



Saltwood CC - Constitution

Club Constitution - 2012

Saltwood Cricket Club, hereafter to be referred to as "the club" and the club shall be affiliated to the England and Wales Cricket Board through the Kent Cricket Board.

Aims and Objectives

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 and long term athletic development.

To manage the Saltwood Cricket Club and Ground.

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.

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.

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.

To encourage all members to participate fully in the activities of the club.

Membership

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. 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.

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.

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.

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The club Committee may refuse membership, or remove it, 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.

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.

Classes of Membership

There shall be 3 of classes of membership available. These are:

Full Member

- includes 15 to 18 year olds
- Honorary/Life members
- Committee members

Junior Member

Under 15 years of age at the beginning of the current school year

Non-playing member

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

Officers

The Officers of the club shall include the following;

Executive Officers:

- Chairman
- Secretary
- Treasurer

Officers

- Club Welfare Officer
- Fixture Secretary
- Club captains

and any other officers as the Committee shall see fit to appoint for the efficient running of the club.

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The appointment of Executive and other Officers shall be made each year at the first Committee meeting following the AGM.

Honorary Officers:

- President
- Vice-President(s)
- Trustees – three

Honorary officers shall be full members of the club and will hold office until death or resignation, or until removed from office by a 2/3 majority of votes at a General Meeting on a resolution proposed by the General Committee. They have the right to attend Committee meetings, but do not have the right to vote at them.

Election of Management Committee Members and Officers

All Officers shall be committee members elected at the Annual General Meeting of the club from, and by, the full members of the club.

All committee members 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.

Management Committee

The affairs of the club shall be conducted by a Management Committee (the Committee) elected from, and by, the Full Members of the club.

The Committee shall have the power to co-opt members from among the full membership of the Club from time to time

All elected and co-opted members of the Committee shall be entitled to vote at Committee meetings.

The Committee will be convened by the Secretary and shall meet not less than six times per year.

The quorum required for business to be agreed at Committee meetings shall be 5 including the chairman or the appointed deputy.

Duties of the Management Committee

The duties of the Committee shall be:

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- To control the affairs of the club on behalf of the members.
- 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.
- To co-opt additional members to the Committee as the Committee feel 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.
- To make decisions on the basis of a simple majority vote. In the case of equal votes, the Chairman shall be entitled to an additional casting vote.

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. See clause 12.

The Committee has the power to:

- Acquire and provide equipment, coaching, training and playing facilities, clubhouse, transport, medical and related facilities
- Provide coaching, training, medical treatment, and related social and other facilities
- Take out any insurance for club, employees, contractors, players, guests and third parties
- Raise funds by appeals, subscriptions, loans and charges
- Borrow money and give security for the same, and open bank accounts
- Buy, lease or licence property and sell, let or otherwise dispose of the same
- Make grants and loans and give guarantees and provide other benefits
- Set aside funds for special purposes or as reserves
- Invest funds in any lawful manner
- Employ and engage staff and others and provide services
- 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
- 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 Constitution and the general law.

General Meetings

The Annual General Meeting of the club shall be held not later than the end of March each year.

Twenty-one clear days written notice of the Annual General Meeting shall be given to members by

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circulating a copy of the notice to every member at their home address or via e mail, 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.

The business of the Annual General Meeting shall be to:

- Confirm the minutes of the previous Annual General Meeting and any General Meetings held since the last Annual General Meeting
- Receive the audited accounts for the year from the Treasurer
- Receive the annual report of the Committee from the Secretary
- Elect an auditor
- Elect the Officers of the Club
- Review club subscription rates and agree them for the forthcoming year
- Transact such other business received in writing by the Secretary from members 14 days prior to the meeting and included on the agenda.

Nominations of candidates for election of Officers shall be made in writing 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.

Special General Meetings may be convened by the Committee or on receipt by the Secretary of a request in writing from not less than 8 Full Members of the club. At least 21 days notice of the meeting shall be given.

At all General Meetings, the Chair will be taken by the Chairman or, in their absence, by the Vice-Chairman or a deputy appointed by Full Members attending the meeting. 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 Chairman of the meeting shall be entitled to an additional casting vote.

A quorum for a General Meeting shall be 10 Full Members and any other categories of membership entitled to vote and Officers of the Club including at least 2 from the Chairman, Vice-Chairman, Secretary and Treasurer.

Each Full Member of the Club shall be entitled to one vote at General Meetings.

Alterations to the Constitution

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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 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 Voting Members present at the meeting, assuming that a quorum has been achieved.

Finance

- All club monies shall be banked in an account in the name of the club.
- 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.
- The Treasurer shall ensure that the club maintains adequate and appropriate insurance to cover the activities of the club.
- The financial year will follow the calendar year.
- The Treasurer will present an audited statement of annual accounts at the Annual General Meeting.
- Any cheques drawn against club funds should hold the signatures of any two from the Chair, Treasurer and Secretary.

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:

- Sell and supply food, drink and related sports clothing and equipment
- 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
- Pay for reasonable hospitality for visiting teams and guests
- 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).

Discipline and Appeals

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

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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 Committee against either the finding or the sanction imposed or both following disciplinary action being taken. The Committee shall appoint an Appeals Committee (a maximum of three) 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 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.

Affiliation

The Club shall be affiliated to the following bodies :-

- The England and Wales Cricket Board
- The Kent Cricket Board
- Any other applicable cricketing association as the committee may decide from time to time.

Honorary Life Vice-Presidents

The Annual General Meeting shall have the power to elect as Honorary Life Vice-Presidents such persons as are deemed to have given special service to the Club.

Trustees

The Club shall have three Trustees, who shall be nominated by the Chairman and the committee to their posts. They shall be full members of the club and will hold office until death or resignation, or until removed from office by a 2/3 majority of votes at a General Meeting on a resolution proposed by the General Committee. Where, by reason of such death, resignation or removal, it shall appear necessary to the Committee that a new Trustee be appointed, such appointment shall be made by the Chairman after due consultation with, among others, the remaining Trustees.

For the purpose of giving effect to such appointments and for the avoidance of doubt, the Chairman is hereby nominated as the person to appoint new Trustees of the Club. All new Trustees shall, before taking office, accept in writing the office of Trustee.

If the Club purchase the freehold, or take a lease on any land, this land will be vested in the Trustees to be dealt with by them as the Committee will from time to time direct by resolution passed and minuted at a full Committee meeting. No land may be sold, or lease terminated, without the written approval in advance of at least two of the Trustees.

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The Trustees will be indemnified against risk and expense incurred in carrying out their duties from the Club's assets.

Dissolution

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.

If at that Special Meeting, the resolution is carried by at least two-thirds of the Full Voting Membership present at the meeting, the 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.

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

After settling all liabilities of the club, the Committee shall dispose of the net assets remaining to one or more of the following:

- to another club with similar sports purposes which is a registered charity and/or
- to another club with similar sports purposes which is a registered Community Amateur Sports Club and/or
- to the club's governing body for use by them for related community sports.

The Club has three Trustees who are responsible legally to the Club. In the event of one of the Trustees no longer able to continue in the post the committee will ask another person to fill the vacancy.

Priority

Interpretation of all the Rules must be consistent with the statutory requirements for CASCs (which means Community Amateur Sports Clubs) as first provided for by the Finance Act 2002.

Declaration

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

Constitution updated March 2012 and approved at AGM

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