

# **Hartley Wintney Angling Society**



## **Constitution**

### **1. Name of the Society and Date of Formation**

The Society shall be called 'Hartley Wintney Angling Society' and its date of formation recorded as 1955.

### **2. Objects of the Society**

- a) The objects of The Society shall be to foster the sport of angling, the preservation of the fish life and the surrounding environment and to promote, organise and manage angling facilities for its members.
- b) In order to fulfil these objects The Society may, at the discretion of The Executive Committee, rent, buy, sell and manage property, angling facilities and fishing rights.
- c) The Society shall be non-profit making but funds shall be managed in a prudent way to ensure the long term existence of the society and its aims.

### **3. Accounting Year**

The accounting year shall be from the 1<sup>st</sup> January to 31<sup>st</sup> December inclusive in the same calendar year.

### **4) Executive Committee & Officers of The Society.**

- a) The day to day management of The Society shall be carried out by The Executive Committee comprising no less than six members and a maximum of thirteen members, this is to include the following; Chairman, Vice Chairman, Secretary and Treasurer. The Chairman, The Vice Chairman, The Secretary and The Treasurer shall be known as The Officers of The Society. In the event that the number of Executive Committee Members falls below six the remaining Executive Committee Members shall elect replacements as soon as is reasonably practicable as set out in 4d herein.
- b) Members of the Executive Committee & Officers of The Society shall be elected from Members of The Society in Annual General Meeting.
- c) Officers of The Society shall be members of the Executive Committee.
- d) The Executive Committee may elect Members of The Society, excluding those only holding Day Membership, to The Executive Committee if it determines that this will be a benefit to either The Executive Committee or The Society. Any such elected Member shall hereinafter be referred to as a Co-Opted Member. Any such election shall be notified to The Society Members within fourteen days of the election.
- e) Members must be over the age of eighteen years to be eligible for election as an Officer of The Society or as a Member of The Executive Committee.
- f) Members of The Executive Committee shall receive free Membership of The Society. The free Membership shall include all classes of permit made available by The Society.
- g) Co-Opted Members of The Executive Committee shall not receive free Membership of The Society but shall be entitled to exercise all other rights granted to Members of The Executive Committee. Upon election

to office by The Society in Annual General Meeting Co-Opted Members shall become Members of The Executive Committee

h) Members of The Executive Committee may resign from their position at any time by notifying The Executive Committee of their decision. Members of The Executive Committee who resign shall retain their free Membership of The Society for the current membership period.

## **5) Terms of Office.**

a) Officers of The Society shall hold office from their election until the first meeting of The Executive Committee after the Annual General Meeting of The Society in the following year except for as provided in 5b herein.

b) Officers of The Society may remain in office for a maximum period of three years without annual re-election provided that no other Member of The Society is proposed for election to the office held.

c) All Executive Committee Members shall be eligible for re-election.

## **6) Indemnity of Officers**

All Officers of The Society shall be indemnified out of the property of The Society against any risks and expense incurred by them in pursuance of their office provided they act in accordance with this Constitution.

## **7) Multiple Office.**

a) The Secretary and The Treasurer may not hold multiple office except for as provided in 7c herein.

b) All other members of The Executive Committee may hold no more than three offices as an Officer of The Society or Member of the Executive Committee.

c) At the discretion of The Executive Committee The Secretary and The Treasurer may act temporarily in any role or Office of The Executive Committee that is vacant. The Executive Committee shall take all reasonable actions to appoint Members of The Society to any such vacant role or Office.

d) All Officers of The Society and Members of The Executive Committee shall be eligible to participate in any Disciplinary Panel.

## **8) Executive Committee.**

### **8.1) Responsibilities.**

The Executive Committee shall be responsible for;

a) The general management of the affairs of The Society.

b) The implementation of any decisions made by The Society in Annual General Meeting.

c) The recommendation of policies or actions to The Society.

d) The recommendation of new or amended By-Laws to The Society.

e) The upholding of The Constitution and By-Laws of The Society.

f) The decision and action taken in any disciplinary matters.

g) Ensuring that The Society remain solvent.

i) Receiving reports and policy recommendations from The Officers of The Society.

- j) Accepting into membership of The Society all applicants for an initial probationary period of one year except for as provided for in 10.1a herein.
- k) Ensuring that adequate Bailiff resources are provided. A Member of The Executive Committee may be appointed as Head Bailiff to oversee this provision.
- m) The appointment of Trustees.

### 8.2) Executive Committee Powers.

- a) The Executive Committee may act to amend existing By-Laws or introduce new By-Laws if it decides that such action is in the best interests of The Society. If such action is contrary to any decision made by The Society in Annual General Meeting then such action may be taken only if the following criteria 8.2a1, 8.2a2 & 8.2a3 are met;
  - 1) The Members of The Executive Committee decide by unanimous vote of those present at a Committee Meeting.
  - 2) The decision is communicated to The Members of The Society within fourteen days.
  - 3) Any such decision shall remain in force pending its ratification by The Society at the following Annual General Meeting or Extraordinary General meeting.
- b) The Executive Committee may act to engage, manage or dismiss full time or part time paid staff.
- c) The Executive Committee may act to create a reserve of funds for future use to provide and manage angling facilities for The Society.

### 8.3) Meetings.

- a) The Executive Committee shall meet once every calendar month at a venue and time notified to each Member of The Executive Committee by The Secretary except for as provided in 8.3f herein.
- b) Meetings shall be conducted in accordance with the rules of order set out in The Society's Rules of Order Document.
- c) All decisions of The Executive Committee shall be made by vote at a meeting of The Executive Committee.
- d) A meeting of The Executive Committee shall be deemed quorate if no fewer than half of Members of The Executive Committee are in attendance. Decisions of the Executive Committee shall be by simple majority vote of those present except for as provided for in 8.2a1 herein. In the event of a tied vote the Chairman shall cast a deciding vote. In the event that the Chairman is not present the Vice Chairman shall cast a deciding vote.
- e) Decisions made by The Executive Committee shall be recorded by The Secretary and be made available, on request, to any Member.
- f) The Chairman may convene additional meetings if they deem it necessary. Any such meeting may be conducted through electronic or digital communications only on unanimous agreement of The Executive Committee Members and shall be governed by provisions set out in 8.3b, c, d & e herein.

## **9) Bailiffs.**

- a) Bailiffs shall be appointed from among Members of The Society over 18 years of age, excluding those only holding Day Membership.
- a) Bailiffs shall be appointed by The Executive Committee. Any such appointment may be revoked by The Executive Committee if it decides such revocation is required.

- b) Bailiffs shall be appointed for an initial probationary period that shall end on 28th February following their appointment.
- c) Following the initial probation period Bailiffs shall make application to The Executive Committee prior to 1<sup>st</sup> April for appointment as Bailiff for twelve months from and including 1<sup>st</sup> April in the same year.
- d) Following the initial probation period appointed Bailiffs shall receive free Membership of The Society. The free Membership shall include all classes of permit made available by The Society.
- e) Bailiffs shall carry out the following duties;
  - 1) Ensure that all Members of The Society uphold the Constitution and By-Laws of The Society.
  - 2) Report to the Executive Committee any act witnessed that is in breach of the Constitution or By-Laws of The Society.
  - 3) Any duties that The Executive Committee decides may be reasonably required.
- f) Bailiffs may be authorised by The Executive Committee to take immediate disciplinary action in the event that any Bailiff deems that action to be appropriate. A Bailiff may confiscate the Membership Permit of any Member found to be deliberately in breach of The Constitution or By-Laws of The Society along with any other items that remain the property of The Society and require that The Member vacate the venue of The Society with immediate effect. Any such confiscation of a Membership Permit and other items shall be reported to The Executive Committee as soon as is reasonably practicable.
- g) Members of The Executive Committee may act as Bailiffs when required or by choice.
- h) Bailiffs shall conduct themselves in a manner compliant with the requirements set out in The Bailiff Agreement Document.
- i) All Bailiffs shall be deemed to have accepted and agreed to be bound by the Bailiff Agreement Document by accepting appointment as Bailiff.
- j) Bailiffs may resign from their appointment at any time and continue as Members of The Society and retain their Membership rights by notifying The Executive Committee of their decision.

## **10) Membership.**

### **10.1) Availability.**

- a) New applications for membership will be accepted at the discretion of the Executive Committee. Existing members who have passed the initial probationary period will be automatically eligible to renew Membership unless any recommendations that Membership is not renewed was made as part of the outcome of any disciplinary proceedings and The Executive Committee decide to follow such recommendation.
- b) Different classes of Membership of The Society may be made available including Day Membership.
- c) The Executive Committee shall determine the total number of Memberships available for each class of Membership.
  - 1) In the event that any class of Membership becomes fully subscribed The Executive Committee may put in place a Waiting List for that class of Membership and have sole discretion on how the Waiting List shall operate and any conditions that shall apply to it.
- d) Membership shall be from 1<sup>st</sup> April to 31<sup>st</sup> March in the following year except where otherwise determined by class of Membership.

### **10.2) Joining Fees and Subscriptions.**

- a) An initial joining fee may be levied for New Members. Persons applying for membership shall be deemed to be New Members if they did not hold Membership of The Society in the year immediately preceding the

one for which application is being made except that Day Membership shall not be deemed to be a qualifying Membership.

b) The joining fee and annual subscription fees for each class of Membership offered for the following years Membership shall be decided by The Executive Committee and notified to Members of The Society no less than fourteen days prior to The Annual General Meeting of The Society.

c) The Executive Committee may vary the subscription payable by individual Members.

#### 10.3) Acceptance of Constitution and By-Laws of The Society.

a) By applying for and accepting Membership of The Society individual Members shall be deemed to have accepted and agreed to be bound by the Constitution and Bye-Laws of The Society.

b) Members shall provide The Society with all personal details that may reasonably be expected to be required for the satisfactory management of The Society's affairs and for communications.

c) Members of The Society shall uphold and comply with the Constitution and By-Laws of The Society while exercising their rights as a Member of The Society.

d) Members shall not bring The Society into disrepute.

e) Members shall not seek or gain financial reward or material gain either directly or indirectly through their membership of The Society.

#### 10.4) Membership Rights.

a) Members of The Society shall have the right to carry out angling at all venues controlled by The Society and at all times as permitted by their Class of Membership.

b) Members, excluding those only holding Day Membership, may submit questions, requests, suggestions, complaint or otherwise lobby the Executive Committee by making a submission by email to The Executive Committee using the published email address.

c) Members, excluding those only holding Day Membership, may attend Annual General Meetings and Extraordinary General Meetings on production of proof of Membership to The Society. Such attendance shall be recorded by the Secretary or other Officer of The Society.

#### 10.5) Disciplinary Procedure.

a) The Executive Committee may take disciplinary action against Members of The Society reported as having acted contrary to the Constitution or By-Laws of The Society.

b) The Executive Committee may elect a sub group of Executive Committee Members to act in disciplinary matters. This group shall be referred to as The Disciplinary Panel and shall comprise at least three Members of the Executive Committee.

c) If a Disciplinary Panel is elected then it shall have sole responsibility for deciding the disciplinary matter in hand and its decision shall be final and no right of appeal shall be available except as provided for in 10.5d1 herein. If a Disciplinary Panel has not been elected then The Executive Committee shall have the sole responsibility for deciding the disciplinary matter in hand and its decision shall be final and no right of appeal shall be available except as provided for in 10.5d1 herein.

d) The conduct of a Member referred for disciplinary action shall be enquired into by either the elected Disciplinary Panel or the Executive Committee. In either case the Member shall be given notice of the time and place of the disciplinary hearing and of the nature of the alleged conduct to be decided upon except as provided for in 10.5d1 herein. Such notice to be given no less than seven days prior to the date of the disciplinary hearing.

1) The Executive Committee may take immediate disciplinary action against a Member if it decides that such action is justified. In the case that immediate disciplinary action is taken The Member shall be informed of such action and informed of the date, time and venue of the next Executive Committee Meeting or Disciplinary Panel Meeting at which The Member may make representation.

e) The Member may represent themselves or be represented by others in person or in writing at the disciplinary hearing. In the case that the Member is under the age of eighteen years representation must be by either their parent or legal guardian or any person so authorised by the parent or guardian in writing. There is no obligation for a member to attend a disciplinary hearing.

f) The Executive Committee or Disciplinary Panel decision shall be by a majority vote of those present at the meeting. The Executive Committee or Disciplinary Panel may expel a Member from The Society or determine a period of suspension from Membership of The Society or determine to restrict or withdraw a Members privileges as they determine is appropriate.

g) An expelled Member shall forfeit all rights and privileges of Membership but shall remain liable for all dues or debts to the Society which became payable to the Society before the date of expulsion. Any member subject to disciplinary action shall remain liable for all dues or debts to The Society which became payable to the Society before the date of disciplinary action.

h) An expelled or suspended Member shall surrender, on request, their Membership Permit together with any other items issued to them that remain the property of The Society. Such items shall be returned to The Member upon their re-admittance to The Society or upon cessation of suspension.

i) Any Member subject to immediate disciplinary action, as provided for in 9f herein, shall be deemed to be suspended from Membership of The Society pending a decision in accordance with 10.5 herein.

## **11) Appointments.**

a) The Executive Committee may appoint a solicitor to act for The Society.

b) The Executive Committee may appoint an auditor to carry out an audit of the accounts of The Society.

c) The Executive Committee shall appoint Trustees

## **12) Trustees**

a) A minimum of three Trustees shall be appointed by The Executive Committee.

b) The Executive Committee shall determine the responsibilities of Trustees and any provisions to be set out in The Society's Deed of Trust.

c) The Executive Committee shall determine the term of office of Trustees.

## **13) Annual General Meeting.**

### **13.1) Powers and Duties.**

a) The Society in Annual General Meeting shall elect from Members in attendance Officers of The Society and other Members of The Executive Committee as may be required. Elections shall be in accordance with provisions set out in 4 herein.

b) The Society in Annual General Meeting shall receive reports from Officers of The Society.

c) The Society in Annual General Meeting shall vote to accept or not the Accounts of The Society for the previous financial year.

d) The Society in Annual General Meeting shall vote to accept or not the proposed budget for The Society for the current financial year.

e) The Society in Annual General Meeting shall hear and decide upon proposed policy and Bye-Law changes from The Executive Committee. Any By-law changes proposed by the Executive Committee shall



be notified to Members of The Society no less than fourteen days prior to the date of the Annual General Meeting. This communication will be made by email and/or social media.

f) The Society in Annual General Meeting shall hear and decide upon proposals from Members of The Society for policy and Bye-Law changes. Any Bye-law changes proposed by a Member of The Society shall be notified to the Secretary no less than twenty eight days prior to the date of the Annual General Meeting. Any proposal from a Member of The Society shall be seconded by another Member of The Society. Both Members shall be in attendance at the Annual General Meeting for the proposal to be heard at the Annual General Meeting. Notification to The Secretary shall be in writing or by other means that may be made available by the Executive Committee.

g) Members of The Society in Annual General Meeting may propose amendments to proposals being heard. Such amendments shall be proposed and seconded by Members in attendance at the Annual General Meeting.

h) Members of The Society in Annual General Meeting may advise and make suggestions to The Executive Committee on matters of policy and By-Laws.

### 13.2) Notice of Annual General Meeting.

a) The date, time and venue of Annual General Meeting shall be included in The Membership Permit issued to every Member except for those only holding Day Membership. Members shall be deemed to have been informed of the date, time and venue of the Annual General Meeting on receipt of the membership Permit. Any change to date, time or venue will be communicated via electronic or digital means. Such notification shall be made no less than fourteen days prior to the date of Annual General Meeting.

b) Members of The Society shall be notified of those Executive Committee Members who shall be retiring. The notice of Annual general Meeting shall request nominations for election of Members to the Executive Committee.

c) Members of The Society shall be notified of any proposal to be put before Annual General Meeting by the Executive Committee or by Members. Such notification shall be made no less than fourteen days prior to Annual General Meeting and shall be made by email and/or social media.

### 13.3) Rules of Order.

a) Meetings shall be conducted in accordance with the rules of order set out in The Society's Rules of Order Document.

## **14) Extraordinary General Meeting**

a) The Executive Committee may convene an Extraordinary General Meeting in the event that it decides there are matters that require an urgent decision by Members of The Society.

b) Members of The Society shall be notified via electronic or digital means, of the time and venue for the Extraordinary General Meeting. Such notification shall be made no less than fourteen days prior to the date of the Extraordinary General Meeting. The notice shall include details of the matter to be decided.

c) Members of The Society in Extraordinary General Meeting may propose amendments to proposals being heard. Such amendments shall be proposed and seconded by Members in attendance at Extraordinary General Meeting.

d) Meetings shall be conducted in accordance with the rules of order set out in The Society's Rules of Order Document.

## **15) Bye-Laws.**

- a) The By-Laws of The Society shall govern the angling activities and behaviour of Members of The Society.
- b) The Bye-Laws of The Society shall be decided by Members of The Society in Annual General Meeting except for provisions made in section 8.2 herein.
- c) The Bye-Laws shall be communicated to Members in The Membership Permit. The Membership Permit may be in a printed format or digital format and remains the property of The Society together with any items The Executive Committee deems necessary to issue to Members and shall be surrendered by Members on request.
- d) In the event that the meaning or intent or interpretation of any By-Law is disputed then The Executive Committee shall decide such meaning or intent or interpretation and that decision shall be final.

## **16) Dissolution of The Society.**

- a) The Society may only be dissolved by an affirmed vote of 75% of Members of The Society, eligible to vote, in writing or by other means made available by the Executive Committee, no more than twenty one days after notification has been sent, to a proposal of dissolution of The Society that has been approved by The Executive Committee. Such a proposal must be made by a Member of The Society and seconded by no less than ten other Members of The Society. Members must be over the age of eighteen years to be eligible to make the proposal, second the proposal or vote on the proposal.
- b) In the case that a proposal for dissolution of The Society is approved by the Members of The Society then the debts of The Society shall be settled and the non-cash assets of The Society shall be disposed of. The total cash assets of The Society shall then be donated to an angling related charity that shall be selected by the Executive Committee.

## **17) Modification of the Constitution**

- a) This constitution may only be modified when the following conditions have been met;
  - 1) The proposed modification has been approved by the Executive Committee and the wording approved by the Solicitor of the Society appointed by the Executive Committee.
  - 2) Has been approved by affirmative vote, in Annual General Meeting or Extraordinary General Meeting, by at least 75% of the Members in attendance eligible for election as Officers.
- b) Any such modification shall be notified to Members within fourteen days of its approval.

## **18) Interpretation**

In the event that the meaning or intent or interpretation of any provision set out in this Constitution is disputed then The Executive Committee shall decide such meaning or intent or interpretation and that decision shall be final.

## **19) Date of Implementation and Modifications**

The date of General Meeting or Extraordinary General Meeting which approves the adoption of this Constitution shall be recorded as the date of implementation. The dates of subsequent modifications shall be similarly recorded.

**This Constitution was adopted by The Society in Annual General Meeting 10/ 02 / 2019 and such adoption recorded in the minutes of the meeting.**