

# DUBLIN SWIMMING CLUB



IRELAND OLDEST SWIMMING CLUB  
ESTABLISHED 1881

## CONSTITUTION

## **CONTENTS**

- 1 - Name(s) and Colour(s)
- 2 - Objectives
- 3 - Affiliation
- 4 - Membership
- 5 - Club Management
- 6 - Meetings of the Management Committee
- 7 - Voting Rights at General Meetings
- 8 - Election of the Committee Members
- 9 - Annual General Meeting (AGM)
- 10 - Extraordinary General Meeting (EGM)
- 11 - Transfers
- 12 - Finance
- 13 - Complaints and Disciplinary Procedures
- 14 - Cessation/Suspension/Expulsion of Membership
- 15 - Dissolution
- 16 - Equality
- 17 - Criminal Allegations
- 18 - Data Protection
- 19 - Social Functions
- 20 - Indemnity/Liability
- 21 - Interpretation

## **List of Terms and Abbreviations**

Dublin Swimming Club – The name of the club.

Swimming – The aquatic discipline(s) in which the members participate.

ISC – Irish Sports Council

SI – Swim Ireland

LSP – Local Sports Partnership

AGM – Annual General Meeting

EGM – Extraordinary General Meeting

Officer – Officers of a club are the President, the Secretary and the Treasurer.

Management Committee – This is the body elected by the members for the management of the business and affairs of the club.

Leader – this is any person, whether paid or unpaid, who is responsible for those participating in the aquatic disciplines. Roles include but are not limited to supervisor, team manager, sports science personnel, chaperone, helpers, Committee members, tutors, coaches, and teachers.

## **Section I**

### 1. Name(s) and Colour(s)

- a) The name of the club shall be Dublin Swimming Club.
- b) The colours of the club shall be dark blue, light blue, white; pink is permitted for open water racing.
- c) The club has no formal headquarters.

## **Section 2**

### 2. Objectives

- a) The objectives of the club are:
  - i) To foster and develop swimming among its members.
  - ii) To promote the teaching/coaching and practice of swimming in line with current best practice.
  - iii) To promote the development of physical, moral and social qualities associated with sport, within the participants.
  - iv) To accept and enforce the rules and regulations set down by Swim Ireland regarding swimming in accordance with the affiliation status afforded to the club.
  - v) To provide a positive and safe environment for all its members and staff.
  - vi) To ensure sport for people in the club is fun and conducted in an encouraging atmosphere in line with Swim Ireland guidelines and best practice.

vii) To provide equal opportunities whenever possible for successful participation, irrespective of ability or disability, so as individuals can be involved in sports activities in an integrated and inclusive way.

b) Dublin Swimming Club is fully committed to safeguarding the wellbeing of its members. Every individual in Dublin Swimming Club should, at all times, show respect and understanding for his/her rights, safety and welfare and those of others, and conduct themselves in a way that reflects the principles of Dublin Swimming Club.

## **Section 3**

### **3. Affiliation**

a) By virtue of the affiliation of Dublin Swimming Club to Swim Ireland, its members acknowledge that they are subject to the laws, rules and constitutions of:

i) Swim Ireland, the governing body for the whole of the island of Ireland.

ii) Ligue Européenne de Natation (LEN), the European governing body for the aquatics.

iii) World Aquatics, the world governing body for the aquatics.

## **Section 4**

### **4. Membership**

a) All members are subject to the rules and constitution of Dublin Swimming Club and rules and regulations of the Open Sea Committee, Swim Ireland, LEN, and World Aquatics.

b) All members are Senior/Masters - a senior member is defined as anyone 18 years of age or over and is categorised by:

i) Competitive - members of Dublin Swimming Club who decide to engage in competitive events

ii) Non-competitive -this category includes but is not limited to participants who wish to train but not compete, coaches, administrators, aquatic leaders

iii) The following Membership Categories are available:

a: Senior/Masters Membership – competitive.

b: Senior/Masters Membership – non-competitive.

c: Family Membership comprising of immediate family members over 18, either competitors or non-competitors.

d: Members who are in full time education and between the age of 18 and 21 years will pay a reduced rate.

e: Over 65, either competitor or non-competitor.

f: Honorary Membership

g: Associate Membership. (individuals with current full Swim Ireland membership obtained through another club, who wish to join Dublin as well. Associate members may compete for Dublin SC in any World Aquatics disciplines they have not competed in for any other club, in the year of membership)

c) The club Management Committee reserves the right to accept or reject applications for membership of the club. If he/she is refused, the applicant must be notified by the Management Committee in writing as to the reasons for his/her refusal.

d) Application Procedures for Club Members

i) All members and officials must complete the necessary application forms and attach the necessary fees as set down by Swim Ireland and Dublin Swimming Club.

ii) They must also be familiar with and comply with the Swim Ireland and Dublin Swimming Club rules.

iii) Applications forms are then be forwarded to the Management Committee for approval.

iv) Upon acceptance the member will have access to a copy of the Constitution and Rules of Dublin Swimming Club.

v) A member who wishes to resign as a member of the club must inform the Secretary in writing. No refund of subscription monies will generally be paid upon resignation from the club.

vi) Full membership status is only valid where a subscription has been paid in full or in a manner agreed by the club Management Committee.

vii) Members will be required to renew their membership with Dublin Swimming Club and Swim Ireland on an annual basis from September 1st of each year.

#### e) Annual Subscriptions

i) Club fees will be determined by the Management Committee.

ii) A member may resign by communicating this in writing to the club Secretary; if this person wishes to renew membership at a later date they must reapply.

iii) Honorary members are exempt from fees irrespective of their classification.

## Section 5

### 5) Club Management

a) Description: The Management Committee is the body elected by the members for the management of the business and affairs of the club. It consists of seven to 14 members who must be members of Dublin Swimming Club and Swim Ireland in their own right for voting purposes.

b) Membership of the Management Committee shall consist of the following: President, Secretary, Treasurer, and four to eleven other members.

#### c) Duties of the President

i) To promote the interest of Dublin Swimming Club at all times and act as the official spokesperson for the club.

ii) To ensure the principles of due process and natural justice are applied in all decisions made by the Committee.

iii) To maintain order and prevent unnecessary disruptions.

#### d) Duties of the Treasurer

i) To keep a record of all financial transactions concerning Dublin Swimming Club business.

ii) To keep appropriate books of record on Dublin Swimming Club business.

iii) To identify all income received and all expenditures.

iv) To act as co-authoriser on bank transfers and signatory on cheques along with up to 3 other designated committee members.

#### e) Duties of the Secretary

i) To record the minutes of all Committee and club meetings.



ii) To keep records of membership, complaints, and contracts regarding the dealings of the club. Records shall be kept for a minimum of 6 years.

iii) To set out meetings including agenda details, notice period and any other necessary information.

iv) To deal with all club correspondence.

f) The Secretary shall deputise for the President if the President is not available and will assist the President at all times with his/her duties.

g) The Club Captains shall provide a leadership role within the club and act as a conduit between members and Officers of the club. Vice Captains shall deputise for the Captains at all times. Captains and Vice Captains need not be Committee members.

h) Duties and responsibilities of all Committee Members - All Committee members are responsible for the smooth day to day running of the Club. The Management Committee can agree amongst themselves the additional rules required, to be carried out by Committee Members.

i) Duties and responsibilities of the coaching and teaching staff

i) The recruitment procedures of any individual engaged or working under the Dublin Swimming Club, shall be in accordance with the Terms of Employment Act 1994 (ROI) and all other related recruitment legislation. Information relating to the responsibilities of the roles, duties and the level of experience/qualifications shall be indicated in the recruitment process.

ii) All coaching and swimming teachers shall have written contracts which outline his/her duties, functions, and responsibilities. Where coaches and/or swimming teachers operate on a voluntary basis, a written agreement as to new roles or duties shall be agreed, and put in place, within 2 months of appointment.

iii) Coaching duties are as follows:

- a. Training content.
- b. Training schedule.
- c. Appropriating competitive swimmers into respective groups according to their ability.

iv) Coaches and teachers shall not hold a management or elected position on the club Committee where working as a coach or teacher for more than three hours a week.

v) All coaches shall be accountable to the Committee and shall be entitled to attend any Committee meeting.

vi) All coaches and leaders must be affiliated to Swim Ireland or a governing body recognised by LEN or World Aquatics and must possess the requisite qualifications.

#### J) Rights and Duties of the Management Committee

i) The Management Committee shall be empowered to introduce rules, as the need arises, for the general regulation of the club. No rule shall be inconsistent with anything contained in this constitution. The Management Committee must ensure a Club's Rule Book is available to all members via the club website. Paper copies should be available on request to the Committee.

ii) The Committee have the power to appoint such Sub Committees as they may consider necessary. These Sub Committees will act on behalf of the Management Committee and follow procedures and relay information as directed by the Management Committee.

iii) The Management Committee shall be responsible for all assets of the club.

iv) The members of the Management Committee shall be indemnified by the members of the club against all liabilities properly incurred by them in the management affairs of the club.

v) Committee members must declare any personal or business interest, which may conflict with his/her duties as a member of the Management Committee. Such a declaration may be discussed with the other Committee members at a designated meeting, and they may be required to absent themselves from discussions and decisions.

vi) The Management Committee will be expected to follow codes of conduct in relation to their obligations to Dublin Swimming Club members. These include, but are not limited to, confidentiality, objectivity, loyalty, fairness and an awareness of their obligations to Dublin Swimming Club and its members.

vii) Trophies.

It is the responsibility of the club Committee and coaches to ensure that no member shall be eligible to receive a prize in any club race or competition unless they has paid his/her subscription, and otherwise fully discharged all his/her liabilities to the Club.

## **Section 6**

### **6) Meetings of the Management Committee**

a) The Committee shall meet 10 times per year with a minimum quorum of 50% with at least 1 of the members of the Management Committee present. Meetings can be held in a virtual setting and decisions reached in Committee WhatsApp discussions should be minuted in the next formal meeting.

b) The President and the Secretary shall have discretion to call further meetings of the Committee if they consider it to be in the interests of the Dublin Swimming Club.

c) A minimum of seven days' notice will be given to members save with exceptional circumstances. The Management Committee shall agree how notice shall be provided whether this is phone, email and so forth.

d) The Committee should set out its agenda for a meeting no less than 7 days

prior to the meetings.

e) The President has the casting vote on any motion arising during the meetings.

f) The President's decision on a Point of Order is final.

g) The President shall preside at all meetings. If the president is indisposed for a scheduled meeting, the Secretary shall chair the meeting.

h) The Secretary, or in his/her absence a member of the Committee, shall take minutes.

i) The Treasurer shall relay the financial position of the club at each meeting.

j) The other Committee members must also relay details on the areas of the club they are designated to.

k) The coaching and teaching staff must also be given the opportunity to report and voice the concerns of their designated areas within the club, as well as to advise the Management Committee on relevant issues.

l) Members can acquire the minutes of the meeting in a summary format by providing the Secretary with a self-addressed envelope or an email address.

m) The Management Committee may also decide upon acceptable means of communication used, during periods between meetings, to ensure the day to day running of Dublin Swimming Club.

n) Any members of the Committee, who in the absence of a satisfactory explanation, fail to attend four consecutive meetings of the Committee, shall be taken to have resigned from the Committee.

o) In the event of death, incapacitation or resignation of a Committee member or other Officers of the club, the Committee may co-opt a member of the club to fill the vacancy.

## **Section 7**

### 7. Voting Rights at General Meetings

- a) Members who are fully paid up are eligible to vote.
- b) No voting by proxy is allowed.
- c) Voting shall be conducted via a show of hands, which will be counted by the Secretary. The Committee may, however, recommend that a vote should be held in a secret ballot format owing to the context of the vote.
- d) No business shall be transacted at a general meeting unless a quorum is present. A quorum of 10 eligible voting members is the number required. If this quorum is not fulfilled the General Meeting can be suspended for exactly one week.
- e) Nominations will be passed at AGM by simple resolution of 50% plus one.
- f) Motions for a change to the Dublin Swimming Club Constitution must be passed by a special resolution of 75% of persons present at the meeting entitled to vote.
- g) The President will have a casting vote if there is an equality of votes.

## **Section 8**

### 8. Election of the Committee members

- a) Election of the Management Committee members takes place at the Club AGM each year. At this time a President, a Treasurer, a Secretary, and ordinary members to a maximum of 14 Committee members in total shall be elected.

b) At the AGM, a Men's Captain and Vice Captain and a Ladies Captain Vice Captain may also be elected.

c) A Committee member may stand for re-election for four consecutive years (i.e. in so doing, be on the Committee for a maximum of five consecutive years). After this time period is up, eligibility for re-election is revoked for a period of one year.

d) A call for Nominations for office and Notice of Motions will be made in writing by the Secretary no less than 14 days prior to the General Meeting.

e) A proposer and seconder are required for all Nominations and Notice of Motions.

f) Notices of Motion and Nominations for the Management Committee shall be displayed via the club email news update and/or on the club website for not less than 7 days prior to the AGM. They will also be available on request from the Secretary. Notices and Motions without due notice will not be discussed.

g) In the event that no nominations are received by the Secretary by 7 days before the general meeting, only then may a nomination from the floor at the AGM take place.

h) The President, after discussion with the Management Committee of the club, may appoint such Sub Committees as he or she deems necessary to carry out the objectives of the club.

## **Section 9**

### **9. Annual General Meeting (AGM)**

a) Members shall be informed of the date, time, place, and order of business of the AGM at least 21 days prior to the meeting. AGM/or EGM can be held in the Virtual setting if required and the use of technology is allowed so members can

participate and vote in general meetings. This information shall be posted on the club website and/or via the club email newsletter or requested in writing by a member on providing a stamped self-addressed envelope.

b) The Management Committee must decide when the AGM is held each year.

c) At this meeting, the Annual Report shall be presented, which shall consist of a: Chairman's Summary Report, Secretary's Report, Treasurer's Report, Captains' Reports, Coaches' Report.

d) Any changes or updates to the Club Constitution or Club Rules will be notified to the members and Swim Ireland within 14 days following the AGM.

e) Any resolution to amend the Club's Constitution which is successful at the General Meeting will come into immediate effect upon conclusion of the General Meeting.

f) Honorary members of the club shall only be elected at a General Meeting or a General Meeting summoned for the purpose and a motion for the purpose of electing an Honorary member shall be carried by a majority of three fourths of the members present and voting. An example of an Honorary member is the Club Patron.

## **Section IO**

### **10. Extraordinary General Meeting (EGM)**

An Extraordinary General Meeting may be called at any time once two thirds of the Committee resolve to convene such a meeting. It can also be called within 14 days of the Secretary receiving a requisition in writing signed by 20 of the voting members. An EGM can also be held in the Virtual setting if required and the use of technology is allowed so members can participate and vote.

## **Section II**

### 11. Transfers

If a member wishes to leave a club and join another, they must follow the rules set down by Swim Ireland. All members must have paid any outstanding subscriptions before they will be released by the club save in exceptional circumstances as set down by Swim Ireland. Any disputes are to be governed with clause 13 of this Constitution.

## **Section I2**

### 12. Finance

- a) The financial affairs of the club shall be the responsibility of the Management Committee in general and in particular, the Treasurer. Correct accounts and bookkeeping shall be done by Treasurer or under his/her supervision.
- b) Annual Accounts of Dublin Swimming Club should be prepared for the Annual General Meeting by Dublin Swimming Club Treasurer.
- c) The Management Committee shall be empowered to open bank accounts in the name of Dublin Swimming Club and all transactions in these accounts shall be authorised by the Management Committee. All bank transfers, cheques, drafts and so forth shall be signed by the Treasurer and another designated committee member.
- d) The Treasurer will receive all money paid to the Dublin Swimming Club and ensure all such sums are lodged to Dublin Swimming Club bank account as soon as possible.
- e) Any assets invested in by the Management Committee will be used for Dublin



Swimming Club purposes only. The Management Committee will delegate the use of these assets under advisement from coaches, teachers, and others within the club.

f) The Committee will have the power to negotiate sponsorships on Dublin Swimming Club behalf and engage from time to time fundraising activities. Any financial returns from these activities will be used for Dublin Swimming Club development purposes only.

g) The Management Committee shall be required to approve any expenses for the Committee of Dublin Swimming Club in excess of such sum as the management Committee shall resolve. All lesser sums shall be approved by the Treasurer.

*h) The income and property of the Club shall be applied solely towards the promotion of the object(s) as set forth in this Constitution. No portion of the Club's income and property shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise how so ever by way of profit to members of the Club. No officer shall be appointed to any office of the Club paid by salary or fees, or receive any remuneration or other benefit in money or money's worth from the Club.*

*However, nothing shall prevent any payment in good faith by the Club of:*

*(i) reasonable and proper remuneration to any member or servant of the Club (not being an officer) for any services rendered to the Club;*

*(ii) interest at a rate not exceeding 1% above the Euro Interbank Offered Rate (Euribor) per annum on money lent by an officer or other members of the Club to the Club;*

*(iii) reasonable and proper rent for premises demised and let by any member of the Club (including any officer) to the Club;*

*(iv) reasonable and proper out-of-pocket expenses incurred by any officer in connection with their attendance to any matter affecting the Club;*

*(v) fees, remuneration or other benefit in money or money's worth to any Club of which an officer may be a member holding not more than one hundredth part of the issued capital of such Company;*

## **Section I3**

### 13. Complaints and Disciplinary Procedures

The Club hereby adopts The Swim Ireland Complaints & Disciplinary Rules and Procedures as amended by Swim Ireland from time to time (the Disciplinary Rules) and the Club and its members recognise and accept that they are bound by and must comply with the provisions of the Disciplinary Rules in resolving all complaints and disciplinary matters which fall within the scope of the Disciplinary Rules.

## **Section I4**

### 14. Cessation/Suspension/Expulsion of Membership

a) Dublin Swimming Club has the power to terminate and suspend membership owing, but not limited to, violation of the constitution and/or rules, criminal behaviour or any activity deemed unseemly by the Management Committee. All club terminations and suspensions will be reported to Swim Ireland and can be also appealed to SI.

b) Suspension or termination of an individual's membership to Swim Ireland can only be done by Swim Ireland's board. These procedures are laid out in the 'Articles of Association of Swim Ireland'.

## **Section I5**

### 15. Dissolution

a) Dublin Swimming Club may be dissolved by:

i) A Resolution passed owing to the inactivity of its members. This Resolution

would be passed at an EGM, specifically called for that purpose and carried by three quarters of the members present.

ii) A Court Order where a dispute exists within its membership.

b) Notice must be given to members and Swim Ireland for any dissolution to come into effect, owing to a resolution at a General Meeting.

c) All assets of the Club, having discharged debts and liabilities, shall be distributed to a charity, charities or other non-profit making organisation(s) having an agenda similar to those of Dublin Swimming Club or SI.

d) The Management Committee shall be responsible for the winding up of assets and liabilities of Dublin Swimming Club.

## **Section I6**

### 16. Equality

In accordance with the Equal Status Act 2000-2011, Dublin Swimming Club will not discriminate against any persons or visitors within Dublin Swimming Club. No discrimination of any kind against employed and voluntary staff, membership applications, members and individuals within the general public, will be tolerated.

## **Section I7**

### 17. Criminal Allegations

Dublin Swimming Club shall treat allegations of criminal activity very seriously. Any allegation of a criminal offence will be reported to Swim Ireland and the appropriate policing body.

## **Section 18**

### 18. Data Protection

Dublin Swimming Club shall aim to follow the necessary data protection guidelines set down by the relevant bodies.

## **Section 19**

### 19. Social Functions

Dublin Swimming Club may hold Social Functions, and, the President, with the consent of the Committee members, shall be at liberty, on behalf of the Club, to invite to such Social Functions any number of official guests at the expense of the club.

## **Section 20**

### 20. Indemnity/Liability

Every Committee member shall be indemnified by the Dublin Swimming Club against all claims, costs, losses which the Dublin Swimming Club may properly incur or for which they may become liable. For the avoidance of doubt, no Committee member shall be liable for any act, neglect or default of any committee member or any member whatsoever of Dublin Swimming Club. This clause shall not, however, protect any Committee member from the lawful consequences of any act of his or her dishonesty or the wilful deliberate or knowing commission by him or her of any breach of his or her trust.

## **Section 21**

### 21. Interpretation

Dublin Swimming Club is the sole authority for the interpretation of this Constitution and of any rule.