



# **EDINBURGH ATHLETIC CLUB**

## **CONSTITUTION AND RULES:**

### **EDINBURGH ATHLETIC CLUB**

- 1 The club shall be called Edinburgh Athletic Club.
- 2 The objects of the Club shall be the promotion of interest and participation in athletics.
- 3 The colours of the Club shall be white vest with two horizontal hoops, one blue and one black with the recommendation of wearing red shorts.
- 4 MEMBERSHIP**
  - 4.1 Membership shall be open to all. They shall be amateurs as defined by UK Athletics.
  - 4.2 Application for membership of the Club will be considered on the basis of a completed membership form and an appropriate annual subscription to the Membership Secretary
  - 4.3 Membership of the Club shall be given upon the actual date of election by the Executive Committee or a sub-committee appointed to deal with new members.
  - 4.4 A notice of resignation must be in writing and shall be considered by the Executive Committee within one calendar month of receipt. Membership shall be held to have ceased on the actual date of the tendering of the notice, unless the member is financially indebted to the Club in which case the acceptance may be withheld until the indebtedness has been met.
- 5 EXECUTIVE COMMITTEE**
  - 5.1 The Executive Committee, which shall be responsible for the general conduct and financial affairs of the Club, shall consist of an Honorary President, President, Vice President, and a Treasurer, and the Convenor(s) of any Sub-Groups and Supporting Roles as required the Executive Committee to fully execute its duties when representing the interests of the Club and its Membership.



- 5.2 Members of the Executive Committee shall be elected at the Annual General Meeting of the Club and shall be appointed for one year, but will be eligible for re-election.
- 5.3 The Executive Committee shall meet as per Standing Orders, five to form a quorum.
- 5.4 The Executive Committee shall have power to establish Sub Group(s) and other Supporting Roles as it may from time to time decide and to determine their powers and terms of reference. A record will be kept of all Sub-Group meetings.
- 5.5 Nominations for election to the Executive Committee must be by members at the Annual General Meeting and only with the agreement of the nominee.

## **6 GENERAL MEETING**

- 6.1 The Annual General Meeting of the Club shall normally be held in November each year. The Secretary shall give at least 14 days notice of the Annual General Meeting to all members. The Annual General Meeting shall be chaired by the President whom failing another member of the Executive Committee, and shall:
  - a) Receive and consider the Secretary's report.
  - b) Receive and consider the respective Sub Groups' reports.
  - c) Receive and consider the Annual Financial Statement and Independent Examiner's report.
  - d) Elect the Executive Committee.
  - e) Appoint independent examiner from outwith the Executive Committee and Sub Groups to examine the books of the Club.
  - f) Review the classes of membership and the respective annual subscription fees to be paid during the ensuing year.
  - g) Review the payment of Honoraria recommended by the Executive and vote approval if thought appropriate.
  - h) Consider any competent proposals, which must have been lodged in writing with the Secretary before the meeting.
  - i) Consider at the Chairman's discretion, any other competent business.



- 6.2 Twenty fully paid-up members, who are eligible to vote, shall form a quorum at any General Meeting.
- 6.3 Fully paid-up members 17 years of age and over as at the Annual General Meeting shall be entitled to vote in the affairs of the Club and to hold Office.
- 6.4 The Annual General Meeting shall have power to appoint as an Honorary Life Member any member whose special services to the Club have, in the opinion of the Meeting, qualified the member for such a position and any such Honorary Life Member so appointed shall be exempt from payment of the annual subscription. Honorary life Members shall be eligible for appointment to any office and have all the rights of a fully paid member. The election of Life Members will be made, if approved, only on the recommendations of the Executive Committee to whom nominations must be made in writing not less than one month before the date of the AGM.
- 6.5 Honorary Ordinary Membership which shall bestow non-liability for the ensuing year's subscription may be granted by the Annual General Meeting on members recommended by the Executive Committee. Honorary Ordinary Membership may also be granted to non-members who have given exceptional service to the Club. Honorary members shall be eligible for appointment to any office and shall have all the rights of a fully paid member.
- 6.6 Extraordinary General meetings shall be called by the President or Vice President.
- a) on the instructions of the Executive Committee or
  - b) on receipt of a requisition specifying the purpose for which the meeting is desired signed by twenty members in full membership.
- The meeting shall be called within twenty days of a) or b) and at least ten days notice given to all members. The business shall be clearly stated in the notice calling the meeting and no other business shall be transacted.
- 6.7 Alterations or additions to this Constitution shall only be made at the Annual General Meeting or an Extraordinary General Meeting called for the purpose and of which the necessary notice has been given. Such alterations or additions must be carried by at least two thirds of members present and eligible to vote and shall be immediately effective on Scottish Athletics Limited / UK Athletics approval.
- 6.8 The Club may be dissolved by a resolution to that effect being submitted to an Extraordinary General Meeting duly convened according to Rule 6-6 and carried by a vote of two thirds of the members present and eligible to vote. If such a resolution is agreed a Special Committee shall be appointed by the members



present at the Extraordinary General Meeting to take the necessary steps and obtain all necessary consents in order to wind up the affairs of the Club and disburse any assets. The assets of the Club (if any) shall be disbursed, subject to any necessary consents, to other organisations(s) to be applied for charitable purposes for the advancement of public participation in sport. For the avoidance of doubt, no assets shall be disbursed or distributed to any other individuals or organisations.

## **7 FINANCE**

- 7.1 Any member who has not paid his/her subscription within eight months of the start of the new membership year is considered to be no longer a member of the club and will be advised accordingly by the Executive Committee.
- 7.2 The financial year shall end on 30<sup>th</sup> September.
- 7.3 Each Sub Group shall be accountable to the Executive Committee for all finance dealt with by them and all cash balances must be remitted to the Treasurer at least monthly. The Sub Groups are empowered to expend finance up to the amount determined by the Executive Committee.
- 7.4 None of the Club's assets may be distributed or otherwise applied (on being wound up or at any other time) except to further its charitable purposes.

## **8 STANDING ORDERS**

The Executive Committee may compile Standing Orders.

## **9 DISCIPLINARY PROCEDURES**

- 9.1
  - a) If it shall appear to the Executive Committee that any irregularity or breach of its Constitution or other matter of concern to it may have occurred it shall at its discretion appoint an Individual (who may or may not be a club member) or a Committee to investigate and report to the Executive Committee with such terms of reference as the Executive Committee sees fit.
  - b) If it shall appear to the Executive Committee whether or not after an investigation under 9.1 a) that there is evidence that any person is in breach of its Constitution or if it shall appear to the Executive Committee that the continued membership of the Club by any person is detrimental to the Club the HR Convener shall write to the person concerned setting out the alleged breach or detrimental conduct and invite the person in question to comment thereon in writing by a specified date which unless the Executive Committee otherwise directs shall not be less than 14 days after the date the letter was sent.



c) The Executive Committee shall consider the response (if any) at its next convenient meeting and if it is not satisfied that there is no breach of the Constitution or that there is no detrimental conduct, it shall refer the matter to a Disciplinary Committee appointed by it which shall consist of not less than three nor more than five people none of whom shall be directly involved in the matter otherwise than as members of the Club. The Disciplinary Committee shall make such further enquiries as it thinks fit and shall afford the person against whom the allegation has been made a reasonable opportunity to appear before it and state his/her cause and answer the allegations brought against him/her and the Committee shall hear such witnesses as he/she reasonably produces and shall also allow the person against whom the allegations have been made the right to be accompanied and or represented by a friend. It shall made such procedural provisions as shall be necessary for the just and efficient disposal of the case remitted to it.

d) If it is satisfied that there has been a breach of the Constitution or detrimental conduct by the person the Disciplinary Committee may recommend to the Executive Committee one or more of the following penalties:

(i) resolve to note the offence but take no further action; or

(ii) warn the person concerned as to his/her future conduct and thereafter take no further action; or

(iii) Suspend or disqualify the person from Athletics competition, coaching and/or administration for the Club, for any period whether fixed or indefinite; or

(iv) Recommend to the National Governing Body that the person concerned shall be disqualified from any involvement in athletics for any period whether fixed or indefinite; or

(v) Such other penalty as the Disciplinary Committee in the circumstances of the case shall consider appropriate.

(vi) The Executive Committee agrees to implement in full the disciplinary procedures in accordance with UKA and Scottish Athletic guidelines.

e) The Disciplinary Committee shall report its recommendation to the Executive Committee in writing within seven working days and after approval by the Executive Committee a copy shall be sent to the person affected. The person will have the right to comment on that recommendation within seven working days of the copy and the Executive Committee shall determine its decision as soon as practicable thereafter.



f) A term of suspension or disqualification starts from the time it is pronounced by the Executive Committee unless otherwise stipulated. Suspension and disqualification do not expire until the close of the day named in the decision.

g) Every person suspended, expelled or disqualified, or otherwise dealt with shall be notified in writing by hand or by recorded delivery post within seven working days of the decision.

### **APPEALS**

Any person suspended, expelled or disqualified or subject to any other penalty by decision of the Executive Committee may appeal against such decision as defined in the UK Athletics Rules.

No person who has refused to be tested by a properly constituted body of UK Athletics for the presence of drugs proscribed by the IAAF as illegal and if found to be positive on testing for such drug(s) may remain a member of the Club or may become so.

## 10 MEDIA CONTACT

Any statements made on behalf of the Club to the Press of any other authority should only be made by persons nominated by the Executive Committee.

Signed .....

Moira Maguire, President

Signed .....

Yvonne Jones, Vice President