

SAMURAI JUDO CLUB CONSTITUTION

1. DEFINITIONS

- (a) "The Club" refers to "The Samurai Judo Club".
- (b) "General meeting" refers to either AGM or EGM.
- (c) "Democratic vote" refers to a simple majority. This will normally be done by a show of hands, but a request for a secret ballot should be granted where possible.
- (d) "75% vote" means 75% of the members present at the meeting, which must be quorate. A quorum is 15% of the current membership at the date of the meeting.
- (e) "The head coach" means the person who is responsible for the coaching and training of the playing members.
- (f) A member is defined as a person holding current BJA membership registered to the club, plus life members. Young members may be represented by parents or guardians on a one-for-one basis. These persons only are eligible to vote at AGMs and EGMs. There are no proxy votes.

2. PURPOSE

The purpose of the club shall be the promotion of community participation in healthy recreation, in particular by the provision of facilities for the sport of judo.

3. THE CLUB COMMITTEE

- (a) The club committee, democratically elected at the AGM, shall consist of a maximum of eight voting members including chairman, vice chairman, secretary, treasurer and up to four other persons whose posts may vary according to the needs of the club. One person should be nominated by the head coach as his/her representative if the head coach is not one of the eight. All committee members must be kept informed of dates and committee meetings.
- (b) The members of the committee will serve until the next AGM unless they resign or unless the committee votes to remove them by a 75% majority. Before such a vote, the person should have the opportunity to oppose the motion, except where the reason is that the person is no longer active. In the case of a committee member resigning or being removed, the committee may appoint another person as a non-voting replacement until the next general meeting.
- (c) Additional officers may be appointed either at the AGM or by co-option by a democratic vote of the committee, but shall be non-voting. The committee may invite any person to attend a committee meeting in a non-voting capacity if there is a specific reason for so doing.

4. DUTIES OF THE COMMITTEE

- (a) The funds and property of the club shall be administered by the committee.
- (b) All financial and administrative matters relating to the running of the club which do not come under the jurisdiction of the coaches under clause 6 below shall be decided by the committee within this constitution.
- (c) The Property and funds of the Club cannot be used for the direct or indirect private benefit of members other than as reasonably allowed by the Rules and all surplus income or profits are reinvested in the club.
- (d) The Club may provide sporting and related social facilities, sporting equipment, coaching, courses, insurance cover, medical treatment, away-match expenses, post match refreshments and other ordinary benefits of Community Amateur Sports Clubs as provided for in the Finance Act 2002.
- (e) The Club may also in connection with the sports purposes of the Club:
 - (i) sell and supply food, drink and related sports clothing and equipment ;

- (ii) employ members (though not for playing) and remunerate them for providing goods and services, on fair terms set by the Committee without the person concerned being present ;
 - (iii) pay for reasonable hospitality for visiting teams and guests
 - (iv) indemnify the Committee and members acting properly in the course of the running of the Club against any liability incurred in the proper running of the Club (but only to the extent of its assets).
 - (v) The Committee will have due regard to the law on disability discrimination and child protection.
- (f) The Club Committee may borrow a maximum total amount of £200,000 on behalf of the Club for the purposes of the Club from time to time at its own discretion and with the sanction of a general meeting any further money above that sum. When so borrowing, the Club Committee shall have power to raise in any way any sum or sums of money and to raise and secure the repayment of any sum or sums of money in such manner and on such terms and conditions as it thinks fit, and in particular by mortgage of, or charge upon, all or any part of the property of the Club.
- (g) The Club Committee shall appoint three Trustees, to hold office until death or resignation unless removed from office by a resolution of the Club Committee or by a resolution duly passed at a general meeting, or unless they become disqualified from acting as a trustee by virtue of Section 72 of the Charities Act 1993. The Chairman from time to time is nominated as the person to appoint new Trustees within the meaning of Section 36 of the Trustee Act 1925. A new Trustee or new Trustees shall be nominated by resolution of the Club Committee and the Chairman shall by deed duly appoint the person or persons so nominated as the new Trustee or Trustees of the Club and the provisions of the Trustee Act 1925 shall apply to any such appointment. Any statement of fact in any such deed of appointment shall in favour of a person dealing with the Club or the Committee in good faith be conclusive evidence of the fact so stated.
- (h) Every member of the Club Committee, employee or agent of the Club shall be indemnified by the Club and the Club Committee shall pay all costs, losses and expenses which any such member of the Club Committee, employee or agent may incur or for which he may become liable by reason of any contract entered into or act or thing done by him in good faith as such member of the Club Committee, employee or agent in accordance with the instructions of the Club Committee or of a general meeting of the Club or otherwise in the discharge of his duties. The Club Committee may give to any member of the Club Committee, employee or agent of the Club who has incurred or may be about to incur any liability at the request of or for the benefit of the Club such security by way of indemnity as may seem expedient.

5. POWER OF TRUSTEES

The Trustees must manage the business of the Club as directed by the club committee and subject to decisions taken by the committee, and have the following powers in order to further the purpose of the Club (but not for any other purpose):-

- a) To buy, take on, lease or exchange, hire or otherwise acquire any property and to maintain and equip it for use;
- b) To sell, lease or otherwise dispose of all or any part of the property belonging to the club. In exercising this power the Trustees must comply as appropriate with Sections 36 and 37 of the Charities Act 1993, as amended by the Charities Act 2006;
- c) To borrow money and to charge the whole or any part of the property belonging to the Club as security for repayment of the money borrowed. The trustees must comply as appropriate with Sections 38 and 39 of the Charities Act 1993, as amended by the Charities Act 2006, if they intend to mortgage the land;
- d) To require, merge with or enter into any partnership or joint venture agreement with any other charity formed for the Club's purpose.
- e) To obtain and pay for such goods and services as are required for carrying out the work of the Club;

- f) To set aside income as a reserve against future expenditure but only in accordance with a written policy about reserves and a resolution by the club Committee
- g) To open and operate such bank and other accounts as the Trustees consider necessary and to invest funds and to delegate the management of funds in the same manner and subject to the same conditions as the Trustees of a trust are permitted to do by the Trustee Act 2000.

6. THE CLUB COACHES

The head coach shall be elected by democratic vote at every AGM and shall be responsible for the appointment and dismissal of all other coaches at his/her discretion.

7. DUTIES OF THE COACHES AND HEAD COACH

- (a) All matters relating to the practical aspects of judo or the aims of the club shall be decided by the head coach as set out below.
- (b) The coaches shall meet on a regular basis to decide club and coaching policy. The head coach shall make final decisions after due consultation and consideration.

8. AGM

- (a) The AGM shall be held once in every calendar year and not more than 15 months after the last AGM. Every reasonable effort shall be made to publicize the date, time and venue and at least 3 weeks notice shall be given.
- (b) At each AGM the following business shall be conducted:
 - Presentation of reports from chairman and head coach
 - Presentation and adoption of the accounts and treasurers report
 - Election of committee members and head coach
 - Any other business
- (c) Motions may be proposed at the meeting without advanced notice and after reasonable discussion has been allowed will require a democratic vote unless the chairman considers that they come under clause 13 below, in which case they shall require a 75% majority.

9. ACCOUNTS AND FINANCE

- (a) The annual preparation of the accounts shall be the responsibility of the treasurer. The accounts shall be presented in writing to the AGM. Where possible, having regard to financial cost, the accounts shall be audited. The financial year of the club shall be from 1st April to 31st March
- (b) Each player will pay an attendance subscription, the level of which will normally be decided by the AGM.
- (c) All committee members shall serve without remuneration except for reimbursement of expenses incurred.
- (d) The books and records shall be open to any club member on request.

10. EXTRAORDINARY GENERAL MEETING

- (a) An EGM shall be called for a reasonable date within 14 days of receipt by the secretary of a request in writing from any of the following:
 - A majority vote of the committee
 - The head coach
 - Any 20 members of the club
- (b) The agenda shall be as requested by the person(s) requesting the meeting, with "Any Other Business" as the final item, and shall be published in advance. The agenda may include a proposal to hold fresh elections for offices.

11. MEMBERSHIP

- (a) Membership is open to all persons over five years of age, interested in judo on application regardless of sex, age, disability, ethnicity, nationality, sexual orientation, religion or other beliefs. However, limitation of membership according to available facilities is allowable on a non discriminatory basis.
- (b) The Club may have different classes of membership and subscription on a non discriminatory and fair basis. The Club will keep subscriptions at levels that will not pose a significant obstacle to people participating.
- (c) The Club Committee may refuse membership, or remove it, only for good cause such as conduct or character likely to bring the Club or sport into disrepute.
- (d) If after consultation with the other coaches the head coach decides on the grounds of poor sportsmanship to terminate or suspend a person's membership without a recommendation from the committee, the person concerned shall have the right to appeal to the committee to be made to the secretary in writing within 7 days
- (e) Notwithstanding the above, any coach may decline to allow an individual member onto their session.

12. THE DOJO (JUDO HALL)

All persons entering the dojo must maintain judo etiquette whilst in the hall. The coach in charge of the session is in charge of all persons in the dojo. He/she may extend his/her authority to any club members, parents or visitors in the vicinity of the dojo if he/she considers their activity to be undesirable.

13. JUDO EVENTS

Club members may attend competitions, gradings or train at regional, area or national squads, or visit other clubs, only with the approval of the head coach.

14. CONSTITUTION

This constitution is binding on all club members and officials. It may be changed by a 75% vote at a general meeting, provided that such changes do not have the effect of making the charity cease to be a charity at law, or significantly alter the nature of the objects of the club. Any agreed changes will be notified within 21 days to the Charities Commission, and if the Commission advise that the changes have the effect of voiding the club's charitable status then the club will hold a further general meeting to review the changes in the light of that advice and in discussion with the Commission. No action enabled under the changes will take place until the Commission has had the chance to review the changes and a further general meeting has been held if required. A copy of the constitution will be displayed at the club.

15. CLOSURE

- (a) The members may vote to wind up the Club if not less than three quarters of those present and voting support that proposal at a properly convened general meeting.
- (b) The Committee will then be responsible for the orderly winding up of the Club's affairs.
- (c) After settling all liabilities of the Club, the Committee shall dispose of the net assets remaining to one or both of the following :
 - (i) by application to purposes directly for the objects of the club
 - (ii) by transfer to Gilt Edge Leisure Centre.

The Committee will notify the Charities Commission of the closure of the club and carry out all required paperwork.