

# BRIGHTON DOLPHIN SWIMMING CLUB RULES

## **The Name of the Club.**

rule 1.

- 1.1 The name of the Club shall be the Brighton Dolphin Swimming Club.
- 1.2 The Club colours shall be predominantly black, red and white. At the discretion of the Committee, members representing the Club may be asked to wear Club colours.

## **The Objects of the Club.**

rule 2.

- 2.1 The objects of the Club are to provide facilities for and promote participation of the whole community in the sport of swimming. In the furtherance of these objects:
  - 2.1.1. The Club is committed to treat everyone equally within the context of their activity, regardless of sex, ethnic origin, religion, disability or political persuasion.
  - 2.1.2. The Club believes 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.
- 2.2 The Club shall be affiliated to South East Region Amateur Swimming Association (formerly Southern Counties ASA) and shall adopt and conform to the rules of such association and 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
  - 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 South East Region ASA the Club and all members of the Club acknowledge that they are subject to the laws and rules of:
  - 2.4.1. the South East Region ASA and the Sussex County ASA; and
  - 2.4.2. the Amateur Swimming Association; (to include the ASA/ISTC Code of Ethics); and
  - 2.4.3. the Amateur Swimming Association of Great Britain (to include in particular the ASFGB Doping Control Rules and Protocols and the 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 Body Rule shall prevail.

## **The Constitution of the Club.**

rule 3.

- 3.1 The annual general meeting of the Club shall be held in November each year when the following business shall be conducted:
  - The presentation of the report on Club activities.
  - The approval of examined financial accounts.
  - The election of Club Officers and Committee members for the following year.
- 3.2 Notice of any resolution proposed to be moved at the Annual General Meeting shall be given in writing to the Secretary not later than 10<sup>th</sup> October.
- 3.3 The Club Chairperson shall take the chair at Annual General Meetings and Special General Meetings. If the Chairperson is unable or unwilling to chair the meeting those present shall elect a member of the Committee to chair the meeting.

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- 3.4 At the annual general meeting the Officers and Committee of the Club shall retire and be eligible for re-election in accordance with rule 6.1.
- 3.5 A notice of the annual general meeting shall be published not less than 42 days before the agreed date on the designated Club notice boards.
- 3.6 A special general meeting shall be called at the discretion of the Committee or on the written request of not less than twenty members who are eligible to vote. The meeting must be held within 60 days of the request being received. Such meeting shall only deal with matters of which notice has been given in the request which shall form the agenda for the meeting.
- 3.7 A special general meeting shall be quorate if at least twenty eligible members are present at the appointed time.
- 3.8 The secretary shall personally be responsible for the handing out or sending, if requested, to each voting member, at their last known address, written 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 Notice of Meeting shall in addition, be displayed on the Club notice board where one exists.
- 3.9 The agenda for Annual General Meetings and a list of the nominations for the Committee for the following year, or Special General Meetings shall be published in full on the designated Club notice board for not less than 14 days prior to the Annual General Meeting or Special General Meeting.
- 3.10 The annual general meeting shall be in session if at least twenty eligible members are present at the appointed time. If this number are not present the meeting shall be postponed for not more than 28 days.
- 3.11 The Committee may propose for consideration at the annual general meeting the names of members who have given outstanding service to the Club, who, by vote at the meeting may be granted Honorary membership. Such Honorary membership will normally be granted annually at the annual general meeting but exceptionally may be granted for life.
- 3.12 The Committee may propose for consideration at the annual general meeting the names of such people who have given outstanding service to the Club, swimming or the community and who by vote at the meeting may be granted an annual Honorary President of the Club. Such Honorary President shall be wholly honorary and non executive. There will normally be no more than two such positions at any one time.

### **The Management of the Club.**

rule 4.

- 4.1 The management of the Club shall be vested in a Committee elected at the annual general meeting. All members of the Committee shall be eligible members of the Club.
- 4.2 The Committee shall consist of the offices of Chairperson, Hon. Secretary, Hon. Treasurer, Synchronized Swimming Hon. Secretary, Learn to Swim Hon. Secretary, Trophy Hon. Secretary, Social Hon. Secretary, Minutes Hon. Secretary, Masters Hon. Secretary, Gala, Swimming Hon. Secretary, Swim 21 Hon. Secretary, Welfare Hon. Secretary, and up to four ordinary members.
- 4.3 A member of the Club shall not be elected to more than one of the aforementioned Offices of the Club.
- 4.4 The Chairperson shall chair all Committee meetings.
- 4.5 The Committee shall elect from amongst themselves a deputy Chairperson who shall deputise for the Chairperson when appropriate. The Committee shall also elect from amongst themselves a spokesperson for the junior membership of the Club.
- 4.6 The Committee of the Club may appoint a Director of Swimming to co-ordinate all aspects of the teaching and development of swimming in the Club. The Director of Swimming shall not hold an

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- elected office within the Club but shall be an ex-officio member of the Committee of the Club without the power to vote unless elected as Swim21 Hon Secretary.
- 4.7 The Committee shall have the right to appoint an eligible Committee member to any office that may fall vacant during the year.
  - 4.8 The Committee shall have the power to delegate or remove its authority to or from any individual Committee member or members as it deems appropriate.
  - 4.9 The Committee shall have the power to co-opt other eligible members of the Club as required. Co-opted members to the Committee shall not have the power of vote unless authorised by a special general meeting.
  - 4.10 At Committee meetings a quorum shall be *seven* elected members.
  - 4.11 The Committee shall meet at least once every 3 months and at such other occasions as may be required.
  - 4.12 The Committee may appoint sub-committees for specified purposes which will report back to the main Committee for ratification.
  - 4.13 All votes within the Committee shall be carried by a majority. In the event of equality of votes the Chairperson shall have an additional or casting vote.
  - 4.14 The discussions held in Committee shall not be confidential unless otherwise agreed.
  - 4.15 The Executive Committee of the Club shall consist of the offices of Chairperson, Hon. Secretary and Hon. Treasurer and two others elected by the Committee from among the other Committee Members.

### **The Members of the Club.**

rule 5.

- 5.1 A member of the Club shall be defined as having an application for membership approved by the Committee on the issue of a receipt for payment of the annual subscription of the Club for the year commencing 1st November. Membership of the club shall be open to all persons irrespective of ethnicity, nationality, sexual orientation, religion or beliefs or of age, sex or disability except as a necessary consequence of the requirements of swimming as a particular sport.  
  
The Club may refuse membership or expel from membership only for good and sufficient cause such as conduct or character likely to bring the Club or sport into disrepute. Appeal against such a decision may be made to a separate appeals panel and decided by a majority vote.
- 5.2 A Club member may be exempted from payment of subscription by having been given Honorary membership of the Club for the year commencing 1st November.
- 5.3 A senior member of the Club is defined as having attained seventeen years of age on or before the end of the membership period.
- 5.4 An Associate membership may be granted to persons who assist the Club but never swim, such members to pay a reduced annual subscription as set by the Committee.
- 5.5 All persons helping in any way with Club activities shall become members of the Club and the relevant A.S.A. membership fee shall be paid.

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## **The Procedures for Elections and Voting in the Club.**

rule 6.

- 6.1 All nominees for Officers or Committee membership shall be senior members of the Club at the time of the annual general meeting.
- 6.2 All nominations for Officers and Committee membership shall be proposed by eligible members of the Club.
- 6.3 Nominations for Officers and Committee shall be presented in writing to the Hon. Secretary of the Club not later than 10th October each year.
- 6.4 Nominations shall only be accepted if seconded by an eligible member, and such nomination agreed by the nominee and the nomination papers signed by them.
- 6.5 Only members of Brighton Dolphin Swimming Club who are 14 years and over at the date of the meeting shall be eligible to propose, nominate, second or vote.
- 6.6 All nominations for Officers and Committee shall be published in full in the annual general meeting agenda.
- 6.7 All nominations shall be published in full, showing the proposer and seconder, on the designated Club notice boards for not less than 14 days prior to the annual general meeting.
- 6.8 All eligible members shall have one vote only per proposition, whether in person at the annual general meeting or special general meeting, by ballot box at Club sessions or by postal vote.
- 6.9 Postal votes shall be considered legal if submitted on the official voting form provided for that purpose. No other form of submission shall be accepted.
- 6.10 Postal votes shall be considered legal if received by the Club Hon. Secretary 24 hours before the annual general meeting or special general meeting.
- 6.11 Postal votes shall be considered legal if individually completed and submitted to the Club Hon. Secretary by eligible Club members in a sealed, identified envelope and shall be dated and signed.
- 6.12 Postal votes shall be opened in the presence of other Club members at the annual general meeting or special general meeting.
- 6.13 In the event of there being more than one nomination for the position of any Officer the meeting shall hold a secret ballot.
- 6.14 In the event of there being more than four nominations for the ordinary members of the Committee the meeting shall hold a secret ballot.
- 6.15 No proxy votes shall be permitted.
- 6.16 A majority of eligible votes shall identify the winner of any election. In the event of equality of votes the Chairperson shall have the casting vote.
- 6.17 All propositions, with the exception of alterations, additions or deletions to rules, at the annual general meeting shall be carried if a majority of those voting, vote in favour of the proposition. In the event of equality of votes the Chairperson shall have the casting vote.
- 6.18 The administration of any vote shall be under the jurisdiction of an appointed scrutineer who shall be neither a candidate for office nor a sponsor of any proposition.

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## **The Procedures for Alteration of Rules in the Club.**

rule 7.

- 7.1 Any propositions for alterations, additions or deletions to rules may be made in writing, by eligible members of the Club, to the Hon. Secretary of the Club not later than 10th October for the annual general meeting or 28 days before a special general meeting.
- 7.2 Propositions for alterations, additions or deletions to rules shall only be accepted if seconded by an eligible member.
- 7.3 All propositions for alterations, additions or deletions to rules shall be published in full in the annual general meeting agenda and such other documents as the Committee shall decide.
- 7.4 All propositions for alterations, additions or deletions to rules shall be published in full on the designated Club notice boards for not less than 14 days prior to the annual general meeting or special general meeting.
- 7.5 Postal votes for alterations, additions or deletions to Club rules shall be accepted by the meeting only if they comply with the Club rules on such votes.
- 7.6 All propositions for alterations, additions or deletions to rules shall be carried only if at least two-thirds of those voting, vote in favour of the proposition.

## **The Finances of the Club.**

rule 8

- 8.1 The financial year of the Club shall end on 31<sup>st</sup> August.
- 8.2 All subscriptions are due on the 1<sup>st</sup> November each year at a rate set by the Committee of the Club. Any member whose subscription is unpaid by 30<sup>th</sup> November shall not be entitled to participate in any Club activity.
- 8.3 The subscription rate shall be reduced for new members joining towards the end of the subscription year, at the discretion of the Executive Committee. The new member's joining fee shall remain unaltered.
- 8.4 The Committee may at the end of the financial year direct that an honorarium for services rendered during the year be given to any member.
- 8.5 Funds and other property of the Club shall not be distributed among members, save as legitimate out of pocket expenses incurred in the running of the Club, but shall be applied towards the furtherance of the Club's objects or any other charitable purpose.
- 8.6 In the event of the dissolution of the Club, any assets remaining after the satisfaction of all debts and liabilities shall not be paid to or distributed among the members of the Club, but shall be given or transferred to one or more of the following approved sporting or charitable bodies:
  1. A registered charitable organization(s),
  2. Another Club which is registered CASC' or
  3. The sports national governing body for use by them for related community sports.
- 8.7 An examiner, who is not a member of the Club Committee or a family member of a member of the Committee shall be appointed at the Annual General Meeting or Special General Meeting to examine the accounts of the Club.
- 8.8 The Social Hon. Secretary of the Club shall receive monies derived from the social activities of the Club and shall keep an account of such receipts and any disbursements, remitting balances to the Hon. Treasurer of the Club at least once every quarter.

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## **General Regulations of the Club.**

rule 9.

- 9.1 The Club shall meet only at approved venues designated by the Committee
- 9.2 Members wishing to resign from the Club shall notify the Hon. Secretary of the Club in writing.
- 9.3 Annual Club championships shall be held in as many events as the Committee deem necessary. Junior championships shall be open, where applicable, to members who are under 17 years of age on 31<sup>st</sup> December in the year of the competition. (see also rule 5.3)
- 9.4 Entries for Club championships shall be restricted to members of Brighton Dolphin Swimming Club who, on the closing date for the particular championship have Brighton Dolphin Swimming Club as the club affiliated to a District of the A.S.A. of which they have the longest unbroken membership. They shall not during the membership year have taken part in, nor intend to take part in the championships of another club affiliated to a District.
- 9.5 Prizes for Club competitions may be awarded at the discretion of the Committee to the first three in each event.
- 9.6 The designation of trophies shall be decided by the annual general meeting.
- 9.7 Trophies for Club championships shall be presented at an occasion determined by the Committee and shall be held until re-called by the Committee.
- 9.8 The name of the winner shall be engraved on the Trophy at the Club's expense.
- 9.9 Visitors must apply to the Officers of the Club to use the Club facilities and, if permitted, must comply with all Club rules and pay an appropriate fee.
- 9.10 The Committee may alter existing regulations and introduce supplementary regulations as it from time to time deems expedient.

## **10. Expulsion and other Disciplinary action**

Rule 10

- 10.1 The Committee shall have power to expel a member when, in its opinion, it would not be in the interests of the Club for that person to remain a member.
- 10.2 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. A copy of the current Guidelines may be obtained from the ASA Legal Affairs Department.
- 10.3 A member may not be expelled or (subject to Rule 10.4 below) 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.
- 10.4 The Officers of the Club (or any person to whom the Committee shall delegate this power) may temporarily suspend or exclude a member from particular training sessions and/or wider club activities, when in their opinion, such action is in the interests of the Club. Where such action is taken the complaint will thereafter be dealt with in accordance with the Guidelines.
- 10.5 The Members who are expelled from the Club shall forfeit their subscriptions.