



Sussex Seahawks Swim Team CONSTITUTION – 24 November 2011

1 CLUB NAME

- 1.1 The club shall be called ‘The Sussex Seahawks Swim Team’ (hereinafter the ‘Sussex Seahawks’).

2 ASSOCIATE CLUBS

- 2.1 The eligible Associate Clubs are those clubs who are affiliated to the Sussex Amateur Swimming Association and any other ASA affiliated club as agreed in accordance with this Constitution.
- 2.2 The two initial Associate Clubs will be Atlantis Swimming Club and Shiverers Swimming Club.

3 AFFILIATION

- 3.1 Sussex Seahawks shall at all times be affiliated to ASA South East Region, and to such other bodies as the Annual General Meeting (AGM) shall decide.
- 3.2 By virtue of the affiliation of the Sussex Seahawks to the ASA South East Region, the Club and all the members of the Club acknowledge that they are subject to the laws, rules and constitutions of:
- 3.2.1 ASA South East Region; and
 - 3.2.2 The A.S.A. (to include the A.S.A./IOS Code of Ethics); and
 - 3.2.3 British Swimming (in particular it’s Doping Control Rules and Protocols and Disciplinary Code); and
 - 3.2.4 FINA, the world governing body for the sport of swimming in all its disciplines (together “the Governing Body Rules”).

4 OBJECTIVES

- 4.1 The teaching, development and practice of swimming for its members. In the furtherance of these objects:
- 4.1.1 The Club is committed to treat everyone equally within the context of their activity. This shall be, for example, regardless of sex, ethnic origin, religion, disability or political persuasion, on any grounds.

4.1.2 The Club shall implement the A.S.A. Equal Opportunities policy.

4.2 The affairs of Sussex Seahawks shall at all times be conducted in accordance with the Laws and Technical Rules of the A.S.A. (“ASA Laws”) and in particular:

4.2.1 All competing members shall be eligible competitors as defined in ASA Laws; and

4.2.2 The Sussex Seahawks shall in accordance with the ASA Laws adopt the A.S.A. Child Safeguarding Procedures; and shall recognise that the welfare of children is everyone’s responsibility and that all children and young people have a right to have fun, be safe and be protected from harm; and

4.2.3. Members of Sussex Seahawks shall in accordance with ASA Laws comply with the A.S.A. Child Safeguarding Procedures.

4.3. To support the development of the highest possible quality of competitive swimming.

4.4. To ensure that regular and frequent training opportunities are easily accessible to all swimmers of the appropriate standard.

4.5. To provide the opportunity for swimmers to achieve their potential at all levels.

4.6. To raise funds to further the aims and objectives of Sussex Seahawks.

4.7. In the event that there shall be any conflict between any rule or By-Law of the Club and any of the Governing Body Rules then the relevant Governing Body Rule shall prevail.

5 AIMS

5.1 To create a performance competitive swimming squad that can compete at national level.

5.2 To provide appropriate training facilities.

5.3 To promote an atmosphere of co-operation and mutual respect with all Associate Clubs.

5.4 To develop the coaching of swimming and within Sussex Seahawks by establishing an education and support network to facilitate the development of the coaching of swimming.

6 MEMBERSHIP

6.1 For all swimmers, the membership of the Sussex Seahawks shall be by selection using the selection criteria as determined by Coaches’ Panel and set out in the Club By-laws.

6.2 Membership is open to members of ASA affiliated clubs who have declared their intention to compete as Sussex Seahawks in accordance with clauses 8 and 14.2 of this Constitution.

6.3 A full member will be aged 16 years and over. This will include swimmer members as defined in clause 6.1 of this Constitution, members of the Executive Committee, the Coaches Panel, and any other person co-opted by the Club as defined in section 9 of this constitution. In addition, members of Affiliated Clubs aged 16 years and over may apply for full membership, but these numbers will be limited to a maximum per Affiliated Club as determined in the By-Laws.

6.4 A junior member will be aged 15 years and under.

6.5 All full members has an equal right to vote at the Annual General Meeting or Special General Meeting.

6.6. Continued membership of Sussex Seahawks will depend upon the swimmer retaining membership of an Associate Club and also meeting the selection criteria as set out in the By-Laws.

- 6.7 Any person wishing to become a member of the Club must submit a signed application to the Secretary (and in the case of a junior swimmer the application must be signed by the swimmer's parent or guardian). Election to membership shall be determined by the Coaches' Panel or such other persons as authorised by the Executive Committee. Any person refused membership may seek a review of this decision before a Review Panel appointed by the Executive Committee. Ideally, this Review Panel should include one independent member. The person refused membership shall be entitled to make representations to the Review Panel. The procedures for review shall be at the discretion of the Review Panel whose decision shall be final and binding.
- 6.8 The Club may refuse membership if the swimmer is unable to achieve the entry standards as laid down by the Coaches' Panel as set out in 6.1. above. The Club may refuse membership only for good and sufficient cause, such as conduct or character likely to bring the Club into disrepute. The Club shall not refuse an application for membership on discriminatory grounds, whether in relation to ethnic origin, sex, religion, disability, political persuasion or sexual orientation.
- 6.9. The Executive Committee shall have the power to expel a member when, in its opinion, it would not be in the interests of the Club for the individual to remain a member. The Club shall comply with the relevant Judicial Rules for handling Internal Club Disputes. These Judicial Rules are set out in the A.S.A. Judicial Laws and appear in the A.S.A. Handbook. The Executive Officers may temporarily suspend the member pending the formal process. Other matters of discipline will be dealt with in accordance with Rule 7 below.

7 DISCIPLINE

- 7.1 All members participating in training activities or competing as part of the Sussex Seahawks squad will be required to read and sign a copy of the Code of Conduct as set out in the By-Laws.
- 7.2 Discipline of members who have compromised the interest of Sussex Seahawks shall not be undertaken by Sussex Seahawks but shall be referred to the Club(s) of the member(s) concerned.

8 COMPETITIONS

- 8.1 All competitions promoted by Sussex Seahawks shall be swum under A.S.A. Laws and Technical Rules.
- 8.2 The areas of competition in which the Club may compete are as follows: -
- 8.2.1. A.S.A South East Region Age Group and Youth Championships.
 - 8.2.2. A.S.A. South East Region Winter Championships
 - 8.2.3. A.S.A. Zonal Championships.
 - 8.2.4. British Swimming Championships.
 - 8.2.5. A.S.A. National Age Group Championships.
 - 8.2.6. A.S.A. National Youth Championships.
 - 8.2.7. Invitation Team Meets
 - 8.2.8. The National Arena Swimming League
 - 8.2.9. Selected licensed meets organised by clubs not affiliated to the Sussex ASA.
- 8.3 The Sussex Seahawks do not plan to compete in the following competitions:
- 8.3.1. Sussex A.S.A. County Championships.
 - 8.3.2. Sussex A.S.A Relay Championships.
 - 8.3.3. Sussex A.S.A. Team Swimming Leagues.

8.3.4. Any Open competition organised by a Club affiliated to the Sussex A.S.A.

8.4 Members of the Sussex Seahawks are not allowed to enter competitions in the name of the Sussex Seahawks, other than those listed in Section 8.2, without the specific prior written permission of the Executive Committee

9 EXECUTIVE COMMITTEE

9.1 The management of the Sussex Seahawks shall be in the hands of the Executive Committee, which shall comprise:

9.1.1 The Sussex Seahawks Chairman, Secretary, Treasurer and Swimming Manager.

9.1.2 One representative from each of the Associate Clubs who have declared their intention to compete as Sussex Seahawks in accordance with clauses 8 and 14.2 of this constitution. Each Associate Club will elect or appoint their representatives to the Executive Committee in accordance with their own Constitution and/or Rules.

9.1.3 Two representatives from the Coaches' Panel, who shall be from different Associate Clubs.

9.2 The Coaches' Panel shall consist of one Coach from each of the Associate Clubs who have declared their intention to compete as Sussex Seahawks in accordance with clauses 8 and 14.2 of this constitution. Each Associate Club will elect or appoint their representative to the Coaches' Panel in accordance with their own Constitution and/or Rules. The Associate Clubs representatives may also co-opt onto the Coaches' Panel other coaches as they see fit.

9.3 Associate Clubs may send substitutes to any meeting of either the Executive Committee or the Coaches' Panel and the Coaches' Panel may send substitutes to the Executive Committee. The substitute attends with full voting rights as an ordinary member but may not fulfil the responsibilities of an Officer. Additional coaches attending the meetings do not have voting rights.

9.4 The Executive Officers of Sussex Seahawks shall be: Chairman, Secretary, Swimming Manager and the Treasurer. These appointments are to be by annual election of all full members of Sussex Seahawks at the AGM. Should any of these positions become vacant either following the AGM or because an Officer is unable to continue in their elected capacity for the full term of their election, the Executive Committee shall have the power to appoint any Member of Sussex Seahawks to the vacant position. The appointment shall take place at a Meeting of the Committee and must have the support of at least 50% of the voting Members of the Committee.

9.5 The Chairman of the Executive Committee shall remain in office for a maximum of 5 continuous years. The Chairman may serve in another capacity on the Executive Committee after this and may be elected Chairman again after a period of 1 year has elapsed.

9.6 The Executive Committee shall have the power to invite a representative from ASA South East Region to act in an advisory capacity.

9.7 The Executive Committee shall have the power to co-opt up to three members, for a specific period. All co-opted members will have full voting rights. They shall stand down at the next AGM.

9.8 The Executive Committee shall have the power to appoint such sub-committees and to discharge them as it thinks necessary.

9.9 A quorum for an Executive Committee Meeting shall be five, at least one of which is an Executive Officer.

- 9.10 Each Committee member present including the Chairman will have one vote. In the event of equality of voting the Chairman of a General or Executive Committee Meeting shall have an additional casting vote.
- 9.11 Decisions of the Executive Committee will be made by a simple majority of those present and eligible to vote at the meeting
- 9.12 The Executive Committee shall have the power to make, amend and revoke regulations and By-laws in accordance with its Constitution and to settle disputed points not otherwise provided for.
- 9.13 Minutes of all Executive Committee Meetings and General Meetings shall be sent to the person nominated by each Associate Club within 28 days following the meeting.
- 9.14 The Executive Committee will meet as required however it will meet not less than three (3) times per year.

10 ANNUAL GENERAL MEETING

- 10.1 The Annual General Meeting of Sussex Seahawks shall take place in October or November on a date to be fixed by the Executive Committee. A minimum of 21 days notice shall be given of the date. This notification will be given to the Associated Club's agreed persons as detailed in paragraph 9.1.2 of this constitution and circulated to all individual members. The notification of this meeting shall be in the form of a Notice which shall state the time, date and place of the meeting. Papers for the AGM shall be circulated to the Associated Club's agreed persons as detailed in paragraph 9.1.2 and individual members 14 days before the AGM and shall list all the nominations for the Executive Committee and set out any proposals for constitutional changes and other notices. The Agenda shall include a Treasurer's Report and examined accounts, the Chairman's Report and a Coaches Report. Notification and other relevant papers may be sent by electronic means where relevant and appropriate.
- 10.2 The AGM shall approve the examined accounts, the appointment of the Executive Officers, amend the Constitution and deal with any other business that has been notified to the Secretary in time to be included in the Agenda.
- 10.3 All correspondence, nominations for the Executive Officers and Committee and notices and reports relating to and to be included in the AGM must be submitted in writing to the Secretary not later than 18 days before the date of the AGM .
- 10.4 Any proposed changes to the Constitution must include both the old and new text and be submitted in writing to the Secretary not later than 18 days before the date of the AGM. Any such proposal must be proposed and seconded by members of different Associate Clubs.
- 10.5 Any proposals to amend the Constitution must be carried by two thirds of the voting members present at the AGM. The quorum for the AGM shall be 20% of full members made up of members of not less than two (2) Associate Clubs who are entitled to vote in their own right.
- 10.6 At this meeting, an independent examiner shall be appointed to examine the books of accounts for the following year.

11 SPECIAL GENERAL MEETING (SGM)

- 11.1 A SGM shall be called within twenty-eight (28) days of receipt of a written request to the Secretary of Sussex Seahawks. The request to call a SGM shall be from not less than 20% of full members of Sussex Seahawks, this number made up of members of not less than two (2) Associate Clubs, or from the Secretaries of any two (2) Associate Clubs. Fourteen (14) days notice of a Special General Meeting shall be given, together with the Agenda, to the Associate Club's agreed persons as detailed in 9.1.2 and all individual members. The Executive Committee may also call a SGM.

- 11.2 The business of the SGM shall be confined to the business of the Agenda. The quorum for a SGM is 20% of full members of not less than two (2) Associate Clubs who are entitled to vote and are 16 years of age or older.

12 USE AND DISPOSAL OF ASSETS

- 12.1 The funds and property of the Sussex Seahawks shall not be distributed amongst its members, save as approved expenses incurred in running Sussex Seahawks, but shall be applied towards the furtherance of the objectives of Sussex Seahawks or for charitable purposes.
- 12.2 In the event of Sussex Seahawks being dissolved or ceasing to exist, the balance of any surplus payments made to Sussex Seahawks from the Associate Clubs shall be returned in direct proportion to the initial payment having been made. The balance of any grants that Sussex Seahawks may have received shall be returned to the donor. Payments from the Amateur Swimming Association will be treated as if they were grants.
- 12.3 In the event of Sussex Seahawks being dissolved or ceasing to exist and there being a final deficit it shall be born equally by all Clubs who were Associate Clubs at the time that the deficit was incurred.

13 FINANCE

- 13.1 Sussex Seahawk's financial year shall be from 1st April to 31st March inclusive. The first financial period shall run from the Date of Formation to 31st March 2013.
- 13.2 Associate Clubs will pay on joining the Sussex Seahawks the Annual Fee as determined by the Executive Committee. Associate Clubs will pay a deposit equal to 25% of the Annual Fee with their Application for their affiliation to the Sussex Seahawks or such other fee as may be determined at the Formation General Meeting or by the Executive Committee in due course. This money will be held in an interest bearing account held in the name of Sussex Seahawks and will be refunded if the Application is not accepted. This deposit will not be refunded if the applicant club changes its mind after its application has been accepted by the Sussex Seahawks. Any interest generated by this deposit will be used to the benefit of the swimmers in Sussex Seahawks. This payment is in addition to fee payments by individual members.
- 13.3 Any Bank or Building Society accounts must be held in the name of Sussex Seahawks and all accounts shall require two signatories for all withdrawals. Both signatories shall be Executive Officers of the Club.
- 13.4 The Annual Membership Fee for Associate Clubs, as set by the Executive Committee, will be payable as determined by the Executive Committee.
- 13.5. The Executive Committee shall, from time to time, have the power to determine the annual membership and other fees.
- 13.6. The Executive Officers (or the Executive Committee) shall have the power to remit the whole or part of any fees where there is a special case to do so to address social issues.
- 13.7. The Executive Committee may borrow money on behalf of the Club solely for the purposes of the Club from time to time. Such borrowing must obtain the prior approval of the members at a General Meeting. The Executive Committee shall have no power to pledge the personal liability of any member of the Club for the repayment of any sums so borrowed.

14 NOTICES

- 14.1 Associate Clubs will undertake the commitment required from them as detailed in this Constitution and commit to a minimum of twelve (12) months. Notice of non participation must be given to the Executive Committee in writing 30 days prior to the commencement of the commitment period on 1st April each year.

- 14.2 Clubs may be members of Sussex Seahawks whilst choosing not to participate in all areas of competition listed in 8.2.
- 14.3. A member wishing to resign membership of the Club must give the Secretary written notice of his/her resignation, and shall only take effect when this rule (14.3) has been complied with.

15 BY-LAWS

- 15.1 The Committee shall have power to make, repeal and amend such by-laws as they may from time to time consider necessary for the well being and operation of the Club. All by-laws, repeals and amendments shall have effect until they are set aside or amended by the Executive Committee or at a General Meeting.

16 ACKNOWLEDGEMENT

- 16.1 The Members acknowledge that these Rules constitute a legally binding contract to regulate the relationship of the members with each other and the Club.

The following statement will appear on Club Membership Forms and is to be signed by the member and must also be counter-signed by the parent, or the person having parental responsibility for the member, if under 18 years of age:

“I acknowledge receipt of the rules of The Sussex Seahawks Swim Team and confirm my understanding and acceptance that such rules (as amended from time to time) shall govern my membership of the Club. I further acknowledge and accept the responsibilities of membership upon members as set out in these rules”

This Constitution is ratified by the following on behalf of their Swimming Clubs:

Names	Swimming Club	Date
Andrew Dunlop	Atlantis SC	24 November 2011
Andrew Lambourne	Atlantis SC	24 November 2011
James Young	Shiverers SC	24 November 2011
Derek Fowlie	Shiverers SC	24 November 2011