

EAST KILBRIDE SPORTS CLUB

FOUNDED 29th APRIL 1968

THE CONSTITUTION OF THE EAST KILBRIDE SPORTS CLUB

This Constitution supersedes that previously adopted dated 29th April 1968, and subsequent amendments thereto.

1. NAME

The Club shall be called “**THE EAST KILBRIDE SPORTS CLUB**”.

2. OBJECTS

The objects of the Club shall be: -

- 2.1 to provide facilities for and to promote and foster interest in all sports, including especially those for which sections have been formed.
- 2.2 to sponsor and encourage young players in these sports;
- 2.3 by example to encourage true sportsmanship;
- 2.4 to raise funds for inter alia the foregoing purposes, and
- 2.5 subsidiary to the foregoing, to encourage members to meet in a congenial social atmosphere.

3. MEMBERSHIPS AND EQUITY

Membership of the Club is open to all the community:

- 3.1 The Club is committed to ensuring that equity is incorporated across all aspects of its operations. Sports equity is about fairness in sport, equality of access, recognising inequalities and taking steps to address them. Our aim is to ensure that sports is equally accessible to everyone in society.
- 3.2 The Club respects the rights, dignity and worth of every person and will treat everyone equally within the context of their sport, regardless of age, ability, gender, race, ethnicity, religious belief, sexuality or social/economic status.
- 3.3 The Club is committed to everyone having the right to enjoy sport in an environment free from threat of intimidation, harassment and abuse.
- 3.4 All Club members have a responsibility to oppose discriminatory behaviour and promote equality of opportunity.
- 3.5 The Club will deal with any incidence of discriminatory behaviour seriously, according to the disciplinary procedures set out in Section 4.14 of this Constitution.

4. MEMBERSHIP CLASSES

Membership of the Sports Club will entitle members to use the Club facilities and will consist of the following classes:

4.1. ORDINARY MEMBERSHIP

Open to persons 21 years and over.

4.2 INTERMEDIATE MEMBERSHIP

4.2.1 Open to persons who are between 18 and 21 years of age, at the start of the membership year.

4.2.2 Intermediate membership may be continued beyond the age of 21 in the case of members in full-time education until the end of any such course provided that a student card or other proof of full-time education is produced.

4.3 FAMILY MEMBERSHIP

Shall be open to any family which shall be held to include husband wife or partners and shall have the same rights and liabilities as an Ordinary member, and each child aged not less than 6 years, but under 18 years, shall have the same rights and liabilities as a Junior member in the affairs of the Club.

4.4 JUNIOR MEMBERSHIP

Shall be open to all persons aged 6 and over but under the age of 18 years provided that they be members of a Constituted section, or who are members by virtue of a Family membership.

4.5 HONORARY LIFE MEMBERS

4.5.1 The Management Committee may appoint as an Honorary Life member any person who, in the opinion of the Committee is deemed worthy of such an appointment, by reason of their services to the Club. Except in exceptional circumstances, no person shall be appointed an Honorary Life member unless they have been a member of the Club for at least 10 years. Honorary Life members shall pay no subscription and have no liability under Clause 10 of this Constitution, (except in the circumstances contained in 4.5.2 below), but shall have full privileges of Ordinary membership.

4.5.2 If an Honorary Life member is elected or co-opted to serve on the Management Committee they will be liable under Clause 10 until the end of their term of office.

4.6 TEMPORARY MEMBERS

The Management Committee may elect members of visiting teams and guests attending organised fixtures and functions, temporary members for one day only, without payment of subscription.

4.7 LIFE MEMBERSHIP

- 4.7.1 Shall be open to all persons aged 21 years and over. Ordinary Life membership and Family Life membership shall be available on payment of ten times the current annual subscription for Ordinary and Family membership respectively, this sum being exclusive of VAT. Ordinary and Family Life members shall have the same rights and liabilities as Ordinary and Family members respectively.
- 4.7.2 Children who are Junior members by virtue of a Family Life membership will have the same rights and privileges as children who are Junior members by virtue of a Family membership. A member may change his/her Ordinary Life membership to a Family Life membership by making a payment of ten times the difference between the subscription rates for Ordinary and Family membership for the year in which the change is made.

4.8 RETIRED MEMBERSHIP

Members must be over the National Pension Age applicable at the date memberships become due, currently 1 January each year.

4.9 CORPORATE MEMBERSHIP

Groups who wish to affiliate to the club on terms agreed by the committee and who join as non-voting members.

4.10 TRUST MEMBERS

The Members of the Board of East Kilbride Community Trust, (EKCT) will be given Ordinary Member status of the Club and for the purposes of this constitution accorded 'Section Status'. They will accordingly be entitled to nominate one EKCT Board representative to the Club Management Committee.

4.11 APPLICATION FOR MEMBERSHIP

- 4.11.1 Applicants for membership shall complete the standard application form.
- 4.11.2 Applications for membership shall be accepted or rejected by the Membership Convener, in consultation as appropriate with the Management Committee. Applications shall not be rejected without good reason. In the event an applicant is rejected, a written explanation of the reason(s) for rejection will be provided. The Applicant can appeal to the Management Committee, via the Secretary, within two weeks of receipt of any explanation of rejection, citing reasons why the application should be accepted. The Management Committee's decision on any appeal, which will be conveyed in writing, will be final. An applicant who has been rejected shall be ineligible to re-apply for a period of one year from the date of rejection.
- 4.11.3 An applicant whose membership has been accepted will in due course receive a membership card, which can normally be collected from behind the bar. Sections

may with permission from the Management Committee issue their own receipt/membership cards.

4.12 RESIGNATIONS

Members wishing to resign must submit their resignations to the Secretary in writing before the Annual General Meeting. If this rule is not complied with, members will be held liable for the ensuing year's subscription and levies (if any).

4.13 LIMITATION OF MEMBERSHIP

4.13.1 The Management Committee may limit the total Membership of the Club and in the event of any such limitation, residents of East Kilbride shall be given priority over non-residents on any waiting lists for membership.

4.13.2 Vacancies shall otherwise be filled in date order of application.

4.14 EXPULSION AND SUSPENSION OF MEMBERS

4.14.1 Where in the opinion of the General Committee the conduct of any member is considered prejudicial to the best interests of the Club or injurious to its good order it shall have the power to call upon such member to appear before it for an explanation. The member shall be advised of the alleged conduct in writing and the date and place of the meeting to consider the same.

4.14.2 If after due enquiry such member's explanation is deemed to be unsatisfactory or unacceptable, or if the member fails to appear at such time or times as the Committee shall appoint on reasonable notice, the Committee shall have the power to temporarily suspend membership for a specified period or in more serious cases call upon such member to resign. In the event of a resignation not being forthcoming the General Committee shall have the power to expel the member concerned by sending written notice of expulsion to the address held on Club records.

4.14.3 On the resignation of membership the member shall forfeit any subscriptions paid by them and shall cease to enjoy any of the rights and privileges of membership of the Club.

4.14.4 A member who has been advised of disciplinary action to be taken against them, whether this be suspension/termination of membership or otherwise may appeal to the General Committee by writing to the Club Secretary.

4.14.5 The grounds of such an appeal must be submitted within seven days following notification of disciplinary action being taken against the member

4.14.6 The General Committee has the right to request the attendance of the member at the Appeal Hearing and due notice will be given of the date, time and place of the Appeal Hearing. Unless and until the appeal is decided to the contrary, the original decision will stand

- 4.14.7 If on appeal, the original disciplinary action is amended, the altered disciplinary action shall be implemented and the record amended accordingly
- 4.14.8 If on appeal, the original disciplinary action is completely withdrawn, the appellant will be treated as not having been disciplined and any record of the disciplinary action will be expunged.
- 4.14.9 Any member of the General Committee considering the questions of expulsion or suspension having a personal interest or involvement in the conduct or circumstances complained shall declare such interest and take no part in the Committee's decision making on such questions.

4.15 **SECTION MEMBERSHIP**

A member of the main Club (other than Temporary or Corporate) is entitled to apply for membership of any of the Clubs sections and subject to acceptance by that section and payment of the appropriate section subscription become a section member. No person can be a member of a section until they are a member of the main Club.

4.16 **CONSTITUTION**

All members shall make themselves acquainted with the Constitution of the Club and any by-laws and/or rules made from time to time by the Management Committee and all alterations thereto and shall comply with these at all times and shall be responsible also for ensuring that any visitors introduced by them comply with the Constitution, by-laws etc. A current copy of the Constitution will be available for consultation from 'behind the bar' or a copy can be provided on application to the Secretary.

5. **SUBSCRIPTIONS**

5.1 **ANNUAL SUBSCRIPTIONS**

All subscriptions are inclusive of VAT and payable in advance. This amount may be varied by the Annual General Meeting. Payment shall entitle members to use the Club premises.

5.2 **SURPLUS SUBSCRIPTIONS**

The Club is non-profit making and the Management Committee shall have the power, in the event of any surplus in the accounts, to:

- 5.2.1 give financial aid to the sections of the Club to such extent and in such proportions as the Management Committee may determine and
- 5.2.2 to promote the objects of the Club as specified above.
- 5.2.3 Club assets may not be distributed to members or to third parties either in cash or kind.

5.3 DUE DATE

- 5.3.1 Subscriptions shall be due on the 1st day of January for the ensuing year, (accept for the members of those sections who have agreed alternative renewal dates with the committee). A member is in default who has not renewed his/her subscription 6 weeks after the agreed Club or Section annual renewal date, or who has not put in place an arrangement to pay.
- 5.3.2 Sections who collect the main Club subscription from their section members and remit this money to the Club are responsible for the prompt provision of full information to the Membership Convenor including details of former members who have not renewed.
- 5.3.3 The Management Committee shall withdraw facilities from such defaulting members and, in due course, take whatever other action they consider advisable.
- 5.3.4 Defaulting members shall not be entitled to renew membership of a section of the Club so long as the subscription to the Club is in arrears.

6. MANAGEMENT

6.1 CLUB

- 6.1.1 The Management of the Club will be vested in a Management Committee which shall consist of: -
- 6.1.2 President, Vice President, Secretary, and Treasurer, each of whom shall be elected each year at the Annual General Meeting, and the retiring President Ex-Officio.
- 6.1.3 Section Members: Each main section of the Club is entitled to have a minimum of one representative on the Management Committee and a maximum of four. Committee members shall be elected each year at the Annual General Meeting from among the members of the Club nominated by each respective section for such election as that section's representative. Such representatives may be replaced by nomination to the Management Committee by section committees.
- 6.1.4 The Office Bearers and all the Committee members of the Management Committee shall retire at the next Annual General Meeting.
- 6.1.5 The Committee shall have the power to invite Club members or others to attend and take part in its' meetings in a non voting capacity.
- 6.1.6 The Management Committee shall normally meet once in each calendar month. Six members shall form a quorum. In the event of a quorum not being present, the meeting shall be adjourned for one week when those present shall form a quorum.
- 6.1.7 The Management Committee shall be responsible for the Management of the Club and the Club premises and shall have the power to conduct the affairs of the Club including (without prejudice to the foregoing) the powers to: -

- 6.1.8.1 admit members and suspend or expel members and receive subscriptions and resignations.
- 6.1.8.2 appoint and dismiss staff.
- 6.1.8.3 appoint sub-committees.
- 6.1.8.4 make by-laws and rules for the conduct of the Club generally and use the Club premises.
- 6.1.8.5 the Management Committee shall have general jurisdiction over the members, with a view to ensuring the good conduct of the Club.
- 6.1.8.6 the President, Vice-President, Secretary and Treasurer, for the time being of the Club, or any 3 of them, may be authorised by the Management Committee to hold property, to enter into agreements, to sue in the name of the Club, and to borrow money without security or to secure payment thereof; and all necessary deeds may be executed on behalf of the Club by them, following such authority being granted. Any such authority shall be recorded in the minutes of a meeting of the General Committee.

6.2 CONVENERS

A Bar Convener, Property Convener, Membership Convener, and Ways & Means Convener, shall be elected each year at the Annual General Meeting. These Conveners will oversee various aspects of the Club's activities and will be responsible to the Management Committee for the implementation of policy laid down by the Management Committee's approval, appoint members to a sub-committee which will assist the Convener in his area of responsibility. Members of sub-committees will normally be appointed from the Management Committee.

6.3 AN EXECUTIVE SUB-COMMITTEE

Comprising President, Vice-President, Secretary and Treasurer shall be responsible for the implementation of policy handed down by the Management Committee in respect of the day-to-day administration of the Club and shall meet as often as is necessary to this end and to deal with contingencies arising between meetings of the Management Committee. The Executive Sub-Committee will be responsible to and will report fully to the Management Committee.

6.4 SECTIONS

Sections of the Club may, with prior written approval of the Management Committee, be formed for particular sports or indoor activities.

- 6.4.1 The formation of a section shall not be approved unless at least 20 members (Ordinary, Intermediate, or Adult Family members) of the Club petition the Management Committee to approve formation of a section, and (a) undertake that they will join that section if its' formation is approved.
- 6.4.2 Each section shall be managed by a section Committee which shall be elected annually by the members of that section and shall consist of not less than 7 members who shall

include President, Secretary, Treasurer and at least 4 other members of the section. It would be expected that the section representative to the Management Committee, be a member of their respective section committee.

6.4.3 Each section Committee shall be responsible for the conduct of the affairs of that section and shall be entitled to make such rules and regulations as may be necessary therefore, provided such rules and regulations are not in contravention of this Constitution or any by-laws made by the General Committee for the general body of the members.

6.4.4 Each section is expected to be 'self-financing', provide their own equipment and will be expected to maintain their own playing facilities, courts and pitches.

6.4.5 The books of the section shall be balanced annually and if requested the audited accounts made available to the Management Committee. Following examination of these accounts, the Management Committee may propose that the section should, for financial reasons, or for lack of support, be disbanded and such disbandment shall be considered at the next Annual General Meeting.

7. VOTING

The President shall have a deliberative vote and, in addition, a casting vote in case of equality at meetings of the Management Committee.

8. MEETINGS

8.1 ANNUAL GENERAL MEETING

8.1.2 The Annual General Meeting shall be held prior to 31st January in each year.

8.1.3 At this meeting the retiring Committee shall present and report a duly signed audited Statement of Accounts for its term of office.

8.1.4 The notice calling the meeting shall be displayed in a conspicuous position within the Club premises for not less than 14 days prior to the meeting and shall specify the Agenda for the meeting together with the recommendation of the Management Committee as to the annual subscription and entry fee.

8.2 SPECIAL MEETINGS

8.2.1 A Special Meeting may be called at any time on the instruction of the Committee or by a written request to the Secretary signed by not less than 20 members stating the purpose for which the meeting is to be called.

8.2.2 Within 2 weeks of receipt of such instruction or request, the Secretary shall inform members - the notice calling the meeting shall be displayed in a conspicuous position within the Club premises for not less than 7 days prior to the meeting.

8.2.3 Specific business only shall be transacted at a Special Meeting. The notice calling such a meeting shall specify the business to be considered and the precise wordings of all motions to be then moved.

8.3 QUORUM

8.3.1 At any Annual General or Special Meeting of the Club, 25 members present and entitled to vote shall form a quorum. In the event of a quorum not being present, the meeting shall be adjourned for one week, when those members present and entitled to vote shall form a quorum.

8.3.2 All members (except Temporary, Corporate and Junior) shall be entitled to vote at Annual General and Special Meetings.

8.3.3 All members (except Temporary or Corporate) over the age of 18 years shall be entitled to attend and take part in discussion at Annual General and Special Meetings and be entitled to nominate any members (except Temporary Corporate and Junior) as President, Vice-President, Secretary, Treasurer or Committee Member provided that the member submit such nomination, properly seconded, in writing to the Secretary at least 3 days prior to the Annual General Meeting.

9. ACCOUNTS

9.1 The financial year of the Club shall end on 31st December. Correct accounts and books shall be kept showing the financial affairs and intromissions of the Club. The Treasurer shall prepare accounts showing the state of the Club's affairs. The accounts shall be audited and submitted to the Annual General Meeting after the end of each financial year. Facilities shall be made available to members to examine these accounts for at least 7 days prior to the Annual General Meeting.

9.2 At the Annual General Meeting the Club shall, after election of the Management Committee, also elect from their own number, (but excluding members of the General Committee), an Auditor or Scrutineer, for the purpose of auditing the Treasurer's financial statement. A professional Accountant/Auditor nominated by the Management Committee may be elected at the Annual General Meeting to fulfil this role, if the meeting so desires.

10. LIABILITY OF MEMBERS

10.1 The Club, at any Annual General or Special Meeting, may levy the whole of the Ordinary and the Adult Family members (one parent only where both are included in a Family membership) for payment of such sum as may be considered necessary for meeting the financial obligations of the Club.

10.2 Any member who fails to pay his share of any levy within one month of the date of a notice from the Secretary demanding payment thereof, shall have the facilities of the Club and of any section of which they are also a member withdrawn and shall not, so long as in default, be entitled to renew membership of the Club or of any section, but shall remain liable for their share of such levy.

- 10.3 The Management Committee may take such action as they consider appropriate for the recovery of such levy.

11. LICENSING ACTS

- 11.1 No member of the Management Committee and no Manager or servant employed in the Club, shall have any personal interest in the sale of excisable liquor therein or in the profits arising from such sale.
- 11.2 No visitor shall be supplied with excisable liquor in the Club premises unless on the invitation and in the company of a member over 18 years of age, and such member shall, upon the admission of each visitor to the Club premises (whether to the pavilion or the dressing rooms) enter his own name and the name and full address of the visitor in a book which shall be kept for that purpose and shall show the date of each visit.
- 11.3 No alcoholic liquor shall be sold or supplied in the Club to any persons under 18 years of age.
- 11.4 No alcoholic liquor shall be sold or supplied in the Club premises for the consumption off premises except to a member of the Club in person or to a person holding a license or a wholesaler's license for the sale of such liquor.

12. DISSOLUTION

- 12.1 The Club may be dissolved but that only at a Special Meeting of the Club. Any motion to dissolve the Club must be approved by two-thirds of the members present and entitled to vote at such Special Meetings or at the adjournment thereof.
- 12.2 After dissolution, any surplus assets shall be distributed either to one or more community amateur sports club (including existing Sections of the Club that continue to function) or registered charities or the governing bodies of those sports provided for at the Club, for use by them in community amateur related sports.
- 12.3 Distribution will be in such proportions as agreed by a simple majority vote at a General Meeting convened especially for the purpose.

13. INTERPRETATION OF CONSTITUTION

The interpretation of the Constitution and the settlement of any questions or disputes shall rest entirely with the Management Committee whose decisions shall be final.

14. ALTERATIONS TO CONSTITUTION

This Constitution can be altered only at a Special Meeting or at the Annual General Meeting and any alterations must be approved by two-thirds of the members present and entitled to vote at the Meeting. Alterations to the Constitution can only be considered after prior display thereof for not less than 2 weeks on the Club notice-board.