

Shetland Canoe Club Constitution 2024

1. NAME

1.1 - The Club shall be called 'Shetland Canoe Club' (hereafter referred to as 'the Club').

2. OBJECTIVES

2.1 - The objective of the Club shall be to promote and facilitate participation in, and further the knowledge, understanding, availability and enjoyment of paddle sports throughout Shetland, for the benefit of its members.

2.2 - The Club shall promote social inclusiveness and its actions and activities shall be consistent with the furthering of equal opportunities for all.

2.3 - The Club shall be affiliated with the Scottish Canoe Association.

2.4 – No portion of the income and property shall be paid or transferred directly or indirectly by way of dividend, distribution, bonus, honoraria or otherwise howsoever by way of profit to the members.

3. MEMBERSHIP

3.1 - The Club shall consist of the Officers of the Club and the Members of the Club (collectively known as 'the Membership').

3.2 - Membership of the Club shall be open to all. No application for membership shall be refused on anything other than reasonable grounds. There shall be no discrimination on grounds of age, disability, gender reassignment, marital status, pregnancy and maternity, race, religion; sexual orientation, political or other opinion.

3.3 - Membership of the Club shall, subject to the provisions of 3.6, be subject to the payment of a membership fee falling within one of the following categories:

3.3.1 - Individual Membership (Ages 27 to State Pension Age), a) boat owner and b) non-boat owner;

3.3.2 - Un-waged/OAP (State Pension Age/Student Membership, a) boat owner and b) non-boat owner;

3.3.3 - Young People Membership (Ages 13 to 26) a) boat owner and b) non-boat owner.

3.3.4 – Family Membership

3.4 - Membership fees for extant Members of the Club shall be due on the first day of May every year. Any Member of the Club who fails to pay their membership fee by the first day of June shall cease to be a Member of the Club.

3.5 - The level of Membership fees for the following year shall be agreed at each Annual General Meeting (AGM).

3.6 - Notwithstanding the provisions of 3.3, the Executive Committee may, by way of a vote, appoint any person aged 18 or older to the additional category of 'Life Membership'. Any person appointed to this category shall be deemed to be a Member of the Club as if they had been granted membership on an application made under 3.3.1, 3.3.2 or 3.3.4 (as applicable); however, their membership shall not be subject to a membership fee and shall at no time expire, unless:

3.6.1 - they themselves request, in writing, the termination of their membership; or

3.6.2 - the Executive Committee, under 4.8, decide to terminate their membership.

3.6.3 – Any rejected or terminated membership may be appealed to a body other than the Committee/individuals making the original decision e.g. disciplinary committee or AGM

3.7 - All Extant Members of the Club, and those joining the Club, shall be deemed to accept the terms and conditions of this Constitution and any other byelaws and policies published by the Club.**4. MANAGEMENT**

4.1 - The affairs of the Club, unless otherwise reserved by this Constitution, shall be managed and conducted by an Executive Committee (hereafter referred to as 'the Committee').

4.2 - The Committee shall consist of the Officers of the Club.

4.3 - All Officers of the Club shall be unpaid volunteers of 16 years of age or older.

4.4 - The Officers of the Club, who are honorary, shall consist of a:

4.4.1 - Chair;

4.4.2 - Treasurer;

4.4.3 - Secretary;

4.4.4 - Safeguarding Officer;

4.4.5 - Safety Officer; and

4.4.6 - Officers without Portfolio (*optional*).

4.5 - Each Officer of the Club shall, subject to the provisions of 5.1.9.1, be elected on an annual basis at the AGM. The term of office for each Officer of the Club shall, subject to

4.5.1, run from the date of election until the date of the next AGM.

4.5.2 - For the avoidance of doubt, the term of office for each Officer of the Club shall end at the AGM immediately before an election is held for the Officers of the Club for the following year.

4.6 - If the post of any Officer of the Club should fall vacant after such an election, then the Committee shall have the power to fill the vacancy.

4.7 - Notwithstanding the provisions of 4.2, the Committee may, from time to time, appoint Assistant Officers from the Membership if their appointment is required in order to further the objectives of the Club. Assistant Officers may exercise powers as delegated to them by the Committee; however, they are unable to vote at a Committee meeting. The term of office for each Assistant Officer shall run from the date of their appointment until the date of the next AGM or otherwise as instructed by the Committee which appointed them.

4.8 - The Committee has the power to terminate, in writing, the membership of any Member of the Club whose conduct and/or actions are considered to bring the Club and/or sport into disrepute and/or depart from this Constitution, the objectives of the Club and/or any of the bye-laws or policies published by the Club. Any Member of the Club whose membership is terminated has the right to appeal in writing and/or or in person to the Committee within a period not exceeding 28 days of the date of termination.

4.9 - All meetings of the Club shall be chaired by the Chair or by a suitable nominee in the Chair's absence.

5. GENERAL MEETINGS

Annual General Meetings

5.1 The Club shall hold an Annual General Meeting each year during the month of January or as soon as possible thereafter.

to:

5.1.1 - Approve the minutes of the previous year's AGM;

5.1.2 - Receive a report from the Chair:

5.1.3 - Receive a report from the Treasurer;

5.1.4 - Receive a statement of opinion from the independent person elected to review the Club accounts (which may be presented to the AGM by the Treasurer);

5.1.5 - Approve the annual accounts;

5.1.6 - Consider, adopt and/or reject amendments to the Club's Constitution;

5.1.7 - Accept the resignation of all Officers of the Club for the preceding year;

5.1.8 - Elect a Member of the Club to preside over the election of the Officers of the Club for the following year;

5.1.9 - Elect, by a vote, the Officers of the Club for the following year;

5.1.9.1 - If, for whatever reason, a Chair is not elected by the AGM, then the AGM shall appoint another Officer of the Club to act as 'Acting Chair'. Any Acting Chair shall, for the purposes of this Constitution, assume all powers invested in the Chair (and all references to 'Chair' in the Constitution shall be taken as if they read 'Acting Chair') until such time as the Executive Committee has, by way of a vote at a Committee Meeting, appointed an Officer of the Club to the office of Chair. On the appointment of a Chair under this sub-section, the powers assumed by the Acting Chair shall revert to the Chair. The term of office for a Chair appointed under this sub-section shall be until the date of the next AGM (subject to the provisions of 4.5.1).

5.1.10 - Deal with any other relevant business.

Extraordinary General Meetings

5.2 - Any Member of the Club may call an Extraordinary General Meeting (EGM) by submitting a written application to the Secretary. The application shall include the support of at least five Members of the Club eligible to vote. The Committee also has the power to call an EGM by decision of a simple majority of Officers of the Club.

Notices

5.3 - At least fourteen days notice shall be given to all Members of the Club of any General Meeting.

Proposals and Agenda Items

5.4.1 – Proposals for changes to the Constitution for consideration at a General Meeting shall be submitted in accordance with the provisions of 5.10.1 and 5.10.2.

5.4.2 – The agenda and papers for any General Meeting shall be circulated to the Membership no later than seven days before the date of the meeting.

Voting

5.5 - Voting at any General Meeting shall be as follows:

5.5.1 - Only Members of the Club aged 16 or older shall be eligible to vote at any General Meeting;

5.5.2 - Voting decisions, with the exception of changes to this Constitution (see Section 5.10) or the dissolution of the Club (see Section 9.2), shall be resolved by a simple majority of those present and eligible to vote;

5.5.3 - The Chair (or nominated Chair as per the provisions of 4.9) shall have a casting, as well as a deliberative, vote;

5.5.4 - Voting by proxy shall not be allowed at a General Meeting

5.6 - Voting at any Committee Meeting shall be as follows:

5.6.1 - Only Officers of the Club shall be eligible to vote at any Committee Meeting;

5.6.2 - Voting decisions shall be resolved by a simple majority of those present and eligible to vote;

5.6.3 - The Chair (or nominated Chair as per the provisions of 4.9) shall have a casting, as well as a deliberative, vote;

5.7 - Voting out with a Committee Meeting shall be as follows:

5.7.1 - In exceptional circumstances, when a vote is required out with a Committee meeting, voting may be conducted in writing by Officers of the Club and shall comply with the provisions of 5.6 and 5.9. For the purposes of this section, the definition of 'in writing' may include email communication.

5.7.2 – Following a vote under Section 5.7.1, full details of the vote (including its purpose, extent and outcome) shall be tabled on the agenda of the next available Committee meeting and shall be properly minuted.

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5.8 - The quorum for a General Meeting shall be nine Members of the Club eligible to vote.

5.9 - The quorum for a Committee Meeting shall be a minimum of 50% of the Committee.

Changes to the Constitution

5.10 - Any change to this Constitution shall require the support of a two-thirds majority of those present and eligible to vote at a General Meeting.

5.10.1 - Proposed amendments to the Constitution shall be submitted to the Club Secretary no later than seven days before the date of the General Meeting at which they will be considered in order to be included on the agenda;

5.10.2 - Notice of all proposed amendments to the Constitution shall be given to the Membership not less than five days before the General Meeting;

5.10.3 - All proposals for changes to the Constitution shall be signed by two Members of the Club eligible to vote.

6. FINANCE AND ACCOUNTS

6.1 - The Club's financial year shall run from the 1st January to the 31st December each year.

6.2 - The Treasurer shall be responsible for the preparation of the annual accounts of the Club.

6.3 - The accounts shall be reviewed by an independent person appointed by the Committee prior to the AGM.

6.4 - The funds of the Club shall be lodged at a bank or building society in an account in the name of the Club and all standing orders, direct debits and cheques drawn against Club funds shall be signed by two Officers of the Club nominated by the Committee.

6.5 - Any Member of the Club may view the Club accounts on request.

6.6 - Save for the provisions of 6.7, no debit greater than one hundred and fifty pounds shall be made from the Club funds without first receiving approval at a Committee meeting. 6.7 - In exceptional circumstances, when authorisation is required out with a Committee meeting, debits greater than one hundred and fifty pounds, but not exceeding five hundred pounds, may be approved by way of a vote under 5.7.

6.8 – Notwithstanding the provisions of 6.4, the Club may establish an internet-based merchant account in order to facilitate internet-related financial transactions required as part of furthering the objectives of the Club. However, as soon as is reasonably practical, all monies lodged with any such internet merchant account shall be lodged in the Club bank or building society account by the Treasurer (or other Office of the Club so nominated by Committee).

7. BYE-LAWS AND POLICIES

7.1 - The Committee shall have the power to formulate, publish, adopt and enforce such byelaws and policies as it feels are necessary to govern the activities of the Club, having regard at all times to the objectives of the Club and 3.2.

7.2 - Notwithstanding the provisions of 7.1, should, in the written opinion of twenty or more Members of the Club eligible to vote, a proposed bye-law or policy depart materially from the objectives of the Club, it shall be suspended until a vote confirming its adoption has been passed at a General Meeting. If such confirmation is not forthcoming within a period of 12 months starting from the date on which it is suspended, then the by-law or policy shall fall.

8. POWER OF DECISION

8.1 - Any matter not provided for in this Constitution, or any question over the interpretation of it, shall be dealt with by the Committee, whose decision shall be final.

8.2 - Any matter or question arising in relation to 8.1 shall, if considered necessary by a majority of the Officers of the Club, be tabled for consideration on the agenda of the next General Meeting.

9. DISSOLUTION

9.1 - If a majority of the Officers of the Club are of the opinion that the Club should be dissolved (and the forthcoming AGM is no closer than three months away), then they shall call an EGM and shall give proper notice of the meeting to the Membership (in line with Section 5.3). Such notification shall include a full justification for proposing that the Club be dissolved.

9.2 - Voting, and any eventual decision to dissolve the Club shall be made in line with Section 5.5 above, with exception that a vote to dissolve the Club shall require the support of a two-thirds majority of those present and eligible to vote at a General Meeting.

9.3 - If, upon the winding up or dissolution of the Club, there remains after the satisfaction of all the Club's debts and liabilities any property whatsoever, the same shall be given or transferred to some other organisation or organisations having objectives (that is, aims and activities) similar to the objectives of the Club, such organisation or organisations to be

determined by the members of the Club by Resolution passed at a General meeting at or before the time of the dissolution, and in so far as effect cannot be given to such provision then to some charitable objectives.

This was adopted as the Constitution of

“.....SHETLAND CANOE CLUB.....”

at a Committee Meeting on 17 November 2024 and is certified as a true copy.