

# **CARN RUNNERS CLUB CONSTITUTION**

## **1. GENERAL**

- a) Name. The name of the Club shall be Carn Runners.
- b) Aim. The aim of the Club shall be to promote physical fitness through recreational running in accordance with amateur athletics for the benefit of its members, so far as circumstances allow.

## **2. MEMBERSHIP**

- a) Membership of the Club is confined to amateurs, according to UK Athletics definition of an amateur.
- b) Application for membership shall be made by way of application form to the Membership Secretary. The committee shall have the right of veto over any applications for membership. Applications for membership automatically admit acceptance of the rules by such members.
- c) The minimum age of membership shall be sixteen years. Parental consent is required for under eighteen years of age.
- d) Guests may attend weekly club functions for up to a maximum of four weeks.
- e) A list of all Members shall be maintained and made available at the Annual General Meeting (AGM) and otherwise for the inspection of any member for their own information on request. This is to include only the member's name, address, date of birth, a contact telephone number (when provided) and e-mail address (when provided). A separate list will be generally available to club members containing only names, a contact telephone number (when provided) and e-mail address (when provided).
- f) Each member shall pay an annual subscription decided at the Annual General Meeting.
- g) Subscriptions must be paid for the current year before a member can compete for the Club.**
- h) Resignation. A member intending to withdraw from the Club shall give notice in writing to the Membership Secretary or Chairperson. Membership shall be terminated on the date of that notice unless the member is financially indebted to the Club in which case the Committee may withhold acceptance of the resignation unless the member is discharged of the liability. A member not having tendered their resignation prior to 31<sup>st</sup> March shall be liable for the ensuing year's subscription.
- i) Any member guilty of misconduct may be cautioned once or expelled from the club by a majority of the Committee. Any person expelled will have the right to appeal to a Committee meeting called at his/her request not later than two weeks from the date of expulsion.
- j) The Committee shall have power to expel any member whose subscription is two months in arrears, provided a month's notice in writing shall have been sent by email or letter informing him/her of the proposed action of the Committee.

### 3. MANAGEMENT

a) The Club is for the recreation of its members and shall be run by a representative group of members known as the Committee. Duties of the Committee are to include:

- (i) The organisation of road races;
- (ii) Representing the Club within the Cornwall County Athletics Association;
- (iii) Keep minutes of all proceedings and a record of the members attending the meetings;
- (iv) Interpretation of the Rules which shall be final;
- (v) The committee have the right to veto any application for membership.

b) The Officers of the Club shall consist of a Chairman, Vice-Chairman, Treasurer, Membership Secretary and Club Secretary who shall be elected annually at the Annual General Meeting.

c) The Committee shall consist of the Officers of the Club, and also not less than five and no more than seven other Members (which includes the Club Captain(s), Kit Officer and Social Secretary) who will be elected at the Annual General Meeting.

d) A Press Officer and Webmaster shall be appointed at the Annual General Meeting. These are non committee roles. These individuals may be called to attend committee meetings as and when required and will provide information / reports as requested via the Club Secretary.

e) Committee members must not hold more than one office or carry out the duties of more than one office.

f) The Committee has the power to fill any vacancy that may arise and to co-opt (up to a limit of three) individual(s) to augment/advise the committee where it is deemed desirable.

g) The Committee has the power to form a subcommittee as and when considered necessary.

h) The Committee shall usually meet as a minimum three monthly. The Club Secretary shall give a minimum of 7 days notice of any Committee Meeting to the Officers and Committee members.

i) A quorum for the Committee shall be a minimum of 60% of the Committee.

j) All decisions at committee meetings will be by a majority vote, the Chair shall only vote in the event of a tie.

k) An Independent Examiner who must not be a committee member must be appointed annually by the AGM.

l) Annexes 1 to 5 of this Constitution provide Rules and guidance as follows:

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| Annex 1     | Financial Responsibilities - Club Rules; |
| Annex 2     | Responsibilities of the Club Chair;      |
| Annex 3     | Responsibilities of the Treasurer;       |
| Annex 4     | Responsibilities of the Club Secretary;  |
| and Annex 5 | Responsibilities of the Committee.       |

#### **4. ANNUAL GENERAL MEETING**

a) The Annual General Meeting (AGM) shall be held annually, during November (not later than two months after the end of the financial year), and the following business undertaken:

- (i) The report of the Committee will be read and discussed;
- (ii) The independently examined accounts will be presented;
- (iii) The Officers and other Committee members will be elected;
- (iv) Club membership fees for the year will be decided;
- (v) Other businesses as are specified in the notice convening the meeting shall be transacted.

b) The Club Secretary will give twenty one days advance notice of the Meeting, by placing a notice on the Notice Board.

c) Motions to be discussed must be submitted in writing to the Club Secretary at least one week before the date of the meeting.

d) The Constitution may only be changed by a two-thirds majority decision of those in attendance.

e) Nominees for the committee shall be first claim members of the Club. Nomination must be made in writing and forwarded to the club secretary not less than seven days before the date fixed for the AGM.

f) The Secretary shall affix a list of names of the Nominees to the Notice Board seven days before the AGM. If the numbers nominated are sufficient only to fill the vacancies, or less, the election shall be by show of hands. If the number of Members nominated for any office is more than sufficient to fill the vacancy, the election shall be by a show of hands. In case there shall not be sufficient numbers of candidates nominated Members of the Committee already elected shall have power to fill the remaining vacancies by co-option, provided the Members thus far elected shall form a quorum. If any two or more candidates obtain an equal number of votes, the Chairman shall have the casting vote.

g) One fifth of all paid up first claim members will constitute a quorum. Second claim members will be entitled to speak in any general meeting, but will not be eligible to vote.

h) The chairman shall have a casting vote.

#### **5. CLUB COLOURS**

a) The colours of the Club shall be yellow and blue.

b) Club colours should be worn by all competitors representing the club at every competitive meeting unless circumstances do not permit it..

#### **6. AMENDMENTS TO THE CONSTITUTION**

a) The Committee, by a two-thirds majority at a quorum meeting, may propose amendment to the Constitution. The changes may only be made at the AGM or a Special Meeting called for that purpose. Four weeks notice must be given for a Special Meeting . A quorum consists of one-fifth of the membership. If the motion is passed by two-thirds majority the amendment to the constitution will be adopted.

b) Alternatively, ten ordinary paid up and voting members may petition the Club Secretary in writing, to call a Special Meeting in which the conditions in 6(a) will apply with respect to calling the meeting and voting at it.

c) Voting rights as at the AGM pertain.

## **7. SPECIAL MEETINGS**

- a) A special meeting of the Club must be called by the Club Secretary within twenty eight days of the Secretary receiving a requisition signed by not less than ten ordinary paid up and voting members, stating the reason for which the meeting is being called.
- b) The Club Secretary will give every member twenty one days advance notice of the Special Meeting.
- c) One fifth of all paid up members will constitute a quorum.
- d) The Constitution may only be changed by a two-thirds majority decision of those in attendance.
- e) Voting rights as at the AGM pertain.
- f) The chairman shall have a casting vote.

## **8. FINANCIAL CONTROLS**

- a) A system of financial controls has been adopted to ensure that members involved in handling the money of other members do so securely. These provide safeguards to the resources of the Club, and also to the Officers and Members of the Club from accusation of impropriety. All members must follow the controls detailed in this section and in Annex 1 to this Constitution "Financial Responsibilities - Club Rules". The Club Rules may be amended by a majority of the Committee where a quorum is in attendance. Any changes made to the Club Rules must be brought to the attention of the members. The Club Secretary is responsible for placing the new Club Rules on the Club notice board for a period of not less than four weeks following the change, and making copies available to members. Amended paragraphs of the Club Rules will be identifiable by two vertical lines, in the new version.
- b) Officials must be aware that they are responsible for the money of the Club. They must act responsibly in their duties and must not accept the appointment if they feel unable to conduct their duties fully.
- c) The basic principles for financial control are:
  - there is an accurate record of all deposits and withdrawals;
  - for all transactions to be adequately supported by documentary evidence;
  - no single member has complete control over the financial affairs of the Club; and
  - there is a requirement for checks to be made by the Independent Examiner(s) and assurances given.
- d) Financial records held by the Club must be available to the Club members for inspection at any time provided reasonable notice is given.
- e) The financial year shall be 01 October until 30 September.

## **9. DISSOLUTION**

- a) The Committee, by a two-thirds majority at a quorum meeting, may decide to dissolve the club. They must then call a Special Meeting giving four weeks notice to all club members. If the motion is passed by a two-thirds majority the club is then dissolved.
- b) Alternatively, ten ordinary paid up and voting members may petition the Club Secretary in writing, to call a Special Meeting in which the conditions in 9(a) will apply with respect to calling the meeting and voting at it.

c) Voting rights as at the AGM pertain.

d) Upon dissolution any funds remaining after all debts have been met will be donated to a Registered Charity with similar aims to the club.

Constitution: This constitution was adopted at a Meeting held on 15 November 2017

<b>Signed</b>	<b>Chairperson</b>	<b>Barrie Cardew</b>
	<b>Club Secretary</b>	<b>Margaret Wade</b>

## **Financial Responsibilities - Club Rules**

1. The Treasurer, as officer responsible for the financial management of the Club, must keep proper financial records which are correct and up to date at all times. These must include a list of Assets, a Cashbook, Receipts and Payment details and a register of members.
2. All books of account and records must be supported by documentary evidence in the form of receipts, vouchers, invoices etc. These records must be available to the designated Independent Examiner on demand and the books recording the financial transactions of the Club, together with the register of members must be open to inspection by any member provided reasonable notice is given.
3. The minimum requirement is that a cash book is maintained showing all receipts and payments
4. If the finances of the Club appear unsound, the Treasurer (or other officer identifying the problem) must immediately report the fact to the Committee.
5. The Treasurer must regard the Club's finances as unsound if the outstanding liabilities exceed the cash held including at the bank or other realisable investments.

### **Receipts and Payments**

6. The checking of receipt continuity is a major element of the independent examining sequence.
7. The Treasurer must make certain that payments are supported by receipts/invoices.
8. Wherever possible all payments must be made by cheque or bank transfer. In instances where cash payments are the only option or the most sensible option a receipt must always be obtained. The Committee should be made aware, by the Treasurer, of instances where a cash payment is made.
9. Only one cheque book must be in use at any one time, and cheques must be issued in numeric sequence. A list must be kept of the numbers of any stock of cheque books, and books must be crossed off as they come into use. Cheques must be issued in numeric sequence and the serial numbers of the cheques must be entered on the invoices.
10. If a separate receipt can be associated with a bill statement or invoice, the two documents must be cross-referenced and filed together.
11. Every payment must be recorded in the cash book and a serially filed voucher (i.e. bill, statement or invoice) must support every entry in the cash book.
12. All vouchers must be stored securely by the Treasurer (pending independent examining). The vouchers may be destroyed three years after the Independent Examination is complete and the Accounts have been approved at the AGM.

13. A list of authorised signatories, together with a specimen of their signatures must be deposited with the bank. This list must be recorded in the Committee minutes, which must be kept up to date at all times. All signatories must be formally appointed at the AGM. All bank statements must be addressed to the Treasurer and a second copy to another Committee Officer.
14. The Chair is responsible for ensuring that the Bank is sent a certified copy of the resolution together with specimen signatures of the persons authorised. Copies of the authorised signatories' signatures should also be retained by the Chair.
15. Signatories to bank accounts have a responsibility to the members of the Club and must not sign cheques or withdrawal orders unless they are satisfied that the payment is proper, appropriate to the business of the Club, and fully supported by documentary evidence. There are no circumstances under which it is acceptable to sign a blank cheque.
16. There is a requirement for two authorised signatures to be present on a cheque.
17. Club funds must never be mixed with personal funds and private cheques must never be cashed out of Club funds.
18. The Committee is responsible for setting a limit on the amount of payments made by officers and authorised members of the Club. All payments in excess of the agreed limits must be approved by the Committee. This limit is to be reviewed and agreed annually.
19. A current bank account must be opened in the name of the Club, to deal with day-to-day transactions.

### **Custody and Control of Goods**

20. Goods must be stored securely. Stock records must be maintained in a way that they are capable of being checked and reconciled at any time. If control of any part of the stock is delegated, the person responsible for the sub-stock should maintain separate records in the same way.
21. There must be a stock check of all stocks and equipment on the last day of the financial year and on at least one other occasion during the year. The Secretary of the Club and one other nominated member of the Committee who is not involved in the control of the stock or equipment must carry out this check. Both must sign the stock sheets and equipment records on completion of the checks.
22. The year-end stock takes must be carried out under the control of the Club Officials.

23. When custody of stock is handed over to another Officer or member, it must be checked and signed for by both persons involved, and consideration should be given to independent examination involvement where the values are significant.

### **Handover Arrangements**

24. In the event of a change of Treasurer the incoming officer must obtain an up to date full statement from the bank. They must agree the amount shown in the cash book taking account of uncleared cheques and uncleared credits. Together with the outgoing Treasurer they must initial the cash book as evidence that they have examined the accounts and agreed the statement as to the balance available at the date of the new appointment.

### **Absence of the Treasurer**

25. If the Treasurer is unexpectedly absent, the Chair must transfer all items to the officer taking over the duties in accordance with the Handover Arrangements. The Chair should act as the transferring officer.

### **Independent Examination**

26. The independent examination of Club accounts is performed on behalf of the members of the Club. The independent examination is to ensure that the affairs of the Club are run in accordance with the requirements set out in the Club's constitution.

27. If, in the course of an independent examination significant problems are identified (or suspected) and the Independent Examiner does not feel qualified to pursue the issue, advice should be sought immediately from the Chair.

28. The accounts must be independently examined annually at the financial year-end. The independent examiner must be appointed formally by the AGM. The independent examiner should bear in mind that Club Officials are volunteers working in their own time, and should aim to offer advice and support in a helpful and friendly spirit. Independent Examiners should have the necessary knowledge of bookkeeping procedures and controls.

29. Independent Examiners can conduct an independent examination at any time, providing reasonable notice, on the authority of the Committee.

30. The independent examination must be thoroughly conducted and the certificate endorsed by the Independent Examiner. A certificate of independent examination is not merely a formal endorsement of accounts and the independent examination must never be carried out in a cursory way.

31. Recommendations. If the Independent Examiner wishes to recommend improvements in financial control etc, such recommendations must be in the form of an informal letter to the Chair, and the Committee must decide whether to refer the matter to the members. The decision must be clearly documented in the Committee minutes.



## **Annual General Meeting**

32. The annual statement of accounts must be prepared for formal presentation to the members at the AGM not later than two months after the end of the financial year.

33. Generally, the statement should comprise the following:

- A Balance Sheet.
- An Income and Expenditure Account - or -
- A Receipts and Payments Account - or -
- Trading and Profit and Loss Accounts.

34. The statement must be signed by the Treasurer, certified by the Independent Examiner and copies with any necessary reports, made available to the membership at the AGM.

End of Annex 1 to Cam Runners Club Constitution.

## **Responsibilities of the Club Chair**

### ***(Quick Guide)***

1. The Chair is accountable, for ensuring that the affairs of the Club are properly conducted in accordance with its rules, and with statutory requirements.
2. The Chair must ensure that Officers, Committee members, and the Independent Examiner are fully familiar with these rules and advice.
3. The Chair must ensure that the Treasurer is fully aware and capable of the duties, and that accounts are submitted to him/her from the Treasurer to the required standard at the required times (normally monthly), even if a committee meeting is not held during any three-month period.
4. The Chair must ensure that the Independent Examiner is appointed by the AGM, and that all necessary independent examinations are carried out.
5. It is his/her responsibility to ensure that the Independent Examiner has access to all necessary documents on demand, including the minutes of Committee meetings, and are provided with a copy of all regulations, rules etc which have been adopted by the Club, including the constitution.
6. The Chair must ensure there is a nominated and agreed Deputy Chair.
7. The Chair must ensure that controls are in place to prevent one person alone from withdrawing Club funds.
8. The Chair must ensure that cheques are prepared securely i.e. the use of "Account Payee" when paying bills, and that two signatures are required on cheques.
9. The Chair must ensure the bank mandate clearly states that two signatures are required in all cases, and the panel of cheque signatories is kept up to date on the bank mandate at all times.
10. The Chair must ensure that monthly bank statements in the name of the Club are sent to the Treasurer and a copy to another officer.
11. The Chair must ensure that security arrangements are adequate.
12. The Chair must ensure that a minimum three monthly Committee meeting is held at which minutes are produced and a written financial statement is submitted as agreed by the Chair.
13. The Chair must ensure that a monthly financial statement is received from the Treasurer in the absence of a meeting, for presentation and agreement at the next meeting.
14. In cases of serious financial irregularity, criminal proceedings must be considered. Decision on prosecution and reference to the Police are the responsibility of the Chair.

End of Annex 2 to Cam Runners Club Constitution

## Responsibilities of the Treasurer

### (Quick Guide)

It is the Treasurer's responsibility to safeguard, at all times, the funds of the Club. The Treasurer must:

1. Keep proper financial records which are correct and up to date at all times. These must include a list of Assets, a Cashbook, Receipts and Payment details.
2. Make prompt payment of bills and invoices received.
3. Prepare a written statement for every meeting of the Club's Committee. At each Committee meeting the Treasurer must submit to the Chair a written statement of accounts to date, and a list of amounts due to the Club or due to be paid by the Club. Committee meetings should normally be held on a monthly basis, but if this is varied for any reason, the Treasurer must continue to submit monthly accounts for the Chair for his/her approval.
4. Balance the accounts at least every month.
5. Have the accounts independently examined at least every year.
6. Prepare a financial statement and have it independently examined for presentation to the Committee within two months of the year-end. The annual financial statement must comprise of the following:
  - A Balance Sheet.
  - An Income and Expenditure Account - or -
  - A Receipts and Payments Account - or -
  - Trading and Profit and Loss Accounts.
7. Have a copy of the Club Rules and ensure that he/she understands them.
8. Advise the Chair immediately if he/she is having problems of any kind with the accounts, no matter how minor.
9. If the finances of the Club appear unsound, the Treasurer must immediately report the fact to the Committee. The Treasurer must regard the Club's finances as unsound if the outstanding liabilities exceed the cash held, including at the bank or in other realisable investments.
10. Circulate the annual financial statement to members. The statement must be signed by the Treasurer, certified by the Independent Examiner, and copies with any necessary reports, made available to the membership at the AGM.
11. Never issue blank cheques.
12. Avoid making corrections to cheques. If unavoidable both signatories must initial the alteration.
13. Avoid making payments in cash. If cash payments have to be made always demand a receipt.
14. Record details on counterfoils for all payments and cheque payments.

**End of Annex 3 to Carn Runners Club Constitution.**

## **Responsibilities of the Club Secretary**

### *(Quick Guide)*

It is the Secretary's responsibility to:

1. Prepare the agenda for Committee meetings and circulate it to Committee Members not later than seven days before the Committee meeting. At the same time a copy is to be placed on the Club Notice Board.
2. Take minutes of Committee meetings and issue them to Committee Members not later than seven days after the Committee meeting. At the same time a copy is to be placed on the Club Notice Board.
3. Give 21 days advance notice of the AGM, by placing a notice on the Club Notice Board.
4. Prepare the agenda for the AGM and make it available to Members not later than seven days before the AGM meeting. At the same time a copy is to be placed on the Club Notice Board.
5. Affix a list of names of the Nominees to the Club Notice Board not less than seven days before the **AGM**.
6. Take minutes of the AGM and issue them to Members not later than seven days after the meeting. At the same time a copy is to be placed on the Club Notice Board.
7. Accept and act on any written petition, calling a Special Meeting. A special meeting of the Club must be called by the Secretary within twenty eight days of the Secretary receiving a requisition signed by not less than ten ordinary paid up and voting members, stating the reason for which the meeting is being called. The Secretary will give every member twenty one days advance notice of any Special Meeting.
8. Affix any new Club Rules on the Club Notice Board for a period of not less than four weeks following any change in the Rules, and make copies available to members. Amended paragraphs of the Clubs Rules are to be identifiable by two vertical lines, in the new version.

End of Annex 4 to Carn Runners Club Constitution.

## **Responsibilities of the Committee**

1. Elected officers of the Club are appointed by members of the Club to control the operation of the Club overall and/or to control specific activities of the Club, and to ensure that the Club (or their particular aspect) is operated in conformance with the constitution and with all statutory requirements.
2. Officers are ultimately responsible for their actions to the members of the Club and will normally answer to the elected Chair.
3. Discussions in committee meeting will remain confidential. Information made available to members will be restricted to the minutes and displayed on the club notice board.
4. Any Committee member guilty of misconduct or breach of confidentiality may be cautioned once or expelled from the Committee by a majority of the Committee. Any person expelled will have the right to appeal to a Special Committee meeting called at his/her request not later than two weeks from the date of expulsion.
5. It should be noted that Officers may incur individual liability for breaches of statutory requirements and / or events leading to civil legal actions.
6. An Independent Examiner who must not be a committee member must be appointed annually at the AGM.
7. At each Committee meeting the Treasurer must submit to the Chair a written statement of accounts to date, showing separately the cash in hand, cash at bank, and a list of amounts due to the Club or due to be paid by the Club.
8. Committee meetings should normally be held on a six weekly basis, but if this is varied for any reason, the Treasurer must continue to submit monthly accounts for the Chair for his/her approval. Such accounts must be endorsed by the Committee at their next meeting. Authorities for payments must be detailed in the minutes of the Committee meetings and duly confirmed.
9. The Committee must set limits on the amount of disbursements which may be made by Officers and members of the Club. All payments in excess of the agreed limit must receive the prior written approval of the Committee

End of Annex 5 to Carn Runners Club Constitution.