

## CONSTITUTION OF BASINGSTOKE & MID HANTS ATHLETIC CLUB (the Club)

### 1. Introduction

- a. The Club is a company incorporated in England and Wales and is limited by guarantee.
- b. The Club is owned by individuals who are appointed as Directors of the Club (“**Directors**”) from time to time.
- c. The Directors are appointed for terms of one-year in accordance with Section 2 below. The individuals must resign as a Director and transfer their ownership in the Club if they cease to hold one of the positions set out at Section 2(a) below.
- d. The Directors have the overall responsibility for running the Club. The obligations on them are set out in the Articles of Association.
- e. This Constitution provides further guidance as to how the Club operates and the Directors shall abide by its terms.
- f. The Club shall be affiliated to England Athletics Ltd, (“EA”), United Kingdom Athletics (“UKA”) and to any other associations that are also affiliated to EA that the Directors may deem necessary, in the interest of the Club.
- g. The Club will operate under UK Athletics rules.

### 2. Governance of the Club

- a. The following:
  - i. Chair;
  - ii. Vice Chair;
  - iii. Club Treasurer;
  - iv. Club Secretary, and
  - v. Minutes Secretaryshall be appointed as Directors and be responsible for the day-to-day management of the Company.
- b. In addition to the Directors, there shall be the following positions, who have specific responsibilities for the Club:
  - i. Membership Secretary;
  - ii. NAL Secretaries;
  - iii. SAL Secretary;
  - iv. Alder Valley League Secretary;
  - v. Wessex League Secretary;
  - vi. Road Running Secretary;
  - vii. Cross Country Secretary;
  - viii. Master’s Athletics Secretary;
  - ix. Coaching Coordinator and
  - x. Special Projects Officerthese posts are known as “**Office Holders**” and shall not be Directors. The Directors and Office Holders form the Club Committee (the “**Committee**”).
- c. The Directors and the Office Holders shall be appointed annually at the AGM.

- d. In addition to the Directors and the Office Holders, there are various roles within the Club but are not Directors or Office Holders (the “**Post Holders**”). This list of Post Holders will be maintained on the Club website. Post Holders are appointed for terms of one year and are appointed at the AGM.
- e. A person may stand for re-appointment and there shall be no limit to the number of terms which a person can serve.
- f. If one or more person stands for a position, a vote shall be held with each member of the Club having one vote. The existing Committee shall be responsible for the terms of any election process.
- g. There is the role of President, which is reserved for long serving members, who have demonstrated outstanding service to Basingstoke and Mid Hants AC, acting as a figurehead of the Club, both internally and externally. It is not a Committee post.
  - i. The Club President is an honorary role, supporting the work of the Club and always presenting a public face of the Club
  - ii. The President shall be nominated by the Committee and be ratified by Club members at the Annual General Meeting. Once elected, the position of President shall be held for a period of 1 year or sooner if the Membership votes the current President out of the role
  - iii. Only under exceptional circumstances can a Club President be re-elected or re-nominated after they have carried out the role for their term of office.
- h. The Directors shall be responsible for the management of the affairs of the Club and may exercise all the powers of the Club in accordance with the Articles and this Constitution.
- i. The Office Holders shall assist the Directors with the management of the Club.
- j. If a Director does not stand for re-appointment or is not re-elected, that Director will immediately resign as a Director and their replacement shall be appointed as a Director.
- k. The Directors shall hold not less than two meetings each year.
- l. The Committee, comprising of the Directors and Office Holders, shall hold not less than six meetings each year. A meeting of the Committee shall be called on not less than seven days’ notice to all Directors and Office Holders.
- m. A total of five Directors/Office Holders are required for a quorum to allow a Committee meeting to take place, providing the Chair or Club Secretary is also present. Decisions of the Committee shall be made by a simple majority of those attending the Committee meeting.
- n. The Directors shall have the power to fill any Director, Office Holder and Post Holder vacancies that may arise until the next AGM. Any such appointments shall be approved, prior to being put into effect, at a meeting of the Committee.
- o. Individuals who are not Directors or Office Holders may attend meetings of the Committee but they shall not have voting powers.
- p. The Committee may establish any sub-committee to deal separately with specific matters requiring detailed attention. It is the duty of sub-committees to report back to the Committee.
- q. The decisions of the Committee and sub-committees shall be binding on the Directors.

- r. The Directors and Office Holder will have due regard to safeguarding of Club Members.
- s. The Directors may appoint such people or entities as they feel necessary to assist with the management of the Club including but not limited to professional advisors or employees.

### 3. Membership

- a. Membership of the Club shall be open to persons who are amateurs as defined by UK athletics governing bodies, regardless of gender, age, disability, ethnicity, nationality, sexual orientation, religion, or other beliefs. However, limitation of membership according to available facilities is allowable on a non-discriminatory basis.
- b. Each membership application should be made by either an on-line electronic submission, using the web site application form (Seniors) or via an email request to [membsecretary@bmhac.co.uk](mailto:membsecretary@bmhac.co.uk) (Juniors or Seniors), a form will then be provided. The appropriate subscription fee will then be requested by the Membership Secretary and must be paid promptly.
- c. The minimum age for attending Club training sessions and/or joining the Club shall be 7 years, rising 8, i.e., school year 3.
- d. The Club may have different classes of membership and subscription on a non-discriminatory and fair basis. The Club will keep subscriptions at levels that will not pose a significant obstacle to people participating.
- e. All new members are requested to read the information contained in the 'Welcome Pack for Athlete and Family', which is shared with all new members and available on the Club website. It contains valuable information explaining what is expected from all Club members <http://bmhac.co.uk>. Membership applications and renewals will be administered using the Club online membership database.
- f. By applying for Club membership, authorisation is given for the Club to hold your details on the database for use of the Club, as more fully set out in the Club Privacy Policy.
- g. During the competition year in which an athlete attains the 13-age group, the Club will use the information to effect National Registration for competition as an athlete (normally with England Athletics), subject to their current registration fee being received promptly by the Club.
- h. Life Vice President – a senior, fully subscribed member of the Club may nominate to the Committee an individual for this award. If they agree, a recommendation should be made at the next AGM. The nomination must be accepted by a majority vote of those present at the AGM. This award is given in recognition of an individual who has performed an outstanding service, or who has made an outstanding contribution to the Club. They are not included on the Committee as Officers, Office Holders or Post Holders. A certificate will be awarded to the recipient.
- i. Life membership – a first claim member of the Club may be awarded Life Membership, by the Committee, on recommendation from any senior, fully subscribed Club Member for:
  - i. long and loyal service of 25 unbroken years to the Club. Service can commence from any of the junior age groups. The records held by the Membership Secretary will be used to determine the actual period of service for this purpose
  - ii. selection and representation for Great Britain, or any one of the UK National teams, in any athletic discipline in a senior or veteran age group or

- iii. in the veterans age group, a member must be selected by the National Governing Body and go on to represent Great Britain, or any UK National team - self entry to veteran's international events will not qualify.
- j. Honorary Junior Membership is awarded for any junior selected and representing Great Britain, or any one of the UK National teams, in any athletic discipline. The Honorary Junior Membership is valid while an athlete meets the definition of an UKA junior or for a minimum period of 3 years.
- k. The Committee may nominate a company to be awarded the title of Sponsor of the Club. This award is given to an organisation or company that has shown support for the Club by donation, services, or in kind. They should be nominated and accepted by a majority of those present. The award should be for a maximum of 12 months if no further donations, services or benefits are received, they will be shown on the Club website, letterheads etc.
- l. An individual who has supported the Club and performed outstanding service but is not a Club Member, can be nominated by the Committee to be designated as a Supporter of the Club. They should be nominated at an AGM and accepted by a majority vote of those present. A certificate will be awarded to the recipient.
- m. Any Club Member wishing to resign from the Club must give notice in a minimum of 30 days, in writing/email, to the Membership Secretary to take effect on the last day of the membership year.
- n. Resignations will not be accepted if the Club Member is financially indebted to the Club, e.g., has not paid their subscription for the current year or holds assets (equipment) of the Club. Acceptance of the resignation will be withheld until the debt has been discharged.
- o. The Committee may refuse membership, or remove it, only for good cause such as conduct or character likely to bring the Club or sport into disrepute. Appeal against refusal or removal may be made in accordance with any procedures to assist the resolution of disputes within the Club.
- p. The Committee shall have the power to suspend or exclude any Club Member for contravention of this Constitution, any other documented rules or published codes of conduct that may exist from time to time. In exercising these powers, the Committee shall adhere to the Club's disciplinary procedures. Appeal against refusal or removal may be made in accordance with any procedures to assist the resolution of disputes within the Club.
- q. Membership is not transferable to anyone else.

#### **4. Rules of Conduct**

- a. Club Members are expected to conduct themselves at all times in a way that does not bring the Club into disrepute.
- b. Club Members must comply with all rules and regulations laid down by the Club.
- c. Club Members who fail to do so will be subject to the Club's Disciplinary and Appeals Policy. This could involve expulsion of any Club Member whose conduct is found to be injurious to the character and interest of the Club.
- d. All Club Members shall be expected to carry out their training in a disciplined manner, either at Down Grange or at any sport hall, gymnasium or other venue hired by the Club for training.

- e. On Club training nights, for reasons of safety, all Club Members must report to a coach or assistant coach and should remain under their supervision until:
  - I. the session is complete
  - II. permission is sought to move to another supervised session or
  - III. the athlete requests to leave the session for personal reasons.
- f. On arrival at competitions, all junior athletes must report to their team manager but overall responsibility remains entirely with parent or guardian.
- g. All 1st claim Club Members, that train for any discipline at facilities and/or using equipment paid for by the Club, will be expected to represent the Club twice a year. This could be in a league competition or at any event where an athlete can wear a Club vest or crop top. Coaches are expected to support this rule. However, the Club will waive this expectation if competing is considered to not be in the best interest of an athlete. Such situations should be discussed by coaches with the Coaching Co-ordinator. When applying for new membership, or renewing existing membership, an athlete is agreeing to abide by this rule.
- h. All Club Members competing at athletics meeting when the rules of the competition require athletes to wear their Clubs' registered colours, should wear an official competition vest or crop top. Leotards and skin suits approved by the Club may also be worn.

#### 5. **Subscriptions**

- a. Subscriptions to be due on 1<sup>st</sup> April each year with the membership year being 1<sup>st</sup> April to 31<sup>st</sup> March the following year.
- b. The annual subscriptions to the Club shall be agreed at the AGM and advised with the Annual Membership Renewal Notice.
- c. Club Members joining between April and September inclusive are required to pay a full years' fee and EA registration.
- d. New Club Members joining on or after 1<sup>st</sup> October, pay 50% of the annual fee, plus the annual EA registration fee, if applicable
- e. A family membership to the Club shall be available, which will be for up to two adults and all juniors from the same family.
- f. Non-competitive membership will be available to those who wish to support, officiate, or coach for the Club but not compete.
- g. Club Members failing to renew their annual fee within 2 months from the due date will forfeit the right to attend Club training sessions.
- h. No Club Members shall be allowed to take part in any Club team contest until his or her subscription and arrears are paid.
- i. In line with UKA regulations, all athletes in 13 age group upwards must be registered with their national association and comply with their terms and conditions, including payment.
- j. Senior athletes who are a 1<sup>st</sup> claim member of another athletic club, who would like to compete for BMHAC under UKA Higher Competition rules, must first be elected as a 2<sup>nd</sup> claim Club Member and

have paid the appropriate membership fee. They are also required to register their intention with UKA by the required date.

- k. Coaches and officials holding a UKA qualification (licence) and are active on behalf of the Club shall be exempt from paying the supporter's fee.
- l. Club Members who do not live in the local area and therefore do not use any of the facilities provided by the Club, along with 2nd claim members and Club Members who are 60 years old or over, shall pay a reduced annual subscription set by the Club Committee and approved at the AGM.
- m. Membership fees will be waived for those holding a UKA coaching licence and who coach on a weekly basis and/or licensed officials who have officiated at a minimum of 6 events in the previous 12 months but wish to compete for the Club. The annual EA registration fee is payable.
- n. Facilities user fee charged at a reduced annual subscription set by the Committee and approved at the AGM. Applicable to 1st claim members of other named clubs who elect not to join Basingstoke and Mid Hants AC as 2nd claim members but who occasionally use the expertise of the Club's coaches, or visiting coaches and/or club equipment, and/or facilities hired by the Club. NB such athletes must be full members of a club in order to hold adequate insurance cover.
- o. The fee for Road Running Club Members who do not use the track will be at least £10 less than the annual senior 1st claim subscription.
- p. Membership fees for the junior age groups to be at least £10 less than the annual senior 1st claim subscription. Juniors are those aged under 20 from the 1st January in the year of birth date. They become senior after 1st January the following year.
- q. Eligibility disputes over reduced membership to be resolved by the Club's Committee.

#### 6. **Guests**

- a. Club Members shall be entitled to bring one or more guests to any activity of the Club.
- b. The Club Members in question shall be responsible for the acts and omissions of his or her guests and shall be liable to the Club for any loss or damage of any kind whatsoever, suffered or incurred by the Club as a direct or indirect result of the acts or omissions of any of his or her guests.
- c. Guests shall be legally bound by these rules, as if they were a Club Members, save that guests shall have none of the rights of membership.

#### 7. **Annual General Meeting**

- a. The AGM shall be held in February as dictated by the practical circumstances applicable at that time.
- b. The Club Secretary, or nominated person, shall post the preliminary notice of the AGM stating date, time and venue on the website 28 days before the AGM. This should include any Committee, Office Holder and Post Holder posts that are known to be currently vacant/will become vacant at the AGM<sup>1</sup>.
- c. In the preliminary notice, the Club Secretary should advise Club Members that if they wish to have an item included on the agenda and/or nominate someone for a vacant post, they should give the Club

Secretary, or nominated person, 14 days' notice, in writing, including the name of the person seconding the motion.

- d. The final notice shall be posted<sup>2</sup> by the Club Secretary 14 days before the AGM. This should include:
  - i. Date
  - ii. Time
  - iii. Venue
  - iv. Agenda
  - v. Reference to Chair, Treasurer and Club Secretary reports being available on the website.
- e. The Chair and Club Secretary should post their reports on the Club's website at least seven days before the AGM.
- f. The Club Treasurer should post their report and financial statements on the Club's website at least seven days before the AGM.
- g. Nominations for Committee posts will not be accepted from the floor at the AGM, except in the case where no written nominations have been previously received.
- h. No 'Any Other Business' will be taken at the AGM, as all notices should have been submitted in time to be included on the agenda. Urgent matters may be discussed but not put to a vote by Club Members present.
- i. No alteration or addition may be made to the Constitution, except at the AGM or an EGM called for that purpose. Notice of such alterations must appear on the agenda for such a meeting.
- j. All Club Members can attend the AGM and EGM.
- k. The Chair, or in his or her absence any other Officer, shall preside as chair of the meeting. The Minutes Secretary, or in his or her absence any Officer or other Officer Holder, shall record the minutes.
- l. All Club Members at the meeting who are aged 18 years or more shall have one vote. In the case of an equality of votes the Chair will have a second, casting, vote. Voting shall be by a show of hands except where the Chair decides voting shall be by ballot.

#### 8. **Extra-Ordinary General Meeting**

- a. An EGM may be called by the Club Secretary, or nominated person, on receiving a written request signed by six Club Members, stating the reason for the meeting.
- b. An EGM may be called by the Committee to discuss changes to the Constitution, or any other Club business considered too urgent to wait for the AGM.
- c. Two weeks' notice of an EGM must be given to all Club Members, together with the motion/s to be discussed. No other business shall be conducted.
- d. Procedures for voting shall be as used for the AGM.

#### 9. **Finance**

- a. The financial year of the Club shall end on 31st December.

- b. The annual accounts will be subject to an independent examination by examiners, appointed for that purpose and shall be presented at the AGM. Copies will be made available to members prior to the AGM if requested in advance provided that the accounts have been finalised.
- c. All funds belonging to the Club shall be deposited with a bank or building society in accounts belonging to the Club. All accounts shall operate on two signatories, one of whom will be the Treasurer and the other either Club Secretary or Membership Secretary.
- d. No sum shall be expended from the Club account, except by cheque signed by two of the designated signatories or by electronic transfer approved by at least one of the designated signatories, subject to a maximum amount fixed by the Directors.
- e. The Club account shall be managed in accordance with any finance policy drawn up by the Directors and/or accordance with the reasonable instructions of the Directors (acting collectively) from time to time. Debit card payments can be made for the purpose of England Athletics registration only with arrangements for such payments to be agreed annually in advance at a Directors meeting,
- f. Expenditure above agreed budget levels may only be authorised at a meeting of the Directors.

10. **Personal Risk**

Club Members acknowledge and accept that participating in sport at any time can be dangerous and may result in injury and damage to property. Club Members shall take personal responsibility for their own actions and participate in the Club's sporting activities at their own risk.

11. **Alterations to the Constitution**

The Constitution may be altered only by a resolution passed by two-thirds of those present and voting at an AGM or an EGM called for that purpose.

12. **Community Amateur Sports Clubs (CASC)**

- a. Interpretation of all the above rules must be consistent with the statutory requirements for Community Amateur Sports Clubs (CASC) as first provided for by the Finance Act 2002).
- b. The Club may provide sporting and related social facilities, sporting equipment, coaching, courses, insurance cover, medical treatment, travel expenses and other ordinary benefits of Community Amateur Sports Clubs as provided for in the Finance Act 2002.
- c. The Club may also in connection with the sports purposes of the Club:
  - I. Sell and supply food, drink and related sports clothing and equipment
  - II. Remunerate members for providing goods and services, on fair terms set by the Committee without the person concerned being present
  - III. Pay for reasonable hospitality for visiting guests.
- d. We cannot elect to leave CASC but we can cease to be compliant or can be deregistered by HMRC.

13. **Responsibility for the Constitution**

The Constitution is maintained by the Club Secretary or nominated person.

14. **Revision History**



This Constitution was formally adopted on 28<sup>TH</sup> February and replaces all previous Rules or Constitutions of the Club.

Date Constitution agreed at AGM – 28<sup>TH</sup> February, 2024

Signed by..........