

Birmingham Bulls Rugby Football Club

Club Constitution

Version 2.0 - 13 August 2014

1. Club Name

1.1. The name of the club shall be:

The Birmingham Bulls Rugby Football Club ("The Club").

2. Purpose

2.1. The purposes of The Club are to promote and provide facilities for the amateur sport of Rugby Football Union in the Birmingham and surrounding area and community participation in the same.

2.2. The Club shall be a non-profit distributing organisation. All profits and surpluses from its activities must be used only for the purpose of achieving its objects and may not be distributed to members.

2.3. In pursuance of its purposes, The Club may, as may appear to be necessary or desirable to the committee, associate or affiliate other sporting organisations. Details of any associations or affiliations to external organisations may be displayed on The Club's website.

2.4. Playing of Rugby Union Football in accordance with the Laws of the Game, the IRB Regulations relating to the Game, and the RFU Rules and Regulations

3. Membership

3.1. Membership of The Club shall be open to anyone interested in the sport on application regardless of sex, age, disability, ethnicity, nationality, sexual orientation, gender identity, religion or other beliefs. However, limitation of membership according to available facilities is allowable on a non discriminatory basis.

3.2. The Club has two different classes of membership and subscription on a non discriminatory and fair basis- full and associate. Full membership will be restricted to those who seek to play rugby for The Club. Associate membership will be available to anyone who wishes to support the aims and objectives of The Club.

3.3. Persons seeking to become members of The Club shall apply to the committee, stating whether they wish to become full or associate members. The committee shall have the power to admit any person as a full or associate member of The Club. Membership is discretionary and may be denied by the committee.

3.4. Any person who owes any sum to The Club in respect of membership fees shall not be able to exercise any right or privilege reserved to members of The Club, including voting at any meeting of The Club. Such persons may, at the discretion of the Captain, be permitted to attend training or play in a match.

- 3.5. 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.
- 3.6. Full and associate membership fees are payable from September 1 to cover the following playing season. Fees will be approved at The Club's Annual General Meeting (AGM), and may be revised by an Extraordinary General Meeting (EGM). The Club will keep subscriptions at levels that will not pose a significant obstacle to people participating.
- 3.7. A meeting of The Club may confer life or honorary membership status on any person. Life members will be permitted to vote at meetings of The Club, but honorary membership shall confer no voting rights. Neither life members nor honorary members shall be required to pay any membership fee. An honorary president may be appointed by a meeting of The Club. An honorary president shall hold office for one year, and shall not be a member of the committee by virtue of that office.
- 3.8. Organisations may apply to the committee for associate membership. The committee will determine whether such organisations shall be permitted associate membership and the appropriate fee payable for such membership.
- 3.9. Potential members who face financial difficulties in meeting the full membership fees can apply to the committee for a reduction. The committee, after satisfying itself of the potential member's situation, may offer reduced rate membership and/or payment by instalments.

4. Property and Funds

- 4.1. The property and funds of The Club cannot be used for the direct or indirect private benefit of members other than as reasonably allowed by the Rules and all surplus income or profits are reinvested in The Club.
- 4.2. The Club may provide sporting and related social facilities, sporting equipment, coaching, courses, insurance cover, medical treatment, away-match expenses, post-match refreshments and other ordinary benefits of Community Amateur Sports Clubs as provided for in the Finance Act 2002.
- 4.3. The Club may also in connection with the sports purposes of The Club:
 - 4.3.1. sell and supply food, drink and related sports clothing and equipment;
 - 4.3.2. employ members (though not for playing) and remunerate them for providing goods and services, on fair terms set by the committee without the person concerned being present;
 - 4.3.3. pay for reasonable hospitality for visiting teams and guests;
 - 4.3.4. Indemnify the committee and members acting properly in the course of the running of The Club against any liability incurred in the proper running of The Club (but only to the extent of its assets).
- 4.4. The Club funds shall be held in a bank or building society account in The Club's name, and shall only be withdrawn on the signature of two authorised members of the committee.
- 4.5. The financial year for The Club shall end on a date chosen by the Treasurer.

5. Management

- 5.1. A committee will manage The Club. Only full members of The Club may serve as members of the committee, excluding the position of Treasure or Social Secretary which will be open to full or associate members
- 5.2. Members of the committee shall either be elected at a meeting of The Club or appointed pursuant to clauses 5.5 or 5.6 below.
- 5.3. All elected officers shall retire at each AGM, but are entitled to seek re-election. In the event that an AGM occurs during which the elected officers do not retire and during which no member proposes that they do so, the committee shall continue with the same members.
- 5.4. The elected officers of the committee shall be a Chairman, a Secretary, a Treasurer, a Club Captain, a Fixtures Secretary, a Welfare Officer, and a Social Secretary.
- 5.5. The committee may co-opt, and remove additional officers and appoint, and disband sub-committees.
- 5.6. If an elected post falls vacant, the committee shall co-opt a member to hold that post until the next AGM, unless removed by a majority vote of the committee.
- 5.7. The Secretary shall give reasonable notice of meetings of the committee to all members of the committee save those whom it is not possible to contact.
- 5.8. Procedure at meetings of the committee shall be a matter for the officers of the committee. In committee meetings all elected members, with the exception of the Chairman, will have an equal vote in all matters. Co-opted members may, if appointed on that basis, be allowed a vote equal to the elected members.
The chair of any meeting will, in the event of a tie, have the casting vote.
- 5.9. The necessary quorum for a meeting of the committee shall be four.
- 5.10. The committee shall meet at least six times a year
- 5.11. The AGM will appoint a discipline committee consisting of the Rugby Manager, Captain, and three club members, at least one of whom must not be a committee member.
- 5.12. The discipline committee is responsible for investigating complaints, which may be referred to it by the main committee, a meeting of The Club, the Team Captain or upon the direction of an official rugby body to which The Club has directly or indirectly affiliated, related to a member's behaviour. The discipline committee has full powers to discipline members in any way the discipline committee sees fit, including by suspending or terminating their membership of The Club. A complaint may include (but is not limited to) an allegation of bringing The Club into disrepute.
- 5.13. A meeting of The Club may reverse a decision of the discipline committee.
- 5.14. The committee may delegate any of its powers to a sub-committee, or to one of its members, or to any other person. Meetings of a sub-committee of the committee shall follow the same rules as meetings of the committee.

- 5.15. Where it becomes apparent to a club or any person concerned in the management of that club that an insolvency event is likely to occur at that club (or to an entity which in the RFU's opinion is connected or associated with the club in such a way that it is seen as being part of The Club) such club must notify the RFU immediately and confirm such information in writing by letter e-mail or fax addressed to the Secretary of the RFU within 14 days.

6. Annual General Meetings (AGMs)

- 6.1. The Club must hold an AGM each calendar year.
- 6.2. Items for the agenda, and nominations for the elected officers of the committee, must be received in writing by The Club's Secretary at least 28 days before the proposed date of the AGM. Any resolution having the support of at least ten percent of members shall be put to the AGM.
- 6.3. A notice of the AGM containing details of the venue, date, time and agenda must be sent or given to members at least three weeks prior to the meeting. Members who are entitled to vote must also be sent proxy forms. Notices and proxy forms may be in electronic form.
- 6.4. Proxy forms shall be in a form to be decided by the Secretary. Proxy forms must be registered with the Secretary at least 48 hours before the start of the meeting.
- 6.5. The most recent annual accounts of The Club shall be laid before the AGM.
- 6.6. At each AGM, a member shall be elected, from those nominated as set out in clause 5.4 above. No other members shall be elected to the committee save on a resolution to be proposed in accordance with clause 7.1.2
- 6.7. At each AGM, three members shall be elected to the discipline committee. At least one of those members shall not be a member of the committee. The three members of those nominated to serve on the discipline committee receiving the highest number of votes shall be elected to the discipline committee.
- 6.8. The annual membership fee shall be approved at the AGM.
- 6.9. Only full members who do not owe The Club any sum in respect of membership fees on the day before the notice for an AGM or EGM is issued are entitled to a vote or proxy vote at an AGM or EGM. Associate members may vote for an Associate's Secretary at an associates meeting to be held immediately before the AGM. Full members may not vote for the Associate's Secretary.
- 6.10. The quorum for any AGM or EGM shall be a quarter of full members, including proxy votes. If a quorum is not present, the AGM may be adjourned to a time and place to be decided by the meeting, and the members present at the adjourned meeting shall constitute a quorum.
- 6.11. Election for the committee members and members of the discipline committee will be by secret ballot. Other voting will be by show of hands, unless any member requests a ballot.

- 6.12. On a show of hands, each member present and each person holding a proxy shall be entitled to one vote. On a ballot, each member present in person or by proxy shall be entitled to one vote.

7. Extraordinary General Meetings (EGMs)

- 7.1. An EGM shall be convened:
 - 7.1.1. at the request of the committee; or
 - 7.1.2. on receipt of a written request by The Club Secretary, signed by not less than seven members of The Club, and containing the resolutions to be put before the meeting.
- 7.2. An EGM must be convened within 56 days of the Secretary receiving a valid request.
- 7.3. An EGM should follow the procedures set out for AGMs, but shall the accounts are not required to be laid before it, it shall not be required to elect committee members or discipline committee members or approve membership fees.

8. Winding up

- 8.1. The members may vote to wind up The Club if not less than three quarters of those present and voting support that proposal at a properly convened general meeting.
- 8.2. The committee will then be responsible for the orderly winding up of The Club's affairs..
- 8.3. After settling all liabilities of The Club, the committee shall dispose of the net assets remaining to one or more of the following:
 - 8.3.1. to another club with similar sports purposes which is a registered charity and/or
 - 8.3.2. to another club with similar sports purposes which is a CASC and/or
 - 8.3.3. to The Club's governing body for use by them for related community sports.

9. General

- 9.1. All decisions taken at an EGM or AGM are binding on the committee unless changed by a subsequent AGM or EGM.
- 9.2. Each member will receive a copy of the constitution in written or electronic form on request to the Secretary.
- 9.3. This constitution can only be amended by a two thirds majority of the votes cast, including proxy votes, by full members at a meeting of The Club. Anything that could be done by way of an amendment to this constitution may be done with the approval of two thirds of the votes cast at a meeting of The Club.
- 9.4. The committee will have due regard to the law on disability discrimination and child protection.

- 9.5. All data held centrally by The Club will be held under the Data Protection Act 1998 and only used for the purposes of running The Club.
 - 9.6. Where there is any conflict between any of the above rules (“Key Rules”) and any other rule or rules, the Key Rule(s) will take priority. Interpretation of all the rules must be consistent with the statutory requirements for CASCs (which means Community Amateur Sports Clubs as first provided for by the Finance Act 2002)
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