

# THE ISLE OF MAN CLAY PIGEON SHOOTING CLUB



## CONSTITUTION

### 1. NAME OF THE CLUB

- 1.1. The name of the Club shall be the Isle of Man Clay Pigeon Shooting Club, hereinafter referred to as “the Club”.

### 2. PURPOSES OF THE CLUB

- 2.1. The purpose and objectives of the Club shall be:
  - 2.1.1. To provide clay pigeon shooting facilities to meet the needs of the members of the Club.
  - 2.1.2. To hold clay pigeon competitions for Club members.
  - 2.1.3. To directly and indirectly promote clay pigeon shooting in the Isle of Man from novice to international standards, including:
    - 2.1.3.1. training and/or provision by the Club of coaches,
    - 2.1.3.2. the provision of Club facilities for coaching, and
    - 2.1.3.3. the use of Club facilities and holding of competitions for the promotion of the Club.
  - 2.1.4. To hold other competitions including open and international clay pigeon shoots.
  - 2.1.5. To represent and promote the interests of the Club members at the Manx Clay Target Shooting Association, the Isle of Man Shooting Council, the Isle of Man Sports Council and any other relevant organisation either on the Isle of Man or elsewhere.
  - 2.1.6. To promote all ancillary sporting and recreational activities which can be associated with clay pigeon shooting and normal social activities of a shooting club.

### 3. AFFILIATION

- 3.1. The Club shall be affiliated to the Manx Clay Target Shooting Association and/or such other organisation as the members in General Meeting may decide and the Committee may adopt any rules or recommendations proposed by the Association or any other organisation as it sees fit.

### 4. HONORARY APPOINTMENTS

- 4.1. The Club in General Meeting by simple majority vote may offer to any person the honorary position of:
  - 4.1.1. Patron, or
  - 4.1.2. President
  - 4.1.3. Either the Patron or the President (but not necessarily both) must be a senior member of the Club who has previously served on the committee.
- 4.2. The Club in General Meeting by simple majority vote may offer to any person Honorary Life Membership in recognition of help that they have given to the Club in the past.
- 4.3. The Patron or the President will not be Officers or Committee Members of the Club but either may be asked by either the Chairman or Committee to advise, arbitrate or serve on any sub-committee of the Club in addition they may be asked by the Committee to fill any casual vacancy on the Committee caused by the resignation or death of any Officer.

### 5. VICE-PRESIDENT(S)

- 5.1. The Club in General Meeting by simple majority vote may offer to any person the position of Vice-President. Such person must have previously served as a member of the Committee for a period of at least three years and in the view of the club members represents the interests and spirit of the club.

- 5.2. The Vice-Presidents will not be Officers or Committee Members of the Club but may be asked by either the Chairman or Committee to advise, arbitrate or serve on any sub-committee of the Club in addition they may be asked by the Committee to fill any casual vacancy on the Committee caused by the resignation or death of any official.

## **6. OFFICERS OF THE CLUB**

- 6.1. The Officers of the Club shall be the Chairman, Vice Chairman, Secretary and Treasurer.
- 6.1.1. The Officers must all be members of the Club.
- 6.1.2. The duties of the Chairman shall normally include conducting all General Meetings and committee meetings of the Club, apart from the election of the Chairman when the Vice-Chairman, Patron or President shall take the chair.
- 6.1.3. In the event of the absence of the Chairman from any General Meetings or committee meetings of the Club the duties of the Chairman shall be assumed by the Vice-Chairman, in whose absence the meeting shall elect a Chairman for that meeting.
- 6.1.4. The duties of the Secretary shall include keeping of records of all General and Management Committee Meetings.
- 6.1.5. The duties of the Treasurer shall include regulating the financial affairs of the Club in such a way that at all times the total assets of the Club exceed the outstanding liabilities of the Club. The Treasurer shall prepare annual accounts of the Club for the financial year 1st November to 31st October which shall be reviewed by a member of the Club of over 5 years continuous membership, who is not an Officer or Committee Member prior to the Annual General Meeting and presented to the members at the Annual General Meeting if not before.
- 6.2. The Chairman, Vice Chairman, Secretary and Treasurer of the Club shall be elected at the Annual General Meeting and shall remain in office until the Annual General Meeting next following their election.
- 6.3. The Committee may appoint from among its elected members or the Patron, President or Vice Presidents a temporary officer to fill any vacancy which may occur through resignation, death or other incapacity and shall notify members by posting notice of the change on the club notice board within 7 days. In the event that any members do not agree with the temporary appointment upon receipt of notice signed by not less than ten members within one month of any temporary appointment, the secretary shall call a Special General Meeting of members and the members shall elect a replacement officer who will hold office until the next Annual General Meeting.
- 6.4. The business and affairs of the Club shall be conducted through the appropriate Officer(s) of the Club who at all times shall act in accordance with this Constitution. No person other than the appropriate Officer(s) shall have the power to bind the Club.

## **7. MANAGEMENT COMMITTEE**

- 7.1. The affairs of the Club shall be managed by a Management Committee (referred to herein as the "Committee") made up of Club members who shall be elected and manage the affairs of the Club in accordance with this Article. The Committee shall not have the power to vary the Constitution or Officers of the Club except as herein provided.
- 7.2. The Committee shall consist of the Chairman, Vice Chairman, Treasurer and Secretary together with not more than seven members (or such other number as may be decided at the relevant Annual General Meeting) elected at the Annual General Meeting and they shall serve until the Annual General Meeting next after their election.
- 7.3. No person shall be eligible for elected to a position on the Committee unless they have been a club member in good standing for a minimum period of 12 months immediately prior to election.
- 7.4. The Committee shall have the power to make rules in accordance with this Constitution for regulating the conduct and affairs of the Club and its members. Such rules shall be posted on the club notice board in the Clubhouse and shall be binding on all members of the Club.
- 7.5. The Committee shall have the power to make Standing Orders for the regulation of its own business, including provision of sub-committees and their duties.

- 7.6.** A sub-committee can be made up of such Committee members, ordinary members and outside consultants as the Committee deem fit, provided always that the majority shall be members of the Club.
- 7.6.1. Resolutions of a sub committee shall not take effect until approved by the Committee.
- 7.6.2. Clause 7.6.1 shall not apply to the Complaints Committee or the Appeals Committee whose decisions shall not require Committee approval.
- 7.6.3. In order to assist the Committee in its duties a sub-committee shall have the power to appoint from its elected members a chairman of that sub-committee and his/her deputy, such assistant secretary(s) and treasurer(s) as may be necessary for the efficient running of that sub-committee. Such persons so appointed shall not rank as officers of the Club and shall not have the power to bind the Club.
- 7.6.4. Any outside consultants appointed to a sub-committee shall not have a vote.
- 7.7.** The Committee shall meet at regular intervals as determined by the Committee and the Secretary shall inform each Committee member in good time of the date, time and place of each meeting and provide a provisional agenda for each meeting.
- 7.8.** A quorum of the Committee shall consist of five members, a least one of which must be an Officer of the Club.
- 7.9.** The Committee shall keep minutes of all its business and such minutes shall be open to inspection by any Club member on request.
- 7.10.** Decisions of the Committee in meeting shall be made by simple majority and generally be made by a show of hands of all those present at any meeting, but any Committee member may request that a secret ballot be held instead. In the event of a split vote the Chairman shall have a second deciding vote.

## **8. CLUB FINANCES**

- 8.1.** All monies received on behalf of the Club shall forthwith be paid into the Club's account(s) at the banking institution that has been decided by the Committee.
- 8.1.1. The Committee may open separate bank accounts for special purposes (e.g. a contingency or social fund) but a statement of the activity and balance on any such account must be presented to the members at the Annual General Meeting.
- 8.1.2. The Committee shall decide who will be the authorised signatories who can sign on the bank accounts, providing always that:
- 8.1.2.1. Any instruction regarding the Club's funds shall require the signature of two authorised signatories, and
- 8.1.2.2. The authorised signatories to the Club's accounts can only be made up of members of the Committee, the Patron, the President or Vice Presidents.
- 8.2.** No payments shall be drawn by the authorised signatories unless previously sanctioned by a resolution of the Committee.
- 8.3.** No prizes or other articles shall be purchased or debts or liabilities incurred on behalf of the Club by any person without the previous sanction of a resolution of the Committee or of a General Meeting of the Club.
- 8.4.** Resolutions of the Committee requiring any expenditure of Club monies shall not take effect until the Treasurer has confirmed to the Committee that sufficient funds are available or is satisfied that there is a reasonable prospect of funds being available to meet the likely financial liability to the Club.

## **9. CLUB ASSETS**

- 9.1.** Title to all assets, leases and other rights of the Club shall be vested in the Company named Isle of Man Clay Pigeon Shooting Club Limited (hereinafter referred to as "the Company").
- 9.2.** The Company shall have an issued share capital of three ordinary shares, said shares shall be held on trust for the benefit of the members of the Club by the Club Chairman, the Patron, and the President.
- 9.3.** The shareholders of the Company shall execute Declarations of Trust stating that the share that they hold in the Company is held on Trust for the benefit of the club members and shall lodge such declaration with the Company's Register, with a certified true copy being handed to the Club Secretary.

- 9.4. No such asset or leases or other right held by the Company or Club shall be disposed of without calling a Special General Meeting of the club membership, unless the asset is the subject of a "trade-in" for a replacement asset and such "trade-in" is at the market rate for such an asset. Any assets so traded in or sold must have the agreement of at least 2/3 of all members of the Committee.
- 9.5. The Directors of the Company shall be Officers of the Club or Committee Members duly elected by the shareholders of the Company.
- 9.6. The Directors of the Company must ensure that the Company complies with its statutory duties under Isle of Man Law.
- 9.7. The Club will pay for any costs contracted by the company in connection with the maintenance of the Company, any lease and rental payments for the Club's shooting grounds and incidental costs related thereto.
- 9.8. The Directors of the Company will only enter into any binding contract, agreement or other documentation providing the same has been fully considered by the Committee and the execution has been authorised by the Committee.
- 9.9. The Committee shall ensure that the Assets of the Club are insured for full replacement cost.
- 9.10. The distribution of keys to the Club Premises shall be at the discretion of the Committee. Key holders would normally only be the Patron, President, Vice-President(s) and others who are or have been a member of the Committee.

## **10. SAFETY, HEALTH & SAFETY AND CHILD PROTECTION POLICY**

- 10.1. Shooting may only take place when a Range Officer is present on the Range.
- 10.2. A Committee Member or the President or a Vice-President shall be designated as Range Officer and shall be responsible for overseeing safety matters on the day, including ensuring that responsible club members referee and/or oversee all shooting activities.
- 10.3. The Committee shall produce such written Club Safety Procedures, Health & Safety Procedures and Child Protection Policies as it sees fit which shall be prominently displayed on the Club notice board.

## **11. CLUB MEMBERSHIP**

- 11.1. Membership, which is due for renewal on the 1<sup>st</sup> January in each year by payment of the annual membership fee by 1st March in each year, shall be open to persons who have an interest in the sport of clay pigeon shooting and who having applied on the prescribed membership form and have been accepted as a member by the Committee.
- 11.2. Any person who has had an application for the issue or renewal of a Regulated Weapon Certificate (or other such certification process that is in force at the time of application) refused by the police shall only be accepted as a member of the Club subject to such conditions that the Committee may see fit.
- 11.3. Any member who has a Regulated Weapon Certificate (or other such certification process that is in force at the time) revoked by the police, or who is refused renewal of their Regulated Weapon Certificate (or other such certification process that is in force at the time) shall immediately inform the Club Chairman and Club Secretary in writing.
- 11.4. If a member does not hold a current Regulated Weapon Certificate (or other such certification process that is in force at the time) they must be supervised by another member who holds such a certificate whilst shooting. Such a member is responsible for informing the Range Officer prior to the commencement of shooting that they do not hold a current Regulated Weapon Certificate.
- 11.5. A non-member may be allowed to shoot on the range after they have completed and signed the prescribed form.
- 11.6. A junior member must be accompanied by a parent or guardian at all times when shooting on the range.
- 11.7. Following an initial application for membership of the club that has been accepted by the Committee, all new members will be on six months' probation during which time their conduct shall be monitored by the Committee. The Committee has the right to revoke membership in the probationary period if they are not satisfied for any reason that the new member is suitable to be a member of the club. Such a member shall have the right of appeal, the procedure for the appeal being that established for disciplinary appeals.
- 11.8. The Committee, whose decision is final, shall have the right to decline the initial application of

- any prospective member and shall not be required to give any reason for their decision.
- 11.9.** The Committee shall also have the right to suspend for any period that they may decide the membership of any member or exclude from membership an existing member. In the case of suspension or exclusion the member has the right of appeal, the procedure for the appeal being that established by the Appeal Procedure of this Constitution.
- 11.10.** The Committee shall have the right to cancel any person's membership of the club if for any reason the Committee in their absolute discretion are of the opinion that the continued membership of that person is to the detriment of the harmony of the Club and/or the majority of its members, and/or to the detriment or the reputation of the Club or the sport of shooting in general. Such a decision shall require a majority vote of at least 75% of the total membership of the Committee (not just those present at any meeting). The member has the right of appeal, the procedure for the appeal being that established by the Appeal Procedure of this Constitution.
- 11.11.** Where for any reason, a person's membership is suspended or cancelled, that person is not allowed on club premises without the specific written permission of an officer of the Club.
- 11.12.** In the case of suspension or exclusion no portion of the membership fee for any unexpired portion of the membership year shall be refunded.
- 11.13.** By accepting membership of the Club, members accept the Club's Constitution and the authority of the Committee in the interrelation of the Constitution and any standing orders or rules set by the Committee and are bound to accept the decision of the Committee in such matters subject to the appeal procedure set out in the Constitution.
- 11.14. Day Memberships** may be accepted for events organised under the auspices of the Club at the discretion of the Committee, such membership to confer no voting rights. Day members shall only be eligible for prizes or trophies in Club competitions if previously authorised by the Committee and noted on the fixture list or the Club notice board
- 11.15. Honorary Membership** may be granted for good and sufficient reason either by majority vote at General Meeting or by unanimous vote of the Committee.
- 11.16. Life Membership** may be granted at the discretion of the Committee upon the payment of such Life Membership fee as the Committee from time to time may set. The Committee shall have the right to terminate or reintroduce the class of Life Membership.
- 11.17. Other Classes of Membership.** The Committee shall have the right to introduce such other classes of membership and to vary the terms of such membership as they see fit (e.g. junior members).
- 11.18.** All classes of member shall comply with the Constitution and Club Rules or Standing Orders.
- 11.19. Membership Subscription & Fees**
- 11.19.1. No person shall be a member until such time as their initial membership subscription or fee is paid.
- 11.19.2. No member may compete in any competition organised by the Club until their membership for that year has been paid.
- 11.19.3. In the event that a member fails to renew their membership by payment of the appropriate fee by 1<sup>st</sup> March in any year, they will be deemed to have forfeited their membership of the Club and if they wish to rejoin must re-apply to be a member.
- 11.19.4. The Committee shall set the rates of membership and rates for competition shooting and practice as they see fit.
- 11.19.5. The Committee may introduce an initial joining fee for new members, or a rejoining fee for former members, and impose such other conditions (either general or specific to an individual application) that they feel reasonable (e.g. on the grounds of safety or participation in club shoots).
- 11.20.** Club members shall be entitled to enter and shoot in all club and open events registered with the Club and to have their scores recorded and reported as often as deemed necessary.
- 11.21. Limit on Number of Members.** The Committee may limit the maximum number of members of the Club as they see fit so as to ensure that the club facilities can cope with the number of members wishing to shoot. In the event that a maximum membership is imposed the committee shall maintain a waiting list, giving priority to past members wishing to rejoin.

## **12. GENERAL MEETINGS**

### **12.1. Annual General Meeting**

- 12.1.1. A General Meeting to be known as the Annual General Meeting shall be held at a date

arranged by the Committee, between the accounting year end and the following 28<sup>th</sup> February each year to transact the following and any other business:

- 12.1.2. to receive a statement by the Chairman,
- 12.1.3. to receive and adopt a statement of the Club's accounts for the year ending the 31st October immediately preceding the date of the meeting and the Treasurer's report and to receive and adopt if approved the Treasurer's recommendations,
- 12.1.4. to receive and consider the accounts of the Isle of Man Clay Pigeon Shooting Club Limited,
- 12.1.5. to appoint the Patron for the forthcoming year,
- 12.1.6. to appoint the President for the forthcoming year,
- 12.1.7. to appoint any Vice Presidents for the forthcoming year,
- 12.1.8. to elect the Chairman for the forthcoming year,
- 12.1.9. to elect the Vice Chairman for the forthcoming year,
- 12.1.10. to elect the Secretary for the forthcoming year,
- 12.1.11. to elect the Treasurer for the forthcoming year,
- 12.1.12. to appoint a member of the club of over 5 years continuous membership, who is not an Officer or Committee member to review the Club's Financial Statements prepared by the Treasurer for the forthcoming year,
- 12.1.13. to elect not more than seven additional members (or such other number as may be decided at the relevant Annual General Meeting) to act on the Committee with the Officers,
- 12.1.14. to decide whether persons elected in accordance with Articles 12.1.8 to 12.1.13 shall be exempt from the requirement to pay a membership for the forthcoming season in accordance with Article 4.5,
- 12.1.15. to consider any special matters which the Committee or any Retiring Officer of the Club may wish to bring before the members, and to consider such Resolutions as the Members consider appropriate, providing the subject matter has been notified to members in writing or posted on the club notice board in accordance with Clause 12.1.18 hereof, and
- 12.1.16. to receive suggestions from members which if the meeting so resolves shall be referred to the Committee.
- 12.1.17. No other business shall be considered at an Annual General Meeting.
- 12.1.18. In the case of the Annual General Meeting only, the Committee may dispense with the requirement for written notice providing the date of the Annual General Meeting has been included in the Club's fixture list and/or notice has been posted on the Club notice board for a period of at least four weeks prior to the date of the meeting.
- 12.1.19. Following the Annual General Meeting the Committee shall from the Club membership fill any other positions that it considers appropriate such as Club Safety Officer, Competition Secretary, Press Officer and Club Representatives to the Manx Clay Target Shooting Association.
- 12.1.20. The quorum at an Annual General Meeting shall be 15 members present in person.
- 12.1.21. All decisions at an Annual General Meeting shall be made by simple majority and generally be made by a show of hands of all those present at any meeting in person or by proxy, but any member may request that a secret ballot be held instead. In the event of a split vote the Chairman shall have a second deciding vote.
- 12.1.22. To provide continuity the Chairman will normally serve for a period of two years. In his/her first year of office the preceding Chairman will normally serve as Vice-Chairman and in the second year of office his/her successor will normally serve as Vice-Chairman. This clause may be suspended or amended by the members at any Annual General Meeting.

## **12.2. Special General Meetings**

- 12.2.1. Special General Meetings may be convened by the Committee or on the written requisition to the Club Chairman or not less than 15 members specifying the object of the meeting for any of the following purposes:
  - 12.2.1.1. to consider any changes to the constitution for the general benefit of the Club,
  - 12.2.1.2. to deal with any special matter which the Committee may wish to place before the members including the expulsion of a member,

- 12.2.1.3. to receive resignation of the Committee or to remove any member(s) thereof from office and to fill any vacancy caused thereby, and
- 12.2.1.4. to deal with any special matter which the members requiring the General Meeting may desire to place before the Club.
- 12.2.2. Special General Meetings shall be held not later than twenty-eight days after the written requisition and the notice convening the meeting shall be sent to the members not less than fourteen days before the meeting and in the case of a meeting called to consider changes in the Constitution of the Club shall state the constitutional change proposed.
- 12.2.3. Where any resolution requiring a vote is proposed to be discussed at a Special General Meeting a proxy form shall also be sent out which enables members to vote or appoint another member to vote on their behalf. To be valid Proxies must be exercised in accordance with Article 12.3.
- 12.2.4. A quorum for a Special General Meeting shall consist of:
  - 12.2.4.1. 10 members present in person, and
  - 12.2.4.2. the lesser of 20 members or 1/3 of the Club members either present in person or who have executed a proxy in favour of another member who is present or, in the case of a proposed written resolution that has previously been circulated, indicating how their vote is to be cast.
- 12.2.5. At any Special General Meeting a chairman shall be elected to preside in the absence of the Chairman or in the case of the Chairman declaring himself or herself to have a conflict.
- 12.2.6. All decisions at a Special General Meeting, shall require a 2/3 majority and generally will be made by a show of hands of all those present together with proxies at any meeting, but any member may request that a secret ballot be held instead.
- 12.2.7. The Secretary shall ensure that any proposed change or amendment to this Constitution is received by Committee Members not less than 14 days before the General Meeting at which the change or amendment is to be considered. The Committee may consider taking legal advice on the impact or validity of any proposed change or amendment prior to the Special General Meeting.

### **12.3. Proxies at General Meetings**

- 12.3.1. A written signed proxy may be executed by any Club member to either:
  - 12.3.1.1. appoint another member to vote for him/her at any General Meeting, or
  - 12.3.1.2. in the case of a previously circulated proposed resolution indicate how she/he would like their vote cast, or
  - 12.3.1.3. to appoint the Chairman of the Meeting to vote on his/her behalf.
- 12.3.2. The person issuing the proxy must clearly state how their proxy is to be used. Any ambiguity shall be dealt with in accordance with Article 12.3.5
- 12.3.3. A proxy shall be used as though that member was present at the General Meeting.
- 12.3.4. To be valid a proxy must be given to any Officer of the Club at least 7 days before the General Meeting. The Officer should register that proxy with the Chairman before the start of the General Meeting. If that Officer for any reason fails to ensure that that the proxy is properly delivered or used any resolution passed at the relevant General Meeting shall still be valid. The only way for a member to ensure that their vote is effective is to be present in person.
- 12.3.5. If there is any ambiguity regarding the proxy the Chairman of the Meeting in consultation with any two Committee members may interpret or invalidate the proxy and their decision shall be final.

## **13. DISSOLUTION**

- 13.1. A decision to dissolve the Club and how to dispose of the Club assets can only be made at a Special General Meeting and any such decision must be made by secret ballot.

## **14. DISCIPLINE AND COMPLAINTS**

- 14.1. By accepting membership of the Club each member acknowledges the right of the Club to enforce such disciplinary procedures as may be required and agrees to abide by the decisions of the Club in such matters.
- 14.2. A member may be disciplined by the Complaints Committee for any of the following:

- 14.2.1. Failure to comply with any of the following Prohibitions:
  - 14.2.1.1. The taking, pursuit or shooting of live game or vermin shall at all times be strictly prohibited on the Club's shooting grounds (except to avoid unnecessary animal suffering), or
  - 14.2.1.2. Failure to comply with the prohibition of betting on the Club's shooting grounds, this bye-law is a disciplinary matter which may result in expulsion from the Club.
  - 14.2.1.3. No one taking part in shooting on the Club's shooting grounds shall be under the influence of drink or drugs.
  - 14.2.1.4. The safety of Club members, guests and members of the public is of paramount importance as is the orderly conduct of all activities on Club premises, therefore dangerous and disorderly behaviour will not be permitted and the instructions of the Range Officer, or any Committee member or the persons appointed as referee and marker of any relevant shooting squad must be obeyed at all times. Dangerous and disorderly behaviour or failure to follow instructions of any such designated official may result in immediate expulsion from the ground and the decision of the Range Officer (in consultation with any other Committee members as he/she sees fit) shall be final.
  - 14.2.1.5. Such matters must be referred to the Club Chairman and will be further considered and dealt with in accordance with the disciplinary procedures detailed herein.
  - 14.2.1.6. A notice of these prohibitions will be displayed prominently in the Club premises and members shall draw the attention of their guests and visitors to the Club to these prohibitions.
- 14.2.2. Anything which in the opinion of the Committee constitutes gross misconduct that is likely to compromise safety and/or damage the reputation, image or harmony of the Club or the sport of shooting in general. Examples of gross misconduct shall include the following, which are not exhaustive:
  - 14.2.2.1. failing to comply with the Prohibitions detailed at 14.2.1,
  - 14.2.2.2. failing to comply with the Club's Safety, Health & Safety or Child Protection procedures,
  - 14.2.2.3. theft; fraud; deliberate falsification of Club records,
  - 14.2.2.4. fighting; assault on another person in the confines of the Club's premises,
  - 14.2.2.5. deliberate damage to Club property,
  - 14.2.2.6. shooting whilst impaired or incapable through alcohol or drugs,
  - 14.2.2.7. loss of the members Regulated Weapon Certificate,
  - 14.2.2.8. failure to notify the Committee of the loss of Regulated Weapon Certificate,
  - 14.2.2.9. conviction of any criminal act excluding any non-custodial motoring offence.
- 14.3.** Disciplinary matters or any formal complaints by members or disputes between members (herein after collectively referred to as Complaint[s]) will in the first instance be heard by a sub-committee (hereinafter referred to as the Complaints Committee) established for the purpose which may consist of either members of the Committee and/or Vice-Presidents. The Complaints Committee shall be chosen by the Committee. Any person who is considered to have been actively involved in any incident which gives rise to a complaint hearing shall not be a member of the Complaints Committee.
- 14.4.** The Complaints Committee shall from its members elect a Chairman who shall have a casting vote and a Secretary who shall minute all meetings.
- 14.5.** Either the Committee or the Complaints Committee shall have the power to suspend the membership of any person who is the subject of a Complaint until the matter has been fully investigated, especially if they consider that safety is an issue. This should not be taken by any party as an indication of the decision of the Complaints Committee and must not influence its decision. Such decision will be communicated to the relevant person in writing by the Chairman of either the Complaints Committee or the Committee.
- 14.6.** Any member whose conduct gives rise to a Complaint shall be notified of the fact in writing by the Chairman of the Complaints Committee in sufficient detail to enable them to answer the allegation. The written notice shall also advise the member of the date of the meeting when the matter is to be discussed which shall if practicably possible be not less than 14 days or more than 28 days after the date of the written notification.



- 14.7. The member whose conduct gives rise to a Complaint shall be entitled to attend such a meeting to refute the allegation or to present their case at such meeting. In presenting their case the member may be assisted by another member of the Club.
- 14.8. The Complaints Committee shall decide the matter by simple majority. In the case of a split decision the Chairman shall have a deciding vote. In the case of an adverse decision the Complaints Committee may impose such penalty as they feel is appropriate to the circumstances; including but not restricted to suspension for any period or exclusion from membership of the Club.
- 14.9. The decision of the Complaints Committee shall be communicated in writing by its Chairman to the Club Chairman and the member whose conduct gives rise to a Complaint, who shall have the right of appeal as set out in the appeal procedure detailed in Article 14 hereof.

## **15. APPEAL PROCEDURE**

- 15.1. Any member wishing to appeal against a determination of the Committee or Complaints Committee shall notify the fact in writing to the Chairman of the Club within 14 days of the date such notification was posted. Such notice of appeal shall state the grounds of appeal and shall be accompanied by a fee of £25.00 which will be refunded in the case of a successful appeal (being a reversal of finding not a variation of penalty).
- 15.2. The appeal shall be heard by a sub-committee (the Appeals Committee) consisting of a Chairman (appointed in accordance with Article 15.3) and six members of the Club picked at random from the current membership list (excluding day members and juniors), any such individuals must not have been present at the original complaint hearing.
- 15.3. The Chairman of the Appeals Committee shall be the Patron, the President or a Vice-President chosen by the Club Chairman at random. Two reserve Chairmen of the Appeals Committee shall also be chosen in case the Appellant exercises the right of objection to the original nominee or the original nominee is not available.
- 15.4. A list of reserve appeal sub-committee members shall also be prepared at random from the club membership (excluding day members and juniors) in case the Appellant exercises the right of objection to any original nominee or any one of the original nominees is not available.
- 15.5. The Secretary on being notified of the sub-committee nominees by the Club Chairman will inform the Appellant in writing of the proposed date of the hearing (giving not less than twenty-one days' notice) and the proposed Chairman and members of the Appeal Committee. If the Appellant believes that any member of the Appeals Committee is unacceptable, he/she may ask for the Chairman to be replaced once and object to up to two members of the Appeals Committee without giving reason, the subject(s) of the objection will stand down and be replaced by the next reserve(s).
- 15.6. The Appellant must notify the Secretary of his objection in writing to any proposed members of the Appeals Committee in writing not less than fourteen days before the date proposed for the hearing. Any late notification shall not be valid.
- 15.7. The Appeals Committee shall be given copies of all relevant correspondence and minutes.
- 15.8. The Chairman of the Committee or Complaints Committee shall explain to the Appeals Committee how the Committee or Complaints Committee reached its decision. The Chairman may be assisted by one other member of the Committee or Complaints Committee.
- 15.9. The Appellant, who may be assisted by one other club member shall explain to the Appeals Committee his objections to the decision of the Committee or Complaints Committee
- 15.10. The Appeals Committee whose decision is final and binding on all parties may amend or confirm the finding of the Committee or Complaints Committee and may vary any penalty imposed save that they may not increase the severity of the original penalty imposed in the case of a disciplinary offence.
- 15.11. The decision of the Appeals Committee shall be notified to Appellant by the Chairman of the Appeals Committee within 14 days of the meeting at which the appeal was considered.