

RULES & CONSTITUTION

1. The Club

The Club shall be called “Horsley & Send Cricket Club” and shall be affiliated to the England and Wales Cricket Board (“ECB”) through the Surrey Cricket Foundation. Its colours shall be red and blue divided by a thin white stripe and emblem a green oak tree.

2. Objectives of the Club

- a) to organise and encourage the playing and coaching of cricket as an amateur sport, providing opportunities for recreation, coaching and competition.
- b) to promote the Club to the community in the name of cricket and thereby strengthen the bond with the local community.
- c) to provide and manage Club premises for the use of the members of the Club and visitors.
- d) to supply members and visitors with refreshments and things incidental to the playing of cricket.
- e) to ensure that all members, playing and non-playing, abide by the ECB Code of Conduct which incorporates the Spirit of Cricket and by the Laws of Cricket.
- f) 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.
- g) to ensure a duty of care to all members of the Club by adopting and implementing the ECB Cricket Equity Policy and any future versions of the Policy.
- h) to encourage all members to participate fully in the activities of the Club.

3. Membership

- a) Membership of the Club shall be open to anyone interested in the sport of cricket on application regardless of ability, 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.
- b) The Club may have different classes of membership and subscription on a non-discriminatory and fair basis. The Club will keep subscriptions at levels that will not pose a significant obstacle to people participating.
- c) Application for membership of the Club shall be by completion of a membership application form and by payment of the relevant subscription/joining fees as determined by the Annual General Meeting of the Club. New members will be placed on a waiting list, if necessary, and admitted in chronological order.

d) 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.

e) The Club Committee may refuse or revoke membership on non-discriminatory grounds, where the membership, or continued membership, of the person concerned would be likely to not be in the best interests of the sport or the good conduct and interests of the club. Appeal against refusal or removal may be made to the Committee who shall appoint an independent Appeals Committee to hear the appeal. This procedure will be open and transparent.

f) 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.

g) Members and associates of visiting clubs shall be temporary Honorary Day Members of the Club for the duration of their stay.

h) The membership fees will not exceed £1,612 a year.

4. Classes of Membership

There shall be nine classes of membership available: -

- i) Vice President
- ii) Honorary Life Member
- iii) Adult Playing Member
- iv) Young Playing Member: 16- 17 years of age whether or not in full time education.
- v) Junior Member Level (A): 13-16 years of age
Junior Member Level (B): up to and including age 12
- vi) Social and Non-Playing Member
- vii) Parent/Guardian Member
- viii) Honorary Day Member

A list of members in each category shall be maintained by the Membership Secretaries or other Officer of the Club.

A Vice-President is any person, whether a member of the Club or not, who has provided material support and contributions to the Club, and as a statement of gratitude for their contributions has been elected by the Club in general meeting. Whilst Vice Presidents are entitled to all membership rights, in exchange for their contributions, no subscriptions are due from them. Such an appointment is to be renewed each year at the Annual General Meeting.

An Honorary Life Member is any person elected by the Club in general meeting, who has rendered especially noteworthy services to the Club over a long period of time. Whilst these Honorary Members are entitled to all membership rights

and no subscriptions are due from them. The Club will not restrict applications by new members on the basis that the Club has too many honorary members.

A Social and Non-Playing Member is a non-playing member who is entitled to use the facilities of the Club in return for paying an annual subscription.

A Parent/Guardian Member is deemed to be paid up by paying a subscription for a junior member in categories iv -to vi above.

Honorary Day Members are members and associates of visiting clubs, whose membership is temporary for the duration of their stay.

“Voting Member”

The term “Voting Member” for Annual General Meeting or General Meeting purposes, hereinafter shall comprise:

- i) Vice President
- ii) Honorary Life Member
- iii) Adult Playing Member
- iv) Young Playing Member (16-17 years old)
- v) A Parent/Guardian Member where representing a Junior Member (Level A or Level B).
- vi) All Officers elected in accordance with Clause 7(h) (i-xiv)

The group in which a Junior Member (Level A vs Level B) is deemed to fall for voting purposes is designated by the individual's age at the preceding 1st September.

All Voting Members will be entitled to one vote only at the Annual General Meeting and at any other Special or General Meetings of the Club, unless a Voting Member is representing a Junior Member (Level A or B) in which case the Voting Member will have a vote for each Junior member represented, in addition to any vote that a Voting Member is entitled to in his or her personal capacity.

Voting Members may also nominate or second the election of Officers of the Club and/or Resolutions to be put to Special and General Meetings of the Club.

A Parent/Guardian Voting Member can only vote for the appointment of a Captain of an adult team on behalf of a Junior Member (Level A) where the Junior Member (Level A) has played the minimum number of 10 games in adult cricket.

5. Election of Officers

The Officers who are members of the Management Committee shall be elected at the Annual General Meeting of the Club from, and by, the Voting Members of the Club, except that the Annual General Meeting shall have the power to delegate the making of any of these appointments in 7(h) to the Management

Committee. The Management Committee will be responsible for the appointment of any other officer of the Club.

All Officers who are members of the Management Committee shall be elected for a period of one year, but shall be eligible for re-election to the same office or to another office the following year.

6. Management Committee

The Club will be managed through the Management Committee consisting of those officers noted in Section 7(h)(i-xiv) below. Other members may be co-opted on to the Management Committee as required, and that person then being eligible to vote at any meeting, so long as the total number of members of the Management Committee shall not exceed 15.

The Management Committee shall keep accurate accounting records of the finances of the Club through the Treasurer. These should be available for reasonable inspection by members and should be subject to independent examination before every Annual General Meeting.

The Club may open and maintain bank accounts and deposit accounts as required for ease of operation and good management. The following Officers shall be authorised to sign Club cheques: the Chair, Treasurer, Secretary and one other position duly authorised by the Management Committee from time to time. One of the authorised signatories may sign for amounts up to £500 as a sole signatory but for amounts in excess of this sum two authorised signatories are required. A similar authorisation mandate may be entered into for the purposes of electronic banking.

The Management Committee shall convene as required in order to conduct the business of the Club, in any case not less than 5 times per year.

The Management Committee shall be responsible for adopting policy, codes of conduct and rules that affect the welfare of the Club.

The Management Committee will make decisions on the basis of a simple majority vote, but in the case of equal votes, the Chair shall be entitled to an additional casting vote.

The Management Committee will have powers to appoint advisors and / or sub-committees as felt necessary to fulfil its business.

An elected Management 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 Management Committee for good cause after the member concerned has been given the chance of putting their case to the Management Committee. Appeal against removal may be made to the Appeals Committee. The Management Committee shall reasonably decide time limits and formalities for these steps.

The Management Committee has the power to:

- a) acquire and provide grounds, equipment, coaching, training and playing facilities, clubhouse, transport, medical and related facilities
- b) provide coaching, training, medical treatment, and related social and other 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, and 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 (whether members or otherwise) and remunerate them for providing goods and 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 all other things reasonably necessary to advance the aims and objectives of the Club.
- m) pay for reasonable hospitality for visiting teams and guests

The Club shall indemnify the Management Committee and any other 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).

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

All notices or correspondence in accordance with this Constitution may be sent by hand; by post or by any suitable electronic means.

The Annual General Meeting of the Club shall be held not later than the end of December each year. 21 days written notice of the Annual General Meeting and

14 Days of any Special General Meeting shall be given to members by circulating a copy of the notice to every member and by posting the notice on the Club notice board and Club website.

Members must advise the Secretary in writing of any other business to be moved at the Annual General Meeting at least 14 days before a meeting. The Secretary shall circulate or give notice of the agenda for the meeting to members not less than 7 days before the meeting.

If any Voting Member is unable to attend a General or Special Meeting, a vote may be cast by Proxy in respect of the appointment of Captains of the Adult teams only. Such Proxy must have been received in writing by the Club Secretary no later than 3 days prior to any meeting.

The business of the Annual General Meeting shall be:

a) to receive and, if approved, to adopt statements of the Club's accounts as at the end of the preceding year which shall end on 30 September in each year

b) to consider and, if approved, sanction any duly made alteration of the rules

d) to decide upon the levels of subscriptions and match fees for the coming season

e) to appoint an Independent Examiner for the Club accounts

f) 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

g) to report on the season

h) to appoint the following Officers of the Club who shall be members of the Management Committee: -

- i) Chair
- ii) Treasurer
- iii) Welfare Officer
- iv) Secretary
- v) Head of Facilities
- vi) Chair of Cricket (Sub-Committee)
- vii) Head of Junior Cricket

To appoint the following Officers of the Club who shall not automatically be members of the Management Committee: -

- viii) President
- ix) Head of Adults Cricket
- x) Head of Adult Women's Cricket
- xi) Head of Club Community

- xii) Adult Player representative
- xiii) Surrey Executive
- xiv) Membership Secretary
- xv) Ground Manager
- xvi) Adult Fixture Secretary
- xvii) Junior Fixture Secretary
- xviii) Admin assistant

To appoint the Captains of the Adult teams: -

- xix) Captain 1st XI
- xx) Captain 2nd XI
- xxi) Captain 3rd XI
- xxii) Captain 4th XI
- xxiii) Captain Sunday 1st XI

The Annual General Meeting may also elect Honorary Life Members and Vice Presidents.

At Management Committee Meetings 5 Officers shall form a quorum and at General Meeting of the Club, 15 Voting Members shall form a quorum, including at least 2 from the Chair, Secretary and Treasurer.

The Management Committee may at any time and upon 14 days written notice for any purpose or purposes call a Special General Meeting or they shall do so upon the requisition in writing of either:

a) 15 Voting Members.

or

b) one fifth of the total number of such Voting Members at the time, whichever shall be the less.

provided that any such requisition shall have stated the purpose or purposes for which the meeting is required and that no business other than that specified in the notice shall be raised at such meeting.

Nominations of candidates for election to the Management Committee and as Captains shall be made in writing to the Secretary at least 14 days in advance of the Annual General Meeting date.

At all General Meetings, the Chair will be taken by the Chair of the Management Committee or, in his or her absence, by a deputy appointed by Voting Members attending the meeting.

A resolution put to the vote at a General meeting shall be decided on a show of hands unless before, or on the declaration of the result of, the show of hands a poll is duly demanded -

1. by the Chair; or

2. by at least five Voting Members having the right to vote at the meeting;
or
3. by Voting Members representing at least five percent of the total voting rights of all Voting Members having the right to vote at the meeting

In the event of equal votes, the Chair of the meeting shall be entitled to an additional casting vote.

8. Team Selection

Team selection shall be made by a Selection Committee, which should consist of the Chair of cricket, the Captains of the 1st, 2nd, 3rd and 4th XIs, the Sunday 1st XI, and head coach and any other person as invited.

In the absence of the Captain of any XI the appropriate Vice Captain shall attend.

9. Guests

Every member shall be allowed to introduce guests to the Club premises subject to such regulations as shall be made from time to time by the Committee.

10. Alterations to the Constitution

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. Any alteration or amendment must be proposed by a Voting Member of the Club and seconded by another Voting Member. Notice of any proposed alteration shall be sent in writing to the Secretary no later than **14 days** before the meeting. Such alterations shall be passed if supported by not less than two-thirds of those Voting Members present at the meeting, assuming that a quorum has been achieved.

11. The supply of liquor and other goods

The purchase, control, supply and provision of liquor, tobacco, or any other goods in the Club premises shall be vested in the Management Committee. Intoxicating liquor shall only be served or supplied on the Club premises:

- (a) by or on behalf of the Club; and
- (b) to members or their guests who in either case have attained the age of eighteen years.

The Club premises shall be open at such hours and on such days as the Management Committee may from time to time decide, provided that the Management Committee shall not be bound to keep the Club premises open on any particular day or for any particular period.

The permitted hours for the supply of intoxicating liquor in the Club premises

shall not exceed those laid down by the local Licensing Regulations.

12. Accounts

The Treasurer of the Club shall keep accurate accounting records of the Club's financial affairs and all such books, accounts and records as shall be reasonably necessary to record such accounts shall be made available to any member of the Club upon reasonable notice.

All subscriptions, fines, fees and payments made in accordance with the rules, regulations and bylaws for games, refreshments or the use of the Club property shall be paid in to the funds of the Club.

13. Trustees

The Trustees for the Club shall be four in number. The Trustees will hold title to trust assets in trust for the Club. Trustees may be removed and any vacancy replaced by simple resolution at the Annual General Meeting. The Club will indemnify the Trustees against all costs, claims and liabilities they may incur in acting as Trustees (but only to the extent of its assets)

14. Loss and Damage

Any loss or damage to Club property shall be made good by the member causing it, at the discretion of the Management Committee.

15. Unusual Events

Any matter that may arise, not covered by the aforementioned Rules shall be dealt with by the Management Committee at its discretion, and its decision shall be final.

16. Profits

The Club must not distribute any profits to members or other persons. All profits shall be used for the furtherance of the Objectives of the Club. The property and funds of the Club cannot be used for the benefit of individual members.

17. Discipline and Appeals

All complaints regarding the behaviour of members should be lodged in writing with the Secretary.

The Management Committee shall appoint a Disciplinary sub-committee who will meet to hear complaints within 14 days of a complaint being lodged. Any member requested to attend a Disciplinary sub-committee shall be entitled to be accompanied by a friend or other representative and to call witnesses. The Management Committee (or its sub-committee) has the power to take appropriate disciplinary action, including the termination of membership.

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

There shall be a right of appeal to the Management Committee against either the finding or the sanction imposed or both following disciplinary action being taken or against the decision of the Management Committee to refuse membership of the Club. The Management Committee shall appoint an Appeals Committee (a maximum of three) which shall not include members involved with the initial disciplinary hearing or in the case of refusal of membership of the Club; those members involved in the decision to refuse membership but may include non-members of the Club. The Appeals Committee shall consider the appeal within 14 days of the Secretary receiving the appeal. The individual submitting 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.

18. Dissolution

In the event of the winding up or dissolution of the Club, any unapplied profits or assets of the Club shall not be distributed to members. Members may vote to wind up the Club if three quarters of those present at a properly convened general meeting vote in support. The Management Committee shall only dispose of such unapplied profits or remaining assets to one or more of the following:

- i) another club with similar sports purposes which is a registered charity or CASC (Community Amateur Sports Club)
- ii) the sport's national governing body for use by them for related community sports
- iii) a registered charitable organisation(s). Such body to be nominated by the Trustees of the Club.

19. Borrowing Powers of The Club

The Club shall have the power to raise or borrow money for the purposes of or in connection with the activities of the Club or any of them as the Management Committee thinks fit in accordance with the following provisions:

(a) Any sum or sums raised or borrowed may be on mortgage, charge, bonds or debentures of all or any part of the funds or property of the Club whether or not including any floating charge of the whole or part of the undertaking property and assets of the Club both present and future.

(b) At the time of any borrowing the sum of the amount remaining undischarged of monies borrowed and of the amount of the proposed borrowing shall not exceed £25,000 or such sum as the members in General Meeting may from time to time determine.

(c) No person lending money to the Club shall be concerned to see or enquire whether either of the limits imposed by these rules is exceeded at the time of the borrowing or issue and if either or both of these limits were to be exceeded no borrowing incurred in excess of such limits shall be invalid unless such person had received express notice to this effect at the time of the borrowing.

20. Declaration

Horsley & Send Cricket Club hereby adopts and accepts this Constitution as a current operating guide regulating the actions of all members.

Passed by Resolution at Special General Meeting of The Horsley & Send Cricket Club held on 26th June 2017