



East Molesey Cricket Club Club Constitution

NAME, COLOURS AND EMBLEM

The Club shall be called “EAST MOLESEY CRICKET CLUB” hereafter referred to as “THE CLUB”. The Club colours shall be claret, red and light blue. The Club emblem shall be a mole.

AFFILIATIONS AND MATCH RULES

The Club is affiliated to the England and Wales Cricket Board through Surrey County Cricket Club. All matches shall be conducted in accordance with the MCC “Laws of Cricket” unless specified otherwise.

AIMS AND OBJECTIVES

To operate the Club in accordance with the Club Deeds dated 20th January 1944.

To foster, provide facilities and promote participation in the game of cricket at all levels within the Club, within the local community and within the sport, providing opportunities for recreation, coaching and competition.

To develop and maintain strong links with local schools and to ensure that all such associations are carried out in accordance with the ECB “Safe Hands- Welfare of Young People in Cricket” policy.

To adopt the ‘ECB Equity policy’ committed to the principles of equality of opportunity and aim to ensure that no individual receives less favourable treatment on the grounds of age, gender, disability, race, ethnic origin, nationality, colour, parental or marital status, pregnancy, religious belief, class or social background, sexual preference or political belief.

To ensure a duty of care to all Members of the Club within an open, friendly and inviting environment.

PERMITTED MEANS OF ADVANCING THE AIMS AND OBJECTIVES

The Committee has the power to:

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- acquire and provide grounds, equipment, coaching, training and playing facilities, clubhouse, transport, medical, and social facilities and other ordinary benefits of Community Amateur Sports Clubs as provided for in the Finance Act 2002;
- take out any insurance for Club, employees, contractors, players, guests and third parties;
- employ Members and remunerate them for providing goods and services, on fair terms set by the Committee without the person concerned being present 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, including the sale and supply of food, drink and related sports clothing and equipment 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 to;
 - any bodies regulating or organising the sport of cricket
 - any club or body involved with the sport of cricket
 - any government and related agency involved with the sport of cricket.
- do all other things reasonably necessary to advance the aims and objectives.

NONE of the above powers may be used other than to advance the aims and objectives consistently with the Rules below and the general law.

MEMBERSHIP

Membership of the Club shall consist of officers of the Club and Members.

Membership of the Club shall be open to any person completing a membership application form and paying the relevant subscription/joining fees regardless of gender, age, nationality, disability, ethnicity, sexual orientation, religion or other beliefs as determined by the Annual General Meeting of the Club Members.

Notice of new member applications will be publicised at the Club for 48 hours before an applicant may use the Club facilities. New member applications will be ratified by the Committee.

All Members will be subject to the regulations of the Constitution and, by joining the Club, will be deemed to accept these regulations and the Clubs Codes of Conduct.

The Club may refuse membership, or remove it, only for good cause such as conduct or character likely to bring the Club or sport into disrepute. Appeal against refusal or removal may be made to the Members.

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The Club may have different levels of membership as set out below. The subscriptions will be based on a non-discriminatory and fair basis and will not pose a significant obstacle to people participating.

Playing Members – of whom those over 18 years of age shall enjoy full voting rights and those aged between 15 and 18 years shall be eligible to vote in the election of captains and vice captains only. No person whose subscription is in arrears shall be allowed to vote.

Ad Hoc Playing Members – shall pay the subscription for Social Membership plus match fees as appropriate.

Social Members – no person whose subscription is in arrears shall be allowed to vote.

Honorary/Life Members – shall be nominated by the Committee and elected at an Annual General Meeting in recognition of long and valued services to the club. These members shall enjoy full voting rights excepting the election of captains and vice captains unless still playing.

Family Members – will usually be spouses and children of playing members or parents of Colts/Junior members under 16 years of age.

Junior/Colt Members – under 18 years of age and still in full-time education.

Student/Concessionary Members – over 18 but under 25 years of age and still in full-time education, aged over 65 years, or in receipt of a means-tested state benefit.

Bona Fide Visitors – members of other visiting sports teams, officials and its supporters will be granted permission to purchase intoxicating liquor at the bar. A member may introduce up to three bona fide guests at a maximum number of twelve times per year. Guests names must be entered into the Guest Book and accompanied by the members signature. Members hiring the facilities of the Club for a fee set by the Committee, which will benefit members, will be sold intoxicating liquor from the bar.

The renewal date for existing Members will be 31 May each year. It is at the discretion of the Committee to levy a fair subscription for any member joining after the renewal date.

OFFICERS OF THE CLUB (THE COMMITTEE)

No person whose previous year's subscription is in arrears shall be elected as an Officer of the Club.

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The Officers of the Club shall be as follows:-

President
Chairman
Secretary
Treasurer
Assistant Treasurer
Club Captain
Captain of First XI
Captain of Second XI
Captain of Third XI
Captain of Fourth XI
Captain of Sunday XI
Fixture Secretary
Membership Secretary
Bar Secretary
Publicity/Sponsorship Secretary
Web Editor
Social Secretary
Colts Co-ordinator
Welfare Officer
Club Development Officer
Funding Officer

Other members of the Club may be co-opted onto the Committee to fulfil particular roles that may become necessary to ensure the successful management of the Club.

All Officers of the Club together with the Vice Captains of the First, Second and Third IXs shall be proposed, seconded and elected at the Annual General Meeting and shall hold office until the next Annual General Meeting unless resigning in between such meetings. They may be re-elected to the same office or another office the following year.

All Officers of the Club shall carry out their specific duties in accordance with the roles and responsibilities of their job descriptions.

DISCIPLINE AND APPEALS

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



The Committee will meet to hear complaints within 28 days of a complaint being lodged. The Committee has the power to take appropriate disciplinary action, including 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 Members following disciplinary action being given. The Members shall consider the appeal within 28 days of the Secretary receiving the appeal in writing.

AWARDS

The Club will hold an Annual Award Event in recognition of both playing achievements and/or service to the Club.

MANAGEMENT OF THE CLUB

The management of the Club on behalf of the Members shall be vested in the Committee which shall comprise the Officers of the Club aged 18 years and over and shall meet no less than six times in the Club year. The quorum at any Committee Meeting shall be five elected Officers.

Whenever a Committee Member has a personal interest in a matter to be discussed they 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.

All matters discussed at Committee Meetings must be recorded in writing and circulated to all Committee Members.

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.

The Committee shall 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 may set up sub-committees to which it may delegate such of its powers as considered necessary. All sub committees shall be chaired by a member of the Committee.



FINANCES

The Club's financial year shall run from 1st November to 31st October. Fully audited accounts are to be completed and be available to the Committee by 30th November each year. The Treasurer is responsible for keeping the Club's books of account and shall prepare and present a report at each Annual General Meeting. The Treasurer may delegate any of their duties to others but this delegation shall not relieve them of overall responsibility.

The Treasurer shall be responsible for collection of Members subscriptions and other monies due to the Club and for making necessary payments to creditors as approved by the Committee. No expense over £1000 shall be made without the consent of three Committee members.

The Treasurer shall operate a bank account in the name of East Molesey Cricket Club and they and up to two others shall be cheque signatories. The Bar Secretary shall be responsible for ordering stock and banking takings from the bar.

The property and funds of the Club cannot be used for the direct or indirect private benefit of Members and all surplus income or profits shall be reinvested in the Club.

Where monies have been loaned to the Club by Members, any repayments shall be made equally as and when monies are available in the opinion of the Committee.

INSURANCE

The property of the Club shall be covered by suitable insurance policies in the sums approved by the Committee.

Insurance shall be taken out to cover injury to non participants of any game or practice.

The Club may also in connection with the Aims and Objectives of the Club 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).

BAR/SALE OF INTOXICATING LIQUOR AND HIRE OF PREMISES

The Club Bar shall be permitted to sell intoxicating liquor to Members, visitors and guests in accordance with the Licensing Act 2003.

The Club premises may be hired out to Members for an agreed fee in accordance with the Licensing Act 2003. The Club premises may be hired out to Non-members for an agreed fee in



accordance with a Temporary Event Notice (TEN). The Club may currently apply for up to 12 TEN's Notices in a Calendar Year subject to the Licensing Act 2003.

The Bar Secretary will be concerned with the purchasing on behalf of the Club and the supply by the Club of intoxicating liquor. With the approval of the Committee, the Bar Secretary may appoint Members to form a Bar Committee.

SUBSCRIPTIONS AND MATCH FEES

Subscriptions shall be paid by the 31st May at rates approved at the Annual General Meeting.

If a subscription remains unpaid after 30 June, the Committee may after a review of the reason for non-payment, instruct the Team Captain that the player may not be considered for any eleven until full payment is made.

Each Playing Member shall pay a match fee as determined at the Annual General Meeting, after each match in which they have participated.

The Committee may remit or reduce the annual subscription of a Member elected after the subscription date or for duties performed for the Club.

ANNUAL GENERAL MEETING

The Annual General Meeting shall be called as soon as convenient after the end of the financial year. An Annual Report and Accounts is to be made available to all Members at this event.

Fifteen voting Members shall form a quorum at any General Meeting.

At all General Meetings the Chair will be taken by the Chairman or, in their absence, by a deputy appointed by the Club or by Full Members attending the meeting.

The Secretary shall give at least one month's notice of any General Meeting.

An Extraordinary General Meeting may be called either by the Committee or by ten paid up full Members in writing.

Decisions made at a General Meeting shall be by a simple majority vote from those Full Members attending. In the event of equal votes, the Chairman shall be entitled to an additional casting vote.



DISSOLUTION OF EAST MOLESEY CRICKET CLUB

The full meaning and intention of the Dissolution Clause is embodied within the Schedule Part 1 Clause 4 & 5 of 'THE DECLARATION OF TRUST' dated 20TH JANUARY 1944. The Declaration of Trust is held by the Trustees Barclays Bank Trust Co Ltd in Cheshire.

With regard to other specific criteria being met should 90% of Club Members vote to Dissolve the Club the property will be offered for purchase to Elmbridge Borough Council and Surrey County Council who contributed and provided funds to the Club when the property was purchased. The Property is to be maintained forever as a Recreation Ground or open space for the enjoyment of the Public.

Any monies accruing from the sale of the property to the Council will be utilised to discharge all debts and liabilities of the Club and once all expenses of the sale have been paid be distributed between local charities in such a manner as the Committee shall in its sole and absolute discretion think fit.

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 alterations or amendments 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 Members present at the meeting, assuming that a quorum has been achieved.

QUESTIONS AND MATTERS ARISING

In the event of any questions or matter arising that is not provided for in the Constitution, such question or matter shall be dealt with by the Committee, whose decision shall be final.

DECLARATION

East Molesey Cricket Club hereby adopts and accepts this Constitution as a current operating guide regulating the actions of Members.