



Mallow Triathlon Club

Constitution

# Mallow Triathlon Club Constitution

Voted on and Ratified on 19.11.2020

## 1. Name

- i. The name of the Club shall be Mallow Triathlon Club.
- ii. The Club's colours shall be Black, Red and Blue.

## 2. Objectives

The objectives of the Club shall be to: -

- i. Encourage the practice and development of Triathlon in Mallow and surrounding areas.
- ii. Facilitate coaching sessions for Club members and to organise and promote competitions.
- iii. organise teams to represent the Club in Triathlon and multisport events, national championships, international championships and in such other competitions as the committee shall decide.

The Club shall cater for:

- i. Triathlon
- ii. Multi-sports involving the individual sports of running, cycling and swimming (duathlons, aquathlon and other variations)

## 3. Goal

To help our members reach their fitness and competitive goals in a supportive, safe and fun environment by providing access to education and training programs for one of the world's most popular and fastest-growing sports.

## 4. Mission

Mallow Tri Club is a not for profit organisation run by members for members. Our mission as a club is to bring together a diverse set of people with varied levels of skill across disciplines to support each other, train and achieve fitness and competitive goals in a safe and fun environment.

## 5. Membership

Membership details

- i. Membership shall be open to all persons either amateur or professional. The amateur status of non-professional Club members shall be protected.
- ii. It is mandatory for members of Mallow Triathlon Club, either full or associate members, to maintain a membership of Triathlon Ireland (in accordance with the membership policies of Triathlon Ireland, the national governing body for the sport of Triathlon in Ireland). Failure to maintain a membership of Triathlon Ireland, or the withdrawal of membership of Triathlon Ireland from a member of Mallow Triathlon Club automatically results in an immediate loss of membership of Mallow Triathlon Club.
- iii. Participants in training sessions, Club competitions and other Club activities must be current members of Mallow Triathlon Club. The Club Secretary may permit the involvement of guest participants at his / her discretion; such guest participants must, however, be members of Triathlon Ireland or other national governing body.
- iv. An application for membership is valid for the calendar year in which it is signed, and to continue membership, members are required to renew their membership for each new calendar year.

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- v. Approved persons remain members of the Club until the earlier of such time as they tender a resignation as per *Article 11* of this constitution or they fail to renew their membership as per *Article 5.iv* of this constitution or they fail to pay any subscription validly approved under this constitution in accordance with *Article 10* of this constitution.
- vi. The Committee of Mallow Triathlon Club is empowered to withdraw membership from any member of Mallow Triathlon Club. for good cause, which includes but is not limited to a serious breach of the Club's Constitution, including the Code of Conduct (Appendix I), any actions inconsistent with the Clubs objectives or any actions which place the Club in disrepute, provided that the Club Disciplinary and Grievance Procedure (Appendix II) has been followed. A written appeal to this decision is required within 5 days of withdrawal of membership.

### Membership Fees

- i. Membership fees will be set annually and agreed by the Executive/Management Committee or determined at the AGM. Members will be subject to an annual fee as agreed payable at the start of each new year.

## 6. Equality and Children's Rights

Mallow Triathlon Club shall carry out all functions in a manner that promotes equality of opportunity between:

- i. Persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation;
- ii. Men and women generally;
- iii. Persons with a disability and persons without;
- iv. Persons with dependants and persons without.

Mallow Triathlon Club aims to promote the participation of children by:

- i. Creating a culture of safety and fun;
- ii. Fully subscribing to the following international standards: "Children have the right to be protected from all forms of violence; they must be kept safe from harm, and they must be given proper care by those looking after them" (Article 19; UN Convention on the Rights of the Child);
- iii. Asserting the right of Children to be safe. Club officials must ensure that this fundamental principle takes precedence over all other considerations;
- iv. Fully subscribing at all times and without variation to Triathlon Ireland's Code of Ethics for Children.

## 7. Communications

The Tri Club have two Whats App groups, a general chat group, and a members only communication group.

The communications group is a one way push of information to members.

The chat group is a busier group where everyone can post.

All members will be added to both groups on joining the club but are free to leave at their own discretion.

## 8. GDPR

Members information (phone, email, emergency contact) will be used only for club purposes.

- Whatsapp groups for club communications
- Club emails for club communications
- Emergency contacts in a situation where a member is injured during training.

In accordance with the guidelines in the General Data Protection Regulations (GDPR) and Data Protection with regards to the sharing of club member's pictures on social media platforms for Mallow Triathlon Club, this will operate on an 'Opt Out' basis.

If members do not wish to have their picture shared from any training or race event in association with Mallow Triathlon club, they must explicitly opt out via email to the clubs email [mallowtriclub@gmail.com](mailto:mallowtriclub@gmail.com).

## 9. Management

- a. The management of the Club shall be vested in a committee, comprising members elected to the positions of Chairperson, Secretary, Treasurer and Child and Vulnerable Adult Protection Officer, together with five or more additional members validly elected to the committee, with or without specific functions. The primary positions are defined below:

i. **Chairperson**

The Chairperson is responsible for ensuring the committee operates in the best interest of the Club and its members. Their role is to coordinate committee activity to achieve this. Alongside chairing committee and general meetings, the chairperson will also help out the other committee members where required.

ii. **Secretary**

The role of the Secretary involves maintaining the database of members, providing information bulletins to members, and circulating meeting minutes from AGMs and committee meetings as required. The secretary will work with the Members coordinator in assisting with tracking membership and monitoring payment of annual membership dues.

iii. **Treasurer**

The Treasurer is responsible for accurately recording all financial transactions made by the Club and presenting this record in a recognised format to members of the Club at the A.G.M. The role will involve collecting and recording cash payments from members and sponsors and for issuing and recording payment to suppliers and others as agreed by the committee. The Treasurer is automatically a co-signatory on any bank or credit card account held in the name of the Club.

iv. **Child and Vulnerable Adult Protection Officer**

The Child and Vulnerable Adult Protection Officer will be responsible for ensuring that all aspects of the Triathlon Ireland Code of Ethics for Children are implemented fully in the Club, and to act as point of liaison between the Club and Triathlon Ireland and other Voluntary or Statutory Agencies where appropriate or required by Statute.

A functioning committee may be formed once each of the above positions are filled by members validly elected to the position in accordance with this constitution. In addition to the above four positions, additional members may be elected to serve on the committee. It is recommended that additional members be elected for the following roles.

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### v. **Members Coordinator**

The Members coordinator is responsible for assisting in maintaining the membership database in conjunction with the secretary and responds to member and non-member inquiries regarding general membership questions and volunteer opportunities. The role also involves leading efforts to attract new members, communicating specific membership requirements to membership and potential members and coordinating with Tri Ireland on membership issues. The Members coordinator will work with the secretary in assisting with tracking membership and monitoring payment of annual membership dues.

### vi. **Public Relations Officer**

The Public Relations Officer (PRO) is responsible for external communications including the Club website, promotional posters, issuing local community notices, issuing press releases and race reports to local media, etc. The PRO will also be the official point of contact for the Club (with other Clubs, Triathlon Ireland, etc.).

### vii. **Training Officer**

The Training Co-ordinator will be responsible for organising group training, including ability groups, pacing, routing and scheduling. The role will involve working with the club captains in all related training activities.

### viii. **Events Chair**

The Events Chairperson will be responsible for organising official Club social events including postrace celebrations, the Christmas party and other events through the year.

### ix. **Technical Officer / Delegate**

The role of a Technical Delegate is to help race organisers ensure that all the rules and guidelines, laid down by Triathlon Ireland and the ITU, are adhered to and to ensure that races are run safely. The Technical Delegate will usually make initial contact with the Race Organiser and will work with the Race Organiser, using the Organiser's completed Event Management and Safety Plan, to ensure that the event course is safe for all competitors. The TD will hand over to the Race Referee following the signing of the Race Permit, as the race is due to start.

### x. **Club Captains**

The bike, run and swim captains will work with the training officer and be responsible for organising and leading training sessions.

- b. At least one of the committee should represent the interests of new triathletes.
- c. All of the foregoing shall be elected. All positions are filled by election at the Annual General Meeting, with each member of Mallow Triathlon Club present having one vote per position.
- d. Any Club member can declare their interest in a position, whereupon they must be proposed and seconded by two members of Mallow Triathlon Club.
- e. Where more than one person nominated for a position, the person deemed elected is the person who receives the most votes. Where there is only one nomination for election, that person is deemed elected if there is a simple majority of votes in favour of their election over votes against their election.
- f. The elected committee shall remain in office until the Annual General meeting of the following year.
- g. The Committee shall have the power to fill vacancies if and when they arise.
- h. The Committee shall have the power to co-opt members from time-to-time and for specific projects but co-opted members shall not have a Committee vote. Co-opted members may attend Committee Meetings upon invitation by the Committee Chairperson or Secretary.

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- i. The Committee shall meet at regular intervals as decided by the Chairperson but not less frequently than once in every 3 months in a venue to be decided.
- j. Copies of the minutes of committee meetings should be available to members on request from the Secretary.

### 10. Annual General Meeting

- a. The Annual General Meeting shall be held no later than the 31<sup>st</sup> of December for the purpose of:
  - i. receiving the annual report of the committee for the preceding season
  - ii. receiving the statement of accounts for the preceding season
  - iii. electing the officers and committee for the ensuing year
  - iv. considering any amendments to the Constitution and Rules of the Club of which due notice has been given to all members. Any proposed change to the Constitution Rules by a member must be received by the chair or secretary at least 14 days prior to the date of the Annual General Meeting in order that members shall have sufficient notice of the proposal. At the discretion of the Chairperson, amendments not submitted at least 14 days prior to the AGM may be proposed by any member present at the AGM and voted upon.
- b. At least 28 days' notice (in accordance with *Article 16* of this constitution) shall be given to members of the date, proposed venue and draft agenda items for the Annual General Meeting. Notice of the final agenda, incorporating any proposed or amended agenda item, proposed motions, financial statements and a confirmed venue for the AGM shall be given to members at least 48 hours prior to the proposed AGM, and will be available in printed form at the proposed AGM. The accidental omission to give notice of an AGM to or the non-receipt of notice by any member shall not invalidate the proceedings at that meeting.
- c. Each fully signed up member present at the meeting shall have one vote. No proxy votes will be accepted.
- d. All motions proposed and voted on, and the election of committee members is by simple majority. Voting will ordinarily be by a show of hands (two ordinary members will be charged with counting hands) except in the case where a member or group of members request a secret ballot.

### 11. Affiliations and Sponsorships

- a. The Club shall be affiliated to Triathlon Ireland and to such other sporting bodies as the Committee consider appropriate in order to carry out the objects of the Club.
- b. The committee, at their absolute discretion, may approve commercial sponsorship arrangements including the placement of commercial logos on Club equipment, clothing, racing kit, the Club website, and any other Club collateral in return for financial or other support given by sponsors to the Club. Any agreements made in respect of the same and signed by the Chairperson and Treasurer acting as agents for the Committee shall be binding on the Club.

### 12. Subscriptions

- a. Subscription to Mallow Triathlon Club is by means of:
  - i. An annual membership fee structure, the amount of which to be proposed annually by the outgoing Treasurer and carried by majority vote at the AGM.
- b. Where an annual membership fee is mandated by the AGM in accordance with this constitution, failure to pay such annual fee at the later of 28 February will result in the loss of membership of Mallow Triathlon Club.

### **13. Resignations**

- a. Any member wishing to resign, must do so in writing, addressed to the Chair or Secretary. The resignation will be considered by the Committee within one calendar month of receipt and will be held as effective on the date of tendering. Resignations will not be accepted if the member is financially indebted to the Club, and acceptance will be withheld until the debt has been discharged.

### **14. Extraordinary General Meetings**

- a. An Extraordinary General Meeting shall be called by the Chair or Secretary within one month of the receipt of a requisition signed by at least 9 members stating the purpose of the meeting. At least 14 days' notice shall be given to all fully signed-up members of the date, venue and purpose of an Extraordinary General Meeting. No other business shall be conducted at such a meeting.

### **15. Constitution Amendments**

- a. No Constitution Rule may be altered, added to, or deleted except at an Annual General Meeting or an Extraordinary General Meeting called for that purpose and then only by a majority of those present and voting.

### **16. Finances**

- a. The Club's financial year ends each December 31<sup>st</sup>.
- b. Mallow Triathlon Club will keep a bank account/s in its own name. At no time will the account be overdrawn.
- c. All cheques drawn on account must be signed by the Treasurer and countersigned by either the Secretary or the Chairperson who are named on the bank account.
- d. The Treasurer will retain a discerning veto over the application of any assets of Mallow Triathlon Club to protect the integrity of the Club and its funds and the Treasurer is responsible for all transactions.
- e. Any expense incurred in the course of duty of any Club member must be sanctioned in advance by the Committee and must be accompanied by receipts.

#### **16.1. Income and Property**

The income and property of the Club shall be applied solely towards the promotion of the main object(s) as set forth in this Constitution. No portion of the Club's income and property shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise how so ever by way of profit to members of the Club. No officer shall be appointed to any office of the Club paid by salary or fees for their role or position as an Officer.

However, nothing shall prevent any payment in good faith by the Club of:

- i) reasonable and proper remuneration to any member or servant of the Club, including any Officer for any services rendered to the Club;
- ii) interest at a rate not exceeding 1% above the Euro Interbank Offered Rate (Euribor) per annum on money lent by an officer or other members of the Club to the Club;

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- iii) reasonable and proper rent for premises demised and let by any member of the Club (including any officer) to the Club;
- iv) reasonable and proper out-of-pocket expenses incurred by any officer in connection with their attendance to any matter affecting the Club;
- v) fees, remuneration or other benefit in money or money's worth to any Company of which an officer may be a member holding not more than one hundredth part of the issued capital of such Company;

### **16.2. Winding Up**

If upon the winding up or dissolution of the Club there remains, after satisfaction of all debts and liabilities, any property whatsoever, it shall not be paid to or distributed among the members of the Club. Instead, such property shall be given or transferred to some other institution or institutions having main objects similar to the main objects of the Club. The institution or institutions to which the property is to be given or transferred shall prohibit the distribution of their income and property among their members to an extent at least as great as is imposed on the Club under or by virtue of the Income and Property clause hereof. Members of the Club shall select the relevant institution or institutions at or before the time of dissolution, and if and so far as effect cannot be given to such provisions, then the property shall be given or transferred to some charitable object.

### **16.3. Final accounts**

Final Accounts will be prepared and submitted that will include a section that identifies and values any assets transferred along with the details of the recipients and the terms of the transfer.

### **16.4. Additions, alterations or amendments**

No addition, alteration or amendment shall be made to the provisions of the main object clause, the income and property clause, the winding up clause, the keeping of accounts clause or this clause of the Constitution for the time being in force unless the same shall have been previously approved in writing by the Revenue Commissioners.

### **16.5. Keeping of Accounts**

Annual audited accounts shall be kept and made available to the Revenue Commissioners on request.



**17. Quorum**

- a. For Committee meetings the Quorum shall be not less than 4 members.
- b. For an Annual General Meeting or Extraordinary General Meeting, the Quorum shall be not less than 10 members.

**18. Notices**

- a. A notice required to be given under this Constitution shall be sufficiently given if
  - i. Published on the website/Facebook page of Mallow Triathlon Club or
  - ii. Announced in at least one local newspaper.

**19. Dissolution**

A resolution to dissolve the Club can only be passed at an AGM or EGM through a majority vote of the membership.

In the event of dissolution, any assets of the Club that remain will become the property of Triathlon Ireland or to another Club in the town with the same objectives.

**20. Amendments to the Constitution**

The Constitution will only be changed through agreement by a majority vote at an AGM or EGM.

**21. Declaration**

Mallow Triathlon Club hereby adopts and accepts this constitution as a current operating guide regulating the actions of members.



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Patrick Buckley  
Chairperson 2020/2021

## Appendix I

### 1. Code of Conduct

All members of Mallow Triathlon Club shall:

- a. Abide by the Club Constitution and this code of conduct and rules laid down by the sports' governing body, Triathlon Ireland (TI)
- b. Encourage and commend fellow members in their training, competition and participation;
- c. Show respect and dignity for their fellow members
- d. Uphold the good name and reputation of Mallow Triathlon Club, both inside and outside of Club activities, and conduct themselves in an appropriate manner;
- e. Only train within their abilities and levels of fitness, taking care to warm-up adequately prior to participation and cool-down when finished;
- f. Ensure good time management, so as not to delay the start times of sessions they attend;
- g. Report any medical conditions, injuries or incidents whether at training or during events to the Club Captain or marshal allocated to that session or event;
- h. Report any grievances or complaints to the appropriate member of the Committee;
- i. Be paid up members of TI, to ensure they receive the personal insurance cover which TI membership confers. The Club does not provide any training / racing insurance cover to members and will not accept any member who is not a TI member.

**Swim**, all members shall:

- a. Observe and respect the pace and workout routines of other swimmers in their lane, avoiding actions that are likely to interfere with those routines, and maintaining good lane discipline;
- b. Be aware of other pool users who may be in distress, or whose actions may cause risk to the member, and attract the attention of a Club coach or pool life guard in such circumstances;
- c. Ensure adequate hydration during swim sessions by bringing a drinks bottle to the poolside;
- d. Be aware that surfaces in the facilities are likely to be wet and slippery and therefore take care;
- e. Only dive in those areas that are designated safe to dive in.

**On open water swims**, all members shall:

- a. Wear a wetsuit and brightly coloured swim cap;
- b. Use a buddy system and swim in pairs based upon speed and ability;
- c. Swim parallel to the bank/shore unless adequate safety cover exists for areas beyond that;
- d. Roll on to their back and raise their arm to attract the attention of the safety cover if experiencing any difficulty;
- e. Provide the session leader with their emergency contact details and information on any medical issues;
- f. Not enter water space used by other water sports users unless prior communication for the sole use of a designated space over an allocated time period has been arranged;
- g. Shower after swimming, washing open wounds and ears, etc. to reduce the risk of infection.
- h. Unless otherwise stated all open water swim sessions are on an ad hoc basis and taken at the participants own risk

**Bike**, all members shall:

- a. Wear a correctly fitted and fastened cycling helmet;
- b. Ensure that their bike is in good roadworthy condition;
- c. Carry some cash, mobile phone, spare inner tubes and a mini-pump on all Club rides;
- d. Ensure adequate hydration and nourishment on long rides by carrying drinks bottles and energy bars/ gels
- e. Dress appropriately for the weather conditions;
- f. Wear reflective clothing and carry bike lights during evening and night sessions;

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- g. Respect the rules of the public roads;
- h. Slow down, give way or stop in the interests of courtesy, safety or obligation;
- i. Avoid confrontation with other road users and pedestrians;
- j. Act responsibly to promote the good image of cyclists.
- k. On group rides, members shall:
  - Keep to the left wherever possible;
  - Ride two abreast where the conditions allow, and go single file on busy roads;
  - Maintain an orderly riding pattern at all times;
  - Learn and use the club calls to warn other riders in the group of pot-holes, glass, parked cars and
  - other hazards which may require the following riders to alter course;
  - Not use tri-bars within the pack;
  - Where possible, appoint a group leader and sweeper from the Club coaches or more experienced riders to ensure the group stays together and slower riders are not dropped;
  - Take the phone number of the group leader or sweeper so that the member can alert them in case they get dropped, run into difficulties, or do not wish to continue on the ride;
  - Pay attention to the route taken on group rides, so that they can retrace their steps should they
  - drop out of the ride for any reason.

### **Run,** All members shall:

- a. Wear reflective clothing during evening and night sessions;
- b. Carry extra warm/dry clothing to put on following a session, when appropriate;
- c. Carry some cash, mobile phone on long runs;
- d. Act responsibly

## Appendix II

### 1. Club Disciplinary and Grievance Procedure

#### 1. Grievance Procedure

##### 1.1. Introduction

The Club accepts that it is in our mutual interest to establish a clear procedure for the resolution of all Club related issues arising between Members and the Club. Full recognition is given to the significance of personal grievances and we are determined that all grievances and disputes will be dealt with without undue delay and at the earliest possible stage of this procedure. We operate an open door policy and Members are encouraged to make full use of this facility by contacting the Committee.

##### 1.2. Procedure

1. Any complaint or grievance must be submitted in writing to the Club Chairperson and Secretary.
2. Acknowledgement of receipt will be provided within 5 working days to the complainant.
3. The Club Chairperson and Secretary will appoint an investigation committee comprising
4. Committee Officers and 1 Full Member (the "Investigation Committee") to investigate the complaint or grievance. If the complainant or the respondent is part of the Committee, then they cannot form part of the Investigation Committee.
5. The Investigation Committee will examine the complaint/grievance and the written response of the person(s) against whom the complaint relates.
6. After investigation, the Investigation Committee will issue its decision to the Chairperson and Secretary on whether the matter should be upheld or not, together with their reasons for the decision.
7. The Chairperson or Secretary will contact both parties involved with the decision of the
8. Investigation Committee. Either party may appeal the decision, in writing, within 14 days of receipt of the decision.
9. If an appeal is received, then the Chairperson and Secretary will appoint an Appeals
10. Committee comprising 2 different Committee Officers and 1 different Full Member) to review the decision.
11. The Appeals Committee shall issue its decision to the Chairperson or Secretary, who will contact the parties, and such a decision is final. The Appeals Committee may recommend if disciplinary action is warranted and it is up to the Committee to decide what form of disciplinary action should be taken, if any.

#### 2. Disciplinary Procedure

##### 2.1 Introduction

Members will be liable to disciplinary action for misconduct.

Relatively minor breaches of discipline will normally be dealt with by warnings. However, if they are repeated they will lead on to further stages of the procedure.

More serious types of misconduct may leave a Member open to suspension or to withdrawal of their membership, depending on the gravity of the offences and on any mitigating circumstances.

##### 2.2 Procedure

Where a Member's conduct warrants disciplinary action, the following procedures will apply.

##### 2.2.1 Formal Verbal Warning

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In the event of a breach of conduct by a Member, the Member will be given a formal verbal warning by a Committee Officer. This warning will be recorded at the next Committee meeting.

### 2.2.2 Written Warning

In the event of a further breach, the member will be issued with a formal written warning. This written warning will be recorded at the next Committee meeting.

### 2.2.3 Expulsion

If, following a written warning, a Member is guilty of further breaches, the Member will be expelled. Expulsion can only take place after the Member has had an opportunity to hear all of the allegations against him or her and to present his/her case to the Committee. All cases of expulsion will be decided upon by the Committee

### 2.2.4 Misconduct

In cases of misconduct warranting summary dismissal, the following procedures apply: If, in cases of misconduct including but not limited to:

- o breaches of trust,
- o fighting,
- o theft,
- o refusal to accept instructions,
- o wilful damage to property,
- o bringing the club into disrepute,

The Committee considers that summary dismissal is warranted, it may suspend a Member in order to facilitate investigation of the particular case. Following investigation of any matter under clause 2.2.4 (Misconduct), the Committee may decide either to impose another form of discipline, such as suspension from the Club and/or final written warning without recourse to the procedures 2.2.1 (Formal Verbal Warning) and 2.2.4 (Misconduct) above.

## 2.3 Natural justice

At all stages of the procedure, the Member will be given the opportunity to hear the allegations against him/her and to make his or her own case.

## 2.4 Review

This procedure will be reviewed periodically.