

## **Annex 1 - York City Baths Club Bylaws**

### **19. The Protected Fund**

- 19.1 Without prejudice to the generality of the other provisions of these Rules as amended from time to time the following specific provisions shall apply to the net proceeds of sale of the City Arms Sports and Social Club and the income thereof (hereinafter called "The Protected Fund").
- 19.2.1 At the end of the financial year of the Club in which this clause of these Rules shall first come into full force and effect the Treasurer shall calculate by reference to the Index of Retail Prices the sum required to be added to the said net proceeds of sale of the City Arms Sports and Social Club in order to maintain their value as against inflation at their initial value as at the date of completion of such sale and a similar calculation shall be carried out at the end of every subsequent financial year in order to determine the sum required to be added to the capital of The Protected Fund in order to maintain its value as against inflation over such financial year.
- 19.2.2 At the end of each Financial year the net income arising, from the investment of The Protected Fund shall be first applied as an addition to the capital of The Protected Fund up to the amount of the sum calculated in accordance with 19.2.1 above (this being in order to protect the value of the capital of the Protected Fund against inflation) and any net income (if any) over and above such amount shall be made available to such Subcommittee as shall be established for the management and expenditure of such income AND FOR THE AVOIDANCE OF DOUBT it is hereby explicitly stated that this sub clause shall apply to the application of the net income arising from the investment of The Protected Fund alone and shall not impose upon the Club any duty or obligation to pay out of its general operating funds any sum to make up any shortfall between the net income arising from the investment of The Protected Fund and the sum calculated in accordance with 19.2.1 above.
- 19.3.1 The capital investment method of the Protected Fund shall be determined as follows:
- 19.3.2 The committee shall be able to authorise the investment of the whole or any part, of the capital of The Protected Fund in any reputable High Street bank or building society deposit account and/or Government stocks and/or National Savings investments.
- 19.3.3 The Committee may also authorise the investment of the whole or any part of the capital of The Protected Fund in such investments as shall be recommended by an Independent Financial Adviser (who shall not be a member of the Club) as being of low to medium risk provided that such investment shall require the authorisation by vote of at least two thirds of the whole Committee then in office.
- 19.3.4 Any proposal for investment not falling within 19.3.2 and/or 19.3.3 above must be referred to the Club in General Meeting and shall only be implemented if approved by the votes of at least three quarters of all members entitled to attend and vote at such meeting.
- 19.3.5 Any proposal for the expenditure of the whole or any part of the capital of The Protected Fund must be referred to the Club in General Meeting and shall only be implemented if approved by the votes of at least three quarters of all members entitled to attend and vote at such meeting.
- 19.3.6 Rule 19 is subservient to Rule 16.3

### **20 Standing Swimming Sub-Committee**

- 20.1 There will be a standing Swimming sub-committee comprising: Chairman or nominee, Treasurer, Workforce Coordinator, Gala Coordinator, and up to 4 (four) Members, who may or may not be EC members, yet shall be involved in regular poolside activity. Representation shall include at least one teaching member of the club and parental representation shall be actively sought. 3 (three) formal sub-committee members will constitute a quorum. Additionally, any professional coaches used by the Club under 'contracts for service provision' may be invited to attend by agreement of the sub-committee.

Additionally the sub-committee may invite the Club Captains to attend for items that are directly relevant to the swimming members other than masters.

- 20.2 Under the direction of the Executive Committee, the Swimming Committee shall be responsible for the organisation of standards, the appropriate use of the Club's existing pool time, criteria for movement between groups, nominations for Club Captains and Vice Captains from amongst Club Swimming Members and any other matters referred to it by the EC. The positions of Club captains and vice captains will be held for a period of one year.

## **21 Membership Categories**

- 21.1 The Club shall have several forms of membership, with the stated rights and privileges as follows and be subject to Rule 8 where applicable:

Category 1: **Swimming Member** (Over 18 years of age).

*May stand for election, speak and vote at any AGM or SGM, provided that membership has been held for at least 3 (three) calendar months before the AGM or SGM.*

Category 2: **Junior Swimming Member** (Under 18 years of age).

***May not** stand for election, speak or vote at any AGM or SGM*

Note: A parent or guardian of a Junior Swimming Member may speak and vote on behalf of that one Junior Swimming Member at an AGM or SGM. Only where there are two or more Junior Swimming Members in the immediate family, may the second parent or guardian speak on the behalf of said Member(s) at an AGM or SGM, The second parent or Guardian may also vote on behalf of only one other Junior Swimming Member in the family.

For the Avoidance of Doubt: Any parent or guardian wishing to vote on behalf of a family Junior Swimming Member, may do so, but on the clear understanding that, if they are a voting Member in their own right, they are only allowed 1 (one) vote on any particular resolution before the GM. They **do not** have the right to vote twice, being once for themselves and once for the Junior Swimming Member.

Category 3: **Associate Member** (person having a direct interest in the Club, by for example having children swimming with the club and the appropriate Membership fee having been paid. Another specific group is the qualified teachers and coaches to level '1', who give of their time regularly to YCBC in this way, without receiving any payment directly from the club. This group is awarded category 3 membership in recognition of services rendered and such privilege ceases once their teaching/coaching commitment with the Club ceases. The members of this group will be clearly identified on the membership list kept up to date by the Secretary).

*May stand for election, speak and vote at any AGM or SGM, provided that membership has been held for at least three calendar months before the AGM or SGM.*

Category 4: **Honorary Member** (person assisting on the poolside or elsewhere with Club activity, granted this status by the EC. This membership will cease when that person is no longer assisting. This category is essentially for Public Liability Insurance purposes).

***May not** stand for election, speak or vote at any AGM or SGM.*

Category 5: **Life Member** (elected at an AGM on the recommendation of the EC for services to the Club).

*May stand for election, speak and vote at any AGM or SGM.*

Category 6: **Vice President** (elected at an AGM on the recommendation of the EC for services to the Club. They do not need to have been, or be, Club Members at the time of election).

*May not stand for election, speak or vote at any AGM or SGM by virtue of this membership category. If the person has voting rights and other privileges by holding another relevant membership category, then these rights are maintained through that membership category*

Note: No person (except under Rule 11.3 for the Chairman) may have more than one vote at an AGM or SGM.

- 21.2 The membership rates shall be as set by the EC and reported to the AGM, as defined by Rule 4.

## **22. Refusal of Change of Membership Class**

Under the circumstances outlined in rule 3.5, the Committee, or other person(s) authorised by the Committee shall be required to give reasons for the refusal of any application for the change in membership class. Any person refused such a membership change may seek a review of this decision before a review panel appointed by the EC ("Review Panel") comprised of not less than (three) members (who may or may not be members of the EC). The panel may, for more controversial situations, include one, independent member nominated by the N.E. The person refused membership shall be entitled to make representation to the Review Panel. The procedures for the review shall be at the discretion of the Review Panel whose decision shall be final and binding.

## **23 Executive Committee Roles**

- 23.1 The structure of the Executive Committee is defined by Rule 7. The additional roles required to manage specific activities of the club are as follows:
- 23.1.1 **Workforce Co-ordinator** – responsible for co-ordinating the recruitment and organisation of volunteers within the Club.
- 23.1.2 **Swim 21 Co-ordinator** – responsible for the development and implementation of the Swim 21 initiative within the Club.
- 23.1.3 **Fundraising Co-ordinator** – responsible for co-ordinating the Club's fundraising activities.
- 23.1.4 **Publicity Co-ordinator** – responsible for publicity and press relations for the Club.
- 23.1.5 **Gala Co-ordinator** – responsible for the organisation of any galas held by the Club.

## **24 Any Other Matters**

Any matter not exclusively dealt with in these Rules, shall be dealt with by the EC.