

**Constitution and Rules of the Myndd Climbing Club (As Amended at AGM's held on 17 March 1994, 16 March 2000, 8 March 2007 and 26 March 2009)**

1. The club shall be named the Mynydd Climbing Club.
2. The objects of the club shall be to promote all forms of mountaineering to encourage safe standards of conduct in the hills and to provide facilities for the social intercourse of members.
3. The club shall consist of Honorary, Full and Aspirant ~~and Senior~~ Members.
4. The club shall be managed by a committee of ~~seven~~ members who shall fill the posts of Chairman, Secretary, Treasurer, Membership Secretary, Meets Secretary, Hut Secretary, Communications Officer, ~~and~~ Hut Warden and such other officers as may be determined from time to time. The committee shall be elected at the AGM in each year and, subject to termination of office by resignation or otherwise, shall remain in office until the next ~~if successors are elected at the~~ AGM. ~~next following their election~~. The committee shall have power to fill any vacancy that may occur. The retiring members of the committee shall be eligible for re-election.
5. On recommendation of the committee the club may appoint a person of distinction to the office of President. Such person need not be a member of the club and in any event shall not be required to pay a subscription.
6. The Members shall jointly and severally indemnify the President, Chairman and every other Officer Committee Member or other Member authorised to act on behalf of the Club from and against all costs charges losses expenses liabilities and claims incurred ~~by or brought against him/her~~ in the proper execution and discharge of ~~their~~ his/her obligations and responsibilities relating to the club.
7. An annual subscription shall be levied on all FullSenior and Aspirant members in such sum as shall be agreed by the club at the AGM. Subscriptions shall be due on the first day of January every year. In the case of a newly admitted member the committee may in their discretion allow payment of a proportion of the annual subscription.
8. The committee shall have power to elect as honorary life members, without payment of any further subscription, any person who shall in the opinion of the committee have rendered eminent service to the club or to mountaineering generally, but such election shall not take effect unless and until confirmed at the next ~~following~~ AGM.
9. Persons ~~wishing to join the~~ applying for membership of the club shall be known as Aspirant memberss ('Aspirants'). ~~Aspirants will not be required to pay a subscription but will be liable to pay such sum as shall be determined by the committee to meet the cost of postal information and newsletters.~~
10. In order to become a fulla-member an Aspirant must attend four full weekend meets or otherwise make ~~themselves~~ himself known to members to the satisfaction of the committee and must within 12 months of becoming an Aspirant submit to the committee an application for full membership including the names of two fullsenior members prepared to propose and second such application. In exceptional circumstances the committee may at its discretion allow an Aspirant a further 12 months in which to apply for full membership. ~~provided that an additional fee is paid~~. All applications for membership must be in writing and be signed by the applicant and his proposer and seconder and ~~the election~~ shall be determined by in the discretion of the committee.
11. On considering any application for FullSenior Membership the committee must satisfy itself that the criteria contained in Rule 109 have been observed and that the applicant:
  - (a) Is socially acceptable;

- (b) Is genuinely interested in the club and in mountaineering;
- (c) Has a safe and reliable approach to the mountain environment.

**12.** In default of payment of the due subscriptions by any member on or before the 31<sup>th</sup> day of January in any year, ~~then~~ the committee shall give notice ~~write~~ to that member requiring immediate payment and that ~~letter shall contain notice that membership will lapse~~ if the subscription remains unpaid for a period of 14 days following the ~~date of the letter then membership shall be taken to have lapsed~~ notice. However in exceptional circumstances where satisfactory explanation for the default is made to the committee the committee may at its discretion rule that membership shall continue in force.

**13.** ~~The~~ committee shall have power to reprimand or expel any member who shall offend against the rules of the club or whose conduct shall in the opinion of the committee render ~~them~~ him unfit for membership of the club. Before any such member is expelled the secretary shall give ~~them~~ him 14 days written notice to attend a meeting of the committee and shall inform ~~them~~ him of the complaints made against ~~them~~ him. No member shall be expelled without first having an opportunity of appearing before the committee and answering complaints made against ~~them~~ him. No person whose membership has been terminated under this rule shall be introduced by any other member as a visitor to any club premises.

**14.** The committee shall have a discretion to allow persons who have formerly been ~~full~~ senior members of the club to rejoin the club as ~~full~~ Senior mMembers. In exceptional circumstances a member may apply to the committee to have his membership suspended.

**15.** A general meeting of the club shall be held in every year not later than 30 ~~December~~ June to transact the following business:

- (a) To receive and, if approved, to adopt a statement of the club's accounts to the end of the preceding ~~financial period~~ year;
- (b) To consider and if approved, sanction any duly made alteration to the constitution or ~~rules~~ bye-laws;
- (c) To appoint the officers and other members of the committee;
- (d) To deal with any special matter which the committee desire to bring before the members, and to receive suggestions from the members for consideration by the committee or the club membership. ~~—~~

Notice convening the general meeting shall be ~~sent~~ to the members not less than 14 days before the meeting and shall specify the matters to be dealt with, and shall include the names of those nominated pursuant to paragraph (c) of this Rule 15 together with the names of those members proposing and seconding each nomination. Such nominations must be made not less than 28 days prior to the AGM.

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**16.** The chairman shall preside at all general meetings and meetings of the committee and in his absence a deputy shall be appointed by the committee. Honorary and ~~FullSenior~~ members, with the exception of the Chairman, shall be entitled to a vote at general meetings provided they are present. In the event of an equality of votes in a general meeting or committee meeting the Chairman shall have the casting vote.

**17.** An Extraordinary General Meeting may be convened at any time by the committee, and shall be convened within 28 days from the receipt of a written request signed by not less than four honorary and/or full voting members specifying the object of the meeting for any of the following purposes:

(a) To consider and, if approved, sanction any duly made alteration of the constitution and rules;—

(b) To deal with any special matter which the committee may desire to place before the members, including the expulsion of a member;

(c) To receive the resignation of the committee or to remove any member or members thereof from office and to fill any vacancy or vacancies caused thereby;

(d) To deal with any special matters which the members requiring the meeting may

desire to place before the club. Notice convening the Extraordinary General Meeting shall be given ~~sent~~ to ~~the~~ members not less than 14 days before the meeting and shall specify the matters to be dealt with.

**18.** At general meetings twelve honorary and/or full voting members shall form a quorum and at committee meetings four committee members shall form a quorum.

**19.** The committee shall have power to make bye-laws for regulating the conduct and affairs of the club provided the same are not inconsistent with these rules. Such bye-laws shall be notified to members and shall be binding on them.

**20.** The committee shall organise a programme of Social and Climbing Meets to include Evening Climbing Meets Outdoors during the summer and Indoors during the winter and at least twelve full weekend Meets.

**21.** The committee shall have power to appoint ~~a Newsletter Editor and~~ sub-committees as it shall consider appropriate, all of which shall remain under the general direction of the committee.

**22.** The committee shall cause to be published within three months after each annual general meeting a list of Honoerary, Fullmembers and Aspirants members to include names, addresses and telephone numbers and specifying the officers of the club.

**23.** Any freehold or leasehold property from time to time owned by the Club shall be vested in trustees on behalf of the members. Such trustees must be honorary or fullsenior Members of the Club who shall respectively hold office until death or resignation unless removed from office by Resolution of the Committee or Members or pursuant to Rule 29. Such Trustees shall deal with any freehold or leasehold property vested in them in accordance with the directions of the Committee, insofar as such directions do not contravene any legal obligation or requirement.

**24.** The Committee shall be responsible for the upkeep and maintenance of any freehold or leasehold premises owned by the Club and for insuring them for full value against all normal risks. The Committee shall supervise the use of any such premises and shall be entitled to deal with them directly on behalf of the Trustees but shall ~~keepeconsult with~~ the Trustees informed regarding any alterations and all issues relating to health and safety, occupiers liability, child protection and disability discrimination that may arise from time to time. The Committee shall provide the Trustees with an annual report as to the insurance, upkeep, maintenance and use of any such premises and of

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any other matter which may be considered material and the Trustees shall be entitled to inspect all records and information regarding the same.

25. The Members shall jointly and severally indemnify every Trustee in whom is vested any freehold or leasehold property owned by the Club against all costs, charges, losses, expenses, liabilities and claims incurred ~~in consequence of being a by him/her in his/her capacity as~~ Trustee and legal owner of freehold or leasehold property on behalf of the Members.

26. The Trustees shall have a duty to safeguard the property of the Club vested in them from time to time and to promptly notify the Committee of any matters which come to their attention which might give rise to a risk of damage or destruction to such property, loss of amenity, diminution in value or of matters relating to such property which give rise to some risk or liability or increase therein of the Members and shall promptly deliver to the Chairman or Secretary any notice relating to such property which is received by the Trustee. The Trustees shall co-operate with the Committee in doing all such things as may be necessary from time to time to avoid or minimise such risks including taking professional advice when appropriate. If the Trustees consider that issues relating to property vested in them are of sufficient weight as to merit consideration by the Members the Trustees shall be entitled to request the Committee to convene an Extraordinary General Meeting for the purpose whereupon the provisions of Rule 17 shall apply.

27. The Trustees shall be not less than two nor more than four in number and shall be appointed or removed by the Chairman acting in accordance with a resolution of the Committee or of the Members and any such resolution shall be recorded in the minutes of the meeting and evidenced by a certificate to that effect signed by the Secretary. A Trustee removed from office by the Committee without his consent may by notice in writing require the Committee to convene an Extraordinary General Meeting of the Members to reconsider the matter whereupon the provisions of Rule 17 shall apply.

28. Any Trustee shall be entitled to resign at any time by notice in writing to that effect served on the Chairman or Secretary which notice shall be effective immediately upon service thereof.

29. The appointment of any Trustee shall forthwith terminate in the event that he or she:

29.1 becomes bankrupt or makes any arrangement or composition with his/her creditors; or;

29.2 becomes incapable by reason of mental disorder, illness or injury of managing and administering his/her property and affairs or;

29.3 commits any criminal act and is sentenced to a term of imprisonment, whether immediate or suspended or;

29.4 resigns his/her office by notice in writing to the Honorary Secretary or;

29.5 ceases to be a Member.

30. In accepting appointment as a trustee that Trustee appoints the Chairman as ~~their~~his attorney for the purpose of executing any document relating to a transaction involving the freehold or leasehold property vested in the Trustee or requisite to give effect to ~~their~~his removal as a Trustee further to any resolution made pursuant to Rule 27 in the event that the Trustee is unable or unwilling to execute the document ~~themselves~~himself/herself.

31. All members shall have the right to use any ~~freehold or leasehold premises owned by the club~~such premises in accordance with the ~~Hut Rules~~ and for the purposes of this rule Aspirants shall be deemed to be members save that the Aspirants shall not be entitled to take guests to the club premises.

32. In the event that the Members resolve that the Club shall affiliate to the BMC, the Members acknowledge and agree that they will become Club Members of the BMC and that the Club shall pay the appropriate subscription on behalf of each Member included in the return filed by the Club with the BMC, and, in the event of the BMC being wound up, shall pay the sum of not more than £1 on behalf of each Member included in a return filed by the Club with the BMC at any time within the

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preceding period of one year pursuant to the guarantee comprised in clause 6 of the Memorandum of Association of the BMC. The Members further acknowledge and agree that upon the Club being affiliated to the BMC and each becoming a Club member of the BMC that they will each be bound by the Memorandum & Articles of Association of the BMC.

**33.** ~~The committee shall have power to alter this constitution provided that such alteration is~~ Any alteration to this constitution must be authorised in a general meeting by at least two-thirds of those members present and eligible to vote.

34. Any notice or communication required to be given pursuant to this constitution must in in writing and sent by post or email to the last known address of the particular member. Notices sent by email shall be deemed received on the date and time sent and notices sent by post shall be deemed received two working days after they are posted.

**354.** The decision of the committee on the interpretation of these rules shall be final and the committee is empowered to deal with any matters not covered by these rules.