



CONSTITUTION AND RULES

OF

The East Grinstead Cricket Club



AN AFFILIATED CLUB

OF

**EAST GRINSTEAD SPORTS AND COUNTRY
CLUB LIMITED**

AND MEMBERS OF

EAST GRINSTEAD SPORTS CLUB LIMITED

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INCORPORATING EAST GRINSTEAD CRICKET ACADEMY

1. NAME

The Club shall be called "East Grinstead Cricket Club" and is referred to in this document as the "Club".

2. OBJECTS

The objects of the Club shall be the playing of cricket and such other recreational activities as shall be agreed upon by the Club Committee and approved by the Directors of East Grinstead Sports Club Limited ("the Charity Company") of which each individual is also a member.

The Club shall also run a Junior Section in order to promote the sport of cricket within the locality.

3. CONSTITUTION, RULES AND CLUB POWERS

3.1 This Constitution and Rules is referred to in this document as the "Constitution" and sets out the management, structure and method of operation of the Club and its relationship with East Grinstead Sports & Country Club Limited ("the Trading Company") to which it is affiliated.

3.2 This Constitution shall not override any statutory requirement contained in the Memorandum and Articles of Association of the Charity Company and in the event of any conflict between the Memorandum and Articles of Association and this Constitution, the Memorandum and Articles of Association shall take precedence.

3.3 The club may do anything legal within its powers to achieve its aims and objectives. This is to include fundraising, employment and the collection of contributions by means of membership fees as well as the day to day running of the club.

4. MANAGEMENT AND OPERATION

4.1 The Management and Operation of the Club shall be in the hands of a Committee comprising of the following persons:-

4.1.1 Chairman

4.1.2 Secretary

4.1.3 Treasurer

4.1.4 Team Captains

4.1.5 Fixtures Secretary

4.1.6 Team Secretary

4.1.7 Juniors Administrator

4.1.8 Welfare officer

4.1.9 Co-opt person(s) to serve as General Committee Members.

4.2 The Members of the Committee shall be appointed each year by election at the Annual General Meeting by a simple majority either by a show of hands or by a secret ballot at the discretion of the Chairman of the Committee at the time.

- 4.3** The Members of the Committee so elected shall be appointed and hold office until a new committee is elected at the next Annual General Meeting.
- 4.4** The Committee shall meet as and when it shall consider necessary or upon the requisition of the Chairman, Secretary or of any three other Members entitled to vote in accordance with clause 14 or at the request of the Chairman of either the Charity Company or the Trading Company. Five members of the Committee shall constitute a quorum unless there are only three General Committee Members elected whereby four members of the Committee would constitute a quorum. In both cases one of the Chairman, Secretary or Treasurer must be in attendance.
- 4.5** The Committee shall enter into arrangements with the Trading Company for the use of the facilities owned by the Charity Company and operated by the Trading Company at Saint Hill Road, East Grinstead, West Sussex, RH19 4JU or at any other premises or venues deemed suitable by the Committee of the Club.
- 4.6** The Committee shall be empowered to agree or vary the arrangements referred to at 4.5 above and is empowered to agree the amount of any capitation fee, court hire fee and any other amounts which may be payable by or due from the Club in respect of the use of such facilities.
- 4.7** At the date of adoption of this Constitution the arrangements in force for the use of the facilities referred to above are contained within a User Agreement dated 30th May 2003 and signed by the Club Chairman at the time.
- 4.8** The Committee is empowered to propose any subscriptions, levies, match fees or other amounts to be paid by the Members of the Club and such proposals must be put to an Annual General Meeting and may be approved by a simple majority of the Members present and entitled to vote.
- 4.9** The Committee is empowered to co-opt any other person to serve as a Member of the Committee or fill a casual vacancy arising.
- 4.10** All Committee Members shall cease to hold office at the time a new committee is elected at the next Annual General Meeting, but shall be eligible for re-election.
- 4.11** A Selection Committee, comprising of the team captains, chaired by the team Secretary, shall be appointed each year by election at the Annual General Meeting by a simple majority either by a show of hands or by a secret ballot at the discretion of the Chairman.

The role of the Selection Committee is to select teams for the ensuing matches, monitor standard of play in order to review team selection if necessary, run tournaments, practice sessions and generally strive to attain the highest quality of Cricket possible for the Members.

5. ANNUAL GENERAL MEETING

- 5.1** The Annual General Meeting of the Club shall be held once in every period of 12 months ending 31 December in each year.
- 5.2** The business to be conducted at the Annual General Meeting shall include the following:-
- 5.2.1** To read and approve the Minutes of the previous Annual General Meeting and any Extraordinary General Meetings held subsequent to the previous Annual General Meeting.
 - 5.2.2** To elect the Club Committee which shall consist of the persons referred to in 4.1 above.
 - 5.2.3** To elect the Selection Committee which shall consist of the persons referred to in 4.11 above.
 - 5.2.4** To add to, alter or revoke any part of this Constitution necessary for the proper management of the Club but always subject to the approval of the Directors of the Charity Company.
 - 5.2.5** To approve subscription rates, match fees and any other levies considered necessary for the Club for the ensuing season.
 - 5.2.6** To receive and, if approved, adopt the Statement of Accounts of the Club for the past financial year ended on the previous 30 Sept.
 - 5.2.7** To appoint and agree on the powers and rights of any Presidents, Life Presidents or Vice-Presidents of the Club.
 - 5.2.8** Any other business that may be properly transacted at an Annual General Meeting.
- 5.3** The Annual General Meeting shall be convened by giving not less than ten clear days notice in writing to Members of the Club.

6. MEMBERSHIP CATEGORIES

- 6.1** The Membership of the Club shall consist of the following categories:-
- 6.1.1** Full Members – being playing Members of the age 19 years and over on the due date for payment of subscriptions or if subscriptions are payable in instalments, the due date for payment of the first instalment thereof for any season or year.

- 6.1.2** Student Members – being playing Members of the Club age 19yrs and over who are still in full-time education on the due date for payment of subscriptions or if subscriptions are payable in instalments, the due date for payment of the first instalment thereof for any season or year as set out in 6.1.1 above.
- 6.1.3** Junior Members – playing Members of the Club in three categories; under the age of 19 years of age; under the age of 15 years of age; under the age of 12 years of age; on the due date for the payment of subscriptions for any season or year as set out in 6.1.1 above. A Junior members parent / carer / guardian are automatically granted non voting membership of the Club junior section.
- 6.1.4** Non-playing Members – all non-playing Members of the Club at the date of adoption of this Constitution together with any future non-playing Members.
- 6.1.5** Presidents, Life Presidents or Vice-Presidents elected or appointed as set out in 5.2.8 above – all of whom shall enjoy the privileges of Full Members.
- 6.1.6** Family Membership – a 20% discount on annual subscription fees is available if a Family Membership is taken out to the East Grinstead Cricket Club. A Family Membership consists of one Full Member, one Junior Member and at least one other member. All annual subscriptions must be submitted at the same time.

7. MEMBERSHIP

- 7.1** 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. Such application is deemed to be also an application to join the East Grinstead Sports Club.
- 7.2** 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.
- 7.3** 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.
- 7.4** 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.
- 7.5** 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.

7.6 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.

8. PAYMENT OF SUBSCRIPTIONS

8.1 Subscriptions to the Club, including any amount included therein in respect of any capitation fee or other levy imposed by the Trading Company, shall be payable on or before the 1 May in each calendar year or at such other date or dates as the Committee may from time to time determine.

8.2 Payment of subscriptions shall be made in full to East Grinstead Sports Club or by signing a direct debit mandate authorising 4 equal payments to East Grinstead Sports Club on 1st May, 1st June, 1st July and 1st August.

8.3 Subscriptions due from new Members on submitting a completed application form as detailed in 7.3.

8.4 Any Member whose subscription remains unpaid one month after it was due shall receive written notice from the Club Secretary and if after the expiration of a further fourteen days such subscription has not been paid, the Committee may remove the Member's name from the list of Members and he shall cease to be a Member and shall be notified accordingly. The Committee shall have the power to reinstate a Member on receipt of a satisfactory explanation and payment of any arrears of subscriptions in full.

9. RESIGNATION OF MEMBERSHIP

Any Member wishing to resign his Membership shall pay all subscriptions and other monies due from him and give notice in writing to the Club Secretary before the due date of payment of his next subscription falling due, failing which he shall be accountable for his subscription for the ensuing year, unless the Club Committee shall decide that it should be waived.

10. DISCIPLINARY PROCEDURE

10.1 In the event that the Club Committee, the Charity Company Board of Directors or the Trading Company Board of Directors shall receive for consideration any report of misconduct in respect of any Member such that the report shall allege that:-

10.1.1 The Member is in breach of any of the statutory regulations of the Charity Company or the Trading Company or,

10.1.2 The Member is in breach of this Constitution of the Club or,

- 10.1.3** The conduct of the Member shall be deemed to be detrimental to the best interests of the Club, the Charity Company, the Trading Company or any other Affiliated Club of the Trading Company or its Members the matter shall be considered in accordance with provisions set out herein.
- 10.2** If the Club Committee by a simple majority of votes considers that the matter is seriously prejudicial to the interests of the Club the Club Committee shall require a Disciplinary Committee to be convened to consider the matter at a Special Meeting.
- 10.3** In all other cases the Club Committee shall consider the matter and shall notify any individuals affected by its decision within seven days of making its determination provided always that the disciplinary powers of the Club Committee shall be exercised only in relation to the Club's Members.
- 10.4** The Disciplinary Committee shall comprise one Member of the Club (not being a Member of the Club Committee) together with the Chairman of the Trading Company Board of Directors and the Chairman of the Club Committee (or such other person as the Chairman of the Club Committee shall appoint) who shall act as Chairman and shall have a casting vote in the event that the votes of the other Members of the Disciplinary Committee are tied.
- 10.5** Any Member affected by the decision of the Club Committee in accordance with paragraph 10.3 of this Constitution shall be entitled to appeal to the Club Committee against that decision by notice in writing to the Club Committee submitted within seven days of being notified of the decision.
- 10.6** In the event that a Disciplinary Committee is convened in accordance with paragraph 10.2 of this Constitution fourteen days prior notice in writing of its Special Meeting shall be given to any Member whose conduct is being considered for disciplinary action ("the respondent").
- 10.7** The Disciplinary Committee shall fully investigate the matter and the respondent or one representative chosen by the respondent shall be entitled to make representations at the Meeting but shall not be entitled to be present during the Disciplinary Committee deliberations.
- 10.8** The Disciplinary Committee shall notify the respondent and the Club Committee in writing of its decision within seven days of the Special Meeting and the respondent shall be entitled to appeal against the decision to the Club Committee by notice in writing within fourteen days of being notified of the decision.
- 10.9** The Disciplinary Committee and the Club Committee shall have the power in relation to any disciplinary matters brought before them:

- 10.9.1 to issue verbal or written warnings;
- 10.9.2 to suspend any Member;
- 10.9.3 to make such other impositions or recommendations as appear appropriate to them in all the circumstances.

10.10 The Disciplinary Committee shall not have the power to expel any Member but any Disciplinary Committee convened and acting in accordance with the provisions of this Constitution shall have power to recommend expulsion for consideration by the Club Committee.

10.11 If any Disciplinary Committee recommends that a Member be expelled, the Club Committee must consider that recommendation at a Meeting convened for that purpose and the Club Committee shall have power to expel the Member if at least two thirds of those present and entitled to vote at the Meeting vote by private ballot in favour of the recommendation.

10.12 All matters of discipline shall be conducted in accordance with the procedures set out in this Constitution and the Club Committee's decision shall be final and binding.

11. EXTRAORDINARY GENERAL MEETINGS

An Extraordinary General Meeting, in addition to the Annual General Meeting, may be convened by the Club Secretary at the request of any three Members of the Club entitled to vote in accordance with clause 14 below and such meeting shall be convened by giving not less than ten clear days notice in writing to the Members of the Club.

12. QUORUM AT ANNUAL AND EXTRAORDINARY GENERAL MEETINGS

The quorum at any General Meeting of the Club shall be twelve Members entitled to vote and personally present at the meeting.

13. VOTING

13.1 All Members of the Club shall be entitled to vote at any General Meeting of the Club except for Junior Members.

13.2 Where the voting on any resolution is equally divided the Chairman presiding at the General Meeting in question shall have a second or casting vote.

13.3 Voting shall be by show of hands or by secret ballot as determined by the Chairman presiding at the General Meeting in question.

14. ALTERATION OF CONSTITUTION

This Constitution may be altered, added to or revoked by resolution at any General Meeting provided that twenty-one clear days notice has been given of the proposed alterations and that at least two thirds of the Members present and voting on such resolutions have voted in favour.

15. DISCLAIMER

The Club accepts no responsibility for the safe custody of the property of Members or visitors, nor shall it be held responsible for any accident or injury to any Members or visitors or spectators.

16. CONSTITUTION

A copy of this Constitution for the time being in force shall be exhibited at the Club premises and shall be considered as Notice to all Members of the contents thereof. Each Member shall on request to the Club Secretary be supplied with a copy of this Constitution.

17. INTERPRETATION

17.1 In this Constitution where the context admits the masculine shall include the feminine and the singular shall include the plural and in both cases vice versa.

17.2 The decision of the Charity Company Board of Directors upon any question of interpretation of this Constitution shall be final and binding on all Members and visitors to the Club.

18. WINDING UP

18.1 A winding-up Resolution may be proposed at any General Meeting of the Club subject to twenty-one clear days notice being given but no such Resolution, nor any Resolution to alter or delete this Rule, shall be effective unless at least two thirds of the Members of the Club being at least 90% of the Members voting on such a Resolution have voted in favour.

18.2 At this stage any remaining assets are to be distributed fairly and evenly to the cricket organisations within the local community with the intention that they are used for the next generation of cricketers and not for any individual's personal gain.

19. ACCOUNTS AND FINANCIAL MATTERS

19.1 At each Annual General Meeting the Club Treasurer shall present the Statement of Accounts of the Club for the previous financial period and, if approved, this Statement of Accounts shall be adopted by the Members of the Club. All accounts shall be independently examined by an external third party.

19.2 The club shall have its own bank account in the name of the East Grinstead Cricket Club. The committee shall appoint no less than four “authorised signatories” who can sign the cheques on the clubs behalf and these people must be committee / club members. Cheques should always require a minimum of two authorised signatories.

20 **JUNIORS**

20.1 In accordance with clause 2 the Club shall run a Junior Section. All Junior Members must abide by these Constitution and Rules.

20.2 It is expected that juniors will have attained a minimum standard of play in order to progress into the Senior Section of the Club at the age of 16. There will be no automatic right to senior membership although a junior players progress will be constantly reviewed and every effort will be made to encourage and promote junior members into the senior section.

21 **CHILD WELFARE**

21.1 Written Child Protection and Welfare Policy and Procedures are to be maintained and enforced. These shall encompass the ECB “Safe Hands – Welfare of Young People in Cricket” policy and shall be made known to all club members.

21.2 A duty of care to all members will be provided in accordance to the ECB Cricket Equity Policy and any future versions of the Policy.

21.3 For the purpose of Child Protection and Welfare the term juniors shall apply to any person under the age of 19 years.

Chairman.

Signed: _____

Print Name: _____ R Dewing _____

Date: _____

Secretary.

Signed: _____

Print Name: _____ Andy Hayes _____

Date: _____