

**SCOTTISH WHEELCHAIR CURLING ASSOCIATION (SWCA)**  
**CONSTITUTION**

**1) NAME**

The name of the association shall be the 'Scottish Wheelchair Curling Association' (hereinafter referred to as "SWCA").

**2) PURPOSES**

The purposes of the SWCA shall be:

- a) to provide for the welfare of wheelchair users by promoting the provision of Wheelchair Curling;
- b) to promote the benefit of Curling to wheelchair users and those with other disabilities, without distinction of sex, sexuality, political, religious or other opinions by associating the local statutory authorities, voluntary organisations and inhabitants in a common effort to advance education and provide facilities, or assist in the provision of facilities, in the interest of social welfare for recreation and other leisure-time occupation so that their conditions of life may be improved; and
- c) to advance the education of the public about Wheelchair Curling.

In furtherance of the Purposes, but not otherwise, the SWCA shall have the powers conferred in clause 14.

**3) ROYAL CALEDONIAN CURLING CLUB**

- a) The SWCA recognises the Royal Caledonian Curling Club (Royal Club) as the National Governing Body for the Sport of Curling in Scotland and adopts the strategic aims of the Royal Caledonian Curling Club so far as they are charitable in law and relevant to Wheelchair Curlers.
- b) The Royal Club recognises the SWCA as having special interest in the Development of Wheelchair Curling in Scotland, including Sports Development and Competitions. SWCA and Royal Club share an interest in promotion and development of Wheelchair Curling in Scotland and will support each other in realising the shared objectives.

**4) MEMBERSHIP**

There are two categories of member:

- a) Full Members: open to Wheelchair Curling Clubs which are members of the Royal Caledonian Curling Club, each of which will have one vote;
- b) Individual Members: open to any individual having an interest in Wheelchair Curling, who will not have a vote.

**5) SUBSCRIPTIONS**

The annual membership subscriptions and timetable for payment shall be fixed at each Annual General Meeting and only those Full Members having paid their subscription shall be entitled to vote.

## 6) GENERAL MEETINGS

- a) An Annual General Meeting shall be held prior to 30<sup>th</sup> April each year, which shall be open to all interested parties. Three clear weeks notice in writing of the holding of the meeting shall be given to all Full Members.
- b) Intimations of business and Notice of Motions to be brought before the Annual meeting shall be transmitted to the Secretary of the SWCA before 30<sup>th</sup> January each year.
- c) Special General Meetings may be requested by the Management Committee or by any three Full Members. Such request stating the business to be discussed shall be made in writing to the Secretary who shall call such a meeting within six weeks of the date of the request, and giving three weeks notice in writing to every member along with details of the business to be discussed.
- d) At all General Meetings, only Full Members may vote. Before the commencement of a General Meeting, each Full Member shall notify in writing to the Secretary the name of the person appointed to represent the member. Any Full Member failing to notify the Secretary of the name of their representative shall not be entitled to vote at that General Meeting.

## 7) OFFICE BEARERS

At each Annual General Meeting, the following Office Bearers shall be elected to serve for a period of two years and may be re-elected thereafter, but no Office Bearer, excepting the Secretary and Treasurer, may serve for more than six years.

- i) Chairman
- ii) Vice-Chairman
- iii) Treasurer
- iv) Secretary
- v) A Representative of Full Members in the North of Scotland, as defined from time to time by the Management Committee
- vi) A Representative of Full Members in the South of Scotland, as defined from time to time by the Management Committee.

The Chairman and Vice Chairman will be elected in even years, the other posts in odd years. Should a vacancy arise in a post which is not due for election that year then the post will be elected for a single year before moving back to the normal cycle of elections. That one year period of office will not count towards the maximum period of 6 years.

Full Members may submit nominations for each office, such nominations to be made to the Secretary in writing not less than 7 days prior to the AGM.

## 8) MANAGEMENT

- a) The management of the SWCA shall be in the hands of a Management Committee, which shall consist of:
  - i) the Office Bearers (as per Clause 7)
  - ii) Royal Club Representative
  - iii) Competitions Convener
  - iv) Scottish Disability Sport Representative
  - v) National Coach

The Management Committee has the power to co-opt up to 3 additional members as required. Co-options last until the next AGM, individuals may be re-co-opted at the first Management Committee meeting following the AGM. Co-opted members shall not be entitled to a vote.

- b) The Management Committee shall be responsible for the management of the SWCA, including the following areas of work:
  - i) Finance and Financial Policy
  - ii) Education and Training
  - iii) Sports Development
  - iv) Promotion and organisation of national and international events
  - v) Appointment of representatives to other organisations
  - vi) Promotion and Marketing of the SWCA
  - vii) Liaison with Scottish Disability Sport
  - viii) Liaison with the Royal Caledonian Curling Club.
- c) The Management Committee shall have power to set up standing and ad hoc committees as required, and shall determine the membership and remit of such committees.
- d) Six members present will form a quorum for the Management Committee.

## **9) GENERAL RULES**

- a) The quorum for all General Meetings shall be 25% of the Full Members.
- b) The quorum for all meetings of Committees shall not be less than half the Members of the Committee or six persons, whichever is less.
- c) At all meetings of the SWCA Management Committee, in the event of an equality of votes, the Chairman of the meeting shall have a second or casting vote.
- d) The Chairman of every meeting of the SWCA or of its committees shall cause proper Minutes to be kept of the meeting and of all Resolutions passed thereat.
- e) On the occasion of an election for office:
  - i) Written nominations bearing the signatures of the Proposer and Seconder (both of whom must be Full Members) and indicating that the nominee is prepared to serve, must be lodged with the Secretary not less than 7 days prior to the AGM.
  - ii) If there is more than one nominee for office then a ballot shall be held.

## **10) FINANCE**

- a) Proper books of account shall be kept by the Treasurer such books to record all sums of money received and expended and the matters in respect of which the receipts and expenditure took place, and to record the assets and liabilities of the SWCA. The Treasurer shall act on behalf of the Management Committee and shall provide regular management report to them.

- b) The Treasurer of the SWCA shall open such Bank or other Accounts in the name of the SWCA as the Management Committee shall authorise. All Cheques Promissory Notes, Drafts and other Negotiable Instruments shall be signed, drawn, accepted, endorsed or otherwise executed on behalf of the SWCA by any two of three persons nominated by the Management Committee.
- c) The financial year shall end on 28<sup>th</sup> February. For each year there shall be drawn up an Income and Expenditure Account and Balance Sheet, which shall be assessed by an independent financial examiner to be appointed at the AGM. The Accounts, once so independently assessed, shall be submitted to the AGM for approval.
- d) All monies raised by or on behalf of the SWCA shall be applied to further the Purposes only, but nothing herein contained shall prevent the payment in good faith of reasonable and proper remuneration, fees to professional and technical advisers or the repayment to Members of the Management Committee of reasonable out-of-pocket expenses.

## **11) AMENDMENTS TO THE CONSTITUTION**

All amendments to the Constitution shall require a majority of three-quarters of those Full Members present and voting at a General Meeting of the SWCA. The text of any proposed amendment to the Constitution shall be submitted to the Secretary at least six weeks before the date of the meeting and shall be circulated with the Notice calling the Meeting.

## **12) WINDING UP**

In the event of the SWCA being wound up, after settlement of all due debts, its assets shall be handed over to such other charity in Scotland having similar aims as may be decided by the Management Committee, whom failing to Scottish Disability Sport (Scottish charity SC009609) so long as it remains a charity.

## **13) TRUSTEES**

Any heritable or other property to be held on behalf of the SWCA, which cannot be held in its own name, shall be held by its Trustees who are the Chairman, Vice-Chairman and Secretary from time to time ex officio.

## **14) POWERS**

In furtherance of the Purposes, but not otherwise, the SWCA may:

- a) work in liaison or partnership with voluntary organisations, local bodies, government departments, local and other statutory authorities, businesses and individuals;
- b) engage and pay fees for professional and technical advisers and consultants to assist in the work of the SWCA;
- c) purchase, take on lease or exchange, hire or otherwise acquire, any property and any rights and privileges for the promotion of the Purposes;
- d) construct, convert, alter, demolish, improve, manage and develop any buildings for the work of the SWCA;

- e) manage and operate or arrange for the management and operation of properties, lands and estates whether owned by the SWCA or not and the entering into and carrying out of agreements in relation thereto with statutory and other bodies, individuals, unincorporated SWCAs, firms, corporate bodies and others and any groups thereof in furtherance of the Purposes;
- f) establish and administer a building fund or funds or guarantee fund or funds or endowment fund or funds in furtherance of the Purposes;
- g) sell, let, hire, license, give in exchange and otherwise dispose of all or any part of the undertaking, property and rights of the SWCA, wheresoever situated;
- h) prepare, produce, edit, publish, exhibit and distribute articles, pamphlets, books and other publications, tapes, motion and still pictures of any medium, music and drama of any medium and other materials conducive to the Purposes;
- i) manufacture, retail, sell, hire and supply equipment, items and goods generally conducive to the Purposes;
- j) raise funds and invite and receive contributions from any person or organisation by way of subscription, appeal or otherwise;
- k) subject to Clause 10(b), borrow money and to charge or provide security therefore over the whole or any part of the property belonging to the Trustees on behalf of the SWCA as security for repayment of the money borrowed;
- l) effect insurance of all kinds (which may include liability insurance in respect of Trustees); and/or
- m) do all such other lawful things as may be appropriate for the attainment of the Purposes.