



Chelsea & Kensington Swimming Club

RULES of CHELSEA and KENSINGTON Swimming Club adopted on (date.....)

1. Name

- 1.1 The name of the Club shall be Chelsea and Kensington Swimming Club.
- 1.2 The Club colours shall be Royal Blue and White.

2. Objects

- 2.1 The objectives of the Club shall be to teach and coach members to compete in swimming galas at club, county and national competitive level.

In the furtherance of these objects:

- 2.1.1 The Club is committed to treat everyone equally within the context of its activity. This shall be, for example, regardless of sex, ethnic origin, religion, disability or political persuasion, on any grounds.
- 2.1.2 The Club shall implement the A.S.A. Equal Opportunities policy
- 2.2 The Club shall be affiliated to ASA London Region, and shall adopt and conform to the rules of this Association, and to such other bodies as the Club may determine from time to time.
- 2.3 The business and affairs of the Club shall at all times be conducted in accordance with the Laws and Technical Rules of the Amateur Swimming Association ("ASA Laws") and in particular:
 - 2.3.1 all competing members shall be eligible competitors as defined in ASA Laws; and
 - 2.3.2 the Club shall in accordance with ASA Laws adopt the ASA Child Protection Procedures; and shall recognise that the welfare of children is everyone's responsibility and that all children and young people have a right to have fun, be safe and be protected from harm.
 - 2.3.3 members of the Club shall in accordance with ASA Laws comply with the ASA Child Protection Procedures.
- 2.4 By virtue of the affiliation of the Club to ASA London Region, the Club and all members of the Club acknowledge that they are subject to the laws, rules and constitutions of:
 - 2.4.1 ASA London Region and
 - 2.4.2 the Amateur Swimming Association; (to include the ASA/IOS Code of Ethics); and
 - 2.4.3 the Amateur Swimming Federation of Great Britain (to include in particular the ASFGB Doping Control Rules and Protocols and ASFGB Disciplinary Code); and
 - 2.4.4 FINA, the world governing body for the sport of swimming in all its disciplines (together "the Governing Body Rules")
- 2.5 In the event that there shall be any conflict between any rule or by-law of the Club and any of the Governing Body Rules then the relevant Governing Body Rule shall prevail

3 Membership

- 3.1 The total membership of the Club shall not normally be limited. In the event of no vacant lane space being available, a waiting list shall operate. If however the Committee considers that there is a good reason to impose any limit from time to time then the Committee shall put forward appropriate proposals for consideration at a General Meeting of the Club. The members shall have the right to impose (and remove) from time to time any limits on total membership (or any category of membership) of the Club.

All persons who assist in any way with the club's activities shall become members of the club and

hence of the A.S.A. and the relevant A.S.A. membership fee shall be paid. Assisting with the club's activities shall include, but not be restricted to, administrators, associate members, voluntary instructors, teachers and coaches, Committee members, helpers, Honorary members, life members, officers, patrons, Presidents, technical and non-technical officials, temporary members, Vice Presidents and verifiers or tutors of the A.S.A's educational certificates.

Paid instructors, teachers and coaches who are not members of the club must be members of a body which accepts that its members are bound by the A.S.A.'s Code of Ethics, the Laws relating to Child Protection and those parts of the Judicial Laws, Judicial Rules and procedures necessary for their implementation and whilst engaged in activities under the jurisdiction of the A.S.A. shall be subject to all the constraints and privileges of the Judicial Laws and Rules.

- 3.2 Any person who wishes to become a member of the Club must submit a signed application for the "Chelsea & Kensington Swimming Club" to the Secretary (and in the case of a swimmer under 18 years, the application must be signed by the swimmer's parent or guardian). The Committee shall not be required to give reasons for the refusal of any application for membership. Members shall comply with the Club's Code of Conduct, By-Laws and general rules; and will be allocated a lane according to their age and ability by the Chief Coach.

The Club shall not refuse an application for membership on discriminatory grounds, whether in relation to ethnic origin, age, sex, religion, disability, political persuasion or sexual orientation.

4 Subscription and Other Fees

- 4.1 Subscriptions and fees shall be determined by the Committee.
- a. Annual membership – becomes due on joining the Club and thereafter on January 1st each year
- b. Monthly fees – Due on the 1st training session held each month, payable by standing order or direct debit.
- 4.2 Any member whose subscription is unpaid by the date falling 30 days after the due date for payment may be suspended by the Committee from some or all Club activities from a date to be determined by the Committee and until such payment is made.
- 4.3 A member whose subscription is more than [two] months in arrear shall be deemed to have resigned. Where the membership of a member shall be terminated in this way he shall be informed in writing that he is no longer a member by notice handed to him or sent by post to his last known address.
- 4.4 Any increase in subscriptions shall be advised to the members in writing with the reasons for any increase.

5 Resignation

- 5.1 A member wishing to resign membership of the Club must give to the Secretary written notice of resignation.

6 Expulsion and other Disciplinary action

- 6.1 The Committee shall have power to warn, reprimand, suspend or expel a member when, in its opinion, it would not be in the interests of the Club for him/her to remain a member. The Club in exercising this power shall comply with the provisions of Rules 6.2 and 6.3 below
- 6.2 The Club shall adopt and comply with the ASA Guidelines for handling Internal Club Disputes ("the Guidelines") as the same may be revised from time to time. The Guidelines are set out as an Appendix to the ASA Judicial Laws and appear in the ASA Handbook.

- 6.3 A member may not be expelled or be made the subject of any other penalty unless the panel hearing the complaint shall by a two-thirds majority vote in favour of the expulsion of or other penalty imposed upon the member.

7 Committee

- 7.1 The Club shall be managed by a Management Committee consisting of the Chair, Vice-Chair, Secretary, Treasurer, Welfare Officer and up to four other elected members; all of whom must be members of the Club.
- 7.2 The Committee members shall be proposed, seconded and elected at the Annual General Meeting each year by ballot of members, and shall remain in office until their successors are elected at the next Annual General Meeting. Any vacancy occurring by resignation or otherwise may be filled by the Committee. Retiring members of the Committee shall be eligible for re-election.

In addition to the members so elected the Committee may co-opt up to four further members of the Club who shall serve until the next Annual General Meeting. Co-opted members shall be entitled to vote at the meetings of the Committee and shall be counted in establishing whether a quorum is present.

- 7.3 The Committee shall meet not less than four times annually, and usually monthly. Four committee members shall constitute a quorum.
- 7.4 In the event that a quorum is not present within thirty minutes of the published start time, a meeting shall stand adjourned to the time and date falling seven days after the date of the meeting, or such other date and time as may be determined by the Chairman. If a quorum is not present at the adjourned meeting then those Committee members attending may act for the purpose of calling a Special General Meeting of the members, to which the provisions as to minimum notice contained in Rule 10.1 shall not apply.
- 7.5 The Committee shall have the sole right of appointing and determining the terms and conditions of service of employees of the Club. The Committee shall have power to enter into contracts for the purposes of the Club on behalf of all the members of the Club. The Committee shall manage any swimming tuition programmes it may decide to offer. The Committee shall be responsible for ensuring that the Accounts of the Club for each financial year be examined by an independent examiner appointed by the Committee. The Committee shall also have power to make regulations and to settle disputed points not otherwise provided for in this Constitution.
- 7.6 The members of the Committee shall be indemnified by the members of the Club against all liabilities properly incurred by them in the management of the affairs of the Club.
- 7.7 The Committee shall ensure that the financial records and minutes of meetings are retained for a period of at least 6 years.
- 7.8 The Committee shall maintain an Accident Book in which all accidents to club members at swimming related activities shall be recorded. Details of such accidents shall be reported to the A.S.A. Office. The Club shall make an annual return to the ASA in the prescribed form.
- 7.9 Any member of their representative (parent or guardian if under 16) who wishes to address the Committee with a recommendation, suggestion or complaint, may do so by giving the Secretary 14 days notice in writing of such a request, prior to the next Committee meeting.

8. Annual General Meeting

- 8.1 The A.G.M. shall normally be held before 30 June on a date to be determined by the Management Committee, to review the affairs of the Club, approve the statement of accounts, elect a Management Committee for the following year, remove and elect the independent examiner (who must not be a member of the Committee or a member of the family of a member of the Committee) or confirm that he remain in office; At least 14 days notice shall be given to members of the A.G.M. The quorum shall be ten members.
- 8.2 A member who is under the age of 16 years may be represented by a parent / guardian.

9. Special General Meeting

- 9.1 At the discretion of the management Committee, or upon receipt of a request in writing signed by at least ten members (or parents/guardian of members under 16)), a special general meeting may be called with notice of at least 28 days before the said meeting. Ten members (or parents/guardians) shall form the quorum and be confined to members whose membership or subscriptions are not in arrears.

10 Procedure at the Annual and Special General Meetings

- 10.1 The Secretary shall personally be responsible for the handing out or sending to each member at his last known address a written agenda giving notice of the date, time and place of the General Meeting together with the resolutions to be proposed thereat at least 14 days before the meeting and in the case of the Annual General Meeting a list of the nominees for the Committee posts and a copy of the examined accounts. The Secretary may, alternatively, with the agreement of member(s) concerned distribute these materials by e-mail or similar form of communication. The Notice of Meeting shall in addition wherever possible be displayed on the Club Notice Board where one exists.
- 10.2 The quorum for the Annual and Special General Meetings shall be 10 members entitled to attend and vote at the Meeting or (if greater) such number as represents (one-tenth) in number of such members.
- 10.3 The Chairman, or in his absence a member selected by the Committee, shall take the chair. Each member present shall have one vote and resolutions shall be passed by a simple majority. In the event of an equality of votes the Chairman shall have a casting or additional vote. Only paid up members who have reached their 16th birthday shall be entitled to be heard and to vote on all matters.
- 10.4 The Secretary, or in his absence a member of the Committee, shall take minutes at the Annual and Special General Meetings.
- 10.5 The Chairman shall at all General Meetings have unlimited authority upon every question of order and shall be, for the purpose of such meeting, the sole interpreter of the Rules of the Club.

11. Alteration of the Rules and other Resolutions

- 11.1 The rules may be altered by resolution at an Annual or Special General Meeting provided that the resolution is carried by a majority of at least two-thirds of members present and entitled to vote at the General Meeting. No amendment(s) to the rules shall become effective until such amendment(s) shall have been submitted to and validated by such person as is authorised to do so by the ASA London Region.

12 Finance

- 12.1 The financial transactions of the Club shall be recorded by the Treasurer in such manner as the Committee thinks fit.
- 12.2 The financial year of the Club shall be the year ending on 31 March.
- 12.3 All monies payable to the Club shall be received by the Treasurer and deposited in a bank account in the name of the Club. Any monies not required for immediate use may be invested as the Committee in its discretion think fit.
- 12.4 The income and property of the Club shall be applied only in furtherance of the objects of the Club and no part thereof shall be paid by way of bonus, dividend or profit to any members of the Club.
- 12.5 The Committee shall have power to authorise the payment of remuneration and expenses to any officer, member or employee of the Club and to any other person or persons for services rendered to the Club.
- 12.6 The financial transactions of the Club shall be recorded by the Treasurer in such manner as the Committee thinks fit.

13. By-Laws

- 13.1 The Committee shall have power to make, repeal and amend such by-laws as they consider necessary for the well-being of the Club which shall have effect until set aside by the Committee or at a General meeting.

14 Dissolution

- 14.1 A resolution to dissolve the Club shall only be proposed at a Special General Meeting and shall be carried by a majority of at least two thirds of the members present and entitled to vote.
- 14.2 A resolution to dissolve the Club shall only be proposed at a General Meeting and shall be carried by a majority of at least three-quarters of the members present and entitled to vote. A specific date for the dissolution shall be included in the resolution.
- 14.3 The dissolution shall take effect from the date specified in the resolution and the members of the Committee shall be responsible for the winding-up of the assets and liabilities of the Club.
- 14.4 Any property remaining after the discharge of the debts and liabilities of the Club shall be given to a charity or charities (or other non-profit making organisation having objects similar to those of the Club for the furtherance of such objects) nominated by the last Committee.

15 Borrowing

- 15.1 The Committee may borrow money on behalf of the Club for the purposes of the Club from time to time at their own discretion [up to such limits on borrowing as may be laid down from time to time by the General Meeting] for the general upkeep of the Club or with the (prior) approval of a General Meeting for any other expenditure, additions or improvements.
- 15.2 When so borrowing the Committee shall have power to raise in any way any sum or sums of money and to raise and secure the repayment of any sums or sums of money in such manner or on such terms and conditions as it thinks fit, and in particular by mortgage of or charge upon or by the issues of debentures charged upon all or any part of the property of the Club.
- 15.3 The Committee shall have no power to pledge the personal liability of any member of the Club for the repayment of any sums so borrowed.

16 Property

- 16.1 The property of the Club, other than cash at the bank, shall be vested in not more than four Custodians. They shall deal with the property as directed by resolution of the Committee and entry in the minute book shall be conclusive evidence of such a resolution.
- 16.2 The Custodians shall be elected at a General Meeting of the Club and shall hold office until death or resignation unless removed by a resolution passed at a General Meeting.
- 16.3 The Custodians shall be entitled to an indemnity out of the property of the Club for all expenses and other liabilities properly incurred by them in the discharge of their duties.

17 ACKNOWLEDGEMENT

- 17.1 The Members acknowledge that these Rules constitute a legally binding contract to regulate the relationship of the members with each other and the Club.

The following statement shall appear on Club membership forms to be signed by the member and also countersigned by the parent, or a person having parental responsibility for the member, if under 18 years of age:

"I acknowledge receipt of the rules of Kensington & Chelsea Swimming Club and confirm my understanding and acceptance that such rules (as amended from time to time) shall govern my membership of the Club. I further acknowledge and accept the responsibilities of membership upon members as set out in these rules."

By-Laws

These rules (1-7) were in the Club's constitution adopted in 1993, and were subsequently adopted as general rules when the constitution was amended (date.....)

1. Membership shall be granted at the Management Committee's discretion to membership candidates who during the previous year regularly represented the Club in competitions and is reviewed annually by the Management Committee. Membership candidates are all other swimmers attending the Club's Learn-to-Swim, teaching and coaching sessions.
2. All members must provide appropriate trunks or costume, hat and goggles. Also hand paddles and fins if requested to do so by their Lane Coach.
3. Appointment of the Club Captain shall be made by the Chief Coach and is subject to approval by the Management Committee.
4. The swimming team shall be selected by the Chief Coach.
5. Should a member become unable to swim in a gala after being selected, the Chief Coach must be notified at once. Any member failing to give such notice will not be selected again until a reasonable explanation has been received and accepted by the management committee.
6. Shortly after joining or renewing their membership, members will be given dates of known galas for the forthcoming year. They must inform the Chief Coach immediately if they will be unable to swim in any of these galas.
7. Reserves will be selected for galas, they must attend as directed even though they may not be called upon to swim.
8. Whenever possible all members should inform their Lane Coach if they will be unable to attend the next training session. In the event of sickness, injury or any other reason for non-attendance e.g. holidays, exams etc. for a period in excess of three weeks they must notify the Club in writing. Failure to do so may result in their lane space being allocated to another swimmer