

LIVINGSTON RUGBY FOOTBALL CLUB CONSTITUTION

(As at June 2021)

Name of Club and Membership

01:

The Club shall be called the Livingston Rugby Football Club. It shall consist of Ordinary, Associate and Honorary Members. The Objects of the Club are to play and foster the game of Rugby Football; to purchase, construct, lease or otherwise acquire land, buildings and works convenient thereof in Livingston or elsewhere in the United Kingdom and to undertake other activities incidental or conducive to the furtherance of these objects.

The club is committed to encouraging highest ethical standards. All individuals in the club should conduct themselves with integrity, transparency, accountability, and in a fair and equitable manner.

Colours

02:

The Colours of the Club shall be as follows: - Navy Blue jersey with two white Hoops, Navy Shorts and Navy-Blue Stockings.

Members

03:

The Management Committee may admit the following classes of members to the Club having paid the appropriate subscription.

- (a) Ordinary Members. Ordinary members are playing members of the club either past or present and others who are active in the interest of the club and agreed by the Management Committee. Ordinary members have full rights and privileges and use and admission to the club. Applicants admitted on or after the last day of February shall pay one half of the full subscription.
- (b) Associate Members. This category has no voting rights, but can enter the club and make use of club facilities. Applicants admitted on or after the last day of February shall pay one half of the full subscription. Country Membership. A limited number of country memberships will be issued to non-playing members living more than a 50 mile radius from the clubhouse at Almond Park, Livingston who have an interest in the club
- (c) Life ordinary membership for all ordinary members equal to 15 times the annual subscription.
- (d) Honorary Life Members. It shall be competent for two thirds of the Ordinary Members present at a General meeting to confer upon a member of the club the distinction of Honorary Life Membership in recognition of his/her being a distinguished Rugby Player or of outstanding services rendered to the club as a Member of the Management Committee or

to the game of Rugby Football. Honorary Life Members shall be exempt from payment of the subscription; they shall be subject to the Rules and Byelaws of the Club and shall, unless elected to an office for which they shall be eligible, have no voice in the management of the affairs of the Club except in an advisory capacity. An Honorary Life Member may hold the position of Honorary Vice-President but shall not be a member of the Management Committee unless elected thereto. The partner of an Honorary Life Member shall be exempt from the yearly subscription yet still retain his/her Joint Membership.

- (e) Under 18 Memberships. This category has no voting rights
- (f) Senior Citizen Membership. The member will have reached the current statutory retirement age. If the member held an ordinary membership, he/she will continue to have voting rights
- (g) Joint membership will be available for Ordinary and Associate memberships. The partner of an ordinary member will have no voting rights
- (h) Honorary President – The management committee can propose a person to this position subject to the approval two thirds of a General Meeting.
- (i) Honorary Vice-President – The management committee can propose a person to this position subject to the approval of two thirds of a General Meeting. This position is held for a 5-year period, Re-election due after this term of office.

Subject to the foregoing provisions as to Honorary Life Members and their partner all members will pay an annual subscription. The amount of the subscription may be altered by a bylaw passed by the majority of votes cast at a general meeting. The amount of each subscription may be different for each category of members and may be altered by a Bylaw passed by the majority of votes at a General Meeting.

The number of voting Members shall at all times exceed the number of adult non-voting members.

Membership is open to all and no application for membership will be refused on other than reasonable grounds. An explanation will be given to the person whose membership is refused and why it has been refused.

There will be no discrimination on grounds of race, occupation, sex or religious, political or other opinion.

All members joining the club shall be deemed to accept, and be bound by the terms of this constitution and any byelaws from time to time adopted by the club, in particular to the foregoing generality, the requirement to conduct themselves in accordance with the club's ethical framework and the bye-laws as to discipline set out therein.

Management Committee

04:

The club shall be managed by a Management Committee of ten, consisting of President, four Vice-Presidents, Secretary, Treasurer, Secretary, Club Captain and one ordinary members of the club. A Quorum shall be six. The Management Committee shall manage the whole affairs of the Club subject to such directions as may be given at the General, or Special General meetings of the club. The Management Committee shall meet at interval not exceeding six weeks. The Management Committee shall have the powers to borrow money as required to carry out its duties. The Secretary

shall take minutes of the Management Committee. The minutes of the Management Committee shall be available to Ordinary Members of the Club on request to the Secretary of the Club.

The **President, Secretary and Treasurer** shall be elected at the Annual General Meeting by a majority of votes of the Ordinary Members, and shall hold office for a period of two years from the date of such election. There shall be no limit to the number of terms of office each of the Office Bearers may serve.

The four **Vice-Presidents**, the **Club Captain**, the **Membership Secretary** and the one **Ordinary Management Committee Members**, shall be elected at the Annual General Meeting by a majority of votes of Ordinary Members, and shall hold office for one year only. There shall be no bar on the number of terms of office each may hold.

The **President** shall be the Chair of all General Meetings, or Management Committee Meetings of the Club, and in the President's absence, The Secretary or one Vice-President, whom all failing, any other Member appointed by the meeting shall act as Chair. The Chair for the time being shall have in all cases of tied vote have a casting vote in addition to a deliberate vote.

The **Club Secretary** shall, under the instruction of the Management Committee, keep a record of all proceedings of the Club at the General Meetings, and at the Meetings of the Management Committees; arrange for the calling of the Meetings of the Club and Committees; take charge of all papers, books and records of the Club except the Treasurer's Accounts; and perform such other duties as the Management Committee may direct.

The **Club Treasurer** shall, under the direction of the Management Committee, collect all monies due to, and disburse all funds due by the Club, and generally carry out all of its financial transactions. The Club Treasurer shall keep proper accounts of their intromissions on behalf of the Club, and present a full and complete statement thereof, which shall be submitted to the Annual General Meeting for approval. The Management Committee can require the Treasurer to present an account of their month's intromissions on behalf of the Club, and of the state of the funds of the Club at any time. All monies collected by the Club Treasurer, except in so far as required for immediate cash payments, shall be paid into the Club's Bank immediately.

Vice-President (Rugby) shall be in charge of all aspects of rugby from the playing, coaching and administration of the rugby elements of rugby at Livingston Rugby Club. This position is responsible to the Management Committee.

Vice-President (Clubhouse) shall be in charge of all aspects of the clubhouse including the maintenance and usage of the club facilities. This position is responsible to the Management Committee.

Vice-President (Commercial) shall be in charge of all aspects of marketing – ie sales, advertising, programmes, hospitality and sponsorship etc. This position is responsible to the Management Committee.

Vice-President (Youth Rugby) shall be in charge of all aspects of youth membership. This position is responsible to the Management Committee.

Membership Secretary shall be responsible for the club membership, ie processing applications and renewal of subscriptions. They shall keep a record of the names and contact information of all members.

Captain – The Captain will be the Rugby Captain for the Club.

Only Ordinary members will be elected to the Management Committee.

Vice-Captain – The Vice-Captain will be the Vice-Captain for the Club.

Match/Fixture Secretary – duties will be to arrange fixtures and record the results each season

Two **Standing Advisory Committees** shall advise the Management Committee. These shall be the Rugby Committee and the Club House Committee. Each Committee shall consist of a Vice-President, Secretary or Membership Secretary, and five Ordinary members of the club who shall be elected by a majority of votes of Ordinary members at the Annual General Meeting. It shall be the duty of the Vice-President in charge of each Standing Advisory Committee to report to the full Management Committee all decisions and discussions from the Standing Advisory Committee, and the Standing Advisory Committee shall be bound to meet once in every six weeks. The members so elected to the Standing Advisory Committee shall hold office for one year from the date of the Annual General Meeting, but shall be entitled to further terms of office if so elected.

No member of the Management Committee or employee of the club shall have any personal interest in the sale of alcoholic liquors within the club, or in the profits arising from such sales.

Conduction of Elections

President, Secretary and Treasurer

A member wishing to stand for election as President, Secretary or Treasurer requires to lodge a written nomination signed by two Ordinary Members, together with written confirmation of their acceptance of the nomination, with the Secretary at least 7 days prior to the Annual General Meeting where the election of the Office of President, Secretary or Treasurer but can only be elected to one of such Offices.

The election of President, Secretary and Treasurer shall be a vote of hands and the member with the most votes will be elected to such office, notwithstanding that they may not have received a majority of votes cast.

If there is only one nomination for the office of President, Secretary or Treasurer then such nominee will be elected to such office without the requirement for a vote.

Where there is more than one valid nomination and confirmation of acceptance of such nomination is received by the Secretary for office of President, Secretary or Treasurer the following shall apply:

- (a) The President shall read out the nomination, the name of the two nominating members and confirm the nominee has accepted such nomination in writing

- (b) The nominee must be present at the start of the AGM and during the vote, failing which the nomination shall be deemed to have been rejected by the nominee
- (c) Each nominee shall be entitled to give an address to the members at the AGM lasting no more than 3 minutes, outlining their suitability and aims for the office for which the nomination has been made.
- (d) Following the vote, the President will confirm who has been elected to the office of President, Secretary and Treasurer. The Secretary shall minute this but not the number of votes cast or received by nominees.
- (e) Notwithstanding the result of such vote the outgoing President, Secretary and Treasurer shall remain in office until the completion of the AGM

Committee Nominations

Nominations for all posts on the Committee will be sent to the Secretary prior to the AGM. This will, in the usual course of events, be by way of a Nominations Notice posted in the Clubhouse.

Nominations should be confirmed 1 week prior to the AGM

Committee members can be nominated by club members in agreement with the nominee. It is expected that members who wish to be elected to the Management Committee will be present at the Annual General Meeting. If for any reason the member is unable to attend, notification should be given to the Management Committee with their intention and their aims for the club.

In the event there is more than one nomination candidate for a post each candidate should provide a statement of their aims for the club. In this event candidates will be asked to leave the room whilst the remaining membership are invited to vote.

The club Secretary will confirm during the AGM who has been elected to the Management Committee.

Financial Year

05:

The Financial Year shall commence on the first day of April each year.

General Meetings

06:

- (a) The date of Annual General Meeting will be the first Wednesday in June. The Annual General Meeting shall be advertised on the Clubhouse notice board and Fixture card.
- (b) A Special General Meeting may be called at any time by the Management Committee, and shall be called at any time within fourteen days of the receipt of a written requisition by not fewer than twenty Ordinary Members of the Club addressed to the President or Secretary.
- (c) With the exception of the Annual General Meeting, general meetings shall be called by circular delivered to each member at least 14 days prior to the date of the meeting. Twenty Ordinary Members shall form a quorum. Where email addresses have been provided and consent given, email may be used to communicate meeting times and proposed motions.

Assessment of Member

07:

The Ordinary Members of the Club, by a majority of the votes of those present shall have power at any General Meeting to assess the whole of the entire membership equally for the liquidation of the obligations of the club. Any member failing to make payment of his share within thirty days after written notice from the Treasurer or Secretary shall cease to be a Member of the Club and shall have his name struck from the roll of Members but he shall, notwithstanding, remain liable for his share of assessment.

Damage to Property

08:

A Member of the Club shall be personally responsible to pay either to the Club, or a third party the amount of any damage for which he is responsible, done either to property belonging to the Club or property belonging to a third party the use of which has been given to the Club for the time being.

Resignation

09:

Any Member wishing to resign must give written notice to the Secretary previous to the first day of June in each year otherwise he shall be liable for the subscription for the ensuing year.

Suspension or Expulsion of members

10:

The Management Committee shall have power by a two thirds majority of the votes of the whole Members of the Management Committee, upon their being satisfied that any member has infringed any Rule or Bye-law or otherwise has made himself offensive, to suspend such Member from exercising his privilege as a Member of the Club for such period as the Management Committee may decide.

Such suspension shall be reported to the first General Meeting unless previously lifted by the Management Committee. Should the Management Committee recommend to the first General Meeting that the Member be expelled from the club, he shall be so expelled if three fourths of the members present accept the Management Committee's recommendation, The Club shall not be liable to repay any part of the subscription of any such member or for any claim at his instance in respect of such suspension or expulsion.

Power to make Bye-Laws

11:

Subject to provisions contained in the Rules, the Management Committee shall have the power to alter and amend the ByeLaws of the Club, and to make new Byelaws that shall be binding on the Members until revoked or otherwise determined by the Club.

Power to the Club to sue Members in the name of the Presidents and Vice-Presidents

12:

The club shall have full power and authority, in all questions between it and any of its members, to sue in the name of the President and Vice-Presidents thereof for the time being and no Member of the Club shall in any Action or Suit raised against him by the Club be entitled to object or impugn such instance and any person or persons by becoming Members of the Club shall be held to have agreed to this rule and to waive any objection competent to him or them thereanent, or to the sufficiency of such instance.

Alterations of Rules

13:

The foregoing rules shall come into operation on the day which they are enacted and shall not be altered or added to except at a General Meeting of the Club and then only by two –thirds majority of those Ordinary Members present at the meeting. Notices of any motion or alteration to or addition to the Rules or Byelaws and all other notices of motions (except Bye-Laws made by the Management Committee in terms hereof) must be lodged with the Secretary in writing 21 days before the date of such meeting. The secretary will then publish any motions that have been received a minimum of 14 days before the meeting.

14:

- (a) It shall be competent for the Management Committee at any of their meetings, or the Club at a General Meeting to delegate to such sub-committees the conduct of affairs which can be more conveniently dealt with by a small committee although this power shall not extend to the delegation of power to other members. One of the committees so appointed will be a selection committee and shall consist of the Captain, Vice-Captain of the First XV, and three other members as a minimum. These members can be elected at the AGM or co-opted throughout the season.
- (b) All members will be required to pay an annual subscription as outlined in Paragraph 3 of the Constitution. The Annual Subscription is due in the 1st June 2005 and annually thereafter on 1 June of each year. Any member failing to pay within thirty days of this date shall be deemed to have lapsed. Any lapsed Member must then re-apply for Membership. Payment in monthly instalments by Standing Order will also be accepted.

Dissolution

15:

If upon the winding up or dissolution of the Club, there remains after the satisfaction of all the Club's debts and liabilities, any property whatsoever, the same shall be transferred to some other rugby club in the locality or alternatively transferred to the Scottish Rugby Union. Such organisation to be determined by the Members of the Club by resolution passed at a General Meeting at or before the

time of dissolution, and in so far as effect cannot be given to such provision, to some charitable objects.

Club licensing regulations

16:

- (a) No person in receipt of a salary or wage by the Club shall be eligible to hold a position within the Management Committee of the Club. The exception being scheduled bar or cleaning shifts and by the prior agreement of the management committee. During any of these shifts the person will be responsible to the bar manager.
- (b) No alcoholic liquors will be sold or supplied to any person under 18 years of age.
- (c) No sale or supply shall take place out with the approved Licensing Hours for both On and Off Sales.
- (d) The clubhouse shall be conducted in accordance with the provisions of the Licensing Acts for the time being in force and shall be open for the sale of Alcoholic Liquors within hours fixed by the Management Committee from time to time. These hours shall not exceed those approved from time to time by West Lothian Licensing Board or their successors.

The Club Office Bearers, namely the President, three Vice-Presidents, Secretary and Treasurer, for the time being as Trustees for the club shall have the power to hold and acquire, purchase or take on lease any land or buildings and shall have the power to borrow and obtain advances of money for the purposes of the Club and to grant standard securities or other forms of security over the heritable properties of the Club.

18 Bye-Laws

- 1. All references to "Members" in the Byelaws shall include Members of all classes.
- 2. The Clubhouse shall be opened and closed at such hours as the Management Committee may from time to time decide
- 3. Members shall defray whatever expenses they incur before leaving the Clubhouse and the names of Members neglecting to do so shall be reported to the Management Committee
- 4. No Member shall take or permit to be taken from the Club premises any article, which is the property of the Club
- 5. No notice or document of any kind shall be posted on the Notice Boards or exhibited in the Clubhouse except by the authority of the Secretary
- 6. The Club accepts no responsibility for any damage to or loss of Member's property.
- 7. No Member of the Management Committee or employee of the Club shall have any personal interest in the sale of Alcoholic Liquors therein or in the profit arising from such sale.

Constitution as at June 2018