



# Constitution of the Cornwall Mountain Bike Club

## 1. Name:

Cornwall Mountain Bike Club.

## 2. Objects:

The object of the Club shall be to promote, develop and foster the sport of Mountain biking at all levels. In furtherance of the said object but not otherwise the Club may (i) promote and hold, either alone or jointly with others, mountain bike races and events in accordance with the rules established by British Cycling;

(ii) offer, give or contribute towards prizes, medals, and awards for mountain bike races promoted and held by the Club;

(iii) financially support riders competing on behalf of the club;

(iv) apply for grants from appropriate entities for the development of the sport of Mountain biking;

(v) establish and promote, or assist any other association or entity having objects similar to those of the Club;

(vi) collect and disseminate information on all matters relating to the sport of Mountain biking, and exchange such information with other bodies having similar objects, whether in UK or internationally;

(vii) buy, sell, and supply goods and services for the purposes of the Club;

(viii) raise funds and invite and receive contributions from any person or persons whatsoever by way of subscriptions and otherwise PROVIDED THAT the Club shall not undertake permanent trading activities in raising funds for the said objects;

(ix) do all such other lawful things as are necessary for the attainment of the said objects.  
The Club is non-denominational and non-political.

## 3. Club Colours and logo:

No colours are currently selected; there is a club logo which is available for use on correspondence and club kit.

**4. Affiliation and club insurance:** The Club shall be affiliated and insured with British Cycling.

## 5. Membership and fees:

Membership of the Club shall be open to all persons interested in the aims of the Club, and who agree to abide by this Constitution and rules of the club. Membership is renewed annually (through the Secretary).

New members are permitted up to one ride before being required to apply as a club member as set by British Cycling insurance requirements.

Members must show that they have valid third party cycling insurance which covers them whilst on club rides. (Examples of suitable insurance are: London Cycle, British Cycling – ride or higher category, CTC insurance, appropriate home insurance which includes third party cover when cycling)

Membership fees are set annually and agreed by the membership prior to any renewal of membership year and fees shall be agreed at the AGM. The treasurer is to provide membership fee proposals to members (disseminated via the secretary) when notice of AGM is given, this notice/proposal is to be given not less than twenty eight days before the date of the AGM.

## 6. Club Year:

The Club's year shall be the membership year: from 1<sup>st</sup> November to 31<sup>st</sup> October

## 7. The Committee:

### 7.1: Powers of the Committee:

The Committee

- (i) shall manage the business affairs of the Club;
  - (ii) shall exercise all such functions as may be exercised by the Club other than those functions that are required by these rules to be exercised by the Club in a general meeting;
  - (iii) has the power to perform all such acts and do all such things as appear to the Committee to be necessary or desirable for the proper management of the affairs of the Club
  - (iv) shall have power to create and wind up sub-committees as required
  - (v) shall have power to co-opt up to two further members to the Committee as required.
- The Committee shall hold no less than two meetings per year.

### 7.2 Composition of the Committee:

(a) The Committee shall comprise

- (i) the Officers of the Club
- (ii) at least two Elected Members of the Club

The Committee shall comply with the provisions of this Constitution, any ratified constitutional amendments, and rules ratified by the Members of the Club.

(b) The Club shall have the following Officers:

(i) **Chairperson and ride leader**, who is the chief executive officer, responsible for the effective management of the Club; the Chairperson shall preside over Committee meetings and Club General Meetings; the Chairperson shall be one of the three signatories (any one to sign) on the Club's bank account(s), acting as one club ride leader (who can stand in, in the event that the other ride leaders cannot be present) at a club ride and ensuring member safety during rides,. The Chairperson will normally not be a voting officer; however in the event of an equality of votes, the Chairperson shall cast the deciding vote.

(ii) **Secretary and ride leader**, who is responsible for obtaining membership renewals and new memberships of the club, making a note of all riders present per ride and any non members, acting as one club ride leader (who can stand in, in the event that the other ride leaders cannot be present at a club ride) and ensuring member safety during rides, minute-taking at all meetings, club membership cards, all communications with British Cycling and for ensuring that information about all matters affecting the Club is communicated to members efficiently and expeditiously. The Secretary shall be one of the three signatories (any one to sign) on the Club's bank account(s). All information to the club membership with the exception of club ride updates and ride details is to be disseminated via the secretary and passed to the webmaster as soon as possible.

(iii) **Treasurer and ride leader**, who responsible for chairing the finance committee, and for overseeing the club finances, acting as one club ride leader (who can also stand in, in the event that the other ride leaders cannot be present at a club ride) and ensuring member safety during rides; the Treasurer shall be one of the three signatories (any one to sign) on the Club's bank account(s)

(iv) **Webmaster/Ride co-ordinator**, who is responsible for updating the club website, notifying the treasurer when the website fees are due annually and updating rides in the upcoming rides section.

(v) **PR officer**, who is responsible for general information club posters, and for promoting the safety of the all members while engaged in Club activities.

(vi) **Back up committee** two additional members are to assist in the general day to day running of the club as well as producing the monthly club newsletter

*(Vii) Ride leader additional member of the club who is designated as ride leader (and can stand in, in the event that the other ride leaders cannot be present at a club ride) and ensuring member safety during rides.*

For all ride leaders the club will pay for the insurance fees on top of the club standard membership yearly rate paid by that member for British Cycling club insurance and club ride leader membership requirements.

An officer may not hold more than one office at the same time with the exception of the ride leader post.

### **7.3. Term of appointment:**

Each Officer of the Club shall hold office until the conclusion of the Annual General Meeting following the date of the said officer's election, but is eligible for re-election with the exception of Chairperson where the maximum term is three years.

### **7.4 Election of Committee Members:**

(a) Any Member may be nominated (or may nominate himself/herself, either in person or in writing) for election as an Officer or Elected Member.

(b) The ballot for the election of Officers and Elected Members shall be conducted at the Annual General Meeting in such manner as the Committee may direct

### **7.5 Vacancies:**

If a vacancy occurs in the membership of the Committee for any reason, the Committee members may appoint a member to fill the vacancy, and the member so appointed will hold office subject to the Rules. The person filling the vacancy shall retire at the next occurring Annual General Meeting

### **7.6 Removal of Committee Members:**

(a) In order to remove any Committee members from office, an Extraordinary General Meeting shall be called.

(b) A proposal to remove the Committee Member shall be put forward, in writing, by a member duly qualified to vote at that meeting.

(c) Notice shall be served on the said Committee member in writing, stating the date, time, and place of the Extraordinary General Meeting, the proposal and the grounds on which the proposal for removal is based, and informing the Committee Member that he/she may attend and speak at the Extraordinary General Meeting, and may also make written submission.

(d) Once due consideration of the matter has been given, the proposal for removal of the Committee member shall be put to a vote. A two-thirds majority of those present at the Extraordinary General Meeting is required to remove the Committee Member from office.

### **8. Meetings and Quorum:**

A Committee meeting shall be quorate when at least three members of the Committee are present.

A sub-committee meeting shall be quorate when at least three members of the sub-committee are present

A General meeting of the club shall be quorate when at least ten per cent of the membership is present.

An Annual General meeting of the club shall be quorate when at least fifteen per cent of the membership is present.

### **9. Disciplining members**

(a) The Club may, by resolution, censure, suspend, or expel a member from the Club, if the member has

(i) persistently refused or neglected to comply with a provision of the Constitution; or

(ii) wilfully acted in a manner detrimental to the interests of the Club.

(b) Where the Committee is of the opinion that a Member has acted in such a way so as to merit disciplinary action, the Committee must notify the member and convene a disciplinary hearing.

(c) Where the Committee passes a resolution convening a disciplinary hearing, the Committee must serve written notice on the member in question, stating the date, time, and place of the disciplinary hearing, setting out the resolution of the Committee and the grounds on which it is based, and informing the member that he/she may attend and speak at the disciplinary hearing, and may also make written submission.

(d) Once the disciplinary hearing has taken place, and due consideration of the matter has been given, the Committee shall propose what action (if any) is to be taken. The member in question shall be written to, communicating the Committee's decision.

(e) The Committee shall then convene a General Meeting of the Club, at which a secret ballot shall be conducted on the question of whether the Committee's decision on this matter should be confirmed or revoked.

#### **10. Voting and Decisions:**

Issues arising at meetings of the Committee, sub-committees, or General Meetings of the Club, and which require a vote, shall be determined by a majority of the votes of the members present at the meeting and entitled to vote.

Each member present at a meeting of the Committee, sub-committees, or General Meetings of the Club (including the person presiding) shall be entitled to one vote. The Chairperson (who presides at meetings of the Committee and General Meetings of the Club) will normally not be a voting officer; however in the event of an equality of votes, the Chairperson shall cast the deciding vote at meetings of the Committee and General Meetings of the Club.

At a General Meeting of the Club a poll may be demanded by the person presiding, or by not less than five per cent of the membership in person and entitled to vote.

Non members attending meetings and the AGM are not entitled to vote or participate in decision making of the club at any meetings.

#### **11. Sub-Committees:**

##### **(a) Finance Committee**

Membership of the Finance Committee shall be as follows:

Treasurer (chair of Finance Committee)

Chairperson

Secretary

Two other members

The Finance Committee's remit shall be

(i) to manage the finances of the Club;

(ii) to propose an annual budget for Club activities;

(iii) to engage in fundraising activities that support the objects of the Club;

(iv) to report to the Committee and the Club membership on all aspects of Club finances.

The Treasurer will normally not be a voting officer on the Finance Committee; however in the event of an equality of votes, the Treasurer shall cast the deciding vote at meetings of the Finance Committee.

##### **(b) Race Committee/PR committee:**

The Race Committee shall be composed of the PR officer and at least one other member of the committee; its remit shall be

(i) to organise open and club races and other events

(ii) to adjudicate on the Club points system and results

(iii) to obtain the necessary permissions from the police and other bodies for holding races

(iv) to be responsible for marshalling and safety issues

The Race Secretary will normally not be a voting officer on the Race Committee; however in the event of an equality of votes, the Race Secretary shall cast the deciding vote at meetings of Race Committee.

The race committee shall represent, where practicable, all constituencies in the Club, including seniors, veterans, women, juniors, and youths.

## **11. Accounts and Banking:**

### **11.1 Accounts:**

The Treasurer shall maintain correct accounts and books showing the financial affairs of the Club, with full details of all receipts and expenditure connected with the activities of the Club. The Treasurer shall provide a written statement of accounts at the Annual General Meeting, and at General Meetings at the request of the Committee.

An audit is to be carried out once a year.

### **11.2 Banking:**

The Committee shall cause to be opened with such a bank as the Committee selects, a bank account or bank accounts in the name of the Club, into which all monies received shall be paid within ten working days receipt.

All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by the Treasurer, the Chairperson, or the Secretary (any one to sign).

### **11.3 Funds management**

The funds of the Club, however derived, shall be applied towards the objects of the Club, under the direction of the Finance Committee, and (where appropriate) with the approval of the membership of the Club.

### **11.4 Financial Year**

The financial year of the Club shall run in line with club renewals from 1 November to 31 October each year.

## **12 Annual General Meetings (AGM)**

The Club will hold an AGM once in every calendar year and not more than 15 months after the last AGM. At every AGM:

**a** The Members will elect a Committee including a Chair, Treasurer and Secretary to serve until the next AGM;

**b** The Treasurer will produce accounts of the Club for the latest financial year audited as the Committee shall decide;

**c** The Committee will present a report on the Club's activities since the previous AGM;

**d** The Members will appoint a suitable person to audit the accounts; and

**e** The Members will discuss and vote on any resolution (whether about policy or to change the Rules) and deal with any other business put to the meeting.

Communication summoning the Annual General Meeting will be released so as to reach members at least twenty-eight days before the meeting is due to take place.

Other General Meetings may be called at other times, with not less than one month's written notice to all members, by the Executive Committee or by the Chairperson at the request of not less than twenty per cent of the members.

## **13 Extraordinary General Meetings (EGM)**

An EGM shall be called by the Secretary within 14 days of a request to that effect from the Committee or on the written request of not less than 20% of members signed by them. Such an EGM shall be held on not less than 14 or more than 21 days' notice at a place decided upon by the Committee or in default by the Chair.

**13. Amendments to the Constitution:**

The General Meeting of the Club may amend the Constitution by a majority of two-thirds of the members present and voting, provided that a quorum of twenty per cent of the membership be present, and that written notice of the amendment proposed has been given to all members not less than one month before the General Meeting.

**14. Dissolution:**

The Club may be dissolved by the agreement of not less than three-quarters of those members present at a General Meeting specially summoned for this purpose. Any funds existing at the time of dissolution shall not become the property of any member or members but shall be devoted to furthering the objects defined in Clause 2.

**15. Declaration**

Cornwall MTB club hereby adopts and accepts this constitution as a current operating guide regulating the actions of members.

**Signed:**

**Date:**

**Name:**

**Position: Club Chair**

**Signed:**

**Date:**

**Name:**

**Position: Club Secretary**

Last amended 02 November 2016.