



# Osterley Cricket Club Constitution

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<b>Document Location</b>	Club Secretary
<b>Document Version</b>	Version 4
<b>Approved By</b>	Osterley Cricket Club Members – SGM
<b>Effective Date</b>	October 2013

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## ***Definitions and Abbreviations***

The following terms and abbreviations shall have the meaning indicated: -

- “AGM” Annual General Meeting
- “SGM” Special General Meeting
- “ECB” English Cricket Board
- “Chairman / Chairmen” Shall be taken to include persons of either gender.
- “Days” Calendar days
- “He” Shall always be taken to include a person of the other gender.
- “Licensing Act” Refers to the Licensing Act 2003 and particular sections of that Act, and shall be construed to include any statutory modification, amendment or re-enactment thereof.
- “Rules” Includes Rules and Constitution
- “Secretary” Includes “General Secretary”, “Club Manager” or any other person so charged by the General / Club Committee from time to time with the general management of the Club’s affairs.

### ***(1) Name***

The name of the Club is Osterley Cricket Club, operating under the umbrella of Osterley Sports and Social Club, hereafter to be referred to as "the club" and the club shall be affiliated to the England and Wales Cricket Board through the Middlesex County Cricket Board.

### ***(2) Aims and Objectives***

- i. To foster and promote the sport of cricket at all levels within the community and within the sport, providing opportunities for recreation, coaching and competition.
- ii. To manage the Osterley Cricket grounds.
- iii. 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.
- iv. 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.
- v. The Club shall adopt and implement the ECB Club Inclusion and Diversity Policy and any future versions of this policy.
- vi. To encourage all members to participate fully in the activities of the club.
- vii. The Club shall be a non-profit making organisation. All surpluses shall be used to maintain or improve the Club’s facilities and to further its objects.

### ***(3) Affiliation***

- i. The Club is affiliated to the England and Wales Cricket Board through the Middlesex Cricket Board.
- ii. The Club and its members shall ensure that members, playing and non-playing, abide by the ECB Code of Conduct which incorporates the Spirit of Cricket and by the Laws of Cricket. Please see <http://www.osterleycc.com/information/code-of-conduct/>
- iii. The Club shall adopt and implement the ECB Safe Hands – Cricket’s Policy for Safeguarding Children and any future versions of the policy. The club fully implements the ECB Safeguarding and Protecting Children Policy. Please see <http://www.osterleycc.com/information/ecb-safe-hands/>.

- iv. The Club shall adopt and implement the ECB Club Inclusion and Diversity Policy and any future versions of this policy. The club fully implements and abides by the ECB Equity Policy. Please see <http://www.osterleycc.com/information/ecb-equity-policy/>.

#### **(4) Membership**

- i. Membership of the club shall be open to anyone interested in the sport of cricket 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.
- ii. 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.
- iii. Application for membership of the club shall only be by completion of an online membership application form and by payment of the relevant subscription/joining fees as determined by the Annual General Meeting of the club.
- iv. The General Committee shall have power to nominate for election Honorary Life Membership, for any Member who, in the committees' opinion, shall have rendered special service to the Club. Such election shall be made at a General Meeting of the Club. An Honorary Life Member shall be entitled without payment of any subscription to all the privileges of a Playing Member of any section to which he belongs or belonged.
- v. The General Committee shall have power to nominate a Patron(s), who in the committees' opinion, shall act as an Ambassador to the club and possesses an extraordinary standing in the community. Such nominations shall be made at a General Meeting of the Club. A Patron shall be entitled without payment of any subscription to all the privileges of a Playing Member of any section.
- vi. Persons under the age of eighteen shall be eligible for membership as Junior Members. The use of playing facilities by Junior Members may be restricted to such periods and subject to such conditions as may be prescribed by the General Committee from time to time.
- vii. Full or part-time permanent employees of the Club shall not be eligible for membership subscriptions. Such employees may, enjoy pre-determined privileges of membership as the General Committee may grant from time to time.
- viii. The General Committee may refuse membership, or remove it, only for documented reasoning such as misconduct or misdemeanour likely to bring the club or cricket into disrepute. Appeal against refusal or removal may be made to the Disciplinary Committee who shall be Independent from the General Committee.
- ix. 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 and Policies that the club has adopted. The Constitution shall identify those members, over 18 years of age, eligible to vote at any General Meetings.

## **(5) Membership Criteria**

Once a membership application is made using an approved Application form (online) with the subscription, the application needs to be approved by the General Committee at the next General Committee meeting, no later than one calendar month.

If rejected by the committee, the subscription/fee shall be refunded. No Member of the Club shall be entitled to use the playing facilities of any section (save as a guest) unless he has been approved as a Full Member of the Club.

- i. No application will be entertained by the acting committee without the payment of the appropriate fee and the submission of the completed and appropriate registration form.
- ii. A candidate not elected shall not be proposed again for election within a period of 90 days from the General Committee's decision.
- iii. Applications for membership shall be accompanied by payment of the appropriate subscription, entrance fee (if any) and levy (if any), such payment to be refunded if the candidate is not elected.
- iv. Prior to the membership being granted/approved the candidate agrees and confirms to abide by the Club Constitution, the codes of conduct, policies and procedures of the club
- v. Once approved the club shall notify the member in due course.
- vi. In extraordinary circumstances the committee shall have the right to waive the subscription and any other levy to a deserving individual.
- vii. The rates of match fees (if any) and of any other playing fee levied upon Members shall be determined by the General Committee. These fees shall be notified to Members with the notice convening any General Meeting at which subscriptions are to be considered.
- viii. All annual subscriptions shall become due, for the ensuing 12 months of membership, on 15<sup>th</sup> October of each year. If a subscription is not paid on or before the default date indicated here, the General Committee may declare that the person so making default shall cease forthwith to be a Member of the Club. The General Committee shall have the power to readmit any such person to membership upon such terms as it thinks fit. The provision of a direct debit mandate or equivalent instrument by a Member or a candidate for membership in accordance with the terms of any payment plan offered by the Club shall be deemed to satisfy the requirements of this Rule; always provided that, in the event of a breach in the terms of such plan, any sum outstanding shall be due and payable to the Club forthwith and the provisions of this Rule with regard to default shall apply.

## **(6) Resignation and Expulsion**

- i. Any Member may resign membership by giving to the Secretary notice in writing to that effect; provided that if notice be given after the 15<sup>th</sup> of October in the case of Non-Playing or Playing members the Member giving such notice shall be liable to pay the full subscription for the ensuing period.

- ii. The General Committee may temporarily suspend the membership of any Member pending investigation or resolution of any matter that, prima facie, may be prejudicial to the interests of the Club.
- iii. If, at any meeting of the General Committee attended by not less than four members, it shall be resolved that in the interests of the Club any Member shall be invited to resign his membership, the Secretary shall by letter invite such Member to resign from the Club within the time therein specified. If he shall not comply with such invitation, it shall be within the power of the General Committee or a quorum thereof to expel such Member but such request for resignation or expulsion shall be passed by not less than three-quarters of the General Committee present and entitled to vote.
- iv. Any person ceasing to be a Member of the Club shall forfeit all right to and claim upon the Club, its property and funds.

### **(7) Classes of Membership**

There shall be 4 classes of membership available. These are:

1. Full Member
2. Junior Member (Under 18 years of age at the beginning of the current year)
3. Honorary/ Life Member
4. Social Member

A list of members in each category shall be maintained by the Administrator or any other nominated member of the club/committee.

### **(8) Members' Guests**

- i. Members may introduce guests who may use the Main Pavilion, and other parts of the ground reserved for Members, provided they accompany such guests.
- ii. Members may introduce guests for the purpose of playing fees as fixed by the General Committee.
- iii. A Visitors' Book shall be kept in which Members introducing guests shall enter their names together with the names of the guests introduced. Guest fees shall be recorded in the Visitors' Book before play and shall be handed to the Secretary or to such other person as may be authorised to receive them together with the names of guests.
- iv. No person shall be allowed into the Club as guests on more than four occasions in any calendar year save with the permission of the General Committee.
- v. The General Committee reserves the right to refuse any non-member admission to the Club as a guest. Former Members who have been expelled from the Club or have ceased to be Members in accordance with the club may not be introduced as guests.

### **(9) Club Guests**

Non-members may be admitted to the Club's premises to participate in or to attend tournaments, Club-organised events and other activities taking place on the premises with the approval of the General Committee. Such non-members shall be deemed to be guests of the Club and shall be



permitted to use the facilities of the Club to such an extent and on such terms as the General Committee shall prescribe, and shall be entitled to purchase intoxicating liquor for consumption on the premises.

### **(10) General**

No Member shall except for goods supplied or services rendered at the request of the General Committee receive any profit or emolument from the funds or transactions of the Club. During any period of paid employment by the Club a Member shall relinquish all the rights and privileges of membership and shall stand in relation to the Club in all respects as an employee and not as a Member.

No player or individual shall be remunerated from club funds for his/her services, performances or involvements with the club in any shape or form. The club shall only pay its employees in their capacity and rewards shall not be made in the shape of finance.

### **(11) The General Committee**

The Club (except as otherwise provided for by these Rules) shall be managed by a General Committee constituted as described below. The General Committee shall have power to deal with any matters not provided for in these Rules and not required by these Rules to be dealt with in a General Meeting.

The General Committee shall consist of elected officers, elected members and nominated members as follows:

1. The Chairman
2. The President
3. The Honorary Treasurer of the Club
4. The Secretary
5. The Administrator
6. The Executive Committee Members
7. The Welfare Officer
8. The Captains of ALL Adult Cricket Teams
9. The Colts Manager
10. The Head Groundsman

Decisions at meetings of the General Committee shall be by simple majorities of votes cast by those present and entitled to vote. Only members of the General Committee as defined above shall be entitled to vote and shall have one vote each.

- i. The Chairman of any meeting of the General Committee shall have a casting vote.
- ii. If a member of the General Committee shall have been absent without permission of the General Committee from three consecutive meetings of the General Committee, the General Committee may by a majority of not less than three-quarters of those present declare that his or her membership of the General Committee and tenure of any office of the Club be terminated and such decision shall be effective upon the Chairman communicating it to such member.

- iii. The General Committee shall have power to fill any casual vacancy occurring in the General Committee or among the officers of the Club. Any member filling such vacancy shall automatically retire prior to the next following AGM but shall be eligible for re-election.
- iv. The General Committee shall appoint a Secretary on such terms and at such remuneration it may decide. The appointment of such Secretary shall not require confirmation at the AGM.

Until an appointment to fill a casual vacancy is made the proceedings of the General Committee shall not be invalidated by reason of any defect in the appointment of any member thereof or in consequence of there being less than the prescribed number.

The names of candidates for election to the offices of the Club or for election to the General Committee and the names of their proposers and seconders shall be forwarded to the Secretary not later than 14 days before the date fixed for the General Meeting.

The General Committee shall meet at least six times during the year and at any other time at the discretion of the Chairman of the General Committee, the Secretary or the Honorary Treasurer or at the request of three of the members thereof and at any such meeting the quorum shall be 6 members.

The general Committee shall be elected annually at the AGM.

### **(12) Responsibilities of the General Committee**

The duties of the Committee shall be:

- i. To control the affairs of the club on behalf of the members.
- ii. 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 current account and the following Officers shall be authorised to sign club cheques: any two from the Chair, Treasurer and Secretary.
- iii. To co-opt additional members of the Committee as the Committee feels necessary. Co-opted members shall not be entitled to a vote on the Committee and shall serve until the end of the next Annual General Meeting.
- iv. To make decisions on the basis of a simple majority vote. In the case of equal votes, the Chair shall be entitled to an additional casting vote.
- v. The Committee shall have powers to appoint sub-committees as necessary and to co-opt advisers 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 chance 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:

- i. Acquire and provide grounds, equipment, coaching, training and playing facilities, clubhouse, transport, medical and related facilities

- ii. Provide coaching, training, medical treatment, and related social and other facilities
- iii. Take out any insurance for club, employees, contractors, players, guests and third parties
- iv. Raise funds by appeals, subscriptions, loans and charges
- v. Borrow money and give security for the same, and open bank accounts
- vi. Buy, lease or licence property and sell, let or otherwise dispose of the same
- vii. Make grants and loans and give guarantees and provide other benefits
- viii. Set aside funds for special purposes or as reserves
- ix. Invest funds in any lawful manner
- x. Employ and engage staff and others and provide services
- xi. 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
- xii. Do all 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.*

### **(13) Club By-Laws and Standing Orders**

The General Committee shall have the power to make, repeal and amend by-laws for the regulation of the Club and the implementation of its Rules, and to make, repeal and amend standing orders for the conduct of the proceedings at committee and general meetings. Such by-laws and standing orders shall not be inconsistent with these Rules and shall be binding upon the Members until repealed by the General Committee or set aside by a resolution of an Annual or Special General Meeting of the Club. The by-laws shall be exhibited on the appropriate Notice Boards.

### **(14) Trustees**

The property of the Club shall be vested in one or more Trustees or in a Corporate Trustee who shall be appointed at an AGM. The General Committee shall have power to remove any of the Trustees. All vacancies occurring by removal, resignation or death shall be filled by the General Committee subject to confirmation at the next AGM.

### **(15) Annual and Special General Meetings**

The AGM of the Club shall be held each year at a time and date to be fixed by the General Committee (which time and date, not being later than 15th of December each year, shall be posted on the appropriate Notice Boards, Websites and Social Media not later than 30 days prior to the date fixed) for the following purposes:

- i. To receive from General Committee a report and statement of accounts for the preceding financial year;
- ii. To elect an Honorary Treasurer for the ensuing year and to fill vacancies on the General Committee resulting from retirement or otherwise;
- iii. To appoint Honorary Accountant/Auditor;
- iv. To decide on any resolution which may be duly submitted to the meeting as hereinafter provided;



- v. To deal with any special matter which the General Committee desires to bring before the members and to receive suggestions from the Members for consideration by the General Committee.
- vi. All Members aged eighteen and over shall be entitled to attend any General Meeting, whether annual or special, and to receive fourteen clear days' notice convening the same and such notice shall specify the business and the resolutions to be submitted by the General Committee and/or by members.
- vii. Such as otherwise provided by these Rules the quorum for all General Meetings of Members shall be 12 Members present and entitled to vote. If within half an hour from the time appointed for the meeting a quorum is not present, the meeting if convened upon the requisition of Members shall be dissolved; in any other case it shall stand adjourned to such other day being not less than 14 days or more than 28 days thereafter as the General Committee may determine.
- viii. If at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting the Members present shall be a quorum.
- ix. No Member desirous of moving any resolution at the AGM shall move such resolution save with the consent of the Chairman of the AGM unless he shall have given notice thereof in writing to the Secretary at least 14 days before the date fixed for the AGM and such notice shall be displayed forthwith on the Club Notice Board or Website; always provided that in the case of a resolution arising from the notice of meeting, the agenda, the General Committee's annual report or the annual statement of accounts the required period of such notice shall be 14 days.
- x. The General Committee may at any time for any special purpose call an SGM and it shall do so forthwith upon the requisition in writing of any twelve Members stating the purpose for which the meeting is required. All matters with which an AGM is competent to deal may be validly dealt with at an SGM.
- xi. All Cricket playing Members and only those non-playing Members, who are part of the General Committee, aged eighteen years or over attending an AGM or SGM shall have one vote each. Proxy voting shall not be permitted. Non-Playing and Social Members shall have one vote each on social and non-playing matters only.

#### **(16) Finance**

- i. The Financial Year shall end on 14<sup>th</sup> of October each year to which day the accounts of the Club shall be balanced.
- ii. The income of a playing section shall be derived only from annual or special appropriations sanctioned by the General Committee. Shields or Trophies won as prizes raised or obtained in any other way by Members or by a section shall be at the disposal of the General Committee.
- iii. A vacancy occurring in the office of Honorary Accountant/Auditor during the year shall be filled by the General Committee.
- iv. The Treasurer will present an audited statement of annual accounts at the Annual General Meeting and at any committee meetings as requested by the committee members.

#### **(17) 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 and social purposes of the club:

- i. Sell and supply food, drink and related sports clothing and equipment

- ii. Employ members and remunerate them for providing goods and services, on fair terms set by the Committee without the person concerned being present
- iii. Pay for reasonable hospitality for visiting teams and guests
- iv. 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).

### **(18) Discipline and Appeals**

- i. All complaints regarding the behaviour of members should be lodged in writing with the Secretary.
- ii. In-case of colts the coach is liable to lodge the complaint in writing to the Secretary and a copy sent to the Parents/Guardians.
- iii. The secretary will present the complaint to the next General Committee Meeting.
- iv. The Committee (or its sub-committee) has the power to take appropriate disciplinary action, including the termination of membership.
- v. The outcome of the General Committee's decision shall be put in writing to the person who lodged the complaint and the member against whom the complaint was made within 7 days following the hearing at the General Committee meeting.
- vi. The Complainant and the Respondent shall have a right of appeal to the Independent Disciplinary Committee against the decisions of the General Committee. The appeal must be made in writing to the Secretary within 7 days of receiving the decision of the General Committee, upon which the Secretary shall pass on the full file to the Chairman of the Disciplinary Committee.
- vii. The Independent Disciplinary Committee shall consider the appeal within 15 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.
- viii. The decision of the Independent Disciplinary Committee shall be final and binding on all parties.

### **(19) Alteration of Rules**

These Rules may be added to, repealed or amended by resolution of an AGM or SGM provided that such resolution is passed by at least two-thirds of the votes cast. Notice in writing of any proposed change must be sent to the Secretary not later than 42 days before the date fixed for the AGM or of the SGM as the case may be. The notice convening any such meeting shall fully specify the alterations or amendments to be proposed at such meeting.

Any decision taken in accordance with the above Rule to add to, repeal or amend any rule shall not take effect for a period of 90 days from the date of such decision, and shall not take effect at all if, before the expiry of this period, any one of the playing sections of the Club in a section general meeting shall pass, by a majority of those present and entitled to vote, a resolution which states that such decision to add to, repeal or amend any rule should not take effect.

Written notice of any alteration in these Rules shall be given to the Chief Officer of Police and to the Clerk to the Justices in accordance with the provisions of Section 48 of the Licensing Act.

### **(20) Borrowing Powers**

Borrowing money from any source shall only be approved if taken out for the betterment of the club. The General Committee shall exercise the powers of the Club to borrow money in the ordinary

course of business upon such terms as to repayment and rates of interest as the General Committee may in its absolute discretion decide; but no security shall be given upon any of the assets of the Club without the sanction of the Members in General Meeting.

The General Committee shall not have power to dispose of any of the assets of the Club without the sanction of a resolution of the Members in General Meeting (and such resolution shall be passed by at least two-thirds of the votes cast) save only movable plant, machinery and fittings and other similar assets of a consumable or wasting nature.

If at any time the Club, in General Meeting, shall pass a resolution authorising the General Committee to borrow money the General Committee shall thereupon be empowered to borrow for the purposes of the Club such amount of money either at one time or from time to time and at such a rate of interest and in such form or manner and upon such security as shall be specified in such resolution and thereupon the Trustees or Corporate Trustee shall at the discretion of the General Committee make all dispositions of the Club property or any part thereof and enter into such agreements in relation thereto as the General Committee may deem proper for giving security for such loans and interest. All Members of the Club whether voting on such resolution or not and all persons becoming Members of the Club after the passing of such resolution shall be deemed to have assented to the same as if they had voted in favour of such resolution.

#### **(21) Dissolution**

If at any General Meeting a resolution for the dissolution of the Club shall be passed by a majority of the votes of the Members present and such resolution shall at an SGM held not less than 30 days thereafter, at which not less than one-half of the Members or one hundred Members, whichever shall be the less shall be present, be confirmed by a resolution passed by two-thirds of the votes cast thereon, the General Committee shall thereupon or at such future date as shall be specified in such resolution proceed to realise the property of the Club and after the discharge of all liabilities shall apply the same to approved sporting or charitable purposes in the following manner: by a donation to a member of the Community Amateur Sports Club Scheme (CASC) or by a donation to a registered charity or by equal donations to those sports' governing bodies to which the Club enjoys affiliation. Upon completion thereof the Club shall be dissolved. In no circumstances shall any part of the funds or property of the Club be distributed amongst any of the Members of the Club upon dissolution.

#### **(22) Declaration**

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

#### **SIGNED (CLUB CHAIRMAN)**

**NAME:** Dr Ghulam Murtaza

**DATE:** 08/10/2013

#### **SIGNED (CLUB SECRETARY)**

**NAME:** Nadeem Chowdhry

**DATE:** 08/10/2013