



The Constitution of the Deeside Model Aircraft Club

1. GENERAL

- A) The club name shall be called "Deeside MAC Ltd" hereinafter referred to as the Club or DMAC.
- B) The Club will be affiliated to the British Model Flying Association (BMFA) and hold suitable insurance through that body.
- C) Main Purpose: The main purposes of the Club are to provide facilities for and to promote participation in the amateur sport of flying model aircraft.
- D) Alterations to this constitution can only be made at an Annual General Meeting or at an Extraordinary General Meeting called for that purpose. Any proposed alterations must be submitted to the Secretary in writing at least 4 weeks prior to the meeting.
- E) An Annual General Meeting shall be held on the first suitable Friday after the AGM of the BMFA to receive accounts for the previous year, to elect club officers and to transact any other business. Members wishing to raise proposals at the AGM must submit their proposals in writing at least 4 weeks prior to the meeting.
In order to permit amendments to published proposals by the membership on the night, proxy voting will not be allowed at an AGM.
Whilst DMAC remains a limited company, an independent person is not required to examine the accounts, as this is carried out by the accountant, before they submit the accounts to Companies House. However, if we relinquish our status as a limited company then an independent person shall be elected by the Committee to examine the accounts before the AGM (financial year ending 31st October each year) to verify that the balance sheet is correct and fairly represents the expenditure and receipts of the Club, its assets and liabilities.
- F) An Extraordinary General Meeting may be called at any time by the Committee or any eight club members providing that all club members are given at least 21 days' notice in writing of the date of and reason for the EGM. Proxy voting (by post on a supplied form or by email using the email address held on file by the Membership Secretary) will be accepted at EGM, but no amendments or additions on the night to the published EGM proposal(s) can be permitted since such would invalidate those proxy votes.

G) In conducting General Meetings:

- i) All General Meetings will have an agenda and minutes will be taken.
- ii) A quorum of any General Meeting is to be 10 club members inclusive of any committee members.
- iii) All proposals must be seconded and voted upon. A majority of all votes received decides the success or failure of the proposal. Voting will normally be by a show of hands; however a secret ballot must be taken should any club member request that this be done. Proxy and postal votes will not be permitted at an AGM.
- iv) Amendments to proposals must be voted upon first.
- v) An audio recording of general meetings may be taken by the Secretary only, for the sole purpose of producing accurate minutes.
- vi) Non-club members may attend club meetings as observers as invited guests of the club. Any non-club member may be asked to leave the meeting subject to approval from the committee. The committee, through the Chairman, has the power to ask a person to leave any meeting in the event of that person disrupting the meeting

2. THE COMMITTEE

The Club shall be managed by a committee consisting of up to nine club members elected by the club membership at the AGM to the following positions:

- i) Chairman
- ii) Secretary
- iii) Treasurer
- iv) Membership Secretary
- v) Events Secretary
- vi) Safety Secretary
- vii) General Duty's Members
(2)

A) Nominations for the committee must be received by the secretary in writing no later than 4 weeks prior to the AGM. A list of nominations for each position will be published to the club membership 2 week's prior to that year's AGM. Confirmation will be by means of electronic mail and a notice displayed in the club hut.

B) All positions within the committee shall be voted upon from the floor at the AGM by the club membership. If a position is unopposed the individual shall be deemed to have been successful and shall be automatically promoted to the committee for the following 12 months.

C) If more than one person stands for a specific position this shall be voted upon at the AGM. Prior to the vote each candidate (or someone on their behalf) will be invited to speak in support of the nomination.

D) If a candidate is unsuccessful they may, if they wish, put themselves forward to be considered for any "vacant" positions after the vote has been concluded for all positions.

E) Any DMAC club member standing for election to the committee must declare if they are an ordinary member or committee member of any other model aircraft club before the vote is taken.

G) The elected committee shall have the power to co-opt other club members as necessary onto the committee.

H) Any committee member or officer wishing to resign must do so in writing.

I) The committee shall not be quorate unless at least 50% of its members are present at any meeting.

J) The committee shall be responsible for the control of all club business and monies.

K) If a committee member or trustee engages or becomes involved in court proceedings, whether criminal or civil, in their representative capacity on behalf of the club, as opposed to his/her capacity as a private individual, notwithstanding that he/she is taking part in club activities but in circumstances where it would be unreasonable for the club as a whole to ratify his/her actions, then in the former instance i.e. in his/her representative capacity the club will indemnify the committee member or trustee in respect of any fines or damages or costs awarded against the committee member or trustee.

In the event of a committee member or trustee being awarded damages or costs in the course of proceedings taken by him/her in his/her representative capacity, such damages or costs will belong to the club and not the committee member or trustee personally, and forthwith upon receipt by the committee member or trustee pay them to the club treasurer.

L) The committee shall be responsible for the organisation of all competitions (internal and external) and for the presentation of all trophies on an annual basis.

M) The committee shall be responsible for the organisation of club visits and outings, and for the initiation of fund raising activities.

N) All display flying shall be at the discretion of the committee.

O) Club members are encouraged to place before the committee any breach of the club rules or constitution by any party.

P) The Chairman or his nominated deputy in the event of his absence, at any meeting will have the casting vote in the event of a tied vote between club members.

Q) The core responsibility of the committee is to promote the interest of the club to the best of their ability. Each committee position will be responsible for:

- **Chairman:** Planning, running and chairing all club meetings, club spokesperson, overall supervision of the committee, enforcing compliance of club rules and overseeing all financial matters of the club. Has the final casting vote on split decisions.
- **Secretary:** Serve or take receipt of legal notices, liabilities and formal enquiries from within or outside the club, recipient of general BMFA affiliation matters and notices,

circulation of memorandums and notices within the club. Curator of club records and archives not assigned to another person.

- **Membership Secretary:** All matters relating to membership including receipt of subscriptions and renewals, new applications, banking monies, petty cash and distribution of membership cards, keys and insurance certificates. Liaison with BMFA on membership matters, maintaining accurate membership records and curator of membership archives.
- **Treasurer:** All matters relating to financial accounting, bank liaison and record keeping, supervision of all accounts credits and debits, financial reports at committee meetings, preparation of end of year accounts for independent audit in time for AGM. Maintaining safe archives for a minimum term of 10 previous years.
- **Safety Secretary:** All matters relating to health & safety, supervision of club instructors, flying rules and curator of accident records.
- **Events Secretary:** Organising and supervising club events and competitions, media distribution and liaison, procurement of site amenities and after event clean up.
- **General Duties:** Assisting the committee with duties.
- **Non-committee positions:** Children & Vulnerable Young Persons Welfare Officer.

R) Three committee members, (preferably, but not limited to, Chairman, Secretary & Treasurer) also serve as directors of DMAC Ltd.

S) Directors of DMAC Ltd may continue in office from year to year for so long as they remain members and are elected to the committee. In the event that any committee members resign or are removed from office they shall also resign their position as a director. A director may also be removed from office as stipulated in the Articles of Association of DMAC Ltd.

T) Except in cases of emergency, the committee should not be contacted by phone but instead should be contact by email "dmaccommittee@gmail.com". All committee members will have access to this email address and will act upon all enquiries in consultation with the rest of the committee.

3. MEMBERSHIP

A) Membership shall be open to all members of the public. Applicants will not receive less favourable treatment on the grounds of age, sex, race, colour, nationality, religious or political belief, ethnic origin, marital status, sexual orientation, disability or family status. There is a positive action in promoting junior membership.

B) Membership shall become effective upon receipt and acceptance of the appropriate subscription by resolution of the committee.

C) A junior member shall become a senior upon reaching 18 years of age.

D) DMAC shall be affiliated to the BMFA. All members of DMAC who fly models must be members of the BMFA and hold full BMFA insurance. The DMAC annual subscription will include a BMFA membership fee for the year unless an individual club member already holds current BMFA membership obtained independently. A DMAC membership card and BMFA membership documents will be issued to each club member.

E) A copy of the Club Constitution and Rules shall be displayed on the notice board at Broken Bank.

F) The membership of any club member who fails to pay his/her subscription by the due date may be terminated at the discretion of the committee.

G) DMAC complies with the “Welfare and Care of Children and Vulnerable Adults in Model Flying” policy of the British Model Flying Association. Copies are available from the club secretary.

H) All club members will be required to sign a Security Pledge document in order to maintain their membership status.

I) All club members, without exception, must comply with all club rules. Failure to do so may result in disciplinary action by the club and may result in dismissal.

J) New members' subscriptions shall be dependent on membership class, plus the joining fee as decided at the AGM.

K) Additionally all new members will pay £1 [One Pound] to the Members' Guarantee Fund with their initial subscription. The Members' Guarantee Fund shall be recorded separately on the club's balance sheet.

4. TYPES OF MEMBERSHIP

A) Honorary Life Membership

Honorary Life Membership is awarded to long-serving senior members of the club who have had to give up active flying due to ill-health or age. No annual subscription fee is payable. Honorary life members have no voting rights.

B) Junior Membership

Junior Membership is open to applicants who are less than 18 years of age. Junior members pay junior BMFA membership only and there is no joining fee. Junior members have full flying privileges at the Broken Bank site, with the proviso that they must be accompanied by a parent or guardian at the flying field at all times. Upon attaining 18 years of age a junior member will automatically become a full senior member of the club. Junior members do not pay a joining fee when they become senior members. Junior members have no voting rights.

C) Senior Membership

Senior Members are full flying members of the club who are at least 18 years of age. They have full voting rights.

5. APPLICATION PROCEDURE FOR MEMBERSHIP

Applications for membership to the club shall be considered under the following format:

- A) Prospective new members will be invited to attend flying sessions at the flying site on three separate occasions. These visits will be logged in the visitors' book by a club member. The prospective member may fly during these visits in compliance with club rules. Following the three visits the prospective member will submit an application in the current format with approvals from two club members one of whom must be a committee member.
- B) The application shall be considered at the next available committee meeting and voted upon.
- C) The application will only be successful if the vote in favour is a majority.
- D) If successful the applicant will be written to by the membership secretary and requested to submit the appropriate fees inclusive of one pound for the Members' Guarantee Fund. (The BMFA fee is waived if the applicant is already a BMFA member). The application fee will be processed in full and will entitle the new member to membership up until the club's year-end of 31st December. A concession will be made of 50% reduction in membership fee for the remainder of the club year when first joining after 30th June. This concession does not apply to the joining or BMFA fees. A re-joining member is treated in all respects like a new member, unless their membership lapsed within the past two years. If this is the case then they do not pay the joining fee, instead they pay an administration charge of £25 and they are not required to make three site visits. The first 12 months of membership will be considered to be probationary.
- E) The committee reserves the right to refuse membership and the candidate will be written to by the membership secretary advising that the application has been unsuccessful. Every application to join DMAC will be considered on its own merits by the committee.

6. GRIEVENCE PROCEDURE

- A) The committee should resolve member's grievances and problems speedily, effectively and equitably. Anyone who has a grievance may use the following procedure and may be assisted at any stage of the formal procedure by a fellow member.

Stage 1 Informal: Raise it verbally with any committee member or in writing to the club secretary who will endeavour to resolve the issue or delegate to another committee member to resolve. A written response is not mandatory from the club secretary.

Stage 2 Formal: If no satisfaction is obtained within two working days (working days exclude weekends and bank holidays) the member may request, that within the next seven working days it be referred to a formal committee meeting which must be convened. The member must be given the opportunity to present their grievance in person at this meeting, but cannot be compelled to do so. A final decision will be notified within five working days of the committee meeting to the member.

- B) The club secretary must maintain a written record of Stages 1 and 2 in club archives.

7. DISPUTE RESOLUTION POLICY & PROCEDURE

A) The organisation expects all members to comply with the club constitution and committee management and to conform to the club rules at all times. If these rules are disregarded or the member behaves wrongly in some other way the committee may discipline members.

Disciplinary action can consist of formal oral warning, written warning and final written warning, leading to termination of membership or, in the case of gross misconduct, summary termination of membership.

B) The Disciplinary Policy is the organisation's "code of conduct" and forms part of the club constitution. It sets out what is unacceptable behaviour for members.

C) The "Disciplinary Procedure" forms part of the club rules and the committee reserves the right to amend the disciplinary procedures in light of future amendments to the laws of the United Kingdom. It sets out procedures and who is responsible for carrying out actions. It is vital that any disciplinary procedures are both procedurally fair and that the results are fair.

D) Sometimes, informal discipline will be desirable and more appropriate.

E) Rules that apply to disciplinary policy code of conduct:

- i) All safety and field rules should be adhered to at all times.
- ii) Safety equipment should be used at all appropriate times.
- iii) The worse for drinking alcohol or the taking of illegal drugs at club venues is not permitted.
- iv) Threatening or violent behaviour or language towards another member is not permitted.
- v) Behaviour or actions that would in any way jeopardise the safety or well-being of other members is not permitted.
- vi) Smoking in non-smoking areas is not permitted.
- vii) Members must not use behaviour, language, or non-verbal language that is discriminatory.
- viii) Disclosure of confidential information concerning the work of the club or its members is not permitted.
- ix) Harassment of individuals, whether sexual or otherwise, is not permitted.
- x) Bullying of individuals, in any form, is not permitted.
- xi) Removal of club property without the committee's permission is not permitted.
- xii) Members must not behave in a way that brings or may bring the club into disrepute.

F) The following are examples of the kind of behaviour that constitute gross misconduct and will lead to summary termination of membership:

- i) Physical violence towards another member or guest of the club.
- ii) Behaviour that seriously jeopardises health or safety.
- iii) Serious misuse of the trust between a member and a junior member.
- iv) Gross insubordination to an official of the club or their delegate.
- v) Deliberate damage to club property.
- vi) Theft of property.
- vii) Serious infringement of the rules of the club.

G) Suspension

The committee can enact suspension of membership while an investigation into a serious disciplinary offence takes place. This should be confirmed in writing to individuals concerned by the club secretary.

Suspension should only be used, however, if there is a real risk of or has been a recurrence of the alleged misconduct, or it would prejudice the investigation if the member remains at club venues.

e) Penalties

- i) **Formal Oral Warning**
- ii) If conduct is unsatisfactory, a committee member or his representative in an official capacity will give the member a formal oral warning, which will be recorded in club records.
- iii) **Written Warning**
- iv) If the offence is serious, there is no improvement in standards or a further offence occurs the committee may forgo a formal oral warning and a written warning will be issued. It will include the reason for the warning and a note that, if there is no improvement or a repeat of the offence, a final written warning will be given.
- v) **Final Written Warning**
- vi) If the offence is very serious (may forgo a written warning) or if conduct is still unsatisfactory, a final written warning will be issued. It will make it clear that any recurrence of the offence or other serious misconduct will result in termination of membership.
- vii) **Dismissal**
- viii) If there is no satisfactory improvement, or if further misconduct occurs, the individual membership will be terminated by resolution of the committee.
- ix) **Gross misconduct**
- x) If, after investigation it is confirmed that a member has committed gross misconduct the usual consequence will be termination of membership by resolution of the committee.
- xi) **Suspension**
- xii) While the alleged misconduct is being investigated a member may be suspended from membership, during which time they may not use or visit a club venue.
- xiii) **Appeals:**

A member may appeal against the disciplinary decision and must notify the club secretary in writing within five working days of a judgement. The notice must specify the issues the member wishes to appeal or contest.

The full committee will hear the appeal and decide the case as impartially as possible. The member has the right to bring a fellow club member. The committee's decision on appeal is final.

A higher appeal is available only to a member who has been served notice terminating their membership. If the member opts to appeal against their termination of membership, they must notify the club secretary in writing within five working days and the committee will call an EGM in accordance to the constitution and at date in agreement with the member. The membership will then vote to uphold or reverse the termination of membership.

8. GUESTS

- A) A guest accompanied by a member is welcome to fly at any DMAC flying site.
- B) Guest flyers must have with them their BMFA affiliation insurance whilst at the DMAC flying site.
- C) Guests must be signed into the visitor's book in the club hut and must not cause restrictions to flying by DMAC members. Each DMAC member may have only one guest at a time and each guest is limited to a maximum of three flying visits per year.
- D) The DMAC member shall accept full responsibility for the conduct of his/her guest at all times during their visit and should have made them aware of the Club rules prior to their visit.
- b) Attendance by an individual at organised "open" competitions that are not limited to DMAC members shall not count towards that individual's guest visits for the year.
- F) Items 8B and 8C do not apply to the friends or relatives of DMAC members who may attend as visitors provided that they do not attempt to fly a model at the site.

9. SUBSCRIPTIONS

- A) The subscription rate shall be fixed each year at the AGM by vote of the membership on the advice of the outgoing treasurer.
- B) Membership will expire on 31st December each year, and members will not be allowed to fly after this date until a valid subscription has been received for the forthcoming year (otherwise they will not be insured). All subscriptions must be received by 31st December after which membership will lapse and a member will be treated as a new application.
- C) Membership classification and fees will be reviewed annually.
- D) Non distribution to members: All surplus income or profits are to be reinvested in the club. No surpluses or assets will be distributed to members or third parties.

10. DISSOLUTION OF THE CLUB

- A) Should it be considered necessary or desirable to dissolve the club, the committee will call an Extraordinary General Meeting. Should a quorum fail to appear, the meeting will be adjourned and a further EGM must be called within 14 days. The second meeting will proceed even if a quorum is not present and the motion will then be carried by a simple majority vote.
- B) Application of assets on dissolution: Upon dissolution of the club any remaining assets shall be given or transferred to a registered charity or the sport's governing body (BMFA – British Model Flying Association) for use by them in related community sports.

BMFA Note: - Upon dissolution where clubs place funds in trust with the BMFA it is held for up to 10 years and returned in the event the club is reformed. After 10 years the funds get transferred to the Development fund and used to further model flying in the UK.