

PEEBLES RUGBY FOOTBALL CLUB

CONSTITUTION (ADOPTED 1996, AMENDED 2002, 2007, 2008, 2009 & 2011)

1. NAME

The Club shall be called Peebles Rugby Football Club (hereinafter referred to as "The Club") and the Registered Address shall be 19 Eastgate, Peebles.

2. OBJECT

The object of the Club shall be the promotion, playing and development of the game of Rugby Football played in accordance with the Rules of the Scottish Rugby Union, and community participation in same, to provide facilities for the playing of the game and to promote social activities and other activities in the furtherance of these objects.

3 MEMBERSHIP

Membership of the club shall be open to all persons irrespective of ethnicity, nationality, sexual orientation, religion or beliefs; or of age, sex or disability except as a necessary consequence of the requirements of rugby football as a particular sport.

(a) The membership of the Club shall be divided into different classes as follows:

1. **Life Members**, being persons who have rendered outstanding service to the Club and who on the recommendation of the General Committee have been elected to life membership by the Club in General Meeting.
2. **Honorary Presidents, Honorary Vice-Presidents**, being persons whose distinguished service to the Club, the Club wishes to recognise and who, on the recommendation of the General Committee, have been elected as Honorary President and Honorary Vice-President by the Club in General Meeting.
3.
 - (a) **Playing Members** over 18 years of age.
 - (b) **Playing Members** under 18 years of age (non-voting)
 - (c) **Non-Playing Members**
 - (d) **Family Membership**
 - (e) **Associate Membership** (Must be a member of an organisation approved by the Executive Committee who will maintain an approved list. Each individual member will comply with paragraphs (b) to (f) below and will not have voting rights for Peebles RFC).
4. **Temporary Members** restricted to the time of their visit to participate in the game of Rugby Football and social games such as darts, dominoes and pool and shall include:-
Guest players,
Players, officials and supporters of clubs from visiting teams,
Persons officiating, commentating or otherwise participating in the games,
Club sponsors and their invited guests.

- (b) Candidates for admission to membership of the Club shall be proposed and seconded by two members. The Executive Committee may refuse membership or expel from membership only for good and sufficient cause, such as conduct or character likely to bring the Club or sport into disrepute. Appeal against such a decision may be made to the Club's members and decided by a majority vote.
- (c) The names and addresses of persons proposed as members of the Club shall be displayed in a conspicuous place in the Club premises for at least a week before their election, and an interval of not less than two weeks shall elapse between the nomination and election of members to the Club.
- (d) A new member shall pay his/her subscription for the year then current within 14 days after being notified of his/her election to membership of the Club.
- (e) Any member wishing to resign from the Club shall give notice in writing of his/her intention to the Secretary before the Annual General Meeting; otherwise he/she shall be liable to pay the ensuing year's subscription.

- (f) No persons shall be allowed to become honorary or temporary members of the Club or be relieved of the payment of the regular subscription except:

1) Life Members

2) Temporary Members

3) Senior Non Playing Members (persons aged 65 or over on 1 September at the start of the current season)

4. ANNUAL SUBSCRIPTION

- a) The annual subscription payable by each class of member shall be such amount as shall be approved by the majority of members present and voting at a General Meeting.
- b) The annual subscription shall be payable in advance not later than 1st October in each year. Playing members whose subscriptions are not paid by 1st November shall not be eligible for selection for any team.
- c) Any member who has not paid a subscription by 1st December in the year that it is due shall forfeit all claims to the privileges of membership of the Club.

5. EXECUTIVE COMMITTEE

- a) The management and control of the Club shall be vested in an Executive Committee consisting of the President, Vice-President, Secretary, Treasurer, Minute Secretary and four Executive Directors, to be appointed at the Annual General Meeting (see Section 11b). While it shall be available to both the Secretary and the Treasurer to serve as an Executive Director of the Club, neither the President nor the Vice-President is eligible to serve as an Executive Director during his period of office.

Each Executive Director shall have responsibility for management of a defined section of the Club as follows:

- 1) The Director of Rugby – responsible for all aspects of the playing side of the club.**
- 2) The Director of Playing Support. – responsible for the maintenance and upkeep of the playing & training surfaces and the fabric of the buildings owned or operated by the club.**
- 3) The Business Director - responsible for Business Administration.**
- 4) The Social Director - responsible for Social Club facilities and Social functions.**

At each Annual General Meeting of the Club all members of the Executive Committee shall retire but shall be eligible for re-election, subject to the proviso that an individual can only serve as President for a maximum period of 4 consecutive years.

- b) Team Managers and Selectors shall be appointed by the Director of Rugby.
- c) The Club Coach shall be appointed by a Committee comprising the Director of Rugby, the ~~three~~ Senior Team Selectors and Team Managers.
- d) The Club Captain shall be elected by the senior playing members of the Club. The Director of Rugby together with the Club Coach, Selectors and Team Managers shall appoint the second XV Captain and all other Coaches throughout the senior Club.
- e) The Senior Selection Committee shall consist of the Club Coach and Senior Selectors.
- f) The Youth Section of the Club which shall consist of both mini and midi sections shall be managed by a youth convener and 2 team managers appointed by the Director of Rugby. Given the importance to the Club of these sections and continuity of boys through the age groups the Club shall, if necessary, go to extraordinary lengths to secure personnel to run these sections.

6. EXECUTIVE DIRECTORS AND ASSISTANT DIRECTORS

Each Executive Director shall be empowered to appoint no more than five Assistant Directors and officials who will in turn recruit members and form their own groups in order to organise and carry out the business with which they have been entrusted. Each Executive Director shall form a working party comprising his Assistant Directors and shall hold regular meetings to discuss all matter of business relevant to the organisation and administration of his section of the Club, sufficient to enable his group to have an understanding of the overall operation of that section.

A member of the Club is eligible to serve as Assistant Director or Official in more than one capacity.

7. THE GENERAL COMMITTEE

The General Committee shall consist of the members of the Executive Committee; all appointed Assistant directors, officials, the Club Captain and one other players' representative to be appointed by the playing members.

The Executive Committee will report formally to the General Committee four times a year, as follows:

- 1) Within 4 weeks of the Annual General Meeting having taken place.
- 2) During the month of August in any year.
- 3) During the month of November in any year.
- 4) At least 8 weeks before any Annual General Meeting.

8. POWERS OF THE GENERAL COMMITTEE AND EXECUTIVE COMMITTEE

(i) The Executive Committee shall meet at least once in each calendar month and shall have management of all matters connected with the Club. The Executive Committee shall appoint a Chairman from their midst who shall thereafter chair all Committee meetings and General meetings of the Club throughout the year. The Chairman of any meeting shall, in the case of equality of votes, have a casting vote. Without prejudice to the foregoing generality the Executive Committee shall have the following powers:

- a) To pay legal and other costs, charges and expenses or remuneration incurred, or to be incurred, in connection with any heritable or other transactions.
- b) To make and give receipts, releases and other discharges for money payable to the Club and for any claims and demands of the Club.
- c) To grant, draw, endorse, accept and negotiate Bills of Exchange, Promissory Notes, Drafts, Cheques and other negotiable instruments and grant and executive Deeds, Contracts and other documents on behalf of the Club.
- d) To enter into any negotiations and contracts and rescind and vary all such contracts and execute and do all such acts, deeds and things in name of and on behalf of the Club as the Executive Committee may consider necessary, expedient for or in relation to any of the matters aforesaid or otherwise for the purposes of the Club.
- e) To co-opt a member to the Executive Committee in the event of a vacancy in the Committee occurring due to death or resignation, subject to confirmation of such appointment at the next Annual General Meeting.
- f) To remove from office an Executive Director where, in the opinion of a majority of the Executive Committee, the said Executive Director has clearly failed to discharge his/her function as an Executive Director, and to appoint in his/her place a replacement.

(ii) There are reserved to the General Committee the following powers:

- a) To frame Regulations for the carrying out of the affairs of the Club within the scope of these Rules and such Regulations shall cover their own proceedings as managers as well as the conduct of members and employees in the Club. They may also alter such Regulations (but not the Rules) from time to time as they may consider necessary but always within the scope of these Rules. These

Regulations and any other orders given by the General Committee at any time in the interests of the members of the Club shall be binding on all members and any infringement thereof shall be reported immediately by the secretary to the Executive Committee who shall take immediate cognisance thereof.

- b) To purchase or otherwise acquire for the Club any heritable or moveable property, rights or privileges, which the Club is authorised by General Meeting to acquire at such price and generally on such terms and conditions as the General Committee shall think fit, and to sell or otherwise dispose of any heritable or moveable property belonging to the Club by public rroup or private bargain or to lease the same.
- c) To borrow or raise and secure the repayment of money by granting Standard Securities or other Deeds or Securities charged upon all or part of the Club's property.
- d) To take or acquire or lease, hire or otherwise acquire, occupy or use any lands, buildings or other heritable or real rights and property which the General Committee may think necessary for the purposes of carrying out the objects of the Club.

(iii) The quorum for all Executive Committee meetings shall be five members personally present and for all General Committee meetings nine members personally present.

9. SIGNATURE OF DEEDS

All deeds or formal writings by the Club other than those requiring the signatures of the Trustees shall be signed by and on behalf of the Club by two members of the Executive Committee and the Honorary Secretary and be attested by a witness.

10. SIGNATURE OF CHEQUES

All Cheques, Bills or Exchange, Promissory Notes and all other negotiable instruments shall be signed by the President or Honorary Secretary and the Honorary Treasurer.

11. ANNUAL GENERAL MEETING

- a) A General Meeting of the Club shall be held annually and not more than fifteen months from the date of the last Annual General Meeting on a date to be fixed by the General Committee. At this meeting, the Executive Committee shall submit the Report and audited Accounts of the Club for the year to the 30th day of April preceding. The Report and an extract of the Accounts shall be printed or duplicated and copies made available to every member at least one week prior to the meeting via collection from the Bar Steward.
- b) Nominations for appointment to the position of President, Vice-President, Honorary Secretary, Honorary Treasurer, Minute Secretary, Director of Rugby, Director of Playing Support, Business Director and Social Director must be submitted, in writing, to the then Honorary Secretary not later than twenty-one days before the date fixed for the Annual General Meeting and shall be posted prominently both inside and outside the club by the Honorary Secretary at least 14 days prior to the date of the Annual General Meeting.

12. SPECIAL GENERAL MEETING

A Special General Meeting shall be called upon the requisition in writing of any twenty members stating the purposes for which the meeting is required.

13. GENERAL MEETING - PROCEDURE

- a) Thirty-seven days at least before any General Meeting a notice of such meeting and of the business to be transacted thereat shall be posted prominently both inside and outside the Club and no business other than that of which notice has been given shall be brought forward at such meeting. At the discretion of the Committee notices

may also be sent to members and/or such meetings may be announced by public advertisement in the Peeblesshire News.

Any proposed additions to the agenda for a General Meeting shall be written out in full, signed by a proposer and seconder and handed to the Honorary Secretary not later than thirty days prior to the date of the General Meeting. Notice of any proposed additions to the agenda shall be posted prominently both inside and outside the Club by the Honorary Secretary not later than twenty-one days prior to the date of the General Meeting.

- b) The quorum of all General Meetings shall be twenty members personally present.
- c) The Chairman's decision as to the result of the voting of any question shall be final and an entry in the Minute Book signed by the Chairman of the meeting of the decision of the meeting shall be conclusive evidence of the terms of any Resolution which shall have been passed.

14. ALCOHOLIC LIQUORS AND SALEABLE GOODS

- a) The sale and supply of alcoholic liquors and saleable goods in the Club shall be under the control of the Executive Committee and all rights of property therein shall belong to the Executive Committee who shall cause accurate records of sale and purchases to be maintained and stock-taking at least 3 times per year.
- b) No alcohol shall be sold or supplied in the Club premises to:-
 - (i) any person under the age of eighteen years
 - (ii) any employee of the club, in course of his/her employment
 - (iii) any person except to a member of the Club in person for consumption off the premises
- c) No alcohol will be consumed on the premises by any person under the age of eighteen years
- d) Other than when an occasional licence has effect, no person is to be supplied with alcohol on the club premises unless that person is
 - (i) a member of the Club; or
 - (ii) a person who is on the premises at the invitation of a member of the club and is accompanied by that member; or
 - (iii) a member of another club the business of which is not conducted for the purposes of making a profit; and which has a written constitution and rules which make provision to the effects specified in The Licensing (Clubs) (Scotland) Regulations 2007.
- e) where a person referred to in (d)(ii) is supplied with alcohol on club premises when an occasional licence is not in effect, there is to be entered in a book kept for the purpose—
 - (i) the date in question;
 - (ii) the name and address of the person; and
 - (iii) the name of the member accompanying the person,provided that a member will only be allowed to enter a maximum of 4 invited persons at any one time.
- e) No member of the committee or other governing body and no person employed by the club are to have any personal interest in the sale of alcohol on the club premises or in the profits arising from such sale
- f) The Executive Committee shall set prices of alcoholic liquors and saleable goods sold in the Club.

15. ACCOUNTS

The financial year of the Club shall end on 30th April. The Honorary Treasurer shall prepare Accounts showing the state of the Club's affairs, including a Balance Sheet and Profit and Loss Account. The Accounts shall be audited by a Chartered Accountant or firm of Chartered Accountants and submitted to the Annual General Meeting after the end of the financial year.

16. AUDITOR

The auditor shall be appointed at the Annual General Meeting of the Club at a fee to be fixed. It shall be no objection to such an appointment that a member of the firm so appointed is a member of the Club, but no firm of which a member of any Committee or other Officer of the Club, is a partner and no partner of such member of Committee or Officer shall be eligible for appointment. The Auditor shall be appointed annually and shall be eligible for reappointment.

17. ALTERATION OF RULES

Any of the Rules contained within this Constitution may be altered and additional Rules may be made by a General meeting of the Members if passed by a majority comprising two-thirds or more of the members present, or in an emergency by the General Committee after resolution approved at a meeting of the Committee, but in the latter case such changes shall lapse unless confirmed at the next Annual General Meeting of the Club.

18. ADDRESSES OF MEMBERS

Members shall notify the Honorary Secretary of their addresses and of any changes in their addresses to which communication should be sent and all communications sent to them at such addresses shall be considered to be duly delivered. No member shall give the address of the Club in any advertisement or use the Club address for business purposes.

19. COMPLAINTS

a) All complaints must be made to the Honorary Secretary by letter. Such letter shall be considered by the Executive Committee at their next meeting.

Should there be any cause for complaint against an employee, a letter stating the complaint shall be addressed to the Honorary Secretary stating the nature of the offence. Such letter shall be considered by the Executive Committee at their next meeting.

20. RESPONSIBILITY FOR LOSS

Neither the Executive Committee nor the Club nor any person connected with it shall be responsible to any member, temporary member, visitor or guest or any other person for the loss or damage to property or personal injury sustained due to their own negligence, or the loss of any money or valuables on the premises of the Club.

21. CONDUCT OF MEMBERS

Should the conduct of any member, either in or out of the Club, be in the opinion of the Executive Committee, detrimental to the character, good order and welfare of the Club, or to the game of rugby football, the Executive Committee shall have the authority to suspend or expel such member from the Club. The member concerned shall be invited to state his or her case with or without witnesses before the Executive Committee at the first available Committee meeting. The Executive Committee shall be entitled, after hearing the said member, to suspend for a period as may be determined by them or to expel the said member from membership of the Club. Appeal against such a decision may be made to the members in accordance with clause 3 (b).

The Duty Steward or any member of the Executive Committee shall have the authority to require any member or guest whose conduct in his/her opinion is detrimental to the good order of the Club to leave the Club rooms immediately and shall lay a report of such incident before the Executive Committee at the next available Committee meeting.

22 NOT FOR PROFIT

The Income and Property of the Club shall be applied solely towards promoting the Club's objects as set forth in this constitution and no portion thereof shall be paid or transferred, directly or indirectly, to the members of the club.

23. DISSOLUTION

In the event of dissolution of the Club, and assets remaining after the satisfaction of all debts and liabilities shall not be paid to or distributed among the members of the Club, but shall be given or transferred to one or more of the following approved sporting or charitable bodies:

- (a) A registered charitable organisation(s).
- (b) Another Club which is a registered CASC
- (c) The sport's national governing body for use by them for related community sports.

Signed _____ President on _____

Signed _____ Secretary on _____

(Each page initialled)