

# RYA SAILABILITY SCOTLAND

*Scottish Charity No: SC020022*

## CONSTITUTION

(as agreed at AGM 2006)

### 1. OBJECTS

The objects of RYA Sailability Scotland, herein after referred to as "the Association", shall be:

- to promote the art and skills of boating for all people who have any form of physical, sensory or learning disability to improve their quality of life.
- to co-ordinate the activities of all that join the Association in matters of teaching, coaching, cruising and competition and in respect of the Disability Discrimination Act.
- to encourage local and to promote and arrange National and International competitions.
- to encourage and assist in the setting up of new clubs or groups specifically for disabled sailors and to encourage sailing generally to accept disabled sailors into membership.
- to associate with RYA Sailability in its development work in Scotland.

and shall do all of these things in association with RYA Scotland, ISAF and Scottish Disability Sport.

### 2. MEMBERSHIP

There shall be three classes of membership.

**Class A** - which shall be open to all properly constituted clubs or groups providing sailing exclusively for people with a disability.

**Class B** - which shall be open to any sailing club or group that accepts people who are disabled into membership and which is not eligible for membership in Class A.

**Class C** - which shall be open to any individual who is not a member of any club or group affiliated to the Association.

### 3. TRUSTEES

3.1 The Association shall have three Trustees, namely Chair, Hon. Secretary and Hon. Treasurer.

3.2 Trustees shall be elected at an Annual General Meeting and shall serve for not less than two years. Trustees may be re-elected to serve subsequent terms of two years but may not serve more than two consecutive terms.

3.3 Nominations for Trustees may be made by member clubs/groups or individual members and shall be submitted in writing to the Hon. Secretary not later than 28 days preceding the AGM.

- 3.4 The Trustees shall prepare an Annual Report in accordance with the requirements of the Charities and Trustee Investment (Scotland) Act 2005 and shall present the report for approval at the AGM.

#### 4. MANAGEMENT

- 4.1 The management of the Association shall be in the hands of an Executive Committee whose function will be to implement the general policies of the Association.
- 4.2 The Executive Committee shall comprise three Trustees, namely Chair, Hon. Secretary and Hon. Treasurer. Ex-officio representatives of RYA Scotland and RYA Sailability may attend the meetings of the Committee but may not vote.
- 4.3 The Executive Committee shall come together in Annual General Meeting in February of each year.
- 4.4 The Executive Committee may appoint additional members to assist the committee with specific responsibilities as necessary. Such individuals shall have voting rights.
- 4.5 The Executive Committee shall have power to set up sub-committees and shall determine the membership and remit of such sub-committees.
- 4.6 The Executive Committee shall meet regularly. Four members shall form a quorum.
- 4.7 The Chair shall be eligible to represent the Association on the Council of RYA Scotland and at RYA Sailability and may appoint a deputy if unable to attend, where this is permitted.

#### 5. MEMBER REPRESENTATIVES

- 5.1 Class A and Class B members shall each appoint an individual to act as its Representative.
- 5.2 Each Representative shall act as the point of contact for the Executive Committee and shall bring to the attention of the Executive Committee any matter of relevance to the business of the Association.
- 5.3 Individual (Class C) Members may also bring any relevant item to the attention of the Executive Committee.
- 5.4 The Executive Committee may consult with other Representatives to gain a consensus of opinion on such matters.

#### 6. FINANCE

- 6.1 The level of annual subscription shall be determined at the Annual General Meeting. Such amounts shall become immediately payable and if unpaid by 30 April following, membership will cease.
- 6.2 The funds of the Association shall be kept in an interest bearing account, at any bank or building society in the name of the Association. Any two of the Trustees shall operate the account.
- 6.3 The Hon Treasurer shall keep proper books of account in accordance with the requirements of the Charities and Trustee Investment (Scotland) Act 2005, and shall present a Statement of Income and Expenditure and balance sheet, for the year ending 30th November, at each Annual General Meeting in the February following.

- 6.4 An independent examiner or chartered accountant or accredited Auditor as required under the Charities and Trustees Investment (Scotland) Act 2005, shall certify the Statement of Income and Expenditure. Such person shall be appointed at the Annual General Meeting.
- 6.5 The Statement of Income and Expenditure, and balance sheet, shall be included in the Trustee's Annual Report.
- 6.6 A copy of the Trustee's Annual Report containing the original signatures of both the Trustees and independent examiner must be forwarded to the Office of the Scottish Charity Regulator (OSCR) within seven months of the end of the accounting period.

## 7. ANNUAL GENERAL MEETING

- 7.1 The Annual General Meeting shall be open to all interested in boating for people with a disability, but only members of the Executive Committee, named Representatives of Class A and B Members and Individual Members may vote.
- 7.2 Inter alia the meeting shall:
- Receive and approve the Trustees' Annual Report.
  - Receive and approve the Statement of Income and Expenditure.
  - Elect up to 3 Trustees .
  - Appoint an Independent Examiner or Auditor.
  - Discuss and agree the general policies of the Association for the ensuing year.

## 8. ALTERATION TO RULES

- 8.1 Alterations to these rules may be proposed at the Annual General Meeting and will be adopted if agreed upon by two thirds or more of the eligible Members present and voting. Any proposed change of rule must be notified to the Hon. Secretary at least four weeks before the date of the Annual General Meeting and such proposal shall be notified in writing to the Members of the Executive Committee at least two weeks before the Annual General Meeting.

## 9. WINDING UP

- 9.1 If at any time it appears to the Executive Committee that, and after consultation with voting members, the consensus of opinion is that the Association is no longer viable, then the Trustees shall seek the consent of the OSCR for the Association to be wound up.. After receipt of said consent and after settlement of all due debts, money and/or assets belonging to the Association at that time shall be handed over to RYA Scotland, whom failing to Scottish Disability Sport, to be used by that organisation for the development of boating for people with a disability in Scotland. The formal acknowledgement of the appropriate officer of that body shall be sufficient discharge.
- 9.2 In the event of the Association ceasing to operate the Trustees shall make arrangements for the safe storage of its records for a period of six years from the date of cessation and shall inform the OSCR of the location of such records.