

CONSTITUTION OF

WEDNESBURY SPORTS UNION

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A.G. Webb - M.Sc., BA(Hons), Cert PPH, M.ISPAL

CONSTITUTION OF WEDNESBURY SPORTS UNION

1. Name:-

- 1.1 The organisation shall be called the **WEDNESBURY SPORTS UNION** (hereinafter referred to as "The Union")-----

2. Objects:-

The objects of the Union are to:-

- 2.1 To encourage, promote, develop and safeguard participation in amateur sport in Wednesbury, and more widely in the Borough of Sandwell-----

The present sports are:-

Cricket
Tennis
Hockey
Football
Weight lifting

- 2.2 To encourage, promote, develop and safeguard the interests and playing of sport by the provision and maintenance of playing facilities at Wood Green and any other facilities which from time to time come under the control of the Union----
- 2.3 To observe and carry out the terms of existing lease/s granted by Sandwell Metropolitan Borough Council (as successor authority to the Borough of Wednesbury) to Wednesbury Sports Union and affecting plot/s of land at Wood Green, Wednesbury----
- 2.4 To ensure that all sports organised through the Union shall be safe for all participants and spectators and played to a high standard. It shall be the responsibility of each constituent club to ensure that appropriate coaching and practice facilities are available----
- 2.5 To enter into such further agreements with National Governing Bodies of Sport (NGBs), Sandwell Metropolitan Borough Council, other organisations and individuals to obtain funds to preserve and to improve the facilities presently enjoyed at Wood Green and which further the interests and aims of the Constituent Clubs (hereinafter called "the Clubs")----

- 2.6 To seek to acquire such sums of money as are necessary to further the objects set out in this constitution either through grant aid or secure loans on terms and repayments agreed by the Management Committee (hereinafter called "the Committee")
- 2.7 Each Club is an autonomous constituted body within the Union with a financial responsibility and duty to make an annual contribution to the running and maintenance of the facilities at Wood Green. The annual level of financial support shall be agreed between the Committee and the individual Clubs taking all appropriate matters into consideration----
- 2.8 The Committee shall from time to time employ funds from Union reserves to ensure the interests of the Clubs----
- 2.9 To encourage all individual members to participate in the social and fund raising activities of the Union-----
- 2.10 The Committee may permit use of the facilities by non-members and for events benefiting the local community. Such exclusive use shall not cause any Club to cancel a sporting event, after match activities or a previously booked or agreed social event----
- 2.11 To promote such other purposes as may from time to time be determined-----
- 2.12 The Union shall be non-party in politics and non-sectarian in religion----

3. Membership

- 3.1 Shall be open to all individuals irrespective of age, sex, sexual orientation, race, nationality, and political, religious or other belief. The Union will conform to a published Sport Equity Policy----
- 3.2 Sports clubs and other organisations that provide opportunities for sport and physical activities within Wednesbury and the Sandwell borough. The current Clubs being:-
 - Wednesbury Cricket Club
 - Wednesbury Tennis Club
 - Wednesbury Hockey Club
 - Wednesbury Sports Union Junior Football Club
- 3.3 Other established Clubs may be included in membership subject to application and acceptance by the Committee at the Annual General Meeting----
- 3.4 All members of Clubs shall be members of the Union----
- 3.5 The Membership Secretary shall be responsible for maintaining a

membership register under the membership categories set out in appendix 1 and will have the duty to collect the appropriate fees from each Club----

- 3.6 Individuals with an interest in and a contribution to make to the development of sport-----
- 3.7 The Statutory Authorities in whose administrative area the Union lies---
- 3.8 No Club may incur liabilities on behalf of the Union. Any application or such liability must be placed before the Committee for approval----
- 3.9 Each Club is an autonomous body within the Union with power and authority appropriate to its individual aims and objectives. All members of Clubs automatically become members of the Union----
- 3.10 Each Club shall be affiliated to appropriate national and regional governing bodies of sport and will be encouraged and supported to plan for its own development----

4. Resignation and Termination of Membership

- 4.1 Any member of the Union may resign his or her membership by giving to the Secretary of the Union written notice to that effect-----
- 4.2 The Union may by resolution passed at a meeting thereof terminate or suspend the membership of any member if in its opinion his or her conduct is prejudicial to the interests and objects of the Union **PROVIDED THAT** the individual member shall have the right to be heard by the Union before the final decision is made. There shall be a right of appeal to an independent arbitrator by mutual consent-----

5. Officers and Powers

- 5.1 The management and day-to-day operation of the Union shall be vested in and governed by the Committee, which shall consist of the following Honorary Members:

President
Chairman
Secretary
Treasurer
Membership Secretary

Who shall be elected annually at the Annual General Meeting of the Union

Plus:

2 Vice Presidents appointed by the Committee
2 representatives elected by each Club at their Annual General Meeting
2 representatives nominated by Sandwell Metropolitan Borough Council

Who shall be nominated annually

The transaction of all business of the Union shall be vested in the Committee which in addition to the responsibilities contained in this constitution may exercise such other responsibility to act in the furtherance of the objects for which the Union is established but not expressly stated herein----

- 5.2 The Committee shall have responsibility for all activities on the premises in accordance with its objects including licensing laws, fire regulations, health and safety, security and ensuring that adequate insurance is in place to meet the requirements of the Union----
- 5.3 Only members of the Union aged eighteen years and full members of one of the Clubs over shall be eligible to serve as Honorary Officers-----
- 5.4 A person shall cease to be a member of the Union and will no longer hold office if they cease to be a member of on of the Clubs----
- 5.5 Vice Presidents may not be members of the Clubs and shall be required to pay an annual subscription as agreed by the Committee----
- 5.6 The Committee shall meet at Wood Green in accordance with the schedule of monthly meeting dates agreed at the Annual General Meeting-----
- 5.7 Additional meetings may be called at the discretion of the Chairman----
- 5.8 Seven shall form a quorum-----
- 5.9 In the absence of the Chairman another member chosen at the meeting shall preside----
- 5.10 At least SEVEN days clear notice shall be given of all members of the Committee of any meeting of the Committee. The proceedings of all Committee meetings and decisions taken shall be recorded-----

The agenda for all Committee Meetings shall include the following items:

Apologies
Declaration of interest
Matters of Previous Annual General Meeting
Matters Arising from the Minutes

Correspondence
Treasurer's Report
Bar Report
Club Representative's Reports
Other Items Requiring Management Decisions

- 5.11 Officers and representatives are entitled to one vote; no casting vote shall be used----
- 5.12 Officers will be elected to serve for one year but may offer themselves for re-election. Substitute representatives from the Clubs shall be allowed to attend Committee meetings provided that no Club has more than two representatives at any meeting----
- 5.13 Decisions will be taken on numerical majority by a show of hands except where the Committee agrees that voting shall be by ballot----
- 5.14 The Union may delegate any of their powers for particular purposes to a sub-committee of the Union-----
- 5.15 The Committee shall have the power to co-opt members, without voting rights, to advise and assist with a particular project-----
- 5.16 All members of the Union who attend any meeting shall be responsible for declaring any personal interest in a matter to be discussed under the standing agenda item 'Declaration of Interest'. They must declare it, withdraw from that part of the meeting (unless asked to remain), not be counted in the quorum for that agenda item and withdraw during the vote and have no vote on the matter concerned----

6. Annual General Meeting

- 6.1 The Annual General Meeting of the Union shall be held at Wood Green as soon as possible after the end of the Financial Year and not later than 31 May each year for the purpose of electing officers for the ensuing year, for the presentation of accounts, for the setting of subscriptions for the forthcoming season, and for other business-----
- 6.2 A minimum of 21 days clear notice of the date of the meeting shall be given in writing to all members; the Management Committee by individual letter, all other members will be informed by notice displayed on notice boards and the Sports Union website.
- 6.3 Any resolution for submission to the Annual General Meeting shall, unless proposed by the Union, be in the hands, of the Secretary of the Union, in writing, not less than 21 days before the date of the meeting--

- 6.4 The agenda for the Annual General Meeting shall include:-

Apologies
Declaration of Interest
Matters of Previous Annual General Meeting
Matters Arising from the Minutes
Past Chairman's Annual Report
Past Treasurer's Report and Presentation of:

Audited Statement of Accounts
Balance Sheet
Budget for Ensuing Year

Election of Honorary Officers:-

President
Chairman
Secretary
Treasurer
Membership Secretary

Confirmation of Trustees

Transact any other notified business

Amendments to Constitution in Writing Received by the Secretary at least 21 days prior to the Annual General Meeting

Rate of Annual Subscription for Appointed Vice Presidents

- 6.5 The Chairman shall be Chairman of the Annual General Meeting and for all other Union meetings or if he is not present at the time appointed for holding the meeting, the members present shall choose one of their members to be Chairman for such meetings-----
- 6.6 The Presiding Chairman shall open the Annual General Meeting. For the business of nomination and appointment of the succeeding Chairman the Secretary shall deal with this item. The newly appointed Chairman will then Chair the remainder of the Annual General Meeting-

- 6.7 For the appointment to the Honorary Officer positions the Management Committee shall produce a nomination ballot paper for completion by each constituent club and then returned to the Secretary. Nominations for the appointment of officers shall be given in writing to the Secretary at least 14 days prior to the Annual General Meeting. The Secretary will table any written nominations at the Annual General Meeting for consideration. Each nomination for Honorary Officer shall be received in writing with the nomination seconded and with agreement of the nominee received----
- 6.8 Sixteen shall form a quorum-----
- 6.9 Decisions will be taken on numerical majority by a show of cards by eligible voters----

7. Extraordinary General Meeting

- 7.1 The Chairman, or Secretary may, whenever they think fit, convene an Extraordinary General Meeting of the Union and an Extraordinary General Meeting shall be convened upon a requisition made to the Secretary in writing by at least nine members of the Union. Any such requisition shall express the object of the meeting proposed to be called, and upon receipt of such requisition the Secretary shall forthwith proceed to convene an Extraordinary General Meeting.
- 7.2 At least fourteen days' notice of every Extraordinary General Meeting, specifying the place, the hour and day of meeting and the purpose for which such meeting is to be called shall be given by the Secretary to other elected officers and members of the Union-----
- 7.3 Procedures for voting shall be as used for the Annual General Meeting-

8. Minutes

- 8.1 The Secretary shall cause minutes to be made of all resolutions and proceedings of all meetings and such minutes shall, upon questions put and a vote taken thereon, either at the meeting or at some subsequent meeting, be signed by the Chairman, and when signed by the Chairman shall be conclusive evidence of the correctness of the entry-----

9. Voting

- 9.1 Except as otherwise provided in these rules, every question at the Committee or other meetings shall be decided by a majority of the votes of those present and entitled to vote in accordance with these rules, and in case of any equality of votes at an Annual General Meeting or Extraordinary General Meeting the Chairman shall have a second or casting vote-----

10. Trustees

- 10.1 The Union may appoint Trustees who shall be appointed by the Committee from the ordinary members of the Union, by deed under the hand of the Chairman and Secretary. Trustees shall be empowered to invest or hold in their own names such funds, land and property of the Union as the Union may from time to time direct. Trustees shall remain in office until death, resignation in writing to the Chairman or the committing of such unlawful act as will render them ineligible to fulfil the office of Trustee----
- 10.2 On the death or resignation of any Trustee or Trustees, the Union may, at any Extraordinary General Meeting, appoint other Trustee or Trustees in place of any Trustee or Trustees dying or resigning. The

number of Trustee shall not be less than two or more than three-----

- 10.3 The freehold and leasehold premises of the Union shall be vested in three Trustees and are held in trust for the benefit of the members----
- 10.4 Trustees are indemnified against any payment of claims for compensation for personal injury occurring on the premises of the Union----

11. Property of the Union

- 11.1 All property of the Union except the freehold and leasehold premises shall be vested in the Committee----
- 11.2 The Committee is indemnified to the limit specified in the insurance schedule in respect of compensation payable to any person or for accidental damage to property----
- 11.3 No member may remove from the premises any property belonging to the union without permission from the Committee----
- 11.4 Any member who wilfully and negligently damages any property of the Union will be held responsible for the repair or replacement at their own cost----
- 11.5 Subject to the approval of the Committee the cost of repairing accidental damage shall be met from Union funds----

12. Accounts

- 12.1 The Treasurer shall be responsible for all financial matters including receipt of monies, payments, banking, preparation of Annual Accounts and Balance Sheet keeping books of accounts and a scrutineer appointed for the purpose annually at the Annual General Meeting shall examine the Annual Accounts-----
- 12.2 The financial year shall be from 1 April to 31 March the succeeding year----
- 12.3 The Treasurer shall prepare and present a statement of the current financial position to the Committee at each meeting----
- 12.4 All income received shall be paid into the Union current bank account and all duly authorised payments shall be made by cheque requiring two signatures from the current bank account----
- 12.4 Payments or transfers from the deposit account will require the authority of the Committee----
- 12.5 A cash float of £50 to cover small incidental purchases to be

replenished by the Treasurer on production of bone fide receipts----

- 12.6 Two authorised signatories from four appointed by the Committee shall sign all cheques issued and who must be members elected at the Annual General meeting----
- 12.7 The Treasurer shall ensure that the Union has adequate insurance to cover all it's liabilities and that this cover is maintained by the prompt payment of premiums due----
- 12.8 All surplus income or profits are to be re-invested in the Union. No surpluses or assets will be distributed to members or third parties.

13. Annual Accounts

- 13.1 At the Annual General Meeting in every year the elected officers shall lay before the members of the Union a detailed statement of the income and expenditure of the Union for the past twelve months and such statement shall be made up to the 31st March next preceding such meeting. The Trustees, if any, shall at the same meeting lay before the members a detailed statement of accounts made up to the same date-----
- 13.2 These accounts shall be audited by a person nominated for the following year at the Annual General Meeting, who is not directly involved with the Union----

14. Subscriptions

- 14.1 Each member shall contribute to the Union a subscription at rates to be determined at the Annual General Meeting or at an Extraordinary General Meeting. Subscriptions shall be due on the first day of April each year-----
- 14.2 No member shall use the facilities at Wood Green until the subscription is paid or an agreement has been reached with the Club to fully pay before the end of the current playing season----

15. Bye-Laws

- 15.1 Subject to the provisions of this Constitution the Committee may from time to time make, vary or rescind bye-laws regulating the affairs of the Union----
- 15.2 All bye-laws made by the Committee shall be published by being exhibited for at least fourteen days on a notice board in the Pavilion at Wood Green, Wednesbury or on the Union website, and shall be notified to the Secretary of each of the Clubs in writing by the Secretary of the Union, and shall take effect as from the date of the expiration of such period or from such subsequent date as may be determined by

the Committee----

- 15.3 All new bye-laws made by the Committee shall be submitted for confirmation at the next Annual General Meeting of the Union and unless so confirmed shall cease to have effect from the date of such meeting----

16. Dissolution

- 16.1 The Union may be dissolved by a resolution passed by a majority of members present and voting at any Annual General Meeting or an Extraordinary General Meeting provided that the proposal shall first have been passed by a majority of the Clubs and a certified copy of each Club's resolution received by the Secretary 14 days before the meeting. There must be a majority of two votes to one of the Club's members present and voting----
- 16.2 Upon receipt of the first certified resolution the Secretary of the Union shall notify in writing write to the Secretary of each of the other Clubs informing them of the proposal and requesting that they call an Extraordinary General Meeting to consider the proposal. If after three months from the date of notification no reply has been received from the Clubs it shall be deemed they have agreed to the proposal but it shall not be entitled to receive any assets of the Union upon dissolution of the Union. If the majority of Clubs reject the proposal then the Union shall not be dissolved----
- 16.3 If the Committee by a simple majority decides at any time that on the ground of expense or otherwise it is necessary or advisable to dissolve the Union it shall call a meeting of all members with power to vote of which meeting not less than 28 clear days notice (stating the terms of the resolution to be proposed threat) shall be posted in a conspicuous place and advertised in a newspaper circulating in the West Midlands. If such decision shall be confirmed by a simple majority of those present and voting at such meeting the Union shall have power to dispose of any assets held by or in the name of the Union-----
- 16.4 In the event of the winding up of the Union no moneys shall be paid or distributed to individual members of the Union, but any such monies may be paid to any association, body or corporation, having similar objects to those of the Union or formed for the purpose of encouraging, promoting or controlling other amateur games or sports in the Wednesbury or wider Sandwell area subject to the Union meeting all liabilities and terminating all existing agreements-----

Within three days of the Union passing a resolution to dissolve, all excise duty shall be paid. All creditors shall be paid within the next three months and the Committee shall have authority to compound or discharge its debtors----

The sports equipment shall be appropriately distributed among the Clubs and the remaining assets of the Union shall be divided equally between the Clubs continuing to function, except a Club defaulting as in 16.2 above----

In the event of no Club surviving, the remaining assets shall be transferred to a society or body within the Metropolitan Borough of Sandwell whose aim is the promotion or furtherance of amateur sports-

- 16.5 In the event of winding up the Management Committee and Trustees shall enter into discussion with Sandwell Metropolitan Borough Council to establish an organisation able to take over the responsibility for the facilities at Wood Green----

17. Alteration of Rules

- 17.1 The foregoing rules shall be the rules of the Union and no new rule shall be made nor any existing rule amended or rescinded except by resolution of an Annual General Meeting or Extraordinary General Meeting passed by two-thirds majority of those present entitled to vote and voting. Notice of any alteration intended to be proposed at an Annual General Meeting shall be given in writing to the Secretary not less than twenty eight days before such a meeting and shall be included in the notice convening such meeting-----
- 17.2 The Committee may propose to amend the constitution and shall notify all constituent Clubs of the proposal together with a calling notice of the date of the meeting when the proposal will be discussed-----
- 17.3 Any alteration will require the approval of both:-
- (a) a simple majority of members of the Union present and voting at a meeting-----
 - (b) a two thirds majority of members with power to vote present and voting at a General Meeting-----
- 17.4 A copy of the constitution shall be retained by the Secretary of the Union and the Secretary of each Club. A member may obtain a copy by making a written request to the Secretary of the Union----
- 17.5 The Constitution of the Union must be reviewed after 3 years but no later than 5 years from the date of adoption of this Constitution, subject to any amendments made through an AGM or EGM----

18. Priority

- 18.1 Interpretation of all the above rules must be consistent with the statutory requirements for CASCs (which means Community Amateur

Sports Clubs as first provided for by the Finance Act 2002)----

19. Revision History

19.1 This constitution was adopted at the Extraordinary General Meeting of the Union held on 12 March 2009 and replaces the previous Constitution signed and dated 18 July 2005 having been approved at an interim Management Committee Meeting held on 12 March 2009 --

SIGNED:

Chair of the Meeting

SIGNED:

Secretary of the Meeting

Appendix 1

Categories of Membership

Full Member

A person shall be deemed a full member on payment of the appropriate subscription to a Club in accordance with their own rules. Membership shall commence from the date that the name and date of birth are received in writing by the Committee. Full members are entitled to use the facilities from this date and will have voting rights at the Annual General Meeting. A full member may stand for election to office----

Junior Member

A person under the age of 18 years at 2nd April and has paid the appropriate subscription to a Club in accordance with their own rules. A junior member shall be able to use the facilities commensurate with their age. They are entitled to attend the Annual General Meeting as an observer, without voting rights. No junior member will be eligible to stand for office----

Vice-President

A vice-president shall be aged over 18 years at 2 April and shall pay a nominal subscription set at the Annual General Meeting. They will not ordinarily be members of a Club. They will be entitled to use the facilities of the Union. A vice-president may be invited by the Committee to become a member (to a maximum of 2). No vice-president shall be eligible to vote at meetings or stand for any other office----

Life Member

Life membership may be conferred on a member of a Club who has performed an outstanding service, or who has made an outstanding contribution to the Club. Life members shall have full membership without payment of an annual subscription and will be elected at an Annual General Meeting upon nomination by the Committee and by a majority vote of those present----

Honorary Member

Persons so designated by the Committee and invited onto the premises of the Union without entrance fee or subscription for such period as the Committee may resolve----

On match days, members of visiting clubs for the day only----

Temporary Member

Person introduced by a member as their 'friend' provided that each member has only one 'friend', enters the name of the 'friend' in the Visitors Book kept in the Pavilion for this purpose, assumes responsibility for the acts of the 'friend' and for the cost of intoxicants supplied to the 'friend'----

No Temporary Member is permitted to pay, directly or indirectly, for any intoxicants supplied----