

DERBY ATHLETIC CLUB

Constitution

1. Club Name

The Club shall be called “Derby Athletic Club” and shall be referred to hereafter as the Club.

2. Club Address

The Club's premises shall be the ground floor extension to the Grandstand at Moorways Sports Stadium, Moor Lane, Derby, DE24 9HY. A police officer in uniform may have access to the premises at all times when the premises are open to Members of the Club.

3. Club Colours

The Club vest shall be white with vertical green and red panels at each side, black trim around the arm and neck openings, and the word DERBY across the chest in black.

4. The Club Year

The Club Financial Year shall be 1st January to 31st December.

The Club Membership Year shall be from 1st April to 31st March.

5. Aims of the Club

The aims of the club will be:

- To offer coaching and competitive opportunities in Athletics
- To promote the club and athletics within the City of Derby and wider catchment areas
- To manage the club in an efficient and sustainable manner
- To ensure a duty of care to all members and users of the club
- To provide all its services in a way that is fair to all members and others who may have use of them

6. Membership

- (a) Members of the Club shall be amateurs according to the definition of UK Athletics. All members will be subject to the regulations of the Constitution and by joining the club will be deemed to accept these regulations and codes of practice that the club has adopted. The Club shall be open to all and shall comprise:
- (i) Full Members who shall have use of the Club facilities at prescribed and arranged times and are expected to support the Club in competitions under the Rules of UK Athletics;
- (ii) Junior Members who shall have use of the Club Facilities at prescribed times for which they have paid fees and are expected to support the club in competitions.
- (iii) Life Members shall be members who have been elected to this office by the Committee in recognition of their outstanding service or, athletic achievement, and shall not be charged a subscription. A candidate for Life Membership shall have a proposer and three seconders, all of whom shall be Club members;
- (iv) Honorary Vice Presidents shall be Members of the Club who are elected at the AGM to the post on the basis of service to the Club in a non-competitive capacity and shall make an annual donation to the Club;
- (v) Voluntary Helpers shall be members of the Club who assist the Club as Active and Licensed Coaches, Licensed Technical Officials and in any other capacity
- (vi) Life Members, Honorary Vice Presidents and Voluntary Helpers shall not be significant in proportion to the membership of the Club, this being less than 50% of the total Membership
- (vii) All members will be expected to register their attendance at the Club through the

approved manner;

(b) Election to Membership

- (i) Application for membership shall be by the approved Club Application Form submitted to the Membership Officer along with the appropriate membership fee.
Membership of the Club (whether First Claim, Second Claim or Higher Competition Club) commences on the actual day of election by the Executive Committee of the Club at a properly convened meeting. Membership shall not be unreasonably denied;
- (ii) A list of names and addresses of members of the Club with the date of election or, resignation or, expulsion, shall be kept on the premises and produced on the demand of a Police Officer;
The list shall be the responsibility of the Membership Officer and may be in electronic form;
- (iii) The Administration Officer and the Membership Officer must be informed of any change of address, phone numbers and email address of any member and will not be responsible for any situation arising from members neglecting to do so

(c) Resignation of Membership

- (i) Members wishing to resign must notify the Membership Officer in writing. The resignation of any Member who is not a fully paid up Member or, has any other outstanding debts or, has any assets belonging to the Club, may be rejected by the Committee;
- (ii) All records in respect of Club Membership shall be retained for a period of at least one year following a resignation/exclusion.
- (iii) If wishing to change to another English Club, an athlete should follow the England Athletics online process.

(d) Membership Subscriptions

- (i) the annual subscription shall be set and decided (annually) at a General Meeting;
- (ii) no Member whose subscription is in arrears after 1st April, may compete for the Club in open competitions, Club Championships, or Club fixtures;
- (iii) any Member whose subscription is three months overdue or has any other kind of arrears, shall forfeit all other privileges of Membership;
- (iv) all annual subscriptions shall be payable in advance on or, before 1st April;
- (v) any Athlete Member (General or Junior) joining the Club after 1st June may have the option to pay a discounted subscription.
- (vi) in certain agreed circumstances, subscriptions may be paid in instalments.
- (vii) All Members (including Life Members) are required to complete and submit a membership form each year.

7. Annual General Meeting

(a) The Annual General Meeting shall be held once every year as soon as possible after the 31st December and shall not be more than fifteen months from the previous AGM;

(b) All fully paid up members of the club will be notified, in writing which includes email, of the proposed date, time and place of the Annual General Meeting at least 28 days in advance, requiring that nominations and other business for the meeting be notified, in writing or email, at least 14 days before the meeting is due to take place. Nominations may be made up to the start of the AGM for any vacancies, at the Chair's discretion.

The Administration Officer shall, at least 10 days before the meeting, notify all entitled members of the business to be transacted at the meeting which shall include only the following:

- (i) to receive the Annual Report;
- (ii) to receive the audited accounts and balance sheets;
- (iii) to confirm or, amend the current Club Constitution, for which a written motion, proposed and seconded by at least 1 member, and received, by the Administration Officer, at least 14 days before the Annual General Meeting;
- (iv) to elect the Officers and the Executive Committee for the ensuing year as indicated by Rule 7 (b);
- (v) to elect a maximum of 2 Honorary Auditors;
- (vi) to elect representatives to such bodies as the meeting may decide;
- (viii) to conduct other appropriate notified business;
- (ix) there shall be not more than four Trustees of the Club whose names along with those of the Vice Presidents and Life Members shall be read out at each AGM.

(c) Management

The Management of the Club shall be vested in an Executive Committee which shall have responsibility for the general affairs of the Club including Licensing.

Elections for the Executive and Non-Executive Committee roles shall be held at the Annual General Meeting.

Non Executive members can attend Executive Meetings but cannot vote.

Executive Committee

1. President
2. Chair
3. Administration Officer
4. Treasurer
5. Membership Officer
6. Competitions Officer
7. Coaching & Schools Liaison Officer
8. Officials Officer
9. Facilities and Equipment Officer
10. Communications Officer
11. Voluntary Helper Officer

Non-Executive Roles on the Committee

Child Protection Officers
Catering Officer
Kit Officer
Performance Statistician
Team Managers
Team Captains

Auditors (2) shall inspect and sign the Statement of Accounts and Balance Sheet at least fourteen days before the date of the Annual General Meeting.

All Committee Members shall be elected by ballot of fully paid up Members present at the AGM.

All Committee Members, with the exception of the President, shall retire annually, but shall be eligible for re-election.

The President shall not hold office for more than 3 consecutive years.

Nominations, in writing or email, must be in the hands of the Administration Officer 14 days prior to the Annual General Meeting.

Members shall be eligible for election and may nominate other Members for election.

Any casual vacancy on the Committee shall be filled by the Committee.

Five Members of the Executive Committee shall form a quorum.

Each Officer shall have a job description.

All Executive Committee positions are Honorary positions.

8. The Executive Committee

(1) Powers and Duties

The Executive Committee shall have the following powers:

- (a) (i) To call an Extra-Ordinary General Meeting on giving 21 days' notice to the members;
 - (ii) To elect sub-committees when necessary with each appropriate Officer chairing that sub-committee;
 - (iii) To oversee the implementation of the Code of Discipline procedure;
 - (iv) To appoint a Disciplinary Committee of 5 to include 3 Executive Committee members plus 2 fully paid up members of the club;
 - (v) To co-opt Members to the Executive Committee as and when thought appropriate;
 - (vi) To elect delegates to the associations to which the Club is affiliated.
- (b) (i) The Executive Committee shall comprise any or all of the Officers elected at a General Meeting;
 - (ii) The date of the Executive Committee Meeting shall be declared at its previous meeting and the Executive Committee shall meet as often as is deemed necessary;
 - (iii) The method of voting at any meeting of the Executive Committee shall be by show of hands unless a majority of those present request a secret ballot. A simple majority shall carry any motion and in the event of a tie the Chairman of the meeting shall exercise a casting vote;
 - (iv) Any Executive Committee member failing to appear without apology at four consecutive Committee meetings shall be liable to be removed from the Committee by its majority Vote;
 - (v) Members of the Executive Committee shall not hold office in any other Athletic Club;

- (vi) The Minutes of the proceedings of the club, whether in Sub-Committee or Executive Committee Meetings, shall be entered in a book or folder by the Administration Officer, and shall be read at the next Meeting and shall be, if approved, signed by the Chairman presiding at such Committee Meeting;
- (vii) The Administration Officer shall call an Executive Committee Meeting within thirty-one days upon request in writing, to do so, signed by three or more members of the Executive Committee;
- (viii) Ad hoc Committee Meetings shall not take place except under delegated authority as set out in the following paragraph and any conditions attached thereto:
If it is considered necessary for operational reasons, to allow decisions to be made by elected officers between normal full committee meetings then delegated powers shall be issued with strict terms of reference to specific committee members and/or sub-committees. Such delegated powers shall be reviewed annually.

All decisions taken under delegated authority shall be reported at the next general Executive committee meeting.

(2) Extra Ordinary General Meeting

- (i) Fully paid up Members can call for an EGM, in writing, to the Administration Officer, provided there is 1 proposer plus 3 seconders.
- (ii) The EGM must take place within 21 days of the request.
- (iii) Only fully paid up members can vote at an EGM.
- (iv) The matters discussed will only be for those raised for that EGM.

(3) Emergency Committee

If it is considered necessary, for operational reasons, there will be an Emergency Executive Committee consisting of the Chairman, Administration Officer, Treasurer and 1 other Committee Member who will have the delegated powers of the Executive Committee and shall be issued with strict terms of reference. Such delegated powers shall be reviewed annually.

All decisions taken under delegated authority shall be reported at the next Executive Committee Meeting.

9.

Trustees

There shall be not more than four Trustees of the Club whose names along with those of the Vice Presidents and Life Members shall be read at each AGM.

The first Trustees shall be appointed by the Committee and the property of the Club (other than cash which shall be under the control of the Honorary Treasurer) shall be vested in them to be dealt with by them as the Committee shall from time to time direct by resolution (of which entry in the Minute Book shall be conclusive evidence).

The Trustees shall be indemnified against risk and expense out of the Club property.

Trustees shall hold office until death or resignation or removal from office by a resolution at a General Meeting of Members of the Club, who may for any reason which may seem sufficient, by a majority of them present, and voting at any meeting, remove any Trustee or Trustees from the office of Trustee.

Where because of any reason such as death, resignation or removal it shall appear necessary to the Committee that a new Trustee or Trustees shall be appointed, or if the Committee shall deem it expedient to appoint an additional Trustee or additional Trustees, the Committee shall by resolution nominate the person or persons to be appointed Trustee or Trustees. For the purpose of giving effect to such a nomination the President is hereby nominated as the person to appoint new Trustees of the Club within the meaning of Section 36 of the Trustees Act 1925 and the President shall by deed duly appoint the person or persons so nominated by the Committee as the new Trustee or Trustees of the Club and the provisions of the Trustee Act 1925 shall apply to any such appointment.

Any statement of fact in any such deed of appointment shall, in favour of a person dealing bona fide and for the value with the Club or Committee, be conclusive evidence of the fact so stated.

Any borrowing requirement is to be negotiated, and agreed by the Trustees, as directed by the Committee from time to time by resolution (a copy of which is to be maintained in the Minute Book). The adoption of this clause hereby ratifies and confirms any past borrowing and all security in respect thereof.

10.

Employment of Staff

No member of the Club shall receive payment for their services as members. No members may receive from the Club any percentage or commission, or similar payment arising from the Club's purchases of intoxicants or derive any pecuniary benefit directly or indirectly from the supply of intoxicants by or on behalf of the Club apart from benefit accruing to the Club as a whole, except that the Club may employ staff who may be members and who may receive remuneration from their services. All such staff employed shall be given a contract and a job description, both of which shall be legally binding on both parties and shall be reviewed annually.

11.

Dissolution of the Club

The Club shall not be dissolved except by two-thirds of those members present at a General Meeting called to consider the question.

In the event of the dissolution of the Club, any income or property remaining shall be applied for approved sporting or, charitable purposes by being given or, transferred to another Community Amateur Sports Club or, to a registered charity or, to the Sport's Governing Body.

Appendices

1. Membership Conduct and Expulsion.

- (a) All Members shall be bound by and submit to, the rules of the Club. A sportsmanlike attitude and good behaviour, is expected from members at all times. If the conduct of any member be inconsistent with the character and interests of the Club, the Executive Committee shall have the power to expel the offender if, after due and proper consideration they deem this conduct to be unjustifiable. Any Member so expelled shall be immediately debarred from having any interest in the Club or, its funds and shall never be eligible for re-election (ref. UK Athletics Child Protection Policy for Athletics);
- (b) The name and address of any person expelled under UKA Rule 21 S4(14) shall be sent to UKA Welfare and England Athletics and shall be suspended from competition at any meeting held under UKA Rules until the liability causing the suspension shall have been discharged;
- (c) The Executive Committee shall also have the power to expel any Member whose subscription is twelve months in arrears, providing one month's notice in writing shall be sent to such members by registered or recorded delivery letter, addressed to their last known address, informing them of the proposed action of the Executive Committee.

4. Code of Discipline.

- (a) The Code of Discipline to be adopted by the Club shall incorporate responsibility for all activities within the sport whether they concern affiliated associations, clubs or individual members
- (b) the procedures to be followed by Club's Officers are set out in three documents:
 - (i) UKA Memorandum of Association (Clause 3(v)b deals with the enforcement of its Anti-Doping Policy;
 - (ii) The Code of Discipline of UK Athletics is to be used when complaints are made to England Athletics or to UK Athletics;
 - (iii) The DAC Disciplinary Procedure and Process is to be used where a complaint is made to the Club

5. Licensing

The Club may be licensed to serve alcohol to persons of not less than eighteen years of age on occasion of special events by arrangement with the licensing justices.

A Visitors Book shall be kept on the premises and be available for inspection by and produced on demand to, a Police Officer in uniform, in which the names and addresses of all non-members admitted under paragraphs (ii) to (v) hereof, and the date of their attendance (together, in the case of guests admitted under paragraph (ii) with the names and addresses of Members introducing them) shall be retained for not less than twelve months.

Alcohol may be served to -

- (i) Members.
- (ii) Members' bona fide guests subject to the bye-laws of the Club for the time being in Force, provided that the guests are accompanied by the Members introducing them. No Member shall introduce more than one guest on any one occasion, and no guest may be admitted more than once per calendar month.
- (iii) Visiting competitors, officials and their supporters, attending an athletic event organised by the Club under the Rules of UK Athletics.
- (iv) Other persons attending private functions organised on the Club's premises. Members shall not have access to the Club's premises during such private functions unless bona fide attending these functions.
- (v) A Member of a club affiliated to UK Athletics with the consent of the President, Administration Officer and Treasurer, and any such persons shall be admitted on production of evidence of their membership. A list of affiliated clubs shall be kept on the premises by the Administration Officer and shall be available for inspection by a Police Officer in uniform.

There shall be no more than twelve private functions per calendar year and no more than two private functions in any one calendar month. Fourteen days' notice of such private functions shall be given to the Clerk to the Licensing Justices and to the Chief Superintendent of Police.

1st March 2022