

# **CROYDON MOUNTAINEERING CLUB**

## **CONSTITUTION**

(As amended at AGM. 8.11.2006, at AGM. 14.11.2012 and again at AGM. 23.11.2016)

### **1. NAME**

The name of the club shall be the Croydon Mountaineering Club (herein referred to as the CMC).

### **2. OBJECT**

The object of the CMC is to foster interest in and to promote the sport of mountaineering among its members.

### **3. MEMBERSHIP**

i) There shall be three classes of membership. Full, Associate and Life. Membership shall be available to all persons of age 18 and over at the discretion of the Committee, which may refuse, suspend or revoke membership other than for reasons of race, colour, creed or political belief. Membership shall not be open to minors except with the consent of the Committee and where written parental/guardianship consent is obtained. Members shall abide by the constitution and any rules of the CMC.

ii) In addition to 3(i) above membership of the CMC shall only be open to individuals who recognise that climbing and mountaineering are activities with a danger of personal injury or death. Members shall be aware of and accept these risks and agree to be responsible for their own actions and involvement.

iii) Subject to the provision of paragraphs 3(i) and 3(ii), Full membership shall be available to all persons.

iv) Subject to the provisions of paragraphs 3(i) and 3(ii), Associate membership shall be available to all persons living outside a radius of 46.8 miles that equates to 75 kilometres centred on Croydon.

Associate membership shall also be made available in other circumstances as the Committee may decide.

Associate members shall be ineligible for election to the Committee but shall enjoy all other benefits and obligations of membership.

v) Life membership may be conferred upon any person be they member or not by decision of a General Meeting. Life membership shall also be available on payment of ten times the annual Full membership subscription or other sum as may be determined from time to time by an Annual General Meeting.

Life members shall enjoy all the benefits and obligations of membership, but shall not be liable for annual membership subscriptions.

vi) A person whose membership has been revoked or suspended shall have the right to appeal to the next General Meeting.

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## **4. MISCONDUCT**

- i) Any complaint against a CMC member's conduct must be in writing and addressed to a member of the Committee (preferably via the Club Secretary).
- ii) If in the opinion of the Committee, the allegation of misconduct appears to be legitimate and the alleged misconduct appears to have been prejudicial to the interests of the Club and/or its members, the Committee shall, in writing, request an explanation from the member complained against.
- iii) If no explanation acceptable to the Committee is received within a reasonable time, then the Committee shall have the power to take any disciplinary action which it considers appropriate.
- iv) In serious cases, where it seems essential to take immediate action, the Committee shall consult among themselves to decide on the interim action to be taken (including immediate suspension of membership) pending the next Committee Meeting at which the matter will be determined as defined below.
- v) If expulsion or if (continued or future) suspension from the Club is to be considered then the member/s must be invited to the next Committee Meeting to make their case. The format and expectations of this meeting will be explained to the member/s concerned. If this is not possible or practicable; then other arrangements may be made. If deemed appropriate by the Committee then the complainant may be requested to attend (at their agreement). The member/s to which the complaint has been made against may also, if deemed appropriate by the Committee, invite a fellow member/s along to the meeting.
- vi) If expulsion or if (continued or future) suspension of the member/s concerned is deemed by the Committee to be appropriate it shall be by a two-thirds majority of the Committee members present at the meeting (assuming it is quorate) with the Chairman having, on this occasion, a free vote.
- vii) The member/s shall have the right of appeal at an Extraordinary General Meeting called by Committee for this purpose (giving reasonable notice) at which the majority for expulsion must be two-thirds of the members present. In the event that the number of members present is less than a minimum of 25% of the Club membership (all classes of membership) then the Committee's original decision shall stand.
- viii) There shall be no rebate of subscription for a suspended or expelled member.
- ix) Time scales should be decided by the Committee with equal regard to what is practicable and expedient.

## **5. EFFECT OF CEASING TO BE A MEMBER AS RESULT OF EXPULSION**

- i) On ceasing to be a member a person forfeits all right to and claim upon the Club and its property and funds.
- ii) A person who has been expelled from the Club shall not be entitled to participate in any subsequent activity of the Club nor to attend the Club's meetings.
- iii) Paragraphs 5 (i) & (ii) will also apply to a member who has been suspended by the committee under paragraphs 4 (iv) for the duration of that suspension.

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## **6. FINANCE**

- i) Subject to the provisions of paragraph 3(v), members shall be liable to annual subscriptions, payable in advance and due on 31<sup>st</sup> December. Any member failing to renew his/her membership by this date shall cease to be a member.

The Full membership subscription shall be determined from time to time by an Annual General Meeting. Associate members, Full members undergoing a full-time course of education, and other Full members in circumstances as may be decided upon by the Committee, shall pay half the annual Full membership subscription or such other sum up to the Full membership subscription as may be determined from time to time at an Annual General Meeting.

- ii) “Any person first joining the CMC after the last day of June may, at the discretion of the Committee be required to pay a reduced subscription. Any person first joining the CMC at what ever date, the membership will elapse on 31<sup>st</sup> December, subject to the provision of paragraph 3(v)”
- iii) Members may be required from time to time to pay a reasonable charge for goods or services of any kind provided by or at the behest of the CMC.

Subject to the provisions of paragraph 6(i) and 6(ii) no other charge, fee or levy shall be raised except at the instigation of a General Meeting.

- iv) Subject to the provisions of paragraph 6(iii) funds may be raised as decided by the Committee. Funds shall be spent in furtherance of the Objective as decided by the Committee.
- v) Books of account shall be kept by the Treasurer and accounts for the past year presented to the Annual General Meeting.

## **7. MANAGEMENT**

- i) The Committee shall decide the policy and be responsible for the management of the CMC. The Committee shall have full powers to act for and on behalf of the CMC in any matter arising not covered by the constitution. Resolutions passed at General Meetings under the provisions of paragraphs 9(i)g and 9(ii)e shall not be binding on the Committee.
- ii) The Committee may make rules.
- iii) The Committee may grant authority to Officers of the CMC to act for the Committee.
- iv) In an emergency the Chairman may act, without prior authority, with the full powers of the Committee and in such circumstances shall report any action taken to the Committee as soon as possible. The Chairman may delegate these powers, as he deems necessary.

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## **8. THE COMMITTEE AND OFFICERS**

- i) The Committee shall comprise up to nine Full and/or Life members elected at a General Meeting.  

All prospective Committee members shall be both nominated and seconded by CMC members not less than 4 weeks prior to the election and the agreement of the nominee shall have been obtained in writing. Notice of the AGM to members, or of other General Meeting at which elections will take place, shall include the names of nominees.
- ii) The Chairman, Secretary and Treasurer shall be elected by the membership at a General Meeting from candidates whose nomination shall include a statement of their intention to stand for one of these offices. The Committee shall appoint from amongst its members any other Officers as it deems necessary.
- iii) The Committee may appoint as Officers (other than Chairman, Secretary, or Treasurer) members other than those elected to the Committee and may co-opt such Officers to the Committee with or without voting powers.
- iv) Any person may be co-opted to the Committee to serve in an advisory capacity. A person thus co-opted shall have no voting powers.
- v) The Committee shall meet regularly throughout the year with at least one meeting every three months and a minimum of six per annum.
- vi) One half of all serving Committee members shall constitute a quorum at Committee meetings.
- vii) All Committee members must be given reasonable notice of forthcoming Committee meetings.
- viii) Where a decision of the Committee cannot be reached by consensus a simple majority of those present and voting shall decide. The Chairman shall have only a casting vote.
- ix) If the Chairman, Secretary or Treasurer leave office for any reason without there being a General Meeting at which a successor is elected, the Committee will appoint an interim Chairman, Secretary or Treasurer from amongst the remaining elected committee members. A General Meeting shall be called within six months for the election of a succeeding Chairman, Secretary or Treasurer by the membership.

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## **9. GENERAL MEETINGS**

- i) The Annual General Meeting of the CMC shall be held in the month of November and shall:
  - a. elect the Committee
  - b. hear any membership appeals

The Meeting may also:

- c. confer Life membership
  - d. determine membership subscriptions
  - e. authorise the Committee to raise charges, fees, or a levy on members
  - f. amend the constitution
  - g. discuss any other matter and pass resolutions
- ii) At the request of the Committee, or of one third of the members, the Secretary shall call an Extraordinary General Meeting.

An Extraordinary General Meeting shall hear any membership appeal and may:

- a. Confer Life membership
  - b. Dissolve the Committee and elect a new Committee
  - c. Authorise the Committee to raise charges, fees, or a levy on members
  - d. Amend the constitution
  - e. Discuss any other matter and pass resolutions
- iii) General Meetings shall be open to all members and persons who have had their membership revoked or suspended since the last General Meeting. Four weeks written notice of the date, time and place of the Meeting shall be given to all those entitled to attend.
- iv) Voting at General Meetings:

Any member (including Associate members) who cannot be present at a General Meeting shall be entitled to a postal vote, or to vote by email. To register for a postal or email vote members shall give at least two weeks written or email notice to the Secretary. Postal or email votes shall be returned to the Secretary at least two days before the General Meeting.

- a. For election of the Committee (i.e. 9(i)a.), all members shall be entitled to vote and decisions shall be by a simple majority vote of those voting. In the event of a tie, decisions shall be by simple majority vote of those present and voting.
- b. For all other matters (i.e. 9(i)b – g and 9(ii)), all members shall be entitled to vote and decisions shall be by a simple majority vote of those present and voting except for amendments to the constitution which shall require a two-thirds majority of those present and voting.

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## **10. DISSOLUTION**

- i) The CMC shall be dissolved only at the instigation of a Dissolution Meeting.
- ii) A Dissolution Meeting may be called by:
  - a. The Committee
  - b. One third of the current membership

The Club Secretary shall give a minimum of four weeks notice of such a meeting to all those entitled to attend.

- iii) A Dissolution Meeting shall decide whether the CMC be dissolved and if so appoint with the appointees consent, the Committee or other person or persons with full powers to wind up the affairs of the CMC. The Meeting may nominate a mountaineering organisation(s) or charity(ies) to whom the balance of any funds shall be paid. The meeting shall have no other powers.
- iv) A decision to dissolve the CMC shall require a two-thirds majority of those present and voting. Other decisions shall be by simple majority of those present and voting. Decisions of the Meeting shall be binding on the Committee, person or persons appointed to wind up the affairs of the CMC.
- v) The Committee, person or persons appointed shall expediently release the assets of the CMC and after payment of any debts, donate the balance to the British Mountaineering Council, or to such other mountaineering organisation(s) or charity(ies) as may have been decided at the Dissolution Meeting.

## **11. INTERPRETATION**

In the event of a dispute as to the interpretations of this constitution the ruling of the Chairman shall be final. The use of the male gender shall be interpreted as applying equally to the female.

## **12. BRITISH MOUNTAINEERING COUNCIL**

In the event that the Members resolve that the Club shall affiliate to the BMC, the Members acknowledge and agree that they will become Club Members of the BMC and that the Club shall pay the appropriate subscription on behalf of each Member included in the returned file by the Club with the BMC, and, in the event of the BMC being wound up, shall pay the sum of not more than £1 on behalf of each Member included in a return filed by the Club with the BMC at any time within the preceding period of one year pursuant to the guarantee comprised in clause 6 of the Memorandum of Association of the BMC. The Members further acknowledge and agree that upon the Club being affiliated to the BMC and each becoming a Club member of the BMC that they will each be bound by the Memorandum & Articles of Association of the BMC.