

BRIGHTON DOLPHIN SWIMMING CLUB RULES

1. The Name of the Club

- 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.

2. The Objects of the Club

- 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, and with due respect to the differences of individuals. It shall not apply nor endorse unlawful or unjustified discrimination and shall act in compliance with the protections afforded by the Equality Act 2010.
 - 2.1.2. The Club shall implement the Swim England Equality Policy (as may be amended from time to time).
- 2.2 The Club shall be affiliated to Swim England South East and shall adopt and conform to the rules of the Region 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 Articles, Regulations and Technical Rules of Swim England ("Swim England Regulations") and in particular:
 - 2.3.1. all competing members shall be eligible competitors as defined in Swim England Regulations; and
 - 2.3.2. the Club shall in accordance with Swim England Regulations adopt the Swim England's Child Safeguarding Policy and Procedures ("Wavepower"), 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; and
 - 2.3.3. members of the Club shall in accordance with Swim England Regulations comply with Wavepower.
- 2.4 By virtue of the affiliation of the Club to Swim England South East the Club and all members of the Club acknowledge that they are subject to the regulations, rules, and constitutions of:
 - 2.4.1. Sussex County Amateur Swimming Association; and
 - 2.4.2. Swim England South East; and
 - 2.4.3. Swim England (to include the Code of Ethics); and
 - 2.4.4. British Swimming (in particular its Anti-Doping Rules and Judicial Code);
and

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2.4.5. LEN, the European governing body for the aquatic sports; and

2.4.6. 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. The Members of the Club

3.1 A member of the Club shall be defined as having a signed 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. In the case of a junior swimmer the application must be signed by the swimmer’s parent or guardian.

3.2 In consideration of the application the Club shall not act in a discriminatory manner and in particular shall adhere to the Equality Act 2010 (as may be amended). Accordingly, the Club will not refuse membership on the basis of a Protected Characteristic within the Equality Act 2010, such as disability, gender or gender identity, pregnancy, race, region or belief, or sexual orientation. Refusal may not be made on the grounds of political persuasion.

3.3 The Club may refuse membership only for a 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 Review Panel appointed by the Committee, comprised of not less than three members and decided by a majority vote. The person refused membership shall be entitled to make representations to the Review Panel. The procedures for review shall be at the discretion of the Review Panel whose decision shall be final and binding.

3.4 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.

3.5 A senior member of the Club is defined as being eighteen years of age on or before the end of the membership period.

3.6 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.

3.7 All persons helping in any way with Club activities shall become members of the Club and the relevant Swim England membership fee shall be paid.

3.8 The total membership shall not normally be limited. The Committee shall have the right to impose (and remove) limits on total membership or any category of membership of the Club.

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4. Subscriptions

- 4.1 All subscriptions are due on the 1st November each year at a rate set by the Committee of the Club. Any member whose subscription is unpaid by 30th November shall not be entitled to participate in any Club activity until such payment is made.
- 4.2 The subscription rate shall be reduced for new members joining towards the end of the subscription year at the discretion of the Executive Committee.

5. Expulsion and other Disciplinary action

- 5.1 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.
- 5.2 The Club shall adopt and comply with the relevant Judicial Regulations for handling Internal Club Disputes Procedures (“the Procedures”) as the same may be revised from time to time. (A copy of the Procedures may be obtained from the Swim England website, Swim England Handbook or from the Office of Judicial Administration)
- 5.3 A member may not be expelled or (subject to Rule 5.4 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.
- 5.4 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 appropriate Judicial Regulations.
- 5.5 The Members who are expelled from the Club shall forfeit their subscriptions and must return any Club or external body’s trophies to the Trophy Hon Secretary.
- 5.6 Swim England shall have the power to temporarily suspend members or suspend members for a specified term in accordance with Judicial Regulations and Child Safeguarding Regulations as the same may be revised time to time.

6. Club Committee

- 6.1 The Committee shall consist of the offices of Chairperson, Hon. Secretary, Hon. Treasurer, Junior Artistic Swimming Hon. Secretary, Masters Artistic Swimming Hon. Secretary, Learn to Swim Hon. Secretary, Trophy Hon. Secretary, Minutes Hon. Secretary, Junior Swimming Hon Sec, Masters Hon. Secretary, Welfare Hon. Secretary, and up to three ordinary members.

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- 6.2 The Welfare Hon. Secretary must not be less than 18 years of age, have an appropriate background and is required to undertake appropriate training in accordance with Wavepower.
- 6.3 The Committee members shall be proposed, seconded, and elected at the Annual General Meeting each year and shall remain in office until their successors are elected at the next Annual General Meeting and will take office when the Chairperson has closed the meeting.
- 6.4 A member of the Club shall not be elected to more than one of the aforementioned Offices of the Club.
- 6.5 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.
- 6.6 The Committee of the Club may appoint up to two Swimming Co-ordinators to coordinate all aspects of the teaching and development of swimming in the Club. The Swimming Co-ordinators shall not hold an elected office within the Club but shall be ex-officio members of the Committee of the Club without the power to vote.
- 6.7 The Committee shall have the right to appoint an eligible Committee member to any office that may fall vacant during the year.
- 6.8 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.
- 6.9 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.
- 6.10 At Committee meetings a quorum shall be seven elected members. In the event that a quorum is not present within 30 minutes of the published start time, another date and time shall be determined by the Chairperson.
- 6.11 The Committee shall meet at least once every three months and at such other occasions as may be required. The Chairperson and Hon. Secretary shall have the discretion to call further meetings of the Committee if they consider it to be in the interests of the Club. The Hon. Secretary shall give all the members of the Committee no less than two days written notice of a meeting.
- 6.12 The Committee may appoint sub-committees for specified purposes which will report back to the main Committee for ratification.
- 6.13 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.

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- 6.14 The discussions held in Committee shall not be confidential unless otherwise agreed.
- 6.15 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.
- 6.16 The members of the Committee shall be indemnified by the members of the Club against all liabilities properly incurred by the Committee in the management of the affairs of the Club.
- 6.17 The Committee will maintain an Accident book. Accidents will be reported to the insurers in accordance with the Accident Notification Guidelines and in the Annual Return to the Swim England Membership Department on the on-line form.

7. Honorary and Life Members

- 7.1 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.
- 7.2 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. The Honorary President need not be a member of the Club on election, but shall, ex officio, be an honorary member of the Club and must be included in the Club's Annual Return of Members to Swim England. There will normally be no more than two such positions at any one time and will be for no more than three consecutive years.

8. Annual General Meeting

- 8.1 The Annual General Meeting of the Club shall be held in November each year. The date, time and venue of the Annual General Meeting shall be fixed by the Committee.
- 8.2 The purpose of the Annual General Meeting is to transact the following business:
 - 8.2.1 the presentation of the report on Club activities during the previous year, including the Chairman's report
 - 8.2.2 to receive and consider the accounts of the Club for the previous year and the report on the accounts of the independent examiner and the Treasurer's report as to the financial position of the Club

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8.2.3 to 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/she remain in office

8.2.4 to elect the Club Officers and Committee members for the following year.

8.2.5 to decide on the dissolution of existing honorary and/or Life membership categories and the election of the same; and

8.2.6 to decide on any resolution which may be duly submitted in accordance with Rule 8.8.

8.3 All nominees for Officers or Committee membership shall be senior members of the Club at the time of the Annual General Meeting.

8.4 All nominations for Officers and Committee membership shall be proposed by eligible members of the Club.

8.5 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.

8.6 Nominations for Officers and Committee shall be presented in writing to the Hon. Secretary of the Club not later than 28 days before the Annual General Meeting each year.

8.7 Only members of Brighton Dolphin Swimming Club who are 16 years and over at the date of the meeting shall be eligible to propose, nominate, second or vote.

8.8 Notice of any resolution proposed to be moved at the Annual General Meeting shall be given in writing to the Hon. Secretary not later than 28 days before the Annual General Meeting.

9. Special General Meeting

9.1 A Special General Meeting shall be called at the discretion of the Committee or within 28 days of receipt by the Hon. Secretary of a requisition in writing signed by not less than fifteen members entitled to attend and vote at a General Meeting, stating the purposes for which the meeting is required, and the resolutions proposed.

10. Procedure at the Annual and Special General Meetings

10.1 The Committee can decide to hold the Annual or Special General Meeting virtually, using electronic and video technology.

10.2 The Hon. Secretary shall personally be responsible for the handing out or sending, if requested, to each voting member, at their last known postal or e-mail address, a written agenda giving notice of the date, time and place of the General Meeting together

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- with the resolutions to be proposed thereat 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 noticeboard where one exists.
- 10.3 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.
 - 10.4 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.
 - 10.5 Elections and resolutions (except for changes to the Club rules) shall be passed by a simple majority. In the event of equality of votes the Chairperson shall have the casting vote.
 - 10.6 The Annual General Meeting shall be in session if at least fifteen eligible members, of which a minimum of seven are existing Committee members, are present at the appointed time. If this number are not present at the Annual General Meeting the meeting shall be postponed for not more than 28 days.
 - 10.7 A Special General Meeting shall be in session if at least fifteen eligible members are present at the appointed time.
 - 10.8 Only members who have reached their 16th birthday shall be entitled to be heard and to vote on all matters. (Members who have not reached their 16th birthday shall be entitled to be heard and vote only on those matters determined by the Chairman as matters concerning juniors, such as the election of club captains).
 - 10.9 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.
 - 10.10 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.
 - 10.11 Postal votes shall be considered legal if received by the Club Hon. Secretary 24 hours before the annual general meeting or special general meeting.
 - 10.12 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.
 - 10.13 Postal votes shall be opened in the presence of other Club members at the Annual General Meeting or Special General Meeting.

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- 10.14 In the event of there being more than one nomination for the position of any Officer the meeting shall hold a secret ballot.
- 10.15 In the event of there being more than three nominations for the ordinary members of the Committee the meeting shall hold a secret ballot.
- 10.16 No proxy votes shall be permitted.
- 10.17 The administration of any ballot shall be under the jurisdiction of an appointed scrutineer who shall be neither a candidate for office nor a sponsor of any proposition.

11. Alteration of Rules and Other Resolutions

- 11.1 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 28 days before the date of the Annual General Meeting or 21 days before a Special General Meeting.
- 11.2 Propositions for alterations, additions or deletions to rules shall only be accepted if seconded by an eligible member.
- 11.3 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.
- 11.4 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.
- 11.5 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.
- 11.6 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.
- 11.7 All amendments to the rules shall be validated by Swim England South East prior to the meeting.

12. Finance

- 12.1 The financial year of the Club shall end on 31st August.
- 12.2 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.
- 12.3 All monies payable to the Club shall be received by the Hon. 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.

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- 12.4 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.
- 12.5 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.
- 12.6 Any monies derived from the social activities of the Club should be remitted to the Hon. Treasurer of the Club at least once every quarter with an account of such receipts and any disbursements.
- 12.7 The Committee shall retain all financial records relating to the Club and copies of Minutes of all meetings for a minimum of six years.

13. General Regulations of the Club

- 13.1 The Club shall meet only at approved venues designated by the Committee.
- 13.2 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 31st December in the year of the competition.
- 13.3 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 Swim England 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.
- 13.4 Prizes for Club competitions may be awarded at the discretion of the Committee to the first three in each event.
- 13.5 The designation of trophies shall be decided at a Committee meeting.
- 13.6 Trophies for Club Championships shall be presented at an occasion determined by the Committee and shall be held until re-called by the Committee.
- 13.7 The name of the winner shall be engraved on the Trophy at the Club's expense.
- 13.8 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.
- 13.9 The Committee may alter existing regulations and introduce supplementary regulations as it from time to time deems expedient.

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14. Dissolution

- 14.1 A resolution to dissolve the Club shall only be proposed at a General Meeting and carried by a majority of more than three quarters of the members present and entitled to vote. The resolution will include a date for the dissolution.
- 14.2 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 a registered CASC or
 3. The sport's national governing body for use by them for related community sports.
- 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.

15. Acknowledgement

- 15.1 The members acknowledge that these Rules constitute a legally binding contract to regulate the relationship of the members with each other and the Club.
- 15.2 The following statement must appear on Club membership forms and is to be signed by the member. It must also be countersigned by the parent, or a person having parental responsibility for the member, if under 18 years of age:

"I acknowledge receipt of these rules of Brighton Dolphin 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 the rules."