



# GUILDFORD & GODALMING ATHLETIC CLUB LIMITED (“THE CLUB”)

## CLUB RULES 2023

### 1. **Basis of Rules**

- 1.1 These rules (**Rules**) are made pursuant to Article 42 of the articles of association of the Club (**Articles**) and may be altered, added to or revoked by the Directors from time to time as they may deem necessary or expedient or convenient for the proper conduct and management of the Club.
- 1.2 In these Rules, unless the context requires otherwise, the definitions and rules of interpretation set out in the Articles shall apply.
- 1.3 Except where expressly permitted in the Articles, no rule or bye law shall be inconsistent with or shall affect or repeal anything contained in the Articles. Where there is otherwise any inconsistency between these Rules and the Articles, the provisions of the Articles shall prevail.
- 1.4 Subject to the Articles and these Rules, in the event of any ambiguity the Directors shall have the power to rule on the interpretation of these Rules.

### 2. **Affiliation**

In accordance with Article 4.1, the Club shall affiliate to the current National Governing Body of Athletics (being England Athletics as at the date of adoption of these rules) and such other Associations as the Committee may from time to time consider appropriate to the aims and activities of the Club.

### 3. **Application of Rules**

All Club Members shall abide by these Rules, and in the case of any conflict between these Rules and the rules of the current National Governing Body of Athletics, the rules of the current National Body of Athletics shall have precedence.

### 4. **Club colours**

The Club’s representative colours shall be predominantly green with any secondary colour to be black. Shorts to be black. All athletes when competing for the Club must wear the Club colours. Any athlete violating this rule will be liable for suspension from competing for the Club for that meeting.



## 5. Membership

5.1 Under the Articles of the Club, the Club may have:

5.1.1 **Legal Members:** who are recognised as such under the Companies Act 2006 and in respect of which the applicable provisions relating to the admission of, rights exercisable and attaching to Legal Membership are set out in Articles 9 and 11; and

5.1.2 **Club Members:** who are participating members (as defined under Rule 5.3 below) of the Club and pay a subscription (or whose subscription is waived) to the Club in return for certain rights and privileges in relation to, amongst other things, participation in the Club's activities and/or access to its facilities.

5.2 The Club acknowledges that:

5.2.1 Legal Members must also be Club Members.

5.2.2 Club Members are not required to be Legal Members.

5.2.3 Club Directors are required to be Legal Members while they remain in office.

5.3 The following shall be entitled to apply for Club Membership of the Company under Article 10

5.3.1 Adults who participate, or participate more than occasionally, in the sporting activities of the Company (**participating members**), namely:

5.3.1.1 participating in an eligible sport organised by the Club;

5.3.1.2 being a match official for an eligible sport for the Club;

5.3.1.3 coaching Club Members in an eligible sport;

5.3.1.4 providing first aid to persons playing an eligible sport for the Club;

5.3.1.5 being an accompanying individual (within the meaning of section 660(4A)(b) of CTA 2010) for the Club;

5.3.1.6 driving a Club vehicle, or a vehicle hired by the Club, to transport persons listed in paragraphs 5.3.1.1 to 5.3.1.5 above or equipment on behalf of the Club for the purposes of the participation in activities referred to in those paragraphs;

5.3.1.7 preparing or maintaining club sporting facilities or equipment for use in an eligible sport;

5.3.1.8 being a Director, Officer or committee member of the Club; or

5.3.1.9 undertaking a relevant training course for the purposes of paragraphs 5.3.1.1 to 5.3.1.4, 5.3.1.7 or 5.3.1.8 above.

provided that, where an event planned by the Club is cancelled due to extreme circumstances outside the Club's control, planned participation in that event is deemed to be participation.



- 5.3.2 Parents of any person aged under 18 years who participates, or participates more than occasionally, in the sporting activities of the Club;
- 5.3.3 Adults who formerly participated, or formerly participated more than occasionally, in the sporting activities of the Club but who for reasons of age or ill health are no longer able to participate;
- 5.3.4 Supporters who help the Club to raise funds and provide a pool from which volunteers may be drawn;
- 5.3.5 Persons recognized as having made an outstanding contribution or given long service to the Club;

**provided that** the number of social members shall be a minority of the total number of members at all times.

5.4 The Directors may appoint a Membership Secretary to deal with the processing of membership applications and resignations or expulsions. If there is no Membership Secretary, anything authorised or required to be given or sent to or served on the Club by being sent to the Membership Secretary may be given or sent to, or served on, a Director of the Club.

## 6. **Rights and Privileges of Legal Membership**

Legal Members are entitled to exercise all rights available to them under Companies Act 2006 and, further, under the Articles:

- 6.1 to receive notice of, attend, speak and vote on all matters at general meetings of the Company;
- 6.2 to receive all Company publications; and
- 6.3 to such other membership rights as the Company in general meeting shall from time to time determine.

## 7. **Rights and Privileges of Club Membership**

7.1 Club Members are entitled under these Rules:

- 7.1.1 to receive notice of, attend and speak on all matters at general meetings of the Company;
- 7.1.2 to propose and second candidates for election as Director(s) [or Officer(s) of the Club] and to vote on their election only; and
- 7.1.3 to such other membership rights as the Company in general meeting shall from time to time determine.

7.2 Club members may be enrolled in one of the following categories:

- 7.2.1 **Full members:** entitled to all benefits and activities offered by the Club (but not entitled to propose, second and/or vote at the AGM or any other general meetings in relation to the election, appointment or reappointment of the Directors of the Club as set out in Rule 5.3 above, **unless** they have reached the age of 18 at the time the meeting is held). Full members will include but not be limited to:



7.2.1.1 **Junior Members** (those eligible to compete for the Club in Under 13, Under 15, Under 17 and Under 20 competitions);

7.2.1.2 **Senior Members** (those who are over the age eligible to compete as a Junior – this will include all members aged 20 and over), who wish to take part in training, competitions, athletics events, tournaments and related activities;

7.2.1.3 **Volunteer Members** including officials, coaches, parents or other volunteers associated with the Club.

7.2.2 **Honorary Vice-President:** The Club Members at the AGM shall have the power to elect Honorary vice-president(s), such election to be normally in recognition of service to the Club. Honorary vice-presidents shall have automatic full membership of the Club without payment of any subscription.

7.3 A Club Member may not exercise any of the rights and privileges available to him or her unless all subscriptions falling due for payment have been made in full.

## 8 **Eligibility for and Admission to Club Membership**

Membership shall be open irrespective of political belief, nationality, religion, gender, sexual orientation, race, colour, ability or disability to anyone who wishes to participate in the activities of the Club, and shall be granted to any such person upon the lodgement with the Club Secretary of an application form signed by the applicant, or by a parent or guardian of an applicant under the age of 16 years, and approval by the Board of Directors by simple majority vote.

## 9 **Resignation and Expulsion from Club Membership**

9.1 A Club Member intending to resign from the Club shall give notice in writing to the Club Secretary and that notice shall be considered by the Board of Directors within one calendar month of receipt. His/her Club Membership shall be deemed to have ceased on the day of posting or submitting of that notice, unless he/she is financially indebted to the Club, in which case the Board of Directors may withhold acceptance of the resignation until the indebtedness has been met. The date of resignation shall then be the date on which the debt is discharged.

9.2 The Board of Directors shall be empowered to expel any Club Member whose subscription is one year or more in arrears, provided that one months' notice in writing shall have been sent to such Club Member informing him or her of the proposed action. Any such Club Member shall be given reasonable opportunity to appeal to the Board of Directors prior to expulsion.



- 9.3 The Board of Directors shall be empowered to allow any Club Membership to lapse where it is considered inappropriate to enforce an expulsion order. The name and last known address of all expelled and lapsed members shall be sent to the Honorary Secretary of the current Regional Governing Athletic Body.
- 9.4 Please note that any expelled or lapsed Club Member may be banned by the current National Governing Body of Athletics from competing under the laws of the current National Governing Body of Athletics for a prescribed period and/or joining another club.
- 9.5 The Board of Directors shall have power to expel any Club Member whose actions or behaviour are deemed to have brought the Club into disrepute. Any such Club Member must be given the opportunity to appear before the Board of Directors prior to such expulsion.

## **10 Subscriptions**

- 10.1 Club Membership subscription rates shall be determined by the Board of Directors as appropriate to the following twelve months from 1 April to 31 March. Subscriptions shall become due on 1 April each year. Membership renewal notices shall be sent or otherwise delivered to all Club members. Subscriptions shall be payable within one month of the renewal date.
- 10.2 The Board may fix different levels of subscription for different categories of Club Members under Article 10.4 and may also choose to waive part or all of the subscription for Club Members who meet certain criteria. For example, and by way of illustration only, Club Members who are full time students or who are experiencing financial hardship may be offered a reduced Club Membership subscription rate; volunteer Club Members may have their subscriptions (or those of their immediate family members) waived in part or in full; Club Members who have competed for the Club at national or international level or who have achieved a recognised "top 20" UK ranking in competition for the Club in the previous 12 months may have their subscriptions waived. The Board of Directors shall use reasonable endeavours to apply such criteria fairly and consistently and shall also endeavour to ensure that subscription levels set for Club Members do not preclude open membership of the Club.

## **11 President**

A President shall be elected by majority vote of the Club Members at an AGM to serve for a period of two years and shall be eligible for re-election for further terms. The President will be appointed as a Legal Member and Director of the Club and shall have automatic Club Membership without payment of any subscription.

## **12 Honorary Solicitor**



If possible, the Board of Directors shall appoint an Honorary Solicitor to the Club. Such appointment to be reaffirmed annually at the AGM.

### **13 Accounts**

13.1 As set out in Article 38, the Directors are responsible for ensuring that the Club maintains accounting records and prepares annual accounts or financial statements as required under the Companies Act 2006. If required by law or in order to maintain CASC status, these accounts shall be subject to annual audit.

13.2 If an audit is not legally required or required to maintain CASC status, the accounts shall instead be subject to an independent review by a suitably qualified or experienced person who is not a Director of the Club or closely related to a Director of the Club and has not been involved in or assisted with the preparation of the accounts (“**the independent reviewer**”). The independent review should confirm that the annual accounts are in agreement with the accounting records of the Club. Although an audit is not being performed, if the person performing the independent review identifies any concerns about the maintenance of the accounting records or the completeness or accuracy of the accounts, these should be reported to the Board of Directors in the first instance and to the legal members or other authorities if the independent reviewer considers this to be necessary.

### **14 Annual General Meeting**

14.1 The Annual General Meeting (AGM) shall be held during the first quarter in every year to receive the Directors’ report and financial statements, for the previous financial period of 1 January to 31 December, elect officers and directors and deal with any other matters specified on the Agenda.

14.2 Club Members shall be welcome to attend the AGM although, unless they are also Legal Members, they are not eligible to vote on matters other than the election and appointment of Directors.

14.3 The Club Secretary shall give every Club Member the required notice of a general meeting. Notice of business, which it is desired to place on the agenda, must be given in writing to the Club Secretary at least 10 days prior to the meeting. This is to enable the Club Secretary to inform all club members of any additions before the meeting.

### **15 Club Records**

The Club will maintain records of the best individual and relay team performances a Club Member or team of Club Members has achieved when competing whilst they are a member of the Club (“**Club Records**”). The



existing Club records of the predecessor unincorporated Club shall be adopted by the Club. All performances put forward as new Club records must be ratified by the Board of Directors. The current policy for accepting club records is displayed on the website.

Signed: Matthew Lythell - GGAC Club Chairman

date: March 2023