



CHELTENHAM SWIMMING AND WATER POLO CLUB CONSTITUTION

RULES of Cheltenham Swimming and Water Polo Club_ (“the Club”) as at November 2022

1. Name

- 1.1. The name of the Club shall be **CHEL TENHAM SWIMMING AND WATER POLO CLUB**
- 1.2. The distinctive colours of the Club shall be red, black and silver.

2. Objects

- 2.1 The objects of the Club shall be the teaching, development and practice of Artistic Swimming, Diving, Open Water, Swimming and Water Polo for its members and shall, where appropriate, be to compete. In the furtherance of these objects:
 - 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 Swim England Equality Policy (as may be amended from time to time).
- 2.2 The Club shall be affiliated to Swim England South West Limited, and the Gloucester County Amateur Swimming Association and shall adopt and conform to the rules of such associations 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 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 current 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.
 - 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 West Limited, the Club and all members of the Club acknowledge that they are subject to the regulations, rules and constitutions of:
 - 2.4.1 Gloucester County Association; and
 - 2.4.2 Swim England South West Limited; 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
 - 2.4.5 LEN, the governing body for the aquatic sports; and
 - 2.4.6 FINA, the world governing body for the aquatic sports.(hereinafter defined as “Rules of a Governing Body”).
- 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. If, however the General Committee considers that there is a good reason to impose a temporary limit on total membership or any class of membership or the membership in any Discipline of the Club then the General Committee shall have the right to impose, and remove, such temporary limit.
- 3.2 Club membership consists of four parts all or some of which may have annual fees. The four parts with applicable fees to be paid by the due date are Club, County, Region and Swim England membership.
- 3.3 All persons who assist in any way with the Club's activities shall become members of the Club and hence of Swim England and the relevant Swim England membership fee shall be paid.
- 3.4 Paid individuals who are not members of the Club must be members of a body which accepts that its members are bound by Swim England's Code of Ethics, Swim England Regulations relating to Wavepower, those parts of the Judicial Regulations and procedures necessary for their implementation and whilst engaged in activities under the jurisdiction of Swim England shall be subject to all the constraints and privileges of the Judicial Regulations.
- 3.5 Any person who wishes to become a member of the Club must submit a signed application to the Hon. Secretary, and in the case of a swimmer under the age of 18, the application must be signed by the swimmer's parent or guardian. Election to membership shall be determined by the General Committee or other person(s) authorised by the General Committee. The Club application process should be able to view either online or via a paper format.

Classes of membership

President, Vice President, Life Member, Honorary Member, Registered Technical Official, Competing Member Senior, Competing Member Junior (Under 18 years on the 1st September) Associate (Challenger 10 week membership and visitors.) Ordinary Member Senior (including coaches, volunteers and parents).

The following classes of membership shall be eligible to vote at all General Meetings of the Club;

President, Vice Presidents, Life Members, Registered Technical Officials, Competing Members Senior and Ordinary Members Senior

- 3.6 Admission to membership shall be determined by the Club's agreed process. 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, (unless the Club chooses to restrict its membership to only people who share the same Protected Characteristic) the Club shall not refuse membership on the basis of a Protected Characteristic within the Equality Act 2010. Neither may refusal be made on the grounds of political persuasion.
- 3.7 The Club may refuse membership only for good and sufficient cause, such as conduct or character likely to bring disharmony into 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. The Club 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 General Committee comprised of not less than three members, who may or may not be members of the General Committee. The Review Panel shall, wherever practicable, include one independent member nominated by the Swim England South West Limited. 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.
- 3.8 Membership is not transferable. This includes the transfer of membership rights from a child under 18 years of age to a parent or guardian.
- 3.9 For every family with one or more children under the age of 18 a minimum of one parent or guardian must be a member of the Club and all relevant fees paid

4. Membership and Other Fees

- 4.1 The annual membership fee and all other fees payable to the Club shall be determined from time to time by the General Committee and the General Committee shall in so doing make special provision for different classes of membership as it shall determine.
- 4.2 The annual Club, Swim England, Region and County fees (if any) shall be due on joining the Club and thereafter on the 1st of September each year
- 4.3 The Club shall inform all members of the fees payment structure and whether annual fees are paid in full or via an appointed scheme. Any member whose annual and/or training fees are unpaid by the date falling 30 days after the due date for payment as set by the General Committee may be suspended by the General Committee from some or all Club activities from a date to be determined by the General Committee and until such payment is made.
- 4.4 The General Committee shall, from time to time, have the power to determine the Club annual membership and other fees. This shall include the power to make such a change in the fees as shall, where the Club pays the relevant affiliation fees to Swim England on behalf of members, be consequential upon a change of such fees. 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 Executive Officers (or the Committee) shall have the power in special circumstances to remit the whole or part of the Club fees, to address issues of social inclusion. The club may also make suitable arrangements for the required payment of Swim England, Regional and County fees (where applicable).

5. Resignation

- 5.1 A member wishing to resign membership of the Club must give to the Hon. Secretary written notice of their resignation via post or electronic means. A member's resignation shall only take effect when this (Rule 5.1) has been complied with. Any outstanding subscription, other fees and all other monies due to the Club remain payable notwithstanding resignation.
- 5.2 A member whose fees are more than two months in arrears shall be deemed to have resigned from the Club and their membership terminated. Where membership has been terminated in this way the member shall be informed in writing either via post to their last known address or by electronic means
- 5.3 A member who resigns from the Club in accordance with Rule 5.1 or whose membership is terminated shall not be entitled to have any part of the annual Club, Swim England, Region or County membership fee refunded and must immediately return any Club or external body's property.
- 5.4 The Swim England Membership Department and the relevant Swim England Region shall be informed by the Club should a member resign or have their membership terminated when still owing money or goods to the Club.

6. Expulsion and Other Disciplinary Action

- 6.1 The General 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
- 6.3 The Club shall comply with the relevant Judicial Regulations (Regulations 150-155) for handling Internal Club Disputes 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).
- 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 General 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.

- 6.6 Swim England shall have 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 from time to time.

7. General Committee

- 7.1 The General Committee shall consist of: the Chair, Hon. Secretary, Hon. Treasurer (together 'the Executive Officers of the Club', Hon Registration Secretary, the Hon. Secretary of each discipline Technical Committee and no more than 3 Life Members elected by the Annual General Meeting from the Life Members not already holding office and willing to stand for election to the General Committee together with such additional secretaries as required to manage specific activities of the Club and 8 elected members all of whom must be fully paid up members of the Club. A Life Member may stand for election for any office including one of the eight elected General Committee members. 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 In accordance with Wavepower, The General 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 Wavepower. The Welfare Officer shall not be related to or in a relationship with any one of the 'Executive Officers of the Club or the Club's Coaches, Teachers or Team Managers.
- 7.3 The Welfare Officer will have a right to attend General Committee meetings without a power to vote. Attendance at meetings will be for the purpose of sharing or addressing matters relating to Welfare.
- 7.4 The Hon. Treasurer, Hon. Secretary and General 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 Chair has closed the meeting. The General Committee at its first meeting after the Annual General Meeting shall elect its Chair and Vice Chair from amongst its voting members. Any vacancy occurring by resignation or otherwise may be filled by the General Committee. Retiring Executive Officers and members of the General Committee shall be eligible for re-election.
- 7.5 The Hon Minutes Secretary, Principal Assistant Hon Secretary(s) and Principal Assistant Hon. Treasurer(s) shall be members of the General Committee with voting rights. In the absence of their principle a Principal Assistant shall act on behalf of their principal.
- 7.6 If the Hon. Secretary of a discipline Technical Committee is unable to attend a meeting of the General Committee, then the Technical Committee shall appoint a substitute (who must be a member of the Technical Committee) to attend the meeting of the General Committee in their place with power to vote.
- 7.7 General Committee meetings shall be held not less than once a month, save where the General Committee itself shall by a simple majority resolve not to meet or meet more often, and the quorum of that meeting shall be 50% of the number entitled to vote with at least one executive officer present. The Chair and the Hon. Secretary shall have discretion to call further meetings of the General Committee if they consider it to be in the interests of the Club. The Hon. Secretary shall give all the members of the General Committee not less than two days oral and or seven days written notice of a meeting. Decisions of the General Committee shall be made by a simple majority, and in the event of equality of votes the Chair of that meeting shall have a casting or additional vote. The Hon. Minute Secretary, or in their absence a member of the General Committee, shall take minutes.
- 7.8 In the event that a quorum is not present within 30 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 Chair. If a quorum is not present at the adjourned meeting then those General 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 10.2 shall not apply.
- 7.9 In addition to the members so elected the General Committee may co-opt up to 3 further members of the

Club who shall serve until the next Annual General Meeting. Co-opted members shall not be entitled to vote at the meetings of the General Committee and shall not be counted in establishing whether a quorum is present.

- 7.10 The General Committee shall appoint from the membership discipline Technical Committees for; Artistic Swimming, Diving, Swimming, Water Polo, and Sub-Committees for Finance and others as they may consider necessary (and to remove (in whole or in part) or vary the terms of reference of such committees) and may delegate to them such powers and duties of the General Committee as the General Committee may determine. All discipline Technical and sub-committees shall report monthly their proceedings by way of written minutes to the General Committee and shall conduct their business in accordance with the directions of the General Committee. The Chair, Hon. Secretary and Hon. Treasurer (the Executive Officers) shall be ex officio members of all discipline technical and sub-committees. At all meetings of the discipline technical and sub-committees four members shall form a quorum.
- 7.11 Two of any three 'Executive Officers' (Chair, Hon. Secretary and Hon. Treasurer) may, when they jointly consider it will further the "Objects" of the Club (Rule 2) formally appoint one or more additional Hon. Assistant Secretary (s) and/or Hon. Assistant Treasurer(s) to carry out specific duties, the appointment(s) and their respective duties to be reported to the next General Committee Meeting.
- 7.12 The General Committee shall;
 - 7.12.1 be responsible for the management of the Club.
 - 7.12.2 have the sole right of appointing and determining the terms and conditions of service of employees and sub-contractors of the Club subject to the provisions of Rule 18.
 - 7.12.3 have power to enter into contracts for the purposes of the Club on behalf of all the members of the Club subject to the provisions of Rule 18.
 - 7.12.4 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 General Meeting.
 - 7.12.5 retain all financial records relating to the Club and copies of minutes of all meetings for a minimum period of six years. After such time, they may be archived.
- 7.13 The members of the General 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.
- 7.14 Only the General Committee may by unanimous decision of those present and voting from time to time, at its sole discretion, nominate to the Annual General Meeting members for election to Life Membership. The Annual General Meeting may only by the unanimous decision of those present and voting appoint the nominee to Life Membership
- 7.15 The General Committee shall maintain an Accident Book in which all accidents to Club members at swimming related activities shall be recorded. Details of such accidents shall be reported to the insurers in accordance with the Accident/Incident Notification guidelines. The Club shall make an annual return to Swim England Membership Department indicating whether or not an entry has been made in the prescribed online form. A copy of entries should be kept for a period of six years or in respect of an injury to a child they should be kept for six years after they attain 18 years of age.
- 7.16 The General 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 Ceremonial Positions and Honorary Members/Life Members

- 8.1 The General Committee shall have the power to nominate and propose to the Annual General Meeting a President of the Club. The Annual General Meeting of the Club, if it thinks fit, may elect a President and Vice-Presidents. A President or Vice-President need not be a member of the association and on election 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.
- 8.2 The General Committee may elect any person as an honorary member of the Club for such period as it thinks fit, and they 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 General Committee unless any such person shall have retained in addition their ordinary membership of the Club. Such honorary members and Life Members must be included in the Club's annual return as to membership.
- 8.3 Once created by the General 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.
- 8.4 A minimum of 21 days in advance of the Annual General Meeting, the General 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.
- 8.5 Where the effected holder or holders of the honorary and/or Life membership do not attend or are unable to attend the Annual General Meeting, the Chairman may allow the matter (in so far as it relates to the absent person(s)) to proceed directly to vote, which shall be by show of hands OR secret ballot.

9. Annual General Meeting

- 9.1 The Annual General Meeting of the Club shall be held each year on a date falling in the period 1st November (the Opening date) and 30th November (the Closing date). The date, time and venue (which may be online in exceptional circumstances) for the Annual General Meeting shall be fixed by the General Committee.
- 9.2 For the purpose of participation in voting at an Annual General Meeting of the Club, all persons shall have been a member as at the membership deadline day which is the date of closure of nominations and submission of proposals.
- 9.3 The purpose of the Annual General Meeting is to transact the following business:
- 9.3.1 to receive the Annual Reports of the activities of the Club during the previous year; prepared by the Chair and the Hon. Secretaries of the discipline technical committees including the Club's championship results;
- 9.3.2 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 Hon. Treasurer's report as to the financial position of the Club;
- 9.3.3 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;
- 9.3.4 to elect;
- 9.3.4.1 the President, Vice Presidents and Life Members and the following Honorary Officials; Treasurer, Assistant Treasurer, Secretary, Minute Secretary, Assistant Secretary, Registration Secretary, Trophy Controller, Custodians (not more than 4)
- 9.3.4.2 Technical Committee Secretaries; Artistic Swimming, Diving, Swimming, Water Polo
- 9.3.4.3 Three Life Members to the General Committee
- 9.3.4.4 Eight Senior Members to the General Committee

- 9.3.5 to decide on the dissolution of existing honorary and/or Life membership categories;
 - 9.3.6 to decide on any resolution which may be duly submitted in accordance with Rule 9.6
 - 9.3.7 to ratify the election made by the teams for Team Captains in Artistic Swimming, Diving, Swimming Men, Swimming Women, Water Polo 1st Team, Water Polo 2nd Team, Water Polo Women
- 9.4 Nominations for election of members to any office or for membership of the General Committee shall be made in writing by the proposer and seconder to the Secretary not later than 10th October. (ie 21 days before the Opening Date specified above). The nominee shall be required to indicate in writing on the nomination form their willingness to stand for election. Nominations for the 3 Life members and the 8 elected General Committee members may be made at the Annual General Meeting or in writing to the Hon. Secretary before the meeting. Notice of any resolution proposed to be moved at the Annual General Meeting shall be given in writing in full detail to the Hon. Secretary not later than 1st October. Where changes to rules are to be considered the precise wording of the resolution must be given and appear on the notice of the General Meeting.
- 9.5 For the Annual General Meeting the Secretary shall be responsible for sending to each member at his/her last known postal or electronic address a written agenda giving notice of the date, time and venue of the General Meeting no later than 28 days prior to the published date. The Notice of Meeting shall in addition wherever possible be displayed on the Club Notice Board where one exists.'
- 9.6 Any such number of members as represent one-tenth in number of the members entitled to vote at a General Meeting] shall be entitled to put any proposal for consideration at an Annual General Meeting provided the proposal in writing is received by Secretary not later than 21 days prior to the published date of the meeting.
- 9.7 No less than 14 days before the published meeting date, together with the resolutions to be proposed, a list of the nominees for the Committee posts and a copy of the examined accounts will be circulated to all Club members.
- 9.8 All persons elected shall be proposed, seconded and elected by ballot at the Annual General meeting each year and shall remain in office until their successors are elected at the next Annual General Meeting. Any vacancy occurring by resignation or otherwise may be filled by the General Committee. Retiring members of the General Committee shall be eligible for re-election.

10. Special General Meeting

- 10.1 A Special General Meeting may be called at any time by the General Committee.
- 10.2 A Special General Meeting shall be called by the Hon. Secretary and held within 35 days of receipt by the Secretary of a requisition in writing signed by not less than thirty members entitled to attend and vote at a General Meeting stating the purposes for which the meeting is required and the resolutions proposed. Where changes to rules are to be considered the precise wording of the resolution must be given in the requisition calling the meeting and appear on the notice of the Special General Meeting.
- 10.3 For the purpose of participation in voting at a Special General Meeting of the Club, all persons shall have been a member as at the membership deadline day which is the date that the requisition for the meeting was made by the Committee or members.
- 10.4 In the case of a Special General meeting the Secretary shall be responsible for sending to each member at his/her last known postal or electronic address a written agenda giving notice of the date, time and venue no later than 21 days prior to the date agreed by the General Committee following the requisition submitted 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 Hon. Secretary shall personally be responsible for the handing out or sending to each member at their last known postal or electronic address a written agenda giving notice of the date, time and venue of the General Meeting together with the resolutions to be proposed thereat at least fourteen days before (in the case of the Annual General Meeting), a list of the nominees for the General Committee posts and a copy of the examined accounts. The Secretary may, alternatively, with the agreement of member(s) concerned distribute these materials by e-mail or similar form of communication. The Notice of Meeting shall in addition wherever possible be displayed on the Club Notice Board where one exists. The General Committee can decide to hold the Annual or Special General Meeting virtually, using such electronic and video technology as it sees fit.
- 11.2 The quorum for the Annual and Special General Meetings shall be twenty four members entitled to attend and vote at the Meeting.
- 11.3 The President or in his absence the Chair, or in the Chair's absence the Vice Chair or in their absence a member appointed by the General Committee, shall take the chair. Each member present shall have one vote and resolutions shall be passed by a simple majority. In the event of an equality of votes the Chair shall have a casting or additional vote.
- 11.4 Only paid up members who have reached their 18th birthday shall be entitled to be heard and to vote on all matters. (Members who have not reached their 18th 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.)
- 11.5 The Hon. Minute Secretary, or in their absence a member of the General Committee, shall ensure that minutes are taken at the Annual and Special General Meetings.
- 11.6 The Chair 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.

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 members present and entitled to vote 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 Swim England South West Limited.
- 12.2 Any 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 Hon. Secretary of the Club so as to be received by them not later than 1st October in the case of the Annual General Meeting or, in the case of a Special General Meeting, Rule 10 should apply.
- 12.3 Any member entitled to attend and vote at a General meeting shall be entitled to put a motion of amendment to any proposal before a General meeting provided the motion of amendment is in writing and shall have been handed to or posted by the Hon. Secretary of the Club so as to be received by them 7 days before the date of the meeting
- 12.4 A copy of a motion of amendment shall be sent to the proposer of the resolution and copies made available at the General Meeting.

13. By-Laws

- 13.1 The General Committee shall have power to make, repeal and amend regulations and by-laws as they may from time to time consider necessary for the wellbeing of the Club. Such regulations, by-laws, repeals and amendments shall have effect until set aside by the Committee or at a General Meeting. The Committee shall have power to settle disputed points not otherwise provided for in this Constitution.

14. Finance

- 14.1 All monies payable to the Club shall be received by the Hon. Treasurer and deposited in a bank/building society account in the name of the Club.
- 14.2 No sum shall be drawn from that account except by cheque signed and/or online banking by any two of the three signatories who shall be members of the General Committee (normally the Chair, Hon Secretary and Hon. Treasurer). Any monies not required for immediate use may be invested as the General Committee in its discretion think fit.
- 14.3 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.).
- 14.4 The General Committee shall have power to authorise the payment of remuneration and expenses to any officer, member, employee or sub-contractor to the Club and to any other person or persons for services rendered to the Club.
- 14.5 The financial transactions of the Club shall be recorded by the Hon.Treasurer in such manner as the General Committee thinks fit.
- 14.6 The financial year of the Club shall be the period commencing on 1st September and ending on 31st August. Any change to the financial year shall require the approval of the members in a General Meeting.

15. Borrowing

- 15.1 A resolution for the Club to borrow funds shall only be proposed at a General Meeting and shall be carried by a majority of at least two-thirds of members present and voting.
- 15.2 The General 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 less than two but not more than four Custodians. They shall deal with the property as directed by resolution of the General 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 General Committee shall be responsible for the winding-up 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 General Committee

18. Contracts and Conflict of Interest

- 18.1 The General Committee may enter into short term contracts (one year) on behalf of the Club. By resolution at an Annual or Special General meeting longer term contracts may be entered into provided that the resolution is carried by a majority of at least two-thirds of the members present and entitled to vote at the General Meeting.
- 18.2 Any member having a financial interest direct or indirect in any matter under consideration at any meeting held by the Club shall declare such interest to the meeting and shall not take part in the discussion unless permitted to do so by the express permission of the Chair of the meeting and shall not be eligible to vote on the matter.

19. Notices

- 19.1 Wherever there is reference to notice in writing being given in these rules then valid notice shall be given if it has been sent electronically to the last known email address of the recipient and shall not have been electronically returned or rejected. Email will be the default method of communication unless a hard copy is specifically requested

20. Club Championships

Club championships shall be open to all members who are eligible as detailed below. Non-eligible swimmers may compete in the Club Championships as guests, but will not be entitled to win medals or trophies.

- 20.1 Eligible swimmers are those that have current (paid) membership and training fees unless 20.2 applies

- 20.2 Non-Eligible swimmers are those to which either of the following applies:

- a) Swimmers who have not completed 60 days paid membership prior to the start of the Club champs.
- b) Swimmers who compete for other Clubs in the Region directly or indirectly against CSWPC (other than as members of any Hub squad). This includes all swimming related open meets, galas and championships.

Non-eligible swimmers may compete in the Club Championships as guests, but will not be entitled to win medals or trophies.

- 20.3 Swimmers entering Club Championships must seek the advice of their coach as to which events to enter. If coaches' advice is not sought or ignored, the swimmer may be refused entry into specific events. This is for the benefit of the respective swimmer to ensure that they only take part in events suited to their ability and/or age.
- 20.4 The Swimming Technical Committee (STC) have the right to postpone, rearrange or cancel any event.
- 20.5 All results will be sent out within 10 days of completion of the respective competition so results can be checked and validated. All medals and trophies will be presented at a presentation event to be held once the competition has been completed.

21. Acknowledgement

- 21.1 The Members acknowledge that these Rules constitute a legally binding contract to regulate the relationship of the members with each other and the Club.
- 21.2 This constitution must be readily available to all club members. This may be via posting on the Club website or shared with members annually at time of membership renewal.
- 21.3 The following statement must appear on Club membership forms and is to be signed by the member. An electronic signature is accepted. 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 Cheltenham Swimming and Water Polo 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.”

This constitution was approved at the club AGM held on the 24th November 2022