

Chester Mountaineering Club

Founded March 1953

Constitution

1. NAME

- 1.1 The name of the club shall be "**The Chester Mountaineering Club**"

2. OBJECTIVES OF THE CLUB

- 2.1 To promote the interests of climbing, mountaineering and associated mountain activities amongst members of the Club.
- 2.2 To provide an opportunity for members of the Club to meet and participate in climbing and mountaineering activities together.
- 2.3 To act on behalf of and in the interests of Club members.
- 2.4 To promote awareness of the need to maintain access, conservation and protection of the cliff and mountain environment.

3. MEMBERSHIP OF THE CLUB

- 3.1 The Club shall consist of Associate, Full, Honorary and Life Members. The rights of Life and Honorary members are the same as those of Full Members and where the term Full members is used below, it includes Life and Honorary Members.
- 3.2 **Membership of the Club shall only be open to individuals who recognise that climbing and mountaineering are activities with a danger of personal injury or death. Members shall be aware of and shall accept these risks and agree to be responsible for their own actions and involvement.**
- 3.3 The club accepts junior members under the age of 18 subject to the BMC 'Child Protection Club Guidelines'. The minimum age for new juniors to be set at 15.
- 3.4 Potential members of the Club shall be elected to Associate Membership for a period of 6 months by application in writing, accompanied by a fee, to the Membership Secretary, this application being subject to ratification by the Committee.
- 3.5 After 6 months, Associate Members may apply for Full Membership or may re-apply for a further term of Associate Membership, in which case they shall pay a further fee. The application for Full membership must be in writing to the Membership Secretary, and must be proposed and seconded by two Full Members of the Club. The applicant may then be admitted to Full Membership by a majority vote of the Committee, provided that he or she has attended indoor and outdoor meets and become known to members of the Committee during his or her period of Associate Membership.
- 3.6 If no application for Full Membership is received, the Membership Secretary will notify the Associate Member that his or her application is due, in writing. Membership will lapse unless the person applies for a further term of Associate Membership or for Full Membership.
- 3.7 If an associate has not applied for or been accepted for full membership after four consecutive 6-month periods of associate membership, further renewals will be at the discretion of the Committee.
- 3.8 On election to Full Membership, Associate Members will pay the balance owing for the current year.
- 3.9 Any member of the Club may resign by giving written notice to the Secretary. The refund of any fees will be at the discretion of the Committee.
- 3.10 Upon any two members making a complaint against a further member, the Committee shall decide if further investigation or action is appropriate. If such a decision is made, the member in question shall be notified of the complaint and has the right to reply in writing or in person to the Committee by the date of the next committee meeting. The Committee shall have the power to expel such member whether such member makes a reply or not. Any refund of membership fees will be at the discretion of the Committee.
- 3.11 The Committee is empowered to grant honorary membership in appropriate circumstances.

4. MEMBERS RIGHTS

- 4.1 Full Members and their guests have the right to use the club hut subject to the Club Rules.
- 4.2 Full Members may use the huts of kindred clubs subject to the conditions set out in the handbook.
- 4.3 Full Members may borrow a hut key for the Club hut, subject to payment of a refundable deposit. This key must be returned to an Officer of the Club on termination of club membership.
- 4.4 Associate Members may visit the huts of kindred clubs only as a guest of a visiting C.M.C. member or of a member of the said clubs, and hut dues will be paid at the rate for guests. This does not apply to Hut Exchange Meets.
- 4.5 Associate Members may invite guests to the Club hut only with the permission of the Hut Secretary.
- 4.6 Associate Members may not have a hut key on permanent loan. At the discretion of the Hut Secretary, they may obtain a key temporarily, for specific visits.
- 4.7 The Club is affiliated to the BMC, and members are entitled to make use of its services

5. MANAGEMENT OF THE CLUB

- 5.1 The Management of the Club shall be entrusted to the Club Committee, hereinafter referred to as "the Committee".
- 5.2 The freehold property of the Club and such other property as the Committee may direct from time to time shall be vested in and held by not less than two nor more than four Trustees.
- 5.3 Trustees shall be appointed from the Full or Honorary Members of the club by the whole Committee with a two thirds majority vote. To give effect to such appointment(s), the Chairman is nominated as the person to appoint new Trustees of the club within the meaning of the Trustee Act 1925 Section 36.
- 5.4 Appointment of Trustee(s) shall be recorded in the Deed of Trust.
- 5.5 The Trustees shall act in accordance with any lawful directions given by the Committee from time to time (an entry into the minute book is to be conclusive evidence of such direction).
- 5.6 The Committee shall ensure that a minimum of 3rd party liability insurance, to a level as recommended by the club's insurer, British Mountaineering Council or other recognized insurance professional(s) to be revised as necessary on an annual basis, is provided for each Trustee at all times in relation to acting as agents of the club at the expense of the Club.
- 5.7 The Trustees of the Club shall be indemnified out of the property of the Club for all liabilities costs and expenses incurred in relation to or in the course of their appointment where such costs exceed and exhaust the insurance provision in 5.6. Trustees of the Club shall not be indemnified out of the property of the club where the Trustee(s) are liable for their own willful fraud or wrongdoing.
- 5.8 The Committee shall have power to appoint a new Trustee or Trustees in the place of a Trustee or Trustees dying, retiring or becoming unable to act.
- 5.8.1 Any Trustee resigning from the office may advise the Secretary of such and shall concur in executing any documents requisite to give effect to their removal.
- 5.9 The committee shall not withhold information relating to the club's management and running from the Trustees when requested by the Trustees. The committee may send copies of the committee meeting minutes or similar documents to the Trustees to ensure that Trustees are fully informed.

6. OFFICERS OF THE CLUB

- 6.1 The elected Officers of the Club shall be the President, Vice President(s), Chairman, Secretary, Treasurer, Huts Secretary, and Membership Secretary hereinafter referred to as "the Officers".
- 6.2 Voting for the election of Officers shall take place at the AGM. Only Full Members can propose and second candidates, and vote, either personally or by postal ballot.
- 6.3 The President shall serve for a term of three years and be eligible to be re-elected at the end of any term of office. The Vice-President(s), Chairman, Secretary, Membership Secretary, Treasurer and Huts Secretary shall serve for the term of one year and may be re-elected at the end of any term of office. After a member has served for three consecutive years as Chairman or for the same period as Secretary, the member shall not be eligible for re-election to that same post for a year.

7. COMMITTEE OF THE CLUB

- 7.1 The Committee shall be composed of the Officers of the Club plus six Full Members, who shall be proposed, seconded and voted for by Full Members only.
- 7.2 The non-officer members of the Committee shall serve for a term of one year and shall be eligible for re-election.
- 7.3 The Chairman of the Club will normally chair all meetings of the Committee (or Club) and shall be responsible for reporting to the Membership at the Club's AGM.
- 7.4 The Club Secretary shall be responsible for all correspondence relating to Club affairs and for announcing Committee meetings, and the production and distribution of minutes from those meetings. The Secretary shall also be responsible for announcing the AGM and shall give at least

90 clear days notice of such a meeting. Motions and Items for inclusion in the agenda should be submitted to the Club Secretary at least 30 days prior to the AGM who will give at least 14 clear days notice of the agenda to members.

- 7.5 The Treasurer will account for income and expenditure made on behalf of the Club.
- 7.6 The Membership Secretary shall keep records relating to current Membership of the Club and shall be responsible for the collection of subscriptions.
- 7.7 The Committee shall have the power to do the following:
 - 7.7.1 Set Club rules. Such rules shall be in accordance with the articles of the Club's Constitution.
 - 7.7.2 Co-opt additional non-voting members.
 - 7.7.3 Expend Club money on whatever they deem to be for the benefit of the club, up to a limit of twice the annual Club subscription income in any calendar year except in an emergency relating to existing club property. Expenditure above these limits shall be subject to the agreement of a General Meeting of the Club.
 - 7.7.4 Arrange Meets and Social Gatherings and shall not be liable for any loss financially in any enterprise unless they have acted mala fide.
 - 7.7.5 Restrict the number of members in the Club.
 - 7.7.6 Delegate their authority to any Sub-Committee which shall have power to co-opt further members.
 - 7.7.7 Generally do as they think fit in applying the Constitution of the Club and in promoting the objects of the Club.
- 7.8 The Committee of the Club shall not be liable for any loss of any member's property, nor for any charges, damage or liability resulting from any accident or mishap, whether on Club property or otherwise.
- 7.9 The Committee shall have full power to act if either the Secretary or the Membership Secretary is present and there are also present four members of the Club who are either Officers of the Club or members of the Committee.
- 7.10 A General Meeting of the club membership shall be called once a year, and a Special Meeting may be called by the Committee at any time. In each case 14 days clear notice of the agenda shall be sent in writing to all members of the Club.
- 7.11 An Extraordinary General Meeting may be called at any time by six members of the Club giving notice, in writing, to the Secretary to call such meeting. The notice shall specify the reason for such meeting and shall detail the proposals to be put forward at that meeting. The meeting shall be called within 30 days of such notice being given, and the Secretary shall send the agenda to all members of the Club.

8. CLUB SUBSCRIPTIONS

- 8.1 The committee shall have the power to change the annual subscription by up to 20% in any calendar year should the need arise.
- 8.2 The Annual Subscription for Full Members who are not Life or Honorary Members is due on the 1st of January, and covers the year 1st January to 31st December.
- 8.3 If any Full Member has not paid in full by 1st March, they cease to be members of the Club. If they then pay, during the course of the same year, the full year's subscription plus a levy of 10%, they will be reinstated as a member from the date of receipt of such payment to the 31st December of that year. If they do not pay the full year's subscription plus the levy of 10% by the 31st December, and subsequently wish to rejoin, they must rejoin as an Associate Member.
- 8.4 During such time as the Club is affiliated to the British Mountaineering Council (BMC), payment of the Club subscription ensures continued registration of a member for the purposes of such insurance as the BMC may from time to time provide. The Club does not provide any insurance for members nor does the Club undertake to ensure that the BMC provides insurance.

9. AMENDMENTS TO THE CONSTITUTION OF THE CLUB

- 9.1 This Constitution may be amended by a two-thirds majority of Full Members voting at an Annual General Meeting, a Special Meeting or an Extraordinary General Meeting (either present at the meeting or by postal vote). Notice of any proposed amendment must be delivered to the Secretary at least 30 days prior to the meeting.

10. DISSOLUTION OF THE CLUB

- 10.1 The Club may be disbanded upon such a proposal being carried by a majority vote at any General, Special or Extraordinary General Meeting, where majority vote means a minimum of 75% of the whole club membership cast votes either in person or by post in favour of the disbandment.
- 10.2 The Trustees will remain in office and be responsible for winding up affairs of the Club

- 10.3 Upon the winding-up or dissolution of the Club there remains, after the satisfaction of all its debts and liabilities, any property or assets whatsoever, the same shall not be paid to or distributed among the Members.
- 10.4 The property or assets shall be given or transferred to a recreational or sporting institution situated or registered in Great Britain that is;
 - 10.4.1 A registered charity or registered Community Amateur Sports Club, having objectives similar to those of the Club, and
 - 10.4.2 Whose constitution prohibits the distribution of its assets to its members upon dissolution
 - 10.4.3 If a suitable institution cannot be found then the property or assets will be given to The British Mountaineering Council or its successor as the national governing body for climbing and mountaineering in Great Britain.

Phil Moore Jan 2010

Further amended by Richard Lloyd Jan 2011

Tanya Rumney, amended section 3.3 2017