

SOUTH LONDON SWIMMING CLUB

"The club was formed in August 1906 amongst the Bathers attending the Tooting Common Open Air Bath. Membership was extended to ladies in July 1931. The chief objects of the Club are to provide tuition in Swimming and Diving, to promote classes for teaching Lifesaving and to encourage healthy exercise and social intercourse"

(from an earlier version of the Club constitution circa 1938)

----- RULES -----

(agreed at the Annual General Meeting on 15th March 2009 with further amendments from the 2010 AGM)

Definitions and interpretation:

In these rules the following words and phrases shall have the meanings set out below:

- "AGM" means annual general meeting of the Members
"the Club" means the South London Swimming Club
"the Committee" means the committee of the Club as constituted from time to time pursuant to these rules
"General Meeting" means an SGM or an AGM
"Junior Members" means Members who have not reached their 16th birthday but in respect of whom membership fees have been fully paid in cleared funds by the date of any General Meeting
"Lido" means Tooting Bec Lido
"Members" means the members of the Club pursuant to rule 3.
"Membership" means all the Members of the Club or a proportion of them.
"the Officers" means the officers of the Club as elected by the Membership pursuant to Rule 3.1
"SGM" means a special general meeting of the Members
"Voting Members" means those who have reached their 16th birthday at the date of any General Meeting and whose membership fees have been fully paid in cleared funds by the date of such General Meeting

1.1 In these rules unless otherwise stated:

- reference to the singular includes a reference to the plural and vice versa;
- reference to any rule is to a rule contained in this document;
- reference to any gender includes a reference to all other genders; and
- references to persons include bodies corporate, unincorporated associations and partnerships and any reference to any party who is an individual is also deemed to include their respective legal personal representative(s).
- Any reference to any decision, motion or resolution being approved, carried or ratified or set aside, reversed, rescinded or otherwise by a General Meeting is subject to and assumes compliance with Rules 9.4, 10.2 and 11.1 as the case may be.

1. Name

The name of the Club is the South London Swimming Club.

2. Objects

2.1 The objects of the club are to provide facilities for and promote participation of the whole community in the sport of swimming and to facilitate and encourage the teaching, development and practice of swimming and open water swimming for its members and to promote the continued community use of the Tooting Bec Lido and to assist and advise in the management of the Lido whether in conjunction with Wandsworth Borough Council (or any other government body) or any other organisation whether commercial or otherwise.

2.2 In pursuing these objects the Club shall treat everyone equally regardless of age, sex racial or ethnic origin, disability, religious or philosophical belief or sexual orientation.

3. Membership

3.1 The total Membership of the Club shall not normally be limited. If the Committee considers that there is a good reason to impose any limit from time to time then the Committee shall have the authority to

impose such limits which must then be approved by the Membership at the next General Meeting. If such limits are not approved by the Membership or there is a failure properly to place the necessary motion before the General Meeting they will be deemed to no longer take effect from the date of such General Meeting.

- 3.2 Each Member is expected to contribute where possible to the running of the Club including involvement in the management or running of any events or enterprises undertaken by the Club.
- 3.3 Any individual who wishes to become a member of the Club must submit a signed application to the Membership Secretary (and in the case of a such person under the age of 18 the application must be signed by such person's parent or guardian) accompanied by the subscription fee and any other fees due whether for season tickets to the Lido or otherwise.
- 3.4 The Membership Secretary may decide whether or not to reject an application for membership and shall give reasons for the refusal of any application for membership on request.
- 3.5 Any person refused membership may appeal this decision within 14 days of receiving such decision to the Committee which will consider such appeal at its next meeting and whose decision shall be communicated to the individual concerned as soon as reasonably practicable. Such decision will be final.

4. *Subscriptions and Other Fees*

- 4.1 The annual Member's subscription shall be set by the Committee which will make whatever special provision for different classes of membership as may be necessary from time to time. Any amendments to classes of membership shall be ratified by the Membership at a General Meeting. Refusal to ratify such a change shall render the change ineffective from the date of such General Meeting and the Club shall revert to the categories in use (as approved by the Membership) before such meeting. The categories of individual membership will be under 18 (determined by the date of birth as at April 1st of the year), adult, life, and honorary.
- 4.2 The full annual subscription shall be due on joining the Club irrespective of the date of joining and on the next and subsequent 1st day of April each year.
- 4.3 Without prejudice to Rules 5.2 or 6 any member who fails to pay the relevant subscription or other fee due by 1 May in any year 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. The Committee's decision in respect of such suspension is final.
- 4.4 The Committee shall have the power to set annual or season ticket fees for the Lido, coaching fees, squad fees, session fees or other fees as thought necessary by the Committee in pursuing the objectives of the Club. In so doing the Committee shall make special provision for the different classes of membership pursuant to rule 4.1. Any increase in fees or subscriptions shall be advised to the Members in writing with the reasons for any increase to be reported to the Members at the next General Meeting.

5. *Resignation*

- 5.1 A Member wishing to resign from the Club must confirm his resignation to the Membership Secretary in writing. A Member's resignation shall only take effect when this Rule 5.1 has been complied with and that Member shall not be entitled to any refund of fees, season ticket fees or subscriptions.
- 5.2 A Member whose subscription is more than two months in arrears shall be deemed to have resigned. In these circumstances the Member shall be informed in writing that he is no longer a Member by a letter handed to him or sent by post or email to his last known postal or email address.

6. *Expulsion and other disciplinary action*

- 6.1 The Committee shall have power to expel, suspend or discipline a Member when, in the Committee's opinion, it would not be in the interests of the Club for him to remain a Member or when the circumstances require suspension or disciplinary action to be taken. The Committee in exercising this power shall comply with Rule 6.2 below.
- 6.2 Without prejudice to Rule 6.3 a Member may not be expelled, suspended or excluded (other than temporarily pursuant to rule 6.3) or made the subject of any other penalty unless the Committee vote in favour of such action by a two-thirds majority of those members of the Committee entitled to vote who are present at the relevant meeting.

6.3 The Officers (or any person to whom the Committee shall delegate this power) may temporarily suspend or exclude a Member from particular training sessions and/or other Club activities, when in the Committee's opinion, such action is in the interests of the Club. If such temporary suspension or exclusion occurs a Committee meeting will be convened as soon as reasonably practicable to decide whether to take any of the actions referred to in Rule 6.2.

6.4. The Committee's decision in respect of any suspension, exclusion, expulsion or disciplinary action shall be final.

7. Committee

7.1 The Committee shall consist of:

7.3.1 the President, Vice President, Secretary, and Treasurer, (together "the Executive Officers"); and

7.3.2 the Membership Secretary, the Welfare Officer and Club Captain (together the "Office Holders"); and

7.3.3 6 or more additional elected members all of whom must be Members.

up to a total of 13 Members.

7.2 Subject to compliance with rule 9.3 the Committee members shall be proposed, seconded and elected by open ballot of the Membership at the AGM. Election to the committee shall be for 3 years.

7.3 Committee members must be adult or life members although the Committee may allow other Members to attend meetings of the Committee as observers without the power to vote.

7.4 Committee members may not hold more than one Executive Officer post.

7.5 In addition to the elected members of the Committee, the Committee may by simple majority vote of those present at the relevant Committee meeting co-opt up to 3 further Members who shall serve until the next AGM. Co-opted members shall not be entitled to vote and shall not be counted in establishing whether a quorum is present.

7.6 Any casual vacancy occurring by resignation or otherwise may be filled by the Committee at any time prior to the AGM but any Member so chosen shall not be entitled to vote and shall retire at the next AGM and be eligible for election at that meeting subject to compliance with Rule 9.3.

7.7 The committee shall appoint from amongst its members or other Members, Handicapper(s), Trophy Custodian, Social Secretary, Press Officer, Club Archivist or any other role where necessary.

7.8 Committee meetings shall be held not less than quarterly, and the quorum of that meeting shall be a simple majority of current Committee members (excluding co-opted members) but no fewer than four Committee members to include no fewer than two Executive Officers or one Executive Officer and one Office Holder.

7.9 The Committee may elect from among their number a deputy chairman.

7.10 Any Committee meeting will generally be chaired by the President or in his absence the deputy chairman or such person as the committee shall agree by simple majority of those entitled to vote.

7.11 The President and the Secretary shall call meetings of the Committee save that where a Committee meeting has not been convened within the last three consecutive months at any point any member of the Committee may require the Secretary to convene a meeting.

7.12 The Secretary shall give all the members of the Committee no fewer than two days oral or written notice of a meeting. Decisions of the Committee shall be made by a simple majority of those members of the Committee present entitled to vote and in the event of equality of votes the Chairman shall have a casting or additional vote.

7.13 If a quorum is not present within thirty minutes of the published start time of a Committee meeting, the meeting shall be adjourned to such date and time as may be determined by the Chairman provided that the re-convened meeting should be fixed as soon as reasonably practicable after the adjourned meeting. If a quorum is not present at the adjourned meeting then those Committee members attending may act for the purpose of calling an SGM, to which the provisions as to minimum notice

contained in Rule 10.2 shall not apply.

- 7.14 The Secretary, or other appointed Committee members shall take minutes. Minutes will be distributed to all Committee members before or at the next Committee meeting, and shall also be available for inspection by any Member on request made in writing to the Secretary or President. The minutes will be made available within 14 days of the request.
- 7.15 The Committee may from time to time appoint from among the members of the Committee or other Members such sub-committees as it considers 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 it sees fit. Sub-committees shall not have the authority to call General Meetings or to conclude contracts on behalf of the Club or to commit the funds of the Club without the express authorisation of the Committee.
- 7.16 All Executive Officers, Office Holders or other members of the Committee or sub-committees and their members shall report their activities to the Committee when requested to do so and shall conduct their business in accordance with the directions of the Committee.
- 7.17 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 service of employees or contractors of the Club.
- 7.18 The Committee shall have power to enter into contracts for the purposes of the Club on behalf of all the Members.
- 7.19 The Committee shall be responsible for ensuring that the accounts of the Club for each financial year be examined by two independent examiners, to be appointed by the Members in the AGM.
- 7.20 Subject to Rule 13 the Committee shall also have power to make by-laws and to settle disputed points not otherwise provided for in these Rules.
- 7.21 The members of the Committee shall be indemnified by the Members against all liabilities properly incurred by them in the management of the affairs of the Club.
- 7.22 Any person nominated for a place on the Committee must also be nominated for the equivalent position on the Committee of any ASA-affiliated swimming club based at the Lido. Any person retiring from the Committee or who otherwise leaves the Committee must also resign from the committee of the ASA-affiliated swimming club based at the Lido from the date on which the resignation from the Committee takes effect.

8. Officers and Honorary Members

- 8.1 The Committee may elect any person as an honorary member of the Club for such period as it thinks 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 his ordinary membership of the Club.
- 8.2 An honorary member will not be required to pay the membership fee but shall not be exempt from paying for his annual Lido or other pass or season-ticket unless expressly agreed by the Committee.

9. Annual General Meeting

- 9.1 The AGM of the Club shall be held in March each year. The Committee shall fix the date of the AGM.
- 9.2 The purpose of the AGM is:
 - 9.2.1 - to receive the President's report of the activities of the Club during the previous year;
 - 9.2.2 - to receive and consider the accounts of the Club for the previous year and the report on the accounts of the independent examiners and the Treasurer's report as to the financial position of the Club;
 - 9.2.3 - to remove and elect the independent examiners (who may not be members of the Committee or members of the family of a member of the Committee) or confirm that they remain in office;
 - 9.2.4 - to elect the Executive Officers and other members of the Committee in accordance with Rules

7.1 and 7.2.

9.2.5 - to decide on any resolution or proposal for rule changes which has been duly submitted in accordance with Rule 11.2.

9.2.6 – to ratify any actions of the Committee in the period since the last AGM pursuant to these rules.

9.2.7 There will be no other business taken at the AGM

9.3 Any Member wishing to put a resolution or proposed rule change before the AGM must set out such resolution or proposal in writing and hand it to the Secretary of the Club or post it or email it so that the Secretary receives it by no later than 8 February. Nominations for election of members to any office or for membership of the Committee shall be made in writing by the proposer and the seconder to the Secretary together with written confirmation by the nominated person of his / her willingness to stand for election no later than February 8th.

10. Special General Meeting

10.1 Subject to compliance with the provisions of Rule 11.1 the Committee may call an SGM at any time.

10.2 Any Member may request an SGM by submitting a request in writing signed by not less than 7 Members entitled to attend and vote at a General Meeting or one tenth of such Members (whichever is the greater). The written request shall state the purposes for which the meeting is required and the resolutions or rule changes proposed.

10.3 Where a meeting has been requested pursuant to Rule 10.2 the Secretary shall comply with Rule 11.1 within 28 days of receipt of such request.

10.4 Where a Member has requested an SGM pursuant to 10.2 but then exercises his right to withdraw any motion pursuant to 11.10 after the notification referred to at clause 11.1 has been sent out then (save where the Member has withdrawn such motion at the request of the Committee or any of its officers) the Committee may require such Member to reimburse the Club for the wasted costs incurred in issuing such notification (but limited to the costs of printing, stationary and postage).

11. Procedure for General Meetings

11.1 The Secretary shall give at least 14 days' written notice of a General Meeting to all Members by delivering by hand or sending by post or with the agreement of Member(s) concerned by e-mail to each Member, at the last address provided by that Member to the Membership Secretary written notification of

11.1.1 the date, time and place of the General Meeting

11.1.2 the agenda for such meeting, including:

- (a) In the case of all meetings details of any motions or proposals for rule changes and a statement of the rules and procedures for General Meetings.
- (b) In the case of a General Meeting requested pursuant to Rule 10.2 details of such request made, the proposed resolutions and the identity of those making the request; and
- (c) In the case of an AGM (and an SGM if relevant), a copy of the examined accounts and a list of any nominations for the committee.

The notice of meeting shall in addition be displayed on the Club notice board where one exists.

11.2 The quorum for General Meetings shall be one-tenth of members entitled to attend and vote at the General Meeting or 50 such Members, whichever is the fewer.

11.3 The President or in his absence a member of the Committee selected by a simple majority of the members of the Committee present at the General Meeting shall chair the General Meeting.

11.4 Voting Members shall be entitled to be heard and to vote on all matters. Junior Members shall be entitled to be heard and vote only on those matters concerning Junior Members as determined by the chairman.

11.5 Motions put for consideration (except proposals for rules changes) shall be passed by simple majority of those Members present and entitled to vote. The chairman of the General Meeting shall have a

casting vote.

- 11.6 The Secretary, or in his absence a member of the Committee, shall take a register of the Members attending the General Meeting and shall take minutes at General Meetings.
- 11.7 The chairman 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. The chairman's decision in this respect shall be final.
- 11.8 Where a motion or resolution has been proposed prior to a General Meeting but the proposer no longer wishes to pursue the motion that motion may be withdrawn save that the Chairman may at his discretion continue to place the motion or resolution before the meeting.
- 11.9 Where a motion or resolution has been proposed prior to a General Meeting but the proposer wishes to amend that motion, the chairman of that meeting may at his discretion allow such amendment provided that the proposer has confirmed such amendment in writing.

12. *Alteration of the Rules and other Resolutions*

The rules may be altered by resolution at any General Meeting complying in all respects with clause 11 above, provided that the resolution is carried by a majority of at least two-thirds of Voting Members present.

13. *By-Laws*

The Committee shall have power to make, repeal and amend such by-laws as they may from time to time consider necessary for the benefit of the Club. Any such changes shall have effect until set aside by the Committee or at a General Meeting.

14. *Finance*

- 14.1 All monies payable to the Club shall
- (a) be received by the Treasurer or Membership Secretary and deposited in a bank account in the name of the Club. The Committee may decide upon financial limits below which funds may be withdrawn from that account by Membership Secretary or Treasurer by cheque debit card or other means. Such financial limits may be amended by the Committee from time to time. Sums above any such financial limit may only be drawn from such bank account by cheque or other bank document signed by two authorised signatories. At least two of the authorised signatories of the Club must be the Treasurer and Membership Secretary and any other authorised signatories must be members of the Committee and the Committee must have confirmed its agreement to their status as signatories.
 - (b) where not required for immediate use be invested in such cash deposit account or other similar investments as the Committee may decide.
- 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 save as set out in Rules 16.3.
- 14.3 The Committee must authorise in advance the payment of remuneration to any officer, Member or employee of the Club and to any other person or organisation for services rendered to the Club.
- 14.4 The Committee must authorise the payment of expenses to any officer, Member or employee of the Club and to any other person or organisation for services rendered to the Club.
- 14.5 The financial transactions of the Club shall be recorded by the Treasurer in such manner as the Committee thinks fit.
- 14.6 The financial year of the Club shall be the period from October 1 to September 30. Any change to the financial year shall, require the simple majority approval of Club members present at a General Meeting.
- 14.7 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 borrow money, on behalf of the Club, for the objects of the Club from time to time at their own discretion up to any limits established from time to time at a General Meeting for the general upkeep of the Club, the Club's assets or property or the Lido or with the prior approval of a General Meeting for any other expenditure, additions or improvements.
- 15.2 When so borrowing, the Committee shall have power to raise in any way any sum or sums of money and to raise and secure the repayment of any sum or sums of money in such manner or on such terms and conditions as it thinks fit, and in particular by mortgage of or charge upon or by the issues of debentures charged upon all or any part of the property of the Club.
- 15.3 The Committee shall have no power to pledge the personal liability of any Member of the Club for the repayment of any sums so borrowed.

16. Property

- 16.1 The property of the Club, other than cash at the bank, shall be vested in the Committee which shall deal with the property in the best interests of the Club as reasonably determined by the Committee.

17. Dissolution

- 17.1 A resolution to dissolve the Club can only be proposed at a General Meeting subject to compliance with Rules 9.3 or 10.2 and 11.1 and must specify (a) a date for such dissolution and (b) the entity which should receive any surplus funds pursuant to Rule 17.4. Any resolution to dissolve the Club shall be carried by a majority of at least three – quarters of the Voting Members present.
- 17.2 The resolution specifying the recipient of surplus funds may be carried by simple majority of those Voting Members present at the General Meeting.
- 17.3 The dissolution shall take effect from the date specified in the resolution and the members of the Committee shall be responsible for the winding-up of the assets and liabilities of the Club.
- 17.4 In the event of the dissolution of the Club, any assets remaining after the satisfaction of all debts and liabilities shall not be paid to or distributed among the Members but shall be given or transferred to one or more of the following approved sporting or charitable bodies:
- A registered charitable organisation(s) involved in the promotion of community sport, preferably swimming.
 - Another Club which is a CASC
 - The Amateur Swimming Association or their successor for use by them in connection with community sports.

18. Acknowledgement

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

The following statement should appear on Club membership forms and should be signed by the member and must also be countersigned by parent or guardian of members under 16 years of age.

I acknowledge receipt of the rules of South London 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.