



Paignton Rugby Football Club Ltd
The Clubhouse, Queens Park
Paignton, Devon
TQ4 6AT
T: 01803 557715
www.PaigntonRugby.com

CONSTITUTION OF PAIGNTON RUGBY FOOTBALL CLUB

NAME

1. The Club shall be called the “PAIGNTON RUGBY FOOTBALL CLUB LTD”, hereinafter called “the Club”.

ADDRESS

2. The Club premises shall consist of the Clubhouse located at Queens Park, Queens Road, Paignton TQ4 6AT.

AFFILIATIONS

3. The Club shall be affiliated to the English Rugby Football Union (RFU) and the Devon Rugby Football Union (DRFU). The Club shall partake in all leagues and Competitions as shall be notified by the RFU and DRFU.

OBJECTS

4. The primary object of the Club shall be to play rugby football in accordance with the Laws of the Rugby Football Union.
5. The secondary objects of the Club shall be:
 - 5.1. To further the interests of rugby football generally;
 - 5.2. to provide social and other amenities for club members and members of the Public;
and
 - 5.3. to provide non-political sporting, social, educational, and creative and recreation activities.
6. All profits or surpluses made by the Club shall be used to maintain or to improve the Club's facilities or otherwise in furtherance of the Club's objectives. No such profits or



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surpluses may be distributed other than to another non-profit making body or bodies having sporting objectives on the winding up or dissolution of the club.

THE CLUB

7. Is a Members' Club open to all the community without discrimination on the grounds of ethnicity, nationality, sexual orientation, religious belief, sex, age or disability except as a requirement of a particular sport.

MANAGEMENT

8. The Club shall be managed by a Board of Directors and the property of the Club shall be vested in the Board of Directors for the time being. It shall have control of the finances of the Club, the power to engage, control and dismiss the Club's servants and all such administrative power as may be necessary for the carrying out of the objects of the Club in accordance with the rules.

DIRECTORS OF THE CLUB

9. The Directors of the Club shall consist of the Chairman (hereinafter referred to as the Club Chairman), the Vice-Chairman, the Hon. Secretary, the Hon. Treasurer, the Director of Rugby, Commercial Director of Marketing & Communications and Hospitality Director, plus up to seven (7) Directors.
10. The Chairman of all General, Committee and Sub Committee meetings shall have a casting vote.
11. Directors of the Club will serve a period of three years and shall be eligible for re-election. Five members shall form a quorum.
12. Any member of the Board of Directors who fails to attend three consecutive Board meetings without reasonable excuse, shall be deemed to have resigned and their place may be filled with a co-opted member until the next AGM when they must be elected.



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BOARD OF DIRECTORS

13. The Board of Directors shall be responsible for the administration of the Club and for this purpose shall, inter alia, meet at least six times a year (five directors to form a quorum) and be empowered to:
 - 13.1. Make bye-laws;
 - 13.2. Create Sub Committees and delegate such powers, as it thinks fit to such Sub Committees;
 - 13.3. Fill any vacancy that may occur among the Officers of the Club or members of the Committee;
 - 13.4. Elect new members;
 - 13.5. Suspend a member for any period up to a maximum of two years,
 - 13.6. Call an Extraordinary General Meeting at any time subject to sufficient notice being given; and
 - 13.7. Establish a Disciplinary Sub Committee with power to suspend a member from selection or take other appropriate action in case of misconduct on or off the field of play (See Discipline Section).

ELECTION OF DIRECTORS

14. All Directors of the Club shall be elected at the Annual General Meeting (AGM). Any member entitled to vote may nominate or second another member as a Director of the Club, but such nomination duly seconded must be given to the Hon. Secretary in writing at least seven days before the AGM.

ELECTION OF THE PRESIDENT, CLUB CAPTAIN & GENERAL REPRESENTATIVES OF THE CLUB

15. The President shall be elected by the Board of Directors and the appointment ratified at the Annual General Meeting. The President will not be appointed the rights and powers of the Board of Directors and will serve as the Club's primary representative and to advise and provide mentorship to the Board of Directors. The term of office shall be three years. Once served cannot be eligible for immediate re-election. They may however, stand for re-election following the presidential term has been served by another individual.
16. The Club Captain, Youth Chairman, Ladies & Girls Chairman and Team Captains shall be elected annually at such time and place and in such manner as shall be decided by the Board of Directors. These appointments do not carry the rights and powers of the Board of Directors, except for those that are delegated to them by the Board of Directors.



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17. General representatives of the Club, as deemed necessary by the Board of Directors, shall be elected at the AGM.

DUTIES OF DIRECTORS

18. The duties of the Directors of the Club shall be, inter alia:
 - 18.1. The Club Chairman shall be chairman of all Club Board and General meetings and in his absence a chairman shall be elected. The Vice-Chairman shall assist the Club Chairman.
 - 18.2. The Hon. Secretary shall conduct the correspondence of the Club, shall have custody of all documents belonging to the Club, keep full records of the Club, convene all Board Meetings, the Annual General Meeting, any Extraordinary General Meetings and keep full and accurate minutes of all proceedings.
 - 18.3. The Hon. Treasurer shall keep such accurate and proper books of account as will enable him or her at every Annual General Meeting, or at other times as may be required by the Board of Directors upon reasonable notice, to present to the Club a full and accurate report. In order to assist the performance of the Finance Director, it will be illegal without the express permission of the Finance Director for any member or Officer to retain any separate funds collected from either members or nonmembers for any purpose whatsoever. Unless otherwise agreed with the Finance Director, any monies so collected must immediately be handed over to the Finance Director.
 - 18.4. The Director of Rugby shall be responsible for all aspects of performance rugby and coaching matters.
 - 18.5. The Commercial Director of Marketing & Communications shall be responsible for procuring all club sponsorship, promoting club events on social media and updating club webpages.
 - 18.6. The Clubhouse & Social Activities Hospitality Director shall be responsible for the administration and proper running of the clubhouse.

DUTIES OF GENERAL REPRESENTATIVES OF THE CLUB

19. The Youth Chairman reports to the Director of Rugby and shall be responsible for all aspects of age grade playing matters and shall always be subject to the overriding control of the Board.
20. Chairman of the Ladies / Girls section also reports to the Director of Rugby and shall be responsible for all aspects of ladies and girls playing matters and shall always be subject to the overriding control of the Board.



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21. The Match Fixture Secretary shall liaise with other clubs, notify team managers of their matches and arrange referees for home games of all Senior and Colts matches. This role reports to the Director of Rugby.
22. The Age Grade Match Fixture Secretary shall liaise with other clubs, notify team managers of their matches and arrange referees (if required) for home games of all Age Grade matches, tournaments and festivals. This role reports to the Youth Chairman.
23. The Membership Secretary is responsible for the management and administration of memberships and subscriptions of the Club and reports to the Hon. Treasurer.
24. The Safeguarding Officer is responsible for ensuring that all safeguarding requirements and duties of the Club are met and reports to the Chairman whilst working closely with the Director of Rugby, Youth Chairman and Ladies & Girls Chairman.
25. The Data Officer is responsible for the procedures, policies and handling of data by the Club in accordance with legislative and regulatory requirements. This role reports to the Director of Marketing & Communications.

BY LAWS

26. The Board of Directors may from time to time make, vary or revoke bylaws (not inconsistent with these rules) for the regulation of the internal affairs of the Club and the conduct of Members and until revoked all by laws shall be binding on the members.
27. These by Laws may be implemented, revoked or altered by a two thirds majority of the Board of Directors meeting and voting and must be posted on the notice board at least twenty-eight days before they are due to take effect.

DISCIPLINE

28. All members of the Club are expected to behave in a manner appropriate with the bounds of common decency and common law. Members must not by their actions whether on or off the premises and grounds, bring the good name of the Club into disrepute.
29. Where a member behaves in such a manner, and the Board feel that the matter should be investigated, a written submission must be made which will be forwarded to the Disciplinary Sub-Committee, where it will be investigated either by written submission or a personal hearing. The result will be conveyed to the disciplined member, the complainant, and the Board of Directors.



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30. The Disciplinary Sub-Committee is chaired by the President of the Club who may co-opt at least two others to form a hearing board (normally the Club Captain and others that have experience for the type of hearing required). If a member falls into the Age Grade level, the Disciplinary Sub-Committee must have the Safeguarding Officer (or their nominated representative) present. Should the President not be available to act as Chair of the hearing, the Club Captain will assume the role.
31. Any member who is the subject of a disciplinary hearing and not satisfied with the outcome may appeal in writing to the Hon. Secretary within 14 calendar days. The Hon. Secretary shall then arrange within a further 14 calendar days for an Emergency Board Meeting to be convened comprising of the Club Chairman (or in his absence, the Hon. Secretary acting as chairman), together with a minimum of 2 other members of the Board of Directors selected by the chairman. This meeting is empowered to vary the decision of the Disciplinary Sub Committee, failing which the decision stands.
32. In the event of a withdrawal of membership, an appeal to the Annual General Meeting can be made. This must be in writing to the Hon. Secretary at least 28 calendar days before the Annual General Meeting.
33. Where a player or spectator has reason to be reported to the Devon RFU or the Rugby Football Union, on any disciplinary matter, prior to the hearing with the Devon RFU or the RFU, the member will be required to appear before the Club Discipline Sub-Committee and may be awarded a punishment or sanction. This will then be conveyed to the Devon disciplinary panel or the RFU, on the member's behalf. At the disciplinary panel hearing, the member will be entitled to be accompanied by a member of the Board of Directors or any other member. The Member may, at their own cost, take a legal representative to act on his behalf at any disciplinary panel hearing of the RFU or Devon RFU.

ANNUAL GENERAL MEETING (AGM)

34. The Annual General Meeting shall be held on the first Monday in July, at a venue to be exhibited on the Club notice board and via electronic communication media no less than 28 calendar days prior to the meeting.
35. Members may also be notified by postal means, if requested in writing to the Hon. Secretary. A copy of the Club's Financial Statement shall be made available to all members attending the meeting. In the event the Board of Directors consider the AGM is unable to be held in July, they will set a date as soon as possible afterwards.



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EXTRAORDINARY GENERAL MEETINGS (EGMs)

36. An Extraordinary General Meeting may be held at any time on request and in writing (stating the reason for the meeting) of not less than fifteen members, or by the Board of Directors.
37. Fourteen calendar days' notice shall be given to all members of the date/time/venue of the meeting by the Club Secretary. No other business may be discussed other than that for which the meeting has been called.

HOURS OF OPENING

38. The Board of Directors in conjunction with the Hospitality Director shall fix the hours during which the Clubhouse shall be open.

SUPPLY OF ALCOHOLIC LIQUOR

39. The permitted Hours for the Sale and Supply of intoxicating liquor shall be such as may from time to time be fixed by the Board, in accordance with the provisions of the Licensing Act 2003, and as notified to The Licensing Department at Torbay Council and the Devon and Cornwall Police. The Club shall not be open on Christmas Day.
40. The supply of intoxicating liquor will be given in accordance with the laws of England and Wales.

SMOKING

41. Smoking at any time is not permitted in any part of the clubhouse or the enclosed stand.

MEMBERSHIP

42. The Club is a Member's Club (as per Rule 5) and is therefore subject to the legal requirements applying to Licensed Clubs as laid down by the Licensing Act 2003 and any such amendments. Election to membership shall be available to the whole Community and shall be granted provided that the membership conditions have been met. Membership is deemed to be when a member has paid their subscription for the year and has been ratified by the Board.
43. Persons elected to membership shall be entitled to use and enjoy, in common with other members, the Club premises and facilities within the Club. All members shall be entitled



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to attend and vote at all General Meetings of the Club, except Colts Players, Age Grade Playing Members and their parent or guardian.

MEMBERSHIP APPLICATIONS

44. Any person wishing to join the Club may do so in two ways:
 - 44.1. By being proposed for membership by an existing member and seconded by a member; or
 - 44.2. By visiting the Club premises as a visitor and then applying for membership.
45. Each applicant for membership must fill out an application form (either in writing or electronically) and pass it to the Membership Secretary or, if not available, a member of the Board of Directors.
46. Election of membership shall be by the Board of Directors, whose decision shall be final.
47. No reason shall be given to any candidate in the event of rejection. No person may become a member until 48 hours have elapsed from the application for membership has been lodged. After this time, the prospective member may use the Club facilities as a Temporary Class Member until the application has been ratified by the Board.
48. All applications for membership must be accompanied by the current subscription.

Member Categories

49. The following are recognised as General Members and are afforded voting rights:
 - 49.1. Life/Honorary Members;
 - 49.2. Players;
 - 49.3. Vice Presidents;
 - 49.4. Non-Playing Members.
50. The following are recognised as members without voting rights:
 - 50.1. Colts Players; and
 - 50.2. Age Grade Playing Members and their named parents or guardians.
51. Life Members
 - 51.1. Such persons who have performed valuable contributions and duties to the Club and have been elected to Life Membership, will enjoy the same privileges as General members but are relieved of all liability to pay subscriptions.
 - 51.2. Life Members shall not exceed 15 Life Members. Nominations for Life Members shall be made by the Board to the Annual General Meeting and carried by a



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two-thirds majority of those attending. This may be altered by a motion at the Annual General Meeting.

52. Affiliated Members

52.1. Such persons who are members of other Associations and Clubs affiliated to Paignton RFC and who shall be entitled to use and enjoy the facilities within the Club as Associate members on payment of a Group Fee.

53. Associate Members

53.1. Such persons who have become Associate members to use and enjoy the facilities within the Club do NOT qualify as General Members and such persons shall NOT be entitled to attend and vote at General Meetings but in all other respects be entitled to other privileges of Membership.

53.2. With the exception of Affiliated Members, all the above classes include in the subscription a provision of membership for spouses, partners and boyfriends or girlfriends.

54. Age Grade Members

54.1. Age Grade Playing Members are defined as players up to the age of 18 on the 1st September, preceding subscription. Persons elected to membership shall not be entitled to attend or vote at General Meetings of the Club.

54.2. Parents and Guardians of Age Grade Playing Members are automatically defined as Social Members and shall not be entitled to attend or vote at General Meetings of the Club nor does their membership afford the benefits of additional relationships outside the immediate family group (for example, cousins, aunts, uncles, boyfriends or girlfriends).

MEMBERSHIP CONDITIONS

55. All members belonging to the Club will be provided with a membership card and have access to a copy of the Club Rules through our website, the club notice board or on request from the Hon. Secretary.

56. The membership card provides admittance to the Club premises and grounds and gives on payment of a Donation or Admission entrance to all fixtures. (Honorary / Life Members and Vice Presidents have free admission to all fixtures).

57. Members are not permitted to loan their membership card to any other person to gain entry to the Club or to receive any of the benefits that their membership affords them such as bar or any other discounts or access to the Club.

58. All members are required every year to renew their membership by payment of a subscription and completion of a Renewal Application Form or online.



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- 59. New Members are required to complete an application form to apply for membership.
- 60. Non-payment of a subscription by 30th November means that the member is deemed to have resigned and must re-apply for membership.
- 61. Any member wishing to resign must send written notice to the Club Secretary.
- 62. The Board of Directors has the power to reject membership applications and also ask a member to resign (see Membership Application) without explanation but may return part of the subscription monies paid for the current year at their discretion.

GUESTS / VISITORS

- 63. Visiting teams and members of other sporting, social and invited clubs shall enjoy, for the duration of their visit only, the privilege of uninterrupted use of the Clubhouse and grounds on match days and enjoy the facilities as Associate/Affiliated Members.
- 64. The introducing member is responsible for the visitor and their observance to the Club rules and must ensure that they do not leave the Club before the visitor.
- 65. Such functions shall be held with the approval of the Board of Directors upon payment of an agreed sum required to discharge the liabilities of the Club. Persons attending such functions shall be Members or their bona fide guests.
- 66. Any person whose membership has been terminated or rejected cannot be in any circumstances introduced as a guest.
- 67. Visitors unknown to any members of the Club may apply to a member of the Board for the purpose of visiting the Club to view the facilities and premises, with the intention of joining the Club at a later date.

TERMINATION OF MEMBERSHIP

- 68. Membership of the Club shall be terminated by:
 - 68.1. Resignation in writing;
 - 68.2. Expulsion by the decision of the Board of Directors, provided that such decision is passed by at least two thirds of those present, five to form a quorum. Before such a resolution shall be voted upon, the member in question shall have had the opportunity of being heard in defence by the Board; or



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69. Any person ceasing to be a member shall forfeit all privileges of membership of the Club and shall have no claim to the return or remission of any portion of his / her subscription. Any return or remission of any portion of the member's subscription lies solely at the discretion of the Board of Directors.

CHANGE OF ADDRESS

70. Members shall communicate any change of address to the Club Secretary and any notice posted to the last known address of the member shall be deemed to have been properly served on that member for the purpose of these rules or anything therein contained.

SUBSCRIPTIONS

71. The rates of subscription shall be fixed by the Board of Directors and notified to members at the Annual General Meeting.
72. All subscriptions shall be payable on election and afterwards by 1st September in each year.
73. The Membership Secretary shall be empowered to accept new members in any class for part of the year on payment of such part of the appropriate subscription, as the membership Secretary sees fit.
74. The Board of Directors shall be empowered in special circumstances to reduce or waive the subscription due from any member.
75. The Board of Directors shall be empowered to introduce an entrance fee for new members at its discretion and to fix the amount of such entrance fee.
76. No new member shall be allowed to enjoy any of the privileges or benefits of the Club until his/ her subscription has been paid.

AMENDMENT OF RULES

77. The Rules of the Club may from time to time be revoked, altered or added to by the Board of Directors, and notice of any such revocations, alterations or additions shall be posted on the Club Notice Board for twenty-eight calendar days by the Hon. Secretary before coming into effect. Any Rules of the Club that are revoked, altered or added shall be ratified at the next Annual General Meeting.



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INTERPRETATION

78. Any dispute of difference which may arise as to the meaning or interpretation of any Rules or Bylaws or as to the powers of any Club Officer shall be determined by the Board of Directors whose decision shall be final and binding on all Members.

CLUB COLOURS

79. The colours of the Club shall be red and white in a combination as shall be decided by the Board of Directors who shall also decide the change strip.

TRAINING

80. Training nights shall be determined by the Director Rugby in conjunction with the Board of Directors.

HONORARY SOLICITOR AND AUDITOR

81. The Club shall appoint an Honorary Solicitor and Honorary Auditor who shall hold office for a period of one year and shall be eligible for re-election. Appointments shall be ratified at the Annual General Meeting.

BORROWING POWERS

82. The Board may be authorised to borrow money for the purposes of the Club and thereupon be empowered to borrow such amount of money, either at one time or from time to time, at such rate of interest, in such form and manner and upon such security as shall be agreed by the Board.
83. Thereupon the Board shall make all such dispositions of the Club property, or any part thereof and enter into such agreements in relation thereto, as they shall deem proper for giving security for such loans and interest.

- ENDS -