 AGM	H Salmon
8.7	Issued	21/12/21	Amendments made to 4.1.3.2, 4.3.3, 5.2 and 7.7.12 at the instruction of the 2021 AGM	H Salmon

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