

CONSTITUTION

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RULE 1. NAME

This organisation shall be known as the 'Port of Plymouth Canoeing Association', hereinafter referred to as the 'PPCA' and shall be affiliated as a club with Paddle UK.

RULE 2. PURPOSE AND AIMS

The main purposes of the club are to provide facilities for and to promote participation in the amateur sports of kayaking, canoeing and other paddlesports in the Plymouth area and from time to time in other locations when travelling for club trips.

The aims of the PPCA are:

- To promote paddle-sport through the association of a community of like-minded individuals.
- To encourage skills development, and promote current best practice.
- To offer recreational activities that provide a safe, enjoyable and enlightening experience for members.

RULE 3. MEMBERSHIP

Membership of the club shall be open to anyone interested in the sport on application regardless of sex, age, disability, ethnicity, race, nationality, sexual orientation, gender reassignment, marital status, religion or other beliefs.¹ However, limitation of membership according to available facilities is allowable on a non-discriminatory basis.

The club may have different classes of membership and subscription on a non-discriminatory and fair basis. The club will keep subscriptions at levels that will not pose a significant obstacle to people participating.

The Club Committee may refuse membership, or remove it, only for good cause such as conduct or character likely to bring the club or sport into disrepute. Appeal against refusal or removal may be made to the members. An appeal arising under this Rule, whether the appellant is a member or non-member, will be heard according to the appeals system described in the Guidelines for a Complaints and Disciplinary Procedure, below.

RULE 4. SUBSCRIPTIONS

The club treasurer, acting as an elected representative of the members of PPCA, will recommend the amount due for membership subscriptions on the basis of accounts and will adopt a figure only after formal approval of the club committee.

Details of the accounting process will be available at each AGM.

PPCA membership shall fall into one of the following categories;

- Honorary
- Family
- Adult
- Youth
- Young person
- Introductory
- Paddlepower
- Associate

All annual subscriptions shall be due 12 calendar months from the date of the last payment. Members who have not paid their annual subscription one month after this date shall be deemed to have resigned and will not be entitled to enjoy the benefits of the club. Only members aged 16 years or more, at the time of an AGM, are entitled to vote.

RULE 5. CONSTITUTIONAL AMENDMENTS

a. Constitutional rules shall not be generally added to or altered except upon a motion for amendment signed by not less than ten members and delivered to the chairman one month prior to the AGM. The Chairman will ensure that such proposed revised versions of the constitution will be supplied to the members no later than one week before the

appropriate AGM. A motion for change will be put to the vote at the AGM, and shall be carried only on the basis of a majority in favour of change.

b. The Committee can call an EGM if they deem it necessary to make a Constitutional Rule change if the AGM is more than 3 months away and will advise all club members of this EGM by giving 21 days' notice and the proposed details of the Constitutional Rule change. The EGM must have a majority in favour to carry this Constitutional Rule change.

RULE 6. CLUB RULES

Club rules will be determined by the committee, on the basis of considered proposals from committee members or club coaches. Such rules will be publicised in the club newsletter and shall also be available from the club leader.

RULE 7. ACCOUNTS

All accounts of financial transactions as kept by the PPCA Treasurer shall be audited at least once each year, by two other committee members, to ascertain the correctness of income and expenditure accounts and the balance sheet. A copy of the club accounts shall be made available to all members attending the AGM. Another copy shall be posted in the member's boathouse.

RULE 8. CLUB COMMITTEE

a. The honorary club president is not elected, but appointed by the club committee, and holds office for two years. The club president may be re-appointed by club committee at the end of each term.

b. The following honorary officers shall be elected annually at the AGM, and shall form the club committee. This committee is responsible for the overall management of the club.

- Chair
- Vice Chair
- Equipment Officer
- Club Leader
- Membership Secretary
- Treasurer
- Welfare Officer
- Secretary
- Youth Development Officer
- Publicity officer
- Intro Course Coordinator
- Health and Safety officer

c. The club leader can also select an assistant from the body of the membership. The assistant club leader will then become a co-opted member of the committee.

d. No one may hold more than one post on the committee

RULE 9. COMMITTEE MEETINGS

The committee will aim to hold monthly meetings, all committee members are expected to make every effort to attend.

At least two thirds of the elected committee are to be present, as a quorum, for issues requiring formal committee approval.

RULE 10. CO-OPTION OF MEMBERS

To deal with extra-ordinary issues, the committee shall have the authority to co-opt club members, with their agreement, to working groups as necessary and according to their talents.

RULE 11. ANNUAL GENERAL MEETINGS

The PPCA will hold an AGM, and shall give members at least one month's notice of the venue, date and time of the meeting. No less 4 of the club committee and 5 ordinary members constitute an AGM quorum.

RULE 12. EXTRA-ORDINARY GENERAL MEETINGS

An EGM shall be held within 6 weeks of a requisition presented, in writing, by not less than 15 members, or should the committee deem it necessary. Such a requisition shall state the business to be raised and the names of the signatories. Notice of the date, time and venue for any EGM, and the topic raised shall be communicated to all members at least 3 weeks before that meeting. A committee quorum and no less than 6 ordinary members shall form a quorum for any EGM.

RULE 13: NON-PROFIT MAKING

All surplus income or profits are to be reinvested in the club. No surpluses or assets will be distributed to members or third parties.

RULE 14. DISSOLUTION

Upon dissolution of the club any remaining assets shall be given or transferred to another registered CASC, a registered charity or the sport's governing body for use by them in related community sports. Repayment of any unspent grant may be made to a grant-making body if that was a condition of the original grant.

RULE 15. VOTING

All members over the age of 16 may vote. Family memberships have a maximum entitlement of two votes.

RULE 16. SAFETY RULES

Club activities will follow Paddle UK safety guidelines. All members must also comply with club rules. Ignorance of club rules shall not be taken as an excuse for any breach thereof.

RULE 17 TRUSTEES

There shall be a minimum of three Trustees of the club who shall be appointed by the Committee from all eligible PPCA members. A Trustee shall hold office during his/her lifetime or until he/she shall resign or by notice in writing given by the committee.

a. A Trustee must be a member of the PPCA club. He/she cannot be a trustee if:

- Under 18 years of age.
- Anyone convicted of deception or dishonesty, unless the conviction is spent.
- Someone who is an undischarged bankrupt.
- Anyone disqualified as a company director.

b. Property of Club vested in Trustees of PPCA

All the property of the PPCA, including land and investments, shall be held by the Trustees for the time being, in their own names so far as it is necessary and practicable, on trust for the use and benefit of the PPCA. On the death, resignation or removal from office of a Trustee, the Committee shall nominate a new Trustee in his/her place, and shall as soon as possible thereafter take all lawful and practicable steps to procure the vesting of all PPCA property into the names of the Trustees as constituted after such nomination. For the purpose of giving effect to any such nomination, the Secretary for the time being is hereby nominated as the person to appoint new Trustees of the PPCA within the meaning of Section 36 of the Trustee Act 1925 and he/she shall by Deed duly appoint the person or persons so nominated by the Committee.

c. Power of Trustees

The Trustees shall in all respects act, in regard to any property of the PPCA held by them, in accordance with the directions of the Committee and shall have power to sell, lease, mortgage or pledge any PPCA property so held for the purpose of raising or borrowing money for the benefit of the PPCA in compliance with the Committee's directions (which shall be duly recorded in the Minutes of the proceedings of the Committee) but no purchaser, lessee or mortgage shall be concerned to enquire whether any such direction has been given.

d. Indemnity of Trustees from the Club

The Trustees shall be effectively indemnified by the Committee out of the assets of the PPCA from and against any liability, costs, expenses and payments whatsoever which may be properly incurred or made by them in the exercise of their duties or relation to any property of the PPCA vested in them, or in relation to any legal proceedings, or which otherwise relate directly or

indirectly to the performance of the functions of a Trustee of the PPCA (This includes all property held by the PPCA).

e. Limitation of Liability of Club Trustees

- (To be incorporated in every contract, lease, license or other agreement entered into by the Trustees of the PPCA)
- The liability of the Trustees for the performance of any contractual or other obligation undertaken by them on behalf of the PPCA shall be limited to the assets of the PPCA.
- The Committee shall ensure that the nominated Trustees are a fit and Proper Persons as per recommendation made by the HMRC in that the new Trustees sign a declaration that they are a fit and proper person to be a charity Trustee (in accordance with Rule 17b)

f. It is the duty of the Membership Secretary to ensure that all trustees are qualified at sections 17a and 17b at the beginning of each year.

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