

ETHEROW INDOOR BOWLING CENTRE CONSTITUTION

Version 1.0 - Last Amended February 2024

1. Name

The Club is called Etherow Indoor Bowling Centre ("the Club").

2. Definitions

- a. "Chairman" means the person elected annually to be the Chairman of the Club in accordance with Rule 9;

"The Secretary" means the person elected annually to be the Secretary of the Club in accordance with Rule 9;

"The Treasurer" means the person elected annually to be the Treasurer of the Club in accordance with Rule 9;

"The Management Committee" means the committee appointed pursuant to Rule 9 to manage the Club;

"The Members" mean the members of the Club admitted from time to time to membership of the Club in accordance with Rule 5;

"The Trustees" mean the persons appointed from time to time to be the trustees of the Club in accordance with Rule 10.g.

- b. Words denoting the singular number include the plural number and vice versa; words denoting the masculine gender include the feminine gender; and words denoting persons include bodies corporate (however incorporated) and unincorporated, including unincorporated associations of persons and partnerships.

3. Aims and Objectives

The aims and objectives of the Club are:

- a. To provide long and short mat indoor bowling activities for its Members.
- b. To encourage increased participation in long and short mat indoor bowling.

- c. To promote, improve, develop, and support the interests of long and short mat indoor bowling.
- d. To maintain Club premises at The Etherow Centre, Market Street, Broadbottom, Hyde, SK14 6AX.
- e. To make rules, regulations, byelaws and standing orders concerning the operation of the Club including without limitation regulations concerning disciplinary procedures that may be taken against the Members.
- f. To investigate the actions of, and discipline, if necessary, breaches of its Rules and Regulations by Members.
- g. To do all such other things as the Management Committee thinks fit to further the interests of the Club or to be incidental or conducive to the attainment of all or any of the objects stated in this Rule 3.

4. Application of Profit

The Club is a non-profit-making organisation. All profits and surpluses will be used to maintain or improve the Club's facilities and those of the Etherow Centre in general, in furtherance of the Club's aims and objectives. No profit or surplus will be distributed other than to the Members on winding-up or dissolution of the Club.

5. Membership

- a. There shall be the following classes of membership for the Club:
 - Full Member
 - Social Bowling Member
 - Life Member

All Members shall be entitled to receive notice of Annual and Extraordinary General Meetings. Please see Rule 13d for eligible members that are able to vote at both A.G.M and E.G.Ms.

- b. All applicants for membership shall be treated fairly and equitably as required by the Equality Act 2010.
- c. Every candidate for membership must complete and submit an application form together with the appropriate subscription payment.

d. Subscriptions

- i.** The annual subscription for each type of Member shall be determined annually by the Management Committee. Proposed subscriptions will be advised to members in September or October each year and members will have the opportunity to call an EGM in accordance with the Club Rules.
- ii.** The Members shall pay the annual subscription fees set by the Management Committee.
- iii.** No Member shall be entitled to the privileges of membership until he has paid his first annual subscription.
- iv.** Any Member whose subscription is not paid by the beginning of the indoor bowling season in October shall be deemed to have resigned his membership of the Club.

6. Resignation

A Member may withdraw from membership of the Club by giving written or verbal notice to the Club, otherwise the annual subscription fee is payable. Membership shall not be transferable in any event and shall cease immediately on death or dissolution, or on the failure of the Member to comply, or to continue to comply, with any condition of membership set out in these Rules.

7. Expulsion

- a.** The Management Committee shall have power to expel a Member when, in its opinion, it would not be in the interests of the Club for him to remain a Member.
- b.** A Member shall not be expelled unless he is given 14 days' written notice of the Management Committee at which his expulsion shall be considered and he has been provided with written details of the complaint made against him.
- c.** The Member shall be given an opportunity to make written representations and/or to appear before the Management Committee and at any such meeting to answer complaints made against him and to cross-examine any witnesses. It is required that a Member can only be expelled if a vote, of at least two-thirds of the Management Committee present voting in favour to ratify his expulsion.

- d. The Management Committee may exclude the Member from the Club's premises until the meeting considering his expulsion has been held. For the avoidance of doubt, the member shall be entitled to attend that meeting.

8. Effect of Resignation or Expulsion

Any person ceasing to be a Member forfeits all right to and claim upon the Club, its property and its funds and he has no right to the return of any part of his subscription. The Management Committee may refund an appropriate part of a resigning Member's subscription if it considers it appropriate, taking account of all the circumstances.

9. The Management Committee

- a. The Club shall be managed by a Management Committee consisting of:
 - i. The Chairman
 - ii. The Club Captain
 - iii. The Secretary
 - iv. The Treasurer/Finance Officer
 - v. The Membership Officer
 - vi. The IT Officer
 - vii. The Safeguarding Officer
 - viii. The Chair of House/Facilities
 - ix. The Office Organiser
 - x. The Youth Liaison Officer
 - xi. Grants and Fundraising
 - xii. 2 representatives of the Etherow Centre Charitable Trust

The Management Committee will nominate 2 representatives to sit on the Etherow Centre Charitable Trust.

"The Trustees" mean the 2 persons appointed from time to time to be the trustees of the Club by the Etherow Centre Charitable Trust Ltd.

This is dependent on whether there are sufficient volunteers to fill the above roles.

- b.** The Secretary shall prominently display on the club notice board each year, a nomination form for the election of members of the Management Committee. Those persons proposed to be nominated as members of the Management Committee, including existing members of the Management Committee who do not wish to retire, must be nominated by any two Full Members on the form prescribed by the Management Committee and must be submitted to the Secretary by such date as the Management Committee shall prescribe each year. No Member may nominate more than one candidate for any one office.
- c.** If there is only one candidate nominated to fill any particular vacancy, that candidate shall be declared elected unopposed for that particular vacancy at the next annual general meeting. If there is more than one candidate for any particular vacancy there shall be an election at the annual general meeting for that position.
- d.** The Management Committee shall be elected at the Annual General Meeting in each year, and subject to termination of office by resignation, removal or otherwise, the members remain in office until they or their successors are re-elected or elected (as the case may be) at the Annual General Meeting following their re-election or election (as the case may be).
- e.** In addition to the members elected or appointed in accordance with this Rule 9, the Management Committee may co-opt further Members who shall serve until the next Annual General Meeting. Co-opted members shall be entitled to vote at the meetings of the Management Committee.
- f.** The Management Committee may appoint any Member to fill any casual vacancy on the Management Committee until the next Annual General Meeting when that person shall retire but shall be eligible for re-election.
- g.** Retiring members of the Management Committee may be re-elected.
- h.** A member of the Management Committee shall be deemed to have vacated office if:

 - i.** He resigns his office by notice to the Club.
 - ii.** He shall without sufficient reason, for more than three consecutive meetings of the Management Committee, has been absent without permission of the Management Committee and the Management Committee resolves that his office be vacated.

- iii. He is requested to resign by not less than two-thirds of the other Management Committee members acting together.

10. Proceedings of the Management Committee

- a. Management Committee meetings shall be held as often as the Management Committee thinks fit provided that there shall not be less than 6 meetings each year. The quorum of such meetings shall be five. The Secretary shall give all the members of the Management Committee not less than fourteen days' notice of a meeting.
- b. The Chairman and the Secretary shall have discretion to call emergency meetings of the Management Committee, without notice, if they consider it to be in the interests of the Club.
- c. The Chairman shall be the Chairman of the Management Committee. Unless he is unwilling to do so, the Chairman shall preside at every meeting of the Management Committee at which he is present. If there is no person holding that office or if the Chairman is unwilling to preside or is not present within ten minutes after the time appointed for the meeting, the members of the Management Committee present may appoint one of their numbers to be Chairman of the meeting.
- d. Decisions of the Management Committee shall be made by a simple majority and in the event of equality of votes, the Chairman (or the acting Chairman of that meeting) shall have a casting or additional vote.
- e. The Management Committee may from time to time appoint from among its number, such sub-committees as it considers necessary, and may delegate to them such of the powers and duties of the Management Committee as the Management Committee may determine. All sub-committees shall periodically report their proceedings to the Management Committee and shall conduct their business in accordance with the directions of the Management Committee.
- f. The Management Committee shall be responsible for the management of the Club and shall have the sole right of appointing and determining the terms and conditions of service of employees of the Club. The Management Committee shall have power to enter into contracts for the purposes of the Club on behalf of all the Members.
- g. The number of Trustees shall not be more than four or less than two.

- h.** Upon production of receipts for agreed work, members of the Management Committee shall be entitled to reimbursement of all expenses properly incurred by them in the management of the affairs of the Club.

11. Annual General Meeting

- a.** The Annual General Meeting of the Club shall be held at such time as the Management Committee shall decide each year to transact the following business:
 - i.** To receive the Committee's report of the activities of the Club during the previous year.
 - ii.** To receive and consider the accounts of the Club for the previous year, the financial examiner's report on the accounts and the Treasurer's report as to the financial position of the Club.
 - iii.** To remove and elect the financial examiner or confirm that he remain in office.
 - iv.** To elect the members of the Management Committee.
 - v.** To decide on any resolution, this may be duly submitted in accordance with Rule 11b below.
 - vi.** To deal with any special matters which the Management Committee desires to bring before the membership.
- b.** Notice of any resolution proposed to be moved at the Annual General Meeting shall be given in writing to the Secretary not less than twenty-eight days before the meeting.
- c.** No period greater than fifteen months shall elapse between one annual general meeting and the next.

12. Extraordinary General Meetings

An Extraordinary General Meeting may be called at any time by the Management Committee and shall be called within twenty-one days of receipt by the Secretary of a requisition in writing signed by not less than twelve Members stating the purposes for which the meeting is required and the resolutions proposed.

13. Procedures at the Annual and Extraordinary General Meetings

- a. The Secretary shall notify each Member by e-mail, text or notice displayed at the Club premises, of the date of the General Meeting together with the resolutions to be proposed at least twenty-one days before the meeting.
- b. The quorum for the Annual and Extraordinary General Meetings shall be five Members.
- c. The Chairman shall preside at all meetings of the Club but if he is not present within fifteen minutes after the time appointed for the meeting or has signified his inability to be present at the meeting, the Members present and entitled to vote may choose one of the other members of the Management Committee present to preside and if no other member of the Management Committee is present or willing to preside, the Members present and entitled to vote may choose one of their number to be Chairman of the meeting.
- d. Each Full and Social Bowling Member shall have one vote and resolutions shall be passed by a simple majority of those Members present and voting.
- e. The Secretary, or in his absence a member of the Management Committee, shall take minutes at Annual and Extraordinary General Meetings.
- f. There shall be no right for a member to vote by proxy. No person may represent more than one Member.

14. Emolument

No Member shall, except for professional services rendered at the request of the Management Committee, receive any profit or emolument from the funds or transactions of the Club.

15. Opening of Club premises

The Club is open at such times and for such periods as the Management Committee shall decide.

16. Alteration of the Rules

These Rules may be altered by resolution at an Annual or Extraordinary General Meeting provided that the resolution shall not be passed unless carried by a simple majority of the Members present and eligible to vote at the General Meeting, the notice of which contained particulars of the proposed alteration or addition.

17. Regulations, Byelaws and Standing Orders

The Management Committee shall have power to make, repeal and amend such regulations, byelaws and standing orders as it may from time to time consider necessary for the wellbeing of the Club. Such regulations, byelaws and standing orders and any repeals or amendments to them shall have effect until set aside by the Management Committee.

18. Finance

- a.** All monies payable to the Club shall be received by the person authorised by the Management Committee to receive such monies and shall be deposited in a bank account in the name of The Etherow Charitable Trust.
- b.** At the discretion of the Management Committee, no sum shall be drawn from that account except those authorised within the internet banking arrangement, BACS payments or cheque signed by two of the three signatories who shall be Committee members, voted for by the committee.
- c.** 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 Member.
- d.** The Management Committee shall have power to authorise the payment of remuneration and expenses to any officer, member of the Management Committee, Member or employee of the Club and to any other person or persons for services rendered to the Club.
- e.** The Treasurer shall record the financial transactions of the Club in such manner as the Management Committee determines.
- f.** Full accounts of the financial affairs of the Club shall be prepared each year and shall be duly examined by the financial examiners. The accounts must be made available to every Member when notice concerning the Annual General Meeting is given.

- g.** The Club members agree that the Club hereby indemnifies the individual Trustees and/or Management Committee members in the event of a legal claim being made against the club and/or Trustees and/or members of the Management Committee. In such circumstances any costs incurred by the club for the purposes of instructing solicitors, defending or settling such a claim, and/or payment of all associated costs, including costs awarded against the club, its members and/or Trustees in the event of a finding against it or them at court, are to be financed from Club funds and/or any other sources of funding, including, but not confined to loans, mortgages, and debentures, and not by individuals or bodies comprising of Trustees and/or Management Committee members. The Club members agree that it is intended that this provision should cover the Trustees and/or members of the Management Committee without limitation from this date forward in perpetuity with the exception that this indemnity shall not be operative in the event of fraudulent or criminal activity on the part of a Trustee or member of the Management Committee.

19. Borrowing

- a.** Prior to borrowing, the Management Committee will first exhaust grant funding opportunities that may be available at the time for the development of the centre facilities and/or the replacement of existing fixtures or fittings.
- b.** The Management Committee may borrow money on behalf of the Club for the purposes of the Club from time to time at its own discretion and with the sanction of an Annual or Extraordinary General Meeting.
- c.** When so borrowing, the Management Committee shall have power to raise in any way, any sum or sums of money and to raise and secure the repayment of any sum or sums of money in such manner and on such terms and conditions as it thinks fit, and in particular by mortgage of or charge upon or by the issue of debentures charged upon all or any part of the property of the Club.
- d.** The Management Committee shall have no power to pledge the personal liability of any Member for repayment of any sums so borrowed.
- e.** The Trustees shall, at the discretion of the Management Committee, make such dispositions of the Club's property or any part thereof, and enter into and execute such agreements and instruments in relation thereto, as the Management Committee may deem proper for giving security for such moneys and the interest payable thereon.

20. Property

- a. The property of the Club, other than cash at the bank, shall be vested in the Trustees.
- b. Upon production of receipts, the Trustees shall be entitled to reimbursement of all expenses properly incurred by them in the discharge of their duties.

Note: The Club is a tenant of the premises known as the Etherow Indoor Bowling Centre formerly occupied by Active Tameside as sub tenant of Tameside MBC and the Landlord is the Etherow Centre Charitable Trust Ltd currently now the tenant of the said demise.

21. Safeguarding policy/procedures

The club will have a Safeguarding Policy in respect of Safeguarding Children and Vulnerable Adults to include:

- a. Junior bowlers.
- b. Adult bowlers at risk.
- c. Bowlers with disabilities.

This policy will be displayed on the club notice board and on the club web site.

22. Dissolution

- a. A resolution to dissolve the Club shall only be proposed at an Extraordinary General Meeting and shall only be passed if carried by a majority of at least three-quarters of the Members present and voting.
- b. The dissolution shall take effect from the date of the resolution and the members of the Management Committee shall be responsible for the winding-up of the assets and liabilities of the Club.
- c. After settling all liabilities of the Club, the Committee shall dispose of the net assets remaining to its Members equally.