

# Club Constitution

## 1. Name

The Club shall be called **CONDOVER CRICKET CLUB**.

## 2. Club Purposes

The purposes of the Club are to foster and promote participation in the sport of cricket within the community, providing facilities for playing cricket, opportunities for recreation, coaching and competition.

We are an inclusive club with an open policy for all members of the community.

## 3. Affiliation

- 3.1 The Club is affiliated to the England and Wales Cricket Board (ECB) through the Shropshire Cricket Board.
- 3.2 The Club shall ensure that adult and junior playing members, non-playing members, coaches, parents and guests abide by relevant ECB Codes of Conduct, which incorporate both the Spirit of Cricket and the Laws of Cricket.
- 3.3 The Club shall adopt and implement the ECB's Safe Hands – Cricket's Policy for Safeguarding Children and any future versions of the policy.
- 3.4 The Club shall adopt and implement the ECB Inclusion and Diversity Policy and any future versions of this policy.

## 4. Permitted means of advancing the Purposes

The Committee has the power to:

- 4.1 acquire and provide grounds, equipment, coaching, training and playing facilities, clubhouse equipment, transport, medical and related facilities
- 4.2 take out any insurance for club committee, employees, contractors, players, guests and third parties
- 4.3 raise funds by appeals, subscriptions, loans and charges
- 4.4 borrow money and give security for the same, and open bank accounts
- 4.5 make grants and loans and give guarantees and provide other benefits
- 4.6 set aside or apply funds for special purposes or as reserves

- 4.7 deposit or invest funds in any lawful manner
- 4.8 employ and engage staff and others and provide services
- 4.9 co-operate with any organisation, club, sporting body, government or government-related agencies
- 4.10 do all other things reasonably necessary to advance the purposes.

NONE of the above powers may be used other than to advance the purposes consistently with the Rules below and the general law.

## **5. Membership**

- 5.1 Membership of the Club shall be open to anyone interested in the sport on application regardless of sex, age, disability, ethnicity, nationality, sexual orientation, religion or other beliefs. However, limitation of membership according to available facilities is allowable on a non-discriminatory basis.
- 5.2 The Club may have different types of membership and fees on a non-discriminatory and fair basis. The Club will have an equitable pricing policy and will keep both membership and match fees at levels that will not pose a significant obstacle to people participating.
- 5.3 The Club will have the following types of members:
  - 5.3.1 Adult Members. These are Adult Playing Members, Honorary Life Members, Presidents, Vice-Presidents and Honorary Vice Presidents.
  - 5.3.2 Junior Members. These are all those members who not have reached the age of 18 at 30 September in that particular year.
  - 5.3.3 Social Members. These are ex-playing members, parents and carers of Junior members, and partners of Adult members.
- 5.4 Honorary Life Members and Honorary Vice-Presidents are awarded by the Committee at its own discretion and are not subject to the rules of election. These members are exempt from paying membership fees. Presidents and Vice-Presidents are also exempt from paying membership fees.
- 5.5 Application for membership of the Club shall be by completion of the relevant membership application form.
- 5.6 No Adult Member shall be eligible to take part in the business of the Club, enjoy any of the privileges of membership, vote at general meetings or be eligible for selection for any Club team unless they have completed an applicable form and paid their membership fee by the due date, and/or membership has been agreed by the Club Committee.
- 5.7 No Junior Member shall be eligible to take part in the business of the Club, enjoy any of the privileges of membership or be eligible for selection for any Club team unless their Parent or Carer has completed an applicable form and paid their membership fee by the due date, and/or membership has been agreed by the Club Committee.

- 5.8 Membership year runs from 1 April to 31 March. Membership fees (other than the first fee upon becoming a member) are due to be paid no later than 1 June in every year.
- 5.9 The Committee may refuse membership, or remove it, at their discretion but only for good cause, such as conduct or character likely to bring the Club or cricket into disrepute and:
- 5.9.1 The Committee may only refuse to admit a new member if a resolution is passed at a meeting where the person in question has been notified in writing in advance and been given 14 days to submit written representations for the Club Committee to consider at the meeting. Appeal against a refusal of membership shall be to the Appeals Committee as detailed below.
- 5.9.2 The procedure for taking disciplinary action against a member, including removing membership, is dealt with in more detail below.
- 5.10 All members will be subject to these Rules and by joining the Club will be deemed to accept these Rules, any Club Regulations and the Club's adopted Codes of Conduct. All Code of Conduct must be displayed prominently to ensure that all members are aware of the code and the requirement to abide by it.
- 5.11 A nominated member of the Committee, usually the Club Secretary, will keep a register of members.
- 5.12 Membership is not transferable and shall cease on death.
- 5.13 A member may resign by written notice to the Club, but the return of any subscription paid is at the discretion of the Club Committee.
- 5.14 The rate of both membership and match fees shall be set annually by the Committee or alternatively determined at the Annual General Meeting.
- 5.15 Match fees will be paid on a pay per game basis. No member in arrears of match fees is eligible for selection, unless by prior agreement.

## **6. The Committee**

- 6.1 Subject to these Rules the Committee shall have responsibility for the management of the Club, its funds, property and affairs.
- 6.2 Property and Funds
- 6.2.1 The property and funds of the Club cannot be used for the direct or indirect private benefit of members other than as reasonably allowed the Rules, and all surplus income or profits are to be re-invested in the Club. No surpluses or assets will be distributed to members or third parties.

6.2.2 The Club may provide sporting and related social facilities, sporting equipment, coaching, courses, insurance cover, medical treatment, away-match expenses, post match refreshments and other ordinary benefits of Community Amateur Sports Clubs as provided for in the Corporation Tax Act 2010.

6.2.3 The Club may also in connection with the sports purposes of the Club:

- (a) sell and supply food, drink and related sports clothing and equipment
- (b) employ members (though not for playing) and remunerate them for providing goods and services, on fair terms set by the Committee without the person concerned being present
- (c) pay for reasonable hospitality for visiting teams and guests
- (d) Indemnify the Committee and members acting properly in the course of the running of the Club against any liability incurred in the proper running of the Club (but only to the extent of its assets).

6.2.4 The Committee will have due regard to the law on disability discrimination and the safeguarding of children and vulnerable adults, and data protection.

### 6.3 Composition, etc.

6.3.1 Members of the Committee must be either Adult Members or Social Members of the Club. The Committee may consist of the following roles:

Club Officials - President, Vice President, Chairman, Treasurer, Honorary Secretary, Club Welfare Officer, Head Coach, Ground Manager and Clubhouse Manager,

Captains and Managers - senior league and mid-week team Captains, Junior Team Managers, All Stars and Dynamo Managers.

Other Roles - Social Media Manager, Junior co-ordinator, Parent Liaison, Support Welfare Officer.

6.3.2 The Club Welfare Officer's role is to ensure compliance with safeguarding legislation and the ECB Safe Hands policy. The Club Welfare Office shall report to relevant Committee meetings and the reports, together with any action taken, must be minuted.

6.3.3 All the above mentioned officers shall be elected at the Annual General Meeting, and shall hold office until the conclusion of the next Annual General Meeting when they shall retire.

6.3.4 All Officers may, if they wish, make themselves available for re-election and be re-elected.

6.3.5 An Officer may hold more than one role. The exception to this is that the Chairman cannot also hold the role of either Club Secretary or Treasurer, or any permutation of these.

6.3.6 Any Officer shall be removable at any time on the vote of two-thirds of the Adult Members present at an Extraordinary General Meeting called for that purpose.

6.3.7 In the event of a vacancy arising amongst the Officers, the vacancy shall be filled by the Management Committee having power to elect a member to fill the vacated role until the next Annual General Meeting. Any Officer shall vacate the office by ceasing to be for any cause a Full Member or Social Member of the Club.

#### 6.4 Committee Meetings

6.4.1 The Committee shall have due regard to any resolutions or motions passed at an Annual General Meeting or Emergency General Meeting.

6.4.2 The Committee shall meet at least four times a year for general business and five members shall comprise a Quorum. Other meetings of the Committee should take place as necessary. The Committee may set up such sub-committees as it feels necessary.

6.4.3 Whenever a Committee member has a personal interest in a matter to be discussed he/she must declare it, withdraw from that part of the meeting (unless asked to stay), not be counted in the quorum for that agenda item and withdraw during the vote and have no vote on the matter concerned.

6.4.4 The Chairman, or whoever else nominated by those present chooses shall chair meetings;

6.4.5 Decisions shall be by simple majority of those voting;

6.4.6 The Chairman of the meeting shall not have a casting vote.

#### 6.5 Bank Account

6.5.1 All bank accounts in which any part of the Club's funds are deposited shall be operated by the Committee, and shall be held in the name of the Club.

6.5.2 All approvals for payment of money from such accounts must be approved by at least two of the following Officers; Chairman, Treasurer or Honorary Secretary.

#### 6.6 Financial management:

6.6.1 The Treasurer will be responsible for the accounts and finances of the club.

6.6.2 A copy of the Accounts, with the written report from the individual or firm appointed by the Committee to review the annual accounts and accounting records covering the year ended on the previous 31<sup>st</sup> December, shall be available for viewing by all attendees at the Annual General Meeting.

6.6.3 The individual accountant or firm appointed shall have access to all the books, deeds, documents, vouchers and accounts. They shall examine the accounts and perform such tests as they feel appropriate and report on the accounts.

#### 6.7 Delegation, etc.

The Committee may delegate any of their functions to sub-committees but must specify the scope of its activity and powers; the extent to which it can commit the funds of the Club; its

membership; its duty to report back to the Committee. The Committee may wind up any sub-committee at any time or change its mandate and operating terms.

## 6.8 Disclosure

Any member can request to inspect any Committee reports and statements of accounts.

## 7. Annual General Meeting

- 7.1 The Annual General Meeting (AGM) will normally be held between 1 October and 31 January on a date agreed by the Committee. Notice of the AGM will be given by the Secretary. Not less than 21 clear days' notice to be given to all members.
- 7.2 The business to be conducted at an AGM is to receive a Statement of Accounts, to elect the Officers and the Committee for the ensuing year, and to transact such other business as may be submitted by the Committee, or by any full member who shall have given notice of the motion. Notice of motion shall be given by an Adult member in writing to the Secretary at least 10 days prior to the meeting and the Secretary shall add it to the agenda.
- 7.3 The quorum for the Annual General Meeting is eight.
- 7.4 The Committee has the right to call Extraordinary General Meetings (EGM) outside the Annual General Meeting. Procedures for EGMs will be the same as for AGMs.
- 7.5 Procedure and voting
  - 7.5.1 The Chairman shall take the Chair at the AGM, except for when the election of Chairman comes up. At this point the Secretary will temporarily take the chair during this election.
  - 7.5.2 The Chairman of any AGM or EGM shall have the casting vote if the meeting is equally divided. An AGM or EGM may proceed to business if 8 Adult members are present. If no quorum is present half-an-hour after the time fixed for the meeting, then the meeting shall be dissolved. No meeting shall become incompetent to transact business from the want of a quorum after the Chair has been taken and the meeting commenced.
  - 7.5.3 All Adult members and serving Committee Members present at an AGM or EGM shall be entitled to one vote on each motion and election of Officers, except the Chairman, who shall have a casting vote only.
  - 7.5.4 Junior Members and Social Members may attend an AGM or EGM but are unable to vote.
  - 7.5.6 Amendments to motions may be accepted at an AGM or EGM at the discretion of its Chairman. A motion is deemed to be carried by a majority of the votes of the members present and eligible to vote.
  - 7.5.7 The names of all candidates for office may be admitted at the meeting, or nominated in writing to the Secretary prior to the meeting.

7.5.8 No member shall be eligible for nomination to any office, except under the Committee rights of co-option as set out in Rule 6.3.7 unless he/she has been proposed and seconded by two Adult Members, who must put their own names to the nomination.

## **8. Removal of Membership, Discipline and Appeals**

8.1 Any complaint regarding the behaviour of members, guests or volunteers should be lodged in writing with the Secretary.

8.2 Any person that is the subject of a written complaint or appeal shall be notified of the procedures to be followed by the committee in reasonable time to prepare for any hearing.

8.3 The Committee shall appoint a Disciplinary Sub-Committee (DSC) who will meet to hear complaints within 21 days of a complaint being lodged. Any person requested to attend a DSC meeting shall be entitled to be accompanied by a friend or other representative and to call witnesses. A Junior Member must have a parent or carer present at the meeting. The DSC has the power to take appropriate disciplinary action on behalf of the Committee, including the termination of membership or exclusion from Club premises.

8.4 The outcome of the disciplinary hearing shall be put in writing to the person who lodged the complaint and the person against whom the complaint was made within 14 days following the hearing.

8.5 There shall be a right of appeal within 14 days of receipt of the disciplinary decision or decision to refuse membership:

8.5.1 against the DSC's findings or the sanction imposed or both; and

8.5.2 against the Committee's refusal to admit a new member

In either case, the Committee shall appoint an appeals committee ("Appeals Committee"). The Appeals Committee shall have a maximum of three members, which shall not include members involved with the initial disciplinary hearing, but may include non-members of the Club. The Appeals Committee shall consider the appeal within 21 days of the Secretary receiving the appeal. The individual who submitted the appeal shall be entitled to be accompanied by a friend or other representative and to call witnesses. The decision of the Appeals Committee shall be final and binding on all parties.

8.6 Any Committee member shall have the power to order the withdrawal from the Clubhouse and premises of any member who misconducts themselves, and such members have no right of re-entry to the Club premises until permission is granted by members of the Committee.

## **9. Admission of non-members, visitors and guests**

9.1 Members of other cricket teams and persons attending the ground for the purpose of playing, watching or participating in any cricket or social activity are welcome and, upon invitation by any Officer, shall be admitted to the Club's premises.

- 9.2 Any Officer may refuse or retract admission to such persons, or limit their admission to such times and parts of the premises as they think fit in the interests of the Club.
- 9.3 A Member may personally introduce friends and family members as their guests. The following shall not be admitted as guests: a) former members who have been expelled; b) former members who have ceased to be members through non-payment of subscriptions; c) persons who have been nominated for membership and have been rejected and d) members who are under suspension. The Committee may debar a Member or other such person as aforesaid from introducing any particular person as a visitor.

## **10. Change of rules**

- 10.1 These Rules may be amended only at an AGM or EGM called for that purpose, following the procedure set out for these types of meetings in rule 8.
- 10.2 Any amendment shall require at least 50% of the votes of the members present at such a meeting and eligible to vote.

## **11. Cessation of the Club**

- 11.1 If the Club shall in the opinion of the Committee be (a) insolvent or (b) for any other reason the Club should cease to operate, the Club shall be wound down by the Committee in good order having regard to the provisions of all appropriate and relevant legislation and these rules.
- 11.2 All assets of the Club, or otherwise, shall be applied in settlement of the liabilities of the Club and if insufficient to settle all liabilities in full, shall be paid pro rata.
- 11.3 Any surplus assets of the Club (after clearance of all the liabilities of the Club) shall be applied to Condover Parish Council.

Signed:	
Print Name	
Chairman, Condover Cricket Club	
Date:	