

CONSTITUTION OF SMU SAILING CLUB



SMU SAILING CLUB CONSTITUTION

Version	Date	Name	Position	Remarks
0.1	October 2006	Dickson Su	Secretary	First version created
0.2	July 2011	Cyril Chua	General Secretary	Second version created

The above version of the Constitution was officially passed during an Extraordinary General Meeting (EGM) on the occasion of the 8th of July, 2011. The Constitution was passed by a vote of 12 – 0, and witnessed by 1 member of the SMU Sports Union. The below Articles are thus declared to come into effect on the 8th day of July, 2011.

CONSTITUTION OF SMU SAILING CLUB

Article 1 – Citation

- 1.1. The name of this society shall be “SMU Sailing Club”, hereafter referred to as the “Club”
- 1.2. This Constitution comprises the supreme regulations relating to the administration and operation of the Club. This document shall be referred to hereinafter as the “Constitution”.

Article 2 - NAME

- 2.1. The name of this society shall be “SMU Sailing Club”, hereafter referred to as the “Club”

Article 3 - DEFINITIONS

- 3.1. In this Constitution, unless (i) the subject or context otherwise requires; or (ii) the contrary is expressly stated, the following words shall have the meanings ascribed below:
 - (a) “Executive Committee” means the executive arm of the Club and may be referred to herein as the “Exco”.
 - (b) “General Meeting” means a meeting of all Members of the Association, and may be either an Annual General Meeting or Extraordinary General Meeting.
 - (c) “Member” means a full-time matriculated undergraduate or postgraduate student who is a member of the Club in accordance with Article 4 – Membership Qualifications and Rights.
 - (d) “Alumni” means a member of the Club who has graduated from the University, in accordance with the terms set out in Appendix B – Alumni membership.
 - (e) “President” unless otherwise indicated shall mean the President of the Executive Committee and Club.
 - (f) “Special Resolution” shall mean that such a resolution shall only be passed and given effect to if not less than 75% of the valid votes favour such a resolution.
 - (g) “Special Majority” shall mean more than 50% of votes
 - (h) “Office of Student Life’ & “ Approving Officer“ shall mean the Director of the Office of Student Life and/or any such officer overseeing the relevant issue(s)
 - (i) “University” means the Singapore Management University
- 3.2. Except where the contrary is expressly stated, words importing the masculine gender only shall include the feminine gender.
- 3.3. Any regulation, policy or decision adopted, passed or effected in derogation of this Constitution shall, to the extent of the inconsistency, be void.

Article 4 - VISION STATEMENT

- 4.1. To be the foremost tertiary sailing club in Singapore by pursuing competitive excellence both locally and regionally.

CONSTITUTION OF SMU SAILING CLUB

Article 5 - OBJECT

- 5.1. To participate actively and excel in the art of Sailing.
- 5.2. To promote Sailing as a sporting and leisure activity for the University community.
- 5.3. To ensure continuity of this sport within the University community.

Article 6 - MEMBERSHIP QUALIFICATIONS & ENDORSEMENTS

- 6.1. Membership of the Club shall be confined to full-time matriculated undergraduate or postgraduate students of the University.
- 6.2. Membership shall be tenure of 1 year, lasting from **1 Jan to 31 Dec** of the calendar year.
- 6.3. To qualify for endorsement as a Member of the Club, a student must have paid in full the Annual Club Membership Fee of SGD10.00 to the Financial Secretary.
- 6.4. To be endorsed as a current Member, whereby membership may be listed as part of the Member's CCA records in the year, he must have satisfied, **in addition to Article 6.3**, any **one** of the following criteria:
 - (a) Attain a minimum attendance of 70% Physical Training and Water sessions per year; or
 - (b) Serve on the Organizing Committee of at least one event organized under the auspices of the Club (A non-exhaustive list includes Vivace, Western Circuit Sailing Regatta, Annual Sail Camp, Regatta Sub-Committees); or
 - (c) Compete in at least 1 regatta recognized by SMU Sailing;
- 6.5. Endorsement Exercises of CCA records will be conducted at **6 month intervals**, to be approved by the relevant Approving Officer under the SMU Office of Student Life. The Approving Officer reserves the right to deny endorsement if the conditions under Article 6.3 through 6.4 are not met.
- 6.6. Only the following may be submitted for Endorsement in the Official CCA Record under the purview of SMU Sailing Club.
 - (a) All membership statuses subject to the fulfilment of Article 6.3 & 6.4.
 - (b) All regattas/competitions for which the Club sends an official team/teams.
 - (c) All regattas/competitions for which it can be proven that external organizations/teams **unequivocally invite or request** the presence of SMU Sailing Club members.
 - (d) All Executive Committee positions which have been served to their full term without cessation under Article 16.
 - (e) All Executive Committee members of the Western Circuit Sailing Regatta Planning Committee and other major events.

CONSTITUTION OF SMU SAILING CLUB

6.7. The Endorsement Exercises seek to recognize *material contributions* which benefit the Club as a whole. Events for which members represent themselves in an individual capacity, are **not** liable for endorsements unless it unequivocally advances the benefit of an entity that the Club is subservient to i.e.:

- (a) the University **as a whole**,
- (b) the Nation,

6.8. In the event of an irregularity pertaining to Article 6.6 & 6.7, its final implementation and interpretation is subject to the sole discretion of the Approving Officer.

Article 7 - REGISTRATION AND RIGHTS OF MEMBERS

7.1. Any student who wishes to join the Club should submit his particulars to the Club's General Secretary and **explicitly** express an interest to join the Club.

7.2. A student shall pay the Annual Club Membership Fee upon registration, as outlined in **Article 6.3**.

7.3. Each Member is entitled to all benefits of the Club, including benefits which may accrue from all internal and external stakeholders. These benefits include but are not exhausted by:

- (a) Participation in all Club activities.
- (b) All financial subsidies from the Office of Student Life and the Club.
- (c) Authority to compete in regattas under the name of SMU Sailing Club and the privileges it entails.
- (d) The right to speak and vote at all General Meetings of the Club. Subject to the Articles in this Constitution, each Member is entitled to one vote at a General Meeting. Each vote carries equal weight.

7.4. The Executive Committee reserves final right to deny membership to any registrant, or apply *persona non grata* status to any Member, for reasons rendering the registrant unsuitable for or detrimental to, the overall well – being of the Club and its members.

Article 8 – MEETINGS

8.1. There are three kinds of Meetings, namely Annual General Meeting (“AGM”), Extraordinary General Meeting (“EGM”) and Executive Committee Meeting (“ECM”) as set out in **Articles 9, 10 and 11**.

8.2. The President of the Executive Committee shall take the Chair at all meetings of the Club. The Vice-President will chair the meeting in his absence.

8.3. In the absence of both the President and Vice-President, the Meeting will not be considered valid except in the case of Executive Committee Meetings. An AGM or EGM will not be considered valid unless the President provides explicit instruction for another member to take the chair.

8.4. Members shall not vote by proxy unless express consent is given in writing by the General Secretary on the advice of the President before the meeting.

CONSTITUTION OF SMU SAILING CLUB

- 8.5. Voting at all meetings shall be by show of hands, or subject to the agreement of the simple majority of the voting members present, by secret ballot.
- 8.6. In the event of a tie, the Chairman of the Meeting shall have a casting vote.
- 8.7. In the event of a procedural irregularity which does not materially prejudice the outcome of the vote, such voting process is not invalidated *ipso facto* by the procedural irregularity.

Article 9 – ANNUAL GENERAL MEETING

- 9.1. An Annual General Meeting (AGM) shall be held a minimum of once yearly, and be held no later than 31st December of the calendar year. The following points will be included, amongst other things, in the agenda of the Annual General Meeting.
 - (a) The previous financial year's accounts and annual report, if any.
 - (b) Where applicable, the election of office bearers for the following term.
- 9.2. Any member who wishes to place an item on the agenda of an Annual General Meeting may do so provided he gives notice to the General Secretary at least one week before the meeting is convened.
- 9.3. All administrative accounts, including financial accounts, are to be updated and prepared, tabled and made available for inspection at the AGM.
- 9.4. The outgoing Executive Committee will present on the past year's events and achievements in the AGM as well as address any other issues stated in the agenda.
- 9.5. The presence of at least 20% or 10 of the Club's members, whichever is greater, **and** a quorum of at least 15% or 3 members of the Executive Committee, whichever is greater, is needed to convene a valid AGM.
- 9.6. At least one member of the SMU Sports Union Executive Committee should be present to witness the AGM.

Article 10 – EXTRAORDINARY GENERAL MEETING

- 10.1. The President, or at least 75% of the Executive Committee members may call for an Extraordinary General Meeting (EGM), by giving at least 24 hours notice.
- 10.2. The presence of at least 20% or 10 of the Club's members, whichever is greater, and a quorum of at least 15% or 3 members of the Executive Committee, whichever is greater, is needed to convene a valid EGM.
- 10.3. An Extraordinary General Meeting must be called by the President on the request in writing of not less than 50% of the total voting membership or 15 voting members, whichever is the lesser, and/or may be called at anytime by order of the Executive Committee.
- 10.4. The notice in writing shall be given to the General Secretary setting forth the business that is to be discussed. The Extraordinary General Meeting shall be convened **within a week** from receiving this request to convene the Extraordinary General Meeting.

CONSTITUTION OF SMU SAILING CLUB

10.5. At least one member of the SMU Sports Union Executive Committee should be present to witness the EGM.

Article 11 – EXECUTIVE COMMITTEE MEETINGS

11.1. The President may call for an Executive Committee Meeting at any time by giving at least three working days' notice.

11.2. The requirement of notice for an ECM may be waived if 85% or 5 committee members, whichever is larger, assent to the meeting being held at an earlier date, such assent being communicated to the General Secretary of the Club.

11.3. Any member of the Executive Committee may forward points of discussion, for inclusion into the meeting agenda, to the General Secretary at least one working day before the scheduled meeting.

11.4. A quorum of at least 60% of the Executive Committee members is needed to convene a valid Executive Committee Meeting.

Article 12 - EXECUTIVE COMMITTEE

12.1. The administration of the Club shall be entrusted to an Executive Committee, with a minimum of the **top 4 members** consisting of the following to be elected at the Club's AGM:

- (a) A President
- (b) A Vice President
- (c) A General Secretary
- (d) A Finance Secretary
- (e) Any other Positions that the Executive Committee sees fit

12.2. An Executive Committee Member may hold more than one position in the Executive Committee. However, in any case, the top 4 positions must be filled by 4 different people.

12.3. All except the Finance Secretary shall be eligible for reappointment.

12.4. The President, on the advice of the Executive Committee, may create new Committee Portfolios and co-opt members to the Executive Committee to take up these Committee Portfolios that they consider necessary for the administration of the Club, subject to the limit of 5 co-opted members.

12.5. Such co-opted members shall not have voting rights in Executive Committee meetings.

12.6. The Executive Committee may also remove Committee Portfolios that the Executive Committee has considered irrelevant and unnecessary, such a decision being made through a majority vote at an Executive Committee Meeting if necessary.

12.7. Each position shall have the authority to form a sub-committee under him by recruiting members of the Club.

CONSTITUTION OF SMU SAILING CLUB

12.8. Functions of the Executive Committee:

The Executive Committee shall:

- (a) Be responsible for setting the goals and directions of the Club;
- (b) Formulating of policies and organizing events which fulfil the mission of the Club;
- (c) In charge of the facilities, equipment and other properties of the Club;
- (d) Be responsible for the proper usage of the Club's funds in accordance to the approved budget;
- (e) Liaise and/or conduct business transactions with external organization on behalf of the Club.

Article 13 - ELECTIONS

13.1. The Executive Committee will be elected during the Elections, to be held not more than 2 months before the expiration date of the incumbent Committee.

13.2. A nominee who meets the requirements under Article 13.4 & 13.5 shall express his explicit intention of candidature in writing to the General Secretary by the specified date.

13.3. The requirement for Article 13.2 may be waived if a nominee's candidature is seconded by 2 or more voting Members during Elections Day.

13.4. A nominee must

- (a) be a full – time student of the University,
- (b) be a registered Member,
- (c) Satisfy the current Executive Committee that he is a person of integrity and good character, capable of commanding the confidence of the members of the Club.
- (d) Completed all requirements to be endorsed as a Member for at least 1 calendar year. Members in the process of reading their freshman year are not eligible for office.

13.5. 75% of non-Executive Committee Club members may waive a nominee's requirement for eligibility under Article 13.4 (c).

13.6. The procedure of Elections Day is to be encompassed in a "Procedure of Elections" document, to be made known to all voting Members of the club at least a week before elections.

13.7. Only parties vested with voting power **pursuant to Article 7.3 (d)** may be present at the Elections Venue. All parties unable to cast a vote are prohibited from the Elections Venue.

13.8. All nominees must be present at the Elections. Nominees who are unable to be present due to extenuating circumstances shall need to satisfy the Executive Committee that said circumstance sufficiently warrants an absence.

CONSTITUTION OF SMU SAILING CLUB

13.9. Election to the respective positions of Office will be passed by close ballot on a majority vote of the members present at the Elections.

13.10. All Office-bearers may be re-elected to the same or related post for a consecutive term of Office, for a maximum of two consecutive terms, with the exception of the Financial Secretary who is only to serve one term.

Article 14 - TERM OF OFFICE

14.1. Members of the Executive Committee shall hold office on an annual basis from 1st January to 31st December.

14.2. There shall be a taking over period commencing from the time of appointment of the incoming Executive Committee to 31 December, during which time the incoming Executive Committee shall have no powers. Thereafter, the new Executive Committee shall take office from 1st January.

Article 15 - DUTIES OF EXECUTIVE COMMITTEE/OFFICE BEARERS

15.1. All Office-bearers of this Club have a fiduciary duty to act in good faith in the promotion of the interests of the Club during their term of Office.

15.2. The duties and rights listed in Article 15 do not override or derogate from other duties and rights of the office, except insofar as the duties listed in Article 15 and in the remainder of this Constitution are contradictory, in which case the duties of Article 15 take precedence.

15.3. The President

- (a) shall ensure that the Club and its Executive Committee functions in accordance to its stated objects.
- (b) shall represent the Club in its dealings with outside persons.
- (c) shall authorise and endorse all monetary transactions as he thinks fit. This does not derogate from or waive the need for the Finance Secretary's authorisation specified in Article 15.6
- (d) may convene meetings.
- (e) may delegate additional tasks to the other offices as he thinks fit.

15.4. The Vice-President

- (a) shall, except where expressly instructed to the contrary, have such powers as are given to the President in Article 15.3
- (b) shall assist the President in his duties, and succeed the President for the remainder of the President's term of office in the event of the latter's position falling vacant.
- (c) All duties, powers and responsibilities of the President shall, in his absence, devolve upon the Vice-President.

15.5. The General Secretary

CONSTITUTION OF SMU SAILING CLUB

- (a) shall keep all records, except financial, of the Club and shall be responsible for their correctness.
- (b) shall keep minutes of all General and Executive Committee meetings.
- (c) shall maintain an up-to-date Registry of Members at all times.
- (d) shall prepare and submit on behalf of the outbound Executive Committee the Annual Report (save for the financial report) of the Club at the AGM.
- (e) shall maintain the Club's email account.
- (f) shall be the sole Liaison Officer to the SMU Sailing Alumni Club.
- (g) shall perform such other functions as are delegated to him by the Executive Committee.
- (h) All duties, powers and responsibilities of the President and Vice-President shall, in their simultaneous absence, devolve upon the Secretary.

15.6. The Finance Secretary

- (a) shall keep all records and collect and disburse all monies on behalf of the Club.
- (b) shall, authorise monetary transactions contingent on the President's authorization.
- (c) shall also keep a record of the Club's accounts and shall be responsible for their correctness.
- (d) shall present the audited statement of income and statement of financial position for the year at the AGM.
- (e) shall present the audited Statement of Affairs, at least 3 weeks before the AGM, at a meeting of the outgoing Exco.
- (f) shall plan and propose the budget of the Club to SMU Sports Union for approval;
- (g) shall process all claims and reimbursements of the club & maintain the club finance account with SMU Sports Union and/or SMU Office of Finance;
- (h) shall perform such other functions as are delegated to him by the Executive Committee.

Article 16 – Cessation of Executive Committee Member

16.1. An Executive Committee member may cease to be one before the expiry of his term if under any of the following circumstances occur:

- (a) Such member resigns from the Executive Committee with approval via special resolution (2/3 majority votes) of the Executive Committee members;
- (b) A vote of no confidence (2/3 majority votes of those present at and with the right to vote) is passed on him at a General Meeting
- (c) He is absent from office.

CONSTITUTION OF SMU SAILING CLUB

- (d) A failure of duty
- 16.2. Without limiting the generality of Article 16.1 (d), a failure of duty may include any of the following:
- (a) Absence from three consecutive ECMs;
 - (b) Wilful neglect of duties;
 - (c) Wilful and unjustifiable conduct in performing duties; or
 - (d) Gross negligence in performing duties.
 - (e) If he has been charged with criminal or school offences, suspensions, lawsuits, or other matters which comprise his/her integrity during the term of his office.
- 16.3. If there is a vacant position, the remaining Executive Committee Members will have to bear the responsibilities of the vacated position. This will be decided amongst the Executive Committee members.
- 16.4. Should the number of vacated positions be more than half the number of elected members in the Executive Committee, the Executive Committee will be dissolved and a new one formed.

Article 17 - STANDING ORDERS

- 17.1. Standing Orders must be proposed by the President and passed by the Executive Committee.
- 17.2. Standing Orders must be brought up for discussion at an Executive Committee Meeting and made known to all the Club's members.
- 17.3. Standing Orders will only be effective during the term of Office that it was passed.
- 17.4. Proposed Standing Orders should only be passed if it is bona fide in the interest of the Club.
- 17.5. The Office of Student Life and the SMU Sports Union must be informed of any proposed Standing Orders at least one week before the order is passed.
- 17.6. The Club is also bound by the Standing Orders of the Association and SMU Sports Union.

Article 18 - INTERPRETATION AND AMENDMENTS

- 18.1. In the event of any question or matter pertaining to day-to-day administration, which is not expressly provided for in this document, the Executive Committee shall have the power to use its own discretion. The decision of the Executive Committee shall be final.
- 18.2. Any amendments to the Constitution must be brought up for discussion at an Executive Committee Meeting. The changes must then be proposed and, on a 75% or more majority vote, approved at the Club's next General Meeting or EGM, of which must at least be one month away.

CONSTITUTION OF SMU SAILING CLUB

- 18.3. Proposed amendments should only be passed if it is bona fide in the interest of the Club.
- 18.4. The SMU Sports Union and the Office of Student Life must be informed of any proposed amendments at least one week before the AGM at which the amendments are to be passed.

Article 19 - PROHIBITIONS

- 19.1. Gambling of any kind, excluding the promotion or conduct of a private lottery which has been permitted under the Private Lotteries Act Cap 250, is forbidden on the Club's premises. The introduction of materials for gambling or drug taking in the premises is strictly prohibited.
- 19.2. The funds of the Club shall not be used to pay fines for any members who have been convicted in a court of law.
- 19.3. The Club shall not engage in any trade union activity as defined in any written law relating to trade unions for the time being in force in Singapore.
- 19.4. The Club shall not attempt to restrict or interfere with trade or make directly or indirectly any recommendation to, any arrangement with its members which has the purpose or is likely to have the effect of fixing or controlling the price of any goods and services which adversely affect consumers' interests.
- 19.5. The Club shall not participate in any political activity or allow its funds and/or premises to be used for political purposes.

Article 20 – DISSOLUTION

- 20.1. The Office of Student Life and the SMU Sports Union reserve the right to close a Club if they are found to violate the Association's Constitution and/or the SMU Sports Union's Constitution, as well as the rules and procedures of SMU.
- 20.2. Voluntary dissolution of the Club must be with the consent of not less than 75% of the total voting membership of the Club.
- 20.3. Upon dissolution of the Club, it will no longer honour all debts and liabilities and the remaining funds and assets will be returned to the SMU Sports Union as decided by the Office of Student Life.