



City of Portsmouth Athletic Club Constitution

Name

The club will be called City of Portsmouth Athletic Club and will be affiliated to England Athletics.

Aims and objectives

The aims and objectives of the club will be:

- To offer coaching and competitive opportunities in Athletics.
- To promote the club within the local community.
- To ensure a duty of care to all members of the club.
- To provide all its services in a way that is fair to everyone.

Club Equity Statement

This club is committed to ensuring that equity is incorporated across all aspects of its development. In doing so it acknowledges and adopts the following Sport England definition of sports equity: ***Sports equity is about fairness in sport, equality of access, recognising inequalities and taking steps to address them. It is about changing the culture and structure of sport to ensure it becomes equally accessible to everyone in society.***

- 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.
- The club is committed to everyone having the right to enjoy their sport in an environment free from threat of intimidation, harassment and abuse.
- All club members have a responsibility to oppose discriminatory behaviour and promote equality of opportunity.
- The club will deal with any incidence of discriminatory behaviour seriously, according to club disciplinary procedures.

Powers

In furtherance of the aims and objectives but not otherwise the club may exercise the following powers:

- to carry on a sports club;
- to provide sports coaching, training and equipment;
- to participate in and organise leagues, competitions, tournaments and matches and related activities;
- to provide information, advice and guidance in running and/or athletics, competitions, coach development and other related activities;
- to publish or distribute information including by means of reports, books, leaflets, films, videos, websites and any other media;
- to draw, make, accept, endorse, discount, execute and issue promissory notes, bills, cheques and other instruments including online payments and to open and operate bank accounts in the name of the club;
- to accept or disclaim gifts of money or any other property;

to raise funds and to invite and receive contributions; to purchase, take on, hire, lease, acquire, alter, improve, construct and maintain property and equip it for use;



- to sell, charge, let, mortgage or otherwise dispose of property and buildings;
- to reconstitute as a body corporate and transfer some or all of the undertaking, assets and liabilities of the club to its corporate successor;
- to insure the property of the club against any foreseeable risk and to take out other insurance policies to protect the Club and the Officers when required including the provision of indemnity insurance to cover the liability of the Officers and other staff and volunteers;
- to set aside income for special purposes or as a reserve against future expenditure but only in accordance with a policy in writing on reserves determined by the Management Committee;
- and to do all such other lawful things as may further or are conducive to the aims and objectives or any of them.

Membership

The club is committed to ensure all present and future members receive fair and equal treatment. Membership should consist of officers and members of the club. All members will be subject to the regulations of the constitution and by joining the club will be deemed to accept these regulations and codes of practice that the club has adopted, along with the rules and regulations of England Athletics (EA) and UK Athletics (UKA) as appropriate.

Competing members will be enrolled in one of the categories defined by UKA. The club may offer other categories of membership, as appropriate.

The Management Committee shall be responsible for considering whether applications for membership should be accepted. This decision shall be made in accordance with the club's Equity Statement.

- Members aged eighteen and over shall be considered as adult members.
- Members aged under eighteen shall be considered as junior members.

Cessation of Membership

- Membership of the club shall terminate if:
 - the member dies;
 - the member, being an individual, is convicted of a criminal offence which involves dishonesty or any other offence, relating to safeguarding, drugs, alcohol and any crime involving violence (including any convictions relating to children);
 - the member resigns by notice in writing to the club by giving at least seven days' notice in writing to the club;
 - the member is in arrears to the club and his or her subscriptions or any other payments are at least three months overdue;
 - the member is removed from membership by a resolution of the Management Committee as a result of application of the club's (or EA's) disciplinary policy.
- The Management Committee may exclude the member from the club's premises until the meeting has considered this matter (save that he or she shall be entitled to attend the meeting in question for the purpose of making representations to the meeting). A person may appeal against a decision to remove him or her from membership in accordance with the procedures outlined herein.



City of Portsmouth Athletic Club Constitution

- Any person ceasing to be a member forfeits all rights in relation to and claims upon the club, its property and its funds and has no right to the return of any part of his/her subscription fee. Without prejudice to the foregoing, the Management Committee may refund an appropriate part of a resigning member's subscription fee if it considers it appropriate in all the circumstances.

Membership fees

Membership fees will be set annually by the Management Committee, which will determine the payment type and frequency as best suits the efficient running of the club and approved at an Annual General Meeting.

Officers and Committee

- The officers of the club will be:
 - Chair.
 - Vice Chair.
 - Honorary Secretary.
 - Treasurer.
 - Any other individual so elected at an AGM
- Officers will be elected annually at the Annual General Meeting.
- All Officers will retire each year but will be eligible for re-appointment.
- Any vacancy on the Management Committee which arises between one AGM and the next may be filled by a member proposed by one Officer, seconded by another Officer and approved by the Management Committee.
- An Officer may not appoint an alternate or substitute to act on his or her behalf at any Management Committee meeting.
- The club will be managed through the Management Committee as follows:
 - The management committee shall comprise the officers and those appointed by them in the practical delivery of the aims and objectives of the club.
 - The Management Committee meetings will be convened by the Secretary of the club giving at least 7 days' notice (unless urgent circumstances necessitate shorter notice) and held no less than four times per year.
 - The quorum required for business to be agreed at Management Committee meetings will be the greater of two thirds of the Officers or three Officers.
 - The Management Committee will be responsible for adopting new policy, codes of practice and rules that affect the organisation of the club.
 - The Management Committee shall also be responsible for interpreting the Club Constitution in relation to the operation of the Club's affairs. Proposed amendments to the constitution can only be agreed at an AGM or EGM.
 - The Management Committee will have powers to make such byelaws, delegate and appoint subcommittees as necessary and appoint advisers to the Management Committee as necessary to fulfil its business.

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City of Portsmouth Athletic Club Constitution

- The Management Committee will be responsible for disciplinary hearings of members who infringe the club rules/regulations/constitution. It shall have the authority to take appropriate disciplinary action against any member and the discretion to suspend or terminate membership if any person is found guilty of conduct deemed to be detrimental to the Club. Members whose membership is suspended or terminated will have a right of appeal in accordance with the club's or EA's disciplinary procedures.

Indemnity

Without prejudice to any other indemnity to which an Officer may otherwise be entitled, every Officer of the club shall be indemnified out of the assets of the club against any liability incurred by him or her in the proper discharge of his or her duties to the fullest extent permitted by law.

Finance

- All club monies will be banked in an account held in the name of the club.
- The Club Treasurer will be responsible for the finances of the club.
- The financial year of the club will end on: **December 31st**.
- An independently examined statement of annual accounts will be presented by the Treasurer at the Annual General Meeting.
- Any cheques drawn against club funds should hold the signatures of the Treasurer plus one other Officer's designated signature.

Annual General Meetings

- Notice of Annual General Meetings (AGM) will be given by the Club Secretary.
- Not less than 21 clear days' notice to be given to all members.
- The AGM will receive a report from Officers of the Management Committee and a statement of the independently examined accounts.
- Nominations for Officers of the Management Committee will be sent to the Secretary prior to the AGM.
- Elections of Officers are to take place at the AGM.
- All adult members have the right to vote at the AGM.
- The quorum for AGMs will be at least 10 senior members plus at least two Officers.
- Any junior member may be represented at an AGM by proxy (parent, guardian or equivalent, who must be over the age of eighteen) in order to vote on matters on the agenda.
- A proxy must be notified to the club on its membership registration form, or otherwise in writing.
- No individual may vote at an AGM on behalf of a junior member, unless they are appointed by proxy.

Proxies may be changed by notifying the secretary at least 7 days before an AGM, or at any other time during the year by submission of a request in writing, signed by the current proxy and the suggested replacement.

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City of Portsmouth Athletic Club Constitution

- An Extraordinary General Meeting (EGM) shall be called by an application in writing to the Secretary supported by at least 10% of the members of the club. The Management Committee shall also have the power to call an EGM by decision of a simple majority of the Officers. Procedures for EGMs will be the same as for the AGM.

Complaints and Disputes

- All concerns, allegations or reports of malpractice or abuse relating to the welfare of children or vulnerable adults will be recorded and responded to swiftly and appropriately in accordance with the club's and EA's safeguarding policy and procedures.
- The Welfare Officer shall be the lead Officer for all members in the event of any safeguarding concerns.
- Any complaints of misconduct (improper or unprofessional conduct) regarding the behaviour of members or Officers shall be dealt with by the club in accordance with its discipline and appeals process and must be presented in writing to the secretary (and where the matter relates to the secretary, the complaint must be submitted to the welfare officer).
- Unless exceptional circumstances apply, the secretary will hear complaints within fourteen days of receiving a complaint.
- If the complaint is sufficiently evidenced, the secretary will appoint 3 (three) members (who have no direct or indirect interest/involvement in the matter) to sit on a disciplinary panel.
- Subject to any **appeals**, a decision of the disciplinary panel shall be final and conclusive.
 - Any appeals must be received by the secretary within 7 (seven) days of receiving the written decision and, if appropriate, the appeals process will be followed.
 - An appeal hearing should be convened by a member of the Management Committee following the disciplinary action being announced.
 - An appeal hearing will be convened by a member of the Management Committee and no more than four additional club members who are independent of the original Disciplinary Hearing and subsequent decision.
 - The appeal should be considered within 14 days of the Secretary receiving the appeal.
- Any complaints of serious misconduct (including, without limitation, theft, doping violations, fraud, physical violence, safeguarding policy breaches, serious breach of applicable health and safety, gambling and/or ticketing regulations or any act or omission of the member or Officer which in the opinion of EA, acting reasonably, brings or is likely to bring the sport of athletics into disrepute) regarding the behaviour of members or Officers shall be reported and dealt with by EA in accordance with its Disciplinary Procedures.

If a dispute arises between any members or Officers of the club about the validity or propriety of anything done by any member or Officer under the Club Constitution and the dispute cannot be resolved by agreement, the parties to the dispute must first try in good faith to settle the dispute by mediation before resorting to litigation.



City of Portsmouth Athletic Club Constitution

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Personal Risk

Members and guests acknowledge and accept that playing or participating in sport of any kind can be dangerous and may result in injury and damage to property.

- Members and guests shall take personal responsibility for their own actions and play or participate in the club's sporting activities at their own risk.

Subject to the paragraph below, the liability of the club and its Officers to any member is limited to the net assets of the club. Nothing in this constitution shall limit or exclude liability:

- for death or personal injury caused by negligence;
- for any loss or damage caused by criminal or fraudulent conduct;
- or any other liability which cannot lawfully be limited or excluded.

Dissolution

A resolution to dissolve the club can only be passed at an AGM or EGM through a majority vote of the membership. In the event of dissolution, any assets of the club that remain will become the property of England Athletics or some other club with similar objectives to those of the club.

Amendments to the constitution

The constitution will only be changed through agreement by majority vote at an AGM or EGM.

Declaration

City of Portsmouth Athletic Club hereby adopts and accepts this constitution as a current operating guide regulating the actions of members.

Effective from: 13th November 2019

Review Date: March 2026