

# THE PORTHMAWR SURF LIFE SAVING CLUB CONSTITUTION

## **A. NAME & AFFILIATION**

The name of the Club is The Porthmawr Surf Life Saving Club ("the Club"). The Club shall be affiliated to the Surf Life Saving Association of Great Britain.

## **B. ADMINISTRATION**

Subject to the matters set out below, the Club and its property shall be administered and managed in accordance with this constitution by the members of the Executive Committee, constituted by Clause G of this constitution ("the Executive Committee").

## **C. OBJECTS**

The Club is established for the public benefit for the following purposes in the area comprising St Davids and its immediate area (the area of benefit):

- ≈ To save lives;
- ≈ To patrol Whitesands Beach and render all possible aid to those in distress;
- ≈ To promote, improve and control the work of life saving, resuscitation and first aid;
- ≈ To encourage the provision of facilities for young people to participate in;
- ≈ organised life saving as a voluntary vital public service;
- ≈ Beach and water sports for enjoyment and recreation;
- ≈ To promote and improve standards of water safety;
- ≈ To study, develop and improve life saving methods and equipment;
- ≈ To organise competition and fund-raising activities to facilitate the attainment of the above objects.

## **D. POWERS**

In furtherance of the objects but not otherwise the Executive Committee may exercise the following general powers:

- ≈ power to raise funds and invite and receive contributions provided that in raising funds the Executive Committee shall not undertake any substantial permanent trading activities and shall conform to any relevant requirements of the law;
- ≈ power to co-operate with other charities, voluntary bodies and statutory authorities operating in furtherance of the objects or of similar charitable purposes and to exchange information and advice with them;
- ≈ power to establish or support any charitable trusts, associations or institutions formed for all or any of the objects;
- ≈ power to appoint and constitute such advisory committees as the Executive Committee may think fit;
- ≈ power to do all such other lawful things as are necessary for the achievements of the objectives.

# THE PORTHMAWR SURF LIFE SAVING CLUB CONSTITUTION

In furtherance of the said objects but not otherwise the Club through its Executive Committee shall have the following specific powers:

- ≈ power to promote research into subjects directly connected with the objects of the Club and to publish the results of any such research;
- ≈ power to act as a co-ordinating body and to co-operate with the local authority, planning committees, sanitary, drainage and all other local and statutory authorities, voluntary organisations, charities and persons having aims similar to those of the Club;
- ≈ power to promote or assist in promoting activities of a charitable nature throughout the area of benefit;
- ≈ power to publish papers, reports and other literature;
- ≈ power to make surveys and prepare maps and plans and collect information in relation to any place, erection or building within the area of benefit;
- ≈ power to hold meetings, lectures and exhibitions;
- ≈ power to educate public opinion and to give advice and information to residents and tourists in the area of interest as and when requested;
- ≈ power to take and accept any gifts of property, whether subject to any special trusts or not;
- ≈ power to sell, let, mortgage, dispose of or turn to account all or any of the property or funds of the Charity as shall be necessary;
- ≈ power to borrow or raise money for the objects of the Charity on such terms and on such security as the Executive Committee shall think fit, but so that the liability of individual members of the Charity shall in no case extend beyond the amount of their respective annual subscriptions.
- ≈ power to do all such other things as are necessary for the attainment of the said objects.

## **E. MEMBERSHIP**

Membership of the Club shall be open to any person interested in furthering the objects of the Club and who has paid the appropriate annual subscription. All memberships may be subject to committee approval and references sought.

There are various categories of membership:

- ≈ SENIOR ACTIVE - *over the age of 16 years;*
- ≈ JUNIOR ACTIVE - *aged less than 16 years but more than 13;*
- ≈ NIPPER ACTIVE - *aged less than 13 years but more than 7;*
- ≈ SPECIAL LONG SERVICE COMPETITOR MEMBER – *A previously active, qualified patrolling and competitive member who no longer lives locally (Pembrokeshire) but wishes to remain a member. – Committee approval only;*
- ≈ ASSOCIATE MEMBER – *see 3) below.*

N.B. It is noted that Senior members who are still in School or University or College or some sort of Further education establishment, pay the same as Junior members even though they be classified as Seniors for insurance and voting purposes.

The rights and obligations of each category of membership shall be decided by the Executive Committee and approved by a General Meeting, after which they will be posted in a prominent position in the Club-House.

# THE PORTHMAWR SURF LIFE SAVING CLUB CONSTITUTION

The Club may elect persons as ASSOCIATE MEMBERS who show interest in supporting the objects of the Club but do not wish to meet the obligations of active membership as determined by the Executive Committee. They shall be eligible to attend meetings of the Club and to use the Club House only. They will not be eligible to use any of the Club's equipment or to carry out any life-saving activity in the water or on the beach on behalf of the Club.

Any person wishing to join the club as a NEW MEMBER is required to complete the Club's official application form. This will carry the signature of the applicant and in the case of Junior or Nipper members has to also have the counter-signature of a responsible parent or guardian of the applicant.

Subscriptions are due on 1 January of each year and cover membership until 31<sup>st</sup> December of the same year. January 1 is also the date used to separate the various age categories of membership. The level of subscriptions are decided each year by a general meeting on the recommendation of Executive Committee.

The Executive Committee may by unanimous vote and for good reason terminate the membership of any individual: provided that the individual concerned shall have the right to be heard by the Executive Committee, accompanied by a friend, before a final decision is made.

Only SENIOR ACTIVE members who hold or have held a recognised surf life-saving qualification and outgoing/existing Executive Committee Members who do not hold a qualification but are Paid Up Members, have the right to vote at a general meeting.

Any colours or insignia to be used by Club Members are decided by the Executive Committee and ratified by a general Meeting.

## **F. HONORARY OFFICERS**

Nominations for the election of officers shall be made at least 14 days before the Annual General Meeting of the Club. Such nominations shall be supported by a seconder and the consent of the proposed nominee must first have been obtained. The elections of Officers shall be completed prior to the election of further Committee members.

The Officers of the Club shall consist of:

Chairman  
Honorary Secretary  
Honorary Treasurer  
Club Captain

all of whom shall relinquish their office every year and shall be eligible for re-election at the Annual General Meeting. A President and Vice-Presidents may also be elected at a General meeting of the Club, for periods to be decided at such a meeting. The Executive Committee shall have the power to fill casual vacancies occurring among the Officers of the Society.

Other officers may be co-opted by the Executive Committee to cover essential functions related to the objects of the Club. Any such officer co-opted under the authority of the Executive Committee shall be subject to the rules of conduct and compliance stipulated in this constitution.

# THE PORTHMAWR SURF LIFE SAVING CLUB CONSTITUTION

## **G. EXECUTIVE COMMITTEE**

The Executive Committee shall consist of not less than six members and not more than twelve members being:

- ≈ the honorary officers specified in the preceding clause;
- ≈ not less than two and not more than eight members elected at the annual general meeting who shall hold office from the conclusion of that meeting;
- ≈ nominated members.

The Executive Committee may in addition appoint not more than six co-opted members but so that no-one may be appointed as a co-opted member if, as a result, more than one third of the members of the Executive Committee would be co-opted members. Each appointment of a co-opted member shall be made at a special meeting of the Executive Committee called under clause J and shall take effect from the end of that meeting unless the appointment is to fill a place which has not then been vacated in which case the appointment shall run from the date when the post becomes vacant.

All the members of the Executive Committee shall retire from office together at the end of the annual general meeting after the date on which they came into office but they may be re-elected or re-appointed.

The proceedings of the Executive Committee shall not be invalidated by any vacancy among their number or by any failure to appoint or any defect in the appointment of or qualification of a member.

Nobody shall be appointed as a member of the Executive Committee who is aged under 16 years or who would if appointed be disqualified under the provisions of the following clause.

No person shall be entitled to act as a member of the Executive Committee whether on a first or on any subsequent entry into office until they have declared an acceptance and a willingness to act in the trusts of the Club as a registered charity.

## **H. TERMINATION OF MEMBERSHIP OF EXECUTIVE COMMITTEE**

A member of the Executive Committee shall cease to hold office if he or she:

- ≈ is disqualified from acting as a member of the Executive Committee by virtue of section 45 of the Charities Act 1992 (or any statutory re-enactment or modification of that provision);
- ≈ becomes incapable by reason of mental disorder, illness or injury of managing and administering his or her own affairs;
- ≈ is absent without the permission of the Executive Committee from all their meetings held within a period of six months and the Executive Committee resolve that his or her office be vacated; or
- ≈ notifies to the Executive Committee a wish to resign (but only if at least three members of the Executive Committee will remain in office when the notice of resignation is to take effect).

## **I. EXECUTIVE COMMITTEE MEMBERS NOT TO BE PERSONALLY INTERESTED**

No member of the Executive Committee shall acquire any interest in property belonging to the Club (otherwise than as a trustee for the Charity) or receive remuneration or be interested (otherwise than as a member of the Executive Committee) in any contract entered into by the Executive Committee.

# THE PORTHMAWR SURF LIFE SAVING CLUB CONSTITUTION

## **J. MEETINGS AND PROCEEDINGS OF THE EXECUTIVE COMMITTEE**

The Executive Committee shall hold at least three ordinary meetings each year. A special meeting may be called at any time by the Chairman or by any two members of the Executive Committee upon not less than 4 days notice being given to the other members of the Executive Committee of the matters to be discussed but if the matters include the appointment of a co-opted member then not less than 14 days notice must be given.

The Chairman shall act as chairman at meetings of the Executive Committee. If the chairman is absent from any meeting, the members of the Executive Committee present shall choose one of their number to be chairman of the meeting before any other business is transacted.

There shall be a quorum when at least one third of the number of members of the Executive Committee for the time being or three members of the Executive Committee, whichever is the greater, are present at a meeting.

Every matter shall be determined by a majority of votes of the members of the Executive Committee present and voting on the question but in the case of equality of votes the chairman of the meeting shall have a second or casting vote.

The Executive Committee shall keep minutes, in books kept for the purpose, of the proceedings at meetings of the Executive Committee and any sub-committee.

The Executive Committee may from time to time make and alter rules for the conduct of their business, the summoning and conduct of their meetings and the custody of documents. No rule may be made which is inconsistent with this constitution.

The Executive Committee may appoint one or more sub-committees for the purpose of making any enquiry or supervising or performing any function or duty which in the opinion of the Executive Committee would be more conveniently undertaken or carried out by a sub-committee: provided that all acts and proceedings of any such sub-committees shall be fully and promptly reported to the Executive Committee.

## **K. RECEIPTS AND EXPENDITURE**

The funds of the Club, including all donations, contributions and bequests, shall be paid into an account operated by the Executive Committee in the name of the Club at such bank as the Executive Committee shall from time to time decide. All cheques drawn upon the account must be signed by at least two nominated members of the Executive Committee.

The fund belonging to the Club shall be applied only in furthering the objects of the Club.

## **L. PROPERTY**

Subject to the provisions of sub-clause (2) of this clause, the Executive Committee shall cause the title to: all land held by or in trust for the club which is not vested in the Official Custodian for Charities; and all investments held by or on behalf of the Club; to be vested either in a corporation entitled to act as a custodian trustee or in not less than three individuals appointed by them as holding trustees. Holding trustees may be removed by the Executive Committee at their pleasure and shall act in accordance with the lawful directions of the Executive Committee. Provided they act only in accordance with the lawful

# THE PORTHMAWR SURF LIFE SAVING CLUB CONSTITUTION

directions of the Executive Committee, the holding trustees shall not be liable for the acts and defaults of its members.

If a corporation entitled to act as a custodian trustee has not been appointed to hold the property of the Club, the Executive Committee may permit any investments held by or in trust for the Club to be held in the name of a clearing bank, trust corporation or any stock broking company which is a member of the International Stock Exchange (or any subsidiary of any such stock broking company) as nominee for the Executive Committee, and may pay such a nominee reasonable and proper remuneration for acting as such.

## **M. ACCOUNTS**

The Executive Committee shall comply with their obligations under the Charities Act 1992 (or any statutory re-enactment or modification of that Act) with regard to:

- ≈ the keeping of accounting records for the Club;
- ≈ the preparation of annual statements of account for the Club;
- ≈ the auditing or independent examination of the statements of account of the Club;
- ≈ the transmission of the statements of account of the Club to the Commissioners.

## **N. ANNUAL REPORT**

The Executive Committee shall comply with their obligations under the Charities Act 1992 (or any statutory re-enactment or modification of that Act) with regard to the preparation of an annual report and its transmission to the Commissioners.

## **O. ANNUAL RETURN**

The Executive Committee shall comply with their obligations under the Charities Act 1992 (or any statutory re-enactment or modification of that Act) with regard to the preparation of an annual return and its transmission to the Commissioners.

## **P. ANNUAL GENERAL MEETING**

There shall be an annual general meeting of the Club which shall be held between 1<sup>st</sup> October and 31<sup>st</sup> December in order to be aligned with governing bodies Membership and Insurance renewals.

Every Annual General Meeting shall be called by the Executive Committee. The secretary shall give at least 14 days notice of the annual general meeting to all members of the Club. All the members of the Club shall be entitled to attend but only SENIOR ACTIVE members may vote at the meeting.

The elected chairman shall be the chairman of subsequent annual general meetings, but if he or she is not present, before any other business is transacted, the persons present shall appoint a chairman of the meeting.

The Executive Committee shall present to each annual general meeting the report and accounts of the Club for the preceding year.

# THE PORTHMAWR SURF LIFE SAVING CLUB CONSTITUTION

## **Q. SPECIAL GENERAL MEETINGS**

The Executive Committee may call a special general meeting of the Club at any time. If at least ten members request such a meeting in writing stating the business to be considered, the secretary shall call such a meeting. At least 21 days notice must be given. The notice must state the business to be discussed.

## **R. PROCEDURE AT GENERAL MEETINGS**

The secretary or other person specially appointed by the Executive Committee shall keep a full record of proceedings at every general meeting of the Club.

There shall be a quorum when at least twelve members of the Club are present at any general meeting.

## **S. NOTICES**

Any notice required to be served on any member of the Club shall be in writing and shall be served by the secretary or the Executive Committee on any member either personally or by sending it through the post in prepaid letter addressed to such member at his or her last known address in the United Kingdom, and by letter so sent shall be deemed to have been received within ten days of posting.

## **T. ALTERATIONS TO THE CONSTITUTION**

Subject to the following provisions of this clause the Constitution may be altered by a resolution passed by not less than two thirds of the members present and voting at a general meeting. The notice of the general meeting must include notice of the resolution, setting out the terms of the alteration proposed.

No amendment may be made to clause A (the name of the club clause), clause C (the objects clause), clause I (Executive Committee members not to be personally interested clause), clause U (the dissolution clause) or this clause without the prior consent in writing of the Charity Commissioners.

No amendment may be made which would have the effect of making the Club cease to be a charity at law.

The Executive Committee should promptly send to the Charity Commissioners a copy of any amendments made under this clause.

## **U. DISSOLUTION**

If the Executive Committee decides that it is necessary or advisable to dissolve the Club it shall call a meeting of all members of the Club, of which not less than 21 days notice (stating the terms of the resolution to be proposed) shall be given. If the proposal is confirmed by a two-thirds majority of those present and voting the Executive Committee shall have power to realise any assets held by or on behalf of the Club. Any assets remaining after the satisfaction of any proper debts and liabilities shall be given or transferred to such other charitable institution or institutions having objects similar to the object of the Club as the members of the Club may determine or failing that shall be applied for some other charitable purpose. A copy of the statement of accounts, or account and statement, for the final accounting period of the Club must be sent to the Charity Commissioners.