

RULES/CONSTITUTION OF
OTTERSHAW CRICKET CLUB
COMMUNITY AMATEUR SPORTS CLUB

1. Name and Address

The name of the Club is "Ottershaw Cricket Club", its headquarters will be the Clubhouse, Memorial Field, Foxhills Road, Ottershaw, Surrey.

2. Club Purposes

The main purpose of the Club is to provide facilities for and to promote the participation in the amateur sport of cricket in Ottershaw.

3. Club Colours

The Club colours will be Blue and the Club badge will be an otter.

4. Affiliation

- i. The Club is affiliated to the England and Wales Cricket Board through the Surrey 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.

5. Permitted means of advancing the Purposes

The Committee has the power to:

- iii. acquire and provide grounds, equipment, coaching, training and playing facilities, clubhouse, transport, medical and related facilities;
- iv. provide coaching, training, medical treatment, and related social and other facilities;
- v. take out any insurance for club, employees, contractors, players, guests and third parties;
- vi. raise funds by appeals, subscriptions, loans and charges;
- vii. borrow money and give security for the same, and open bank accounts;
- viii. buy, lease or license property and sell, let or otherwise dispose of the same;
- ix. make grants and loans and give guarantees and provide other benefits;
- x. set aside funds for special purposes or as reserves;
- xi. deposit or invest funds in any lawful manner;
- xii. employ and engage staff and others and provide services;
- xiii. co-operate with any organisation, club, sporting body, government or government related agencies; and
- xiv. do all other things reasonably necessary to advance the purposes;

NONE of the above powers may be used other than to advance the purposes consistent with the Rules below and the general law.

6. Membership

Membership of the Club shall be open to anyone interested in the sport on application regardless of sex, age, disability, ethnicity, nationality, sexual orientation, religion or other beliefs except as a necessary consequence of the requirements of cricket. However, limitation of membership according to available facilities is allowable on a non discriminatory basis.

- i. The Club may have different classes of membership and subscriptions on a non-discriminatory and fair basis:
 - **Junior Member** (under 19 at 1st September of the previous year or members in higher education/training and therefore not in full time employment),
 - **Full Member**
 - **Associate Member** Persons who take an active interest in the Club but have no wish to play cricket
 - **Life Vice Presidents** Chosen for their long and meritorious service to the club may be elected at an Annual General Meeting (AGM) only upon the proposal of the Committee, agreed upon at a meeting and contained in the Agenda for the subsequent AGM.
- ii. Membership of the Club except for Life Vice Presidents will require the payment of an annual Subscription for the calendar year. The level of subscriptions will be decided by the Committee and recommended for agreement at the AGM. They may only change at another General Meeting. Match fees will be set by the Committee prior to the season as soon as all playing costs are known.
- iii. Application for membership of the Club shall be by completion of an annual membership application form.
- iv. No person shall be eligible to take part in the business of the Club, vote at general meetings or be eligible for selection for any Club team unless the applicable subscription has been paid by the due date and/or membership has been agreed by the Committee. Two days must also have passed since the application for membership was submitted before membership can be granted
- v. The Club will have an equitable pricing policy and will keep subscriptions and match fees at levels that will not pose a significant obstacle to people participating.
- vi. In addition to limiting membership according to availability of facilities the Club Committee may refuse membership, or remove it, at their discretion but only for good cause such as conduct or character likely to bring the Club or cricket into disrepute and:
 - a. The Committee may only refuse to admit a new member if a resolution is passed at a meeting where the person in question has been notified in writing in advance and been given 14 days to submit written representations to the Committee to consider at the meeting. Appeal against a refusal of membership shall be to the Appeal Committee as detailed below.

- b. The procedure for taking disciplinary action against a member, including removing membership, is dealt with in more detail below

- vii. All members will be subject to these Rules and by joining the Club will be deemed to accept these Rules, any Club Regulations and any Codes of Conduct that the Club has adopted. A Code of Conduct for Members and Guests must be displayed prominently to ensure that all Club guests and non-member volunteers are aware of the code and the requirement to abide by it.
- viii. The Committee will keep a register of members.
- ix. Membership is not transferable and shall cease on death.
- x. A member may resign by written notice to the Club, but the return of any subscription paid is at the discretion of the Committee.

7. All General Meetings

- i. All members may attend all general meetings of the Club in person.
- ii. All Full Members and Junior Members [over the age of 18] have one vote.
- iii. Members must be given at least 14 clear days notice of all general meetings.
- iv. The quorum for all general meetings 25% of the total voting membership.
- v. If a quorum is not present within 15 minutes of the start of the meeting, the meeting will be adjourned to the following week at the same time and place or such other time and place as the Committee decide and any voting members attending the adjourned meeting will constitute a quorum.
- vi. The Chair or (in his or her absence) another member chosen at the meeting by the members shall preside.
- vii. Except as otherwise provided in these Rules or in Club Regulations every resolution shall be decided by a simple majority of the votes cast on a show of hands or, at the Chair's discretion, in sensitive matters, by secret ballot.
- viii. Formalities in connection with general meetings (such as how to put down resolutions and nominate candidates for election to the Committee) shall be decided by the Committee in Club Regulations and publicised to Club members.

8. Annual General Meetings (AGM)

The Club will hold an AGM once every calendar year and not more than 15 months after the last AGM and the Agenda for that meeting, together with a statement of the Club's annual financial position will be sent to Club members at least seven days beforehand. At every AGM:

- i. the Members will elect a Committee including a Chair, Treasurer, Secretary and Bar Manager ("the Officers") to serve until the next AGM;
- ii. the Members may elect a President to preside over the Club until the next AGM and, if required, an appropriate number of Vice Presidents;
- iii. the Members will elect Team Captains as appropriate to serve until the next AGM.
- iv. in the event of posts other than the Officers being unfilled the elected Committee may co-opt club members to serve in the required posts until the next AGM;
- v. the Treasurer will produce accounts of the Club for the previous financial year closing on 30th September, independently reviewed by an appropriate person appointed for that purpose at the previous AGM. (In the event of him / her being unable to fulfill this function a satisfactory replacement will be elected by the Committee);
- vi. the Committee will present a report on the Club's activities (playing and administrative) since the previous AGM;
- vii. the Members will appoint a suitable person to review the accounts; and
- viii. the Members will discuss and vote on any resolution (whether about policy or to change the Rules) and deal with any other business put to the meeting.

Members will only be eligible to stand for Office if they are present at the Meeting or they have notified the Committee in advance of their intention to stand.

9. Extraordinary General Meetings (EGM)

An EGM shall be called by the Secretary within 14 days of a request to that effect from the Committee or on the written request signed by a minimum of 12 voting members or a one fifth of the total voting membership which ever is lesser. Such EGM shall be held on not less than 14 nor more than 21 days' notice at a place decided upon by the Committee or in default by the Chair. If the Committee fails to call a meeting within 14 days of receiving a valid request from the members then the requisitionists may themselves call a meeting.

10. The Committee

a. Role

Subject to these Rules the Committee shall have responsibility for the management of the Club, its funds, property and affairs.

b. Property etc

- i. 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. All surplus income or profits are reinvested in the club. No surpluses or assets will be distributed to members or third parties.
- ii. The Club's registered premises will be for the benefit of Club members and their guests, or others solely at the discretion of the Committee. The Committee will have the power to deny access to those premises to any person or persons considered to be undesirable. The bar is run solely on behalf of the Club and no persons will derive any direct or indirect pecuniary benefit from its operation.
- iii. The various Cups, property of the Club, will be awarded annually according to the regulations approved by the Committee.
- iv. The Club may provide sporting and related social facilities, sporting equipment, coaching, courses, insurance cover, medical treatment, away-match expenses, post match refreshments and other ordinary benefits of Community Amateur Sports Clubs as provided for in the Finance Act 2010 and the Community Amateur Sports Clubs Regulations 2015 (as modified by statute or re-enacted from time to time) (the "CASC Regulations")

- v. The Club may also in connection with the sports purposes of the Club:
 - a. sell and supply food, soft drink, alcohol in accordance with Rule 8f 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; and
 - 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).
 - vi. The Committee shall ensure that they take practical steps to comply with legislation relating to both The Equality Act 2010 and the safeguarding of children and vulnerable adults
- c. Composition etc**
- i. The Committee shall consist of at least four and not more than twenty members (including Officers and the Club Welfare Officer).
 - ii. At least three of the Committee must be unrelated to each other and not co-habiting.
 - iii. The Committee shall be elected by the members at the Annual General Meeting as detailed in clause 8.
 - iv. The Committee members shall consider skills needed and diversity on the Committee
 - v. The Committee members may co-opt club members (up to the maximum permitted number) to serve until the end of the next AGM. Co-opted Committee members may not exceed 30% of elected Committee members.
 - vi. Any Committee member may be re-elected without limit. The Committee may agree a process, set out in Club Regulations] for nominating and electing Committee members at the AGM
 - vii. A Committee member ceases to be such if he or she
 - a. ceases to be a member of the Club; or
 - b. resigns by written notice, to the club; or
 - c. is removed by the Committee in accordance with clause 6vi and 11
- d. Committee Meetings**
- i. Whenever a Committee member has a personal interest in a matter to be discussed he/she must declare it, withdraw from that part of the meeting (unless asked to stay), not be counted in the quorum for that agenda item and withdraw during the vote and have no vote on the matter concerned. Conflicts of Interest must be recorded and minuted.
 - ii. The Committee shall meet at least four times each year. The Committee may decide its own way of operating. Unless it otherwise resolves the following rules apply:
 - a. at least 3 members must be present for the meeting to be valid;
 - b. Committee meetings may be held either in person or by telephone, televisual or other electronic or virtual means agreed by the Committee in which all participants may communicate simultaneously with all other participants;
 - c. the Chair or whoever else those present choose shall chair meetings;
 - d. decisions shall be by simple majority of those voting;
 - e. a resolution in writing signed by every Committee member shall be valid without a meeting; and
 - f. the chair of the meeting shall not have a casting vote.
 - iii. The Committee shall appoint a Club Welfare Officer to ensure compliance with safeguarding legislation and the ECB Safe Hands policy. The Club Welfare Officer shall be a Committee member and report to relevant Committee meetings and the reports, together with any action taken, must be minuted
- e. Bank Account**
- Any bank account in which any part of the Club's funds are deposited shall be operated by the Committee and shall be held in the name of the Club. Unless regulations state otherwise, all cheques and orders for payment of money from such accounts must be signed by at least two people authorised by the Committee, including at least one Committee member
- f. Bar**
- i. The purchase and supply of intoxicating liquor will be managed by a Bar Committee consisting of the officers..
 - ii. Intoxicating liquor may be sold to members of visiting teams and their guests.
 - iii. The Bar is run solely on behalf of the Club and no persons will derive any direct or indirect pecuniary benefit from its operation.
 - iv. The Bar Committee is empowered to adopt suitable hours of opening and closing to conform to the Licensing Act in force for the time being.
 - v. When open, the Bar will always be the responsibility of a Bar Committee member.
 - vi. In matters relating to the satisfactory management of the Bar during any particular evening, the Bar Manager or, if the Bar Manager is not present, the Captain or Team Manager of the Club's representative team playing at the Memorial Field that day will be considered the voice of the Bar Committee.
- g. Delegation etc.**
- i. The Committee may delegate any of their functions to sub-committees but must specify the scope of its activity and powers; the extent to which it can commit the funds of the Club; its membership; its duty to report back to the

Committee. The Committee may wind up any sub-committee at any time or to change its mandate and operating terms.

- ii. A Cricket sub-committee, appointed by the committee, will be responsible for organising the selection of the Club's representative sides at a meeting held early each week of the playing season. Members will be expected to play for the team for which they are selected. It will be the player's responsibility to notify the sub-committee of his availability.

h. Disclosure

Annual club reports and statements of account must be made available for inspection by any member and all club records may be inspected by any Committee member.

11. Removal of Membership, Discipline and Appeals

- i. Any complaints regarding the behaviour of members, guests or volunteers should be lodged in writing with the Secretary.
 - ii. Any person that is the subject of a written complaint or appeal shall be notified of the procedures to be followed by the relevant committee in reasonable time to prepare for any hearing.
 - iii. The Committee shall appoint a disciplinary sub-committee (Disciplinary Sub-Committee) who will meet to hear complaints within 21 days of a complaint being lodged. Any person requested to attend a Disciplinary Sub-Committee shall be entitled to be accompanied by a friend or other representative and to call witnesses. The Disciplinary Sub-Committee has the power to take appropriate disciplinary action on behalf of the Committee, including the termination of membership or exclusion from Club premises.
 - iv. The outcome of the disciplinary hearing shall be put in writing to the person who lodged the complaint and the person against whom the complaint was made within 14 days following the hearing.
 - v. There shall be a right of appeal within 14 days of receipt of the disciplinary decision or decision to refuse membership:
 - a. against the Disciplinary Sub-Committee's findings or the sanction imposed or both; and
 - b. against the Committee's refusal to admit a new member
- in either case, the Committee shall appoint an appeals committee ("Appeals Committee"). The Appeals Committee shall have a maximum of three members 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 who submitted 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.

12. Club Regulations

The Committee may make Club Regulations consistent with these Rules and will publicise these to the members.

13. Notices

- i. Notices to be sent out in accordance with these Rules may be sent by hand, by post or by suitable electronic means and will be treated as being received:
 - a. 24 hours after being sent by electronic means or delivered by hand to the relevant address;
 - b. Two clear days after being sent by first class post; or
 - c. Three clear days after being sent by second class post.
- ii. Notice of all general meetings must also be put on the Club's notice board(s) and website (if any).
- iii. A technical defect in the giving of notice of which the members or the Committee are unaware at the time does not invalidate decisions taken at a meeting.

14. Amendments

- i. These Rules may be amended at a general meeting by two-thirds of the votes cast but not (if relevant) so as to jeopardize the Club's status as a Community Amateur Sports Club as first provided for by the CASC Regulations and not in any event to alter its purposes (unless the procedure set out in 14ii has been followed) or winding up provisions.
- ii. The Club Purposes may be changed to include another eligible sport if the Committee unanimously agree and the members also agreed the change by a 75% majority of votes cast.

15. Dissolution of the Club

- i. The members may vote to wind up the Club if not less than three quarters of those present and voting support that proposal at a properly convened general meeting.
- ii. The Committee will then be responsible for the orderly winding up of the Club's affairs.
- iii. Upon dissolution of the club any remaining assets shall be given or transferred to another registered CASC, a registered charity or the sport's governing body for use by them in related community sports

16. Priority

The Committee will be the sole authority for the interpretation of these Rules, as also for any matter affecting the Club and not provided for in the same (subject to any reservations expressed in Rule 9 - Extraordinary General Meetings).