



RULES of Camden Swiss Cottage Swimming Club (“the Club”) as at 27th November 2019

1. Name

- 1.1 The name of the Club shall be Camden Swiss Cottage Swimming Club.

2. Objects

- 2.1 The objective of the Club shall be the teaching, development and practice of swimming for its members, and shall, when appropriate, be to compete. In the furtherance of this objective:
- 2.1.1 The Club is committed to treating everyone equally within the context of its 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 A.S.A. Equality Policy (as may be amended from time to time).
- 2.2 The Club shall be affiliated to ASA London Region, and shall adopt and conform to the rules of this Association, and to 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, Regulations and Technical Rules of the A.S.A. (“A.S.A. Laws”) and in particular:
- 2.3.1 all competing members shall be eligible competitors as defined in A.S.A. Laws; and
- 2.3.2 in accordance with A.S.A. Laws, the Club shall adopt the A.S.A. Child Safeguarding Policy, Regulations and Procedures; 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.
- 2.3.3 in accordance with A.S.A. Laws, members of the Club shall comply with the A.S.A. Child Safeguarding Policy, Regulations and Procedures.
- 2.4 By virtue of the affiliation of the Club to ASA London Region, the Club, and all members of the Club, acknowledge that they are subject to the laws, regulations, rules and constitutions of:
- 2.4.1 ASA London Region; and
- 2.4.2 the A.S.A. (to include the A.S.A./IOS Code of Ethics); and
- 2.4.3 British Swimming (in particular its Anti-Doping Rules and Judicial 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 Governing Body Rule shall prevail.



3. Membership

- 3.1 The total membership of the Club shall not normally be limited. The Committee will however impose limits on membership numbers when deemed in the best interest of the Club, (i.e. not to exceed pool lane capacity or coaching resources). In such events a waiting list shall operate.
- 3.2 All persons who assist in any way with the Club's activities shall become members of the Club and hence of the A.S.A.; and the relevant A.S.A. membership fee shall be paid. Assisting with the Club's activities shall include, but not be restricted to, administrators, associate members, voluntary instructors, teachers and coaches, Committee members, helpers, Honorary Members, Life Members, Officers, patrons, technical and non-technical officials, temporary members, and verifiers or tutors of the A.S.A.'s educational certificates.
- 3.3 Paid instructors, teachers and coaches who are not members of the Club must be members of a body which accepts that its members are bound by the A.S.A.'s Code of Ethics, the Laws and Regulations relating to Child Protection and those parts of the Judicial Laws, Judicial Regulations and procedures necessary for their implementation; and whilst engaged in activities under the jurisdiction of the A.S.A. shall be subject to all the constraints and privileges of the Judicial Laws and Regulations.
- 3.4 Any person who wishes to become a member of the Club must register online at www.camdenswimming.co.uk. In the case of a Minor (swimmer under the age of 16), the registration application must be completed by the Minor's parent or guardian. Election to membership shall be at the discretion of the Committee. This privilege may be delegated to the Executive Committee (see section 7.1), and other person(s) authorized by the Committee may make recommendations as to the applicant's acceptability. Upon written request, the Committee shall state the reason for refusal of the membership application.
- 3.5 In its consideration of applications for membership, 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 shall not refuse membership on the basis of a Protected Characteristic within the Act, such as disability; gender or gender identity; pregnancy; race; religion or belief; or sexual orientation. Neither may refusal be made on the grounds of political persuasion.
- 3.6 The Club may refuse membership only for good and sufficient cause, such as conduct or character likely to bring the Club or the sport into disrepute; or, in the case of a swimmer, being unable to achieve the entry standards as laid down and provided by the Club to the applicant for membership.

4. Subscription and Other Fees

- 4.1 The annual members' subscriptions, coaching and squad fees, meet and gala fees, and other membership charges (as applicable) shall be determined from time to time by the Committee and the Committee shall in so doing make special provision for different classes of membership as it shall determine.
- 4.2 The annual members' subscriptions and any other applicable membership charges shall be due on joining the Club and thereafter on the 1st day of September each year. For Minors, the Club will annually charge ASA Membership Category 3 for one parent/guardian to represent the Minor in Club Meetings (see section 11.3).



- 4.3 Any member whose subscription, fee or other charges is unpaid more than 30 days after the due date for payment may be suspended by the Committee from some, or all, Club activities as of a date to be determined by the Committee and until such payment is made.
- 4.4 The Committee shall have the power to determine the annual membership subscription and other fees. This shall include the power to increase the subscription amount upon an increase in individual A.S.A. membership fees where the Club pays the individual A.S.A. Membership Fees to the A.S.A. on behalf of members. Any increase in subscriptions shall be advised to the members in writing with the reasons for any increase to be reported to the members at the next Annual General Meeting.
- 4.5 The Committee shall have the power, in special circumstances, to remit the whole, or part, of the fees, including the A.S.A. membership fees, to address issues of social inclusion.

5. Resignation

- 5.1 A member wishing to resign membership of the Club must give the Secretary written (or email) notice of his/her resignation. A member's resignation shall only take effect when compliance with this (Rule 5.1) has been achieved.
- 5.2 The member who resigns from the Club in accordance with Rule 5.1 above shall not be entitled to have any part of the annual membership fee or any other fees returned.
- 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. Where the membership of a member shall be terminated in this way, he/she shall be informed in writing that he/she is no longer a member by notice handed to him/her or sent by post to his/her last known address.
- 5.4 The A.S.A. Membership Department shall be informed should a member resign when still owing money or goods to the Club.

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 the individual 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 refunded, and must return any Club or external body's trophy or trophies held forthwith. In exercising this power, the Club is required to comply with the provision of Rules 6.3 and 6.4 below.
- 6.3 The Club shall comply with the relevant Judicial Regulations for handling Internal Club Disputes ("the Rules") as the same may be revised from time to time. (A copy of the current Rules may be obtained from the A.S.A. Department of Legal Affairs).
- 6.4 A member may not be expelled or (subject to Rule 6.5 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.
- 6.5 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 incident or matter will thereafter be dealt with in accordance with the appropriate Judicial Regulations.

7. Committee

- 7.1 The Committee shall consist of the Chairperson, Vice Chairperson, Secretary, Treasurer (together “the Executive Officers of the Club”) and five other elected members all of whom must be members of the Club. The Committee may invite such other persons, as they deem appropriate, to assist their deliberations, such persons being without the right to vote at any Committee meeting they may attend. All Committee members must be not less than 18 years of age though the Committee may allow younger member(s) to attend their meetings without power to vote.
- 7.2 The Committee shall appoint a member of the Club as Welfare Officer who must be not less than 18 years of age, who should have an appropriate background, and who is required to undertake appropriate training in accordance with A.S.A Child Safeguarding courses. The Welfare Officer will have a right to attend Committee meetings without a power to vote.
- 7.3 The Executive Officers and 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 Chairman has closed the meeting. Any vacancy occurring by resignation or otherwise may be filled by the Committee. Retiring Executive Officers and members of the Committee shall be eligible for reelection.
- 7.4 Any casual vacancy on the Committee occurring by resignation, or otherwise, may be filled by the Committee. The member so chosen to fill a Committee position shall retire at the next Annual General Meeting, but shall be eligible for re-election at that Meeting.
- 7.5 Committee meetings shall be held on not less than eight occasions during the Club year (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 (to include not less than one Executive Officer). The Chairperson 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 two days notice of a meeting by email. Decisions of the Committee shall be made by a simple majority (and in the event of equality of votes the Chairperson, or in the Chairperson’s absence, the Vice Chairperson, shall have a casting or additional vote.) The Secretary, or in his/her absence a member of the Committee, shall preside over the taking of minutes.
- 7.6 In the event that a quorum is not present within 30 minutes of the published start time, the 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 determined by the Chairperson. 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 11.1 shall not apply.
- 7.7 The Committee may appoint such sub-committees as they may consider necessary (and to remove (in whole or in part) or vary the terms of reference of such sub-committees) and may



delegate to them such of the powers and duties of the Committee as the Committee may determine. All sub-committees shall periodically report their proceedings to the Committee, and shall conduct their business in accordance with the directions of the Committee.

- 7.8 The Committee shall be responsible for the management of the Club, and shall have the sole right of appointing and determining the terms and conditions of service of employees of the Club. If it chooses, the Committee can delegate to the Business Manager (Club employee managing the business activities of the Club day to day) the right to appoint other employees on terms and conditions agreed in advance with the Committee. The Committee shall have power to enter into contracts for the purposes of the Club on behalf of all the members of the Club. The Committee may establish, and shall manage, any swimming tuition programmes it may decide to offer to external organizations, but shall do so only if this presents a benefit to the Club. The Committee shall be responsible for ensuring that the Accounts of the Club for each financial year be examined by an independent examiner to be appointed by the members in an Annual General Meeting.
- 7.9 The members of the Committee shall be indemnified by the members of the Club against all liabilities properly incurred by them in the management of the affairs of the Club. The Club shall pay the necessary insurance premiums to indemnify the Committee.
- 7.10 The Committee shall ensure a) The maintenance of an Accident Book in which all accidents to Club members at swimming related activities shall be recorded; b) Details of such accidents shall be reported to the A.S.A. Membership Department; c) The Club shall make an annual return to the A.S.A. Membership Department indicating whether or not an entry has been made in the prescribed form, which is to be found on the membership renewal form.
- 7.11 The Committee shall have power to make regulations, create by-laws (see Rule 13.1), and to settle disputed points not otherwise provided for in this Constitution.

8. Honorary Members/Life Members

- 8.1 The Committee may elect any person it deems appropriate as an Honorary Member of the Club for a period up to one year. At the Annual General Meeting the members of the Club may elect by secret ballot any person as a Life Member of the Club. Honorary and Life Members shall be entitled to all the privileges of membership except that they shall not be entitled to vote at meetings and serve as Officers or on the Committee unless any such person has also retained their ordinary membership of the Club. Such Honorary Members and Life Members must be included in the Club's annual return as to membership.
- 8.2 Once created by the Committee, Honorary and/or Life Membership categories may only be removed (notwithstanding that persons may hold these categories of membership) at an Annual General Meeting of the Club, when it shall be properly proposed in accordance with these Rules.
- 8.3 A minimum of 21 days in advance of the Annual General Meeting, the Committee shall write to all holders of Honorary and/or Life Membership effected by the above proposal drawing the proposal to his/her/their attention and inviting him/her/them to attend the Annual General Meeting.



9. Annual General Meeting

- 9.1 The Annual General Meeting of the Club shall be held each year on a date in October or November. The date, time, and venue for the Annual General Meeting shall be fixed by the Committee.
- 9.2 The purpose of the Annual General Meeting is to transact the following business:
- 9.2.1 to receive the Chairperson's report of the activities of the Club during the previous year;
 - 9.2.2 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;
 - 9.2.3 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;
 - 9.2.4 to elect the Executive Officers and other members of the Committee;
 - 9.2.5 to decide on the dissolution of existing Honorary and/or Life membership categories;
 - 9.2.6 to decide on any resolution which may be duly submitted in accordance with Rule 9.3.
- 9.3 Nominations for election of members to any office, or for membership of the Committee, shall be made via email by the proposer and seconder to the Secretary no later than 21 days prior to the date of the Annual General Meeting. The nominee shall be required to indicate via email on the nomination form his/her willingness to stand for election. Notice of any resolution proposed to be moved at the Annual General Meeting shall be given via email to the Secretary no later than 21 days prior to the date of the Annual General Meeting.

10. Special General Meeting

- 10.1 A Special General Meeting may be called at any time by the Committee. A Special General Meeting shall be called by the Club within 28 days of receipt by the Secretary of a requisition in writing signed by not less than 40 members entitled to attend and vote at a General Meeting, stating the purposes for which the Meeting is required and the resolutions proposed.

11. Procedure at the Annual and Special General Meetings

- 11.1 The Secretary shall personally be responsible for emailing each member at his/her last known email address a written agenda. Giving notice of the date, time and place of the General Meeting together with the resolutions to be proposed 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. Additionally, the Notice of Meeting shall be displayed on the Club Website.
- 11.2 The quorum for the Annual and Special General Meetings shall be 20 members entitled to attend and vote at the General Meeting.
- 11.3 The Chairperson, or in the Chairperson's absence the Vice Chairperson, shall take the chair. Using a secret ballot, each eligible voting member present shall have one vote, with resolutions being deemed past by a simple majority. For the procedures for submitting resolutions to be



considered at a General Meeting, members are referred to Rule 9.3. In the event of an equality of votes the Chairperson shall have a casting or additional vote.

Only paid up members with ASA Membership, who are not Minors, shall be entitled to be heard and to vote on all matters. For the avoidance of doubt, parents/guardians with more than one Minor are limited to one vote. Minors shall be entitled to be heard on those matters determined by the Chairperson as matters concerning Minors.

- 11.4 The Secretary, or in his/her absence, a member of the Committee, shall preside over the taking of minutes at the Annual and Special General Meetings.
- 11.5 At all General Meetings, the Chairperson shall have unlimited authority upon every question of order and shall be, for the purpose of such Meetings, the sole interpreter of the Rules of the Club.

12. Alteration of the Rules and Other Resolutions

- 12.1 The Rules may be altered by resolution at an Annual or Special General Meeting provided that the resolution is carried by a majority of at least two-thirds of eligible voting members present and at the General Meeting. No amendment(s) to the Rules 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 County Association/ASA London Region.
- 12.2 Any member 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 by him/her at least 21 days before the Annual General Meeting, or in the case of a Special General Meeting, seven 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 11.1.

13. By-Laws

- 13.1 The Committee shall have power to make, repeal and amend such by-laws as they may from time to time consider necessary for the well being of the Club; and which by-laws, repeals and amendments shall have effect until set aside by the Committee or at a General Meeting.

14. Finance

- 14.1 All moneys payable to the Club shall be received by the Treasurer or Business Manager and deposited in a bank account in the name of the Club. No sum greater than £300 shall be drawn from that account except by a) cheque signed by two of the three signatories or b) electronic transfer approved by two of the three signatories. The three signatories shall be the Chairperson, Treasurer and Business Manager. Any monies not required for immediate use may be invested at the discretion of the Committee.
- 14.2 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 17.3.).

- 14.3 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.
- 14.4 The Treasurer shall record the financial transactions of the Club in such manner as the Committee thinks fit.
- 14.5 The financial year of the Club shall be the period commencing on 1st August and ending on 31st July. Any change to the financial year shall require the approval of the members in a General Meeting.
- 14.6 The Committee shall retain all financial records relating to the Club and copies of Minutes of all meetings for a minimum period of six years.

15. Borrowing

- 15.1 The Committee may borrow money on behalf of the Club for the purposes of the Club at their own discretion (up to such limits on borrowing as may be laid down from time to time by the General Meeting) for the general upkeep of the Club; or with the prior approval of a General Meeting for any other expenditure, additions or improvements.
- 15.2 When so borrowing the Committee shall have power to raise, in any way, any sum or sums of money and to raise and secure the repayment of any sums or sums of money in such manner or on such terms and conditions as it thinks fit, and in particular by mortgage of or charge upon or by the issues of debentures charged upon all or any part of the property of the Club.
- 15.3 The Committee shall have no power to pledge the personal liability of any member of the Club for the repayment of any sums so borrowed.

16. Property

- 16.1 The property of the Club, other than cash at the bank, shall be vested in not more than four Custodians. They shall deal with the property as directed by resolution of the Committee and entry in the minute book shall be conclusive evidence of such a resolution.
- 16.2 The Custodians shall be elected at a General Meeting of the Club and shall hold office until death or resignation unless removed by a resolution passed at a General Meeting.
- 16.3 The Custodians shall be entitled to an indemnity out of the property of the Club for all expenses and other liabilities properly incurred by them in the discharge of their duties.

17. Dissolution

- 17.1 A resolution to dissolve the Club shall only be proposed at a General Meeting and shall be



carried by a majority of at least three-quarters of the members present and entitled to vote. A specific date for the dissolution shall be included in the resolution.

- 17.2 The dissolution shall take effect from the date specified in the resolution and the members of the Committee shall be responsible for the settlement of the assets and liabilities of the Club.
- 17.3 Any property remaining after the discharge of the debts and liabilities of the Club shall be given to a charity or charities (or other non-profit making organisation having objects similar to those of the Club for the furtherance of such objects) nominated by the last Committee (see A.S.A.'s Guidance Notes regarding Taxation).

18. Acknowledgement

- 18.1 The members acknowledge that these Rules constitute a legally binding contract to regulate the relationship of the members with each other and the Club.
- 18.2 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 the rules of Camden Swiss Cottage 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 these rules.”