

MANCHESTER TRIATHLON CLUB

Rules and Constitution

1. Name

- 1.1. The name of the Club shall be Manchester Triathlon Club, herein after called the Club.

2. Objectives

- 2.1. The object of the Club is to promote and encourage the sport of triathlon through:
 - 2.1.1. providing an environment in which people can meet to train for and compete in triathlon, duathlon, aquathlon, swimming, cycling or running events,
 - 2.1.2. organising regular training sessions in all three disciplines;
 - 2.1.3. providing access to specialist advice in all aspects of the sport;
 - 2.1.4. developing membership of the Club, and
 - 2.1.5. organising social events to benefit the Club and encourage an atmosphere in which people of similar ideals and interests can meet to discuss any aspect of the sports.
- 2.2. The Club is committed to treat everybody equally within the context of its activity.
 - 2.2.1. This shall be regardless of ability, age, gender, ethnic origin, religion, disability, political persuasion, and sexual orientation.
- 2.3. The Club shall implement the Equal Opportunities Policy of Triathlon England.
- 2.4. The Club shall be affiliated to the national Governing Body for Triathlon, Triathlon England. The Club may also be affiliated to the national Governing Bodies for swimming (ASA North West Region and the Lancashire County Water Polo and Swimming Association), cycling (the Road Time Trials Council and British Cycling) and running (England Athletics) and to such other bodies as the Club may determine from time to time.
- 2.5. The business affairs of the Club shall at all times be conducted in accordance with the rules and procedures of the Governing Bodies to which the Club is affiliated and in particular:
 - 2.5.1. all Club members shall be eligible competitors as defined by the rules and procedures of the Governing Body for the particular sport
 - 2.5.2. the Club and the members of the Club shall in accordance with the relevant affiliated Governing Body adopt their Child Protection Procedures.
- 2.6. 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.
- 2.7. In the event that there shall be any conflict between any rule of two or more of the Governing Bodies to which the Club is affiliated then the rules of Triathlon England shall prevail.

3. Membership

- 3.1. Anyone interested in triathlon, duathlon, aquathlon, swimming, cycling or running shall be eligible for membership.
- 3.2. All persons who assist in any way with the Club's activities shall be a member or a non-member whose contact details are known to the Club. Assisting with the Club's activities shall include, but not be restricted to, administrators, voluntary instructors, teachers and coaches, Committee members, Sub-Committee members and honorary members.
- 3.3. Any person who wishes to become a member of the Club must submit an application for membership to the Membership Secretary and in the case of Junior and Tristar members a consent form signed by a parent or guardian must also be received by the Membership Secretary.
- 3.4. On submitting an application for membership an aspiring member must agree to abide by the terms and conditions of membership (see Appendix A)
- 3.5. Authority to grant membership to applicants is delegated by the Club Committee to the Membership Secretary. The Committee shall be required to give reasons for the refusal of any application for membership. Any person refused membership may seek a review of this decision before a 'Review Panel' appointed by the Committee comprised of not less than three members, who may or may not be members of the Committee. The panel shall, wherever practicable, include one independent member nominated a local sport Governing Body. 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
- 3.6. The Club shall not refuse an application for membership on discriminatory grounds, whether in relation to ability, age, gender, ethnic origin, religion, disability, political persuasion or sexual orientation. The Club may refuse membership only for good and sufficient cause, such as conduct or character likely to bring the Club or sport into disrepute
- 3.7. The membership of the Club shall be in the following categories:
 - 3.7.1. Honorary gold membership
 - 3.7.2. Senior gold membership
 - 3.7.3. Junior gold membership
 - 3.7.4. Tristar gold membership
 - 3.7.5. Senior bronze membership
 - 3.7.6. Junior bronze membership
- 3.8. Senior Members shall be eligible to hold office and to attend and vote at General Meetings.
- 3.9. Junior Members, who shall be between 14 and 18 years of age, shall not be eligible to hold office, but shall be eligible to attend and vote at General Meetings.

- 3.10. Tristar Members, who shall be less than 14 years of age, shall not be eligible to hold office or attend and vote at General Meetings

4. **Annual Subscriptions**

- 4.1. The Committee shall have the power to propose to the Annual General meeting the annual membership subscription and other fees. The Annual General Meeting shall in so doing make special provision for different classes of membership as the Annual General Meeting shall determine.
- 4.2. The annual subscription shall be due on joining the Club and thereafter on the 1st day of January each year.
- 4.3. The rate of Senior, Junior and Tristar gold membership shall be reduced quarterly pro-rata.
- 4.4. No member shall, in any year, be entitled to exercise any rights or privileges of membership until his or her subscription for that year has been paid, or, if paying in installments, the first installment has been received.
- 4.5. The Committee to have the power in special circumstances as it sees fit, to remit the whole or part of the Club fees to any individual member. Such decisions will be taken on a case-by-case basis, and the Committee's decision shall be final.

5. **Resignation**

- 5.1. A member wishing to resign membership of the Club must give to the Membership Secretary written notice of his resignation. A member's resignation shall only take effect when agreed by the Committee and there is no outstanding financial commitment or disciplinary action outstanding against the individual and this (Rule 5.1) has been complied with.
- 5.2. A member who resigns in accordance with Rule 5.1 shall not be entitled to have any part of the annual membership fee or any other fees refunded.
- 5.3. Notwithstanding the provisions of Rule 5.1 above a member whose subscription is more than two months in arrears shall be deemed to have resigned.
- 5.4. The appropriate Governing Bodies shall be informed should a member resign from the Club with outstanding financial or other commitments to the Club.
- 5.5. An Officer of the Committee may resign from his or her office by giving 14 days notice in writing to the chairman of the Committee. Each Committee Officer must, on relinquishing his or her office, promptly hand to his or her successor in office or to the chairman, all official documents and records belonging to the Club together with any other property of the Club which may be in his or her possession, and must complete any requirements to transfer authority relating to control of the Club's bank accounts or other financial affairs as soon as is reasonably responsible and in any event not later than 1 month after the date of resignation.

6. **Expulsion and Other Disciplinary Action**

- 6.1. The Committee shall have power to expel a member when, in its opinion, it would not be in the interests of the Club for him/her to remain a member. The Club in exercising this power shall comply with the provisions of Rules 6.3 and 6.4 below.
- 6.2. Upon expulsion the former member shall not be entitled to have any part of the annual membership fee or other fees refunded and must return any Club or external body trophies and or equipment of the Club held forthwith.
- 6.3. The Club shall comply with the requirements and procedures of the relevant Governing Body for handling all Internal Club Disputes as the same may be revised from time to time.
- 6.4. The Officials in charge of a particular event shall be responsible for its discipline. 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 disciplinary action is taken it shall be dealt with in accordance with the Governing Body rules and procedures.
- 6.5. If further action is required this is to be referred to the Disciplinary Sub Committee of the Club. The Disciplinary Sub Committee to be five members, appointed by the Committee, of which three members must be present at the "Disciplinary Hearing".
- 6.6. A member may not be expelled or (subject to Rule 6.7 below) be made the subject of any other penalty within the Club's control, unless the panel hearing the dispute shall by a two-thirds majority vote in favour of the expulsion of (or other penalty imposed upon) the member.
- 6.7. The Committee reserves the right to expel or disqualify (or any other penalty imposed upon) any member by a majority of two thirds at any special meeting. The accused will be invited to attend and speak, to call witnesses and to question witnesses called against him/her. Another person to assist in presenting his/her defence may accompany the member. If the alleged offence is also an infringement of a Governing Body rule the Club shall not deal with the matter but shall make a request to the appropriate Governing body under their rules and procedures to resolve the matter...

7. **Officers of the Club**

- 7.1. The Officers of the Club shall be Chairman, Vice Chairman, Secretary, Treasurer, Membership Secretary, Welfare Officer, plus up to four additional positions that will be decided upon annually by the Officers of the Club. The Officers shall be elected at the AGM each year to hold office until the conclusion of the next AGM. The retiring Officers shall be eligible for re-election.

- 7.2. The Welfare Officer is independent by not being a member of the coaching staff. In the event a conflict of interests arises between the Welfare Officer and any member of the Club and/or coaching staff such matters shall be determined by the Chair in the first instance to be referred to the relevant Governing Body for final resolution if required.
- 7.3. Officers of the Club and other members of the Club who have direct involvement with the Tristar section of the Club, access to the membership database and/or any of the Club's financial accounts must be fully paid up members of Triathlon England. The cost of Triathlon England membership may be reclaimed from the Club.
- 7.4. Officers of the Club and other members of the Club who have direct involvement with the Tristar section of the Club, access to the membership database and/or any of the Club's financial accounts must consent to a Criminal Records Bureau Enhanced Disclosure. They will be expected to co-operate with the organising body by providing the relevant identification and completed form when required. The Club will meet all costs incurred in this process.

8. **The Committee**

- 8.1. The Committee shall consist of the Officers of the Club.
- 8.2. The Sub-Committee shall consist of fully paid up members of the Club.
- 8.3. All Officers of the Club shall be fully paid up members of the Club.
- 8.4. The Committee may fill any vacancies occurring by resignation or otherwise.
- 8.5. The Committee shall manage all the affairs of the Club according to the Rules and Constitution and shall apply the funds of the Club to the Objectives of the Club.
- 8.6. Committee meetings shall be held not less than quarterly save where the Committee itself shall by a simple majority resolve not to meet and the quorum of that meeting shall be such number as shall represent not less than a simple majority of the Committee members. The Chairman and the Secretary shall have discretion to call further meetings of the Committee if they consider it to be in the interests of the Club. The Secretary shall give all the members of the Committee not less than seven days written notice of a meeting.
- 8.7. Decisions of the 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. The Secretary, or in his absence a member of the Committee, shall take the minutes. The quorum for a meeting is not less than half the number of people allowed to attend and vote, which must include at least the Chairman, Secretary or Treasurer. Otherwise the Committee cannot take any actions.
- 8.8. In the event that a quorum is not present within thirty minutes of the published start time, a meeting shall stand adjourned to the time and date falling seven days after the date of the meeting, or such other date and time as may be determined by the Chairman. If a quorum is not present at the adjourned meeting then those Committee members attending may act for the purpose of calling a Special General Meeting of the members, to which the provisions as to minimum notice contained in Rule 9.11 shall not apply.
- 8.9. To the extent permitted by the law, taking into consideration existing British Triathlon Insurance cover and indemnification provided by the Governing Bodies to which the Club is affiliated, every Officer of the Club, Volunteers on Club business, and Club Coaches are indemnified by the Club against all costs, charges, losses, expenses and liabilities incurred by him or her in the execution or discharge of his or her Club duties, except in the event of their gross negligence or wilful misconduct.

9. **Annual General Meetings**

- 9.1. The Committee will arrange a time, date and venue for the Club to hold an Annual General Meeting (AGM) in the fourth quarter each calendar year.
- 9.2. The Secretary shall be responsible for notifying each member by email at his or her last known address a notice of the date, time and place of a General Meeting together with the closing date for any reports and resolutions to be proposed thereat at least 28 days before the meeting. The Notice of the Meeting shall in addition be displayed on the Club website.
- 9.3. The Secretary shall be responsible for emailing each member at his or her last known address an agenda for the General Meeting together with the resolutions to be proposed thereat at least 7 days before the meeting and in the case of the Annual General Meeting a copy of the annual reports, a list of the nominees for the Committee posts and a copy of the examined accounts.
- 9.4. The purpose of the Annual General Meeting is to carry out the following business:
- 9.4.1. to receive the Chairman's report of the activities of the Club during the previous year;
 - 9.4.2. to receive and consider the accounts of the Club for the previous year and the report on the accounts of the independent financial examiner and the Treasurer's report as to the financial position of the Club;
 - 9.4.3. to appoint or confirm retention of an independent financial examiner. The duty of the independent financial examiner is to audit the accounts of the Club for the following year and to report to the next AGM. A member of the Committee may not take this role.
 - 9.4.4. to elect the Officers and Sub-Committee members;
 - 9.4.5. to elect the delegates to attend the meetings of the bodies and associations to which the Club is affiliated, as required;
 - 9.4.6. to decide on any resolution, which may be duly submitted in accordance with Rule 9.5
 - 9.4.7. to carry out any other business proposed by the Committee
- 9.5. Nominations for election of members to any office or for membership of the Committee shall be made in writing by the proposer and seconder to the Secretary not later than 14 days prior to the date of the meeting. The nominee shall be required to indicate in writing on the nomination form his willingness to stand for election. Notice of any resolution proposed to be moved at the Annual General Meeting shall be given in writing to the Secretary not later than 14 days prior to the date of the meeting.

- 9.6. Any Senior member entitled to attend and vote at a General Meeting shall be entitled to put any proposal for consideration at any General Meeting provided the proposal in writing shall have been handed to or posted to the Secretary of the Club so as to be received not later than 14 days before the date of the meeting and thereafter the Secretary shall supply a copy of the proposal or resolution to the members in the manner provided in Rule 9.2 and Rule 9.3.
- 9.7. The quorum for the Annual and Special General Meetings shall be twenty members entitled to attend and vote at the Meeting including at least one Officer.
- 9.8. The Chairman, or in his absence a member selected by the Committee, shall take the chair. Each member present shall have one vote and a simple majority shall pass resolutions. In the event of an equality of votes the Chairman shall have a casting or additional vote. Only paid up members who have reached their 14th birthday shall be entitled to be heard and to vote on all matters.
- 9.9. The Secretary, or in his or her absence a member of the Committee, shall take minutes at the Annual and Special General Meetings.
- 9.10. The Chairman shall at all General Meetings have unlimited authority upon every question of order and shall be, for the purpose of such meeting, the sole interpreter of the Rules of the Club.
- 9.11. The Committee may, on giving fourteen days notice, call a Special General Meeting (SGM) of the Club for any specific business, the nature of which shall be stated on the notice convening the meeting. The Committee shall be empowered to decide matters relating to and arising out of the stated business.
- 9.12. The Committee shall also convene an SGM of the Club upon the written request of not fewer than twenty paid members. The meeting shall be held within twenty-eight days of the request being received by the Secretary. The request shall state the business to be carried out.

10. **Alterations to the Rules and Constitution**

- 10.1. Resolution at an Annual or Special General Meeting may alter the rules and Constitution provided that the resolution is carried by a majority of at least two-thirds of members present and entitled to vote at the General Meeting.
- 10.2. No amendment(s) to the rules and Constitution shall become effective until such amendment(s) shall have been submitted to and validated by such person as is authorised to do so by the appropriate Governing Body to which the Club is affiliated or at a subsequent date decided by the meeting.

11. **Health & Safety**

- 11.1. All reasonable steps will be taken to ensure the safety of Club members while training and racing. All members are encouraged to have a medical check-up before embarking on a training programme. The Club accepts no liability for the ill health or injury of its members whilst racing or training.
- 11.2. Approved cycling safety helmets of ANSI Z90.4, SNELL B90, EN 1078 or an equivalent national standard must be worn on Club cycle rides.
- 11.3. The Head Coach shall maintain an Accident Book in which all accidents to Club members during Club training sessions shall be recorded. Details of such accidents shall be reported to the relevant Governing Body according to their guidelines.

12. **Finance**

- 12.1. All moneys payable to the Club shall be received by the Treasurer and deposited in a bank account in the name of the Club. No sum above £3,000.00 shall be drawn from that account except by cheque signed by two of the signatories who shall be the Chairman, Vice Chairman, Secretary and Treasurer. Any moneys not required for immediate use may be invested as the Committee in its discretion think fit.
- 12.2. 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 members of the Club, (save as set out in Rule 14.3.)
- 12.3. The Committee shall have power to authorise the payment of remuneration and expenses to any Officer, Member or Employee of the Club and to any other person or persons for services rendered to the Club.
- 12.4. The Treasurer in such manner shall record the financial transactions of the Club as the Committee thinks fit.
- 12.5. The financial year of the Club shall be the period commencing on 15th November and ending on 14th November. Any change to the financial year shall require the approval of the members in a General Meeting.
- 12.6. The Committee shall retain for a minimum period of six years all financial records relating to the Club and copies of Minutes of all meetings.

13. **Dissolution of the Club**

- 13.1. A resolution to dissolve the Club shall only be considered at a General Meeting of the membership and shall be carried by a majority of at least two thirds of the members present and entitled to vote. A specific date for the dissolution shall be included in the resolution.
- 13.2. 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.

- 13.3. If the Club shall cease to exist, or is wound up, then its assets shall be realised and its liabilities discharged in such a manner as the Committee shall direct. Any surplus funds shall be divisible amongst the members on a pro-rata basis that is related to the current year's subscription paid by the various classes of membership.
14. **Affiliation to ASA North West Region**
- 14.1. By virtue of the affiliation of the Club to the ASA North West Region, the Club and all members of the Club acknowledge that they are subject to the laws, rules and constitutions of:
- 14.1.1. the Lancashire County Water Polo and Swimming Association and
 - 14.1.2. the ASA North West Region and
 - 14.1.3. the Amateur Swimming Association; (to include the ASA / IoS Code of Ethics);
 - 14.1.4. British Swimming (to include in particular its Doping Control Rules and Protocols and Disciplinary Code); and
 - 14.1.5. FINA, the world Governing Body for the sport of swimming in all its disciplines (together "the Governing Body Rules")
- 14.2. At the Annual General Meeting the delegates to attend the Council meetings of the ASA North West Region and the Lancashire County Water Polo and Swimming Association shall be elected.

Appendix A - Terms and Conditions of Membership

By joining Manchester Triathlon Club, members agree to the following terms and conditions:

1. All members must abide by the Rules and Constitution of the Club which is available on the Club website

General Conduct

2. All members are expected to behave in a respectful and tolerant way towards all other Club members, regardless of age, gender, race, religion and sexual orientation. The Committee reserves the right to cancel, without refund, the membership of anyone found to be behaving in an abusive manner towards any coach, Club volunteer (such as voucher collectors) or other member.
3. Members should arrive at training sessions on time and are expected to act in a way that is consistent with the session specific etiquette as described on the relevant activity card.

Vouchers and Membership Cards

4. To gain entry to training sessions, all members must show their membership card and bronze members must hand in a training voucher to the collector.
5. If a member does not have their membership card or a voucher, they will, without exception, not be permitted to train.
6. Voucher collectors have the full backing of the Committee in turning away members without a voucher/membership card and abusive behaviour towards these volunteers will not be tolerated (See General Conduct section 2).
7. Training vouchers are non transferable.

Health and Safety

8. Members participate in all training sessions, races and other events at their own risk.
9. To comply with health and safety requirements, all members must sign in at the beginning of every training session. Failure to comply may result in the session being stopped by the coach until the situation has been rectified.
10. Any member who has a medical condition should consult their doctor before participating in training or racing.
11. It is the responsibility of the member, not the coach, to ensure that they are fit to participate in training sessions.
12. It is the responsibility of the member to inform the coach if they have a medical condition that may affect their participation in a session, or the medical treatment they can/should receive in the event of emergency (This information will not be retained by the Club and so should be given to the coach at the beginning of EVERY session).
13. Members are responsible for reading the activity prior to arrival at a session and bringing the correct equipment.
14. Members are responsible for ensuring that any equipment they bring for use during training sessions (eg bike, turbo trainer) is in good working order and not in a condition in which it would be likely to cause injury to themselves or other members.
15. Members under the age of 18 may participate in training sessions only once the Club has received a signed parental consent form.

Personal Belongings

16. Members' property remains their responsibility during training sessions and the Club will take no responsibility for any loss or damage suffered.

Membership Cards

17. Membership cards remain the property of the Club and must be returned at the request of the Committee.
18. If lost or stolen, membership cards can be replaced at a cost of £10.

Membership Fees

19. By joining the Club, members agree to pay membership fees for the entire year and no amount of these fees are refundable, even if the member leaves the Club before 31st December of any membership year. Exceptions will only be made in cases of extreme unexpected hardship.
20. Members paying by monthly instalments agree to make payments as set out on the standing order form. This standing order may not be cancelled except by prior agreement with the Membership Secretary and Treasurer or Chairman.

Last updated 14th December 2009 by Andy Fardon

Approved at the AGM on 14th December 2009. Votes in favour 38. Votes against 0.