

# **sportMoray**

## **CONSTITUTION**

### **1. NAME**

The organisation shall be known as “**sportMoray**”. For the purpose of this Constitution, the word “sport” includes sports, games and other pursuits involving physical activity in a recreational context.

### **2. OBJECTS**

The objects of sportMoray shall be:

- (i) To encourage interest and participation in sport in Moray.
- (ii) To provide a forum to facilitate effective communication between Sports Clubs and other organisations involved in the promotion of sport.
- (iii) Where appropriate, to submit recommendations to The Moray Council to assist them in discharging their duties as the local recreation authority.
- (iv) To assist Sports Clubs and allied Organisations in their activities by all such means as are available to sportMoray.
- (v) To make recommendations to the appropriate sources to bring about the best use of sporting and recreational facilities within the area.
- (vi) To take such further action as is appropriate to bring about any of the foregoing, and in particular Object (i).

### **3. MEMBERSHIP**

Membership of sportMoray shall consist of:

- (a) One representative of each Club or Organisation affiliated to sportMoray (see Paragraph 4 as regards affiliation).
- (b) Four representatives of The Moray Council.
- (c) One representative for the Primary Schools in the area.
- (d) One representative for the Secondary Schools in the area.
- (e) One representative of R.A.F. (Lossiemouth) and one representative of R.A.F. (Kinloss).
- (f) One representative of sportscotland (formerly the Scottish Sports Council) with no voting rights.
- (g) One representative for the Moray College, and
- (h) One representative from the Moray Leisure Centre.

#### **4. CLUB AFFILIATION AND INDIVIDUAL ASSOCIATION**

##### **4.1. Affiliated Clubs**

All Sports Clubs and allied Organisations having their main place of business in Moray and being directly concerned with sport in Moray may apply for affiliation to sportMoray, provided that their sport is recognised by sportscotland or UK sport.

##### **4.2. Individual Associate Members**

4.2.1. Individuals who are members of affiliated Clubs automatically become associate members of sportMoray subject to the payment of fees by the affiliated club in accordance with paragraph 4.3 below.

4.2.2. Residents of Moray who:

- 4.2.2.1. are members of non affiliated clubs that have their main business in Moray; or
- 4.2.2.2. are members of a club where their main place of business is based out with Moray;

may apply for Individual Associate Membership.

4.2.3. A maximum of two individual associate members will be allowed from any non affiliated club. Where a non affiliated club has two members that have been granted the status of individual associate member of sportMoray then no further applications will be allowed and any further outstanding applications will be rejected. In that case a non affiliated club meeting the requirements of paragraph 4.1 above can apply for affiliation.

4.2.4. Individual Associate Members do not have voting rights.

##### **4.3. Fees -**

- 4.3.1. Each affiliated Club and/or organisation shall pay an affiliation fee;
- 4.3.2. Each Individual Associate member who is not a member of an affiliated club shall pay an Individual Associate fee;
- 4.3.3. All fees are to be determined by sportMoray at their Annual General Meeting. Fees (which shall be for the period of sportMoray's financial year) shall be paid by 31<sup>st</sup> August following the Annual General Meeting, at which the fee for that year is determined, or at any time thereafter until the end of that financial year, with the consent of the Executive Committee.

#### **5. OFFICE BEARERS**

The office bearers of sportMoray shall consist of a Chairman, a Vice-Chairman and a Treasurer, to be appointed at the Annual General Meeting. No person shall be appointed to serve as Chairman for more than three consecutive years.

Secretarial services shall be provided by The Moray Council in so far as these relate to general administration. sportMoray may appoint an individual/individuals to perform this task either separately or in conjunction with The Moray Council by election at a General Meeting or by co-option and subsequent confirmation at a General Meeting.

## **6. EXECUTIVE COMMITTEE**

The day-to-day work of sportMoray shall be carried on by the Executive Committee, consisting of the following:

- (a) The Chairman and Vice-Chairman of the Sports Council.
- (b) Two representatives of The Moray Council (so far as not included in (a) above).
- (c) One representative for the Primary Schools.
- (d) One representative for the Secondary Schools.
- (e) Nine representatives from the affiliated Clubs and Organisations, to serve on an annual basis and be eligible for re-election each year.
- (f) One representative from the Moray College; and
- (g) One representative from the Moray Leisure Centre.

The Executive Committee shall be appointed at the Annual General Meeting of the Council.

## **7. CO-OPTION**

In the event of (i) the death or resignation of any member of the Executive Committee appointed in terms of sub-paragraph 6(e) above, or, (ii) the decision of the Executive Committee, **after due consideration of the circumstances**, to regard a member appointed in terms of the said sub-paragraph who has failed to attend three successive meetings of the Executive Committee as having resigned, the Executive Committee shall have the power to co-opt a substitute member. If a member of the Executive Committee has been unable to attend three consecutive meetings due to illness and/or difficult personal circumstances then no resignation will be administered unless requested by the Committee member in question. The Executive Committee shall have power to co-opt members (limited to the number of vacancies) in the event of fewer than nine members being appointed in terms of the said sub-paragraph, at the Annual General Meeting. All such substitute members shall be members of the Executive Committee until the next following Annual General Meeting.

The Executive Committee shall also be empowered to accept nominations during the year from the relevant Councils or Sports Councils for the appointment of substitute members in terms of sub-paragraphs 6(b), 6(c) and 6(f) above, in the event of casual vacancies occurring in those categories.

## **8. OFFICIALS**

Such officials of The Moray Council as the Chief Executive of the authority may direct, shall make themselves available to attend meetings of sportMoray and the Executive Committee, for the purpose of acting in an advisory capacity to the members of these bodies as the need arises.

## **9. MEETINGS**

Fourteen days notice of meetings of sportMoray shall be given. The Annual General Meeting of sportMoray shall be held within three months of the end of the preceding year, and members wishing resolutions included as items of business at such meeting must submit the terms thereof to the Chairman by 1<sup>st</sup> May in the appropriate year, or not later than twenty-eight days before the date of the Annual General Meeting, with the approval of the Executive Committee.

Meetings may be convened on the instructions of the Chairman as business requires, or on receipt by the Chairman of a requisition signed by one-third of the members of sportMoray. Such a requisition will require to specify the business to be considered at the meeting, and the meeting will be convened within twenty-eight days of receipt of the requisition.

Four meetings of the Executive Committee shall be held in each year, and in addition, the Executive Committee shall meet as often as is necessary to bring about the efficient discharge of the business of the Committee, and shall be convened on the instructions of the Chairman of the Committee. The quorum for a General Meeting of sportMoray shall be fifteen members, and for a meeting of the Executive Committee shall be five members.

With exception to changes to the Constitution, decisions put to a vote shall be resolved by a simple majority of members present at meetings of sportMoray or the Executive Committee.

The Chairman of meetings of sportMoray or the Executive Committee shall in addition to a deliberative vote, have a casting vote.

#### **10. AMENDMENTS TO CONSTITUTION**

The Constitution may not be amended except by resolution carried by a majority of two-thirds of those present and voting at a General Meeting of sportMoray, when discussion and voting shall be limited to resolutions of which fourteen days notice shall have been given to members. Amendments to this Constitution so carried shall be subject to the approval of The Moray Council.

#### **11. NOTICES**

All notices required by or under this Constitution shall be deemed to have been effectively served by posting or delivery to the last known address of the member, and in the case of affiliated Clubs and Organisations, the address shall be that of the Secretary or other Committee member last registered with sportMoray.

#### **12. FINANCE**

- (a) Proper books of account shall be kept by the Treasurer of sportMoray who shall be responsible, together with the Executive Committee for all financial matters affecting sportMoray. The accounts shall be made available to The Moray Council on request.
- (b) sportMoray's financial year shall be run from 1<sup>st</sup> April to 31<sup>st</sup> March in each year.
- (c) The bank account(s) shall be held in the name of sportMoray, and all cheques shall be signed by any two authorised signatories. The authorised signatories shall be the Chairperson, Vice-Chairperson and Treasurer of the Council.
- (d) The Executive Committee may authorise expenditure out of sportMoray's funds for the furtherance of the objectives of sportMoray. In respect of grants to individuals or individual Clubs, the overall total of the amount of such grant to be made by sportMoray shall not exceed sportMoray's grant funding for such grants in that financial year, and that no one individual shall be awarded more than 5%, or in the case of a Club more than 10% of sportMoray's annual grant funding in any financial year, without the prior approval of The Moray Council, and that in respect of attendance or representation by Members of sportMoray at Conferences, Courses,

Seminars, or similar events, the maximum number of representatives shall not exceed two without the prior approval of sportMoray.

An audited statement of accounts for the year to 31<sup>st</sup> March preceding shall be presented to sportMoray at each Annual General Meeting. The auditors for this purpose shall be as appointed by the Executive Committee of sportMoray holding office on 31<sup>st</sup> March preceding the Annual General Meeting.

**13. EXECUTION OF DEEDS**

That it be delegated to any two members drawn from the current Executive Committee and the Clerk, to execute, as necessary, all documents on behalf of sportMoray.

**14. WINDING UP**

sportMoray shall not be wound up except by resolution carried by a majority of two-thirds of those present and voting at a Special General Meeting of sportMoray called for the purpose.

In the event of sportMoray being wound up, all the funds of sportMoray shall be handed to The Moray Council for disposal for such sports, recreational or other purposes as they in their sole discretion may determine.

(As amended at Special General Meeting 1st March 1982; Annual General Meeting 24<sup>th</sup> October 1983; Special General Meeting 24<sup>th</sup> November 1986; General Meeting 22<sup>nd</sup> May 1989; Annual General Meeting 22<sup>nd</sup> April 1993; Annual General Meeting 16<sup>th</sup> May 1994; General Meeting 5<sup>th</sup> December 1994; Annual General Meeting 9<sup>th</sup> May 1996, Annual General Meeting 17<sup>th</sup> June 1999; Annual General Meeting 27<sup>th</sup> June 2001; Annual General Meeting 15<sup>th</sup> June 2009; Annual General Meeting 7<sup>th</sup> June 2010 and Annual General Meeting 6<sup>th</sup> June 2011).

