

# AGM NOTICE OF CHANGES TO CONSTITUTION

**In line with the Constitution, please see below proposed changes to the Club's Constitution, required in order to bring our Constitution and Bye-Laws in line with the Scottish Swimming Club Model Constitution Issue 2021.**

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Adding in Compulsory Issue heading to clarify which Model issue constitution is based on.  
Amend BL2.0 to be "Committee Meetings" (ie exclude General Meetings) Amend BL2.1 to be "Committee Meetings Standing Orders"

Bo'ness Amateur Swimming Club

CONSTITUTION, BYE-LAWS AND REGULATIONS INDEX

Constitution and Bye-Laws updated for Club Model Issue 2021 (Dec 2021)

Bye-Laws

BL1.0 CLUB MANAGEMENT SECTION

BL2.0 ~~MEETINGS~~ Committee Meetings

BL2.1 ~~Standing Orders~~ Committee Meetings Standing Orders

BL2.2 Management Committee Meetings

- Constitution C3.1(a) & (b)

Amend the definition of Adult and Junior swimmers to be age related, removing reference to "Scots Law".

C3.0 MEMBERSHIP

C3.1 The membership shall consist of the following categories:-

- a) Adult Member - An Adult is an individual 16 years and over, as recognised in Scots Law
- b) Junior Member - A Junior is an individual not recognised in Scots Law as an adult and not as defined in Scottish Swimming Company Rule R4.5.6. A Junior is an individual 15 years or under (not as defined in Scottish Swimming Company Rule R4.5.6 which refers to Championship and Meets, Eligibility).

- Constitution C3.2.3 (Main and alternative paragraphs)

Add in additional wording clarifying that members may be suspended or excluded from Club activities if their fees are not up to date.

~~C3.2.3 All members will be excluded from taking part in any of the Club's activities, competitions or meetings until their annual subscription is paid.~~

**C3.2.3 Members will be excluded from taking part in any of the Club's activities until their annual subscription is paid. They may also be excluded if their club fees are not up to date.**

- Constitution C5.1.2

Add in optional wording allowing parents who are not members of the club to attend AGMs on behalf of a Junior Member.

~~C5.1.2 Attendance All Adult Members and Life Members are entitled to attend, take part and vote unless specifically excluded from doing so by the Club's Constitution. A parent or guardian of any Junior Member is entitled to attend, take part and vote on behalf of their child.~~  
**A Parent/Guardian, who is not a Club Member, is entitled to attend and take part on behalf of a Junior Member.**

- Constitution C5.1.6

Standing Orders for Club AGMs and EGMs are now as per Company Rules Section 16.

C5.1.6 Conduct of Business

~~The conduct of business shall be in accordance with Bye-laws Section BL2.1.~~  
**The conduct of business shall be in accordance with Scottish Swimming Company Rules Section R16.**

- Constitution C5.3.1

Clarify that Management Committees can only call an EGM at a Management Committee Meeting not just by the agreement of some Management Committee Members.

C5.3 Extraordinary General Meeting (EGM)

C5.3.1 An Extraordinary General Meeting shall be called by an application in writing to the Secretary supported by at least fifteen Adult Members of the Club or parents/guardians of junior members. The Management Committee shall also have the power to call an EGM by decision of a simple majority of its members **at Management Committee Meeting.**

- Bye-Law BL2.0

Amend BL2.0 to be Committee meetings.

## BL2.0 COMMITTEE MEETINGS

- Bye-Law BL2.1

Amend BL2.1 to be Committee Meetings Standing Orders.

Replace BL2.1.6

Add in new paragraphs BL2.1.8 & BL2.1.9 (based on Company Rules Section R16.3.9 &10).

### BL2.1 Committee Meeting Standing Orders

BL2.1.1 At all meetings, if a quorum is present, the Chair shall be taken not later than fifteen minutes after the appointed time of the meeting.

BL2.1.2 All Members when called to order at any meeting or gathering of the Club and not complying with the "rule of order" shall be expelled from the meeting.

BL2.1.3 The Chair at all meetings of the Club shall be the President. In the absence of the President, the Vice President shall substitute. In the absence of the President and Vice President, those in attendance shall appoint a substitute.

BL2.1.4 In the event of equality of votes in any resolution before the meeting which requires a choice to be made for the continued good governance of the Club, the Chair of a meeting shall have a second or casting vote.

BL2.1.5 The Chair of a meeting shall be the sole judge of questions of order and interpreter of the "rules" governing the Club.

~~BL2.1.6 The Chair shall not speak to, oppose or move any motion from the Chair. In order to do so, they shall vacate the Chair until that business is concluded. The meeting shall be presided over by a substitute Chair elected from among those present.~~ A meeting must keep a record, in writing, of every decision taken by the meeting. The general rule is that any decision made by the meeting must be either a unanimous decision or a majority decision.

BL2.1.7 The minutes of all meetings will be circulated to all Committee Members. The minutes can be made available to any other adult and Life members upon request to the Club Secretary.

BL2.1.8 A person is able to exercise the right to speak and vote at a meeting when:

a) that person is able to communicate and vote, during the meeting, on the business of the meeting; and

b) that person's vote can be taken into account in determining whether or not such motions are passed at the same time as the votes of all other persons attending the meeting.

BL2.1.9 A meeting need not be held in any particular place and the meeting may be held without any number of those participating in the meeting being together at the same place. In determining attendance at a meeting, it is immaterial whether any two or more persons attending it are in the same place as each other.

**PLEASE TAKE THIS AS OFFICIAL NOTICE OF THESE PROPOSED CHANGES.**

**Kind Regards**

**Hazel Hamilton**

**Club Secretary, BASC**