Rules
of
Tunbridge Wells Harriers

1. Interpretation

1.1 Unless the context requires otherwise, the following terms in these Rules shall have the following meaning respectively:

AGM	has the meaning given in rule 10.1;
Committee	means the management committee of the Club from time to time;
Chair	means the person from time to time appointed as chair of the Club in accordance with these Rules;
Club	means the club intended to be regulated by these Rules;
EGM	has the meaning given in rule 10.2;
England Athletics	means England Athletics Limited (company number: 05583713) (or its successor body);
General Meeting	means a general meeting of the Members (being either an AGM or an EGM);
Member	means a member of the Club (and a member shall be legally bound by these Rules in accordance with rule 10);
Objects	has the meaning given in rule 3;
Officers	means the members of the Committee;
Secretary	means the person from time to time appointed as secretary of the Club in accordance with these Rules;
Treasurer	means the person from time to time appointed as treasurer of the Club in accordance with these Rules;
UKA	means UK Athletics Limited (company number 03686940) (or its successor body);
Writing and written	includes email.

2. **Name and Office**

2.1 The Club shall be called **Tunbridge Wells Harriers** (hereinafter to be referred to as "the Club"). The Club Colours shall be a "vest, or other garment as approved by the Committee, bearing royal blue and yellow vertical stripes, with a plain dark-coloured lower garment".

2.2 The principal office of the Club shall be situated in England**.**

3. **Objects**

The objects of the Club (Objects) shall be to:

3.1 encourage the practice, promotion, development and participation of amateur athletics in Tunbridge Wells and the wider community;

3.2 provide training and coaching for Members;

3.3 organise open, club, and club handicap running races;

3.4 organise teams to represent the Club in championships and leagues and in such other competitions as the Committee shall decide;

3.5 cater for the following athletics disciplines: Road Running, Track Athletics, Cross-Country Running and other sporting events which include a running discipline;

3.6 seek to be affiliated to national and regional amateur athletic bodies as the Committee consider appropriate in order to carry out the objectives of the Club.

4. **Ethos**

4.1 The Club is committed to ensuring that equity is incorporated across all aspects of its operations, activities and development. In doing so, the Club acknowledges and adopts the following Sport England definition of sports equity:

'Sports equity is about fairness in sport, equality of access, recognising inequalities and taking steps to address them. It is about changing the culture and structure of sport to ensure it becomes equally accessible to everyone in society.'

4.2 The Club respects the rights, dignity and worth of every person and shall treat everyone equally within the context of their sport, regardless of age, sex, disability, gender reassignment, race, religion, sexual orientation, pregnancy/maternity, civil partnership/marriage and wider characteristics (e.g. socio-economic status).

4.3 The Club is committed to everyone having the right to enjoy their sport in an environment free from threat of intimidation, harassment and abuse.

4.4 All Members have a responsibility to oppose discriminatory behaviour and promote equality of opportunity.

4.5 The Club will deal with any incidents of discriminatory behaviour seriously according to the Club's disciplinary procedures.

5. **Exercise of Powers**

In furtherance of the Objects, but not otherwise, the Club may exercise the following powers:

5.1 to carry on a sports club;

5.2 to provide sports coaching, training and equipment;

5.3 to participate in and organise leagues, competitions, tournaments and matches, and related activities;

5.4 to provide information, advice and guidance in running and/or athletics, competitions, coach development and other related activities;

5.5 to publish or distribute information including by means of reports, books, leaflets, films, videos, websites and any other media;

5.6 to draw, make, accept, endorse, discount, execute and issue promissory notes, bills, cheques and other instruments and to open and operate bank accounts in the name of the Club;

5.7 to accept or disclaim gifts of money or any other property;

5.8 to sell and supply food, drink, and related sports clothing and equipment;

5.9 to raise funds and to invite and receive contributions;

5.10 to purchase, take on, hire, lease, acquire, alter, improve, construct and maintain property, and equip it for use;

5.11 to reconstitute as a body corporate and transfer some or all of the undertaking, assets and liabilities of the Club to its corporate successor;

5.12 to insure the property of the Club against any foreseeable risk and to take out other insurance policies to protect the Club and the Officers, when required, including the provision of indemnity insurance to cover the liability of the Officers and other staff and volunteers;

5.13 alone or with other organisations to seek to influence public opinion and to make representations to and to seek to influence governmental and other bodies and institutions regarding the reform, development and implementation of appropriate policies, legislation, regulations and rules;

5.14 to set aside income for special purposes or as a reserve against future expenditure, but only in accordance with a policy in writing on reserves determined by the Committee; and

5.15 to do all such other lawful things as may further or are conducive to the Objects of the Club or any of them.

6. Club Finances & Property

6.1 A bank account shall be opened and maintained in the name of the Club (**Club Account**). Designated account signatories shall be the Chair, the Secretary, Treasurer or President. No sum shall be expended from the Club Account except by cheque signed by two of the designated signatories or by electronic transfer approved by at least one of the designated signatories subject to a maximum amount fixed by the Committee. All monies payable to the Club shall be received by the Treasurer and deposited in the Club Account as soon as is reasonably practicable. The Club Account shall be managed in accordance with any finance policy drawn up by the Committee and/or in accordance with the reasonable instructions of the Committee (acting collectively) from time to time.

6.2 The Club's financial year shall end on **31st December** each year or such other date as the Committee may determine from time to time provided that no financial year shall be shortened to less than nine months or extended to more than fifteen months.

6.3 The Club's property and funds must not be used for the direct or indirect private benefit of members, except as reasonably permitted by the Rules. All surplus income or profits are to be reinvested in the Club. No surpluses or assets will be distributed to members or third parties except under Rule 6.4

6.4 Surplus from open events may be donated to charity(ies) as agreed by the Committee.

7. Affiliation

Subject to these Rules and the general law, the Club shall (as the case may be) become a member of or affiliate to England Athletics and any constituent body designated to it by England Athletics and the Club shall comply with and uphold the rules and regulations of England Athletics and of any such constituent body for the time being in force.

8. Club Membership

8.1 The Members from time to time shall be those persons listed in the Club's register of members which shall be maintained by the Secretary or Membership Secretary.

8.2 **Membership Classes**:

8.2.1 Honorary Life Member - may be conferred upon any Member in recognition of a significant personal contribution to the Club's affairs. Honorary Life memberships may be proposed by any Member and shall be awarded by a majority vote at the AGM. Life Members are exempt from payment of annual subscriptions but shall otherwise have the same rights as Ordinary Members. The total number of Life Members is not limited, but only two Life Memberships may be granted in one financial year.

8.2.2 Associate Member - Non-competing members of the Club who may not use the Club training facilities but may take part in the Club's social events and receive all Club correspondence. Associate Members shall not have voting rights but shall pay a reduced annual subscription.

8.2.3 Ordinary Member – all other members of the Club.

8.3 **Admission to Membership**

8.3.1 Any person who wishes to be a Member must apply in such form as is determined by the Committee from time to time. The appropriate subscription must accompany the application for membership.

8.3.2 Membership of the Club is open to all without discrimination and may only be refused where admission to membership would be contrary to the best interests of sport or the good conduct and interests of the Club. No person shall be denied membership of the Club on the grounds of race (including ethnicity and nationality), age, disability, gender, gender reassignment, sex, occupation, sexual orientation, religion, political or other beliefs, pregnancy (save that the Club reserves the right to consider the health and safety of the pregnant woman in deciding whether to admit her as a member) or maternity. A person may appeal against any denial of membership in accordance with rule 22 below. However, limitation of membership according to available facilities is allowable on a non-discriminatory basis.

8.3.3 The Club welcomes first and second claim members. Members must designate themselves as either "First Claim" or "Second Claim" Members. Changing from first or second claim (or vice versa) to be carried out in accordance with the rules of England Athletics.

8.3.4 Membership is not transferable to anyone else.

8.4 **Conditions of Membership**

8.4.1 These Rules, including any bye laws made under rule 21 below, shall form a binding agreement between each Member, and Members shall comply with these Rules and bye laws.

8.4.2 Subject to these Rules and the general law, the Members shall so exercise their rights, powers and duties and shall where appropriate use their best endeavours to ensure that others conduct themselves so that the business and affairs of the Club are carried out in furtherance of the Objects and in accordance with the rules and regulations of England Athletics and UKA for the time being in force.

8.5 **Cessation of Membership**

8.5.1 Membership of the Club shall terminate if:

8.5.1.1 the Member dies;

8.5.1.2 the Member, being an individual, is convicted of a criminal offence which involves dishonesty or any other offence, relating to safeguarding, drugs and any crime involving violence (including any convictions relating to children) at the committee's discretion;

8.5.1.3 the Member resigns by notice in writing to the Club by giving at least seven days' notice in writing to the Club provided that upon such resignation the number of Members is not less than one;

8.5.1.4 the Member is in arrears to the Club and their subscriptions, or any other payments are at least three months overdue;

8.5.1.5 the Member is removed from membership by a resolution of the Committee as a result of application of the Club's (or England Athletics') disciplinary policy.

8.5.2 Any person ceasing to be a Member forfeits all rights in relation to and claims upon the Club, its property and its funds and has no right to the return of any part of their subscription fee. Without prejudice to the foregoing, the Committee may refund an appropriate part of a resigning Member's subscription fee if it considers it appropriate in the circumstances.

8.5.3 In the event of a Member's resignation or expulsion, their name shall be removed from the Club's register of members.

8.5.4 No person may compete in the name of the Club if their membership has terminated.

9. **Subscriptions**

9.1 The Committee or the Members may from time to time fix the levels of admission fees and annual subscriptions to be paid by different categories of Members provided that the Committee or the Members (as the case may be)

shall use its best endeavours to ensure that any such fees or subscriptions do not preclude open membership of the Club. On request, reduced subscription fees will be payable by Members in full time education or in receipt of state benefit.

9.2 Annual subscriptions shall become due for payment on 1st April each year, with the amounts being approved by Members at the AGM. Members shall pay their subscription fees within 4 weeks of the renewal date each year.

9.3 New Members joining the Club during the year may pay a pro rata fee as agreed from time to time by the Committee. Members joining after the 1st of January shall be deemed to have paid their subscription for the following year.

10. General Meetings

10.1 The Committee shall call an Annual General Meeting (**AGM**) each year and no more than fifteen months shall pass between one AGM and the following one. The business of an AGM shall include:

10.1.1 receive annual reports of the principal activities of the Club;

10.1.2 receive the financial statements and the Treasurer's report;

10.1.3 approve the annual subscription for the following year;

10.1.4 consider any amendment to the Constitution of which due notice has been given to all Members;

10.1.5 consider any amendment to the Club Committee Terms of Reference of which due notice has been given to all Members;

10.1.6 the election and retirement of Officers; and

10.1.7 transact any other notified business.

10.2 All General Meetings other than the AGM shall be called Extraordinary General Meetings (**EGMs**).

10.3 An EGM may be called at any time by the Committee at that time and shall also be called within fourteen days of the receipt by the Secretary of a requisition in Writing, signed by not less than 10 voting Members stating the purposes for which the EGM is required and the resolutions proposed. Business at an EGM may be any business that may be transacted at an AGM.

11. Notice of General Meetings

11.1 An AGM or EGM shall be called at least twenty-one clear days before the meeting save that 90% of all the voting Members may agree to shorter notice.

11.2 The notice shall specify the date, time and place of the meeting and the general nature of the business to be transacted and, in the case of an AGM, shall specify the meeting as such.

11.3 The Secretary shall send to each Member at their last known email address written notice of the date of a General Meeting (whether an AGM or an EGM) together with the resolutions to be proposed.

11.4 Any proposed change to the constitution or committee terms of reference must be received by the Secretary at least 14 days preceding the meeting in order that all Members shall have sufficient notice of the proposal

11.5 The accidental omission to give notice of a General Meeting to or the non-receipt of notice of a General Meeting by any person entitled to receive notice shall not invalidate the proceedings at that meeting

12. Proceedings at General Meetings

12.1 No business shall be transacted at any General Meeting unless a quorum is present. The quorum for an AGM or EGM shall be 20% of the total number of all Members entitled to vote.

12.2 If a quorum is not present within an hour from the time appointed for the meeting or if during a meeting a quorum ceases to be present, the meeting shall stand adjourned to the same day in the next week at the same time and place as the Committee may determine.

12.3 If the number of Members present at the adjourned meeting is insufficient to constitute a quorum in accordance with rule 12.1 above, the Members present shall constitute a quorum.

12.4 The Chair, or in their absence the President or any other Officer, shall preside as the chair of the meeting. Each Honorary & Ordinary Member present shall have one vote but in the event of an equality of votes (on a matter on which the Chair has not voted) the Chair of the meeting shall have a casting vote.

12.5 Members are expected to vote in person but in exceptional circumstances may vote on all resolutions by proxy in writing to the Secretary. Proxy votes must be received not less than 24 hours before commencement of the meeting.

12.6 Nonmaterial amendments to resolutions proposed under 11.4 may be considered at the sole discretion of the Chair, with the aim of improving clarity and correcting grammatical errors.

12.7 The Secretary, or in their absence any other Officer, shall enter the minutes into the Club's books or electronic records and act as the Returning Officer to oversee any elections conducted at the meeting.

12.8 The Committee may make whatever arrangements they consider appropriate to enable Members attending a General Meeting to exercise their rights to speak or vote whether attending directly or by telephone communication or by video conference, an internet video facility or similar electronic method allowing visual and/or audio participation.

12.9 The Chair of the General Meeting may, with the consent of the meeting, adjourn the same from time to time and from place to place but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from the point at which the adjournment took place.

13. **The Committee**

13.1 The Committee shall comprise of the following roles who shall be Officers of the Club:

13.1.1 Club Chair;

13.1.2 Club Treasurer;

13.1.3 Club Secretary;

13.1.4 Club Welfare Officer;

13.1.5 Membership Secretary;

13.1.6 Competition Secretary;

13.1.7 Communications Officer;

13.1.8 Coaches' Representative;

13.1.9 Social Secretary;

13.1.10 Member without Portfolio;

13.2 Officers shall be elected by the Members at an AGM. Nominations for election of Members as Officers shall be made:

13.2.1 by the Committee; or

13.2.2 in Writing by the proposer and seconder, both of whom must be existing Members, to the Secretary not less than 14 days before the meeting.

13.2.3 In the event no nominations are received for a committee position under Rules 13.2.1 or 13.2.2, Members may be proposed and seconded during the AGM.

13.3 If a single Member is nominated for a committee position, they will be elected unopposed. If multiple candidates are nominated, eligible Members will vote

either by a show of hands or secret ballot, as determined by the Chair, with the candidate obtaining the most votes being elected.

13.4 Each Officer shall hold office from the date of election until the conclusion of the next AGM. A retiring Officer may be re-elected at the AGM subject to Rules 13.5 & 13.6.

13.5 Officers may serve a maximum five-year continuous term in an individual committee role. At any time during the five-year period, Officers may stand for election in an alternate committee role and if elected, the five-year term will restart.

13.6 In the case of the Club Chair, they will not be eligible to stand for re-election to any other position and must step down from the Committee after a maximum five years as Chair.

13.7 Any vacancy on the Committee which arises between one AGM and the next may be filled by a Member proposed by one Officer, seconded by another Officer and approved by the Committee. Rule 13.5 will apply on election by Members at the AGM.

13.8 An Officer may not appoint an alternate or substitute to act on their behalf at any Committee meeting.

13.9 At least three members of the club's committee should be unrelated to or not co habiting with other committee members.

14. Powers of the Committee

14.1 The powers of the Committee shall be outlined in the Club Committee Terms of Reference, as approved by Members.

14.2 No alteration of these Rules and no such direction by the Members shall invalidate any prior act of the Committee which would have been valid if that alteration had not been made or that direction had not been given.

14.3 Subject to these Rules and the general law, the Committee shall so exercise its rights, powers and duties and shall where appropriate use its best endeavours to ensure that others conduct themselves so that the business and affairs of the Club are carried out in furtherance of the Objects and in accordance with the rules and regulations of England Athletics and UKA for the time being in force.

15. Honorary Positions

15.1 Club President – The President shall be an Officer of the Club elected by the Members at the AGM to perform duties representing the Club and may provide the Committee guidance on strategy and probity as required. The President shall be invited to all committee meetings but shall not be entitled to vote.

The Club President shall hold office from the date of election until the conclusion of the next AGM. They may seek re-election but may only serve a maximum continuous term of five years, unless otherwise agreed by the AGM.

15.2 Vice Presidents - The committee may admit senior members to a body of Vice Presidents, at their discretion, as a means of recognising long service to the club. This is an honorary title only and carries no rights or responsibilities. The Vice Presidents may be called upon to give advice to the President. The names of the Vice Presidents are to be recorded in some way and displayed at the club house.

15.3 Club Patron - The club should have one or more Patrons or a notable personality who is prepared to associate themselves with the Club by intent or contribution. This association should be seen to enhance and dignify the reputation of the Tunbridge Wells Harriers. A Club Patron is elected by a simple majority of those present at the Club AGM.

16. **Irregularities**

The proceedings at any meeting or on the taking of any poll or the passing of a written resolution or the making of any decision shall not be invalidated by reason of any accidental informality or irregularity (including any accidental omission to give or any non-receipt of notice) or any want of qualification in any of the persons present or voting or by reason of any business being considered which is not specified in the notice.

17. **Minutes**

The Committee shall cause minutes to be made in books or electronic records kept for the purpose:

17.1 of all appointments of Officers made by the Members or the Committee;

17.2 of all resolutions of the Members and of the Committee (including decisions of the Committee made outside a meeting); and

17.3 of all proceedings and reports of meetings of the Club and of the Committee, and of sub-committees, including the names of those present at each such meeting.

18. **Communications by the Club**

18.1 Subject to these Rules, any document or information (including any notice, report or accounts) sent or supplied by the Club under these Rules may be sent or supplied:

18.1.1 in hard copy form;

18.1.2 in electronic form; or

18.1.3 by making it available on a website or internet forum.

18.2 Every member shall be responsible for keeping their membership details up to date for reasons of safety and communication.

19. Personal Risk

19.1 Members and guests acknowledge and accept that participating in sport of any kind can be dangerous and may result in injury and damage to property. Members and guests shall take personal responsibility for their own actions and participate in the Club's sporting activities at their own risk.

19.2 Subject to rule 19.3 below, the liability of the Club and its Officers to any Member is limited to the net assets of the Club.

19.3 Nothing in these Rules shall limit or exclude liability:

19.3.1 for death or personal injury caused by negligence;

19.3.2 for any loss or damage caused by criminal or fraudulent conduct; or

19.3.3 for any other liability which cannot lawfully be limited or excluded;

20. Indemnity

20.1 Without prejudice to any other indemnity to which an Officer may otherwise be entitled, every Officer of the Club shall be indemnified out of the assets of the Club against any liability incurred by them in the proper discharge of their duties to the fullest extent permitted by law.

21. Bye Laws

21.1 The Committee may from time to time make such bye laws as they may deem necessary or expedient or convenient for the proper conduct and management of the Club and in particular the Committee may by such bye laws regulate:

21.1.1 the creation of regulations, standing orders and bye laws for the better administration of the Club and to govern the functioning of sub-committees to assist the Committee in the better administration of the Club;

21.1.2 the adoption or alteration of such other regulations or policies as the Committee thinks fit;

21.1.3 the conduct of Members in relation to one another and to the Club's Officers, staff, volunteers or beneficiaries including disciplinary procedures;

21.1.4 the terms on which Members and guests may be permitted to take part in the Club's sporting activities;

21.1.5 the terms for allocation of the Club's London Marathon places;

21.1.6 any licensable or other regulated activities of the Club;

21.1.7 the procedure at General Meetings and meetings of the Committee and sub-committees insofar as such procedures are not regulated by these Rules;

21.1.8 the appointment of proxies, the form and content of proxy notices, the delivery of proxy notices to the Club and the revocation of such appointments;

21.1.9 any procedures to assist the resolution of disputes within the Club;

21.1.10 generally, all such matters as are commonly the subject matter of club rules;

provided that nothing in such bye laws shall prejudice the Club's affiliation to England Athletics.

21.2 The Club in General Meeting shall have power to alter, add to or repeal the bye laws and the Committee shall adopt such means as they think sufficient to bring to the notice of the Members all such bye laws

22. **Complaints and Disputes**

22.1 All concerns, allegations or reports of malpractice or abuse relating to the welfare of children or vulnerable adults will be recorded and responded to swiftly and appropriately in accordance with the Club's and UKA's/EA's safeguarding policy and procedures. The Welfare Officer shall be the lead Officer for all Members in the event of any safeguarding concerns.

22.2 Any complaints of misconduct (improper or unprofessional conduct) regarding the behaviour of Members or Officers shall be dealt with by the Club in accordance with its discipline and appeals process (see section 4.5) and must be presented in writing to the Secretary (and where the matter relates to the Secretary, the complaint must be submitted to the Welfare Officer). Unless exceptional circumstances apply, the Secretary will hear complaints within fourteen days of receiving a complaint. If the complaint is sufficiently evidenced, the Secretary will appoint 3 (three) Club Members (who have no direct or indirect interest/involvement in the matter) to sit on a disciplinary panel. Subject to rule 22.3 below, a decision of the disciplinary panel shall be final and conclusive.

22.3 Any appeals must be received by the Secretary within 7 (seven) days of receiving the written decision and, if appropriate, the appeals process will be followed.

22.4 Any complaints of serious misconduct (including, without limitation, theft, doping violations, fraud, physical violence, safeguarding policy breaches, serious breach of applicable health and safety, gambling and/or ticketing regulations or any act or omission of the Member or Officer which in the opinion of EA, acting reasonably, brings or is likely to bring the sport of athletics into disrepute) regarding the behaviour of Members or Officers shall be reported to and dealt with by EA in accordance with its Disciplinary Procedures.

22.5 If a dispute arises between any Members or Officers of the Club about the validity or propriety of anything done by any Member or Officer under these Rules and the dispute cannot be resolved by agreement, the parties to the dispute must first try in good faith to settle the dispute by mediation before resorting to litigation.

23. Alteration of the Rules

23.1 No alterations or amendments shall be made to or in the provisions of these Rules except by resolution at a General Meeting in accordance with these Rules and shall be carried by the majority of at least two thirds of the Members present.

24. Incorporation

24.1 The Members at a General Meeting may authorise the Committee to transfer the assets and liabilities of the Club to a limited company or charitable incorporated organisation established for purposes within, the same as or similar to the Objects and of which the Members will be entitled to be Members.

24.2 On a transfer under rule 24.1 the Committee must ensure that all necessary steps are taken as to:

24.2.1 the transfer of land and other property;

24.2.2 the assignment or novation of contracts and grants;

24.2.3 the transfer of employment and transfer of pension rights; and

24.2.4 the trusteeship of any property held as permanent endowment.

25. Dissolution

25.1 A resolution to dissolve the Club may only be proposed at a General Meeting and shall be carried by the majority of at least three-quarters of the Members present entitled to vote.

25.2 The dissolution shall take effect from the date of the resolution and the Committee shall be responsible the winding up of the assets and liabilities of the Club.

25.3 Any surplus assets remaining after the discharge of the debts and liabilities of the Club shall be applied or transferred to another club or England Athletics for use by them related to community sports.

26. **Declaration**

The Club duly adopted these Rules as its governing document on 19th March 2025

Chair	**Secretary**
George Harris	**Simon Holford**