

Cork Triathlon Club

Club Constitution

Version 7

Version History

Version 1	Voted and Ratified on 24/01/2008	
Version 2	Voted and Ratified on 12/11/2009	
Version 3	Voted and Ratified on 10/10/2013	Changed Item 13 c from " ……75% of the excess revenue (profits) from the previous year's club events to benefit all members of the club on capital expenditure." to "……..75% of the excess revenue (profits) from the previous year's club events to benefit all members of the club."
Version 4	Voted and Ratified on 12/11/2014	
Version 5	Voted and Ratified on 28/Apr/2016	Format changes. Added Definitions section. Added Policy and Safety Statements. Added a dedicated Junior's / Young Person's Rights section. Added Code of Conduct section. Added Discipline section. Made various clarifications to existing sections.
Version 6		Changes to Objectives and the addition of 4 new clauses on Income and Property, Winding Up, Additions, Alterations and Amendments and Keeping of Accounts in accordance with the requirements of the Revenue Commissioners in order to achieve tax exempt status. Insert a clause to section 18 to add the post of Data Controller to comply with GDPR regulations
Version 7	Voted and Ratified on 5/Nov/2021	Formatting Changes. Added and amended Definitions Section. Updated reference to TI policies and statements throughout Constitution. Amendments to Membership provisions in particular the detailing of the Disciplinary Committee. Added further Committee roles and definitions of same. Updated and amended provisions on Juniors by reference to TI requirements. Amendments to provisions on AGM to account for a Virtual AGM.

Version 7 Approval

1. Name and Colours

1.1 The name of the Club shall be Cork Triathlon Club.
1.2 The Cub's colours shall be white, dark blue and light blue.

2. Definitions

AGM	Annual General Meeting
Aquathlon	Swim / Run
Club	Cork Triathlon Club, CTC
Coach/Leader	Where specified refers to any individual, including teachers, involved in the practice of teaching and coaching any of the multisport disciplines.
Committee	Members elected Chairperson, Secretary, Treasurer and Children's Officer and other positions on the Committee as determined from time to time.
Duathlon	Run / Bike / Run
Full Member	A member of the Club being a full member of TI.
Juniors / Young People/Children	Individuals who are under 18 years of age unless otherwise specified
Leader	Any person, whether paid or unpaid with responsibility for children; roles include but not limited to children's officer, designated persons, supervisor, team manager, sports science personnel, volunteers, committee members, tutors, coaches and teachers.
Multisport	The combination of sports such as swimming, cycling, running, kayaking, etc. (e.g., duathlon, aquathon, adventure race, etc.)
Triathlon	Swim / Bike / Run
TI	Triathlon Ireland, the national governing body for triathlon and multisport

3. Objectives

3.1 The main object of the Club shall to be to encourage the practice and development of triathlon in Cork and the surrounding areas.

3.2 In furtherance exclusively of the foregoing main object the Club shall have the following subsidiary objects

3.2.1 Provide coaching for club members and to organize and promote competitions.
3.2.2 Organize teams to represent the Club in triathlon and multisport events, national championships, international championships and in such other competitions, as the committee shall decide.

4. Financial Year

4.1 The Club's financial year ends each September 30th.

4.2 The Chairman, Secretary or Treasurer may take decisions on matters under their jurisdiction requiring an immediate answer that involves the Club in expenditure up to €500. Any such decisions must be reported to the Committee at the next meeting. The 3 officers may jointly involve the Club in expenditure up to €2000. Any such decisions must be reported to the Committee at the next meeting.

4.3 The Committee shall endeavour to spend at least 75% of the excess revenue (profits) from the previous year's Club events to benefit all members of the Club.

5. Income and Property

5.1 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 howsoever 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 or receive any remuneration or other benefit in money or money's worth from the Club. However, nothing shall prevent any payment in good faith by the club of:

- 5.1.1 Reasonable and proper remuneration to any member or servant of the Club (not being an officer) for any services rendered to the club;
- 5.1.2 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;
- 5.1.3 Reasonable and proper rent for premises demised and let by any member of the Club (including and officer) to the Club;
- 5.1.4 Reasonable and proper out-of-pocket expenses incurred by any officer in connection with their attendance to any matter affecting the Club;
- 5.1.5 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;

6. Winding Up

6.1 If upon 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 objectives 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 the effect cannot be given to such provisions, then the property shall be given or transferred to some charitable object. 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.

7. Keeping of Accounts

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

8. Additions, Alterations or Amendments

8.1 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.

9. Club Activities

9.1 The Club shall cater for:

i. Triathlon
ii. Multisport
iii. The individual sports of running, cycling and swimming

10. Membership

10.1 Membership shall be open to all persons either amateur or professional. The amateur status of non-professional club members shall be protected.

10.2 It is mandatory for members of the Club to be either full or associate members of TI, the national governing body for the sport of triathlon in Ireland. Failure to maintain a membership of TI (in accordance with the membership policies of TI), or the withdrawal of membership of TI by a member of the Club automatically results in an immediate loss of membership of the Club.

10.3 Participants in training sessions, Club competitions and other Club activities must be current members of the Club. Potential or prospective members may, at the discretion of the Committee, participate in a maximum of 3 club training sessions before joining either TI or the Club. These individuals prior to participation in each session must sign a guest-sheet. The Club member and coordinator of the session must keep the guest sheet and should submit the guest-sheet to the Secretary for filing.

10.4 Each applicant for membership must complete his or her application through the Club designated online application process, i.e. through TI. Membership is valid for one calendar year and to continue membership, members are required to renew their membership for each new calendar year.

10.5 Approved persons remain members of the Club until the earlier of:

10.5.1 Such time as they tender a resignation as per Article 10.8 of this constitution or
10.5.2 They fail to renew their membership as per Article 10.7.5d of this constitution or
10.5.3 They fail to pay any subscription in accordance with Article 10.9 of this constitution

10.6 The Committee are empowered to withdraw membership from any member of the Club as per Article 10.7 below.

10.7 Member Discipline

10.7.1 The Club may invoke disciplinary action in the case of any member, athlete, or the parent/guardian/accompanying adult of any athlete, whose conduct has, or is likely to bring the sport, and/or the Club, into disrepute (“Subject Person”).

10.7.2 Individual members may instigate disciplinary action by making a formal written complaint to the Club Chairperson or Secretary (the “Complainant”).

10.7.3 The Club reserves the right, where deemed necessary in view of the gravity of any allegation made, for a disciplinary committee to be formed and to conduct all necessary investigations and recommend any resultant discipline. The Chairperson and Secretary will appoint the said disciplinary committee comprising of at least 2 members of the Committee and 1 Full Member (the “Disciplinary Committee”). If the Subject Person or Complainant are part of the Committee, they shall not form part of the Disciplinary Committee. The Disciplinary Committee may use verbal, written or video information to make their judgment. The outcome of disciplinary action will be notified to the Subject Person in writing after a decision is made.

10.7.4 Failure to comply with the Club constitution or rules of Triathlon, Duathlon and/or Multisport may result in a member being warned, suspended, or expelled. All drug abuse discipline will be dealt with in accordance with sanctions by Sport Ireland, unless referred to TI by Sport Ireland in which case it will be dealt with in accordance with the TI Disciplinary Policy.

10.7.5 Suspension means that a member will not take part in Club activities during a stated suspension period. A member may be suspended for, but not limited to:

a. Reasons listed under the TI Disciplinary Policy
b. Threatening abusive or insulting words or conduct
c. Fraud, including but not limited to joining the Club/entering competition under an assumed name or age, falsifying an affidavit, or giving false information
d. Participating when not eligible
e. Repeated violations of the Club Constitution

10.7.6 On the expiration of the above-mentioned suspension period, the suspended individual must make formal application for reinstatement as a member of the Club.

10.7.7 Persons expelled from membership will not take part in Club activities. A member will be expelled for but not limited to:

a. Reasons listed under the TI Disciplinary Policy
b.
c. For an unusual and violent act or behaviour.

10.8 Resignations

10.8.1 Any member wishing to resign must do so in writing, addressed to the Chairperson or Secretary (the "Resignation Notice"). The resignation will be considered by the Committee within one calendar month of receipt of the Resignation Notice and will be held as effective on the date of tendering, save and except in the circumstances where the member is financially indebted to the Club, in which case acceptance will be withheld until the debt has been discharged. No refund of membership fees will be paid upon resignation from the Club.

10.9 Subscriptions

10.9.1 Subscription to the Club is by means of 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.

10.9.2 Where an annual membership fee is mandated by the AGM in accordance with this constitution, failure to pay such annual fee by January 31st of the year of membership application / renewal will result in the loss of membership of the Club.

10.10 Junior's/Young People's Membership/Rights

10.10.1 The Club fully subscribe to the policies and procedures of TI in relation to Juniors/Young People/Children including the TI Safeguarding Policy Documents and Safety Guidelines for Club Sessions (the "Safeguarding Policies and Guidelines") . Below are a few key points but refer to the Safeguarding Policies and Guidelines for more detail.

10.10.2 The Club aims to promote the participation of children in sport.

10.10.3 Applications

Applications by Juniors must be reviewed by the Committee and the Children's Officer and can only be accepted if all controls are in place as per TI recommendations. A Junior member's application, if accepted, must be signed by the named member's parent or guardian. Junior members must have a valid TI license.

10.10.4 Recruitment

In recruiting Club coaches, volunteers, or other people working with Young People who are not current members, the Club shall:

- Define the role the individual is applying for (job/role specification)
- Insist that a person applying for any post of responsibility within the Club complete the relevant requirements if TI for working with Juniors. (Requirement for internal or external persons)
- Obtain 2 references in writing, (the request for references should only be sought for preferred applicants)
- Ensure that the individual completes the 3 Safeguarding Steps for TI Coaches, Leaders and Junior assistances as set out on the TI website (www.triathlonireland.com), which includes their vetting with Garda Central Vetting unit through the relevant TI process prior to commencement of working with Juniors. (Requirement for internal or external persons)
- Interview or meet the individual either formally or informally. Have 2 appointed Club members do this which will enable:
    - Assessment of the individual's experience of working with Young People and knowledge of safeguarding issues
    - Assessment of their commitment to promoting good practice
    - Assessment of their ability to communicate with Young People (i.e. be approachable)
- Ensure that the Club Committee ratifies appointments

10.10.5 Discipline and Complaints

10.10.5.1 Disciplinary actions and complaints in relation to Juniors/Young People/Children, their coaches and their parents involved in any Club events are subject to the provisions and procedures set out at section 10.7 above.

10.10.5.2 The Children's Officer of the Club must receive complaints in writing. The complaint must outline all relevant details about the parties involved.

10.10.5.3 If the complaint involves the possibility of a criminal offence, the Designated Liaison Person shall contact An Garda Síochána.

10.10.5.4 If, after the disciplinary process, a member is to be suspended the Club will carry out a risk assessment to decide the level of protection needed for Juniors and any future Juniors working with any accused persons.

10.10.6 Supervision and Travel

10.10.6.1 Generally for supervision of Juniors, ensure adequate Adult : Junior ratios. Good practice dictates that a Leader/Coach should try to ensure that more than one adult is present. This will help to ensure the safety of the children as well as protect adults.

10.10.6.2 There should be at least one adult of each gender with mixed parties.

10.10.6.3 Adults should avoid being left alone with young participants, if a coach needs to talk separately to a participant this should be done in an open environment, in view of others.

10.10.6.4 If a child suffers an injury or accident the parents/guardians should be informed. See sample accident/incident report form on www.sportireland.ie.

10.10.6.5 For transport and travel with Juniors, the adult is to ensure there is adequate insurance on the car and that they follow the rules of the road, including the legal use of seat belts. Ensure they do not carry more than the permitted number of passengers. They

are to avoid being alone with one passenger, put passengers in the back seat, have central drop off locations or seek parental permission when transporting on a regular basis. Parents should check with Young People about the plans, listen to what the Young People are saying and be sure they are happy with the transport arrangements.

11 Affiliations

11.1 The club shall be affiliated to TI and to such other sporting bodies, as the Committee consider appropriate in order to carry out the objectives of the Club.

12 Policy Statement

12.1 The Club is fully committed to safeguarding the well-being of their members. Every individual in the Club should at all times, show respect and understanding for members rights, safety and welfare and should conduct themselves in a way that reflects the principles of the Club and the guidelines of the national governing body of the sport participating in.

12.2 Juniors

In working with young people in T riathlon, the Club's first priority is the welfare of the Y oung P eople and the Club is committed to providing an environment that will allow participants to perform to the best of their ability, free from bullying and intimidation.

13 Safety Statement

13.1 The Club, so far as is reasonably practicable, shall ensure the safety and health of its members, volunteers, and other persons who may be affected by Club activities.

14 Equality

14.1 All members of the Club should be treated in an equitable and fair manner regardless of age, ability, sex, religion, social and ethnic background, sexual orientation, or political persuasion. Members with disability should be involved in sports activities in an integrated way, thus allowing them to participate to their potential alongside other members.

15 Code of Conduct

15.1 Club m embers, Coaches, Leaders, parents and associated officials and volunteers must:

- Be positive, approachable and offer praise to promote the objectives of the Club at all times
- Treat everyone equally and sensitively regardless of his or her age, gender, ethnic origin, cultural background, sexual orientation, religion or political affiliation
- Accept the special role that you have to play in the establishment of standards by setting a good example of behaviour and conduct at all times
- Not manipulate the rules in order to benefit yourself personally or your club
- Encourage participants and instructors/coaches to abide by the rules and spirit of the sport
- Not use foul, sexist, racist or otherwise offensive language
- Use your official position to take action against spectators who harass abuse or use foul, sexist or racist language towards participants, officials, and instructors/coaches
- Ensure that proper supervision is provided with suitably qualified instructors/coaches and officials who are capable of promoting good sporting behaviour and good technical skills
- Ensure all equipment and facilities meet safety standards
- Report accidents or incidents of alleged abuse or poor practice to the designated liaison person
- Respect the rights of other clubs
- Show respect to officials, instructors/coaches, participants and others involved in the sport.
- Not endeavour to influence the result of a competition by any actions that are not strictly within the rules of the sport

- Remember sport is enjoyed for its own sake, i.e., play down the importance of winning.
- Always have regards to the best interest of the sport, including where publicly expressing an opinion on the competition or any particular aspect of it, including others involved in the competition
- Resist illegal or unsporting influences, including banned substances and techniques
- Promote ethical principles
- Avoid word or actions, which may mislead an official
- Adhere to the rules and regulations, code of conduct, etc. for the national governing bodies of TI, Cycling Ireland and Swim Ireland of which the Club is affiliated while taking part in respective events

16 . Management

16.1 The management of the Club shall be vested in a Committee, comprising members elected to the positions of Chairperson, Secretary, Treasurer and Children's Officer, together with additional members elected to the Committee, with or without specific functions. These positions are defined below:

16.1.1 **Chairperson**

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

16.1.2 **Secretary**

The role of the Secretary involves maintaining the database of members, taking and circulating meeting minutes from AGMs and committee meetings as required, and shall also be responsible for any correspondence to the Club through the Club e-mail address.

16.1.3 **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 AGM. 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.

16.1.4 **Children's Officer and Designated Liaison Person**

In order to facilitate Juniors training with the Club, CTC must have a Children's Officer (CO) and Designated Liaison (DL) person. The CO may also be the DL.

Members are referred to the description of the roles of the CO and DL on the TI website. The CO is responsible for ensuring that all safeguarding requirements in respect of Juniors under TI are complied with and furthermore the safe recruitment of volunteers and Coaches and Leaders to work with Juniors. The DL shall act as a liaison with outside agencies and a resource person to any staff member or volunteer who has child protection concerns.

The Club will have these roles in place and will communicate status as such via the club website, announcements channels and at the AGM.

The Committee shall have power to fill vacancies arising during the year and to reinvent the list of required positions to be filled.

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, but not limited to:

16.1.5 **Public Relations Officer(s):**
The Public Relations Officer (PRO) is responsible for working with the Committee on sponsorship opportunities for Club events, liaising with Event/Web Administrators to ensure website has appropriate logos etc., issuing press releases and race reports to local media, submitting reports as necessary for possible grant aid and exploring other promotional opportunities.

16.1.6 **Webmaster:**
The Webmaster is responsible for the Club website (www.corktri.com). This role involves design and upload of content to the site. Making recommendations on web design/improvements to Committee, liaising with on-line entry companies, presentation of status to other Committee members at meetings.

16.1.7 Web-site Administrator:
The website administrator is responsible for liaising with web-master and up-dating the web-site as required, soliciting articles and links from members, working with the Club event organisers and ensuring website reflects correct event status.

16.1.8 Events Administrator:
The events administrator is responsible for sending regular emails keeping club members informed of upcoming events and results from previous week. Collating info on pertinent events, results and achievements of members', upcoming events that maybe of interest.

16.1.9 **Cork Tri Club Race Chairpersons**:
Manage the race and co-ordinate the race organisation committee. Responsible for co-ordinating the event, liaising with TI, contacting all personnel involved in supporting the event, arranging all aspects of water safety, preparing Water Safety plan, selection of Race director. Arranging numbers/t-shirts/refreshments/registration/prize-giving, Follow-up race report and results. Present status to other Committee members at meetings.

16.1.10 **Data Controller:**
The Data Controller is responsible for managing the keeping and use of personal information on computer or in structured manual files as part of the club's duties under GDPR. This role involves ensuring there is an up to date inventory in place of all relevant data held by the club and that the retention and processing of the data complies with GDPR.

16.1.11 Club Gear Officer:
The Club Gear Officer is responsible for managing the availability of the Club branded Triathlon clothing for purchase by the Club members and will liaise with the Club's clothing suppliers to facilitate same.

16.1.12 Time Trial League Co-Ordinators
The Time Trial League Co-Ordinators shall be responsible for organising and promoting the Club Time Trial League between the months of May and September each year including, but not limited to, organising weekly time keepers, first aid and ensuring availability of a time trial route.

16.1.13 Women's Officer

The Women's Officer shall be responsible for promoting women in Triathlon by way of organising specific Club training events for women and notifying members of ongoing Women in Sport initiatives by TI and Sport Ireland.

16.1.14 Aquathlon Co-ordinators

The Aquathlon Co-Ordinators shall be responsible for organising and promoting the Club bi-weekly Aquathlon between the months of May and September each year including, but not limited to, organising time keepers, safety kayak, first aid and ensuring availability of an aquathon route.

16.1.15 Sunday Cycle Co-ordinators

The Sunday Cycle Co-Ordinators shall be responsible for organising and promoting the Club weekly Cycle including, but not limited to, organising leaders for each cycle route.

16.2 All of the forgoing shall be elected. All positions are filled by election at the AGM, with each member of the Club present having one vote per position.

16.3 Any Club member can declare their interest in a position, whereupon they must be proposed and seconded by two members of the Club.

16.4 Where more than one person is 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.

16.5 The elected Committee shall remain in office until the AGM of the following year. In the event of a Committee member having to step down before the next AGM, then an EGM should be held to elect an interim replacement.

16.6 The Committee shall have the power to fill vacancies if and when they arise.

16.7 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 Chairperson or Secretary.

16.8 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.

16.9 Copies of the minutes of committee meetings should be available to members on request from the Secretary.

16.10 A committee member missing 3 meetings in succession without adequate reason may be asked to resigned from the Committee

17 Annual General Meeting

17.1 The Annual General Meeting (AGM) shall be held no later than the December 31st for the purpose of:

a. Receiving the annual report of the Committee for the preceding season
b. Receiving the statement of accounts for the preceding season
c. Electing the officers and committee for the ensuing year
d. Considering any amendments to this Constitution of the Club

17.2 Any proposed change to the Constitution by a member must be received by the Chairperson or Secretary at least 8 days prior to the date of the AGM in order that members shall have sufficient notice of the proposal. At the discretion of the Chairperson, amendments not submitted at least 8 days prior to the AGM, may be proposed by any member present at the AGM and voted upon.

17.3 The AGM can, at the discretion of the Committee be conducted electronically as a virtual AGM ("Virtual AGM"). At least 28 days' notice shall be given to members of the date and proposed venue for the AGM (or in the case of a Virtual AGM, the notice shall include (a) the link to the software platform being used for the Virtual AGM and (b) details of where members can submit questions in advance of the Virtual AGM). Notice of the final agenda shall be given to members at least 7 days prior to the proposed AGM, and will be available in printed form at the proposed AGM save and except for a Virtual 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.

17.4 Each fully signed up member present at the meeting shall have one vote. No proxy votes will be accepted.

17.5 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 (2 ordinary members will be charged with counting hands) or by way of electronic poll in the case of a Virtual AGM, except in the case where a member or group of members request a secret ballot. Where there are equal numbers of votes cast, the deciding vote should be that of the current Club Chairperson. In the event that the Club Chairperson is not in available then the deciding vote should fall to the Club Secretary.

18 Extraordinary General Meetings

18.1 An EGM can be called by the Chairperson or Secretary within 1 month of the receipt of a requisition signed by at least 9 members stating the purpose of the meeting. The Committee can also call an EGM.

For all EGMs, at least 14 days' notice shall be given to all fully signed-up members of the date, venue and purpose of an EGM. No other business shall be conducted at such a meeting.

19 Constitution Amendments

19.1 No Constitution Rule may be altered, added to, or deleted except at an AGM or an EGM called for that purpose and then only by a majority of those present and voting.

20 Quorum

20.1 For Committee meetings the Quorum shall be not less than 4 members. For an AGM or EGM, the Quorum shall be not less than 10 members.

21 Notices

21.1 A notice given under this Constitution shall be sufficiently given if:

a. Published on the website of the Club or
b. Published in the Club newsletter or
c. Announced in at least one local newspaper.