



## **Grand Falls-Windsor Gators Summer Swim Club Constitution**

**Final Updated October 25, 2017**

### **ARTICLE I – TITLE**

This organization shall be known as the GFW Gators (GFWG)

### **ARTICLE II – OBJECTIVES**

The objectives of the GFWG are to promote and govern an organized Summer Swim club as defined by the rules and regulations of Swim Newfoundland and Labrador (SNL) pertaining to same and to specifically foster among its members, supporters and swimmers a general community spirit, to maintain and increase the interest in all aspects of the sport of swimming, including but not limited to, swimmers both male and female, coaches, officials parents, volunteers and all members of the GFWG, to foster fellowship and friendship among the swimmers, both in and out of the pool and to be generally good ambassadors of the GFWG and the communities it represents, and to exercise a general care, supervision, and direction over the best interest of its members.

### **ARTICLE III – MEMBERSHIP**

GFWG Membership is defined as any one of the following categories and is subject to the approval of the Executive:

- i. All parents or legal guardians of registered swimmers “in good standing” with the GFWG;
- ii. Appointed Members defined as individuals who are assigned membership by the Executive for a specific term;
- iii. Registered swimmers;
- iv. Life-time honorary members as designated by the Executive. This class of membership is to be awarded at the discretion of the Executive to past members as recognition of their significant contributions to the GFWG and the achievement of its goals;

Only those members in categories III (i) and III (ii) shall have standing to vote at an Annual General Meeting or Special General Meeting or to hold office on the Executive.

### **ARTICLE IV – MEMBERSHIP FEES**

- 1.0 The annual registration fees and applicable due dates shall be determined annually by the Executive.
- 2.0 Any member whose registration fees are not paid in the manner prescribed by the Executive may at the discretion of the Executive be suspended by the Executive until such payment is made.



## **ARTICLE V – DISCIPLINE**

- 1.0 The Executive shall have power to suspend a member when, in its opinion, it would not be in the interests of the GFWG for the individual to remain a member and such suspension can be of a duration deemed appropriate by the Executive.
- 2.0 Upon suspension the members shall not be entitled to have any part of the annual membership fee to be refunded and all privileges otherwise afforded to a member in good standing will be revoked for the duration of the suspension.
- 3.0 The Officers of the Club (or any person to whom the Executive shall delegate this power) may temporarily suspend or exclude a member from a particular training session(s), when in their opinion, such action is in the interests of the Club.

## **ARTICLE VI – EXECUTIVE COMPOSITION AND DUTIES**

The GFWG shall be governed by an executive board (the “Executive”) selected by the voting members in attendance at the GFWG Annual General Meeting (AGM) which board shall serve until the next AGM. The Executive shall look after all affairs for the GFWG in a manner consistent with its constitution, by-laws, guidelines and procedures and those of Swim Newfoundland and Labrador (SNL) and comprise the following positions with the listed duties and responsibilities:

### **1.0 PRESIDENT**

The President, within the jurisdiction of the GFWG, shall have all the powers of the President of the Executive and without limiting the generality of the foregoing, the President shall have powers to:

- i. Sign any and all documents on behalf of the GFWG
- ii. Call regular meetings of the Executive during its term. For clarity purposes a “meeting” may be defined in terms of electronic media for the purpose of motions and voting.
- iii. Call Special Meetings of the GFWG membership as is deemed necessary.
- iv. Preside over all meetings of the Executive and the membership.
- v. Exercise the powers of the executive to discipline athletes, coaches or any member of the GFWG and subject that discipline to the appropriate ratification of the Executive within a timely manner as determined but in no case shall that ratification period exceed 14 days, after which if no ratification occurs the suspended member shall be in Good Standing.
- vi. May sit on all committees as ex-officio voting members and has the authority to assign committees, appoint their memberships and establish their terms of reference, any resultant recommendations are subject to the ratification of the board before implementation.
- vii. Assign duties to an executive member, as deemed necessary.
- viii. The President is permitted to have discussion on any motion on the floor.
- ix. The President is the representative of the GFWG with SNL and may assign a delegate to act on his or her behalf.
- x. The President is to preside over the GFWG in a manner compliant with the constitution and by-laws.



## **2.0 VICE – PRESIDENT**

- i. In the absence of the President or in the event of his/her inability to act first, the Vice-President shall have and exercise all the powers of the President.
- ii. The Vice-President shall at all times be an ex-officio voting member of all committees and be one of the signing officers for the association.
- iii. Shall assume the office of President for the remainder of that term of office, if for any reason the President cannot complete his/her term of office.
- iv. Shall ensure all volunteers and staff with the GFWG have current code of conduct and vulnerable sector check.

## **3.0 SECRETARY**

- i. Shall keep an accurate record of ALL proceedings and committee reports of the GFWG.
- ii. Shall, under the direction of the President, notify the Executive the time and place of all meetings.
- iii. Publish notice of all meetings of the general body of the GFWG and notify each member of the Executive directly at least one week beforehand.
- iv. Present the minutes of the previous meetings.
- v. Shall compile a listing of agreed activities assigned to Executive members and distribute to the Executive in a timely manner after each Executive meeting.
- vi. Shall be responsible to have all association documentation such as constitution, bylaws and committees including their terms of references, appointments, and GFWG guidelines, updated and available to the membership of the GFWG.
- vii. Shall provide safe keeping of all files and documentation of the association and is responsible for supplying to an incoming Executive in good order.

## **4.0 TREASURER**

- i. Shall keep a record of all monies received and disbursed;
- ii. Shall present at all executive meetings an update of all finances of GFWG;
- iii. Shall prepare a budget at the beginning of the season, with a committee appointed by the President;
- iv. Shall be one of the signing officers of the GFWG;
- v. Shall handle all liability claims, seeing they are processed and settled promptly;
- vi. Shall implement the members arrears policy;
- vii. Review any all fundraising activities within GFWG;
- viii. Shall prepare year end financials for presentation at the AGM

## **5.0 REGISTRAR**

- i. Shall receive and certify all certificates submitted to him/her on behalf of the swimmers for the GFWG;
- ii. Shall keep a registry of all swimmers members in “good standing” with the GFWG;



- iii. Notify the executive of all outstanding registration of swimmers after deadline for registration has passed;
- iv. Shall co-ordinate all phases of swimmer registration;
- v. Shall be responsible to register all swimmers, coaches, volunteers and officials with SNL;
- vi. Shall collect all monies for registration, which he/she shall turn over to the Treasurer;
- vii. Shall furnish a list of registered swimmers, coaches and officials with copies to the Secretary and the President.
- viii. Shall keep a record of registration on file at all times and a report at meetings when asked.

## **6.0 Team Manager**

The Executive of the GFWG shall appoint a Team Manager who shall be responsible for overseeing the program of the GFWG including scheduling and planning of practices, assignment of swimmers in events at competitions, both individual and team events. The Team Manager shall be a voting Executive member.

The executive of the GFWG shall appoint an Associate Coach(es) who shall be responsible for assisting the Team Manager with all duties.

## **7.0 PAST PRESIDENT**

This is a non-voting advisory position. The past president is entitled to attend meetings at the request of the Executive.

## **8.0 MEMBER AT LARGE (3 Positions)**

Perform tasks as required, to coordinate the needs and wants of members of the Executive, encourage family involvement, and assist in fundraising efforts

# **ARTICLE VII – EXECUTIVE PROCEDURE**

- 1.0 Executive meetings shall be held not less than once per month during the SNL Summer Swim season, and not less than once per 2 months during the remainder of the calendar year unless the Executive has resolved by majority resolution of all Executive members not to meet.
- 2.0 A quorum of any properly constituted meeting of the Executive shall be 50% of the sitting voting Executive. The President shall have discretion to call further meetings of the Executive if he/she considers it to be in the interests of the Club. The Secretary shall give all the members of the Executive Committee not less than one week oral or written notice of a meeting. Decisions of the Executive shall be made by a simple majority and in the event of equality of votes the President or the acting Chair of that meeting shall have a casting or additional vote to break a tie. The Secretary, or in her/his absence a member of the Executive, shall take minutes.
- 3.0 In the event that a quorum is not present within 30 minutes of the published start time, a meeting shall stand adjourned to the time and date falling seven days after the date of the meeting, or such other date and time as may be determined by the Chair.



- 4.0 The Executive may from time to time appoint from among their number of the general membership of the GFWG such committees as they may consider necessary including establishing the terms of reference of such committees and may delegate to them such of the powers and duties of the Executive as they Executive may determine. All committees so struck shall report their proceedings to the Executive when required by the Executive to do so and shall conduct their business in accordance with the directions of the Executive.
- 5.0 The Executive shall have authority power to make regulations, create by-laws and to settle disputed points not otherwise provided for in this Constitution.
- 6.0 The Executive shall have power to make, repeal and amend such by-laws as they may from time to time consider necessary for the well being of the GFWG which by-laws, repeals and amendments shall have effect until set aside by the Executive.
- 7.0 The Executive shall appoint a Nomination Committee which shall consist of the Part President as Chair and other members as designated.

## **ARTICLE VIII – CONFLICT OF INTEREST**

A conflict of interest is defined as a situation whereby an executive member has a private or personal interest in a situation sufficient to appear to influence the objective exercise of his or her duty as an executive member of the GFWG. If an executive member declares him or herself in conflict that executive member shall immediately vacate the meeting for all discussion on the conflicted topic. If an executive member is in doubt as to whether he or she is in a conflict on any motion or discussion of the executive, or upon motion made by a member of the executive that the executive member is in conflict and for such a vote the executive member whose possible conflict is being voted on is not permitted to vote. If an executive member is found by the executive to be in conflict the conflicted member shall immediately vacate the meeting for all discussion on the conflicted topic. A conflicted executive member shall not discuss any matter on which he or she is in conflict with any member of the executive.

## **ARTICLE IX – GENERAL MEETINGS**

1.0 The GFWG shall have an AGM on or before October 31 of each year. The sitting Executive will preside over and report to the Membership on the year's activities following which the Executive will vacate their positions and an election of officers will be conducted by the Chair of the Nominating Committee at which time the Membership shall elect a new Executive to serve until the next AGM. A quorum for the AGM will be 10 voting members, Notwithstanding the foregoing if two reasonable attempts to conduct an advertised AGM fail to attract at least 10 voting members, the sitting Executive can at its option conduct the AGM with those members present and if so any decisions made will have the same effect as if a quorum was present, or to remain in office until such time as a quorum is secured or appoint a new Executive under these extraordinary circumstances which Executive would have the same authority as if elected.

2.0 The purpose of the Annual General Meeting is to transact the following business:



- 2.1 To receive the President's report of the activities of the GFWG during the previous year;
- 2.2 To receive and consider the accounts of the GFWG for the previous year and the Treasurer's report as to the financial position of the Club;
- 2.3 To receive any committee reports of any committees struck by the Executive during the previous year;
- 2.4 To decide on any resolution which may be duly submitted in accordance with Rule;
- 2.5 To allow any member to table any discussion under the heading of new business;
- 2.6 To elect an Executive for the upcoming year.

### 3.0 SPECIAL GENERAL MEETING

Upon request of voting members totaling 50 percent plus one of the total swimmer memberships of the GFWG, the President shall convene a Special General Meeting of the GFWG.

## **ARTICLE X– ANNUAL AND SPECIAL GENERAL MEETINGS PROCEDURE**

- 1.0 The Secretary shall personally be responsible for the handing out or sending to each member at his/her last known email address a written agenda giving notice of the date, time and place of the General Meeting together with the resolutions to be proposed thereat at least fourteen days before the meeting.
- 2.0 The quorum for the Annual and Special General Meetings will be ten (10) voting individuals of the membership of the GFWG.
- 3.0 The President or in the President's absence an Executive member appointed by the Executive shall take the chair. Each member present shall have one vote and resolutions shall be passed by a simple majority, in the event of an equality of votes the Chairman shall have a casting or additional vote.
- 4.0 The Secretary, or in his/her absence a member of the Executive, shall take minutes at the Annual and Special General Meetings.
- 5.0 All general meetings shall be governed in a manner consistent with the GFWG's constitution and by-laws and in areas where the by-laws or the constitution are silent in a manner consistent with Robert's Rules of Order.

## **ARTICLE XI – AMENDMENTS**

Notices of Motions requesting amendments to the GFWG's constitution and/or by-laws may be presented and voted on at the AGM or a Special General Meeting of the GFWG. A Notice of Motion must be forwarded to the Executive at least 14 days prior to the AGM or Special General Meeting where the Motion is to be considered. Any notices of Motion received by the Executive must be circulated to the membership 7 days prior to the AGM or Special General Meeting. For purposes of this Article and Article VII circulation through the GFWG members email addresses is deemed sufficient notice.



## **ARTICLE XII – ABRIDGEMENT CLAUS**

Notwithstanding anything contained herein, for purposes of the Annual General Meeting of 2017, the standing committee that was created to assist in the running of the GFWG for the 2017 season has the authority to define the procedures for the election of officers and AGM. Such procedures as defined by the standing committee shall generally follow Robert’s Rules of Order and shall consist of the election of officers and executive meeting open to all members of the GFWG and any business so conducted will be valid.