

MID ARGYLL WATER SPORTS - the Club for sailing, kayaking and other water sports

1. NAME The Club shall be called Mid Argyll Water Sports (hereinafter referred to as the Club).
2. OBJECTS
 - 2.1 The objects of the Club shall be to encourage the promotion and provide facilities for the practice of water sports for people in Mid Argyll and undertake other activities incidental or conducive to the furtherance of these objects.
 - 2.2 The Club shall seek affiliation to and be bound by the rules of the Royal Yachting Association and the Scottish Canoe Association. The Club is committed to encouraging the highest ethical standards and will adopt the policies of the governing bodies. All individuals involved in the Club should conduct themselves with integrity, transparency, accountability and in a fair and equitable manner.
3. POWERS In furtherance of said objects, the Club may:
 - 3.1 Employ and pay any person or persons to supervise, organise and carry on the work of the Club
 - 3.2 Engage and pay fees to professional and technical advisers/consultants to assist in the work of the Club;
 - 3.3 Take out membership of such organisations as are considered to be in the interests of and compatible with the objects of the Club;
 - 3.4 Arrange and provide for or join in arranging and providing for the holding of regattas, meetings, lectures, classes, seminars and training courses;
 - 3.5 Purchase, take on lease or exchange, hire or otherwise acquire any property and any rights and privileges necessary for the promotion of the said object of and construct, maintain and alter any building necessary for the work of the Club;
 - 3.6 Make regulations for the management of any property which may be so acquired;
 - 3.7 Subject to such consents as may be required by law, borrow or raise money for the object and accept gifts on such terms and on such security as shall be deemed to be necessary;
 - 3.8 Raise funds and invite and receive contributions from any person or persons whatsoever by way of subscription and otherwise provided that the Club shall not undertake permanent trading activities in raising funds for the said objects except by means of a company established for that purpose;
 - 3.9 Invest the money of the Club not immediately required for the said objects in or upon such investments, securities or property as may be thought fit, subject nonetheless to such conditions (if any) as may for the time being be imposed or required by law and
 - 3.10 Do all such other lawful things as are necessary for the attainment of these object.
4. MEMBERSHIP
 - 4.1 The membership shall consist of the following categories:

FULL MEMBER - being a person who, at the date of joining, is over the age of eighteen shall have one vote.

FAMILY MEMBER - which expression shall include one or two parents (as may be) and all children under eighteen years of age. The family shall have one vote, exercisable by either parent.

STUDENT MEMBER - being a person who, at the date of joining, is attending a place of higher education shall have one vote

JUNIOR MEMBER – being a person who, at the date of joining, is under the age of eighteen shall have one vote.

SHORE MEMBER – being a person who supports the objects of the Club and wishes to enjoy the benefits of membership without going on the water shall have one vote
 - 4.2 Members in each category shall pay Membership fees set annually and agreed by the Executive Committee or determined at the Annual General Meeting. The Club in General Meeting may also require Members to contribute to the funds of the Club by way of a special levy.
 - 4.3 All members joining the Club shall be deemed to accept the terms of this Constitution and any Bye-laws from time to time adopted by the Club, in particular without prejudice to the foregoing generality, the requirement to conduct themselves in accordance with the Club's ethical framework and the bye-laws as to discipline set out therein.
 - 4.4 Any person seeking to join the Club shall submit an application to the Executive Committee. Members shall be admitted by the Executive Committee. Membership of the Club shall be open to all persons irrespective of ethnicity, nationality, sexual orientation, religion or beliefs; or of age, sex or disability except as a necessary consequence of the requirements of particular water based sports. The Club may refuse membership or expel from membership only for good and sufficient cause, such as conduct or character likely to bring the Club or sport into disrepute. Appeal against such a decision may be made to the Club's members and decided by a majority vote.
5. MANAGEMENT
 - 5.1 The affairs of the Club shall be conducted by an Executive Committee in a manner consistent with the governing bodies' policies. The Executive Committee shall consist of the Officers of the Club plus two ordinary members plus a member from each sub committee, all of whom shall be elected at the Annual General Meeting. The business of the Club that relates to specifically to sailing, kayaking or other sports may be delegated by the Executive Committee to a sub committee for each of the different sports made up of members elected to each sub committee at the Annual General Meeting or co-opted when required. The sub committees shall consist of as many members as the Executive Committee deems appropriate for the work to be undertaken. One member of each sub committee shall be nominated by that sub committee to serve as a member of the Executive Committee.
 - 5.2 The Officers of the Club who shall be honorary shall be the Commodore, Vice-Commodore, Treasurer and Secretary. If the post of any officer or ordinary committee member should fall vacant after such an election, the Executive Committee shall have the power to fill the vacancy until the succeeding Annual General Meeting.

- 5.3 All Executive Committee members must be members of the Club.
- 5.4 The said Officers shall also be the trustees *ex officio*s of the Club who shall hold any property belonging to the Club in their name and shall further be entitled to sue and be sued on behalf of the Club as trustees *ex officio*s. They shall all be entitled to personal indemnity out of the funds of the Club where they are acting bona fide in their capacity as Officers of the Club.
- 5.5 The Executive Committee shall have full power to deal with all matters relating to the Club not reserved to a General Meeting in terms of this Constitution, including power to make public and enforce such bye-laws as the Committee feel necessary to govern the activities of the Club.

6. GENERAL MEETINGS

6.1 Annual General Meeting

The Club shall hold an Annual General Meeting to:

- Approve the minutes of the previous year's AGM.
- Receive reports from the Commodore and Secretary.
- Receive a report from the Treasurer and approve the Annual Accounts.
- Receive a report from those responsible for certifying the Club's accounts.
- Elect the Executive Committee.
- Appoint someone responsible for certifying the Club's accounts.
- Fix the subscriptions for the ensuing year.
- Consider changes to the Constitution.
- Review and consider any Bye-laws.
- Deal with other relevant business.

6.2 Extraordinary General Meeting

An Extraordinary General Meeting shall be called by an application in writing to the Secretary supported by at least 10% of the members of the Club. The Executive Committee shall also have the power to call an Extraordinary General Meeting by decision of a simple majority of its members.

6.3 Notices

At least 14 days' notice and the Agenda shall be given to all voting members of any General Meeting. No business shall be conducted unless fair notice thereof is contained in the Agenda.

6.4 Voting

- With the exception of changes to the Constitution, decisions put to a vote shall be resolved by simple majority at General Meetings.
- The Chairman shall hold a deliberative as well as a casting vote at general and committee meetings.

6.5 Quora

The quorum at General Meetings shall be 20% of the members and the quorum for Committee Meetings shall be 40% of the members.

6.6 Changes to the Constitution

- Any change to the Constitution shall require a two thirds' majority of those present, eligible to vote and voting at a General Meeting.
- A proposal to change the Constitution must be submitted in writing to the Secretary who shall circulate the proposal to all members and allow seven days for submission of any amendments before calling a meeting in accordance with rule 5.3 above.
- All proposals for changes to the Constitution shall be signed by two members eligible to vote at a General Meeting.

7. FINANCE AND ACCOUNTS

7.1 The financial year shall run from January to December each year.

7.2 The Treasurer shall be responsible for the preparation of Annual Accounts of the Club.

7.3 The Accounts shall be certified by an appropriate independent person elected annually at the Annual General Meeting.

7.4 All bank and cash transactions involving the Club's funds shall be scrutinised by the Treasurer and one other nominated office-bearer.

7.5 All members of the Club shall be jointly and severally responsible for the financial liabilities of the Club.

8. DISSOLUTION

8.1 The Income and Property of the Club shall be applied solely towards promoting the Club's objects as set forth in this constitution and no portion thereof shall be paid or transferred, directly or indirectly, to the Members of the Club.

8.2 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 of the Club, but shall be given or transferred to one or more of the following approved sporting or charitable bodies:

1. A registered charitable organisation(s).
2. Another Club which is a registered CASC
3. The sports' national governing bodies for use by them for related community sports.

This Constitution was adopted on: 7th December 2013

signed

and