

THE CONSTITUTION



MARTIAL ARTS & FITNESS CENTRE EST 2010

156a Stanley Green Road

Poole

Dorset

BH15 3AH

Martial Arts & Fitness Centre
Governing Constitution

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1. PURPOSE

This Constitution is instituted on the 4TH day of **SEPTEMBER 2015** to formally institute the Martial Arts & Fitness Centre for the promotion of community participation in healthy recreation through Martial Arts disciplines, including Karate, Ju-Jitsu, Taekwondo and Aikido and related Keep-fit and Fitness and other sporting activities in and around Poole, Dorset.

Whereby this Constitution sets out the principles and requirements necessary to obtain and maintain a status as an Integrated Single Entity as defined by the Community Amateur Sports Clubs scheme.

2. NAME

The club name shall be the Martial Arts & Fitness Centre (hereinafter referred to as "the Club") whereby the Club shall operate in accordance with the regulations governing a Community Amateur Sports Club (CASC) which is operated by the Club Members for the common goal identified in Part One above, where the Members agree that the Club shall operate as a non-profit organisation and all resources and facilities of the Club shall be devoted to promoting each and all sporting activities of the Club.

At this time the Club has the facilities and teaching expertise to provide the following sporting activities:

- i. Ju-Jitsu;
- ii. Karate;
- iii. Taekwondo;
- iv. Aikido;
- v. Keep-fit and Fitness.

Each activity is led by a principle Instructor and supported by other instructors and additional assistant instructors when such support is available.

From time to time the Club may take the opportunity to include additional sporting activities, or current activities may no longer be available due to changes in the availability of qualified instructors. Should such eventuality arise new sporting activities will be included after agreement by the Committee at a general meeting, and the cessation of a sporting activity will be notified in writing to all affected members of the Club at least one month prior to such event.

3. HISTORY

The Club was founded in 2010 by the merger of four Martial Arts organisations to form a single organisation, the Martial Arts & Fitness Centre. This enabled those organisations to pool existing resources and acquire use of bespoke facilities for the performance of Martial Arts and related activities. The merger and subsequent formation of the Club created a single management structure for the administration and financial management of the Club and its assets and facilities, the responsibility for which is apportioned under the terms of this Constitution to the appropriate official position, and the duly elected holder of that office. The Club was founded on the basis of promoting Martial Arts to the local community and encouraging increased participation in Martial Arts.

4. OFFICE

The office and registered address of the Club shall be:

Martial Arts & Fitness Centre
156a Stanley Green Road,
Poole, Dorset, BH15 3AH
United Kingdom.

5. OBJECTIVES

The Club shall obtain and retain status as a CASC organisation with the objective to encourage and promote participation in all sports activities provided by the Club including promoting learning and development in sports available at the Club, physical wellbeing, and personal growth of the individual members.

The Club shall be both in practice, and by virtue of this Constitution, be open to the whole community and provide the facilities for and the promotion of participation in the sports identified in Part 2.

This objective is supported by the following principles which underpin the Community, Sport and Individual goals of the Club:

- Membership of the Club is open to all without discrimination.
- The Club facilities are available to all members without precondition or restriction.
- Fees are set at a level that does not pose a significant obstacle to membership or use of the Club facilities.
- To teach and encourage all individuals to participate in their chosen sport, with no restriction or expectations of ability, race, gender, religion, disability or other form of discrimination as defined in law.
- To encourage individuals to attain higher levels of competence in their chosen sport, and provide regular testing and examinations to promote such advancement.
- To encourage participation in, and host, regular sporting events and competitions to support individual development and provide funding support for new equipment and facilities for the Club.
- Provision of sporting facilities and maintaining or replacing the Club owned sports equipment.
- Provision of suitably qualified coaches or reimbursement of the costs of coaching courses.
- Provision of insurance cover or medical treatment.
- Reimbursement of reasonable expenses incurred by members for the supply of goods or services, or remuneration for work performed outside the ordinary activities required by the sports performed at the Club.
- To uphold a duty of care to ensure the health and wellbeing of the participating students.
- To ensure that all students are properly supervised by responsible adults and that a trained First Aid practitioner will be present during every training or sports session.
- Generally to do such other lawful acts and eligible sports that are incidental or related to the attainment of the above objectives.

6. MEMBERS

The Club is open to any individual wishing to join and participate in one or more of the sporting and fitness activities currently available at the Club. Members of the Club will be notified upon joining of their rights under this Constitution.

Membership of the Club conveys the following rights to the individual:

- To participate in one or more sporting activities offered by the Club.
- To attend the general meetings of the Club and have one free vote on any actions raised for such meetings.
- To stand for election to the governing Committee and any Committee Officer position.
- To participate in events, competitions, and other sport related activities which the Club may offer on top of the ordinary classes.
- To participate in social events organised by or on behalf of the Club.
- To receive instruction from qualified coaches and instructors in the techniques and skills of their chosen sporting activity(s).
- To participate without fear of discrimination, bullying, or other unsporting behaviour.
- To participate without prejudice to race, gender, colour, creed or sexual orientation in accordance of the appropriate law.
- To be free to raise any complaint or concern regarding discrimination or bullying to a responsible instructor, or the Club Welfare Officer.

As well as the aforementioned rights, Members of the Club shall agree to abide by a Code of Conduct, a copy of which will be provided to each Member at the point of joining the Club.

6.1. TERMINATION OF MEMBERSHIP

Membership of the Club can be terminated by the Member at any time, should that Member no longer wish to participate in the activities of the Club.

In the event that a Member commits a serious breach of the Code of Conduct then the Committee may remove membership, but only for good cause such as conduct or character which has, or is likely to, bring the Club into disrepute. The Member concerned shall be given notice of the intension of his/hers expulsion and the ground therefore and shall be entitled to make written representations to the Members of the Club.

A Member expelled under this provision shall be entitled to a refund of any unused subscription paid by him/her in respect of the current subscription period or to a refund of such proportion by him/her as the Committee shall consider appropriate.

6.2. REFUSAL OF MEMBERSHIP

The Committee may refuse membership to any individual, but only for good cause such as conduct or character likely to bring the Club or sport into disrepute. The Member concerned shall be given notice of the intension of his/hers expulsion and the ground therefore and shall be entitled to make written representations to the Members of the Club.

6.3. RIGHT OF APPEAL

Should any expelled Member, or refused applicant, make written representation to the Members of the Club, then the Members shall hear such appeal and consider a decision within 30 days of the notice. In the event that the appeal is upheld the Member or applicant shall be entitled to membership of the Club and all rights afforded by such membership under this Constitution. The decision of the Members shall be final and the Committee and the Officers of the Committee shall have no part in such decision and shall not influence or disregard the decision of the Members.

In the event the appeal is rejected the Member or applicant shall be duly notified of the decision and informed of the reason for such rejection. The individual will be informed of their right to re-apply for membership following demonstrable effort to resolve the concerns of the Committee.

6.4. HONORARY MEMBERS

The Club recognises that Members may have family or friends who wish to attend the Club as a spectator at any competitions, events or other sporting related activities, and may wish to participate in social events organised by the Club. Any family member or friend of a current Member of the Club shall be considered an Honorary Member, and may attend when accompanying the Member to any aforementioned event.

7. SUBSCRIPTION

The entrance fee (if any) and the subscription fee for Members other than Honorary Members shall be determined from time to time by the Committee at a general meeting.

The Club may, at its election, offer reduced subscription fees for qualifying Members. The conditions of qualification shall be determined by the Committee at general meeting and may include family discount for multiple Members from the same household or reduced fees for Members receiving support offered by local or national government, through a recognised scheme.

The entrance or subscription fees of an Honorary Member shall vary according to the requirements of the event, competition or activity which the Honorary Member wishes to attend, and shall be determined from time to time by or on behalf of the Committee.

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Subscription fees shall be due and payable monthly, unless otherwise agreed by the Committee on an individual basis with each Member.

The Committee shall have the power in its discretion to remit or suspend wholly, or in part, payment of any subscription on the grounds of hardship suffered by any Member.

The Committee may in its discretion suspend or terminate the memberships of any Member whose subscription is not paid in full within six months from the date on which it became due. Unless the Committee shall otherwise resolve, such a Member will remain liable for the then current subscription together with any arrears.

7.1. NON-PROFIT

No Member, Honorary Member, Officer or any third party, may receive or withdraw from the Club any assets, profits or surplus incomes. All such assets, profits and surplus income shall be reinvested in the Club to support increasing participation in the sports and activities of the Club.

The Club shall report on the state of its finances to all members at General Meetings as defined in Part 11.

8. PATRON

The Club may elect a person, as recommended by the Committee, to act as a patron of the Club. Whose role may include promoting the Club within the local community and national sporting bodies, engaging with likeminded organisations and advancing the purpose and objectives of the Club as so ever required.

9. THE COMMITTEE

The affairs of the Club shall be managed by a Committee which shall consist of a Chairman, a Secretary, a Treasurer and at least five other Members of the Club. The Committee members shall be elected at each annual general meeting and shall retire at the next annual general meeting but shall be eligible for re-election. The Committee may fill any vacancy in its membership until the next annual general meeting.

Any Member who undertakes substantial services for the Club may be remunerated for those services and/or reimbursed for expense incurred in performing those services to the extent so determined by the Committee. During such time as any Committee member is in receipt of remuneration from the Club (but not merely reimbursement of expenses incurred), he/she will not be a member of the Committee, but shall be entitled to attend meetings of the Committee in an advisory capacity but without a vote. No Committee member shall be present, even in an advisory capacity, during such time as any matter concerning his/her remuneration or continued employment is discussed at any meeting of the Committee or any subcommittee thereof.

9.1. COMMITTEE MEMBERS

Membership of the Committee shall be open to all Members of the Club who wish to, and are able to, perform such duties as may be required of members of the Committee.

Once a Club Member is appointed to the Committee the Member shall be expected to:

- i. Attend all Committee meetings called while remaining a Committee member
- ii. Support the development of the Club and all sporting activities undertaken at the Club
- iii. Encourage the continued participation of Members of the Club
- iv. Support any subcommittee as required

9.2. COMMITTEE MEETINGS

The Committee shall meet not less than twice each year, and such meeting shall require not less than five Committee members including at least one of the Club Officers identified in Part 10. In case of any equality of votes, the Chairman or acting Chairman shall have a second or casting vote, and in the absence of the Chairman the Treasurer shall assume

responsibility of Acting Chairman.

9.3. SUBCOMMITTEE(S)

The Committee shall appoint from any of its members or of the other Members of the Club, the chairman and members of such subcommittee as the Committee shall from time to time consider requisite, and may fix the quorum for meetings of any such subcommittee, which shall be summoned by its chairman as necessary, provided that all acts and proceedings of any such subcommittee shall be reported back to the Committee as required by the purpose of the subcommittee.

10. COMMITTEE OFFICERS

The Club shall have the following Officers:

- 1) Chairman
- 2) Treasurer
- 3) Secretary
- 4) Welfare officer

Officers shall be elected by the Members of the Club through free vote, and shall stand for a period of one year. Officers are entitled to seek re-election without limit, except that a Member shall not hold the office of Chairman for more than five years. Officers may hold any Office but never hold more than one in any annual period.

The Officers shall be entitled to no additional remuneration or consideration as a result of or in connection with their roles and duties as Officers of the Club.

Where required by law the Officers of the Club agree to submit to a 'fit and proper persons test', the test to be defined by the local or national government department requiring such test.

Elections shall be held at the Annual General Meeting as described in Part 11.

10.1. CHAIRMAN

The Chairman shall be responsible for;

- i. Leading the Committee
- ii. Ensuring the Committee activities are communicated to the Members of the Club
- iii. Ensure the continued development of the Club
- iv. Maintaining the Club governing constitution and documentation in accordance with all applicable law and regulation.

10.2. SECRETARY

The Club Secretary shall be responsible for;

- i. the administration of the Club affairs within the policy and guidelines laid down by the Committee
- ii. issuing notice and agendas of meeting and preparing minutes as necessary,
- iii. With the support of the Chairman, ensure Members are informed of all events and activities.

10.3. TREASURER

The Club Treasurer shall be responsible for;

- i. Maintaining an overview of the Club finances;
- ii. Reporting to Members thereon; and
- iii. Such other duties as the committee may decide.

The financial year for the Club finishes on the 31st of December and begins on the 1st of January.

10.4. WELFARE OFFICER

The Club Welfare Officer shall be responsible for;

- i. Acting as an independent point of contact for any grievances that Members may have;
- ii. Ensuring that appropriate First Aid supplies are maintained at the Club facilities;
- iii. Ensuring that an accurate log of Health and Safety incidents is kept;

10.5. DEPUTY OFFICERS

In the event that a named Officer under this Part 10 is unavailable for the performance of their duty then such duty can be performed by an appointed Deputy, where such appointment is made at General Meeting and approved by the Club members.

11. GENERAL MEETINGS

The annual general meeting shall be held in the month of September, October or November. At this meeting, the Chairman shall submit a review of the past session and the Treasurer shall submit accounts. In addition to the transaction of business, any Member may raise any matter relating to the affairs of the Club at this meeting. Not less than fourteen days' notice of each general meeting shall be given to all Members and Honorary Members.

An extraordinary general meeting may be summoned at any time by the Committee and shall be summoned upon receipt by the Secretary of a written request of not less than five Members of the Club entitled to attend and vote at such a meeting. Not less than fourteen days' notice of such a meeting shall be given to all Members and Honorary Members.

The quorum for the general meeting shall be not less than five Members to attend and entitled to vote at that meeting.

Resolution of general meetings shall, unless otherwise provided in the Constitution, be passed by a majority of the votes of those Members present and entitled to vote, including proxy votes. A poll may be demanded by the Chairmen of the meeting or by not less than five members entitled to attend and vote at such meeting. In the case of an equality of votes, the Chairman of the Committee shall have a second or casting vote.

A Member who is entitled to vote but is unable to attend a general meeting of the Club may appoint another Member to act as his/her proxy for the purpose of casting his vote at the said meeting. Such proxy shall submit written authorisation from such absent Member in a form acceptable to the Committee at the said general meeting before voting commences.

12. PUBLICATIONS

From time to time the Club may publish notices, newsletters, or other material to promote the continued participation in the sporting activities of the Club. Each Member and Honorary Member of the Club whose subscription is not more than six months in arrears shall receive gratis and post free one copy of any publication made by the Club. The Club publication may also be made available at a price fixed by the Committee to such non-members as the Committee may at its discretion accept as publication subscribers.

13. AMENDMENTS TO THE CONSTITUTION

Amendments to this Constitution can only be made by the Committee and at general meeting. A two-thirds majority at a general meeting or emergency general meeting at which no fewer than ten Members or Honorary Members of the Club are present must approve any amendment to this Constitution which shall be executed in full by the officers of the Club.

14. DISSOLUTION

This Constitution and the purposes for which the Club existed, may be dissolved by a resolution passed by a two-thirds majority of those present and voting at a general meeting at which not fewer than ten members are present.

If upon the dissolution of the Club there remains, after satisfaction of all debits and liabilities, any property whatsoever, the same shall not be paid to or distributed among its Members, but shall be given or transferred to some

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other registered CASC, registered charity or the governing body of an eligible sport for use by them in related community sports and having objectives similar to the objectives of the Club. Such institution to be determined by the Members of the Club at or before the time of dissolution or in default thereof by such judge or high court of justice as may have or may acquire jurisdiction thereof.

15. EFFECTIVE DATE

This Constitution shall be effective from the date of adoption by the Committee as identified by the date of signature by the Chairman and the Secretary. Any amendment hereto shall take effect and be enforced immediately upon adoption at the general meeting of the Club for that purpose.

Adopted at the general meeting of the Martial Arts & Fitness Centre, and hereby executed on behalf of the Club by:

Signed CHAIRMAN

Date

Signed SECRETARY

Date

Signed WITNESSED BY

Date