



WIGAN ST. PATRICKS ARLFC

CONSTITUTION and CLUB RULES



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Constitution and Club Rules

1. Club Name

The Club shall be called **WIGAN ST. PATRICKS AMATEUR RUGBY LEAGUE FOOTBALL CLUB** (the "Club").

2. Objects and Purpose of the Club

The objects and purpose of the Club shall be to:

- promote participation and provide facilities for the sport of community Rugby League in the Wigan area;
- arrange matches and social activities for its members;
- offer coaching and competitive opportunities in community Rugby League;
- promote the Club within the local community and encourage community participation in its activities;
- provide for its members the means and facilities for social engagement and social activities;
- manage the sporting and social facilities of the Club; and
- provide facilities for and promote participation in such other sports and activities as may be considered appropriate.

3. Means of Advancing the Objects and Purpose

In order to advance the objects and purpose of the Club, the Club Committee and/or the appointed Trustees of the Club shall have power to:

- acquire and provide playing fields, equipment, training and playing facilities and a Clubhouse for the Club and its members
- provide coaching, training, transport, medical treatment and social and other related facilities
- acquire and provide insurance cover for the Club, its facilities, players, employees, guests, contractors and third parties

- raise funds by appeals, subscriptions, fundraising events, loans and charges
- borrow money and give security for any such borrowings
- open and maintain one or more bank accounts in the name of the Club
- buy, lease or license property and equipment and sell, let or otherwise dispose of the same
- make grants and loans, give guarantees and provide other benefits
- set aside or apply funds for special purposes or as reserves
- deposit and invest funds in a manner permitted by law
- employ and engage staff and others and provide services
- co-operate with or affiliate to any body regulating or organising the relevant league, sport or competition in which the Club is participating, any club or organisation involved in it and any relevant Government or related agency
- do all other things reasonably necessary to advance the objects and purpose of the Club

PROVIDED ALWAYS that the above powers may be used for no purpose whatsoever other than to advance the objects and purpose of the Club in a manner that is consistent with this Constitution and Club Rules and with general UK law.

4. Club Affiliation

The Club shall be affiliated to the Rugby Football League and to the British Amateur Rugby League Association ("BARLA") and its associated leagues, particularly the National Conference League, the North West Men's Rugby League, the North West Women's Rugby League, the Women's Rugby League Association Winter League, the North West Counties Youth and Junior Rugby League and the Wigan Amateur Rugby League. In addition, or in substitution for the above, the Club may also become affiliated to such further or other leagues as, in the opinion of the Club Committee, are, or may become, appropriate.

5. Status of the Club Rules

The following rules (the "Club Rules") shall form a binding agreement between each member of the Club.

6. Club Rules and Regulations

- (a) The members of the Club shall so exercise their rights, powers and duties and shall, where appropriate, use their best endeavours to ensure that others conduct themselves in such a way, that the business and affairs of the Club are carried out in accordance with the Rules and Regulations for the time being in force of the Rugby Football League ("the RFL"), BARLA and those Leagues to which the Club is

affiliated or the Competitions in which it participates.

- (b) No alteration to the Constitution or Club Rules shall be effective without the agreement of a two-thirds majority of the votes cast at an Annual General Meeting or Extraordinary General Meeting of the Club and shall not in any event have the effect of altering the requirements for dissolution of the Club and/or disposal of its assets upon dissolution.
- (c) The Club will at all times abide by the Safeguarding Policies and Procedures, Equality Policy and Codes of Conduct adopted or promoted by the RFL, BARLA or those Leagues or Competitions in which the Club participates and will comply with general UK law in these and in all other respects.

7. Club Membership

- (a) The members of the Club shall be those persons listed in the record of members ("the Club Membership Record") maintained by the Club Treasurer.
- (b) Membership of the Club shall be open to anyone interested in sport on application, regardless of gender, age, sexual orientation, gender reassignment, marital, family or civil partnership status, pregnancy or maternity, race, nationality, ethnic origin, colour, religion, belief, ability, disability (including physical impairment, learning needs, mental health status or sensory impairment), class or social background, political persuasion, trade union membership or social or economic status. Membership may, however, be limited on a non-discriminatory basis according to the facilities available to the Club.
- (c) Any person who wishes to be a member of the Club must apply by way of the Membership Application Form prescribed for this purpose and deliver this to the Club. Acceptance to membership of the Club shall at all times be at the discretion of the Club Committee and shall be granted in accordance with this Constitution and Club Rules and with the anti-discrimination and equality policies relating to the Club, as varied or updated from time to time. Membership shall become effective upon the applicant's receipt of a Membership Card and payment of the required Club Membership fee.
- (d) No application for membership of the Club will be accepted during the period between notice of a Club AGM or EGM being given (in accordance with paragraph 11(f) below) and that AGM or EGM taking place. Any such application received within that period shall be considered and decided upon within a seven day period following the AGM or EGM.
- (e) Subject to the exclusion in paragraph 7(d), refusal of membership may only be for

good reason and on non-discriminatory grounds relating to the best interests of the sport of community rugby league or the good conduct and interests of the Club. The reasons for refusal of membership shall be clearly explained to the person concerned. Any appeal against refusal of membership may be made to the Club Committee in accordance with the Club Complaints Procedure in force at the relevant time.

- (f) The Club may have different classes of membership and subscription, though this will at all times be operated on a fair and non-discriminatory basis and the Club's facilities will remain equally available to all Club members.
- (g) The categories of membership offered by the Club shall be as follows:
 - Playing Members
 - Non-Playing Members
 - Volunteer Members
 - Honorary Members
- (h) Volunteer Members shall be deemed to be Club Members from the date of their appointment by, or on behalf of, the Club Committee to the date of cessation of their Volunteer role.
- (i) All members will be subject to the regulations contained in the Constitution and Club Rules and to all policies and Codes of Practice adopted by the Club and shall, upon becoming a member, be deemed to accept and agree to abide by those regulations, policies and Codes of Practice.
- (j) In the event that a member resigns, fails to renew their membership or is removed from membership of the Club by virtue of a decision of the Club Committee, their name shall be removed from the Club Membership Record.
- (k) All visiting teams, including their players, coaching staff, officials and supporters, shall be deemed to have been co-opted as honorary members of the Club for the duration of their stay.

8. Club Membership Fees

- (a) An annual membership fee payable by each category of membership shall be determined from time to time by the Club Committee and shall be set at a level that will not pose a significant obstacle to community participation in the Club. Any fee set shall be payable annually by each member and shall be paid by any new member immediately upon their application for membership being accepted. Membership fees shall not be repayable.

- (b) The Club Committee shall have authority to levy such further subscriptions upon each category of membership as are reasonably necessary to fulfil the objects of the Club. Such subscriptions shall be paid over such annual, monthly, weekly or other interval as may be determined by the Club Committee and shall be set at such a level that would not prove a significant obstacle to community participation in the Club or in the use of its facilities.
- (c) A membership fee or subscription will not be payable by Volunteer Members or Honorary Members in recognition of their voluntary contribution to the Club .

9. Resignation and Removal of Club Members

- (a) A member shall cease to be a member of the Club immediately upon giving notice to the Club Committee of their resignation. In addition, a member whose annual membership fee or further subscription is more than two (2) months in arrears shall be deemed to have resigned from membership of the Club.
- (b) The Club Committee shall have power to remove any person from membership of the Club should it believe on reasonable grounds that it is no longer in the interests of the Club or the sport of community rugby league for that person to remain a member or that their continued membership is likely to bring the Club or the sport into disrepute. An appeal against such a decision may be made to the Club Committee in accordance with the Club Complaints Procedure in force at the relevant time.
- (c) A member who resigns or is removed from membership of the Club shall not be entitled to claim any, or any share of, the income and assets of the Club (the "Club Property").

10. Club Committee

- (a) The Club Committee shall be responsible for the management of all the affairs of the Club, including its property and funds.
- (b) The Club Committee shall at all times consist of no less than five or more than twelve Club Committee members and shall include the following Officers of the Club:
 - Chairperson
 - Treasurer
 - Club Secretary
 - Club Welfare Officer
 - Facilities Manager

In addition to the above, but subject to the overall maximum of twelve Club Committee members, the Committee may include up to seven further members of the Club, to be elected at the Club's Annual General Meeting.

- (c) Only Club Committee Members shall have the right to vote at meetings of the Club Committee. In addition, each Club Committee Member will have only one vote, irrespective of the number of positions they hold.
- (d) The Club Committee shall have the power to co-opt other Club members to advise and assist the Committee from time to time in relation to specific matters, although such members will act in an advisory capacity only and shall not have voting rights in relation to any decision to be made by the Club Committee.
- (e) No person will qualify to be appointed as an Officer of the Club or elected as a Club Committee Member unless they are a Club Member who has attained the age of eighteen years and has had a significant involvement with the Club, either as a player, coach, volunteer, parent (including step-parent, grandparent or any other role acting substantially in the position of parent), sponsor or administrator.
- (f) Each Officer of the Club and Club Committee Member shall hold office from the date of their appointment until the next Annual General Meeting of the Club unless otherwise resolved by an Extraordinary General Meeting.
- (g) One person may hold no more than two positions as Officer of the Club at any one time. In addition, the positions of Club President, Chairperson, Treasurer and Club Secretary shall at all times be held separately, with no person holding more than one of these positions simultaneously.
- (h) Meetings of the Club Committee shall be chaired by the Chairperson or, in their absence, an Acting Chairperson nominated, seconded and selected by a simple majority of the Club Committee Members present. A minimum of five members of the Club Committee must be present to provide a quorum for the effective transaction of business.
- (i) Decisions of the Club Committee shall be made by a simple majority of those attending the Club Committee meeting and entitled to vote. In the event of an equality of votes, the Chairperson of the Club Committee meeting shall have a second or casting vote.
- (j) Decisions taken at meetings of the Club Committee shall be entered into the Minutes or other formal record of the meeting maintained by the Club Secretary.

- (k) The Club Committee shall meet as often as is required for the effective performance of the business of the Club and shall hold not less than four meetings in any calendar year. Any member of the Club Committee may convene a meeting of the Club Committee by giving not less than seven days' notice to all other members of the Club Committee.
- (l) The Club Committee may, for the effective and timely performance of its business and responsibilities, delegate any of its functions to a sub-committee or to one or more specified individuals, having first stated the scope and parameters of the powers delegated and the extent to which such sub-committee or individual(s) may bind or expend money on behalf of the Club Committee.
- (m) Any Club Committee Member having a personal or financial interest in the business of the Club Committee shall declare such interest and withdraw from any meeting or part of a meeting at which the matter in which they have an interest is to be discussed and shall have no vote in relation to the matter.
- (n) An outgoing Officer of the Club or Club Committee Member may be re-elected at the end of their term of office by a ballot of Club members at the Annual General Meeting of the Club. Any vacancy arising in the membership of the Club Committee may be filled between Annual General Meetings by a Club member being proposed by one and seconded by another of the remaining members of the Club Committee and being approved by a simple majority of the Club Committee.
- (o) Any Club Committee Member who fails to attend three consecutive meetings of the Club Committee without a reasonable excuse, accepted as such by the Club Committee, shall be deemed to have relinquished membership of the Club Committee. In addition, any Club Committee Member who ceases to be a member of the Club or who resigns by written notice from their position as Club Committee Member or is removed by the Club Committee shall cease to be a Club Committee Member with immediate effect.
- (p) The position of any Officer of the Club or Club Committee Member shall be vacated if the person holding such office becomes subject to a decision of the RFL, BARLA or any League to which the Club is affiliated that they be suspended from holding office or from taking part in any activity relating to the administration or management of a rugby league football club.
- (q) Except where provided by the Rules and Regulations of the RFL, BARLA or any applicable League or Competition in which the Club participates, the Club Committee shall have the power to decide all questions and disputes arising in respect of any issue concerning the Club Rules.

11. Annual and Extraordinary General Meetings

- (a) An Annual General Meeting of the Club ("AGM") shall be held on or before 31st December in each calendar year and shall take place no later than 15 months after the previous AGM.
- (b) The purpose of the AGM shall be to:
- receive a report concerning the activities of the Club since the previous AGM;
 - receive a report concerning the Club's financial transactions since the previous AGM;
 - receive and approve an annual Financial Statement concerning the Club's accounts and its current and projected financial position for the forthcoming year;
 - receive a presentation from the Club's accountants upon the Club's accounts for the previous financial year
 - appoint Officers of the Club and elect Club Committee Members for the forthcoming year;
 - appoint Trustees of the property owned by the Club, should any vacancy have arisen;
 - appoint the Club's accountants for the forthcoming year;
 - discuss and vote upon any resolution put to the meeting, whether in relation to Club policy or to changes in the rules of the Club; and
 - consider any other business.
- (c) Any Club member who has attained the age of 18 years and has had significant involvement with the Club as either a player, coach, volunteer, parent (including step-parent, grandparent or any other role acting substantially in the position of parent), sponsor or administrator may seek to be appointed as an Officer of the Club or elected as a Club Committee Member at the AGM. Nominations for the appointment of Officers of the Club or the election of Club Committee Members must be submitted in writing to the Club Secretary not less than 7 days before the AGM and be proposed and seconded separately at the AGM by two existing members of the Club. The Club Secretary shall not be eligible to nominate or second the election of any person to the position of Chairperson of the Club.
- (d) Notice of any other resolution to be proposed at the AGM shall be submitted in writing to the Club Secretary not less than 7 days before the AGM.
- (e) An Extraordinary General Meeting ("EGM") of the Club may be called at any time by the Club Committee. An EGM shall also be called within 14 days of the receipt by the Club Secretary of a requisition in writing signed by not less than five Club

members requiring a Meeting to be called and stating the purpose for which the Meeting is required and the resolutions to be proposed. An EGM may conduct any of the business of the Club that would otherwise have been transacted at an AGM.

- (f) The Club Secretary shall give written notice of the date, time and venue of an AGM or EGM, together with details of the resolutions to be proposed, by posting notice of these on the Club website at least 14 days before the date of the meeting.
- (g) All Club members who have attained the age of 18 years shall be entitled to attend and vote at an AGM or EGM.
- (h) A minimum of five Club members must be present to provide a quorum for the effective transaction of business at an AGM or EGM.
- (i) The Chairperson or, in their absence, a member selected by the Club Committee, shall take the chair at an AGM or EGM. Each member present shall be entitled to one vote and, unless otherwise provided by the Constitution and Club Rules, resolutions shall be passed by a simple majority. In the event of an equality of votes, the Chairperson of the Meeting shall have a second or casting vote. However, in the event that the resolution relates to the election of Chairperson of the Club, the second or casting vote shall lie with the Club Secretary and not with the Chairperson presiding at the meeting.
- (j) The Minutes of the AGM or EGM shall be kept as a formal record of the meeting by the Club Secretary or, in their absence, by a member of the Club Committee nominated for that purpose.

12. Club Finances

- (a) A bank account shall be opened and maintained in the name of the Club (the "Club Account"). The designated signatories for any dealings with the Club Account shall be the Treasurer of the Club together with two others from the Chairperson, the Club Secretary and any other current Club Committee Member provided at all times that none of those persons are related to each other or live at the same property. All monies payable to the Club shall be received and properly recorded by the Treasurer and shall be deposited into the Club Account by one of the designated signatories.
- (b) No sum shall be drawn from the Club Account except by a cheque signed by two of the designated signatories. Details of the payee and the amount to be paid must be

completed in each case before any of the designated signatories applies their signature to a cheque and in no circumstances should a designated signatory sign any cheque before such details have been entered onto both the cheque and the cheque stub.

- (c) Should payment of any kind (other than bar sales, but including collections from fruit machines or other automated sources) be received by the Club in cash, this should be collected and counted by two Officers of the Club in the presence of each other and recorded in writing for entry into the Club accounts.
- (d) The Club Committee shall have the power to authorise the payment of remuneration and/or expenses to any member of the Club or to any other person or persons rendering services to the Club. The Club shall not, however, remunerate a member for playing for the Club or for undertaking the duties of Club Committee Member, Trustee or Officer of the Club, although the reimbursement of legitimate out-of-pocket expenses incurred on behalf of the Club or on Club business shall be permissible where these have been previously agreed and where original receipts have been provided.
- (e) The Club may provide for its members and guests the ordinary benefits of a Community Amateur Sports Club, as provided for by Section 660 of the Corporation Tax Act 2010 or any succeeding enactment. These include the reasonable provision of:
- sporting and related social facilities;
 - the use of sporting equipment owned by the Club;
 - suitably qualified coaches;
 - reimbursement for the cost of coaching courses;
 - insurance cover;
 - medical treatment;
 - reimbursement of reasonable travelling expenses incurred by players and Club officials in travelling to away matches;
 - post match refreshments for players and match officials;
 - the sale or supply of food or drink as a social benefit arising incidentally from the sporting purposes of the Club.
- (f) The Club may also, in connection with the sports purposes of the Club:
- sell and supply food, drink and sports related clothing and equipment;
 - employ members and remunerate them for providing goods and services to the Club (although not for playing). Such employment and remuneration shall be on fair terms set by the Club Committee without the person concerned being present and shall be properly declared and accounted for to HM Revenue & Customs;

- pay for reasonable hospitality for visiting teams and guests; and
 - indemnify the Club Committee, the Club's Trustees and Club members against any liability incurred in the proper running of the Club, but only to the extent of the Club's assets.
- (g) The Club Treasurer shall be responsible for maintaining proper accounting records of all payments made and sums received by the Club, whether by cash, cheque, bank transfer or other means, and shall be in a position to disclose at any time with reasonable accuracy its financial position, including its assets and liabilities. Such accounting records shall be retained by the Club for a minimum period of six years.
- (h) Should any team within the Club maintain its own bank or other account, this must be declared and made open to the Club for accounting purposes as and when required and on at least a quarterly basis to enable the Club Treasurer to maintain a proper and full accounting record in this respect.
- (i) The Club Treasurer shall ensure that an annual Financial Statement is prepared in such format as may be recommended from time to time under Company law and by generally accepted UK accounting principles and practice. The Financial Statement shall be examined by an independent, qualified accountant who is a current member of the Institute of Chartered Accountants ("ICAEW") or the Association of Chartered Certified Accountants ("ACCA"), who will prepare a report upon the Financial Statement for Club Members similar or equivalent to that suggested by the Charities legislation current at the time. The Financial Statement, accompanied by the accountant's report, shall be presented for the approval of Club members at the Club's AGM or at an EGM specifically convened for this purpose. A copy of the Club's Financial Statement shall be provided to any Club member on demand and the Club accounts and the supporting documentation upon which it is based shall also be open to inspection by any Club member.

13. Club Property

- (a) All funds and property owned by the Club ("the Club Property") shall be applied exclusively in furtherance of the objects and purpose of the Club. Any profits or proceeds arising from the sale of any part of the Club Property shall also be used entirely for such purposes. Distribution to members or third parties of profits or proceeds arising from the sale of any part of the Club Property is absolutely prohibited.
- (b) The property and funds of the Club are not to be used for the direct or indirect private benefit of Club members other than as reasonably permitted by these Club Rules and all surplus income or profits arising from the Club's activities shall be reinvested into the Club.

- (c) The Club Property, other than the Club Account, shall be vested jointly in not less than two and no more than four Trustees appointed by the Club ("the Trustees")
The Trustees shall be appointed by the Club at an AGM or EGM and shall hold office until death or resignation, unless removed by the Club by resolution passed at an AGM or EGM.
- (d) The Trustees may not delegate their role or responsibilities to any other person and shall deal with the Club Property only as directed by the Club Committee. An entry in the Club's Committee Minutes or other formal record of the decisions of the Club Committee shall be conclusive evidence of such a direction.
- (e) The Trustees shall not be liable, other than as Club members, for any loss to the Club or to the Club Property arising from the discharge of their duties and responsibilities as Trustees, except where such loss has been caused by their negligence or default, and shall be entitled to an indemnity out of the Club Property for all expenses and other liabilities reasonably incurred by them in carrying out their duties as Trustee.
- (f) Upon their removal or resignation, a Trustee shall execute a Conveyance transferring the property they hold on behalf of the Club to the remaining Trustees (including any newly appointed Trustee), as directed by the Club Committee. Upon the death of a Trustee, all Club Property held by them shall vest automatically in the remaining Trustees. If at any time there is only one remaining Trustee, an EGM shall be convened as soon as possible to appoint at least one further Trustee.

14. Dissolution of the Club

- (a) Any resolution to dissolve the Club may only be proposed at a properly convened AGM or EGM and must be carried by a majority of at least three-quarters of the members present to become effective.
- (b) Dissolution shall take effect from the date the resolution is passed, following which the Club Committee shall be responsible for the orderly winding up of the assets and liabilities of the Club and of the Club's affairs.
- (c) Any surplus assets remaining upon dissolution following discharge of the Club's debts and liabilities shall be transferred for the sporting or charitable purposes of one or more of:
 - another Club with similar sports purposes which is registered as a charity by the Charity Commission

- another Club with similar sports purposes which is registered as a Community Amateur Sports Club with HM Revenue and Customs
- the RFL, BARLA or any other appropriate rugby league governing body for use by them for related community sports purposes.

15. Declaration

THIS CONSTITUTION for regulating the conduct and actions of Wigan St. Patricks Amateur Rugby League Club and its members was accepted and adopted by an Annual General Meeting of the Club held on 14th November, 2018 and replaces all previous versions of the Constitution and Club Rules prior to that date.

Signed: *C J Taylor*.....

Name: Catherine Taylor
 Position: Club Chairperson
 Date: 14th November, 2018

Signed: *P. Murphy*.....

Name: Peter Murphy
 Position: Club Secretary
 Date: 14th November, 2018