



Registered Charity No. SC052104



**Constitution
Of
South Lanarkshire Wheelchair Curling Club
Reg. Charity No. SC052104**

**www.southlanarkshirewheelchaircurling.com/
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GENERAL

Type of Organisation

1. The organisation is a Scottish Charitable Organisation (SCIO) and has been one since 18th August 2022

Scottish Principal Office

2. The principal office of the club is in Dalry Scotland (and will remain in Scotland).

Name

3. The name of the organisation is “South Lanarkshire Wheelchair Curling Club”.

Charitable Aims

4. The organisation’s aims are:

- 4.1. The Aims of the South Lanarkshire Wheelchair Curling Club shall be to participate in and actively promote the sport of Wheelchair Curling.
- 4.2. The advancement of Public Participation in Sport by: Developing strong relationships across the private, public & voluntary sectors.
- 4.3. The promotion of equality and diversity by: To encourage disabled people to participate in Wheelchair curling and associated activities, thus encouraging inclusiveness within society. The Club shall operate on an ethos of inclusion and equality. All members shall be afforded equal status irrespective of gender, age, race, disability and level of playing ability.
- 4.4. To offer coaching and competitive opportunities in the sport of wheelchair curling.
- 4.5. To increase participation in the sport of wheelchair curling.
- 4.6. To develop volunteers.
- 4.7. To promote grassroots through performance and development
- 4.8. To promote the organisation within the local community.
- 4.9. To promote the sport of wheelchair curling across the West of Scotland



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Powers

5. The organisation has the power to do anything which is calculated to further its purposes or is conducive or incidental to doing so.

6. No part of the income or property of the organisation may be paid or transferred (directly or indirectly) to the members - either in the course of the organisation's existence or on dissolution - except where this is done in direct furtherance of the organisation's charitable purposes.

Liability of Members

7. The members of the organisation have no liability to pay any sums to help to meet the debts (or other liabilities) of the organisation if it is wound up; accordingly, if the organisation is unable to meet its debts, the members will not be held responsible.

8. The members and charity trustees have certain legal duties under the Charities and Trustee Investment (Scotland) Act 2005; and clause 7 does not exclude (or limit) any personal liabilities they might incur if they are in breach of those duties or in breach of other legal obligations or duties that apply to them personally.

General Structure

9. The structure of the organisation consists of:-

9.1. the MEMBERS - who have the right to attend members' meetings (including any annual general meeting) and have important powers under the constitution; in particular, the members appoint people to serve on the board and take decisions on changes to the constitution itself;

9.2. the BOARD - who hold regular meetings, and generally control the activities of the organisation; for example, the board is responsible for monitoring and controlling the financial position of the organisation.

10. The people serving on the board are referred to in this constitution as CHARITY TRUSTEES.



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MEMBERS

Qualifications for Membership

11. Membership of South Lanarkshire Wheelchair Curling Club is open to all wheelchair curlers with a disability and non-disabled curlers who support disabled curling. There will be no discrimination on grounds of age, gender, disability, ethnicity, language, religion or politics. Membership for players under 16 years old will be subject to parental consent.

12. The membership of South Ayrshire Curling Club will consist of trustees/office bearers, coaches, volunteers and players of the Club.

Application for Membership

13. Any person who wishes to become a member must sign a written application for membership and sign up to the codes of conduct; the application will then be considered by the charity trustees at their next board meeting. All members will be subject to the regulations of the constitution and by joining the Club will be deemed to accept these regulations and codes of conduct that the Club has adopted.

14. The board may, at its discretion, refuse to admit any person to membership.

15. The board must notify each applicant promptly (in writing or by e-mail) of its decision on whether or not to admit them to membership.

Membership subscription

16. Payment of fees by players is necessary to help sustainability of the club. Membership fees will be set annually by agreement of the Board of Trustees and determined at the Annual General Meeting. Fees can be paid monthly by BACS/standing order, twice yearly (September & January) or a one-off yearly payment in advance (September). All coaches, employees and volunteers will be exempt from payment of fees.



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Register of members

17. The board must keep a register of members, setting out

17.1. for each current member:

17.1.1. their full name and address; and

17.1.2. the date on which they were registered as a member of the organisation;

17.2. for each former member - for at least six years from the date on which they ceased to be a member:

17.2.1. their name; and

17.2.2. the date on which they ceased to be a member.

18. The board must ensure that the register of members is updated within 28 days of any change:

18.1. which arises from a resolution of the board or a resolution passed by the members of the organisation; or

18.2. which is notified to the organisation.

19. If a member or charity trustee of the organisation requests a copy of the register of members, the board must ensure that a copy is supplied to them within 28 days, providing the request is reasonable; if the request is made by a member (rather than a charity trustee), the board may provide a copy which has the addresses blanked out.

20. All registered players will be enrolled as full members of the organisation.

Withdrawal from membership

21. Any Member wishing to leave their position or withdraw from membership must where applicable:

21.1. Give a written notice of withdrawal to the Board of Trustees, signed by them; they will cease to be a member as from the time when the notice is received by the organisation.

21.2. Return all Club kit, equipment and assets to the Head Coach, Club Secretary or another designated official of the Club;

21.3. Not remove any documents or tangible items which belong to the Club or which contain any confidential information about the Club;

21.4. Where the member is a Charity Trustee, they must handover their duties to another Trustee unless otherwise agreed by the Club Secretary; and

21.5. Not act or attempt to act for or on behalf of the Club.



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Transfer of membership

22. Membership of the organisation may not be transferred by a member. Re-registration of members

23. The board may, at any time, issue notices to the members requiring them to confirm that they wish to remain as members of the organisation, and allowing them a period of 28 days (running from the date of issue of the notice) to provide that confirmation to the board.

24. If a member fails to provide confirmation to the board (in writing or by e-mail) that they wish to remain as a member of the organisation before the expiry of the 28-day period referred to in clause 23, the board may expel them from membership.

25. A notice under clause 23 will not be valid unless it refers specifically to the consequences (under clause 24) of failing to provide confirmation within the 28-day period

Expulsion from membership

26. Any person may be expelled from membership by way of a resolution passed by not less than two thirds of those present and voting at a members' meeting, providing the following procedures have been observed:-

26.1. at least 21 days' notice of the intention to propose the resolution must be given to the member concerned, specifying the grounds for the proposed expulsion;

26.2. the member concerned will be entitled to be heard on the resolution at the members' meeting at which the resolution is proposed.

Termination

27. Membership of the organisation will terminate on death.

DECISION-MAKING BY THE MEMBERS

Members' meetings

28. The board must arrange a meeting of members (an annual general meeting or "AGM") in each calendar year.

29. The gap between one AGM and the next must not be longer than 15 months.

30. Notwithstanding clause 28, an AGM does not need to be held during the calendar year in which the organisation is formed; but the first AGM must still be held within 15 months of the date on which the organisation is formed.



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31. The business of each AGM must include:-

- 31.1. a report by the chair on the activities of the organisation;
- 31.2. consideration of the annual accounts of the organisation;
- 31.3. the election/re-election of charity trustees, as referred to in clauses 61 to 67.

32. The board may arrange a special members' meeting at any time.

Power to request the board to arrange a special members' meeting

33. The board must arrange a special members' meeting if they are requested to do so by a notice (which may take the form of two or more documents in the same terms, each signed by one or more members) by at least 2 members providing:

- 33.1. the notice states the purposes for which the meeting is to be held; and
- 33.2. those purposes are not inconsistent with the terms of this constitution, the Charities and Trustee (Investment) Scotland Act 2005 or any other statutory provision.

34. If the board receive a notice under clause 34, the date for the meeting which they arrange in accordance with the notice must not be later than 28 days from the date on which they received the notice.

Notice of members' meetings

35. Notice of the AGM An Annual General Meeting shall be held in the month of May of each year and will be open to all interested parties. Four weeks clear notice in writing by letter or email shall be given to all Members.

Any Extra-ordinary Meeting. Members will be notified in writing by letter or email by the club secretary at least 14 clear days prior

36. The notice calling a members' meeting must specify in general terms what business is to be dealt with at the meeting; and

- 36.1. in the case of a resolution to alter the constitution, must set out the exact terms of the proposed alteration(s); or
- 36.2. in the case of any other resolution falling within clause 49 (requirement for two-thirds majority) must set out the exact terms of the resolution.

37. The reference to "clear days" in clause 35 shall be taken to mean that, in calculating the period of notice,

- 37.1. the day after the notices is posted (or sent by e-mail) should be excluded; and
- 37.2. the day of the meeting itself should also be excluded.



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38. Notice of every member's meeting must be given to all the members of the organisation, and to all the charity trustees; but the accidental omission to give notice to one or more members will not invalidate the proceedings of the meeting.

39. Any notice which requires to be given to a member under this constitution must be: -

39.1. sent by post to the member, at the address last notified by them to the organisation; or

39.2. sent by e-mail to the member, at the e-mail address last notified by them to the organisation.

Procedure at members' meetings

40. No valid decisions can be taken at any members' meeting unless a quorum is present.

41. The quorum for a members' meeting will be a minimum of 4 members and 4 Trustees, present in person.

42. If a quorum is not present within 15 minutes after the time at which a members' meeting was due to start - or if a quorum ceases to be present during a members' meeting - the meeting cannot proceed; and fresh notices of meeting will require to be sent out, to deal with the business (or remaining business) which was intended to be conducted.

43. The chair of the organisation should act as chairperson of each members' meeting.

44. If the chair of the organisation is not present within 15 minutes after the time at which the meeting was due to start (or is not willing to act as chairperson), the charity trustees present at the meeting must elect (from among themselves) the person who will act as chairperson of that meeting.

Voting at members' meetings

45. All members over the age of 16 have the right to vote at the AGM.

46. All members under the age of 16 have the right to allow a family member, personal assistant or guardian to vote on their behalf.

47. Every member has one vote, which must be given personally.

48. All decisions at members' meetings will be made by majority vote - with the exception of the types of resolution listed in clause 49.



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49. The following resolutions will be valid only if passed by not less than two thirds of those voting on the resolution at a members' meeting (or if passed by way of a written resolution under clause 53):

49.1. a resolution amending the constitution;

49.2. a resolution expelling a person from membership under clause 27;

49.3. a resolution directing the board to take any particular step (or directing the board not to take any particular step);

49.4. a resolution approving the amalgamation of the organisation with another SCIO (or approving the constitution of the new SCIO to be constituted as the successor pursuant to that amalgamation);

49.5. resolution to the effect that all of the organisation's property, rights and liabilities should be transferred to another SCIO (or agreeing to the transfer from another SCIO of all of its property, rights and liabilities);

49.6. a resolution for the winding up or dissolution of the organisation.

50. If there is an equal number of votes for and against any resolution, the chairperson of the meeting will be entitled to a second (casting) vote.

51. A resolution put to the vote at a members' meeting will be decided on a show of hands - unless the chairperson (or at least two other members present at the meeting) ask for a secret ballot.

52. The chairperson will decide how any secret ballot is to be conducted, and they will declare the result of the ballot at the meeting.

Written resolutions by members

53. A resolution agreed to in writing (or by e-mail) by all the members will be as valid as if it had been passed at a members' meeting; the date of the resolution will be taken to be the date on which the last member agreed to it.

Minutes

54. The board must ensure that proper minutes are kept in relation to all members' meetings. Decisions made at meetings without minutes being taken are not valid.

55. Minutes of members' meetings must include the names of those present; and (so far as possible) should be signed by the chairperson of the meeting.



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56. The board shall make available copies of the minutes referred to in clause 54 to any member of the public requesting them; but on the basis that the board may exclude confidential material to the extent permitted under clause 109.

The Board of Charity Trustees

Number of charity trustees

57. The maximum number of charity trustees is [10]; out of that:

57.1. no more than [10] shall be charity trustees who were elected/appointed under clauses 64 and 65 (or deemed to have been appointed under clause 60); and

57.2. no more than [4] shall be charity trustees who were co-opted under the provisions of clauses 68 and 69.

57.3. The minimum number of charity trustees is [4] [must not be less than 3].

Eligibility

58. A person shall not be eligible for election/appointment to the board under clauses 60 to 63 unless they are a member of the organisation; a person appointed to the board under clause 68 need not, however, be a member of the organisation.

59. A person will not be eligible for election or appointment to the board as a trustee if they are:

59.1. disqualified from being a charity trustee under the Charities and Trustee Investment (Scotland) Act 2005.

Initial charity trustees

60. The individuals who signed the charity trustee declaration forms which accompanied the application for incorporation of the organisation shall be deemed to have been appointed by the members as charity trustees with effect from the date of incorporation of the organisation.
Election, retiral, re-election

61. Nominations for members to be elected as a charity trustees will be sent to the Secretary prior to the AGM.

62. All charity trustees will retire each year but will be eligible for re-appointment. 63. Charity Trustees will be elected annually at the Annual General Meeting except under special circumstances.

64. At each AGM, the members may elect any member (unless they are debarred from membership under clause 59) to be a charity trustee. However, this is subject to approval by a majority vote of the Trustees. Where a person is voted on as a trustee it is subject to the PVG being done and as long as the checks come back ok the trustee nomination would stand.



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65. The board may at any time appoint any member (unless they are debarred from membership under clause 58) to be a charity trustee.

66. At each AGM, all of the charity trustees elected/appointed under clauses 64 and 65 (and, in the case of the first AGM, those deemed to have been appointed under clause 60) shall retire from office – but shall then be eligible for re-election under clause 64.

67. A charity trustee retiring at an AGM will be deemed to have been re-elected unless: -

67.1. they advise the board prior to the conclusion of the AGM that they do not wish to be re-appointed as a charity trustee; or

67.2. an election process was held at the AGM and they were not among those elected/re-elected through that process; or

67.3. a resolution for the re-election of that charity trustee was put to the AGM and was not carried.

Appointment/re-appointment of co-opted charity trustees

68. In addition to their powers under clause 65, the board may at any time appoint any non-member of the organisation to be a charity trustee (subject to clause 57, and providing they are not debarred from membership under clause 59) either on the basis that they have been nominated by [Scottish Wheelchair Curling Association] “a body with which the organisation has close contact in the course of its activities”] or on the basis that they have specialist experience and/or skills which could be of assistance to the board.

69. At each AGM, all of the charity trustees appointed under clause 68 shall retire from office – but shall then be eligible for re-appointment under that clause.



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Termination of office

70. A charity trustee will automatically cease to hold office if: -

70.1. they become disqualified from being a charity trustee under the Charities and Trustee Investment (Scotland) Act 2005;

70.2. they become incapable for medical reasons of carrying out their duties as a charity trustee -but only if that has continued (or is expected to continue) for a period of more than six months;

70.3. (In the case of a charity trustee elected/appointed under clauses 60 to 67) they cease to be a member of the organisation;

70.4. they give the organisation a notice of resignation, signed by them;

70.5. they are absent (without good reason, in the opinion of the board) from more than three consecutive meetings of the board - but only if the board resolves to remove them from office;

70.6. they are removed from office by resolution of the board on the grounds that they are considered to have committed a material breach of the code of conduct for charity trustees (as referred to in clause 94);

70.7. they are removed from office by resolution of the board on the grounds that they are considered to have been in serious or persistent breach of their duties under section 66(1) or (2) of the Charities and Trustee Investment (Scotland) Act 2005; or

70.8. they are removed from office by a resolution of the members passed at a members' meeting.

71. A resolution under paragraph 70.6, 70.7 or 70.8 shall be valid only if: -

71.1. the charity trustee who is the subject of the resolution is given reasonable prior written notice of the grounds upon which the resolution for their removal is to be proposed;

71.2. the charity trustee concerned is given the opportunity to address the meeting at which the resolution is proposed, prior to the resolution being put to the vote; and

71.3. (In the case of a resolution under paragraph 70.6 or 70.7) at least two thirds (to the nearest round number) of the charity trustees then in office vote in favour of the resolution.



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Register of charity trustees

72. The board must keep a register of charity trustees, setting out

72.1. for each current charity trustee:

72.1.1. their full name and address;

72.1.2. the date on which they were appointed as a charity trustee; and

72.1.3. any office held by them in the organisation;

72.2. for each former charity trustee - for at least 6 years from the date on which they ceased to be a charity trustee:

72.2.1. the name of the charity trustee;

72.2.2. any office held by them in the organisation; and

72.2.3. the date on which they ceased to be a charity trustee.

72.3. The board must ensure that the register of charity trustees is updated within 28 days of any change:

72.4. which arises from a resolution of the board or a resolution passed by the members of the organisation; or

72.5. which is notified to the organisation.

73. If any person requests a copy of the register of charity trustees, the board must ensure that a copy is supplied to them within 28 days, providing the request is reasonable; if the request is made by a person who is not a charity trustee of the organisation, the board may provide a copy which has the addresses blanked out - if the SCIO is satisfied that including that information is likely to jeopardise the safety or security of any person or premises.

Office-bearers

74. The charity trustees must elect (from among themselves) a chair, a treasurer and a secretary.

75. The Club Office Bearers/Charity Trustees will be as follows:

- a. Chair
- b. Vice Chair
- c. Secretary
- d. Treasurer
- e. Match Secretary
- f. Player Representative



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76. In addition to the office-bearers required under clause 74, the charity trustees may elect (from among themselves) further office-bearers if they consider that appropriate.

77. All of the office-bearers will cease to hold office at the conclusion of each AGM, but may then be re-elected under clause 74, and 76.

78. A person elected to any office will automatically cease to hold that office: -

78.1. if they cease to be a charity trustee; or

78.2. if they give to the organisation a notice of resignation from that office, signed by them.

79. The Chairperson will conduct business according to the Constitution of the Club, including the running of board and members meetings. They will also represent the Club at local, regional and national events where possible otherwise another trustee or committee member will go in their place.

80. The Vice Chairperson will act on behalf of the Chairperson in their absence and work in partnership with the Chairperson to co-ordinate the operations of the Club according to the Constitution and assist in the formation, updating and implementation of the Club development plans.

81. The Secretary will deal with all correspondence relating to the organisation and be responsible for maintaining appropriate organization records including a register of members and contact details.

Powers of Board

82. Except where this constitution states otherwise, the organisation (and its assets and operations) will be managed by the board; and the board may exercise all the powers of the organisation.

83. A meeting of the board at which a quorum is present may exercise all powers exercisable by the board.

84. The trustees will have powers to appoint sub-committees as necessary and appoint advisers to the board as necessary to fulfil its business.

85. The charity trustees will meet no less than four times per year.

86. When the board is unable to meet face to face because of things like a pandemic we will hold meetings and make decisions via video conferencing.

87. The members may, by way of a resolution passed in compliance with clause 49 (requirement for two-thirds majority), direct the board to take any particular step or direct the board not to take any particular step. However, any resolution's passed at a members meeting would need to be agreed at a separate meeting of the Board of Trustees.



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Charity trustees - general duties

88. Each of the charity trustees has a duty, in exercising functions as a charity trustee, to act in the interests of the organisation; and, in particular, must:-

88.1. seek, in good faith, to ensure that the organisation acts in a manner which is in accordance with its purposes;

88.2. act with the care and diligence which it is reasonable to expect of a person who is managing the affairs of another person;

88.3. in circumstances giving rise to the possibility of a conflict of interest between the organisation and any other party:

88.3.1. put the interests of the organisation before that of the other party;

88.3.2. where any other duty prevents them from doing so, disclose the conflicting interest to the organisation and refrain from participating in any deliberation or decision of the other charity trustees with regard to the matter in question;

88.4. ensure that the organisation complies with any direction, requirement, notice or duty imposed under or by virtue of the Charities and Trustee Investment (Scotland) Act 2005.

89. The charity trustees will be responsible for adopting new policies, codes of conduct and rules that affect the organisation following consultation with all members.

90. In addition to the duties outlined in clause 88, all of the charity trustees must take such steps as are reasonably practicable for the purpose of ensuring: -

90.1. that any breach of any of those duties by a charity trustee is corrected by the charity trustee concerned and not repeated; and

90.2. that any trustee who has been in serious and persistent breach of those duties is removed as a trustee.

91. Provided they have declared their interest - and have not voted on the question of whether or not the organisation should enter into the arrangement - a charity trustee will not be debarred from entering into an arrangement with the organisation in which they have a personal interest; and (subject to clause 92 and to the provisions relating to remuneration for services contained in the Charities and Trustee Investment (Scotland) Act 2005), they may retain any personal benefit which arises from that arrangement.

92. Charity trustees, volunteers, and employees may be paid all travelling and other expenses reasonably incurred by them in connection with carrying out their duties; this may include expenses relating to their attendance at meetings.



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93. A charity trustee may serve as an employee (full time or part time) of the organisation; and a charity trustee may be given any remuneration by the organisation if they are deemed to be providing a specialist service which benefits the organisation.

Code of conduct for charity trustees

94. Each of the charity trustees shall comply with the code of conduct (incorporating detailed rules on conflict of interest) prescribed by the board from time to time.

95. The code of conduct referred to in clause 93 shall be supplemental to the provisions relating to the conduct of charity trustees contained in this constitution and the duties imposed on charity trustees under the Charities and Trustee Investment (Scotland) Act 2005; and all relevant provisions of this constitution shall be interpreted and applied in accordance with the provisions of the code of conduct in force from time to time.

DECISION-MAKING BY THE CHARITY TRUSTEES

Notice of board meetings

96. Any charity trustee may call a meeting of the board or ask the secretary to call a meeting of the board.

97. At least 7 days' notice must be given of each board meeting, unless (in the opinion of the person calling the meeting) there is a degree of urgency which makes that inappropriate.

Procedure at board meetings

98. No valid decisions can be taken at a board meeting unless a quorum is present; the quorum for board meetings is [6] charity trustees, present in person.

99. If at any time the number of charity trustees in office falls below the number stated as the quorum in clause 98, the remaining charity trustee(s) will have power to fill the vacancies or call a members' meeting - but will not be able to take any other valid decisions.

100. The chair of the organisation should act as chairperson of each board meeting.

101. If the chair is not present within 15 minutes after the time at which the meeting was due to start (or is not willing to act as chairperson), the charity trustees present at the meeting must elect (from among themselves) the person who will act as chairperson of that meeting.

102. Each trustee will have one vote at any board meeting, which must be given personally. Where a trustee holds more than one position only one vote can be used.

103. All decisions at board meetings will be made by majority vote.

104. If there is an equal number of votes for and against any resolution, the chairperson of the meeting will be entitled to a second (casting) vote.



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105. The board may, at its discretion, allow any person to attend and speak at a board meeting notwithstanding that they are not a charity trustee - but on the basis that they must not participate in decision-making.

106. A charity trustee must not vote at a board meeting (or at a meeting of a sub-committee) on any resolution which relates to a matter in which they have a personal interest or duty which conflicts (or may conflict) with the interests of the organisation; they must withdraw from the meeting while an item of that nature is being dealt with.

107. For the purposes of clause 106: -

107.1. an interest held by an individual who is “connected” with the charity trustee under section 68 of the Charities and Trustee Investment (Scotland) Act 2005 (husband/wife, partner, child, parent, brother/sister etc) shall be deemed to be held by that charity trustee;

107.2. a charity trustee will be deemed to have a personal interest in relation to a particular matter if a body in relation to which they are an employee, director, member of the management committee, officer or elected representative has an interest in that matter.

Minutes

108. The board must ensure that proper minutes are kept in relation to all board meetings and meetings of sub-committees. Decisions made at meetings without minutes being taken are not valid.

109. The minutes to be kept under clause 108 must include the names of those present; and (so far as possible) should be signed by the chairperson of the meeting.

110. [The board shall (subject to clause 111) make available copies of the minutes referred to in clause 108 to any member of the public requesting them.]

111. [The board may exclude from any copy minutes made available to a member of the public under clause 110 any material which the board considers ought properly to be kept confidential - on the grounds that allowing access to such material could cause significant prejudice to the interests of the organisation or on the basis that the material contains reference to employee or other matters which it would be inappropriate to divulge.]



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ADMINISTRATION

Delegation to sub-committees

112. The board may delegate any of their powers to sub-committees; a sub-committee must include at least one charity trustee, but other members of a sub-committee need not be charity trustees.

113. The board may also delegate to the chair of the organisation (or the holder of any other post) such of their powers as they may consider appropriate.

114. When delegating powers under clause 112 or 113, the board must set out appropriate conditions (which must include an obligation to report regularly to the board).

115. Any delegation of powers under clause 112 or 113 may be revoked or altered by the board at any time.

116. The rules of procedure for each sub-committee, and the provisions relating to membership of each sub-committee, shall be set by the board.

Operation of accounts

117. The Treasurer will be responsible for all financial matters and shall present examined annual accounts and statement of accounts as required by the committee.

118. Subject to clause 119, the signatures of two out of three signatories appointed by the board will be required in relation to all operations (other than the lodging of funds and online transactions) on the bank and building society accounts held by the organisation; both signatures must be charity trustees.

119. Where the organisation uses electronic facilities for the operation of any bank or building society account, the authorisations required for operations on that account must be consistent with the approach reflected in clause 118.

120. All the organisation's funds will be banked in an account held in the name of South Lanarkshire Wheelchair Curling Club.

121. The financial year of the organisation will end on April 30th and begin on May 1st.

122. A Financial statement of annual accounts will be presented by the Treasurer at the Annual General Meeting. Any cheques drawn for the organisation would hold two signatures, namely Treasurer, Vice Chairperson or Secretary.



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Accounting records and annual accounts

123. The board must ensure that proper accounting records are kept, in accordance with all applicable statutory requirements.

124. The board must prepare annual accounts, complying with all relevant statutory requirements; if an audit is required under any statutory provisions (or if the board consider that an audit would be appropriate for some other reason), the board should ensure that an audit of the accounts is carried out by a qualified auditor.

Player Protection

125. The Board of Trustees will appoint a Safeguarding Officer and advise all members of the Player Safeguarding Officer's contact details.

Discipline and Appeals

126. The board will be responsible for disciplinary hearings of officials, coaches, employees, volunteers and players who infringe the organisation's Code of Conduct.

127. The board will be responsible for taking any action of suspension or discipline following such hearings.

128. All complaints regarding the behaviour of members should be submitted in writing to the Secretary whose contact details will be made available to all members.

129. The Board of Trustees will meet to hear complaints within fourteen days of a complaint being lodged. Only the Board of Trustees have the power to take appropriate disciplinary action including the termination of membership.

130. The outcome of a disciplinary hearing should be notified in writing to the person who lodged the complaint and the member against whom the complaint was made within fourteen days of the hearing.

131. There will be the right of appeal to the Board of Trustees following disciplinary action being announced. The trustees should consider the appeal within fourteen days of the Secretary receiving the appeal.

Health and Safety

132. The Board of Trustees will strive to ensure that all officials; coaches, volunteers, employees and players comply with the Health and Safety Policy.

133. The organisation will be insured through affiliation to the RCCC for all competition and training.



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MISCELLANEOUS

Winding-up/dissolution

134. If the organisation is to be wound up or dissolved, the winding-up or dissolution process will be carried out in accordance with the procedures set out under the Charities and Trustee Investment (Scotland) Act 2005.

135. Any surplus assets available to the organisation immediately preceding its winding up or dissolution must be used for purposes which are the same as - or which closely resemble - the purposes of the organisation as set out in this constitution. In the event of dissolution, any assets of the organisation that remain will become the property of an alternative constituted Wheelchair Curling Club within the area.

136. A resolution to dissolve the organisation can only be passed at an AGM or EGM through a majority vote of the membership.

Alterations to the constitution

137. This constitution may (subject to clause 139) only be altered by resolution of the members passed at an AGM or EGM (subject to achieving the two thirds majority referred to in clause 50). A minimum of 4 trustees must be present for any resolution to change the constitution to be valid.

138. The Charities and Trustee Investment (Scotland) Act 2005 prohibits taking certain steps (eg change of name, an alteration to the purposes, amalgamation, winding-up) without the consent of the Office of the Scottish Charity Regulator (OSCR)

Interpretation

139. References in this constitution to the Charities and Trustee Investment (Scotland) Act 2005 should be taken to include: -

139.1. any statutory provision which adds to, modifies or replaces that Act; and

139.2. any statutory instrument issued in pursuance of that Act or in pursuance of any statutory provision falling under paragraph 140.1 above.

140. In this constitution: -

140.1. "charity" means a body which is either a "Scottish charity" within the meaning of section 13 of the Charities and Trustee Investment (Scotland) Act 2005 or a "charity" within the meaning of section 1 of the Charities Act 2011, providing (in either case) that its objects are limited to charitable purposes;



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140.2. “Charitable purpose” means a charitable purpose under section 7 of the Charities and Trustee Investment (Scotland) Act 2005 which is also regarded as a charitable purpose in relation to the application of the Taxes Acts.

This constitution is to be read in conjunction with the following policies:

- Expenses Policy
- Financial Management Policy
- Safeguarding Policy
- Code of Conduct Policy
- Equal Opportunities and Anti-Bullying/Discrimination Policies
- Health and Safety Policy



Registered Charity No. SC052104

Declaration

South Lanarkshire Wheelchair Curling Club hereby adopts and accepts this constitution as a current operating guide regulating the actions of members.

SIGNED:

DATE:

NAME:

POSITION: Club Chair

SIGNED:

DATE:

NAME:

POSITION: Club Secretary

SIGNED:

DATE:

NAME:

POSITION: Club Treasurer