



WINTERBOURNE CRICKET CLUB



RULES AND CONSTITUTION

1. Name

The club shall be called **Winterbourne Cricket Club**, hereafter to be referred to as "the Club" and shall be affiliated to the England and Wales Cricket Board through the Wiltshire Cricket Board and the Hampshire Cricket Board.

2. Aims and Objectives

- i) To foster and promote the sport of amateur cricket at all levels within the community and within the sport, providing opportunities for recreation, coaching and competition.
- ii) To manage the Winterbourne Cricket Club
- iii) To ensure a duty of care to all members of the Club by adopting and implementing the ECB "Safe Hands – Cricket's Policy for Safeguarding Children" and any future versions of the policy.
- iv) To ensure a duty of care to all members by adopting and implementing the ECB Cricket Equity Policy and any future versions of the policy.
- v) To ensure that all members, playing and non-playing, abide by the ECB Code of Conduct which incorporates the Spirit of Cricket and the Laws of Cricket.
- vi) To encourage all members to participate fully in the activities of the Club.

3. Membership

- i) Membership of the club shall be open to anyone interested in the sport of cricket on application, irrespective of age, gender, disability, race, ethnic origin, creed, colour, social status, financial status and sexual orientation. However, limitation of membership according to available facilities is allowable on a non discriminatory basis.
- iii) Application for membership of the Club shall be by completion of a membership application form and by payment of the relevant annual subscription as determined by the Management Committee.
- iv) Persons shall not be admitted to membership without an interval of at least two days between their nomination or application for membership and their admission.
- v) Persons becoming members without prior nomination or application may not be admitted to the privileges of membership without an interval of at least two days between their becoming members and their admission
- vi) The club committee may refuse membership, or remove it, only for good cause such as conduct or character likely to bring the club or cricket into disrepute. Appeal against refusal or removal may be made to the Committee who shall appoint an Appeals Committee to hear the appeal.
- vii) No person shall be eligible to take part in the business of the club or eligible for selection for any club team unless the appropriate subscription has been paid by the specified date or membership has been agreed by the committee.
- viii) All members will be subject to the regulations of the constitution and, by joining the Club, will be deemed to accept these regulations and any codes of conduct that the club has adopted. The Constitution shall identify those members eligible to vote at any General Meetings.

4. Classes of Membership

There shall be five classes of membership available. These are:

Full Member:

Junior Member: Full voting rights. Over 16

Junior Member: Non-Voting (Under 16 years of age according to the LRCB and ECB definition of age for a junior, ie using the school year as the basis rather than the date of birth)

Family Member: Full voting rights (Parents, carers, legal guardians of Junior Members)

Social Member: Full voting rights

Honorary Life Member – only agreed at an Annual General Meeting

A list of members in each category shall be maintained by the Treasurer or other Officer of the club.

5. **Officers**

The officers of the Club shall be as follows:

Executive Officers

- Chair
- Secretary
- Treasurer
- Club Development Manager
- Club Welfare Officer
- Junior Co-ordinator
- Sponsorship Co-ordinator
- Parish Council Representative
- Grounds Co-ordinator

Honorary Officers

President

6. **Election of Officers**

i) All officers, with the exception of team captains, shall be elected at the Annual General Meeting of the Club, from, and by, the Full Members of the Club.

ii) Captains will be appointed by the Executive Officers of the Club.

iii) All Officers are elected for a period of one year, but may be re-elected to the same office or another office the following year.

7. **The Club Management Committee**

i) The affairs of the Club shall be conducted by a Management Committee (the Committee) comprising of the Executive Officers of the Club plus the captains and up to three other members elected from, and by, the Full Members of the Club. Only these members of the Management Committee shall be entitled to vote at Management Committee meetings.

ii) The Committee will be convened by the Secretary and shall meet at agreed intervals and not less than three times per year.

iii) The quorum required for business to be agreed at Committee meetings shall be four.

iv) The duties of the Committee shall be:

a. To control the affairs of the Club on behalf of the members.

b. To keep accurate accounts of the finances of the Club through the Treasurer. These should be available for reasonable inspection by members and should be audited before every Annual General Meeting. The Club shall maintain a bank deposit account and a bank current account and the following officers shall be authorised to sign Club cheques: the Treasurer plus one of two other nominated officers as agreed by the Management Committee

c. To appoint captains.

d. To review and set Club subscription rates and match fees prior to the start of each season

- e. To co-opt additional members onto the Committee as and when the Committee feel this is necessary. Co-opted members shall not be entitled to a vote on the Committee.
- f. To make decisions on the basis of a simple majority vote. In the case of equal votes, the Chairperson shall be entitled to an additional casting vote.
- g. To decide on the interpretation of these rules in the event of a dispute, and rule on matters not covered therein.
- h. To elect responsible members over the age of 18 to purchase and supply alcohol for the Club and make sure that no arrangements are, or are intended to be, made for any person to receive at the expense of the club any commission, percentage or similar payment on, or with reference to, purchases of alcohol by the club.
- i. To make sure that no arrangements are, or are intended to be, made for any person directly or indirectly to derive any pecuniary benefit from the supply of alcohol by or on behalf of the club to members or guests, apart from—
 - (a) any benefit accruing to the club as a whole, or
 - (b) any benefit which a person derives indirectly by reason of the supply giving rise or contributing to a general gain from the carrying on of the club.

The Committee shall have powers to appoint sub-committees as necessary and to co-opt advisors who may be non club members invited to advise on specialist subjects.

An elected Committee member ceases to be such if he or she ceases to be a member of the club, resigns by written notice, or is removed by the Committee for good cause after the member concerned has been given the opportunity of putting their case to the Committee. Appeal against removal may be made to the Appeals Committee. The Committee shall fairly decide time limits and formalities for these steps.

The Committee has the power to:

- a) acquire and provide ground, equipment, coaching, training and playing facilities, clubhouse, transport, medical and related facilities
- b) provide coaching, training, medical treatment and related social facilities
- c) take out any insurance for club, employees, contractors, players, guests and third parties
- d) raise funds by appeals, subscriptions, loans and charges
- e) borrow money and give security for the same, open bank accounts
- f) buy, lease or licence property and sell, let or otherwise dispose of the same
- g) make grants and loans and give guarantees and provide other benefits
- h) set aside funds for special purposes or as reserves
- i) invest funds in any lawful manner
- j) employ and engage staff (though not for playing) and others and provide services
- k) co-operate with or affiliate firstly to any bodies regulating or organising the sport of cricket and secondly any club or body involved with cricket and thirdly with government and related agencies
- l) do other things reasonably necessary to advance the aims and objectives of the club

NONE of the above powers may be used other than to advance the aims and objectives in a manner consistent with the Rules and the general law.

7. General Meetings

- i) The Annual General Meeting of the Club shall be held not later than the end of December each year. Twenty one clear days written notice shall be given to members of the Annual General Meeting by circulating a copy of the notice to every member by Email or by letter to their home address and posting the notice on the Club notice board and Club web site.

- ii) Members must advise the Secretary in writing, by Email, or verbally of any other business to be moved at the Annual General Meeting at least 14 days before the meeting. The Secretary shall circulate or give notice of the agenda for the meeting to Members not less than 7 days before the meeting.
- iii) The business of the Annual General Meeting shall be to:
 - a. Confirm the minutes of the previous Annual General Meeting and any General Meetings held since the last Annual General Meeting
 - b. Receive the audited accounts for the year from the Treasurer
 - c. Receive the annual report on the previous season from the Secretary
 - d. Elect an auditor
 - e. Elect the Officers of the Club (i.e. President; Chairperson; Honorary Members)
 - f. Transact such other business received in writing, by email, or verbally by the Secretary from Members at least 14 days prior to the meeting and included on the agenda
- iv) Nominations from candidates for election as Officers shall be made in writing, or by Email to the Secretary at least 14 days in advance of the Annual General Meeting date. Nominations can only be made by Full Members and must be seconded by another Full Member.
- v) Special General Meetings may be convened by the Committee or on receipt by the Secretary of a request in writing, and signed by not less than 6 Full Members of the Club or by separate emails from not less than 6 Full Members. Procedures for calling a Special General Meeting will be the same as for an Annual General Meeting.
- vi) At all General Meetings, the Chair will be taken by the Chairperson or, in their absence, by a deputy appointed by the Management Committee or by Full Members attending the meeting.
- vi) Decisions made at a General Meeting shall be by a simple majority vote from those Full Members attending the meeting. In the event of equal votes, the Chairperson shall be entitled to an additional casting vote.
- vii) A quorum for a General Meeting shall be 12 Full Members including 2 from the Chairperson, Secretary and Treasurer.
- viii) Each Full Members of the Club shall be entitled to one vote at General Meetings.

8. Alterations to The Constitution

- i) Any proposed alterations to the Club Constitution may only be considered at an Annual or Special General Meeting, convened with the required written notice of the proposal.
- ii) Any alteration or amendment must be proposed by a Full Member of the Club and seconded by another Full Member. Such alterations shall be passed if supported by not less than two-thirds of those Full Members present at the meeting, assuming that a quorum has been achieved.

9. Finance

- i) All Club monies shall be banked in accounts in the name of the Club.
- ii) The Treasurer shall be responsible for the finances of the Club and for providing a report on the financial position as required by the Committee.
- iii) The treasurer shall ensure that the club maintains adequate and appropriate insurance to cover the activities of the club
- v) The financial year will end on 30th September.
- v) The Treasurer will present an audited statement of the annual accounts at the AGM.
- vi) Any cheques drawn against Club funds should hold the signatures of the Treasurer plus one of two other nominated officers as agreed by the Committee.

10. Property and Funds

The property and funds of the club cannot be used for the direct or indirect private benefit of members other than as reasonably allowed by the Rules and all surplus income or profits shall be reinvested in the club.

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).

11. Discipline and Appeals

It shall be considered an act of misconduct if any player, officer, or member of the Club, in the course of, or in connection with any match or matter relating to the Club, acts, at any time, in a manner calculated to prejudice the good name or interests of the Club.

Complaints or grievances regarding the behaviour of members should be submitted in writing or by Email to the Secretary. A Disciplinary Committee consisting of a maximum of five members of the Committee will meet to hear the complaint within 14 days of the complaint being lodged

- i) Any member requested to attend a Disciplinary hearing must be given at least 7 days written notice of the hearing and of the offences alleged. The member shall be entitled to be accompanied by a friend or other representative and to call witnesses.
- v) If at the hearing the Disciplinary Committee find the offence alleged was proven it shall have the power to impose one of the following penalties:

In the case of a player:

- termination of membership
- suspension for one or more matches
- a fine of not more than £50
- a reprimand
- Save that a player may for the same offence be:
 - both suspended and fined or
 - reprimanded and fined

requested to repay up to the full cost of repairs where the offence results in damage to Club property

In the case of an officer or member, not acting at the time as a player

- termination of membership
- a fine of not more than £50
- a reprimand
- Save that an officer or member may for the same offence be
 - both reprimanded and fined

requested to repay up to the full cost of repairs where the offence results in damage to Club property

- vi) The outcome of the Disciplinary hearing shall be put in writing or by Email to the person who lodged the complaint and the member against whom the complaint was made within 7 days of the hearing
- vii) There shall be a right of appeal to the Committee against either the finding or the sanction imposed or both following disciplinary action being given. Notice of the Appeal

shall be sent/given to the Secretary of the Club within 7 days of the notification of the decision.

viii) The penalty shall not take effect pending the hearing of the Appeal.

ix) A Disciplinary Appeals Committee, consisting of 3 members of the Management Committee who did not sit on the original Disciplinary Committee, shall be convened to hear the Appeal. The appeal shall be by way of a rehearing. The player, officer or member shall have the same rights of attendance and representation and may call witnesses as they had when appearing before the Disciplinary Committee

x) The Disciplinary Appeals Committee can confirm the decision of the Disciplinary Committee, vary it or reverse it. It also has the power to increase the penalty.

xiii) The outcome of the hearing should be notified in writing or by Email to the person who lodged the complaint and the member against whom the complaint was made within 7 days of the hearing

xi) The decision of the Appeals Committee, or if no Appeal, the Disciplinary Committee, shall be final and binding.

12. Selection Committee

A selection Committee consisting of the captains shall be responsible for the selection of all senior teams.

13. Club Trophies

Overseas players are ineligible for these awards.

The annual batting and bowling trophies for each team will be based on the following criteria, from the respective league fixtures for each team.

Batting – The best average score from a minimum of 6 innings.

Bowling – The lowest average runs per wicket taken, from a minimum of 10 wickets

Clubman of the Year – Awarded by the Committee for outstanding contribution during the season

Young Player of the Season – Chosen by the Management Committee.

(Awarded to best / most improved young player in Senior cricket)

14. Dissolution of the Club

i) If at any General Meeting of the Club, a resolution be passed calling for the dissolution of the Club, the Secretary shall immediately convene a Special General Meeting of the Club to be held not less than one month thereafter to discuss and vote on the resolution.

ii) If at that Special Meeting, the resolution is carried by at least two-thirds of the Full Voting Members present at the meeting, the General Committee shall thereupon, or at such date as shall have been specified in the resolution, proceed to realise the assets of the Club and discharge all debts and liabilities of the Club.

iii) The Committee will then be responsible for the orderly winding up of the club's affairs.

iv) After discharging all debts and liabilities of the Club, the Committee shall dispose of the net assets remaining to one of the following:

a) To another club with similar sports purposes which is a registered charity and/or

b) To another club with similar sorts purposes which is a registered Community Amateur Sports Club and/or

c) To the club's governing body for use by them for related community sports.