

Marchmont

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Cricket Club

Marchmont Cricket Club

www.marchmontcc.com | marchmontcc@hotmail.com

Club Constitution

Revision: 04

Date: 11th April 2016

1. Name

The name of the club is Marchmont Cricket Club, hereafter to be referred to as "The Club". The Club shall be affiliated to Cricket Scotland (CS) either directly, or through the East of Scotland Cricket Association (ESCA).

2. Aims and Objectives

The aims and objectives of The Club shall be as follows:

- a) 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.
- b) To help Edinburgh Leisure manage the groundworks at Cavalry Park and improve playing facilities.
- c) To ensure that all members, playing and non-playing, abide by the Cricket Scotland Code of Conduct which incorporates the Spirit of Cricket and by the Laws of Cricket.
- d) To ensure a duty of care to all members of The Club by adopting and implementing the Cricket Scotland "Child Protection And Equality" and any future versions of the Policy.
- e) To ensure a duty of care to all members of The Club by adopting and implementing the Cricket Scotland "Anti-Corruption Code" and any future versions of the Policy.
- f) To ensure a duty of care to all members of The Club by adopting and implementing the Cricket Scotland "Code of Conduct & Disciplinary" and any future versions of the Policy.
- g) To organise social events for members, their families and friends.
- h) To encourage all members to participate fully in the activities of The Club.

3. Membership

- a) 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.



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- b) 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.
- c) 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.
- d) 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.
- e) 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.
- f) 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.

4. Classes of Membership

There shall be 5 classes of membership available. These are:

- Full (Ordinary) Member
- Junior Member (Under 18 years of age at the beginning of the current year)
- Non-playing Member
- Social Member
- Honorary/ Life Member

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

5. Officers

The Officers of The Club shall be as follows:

- a) Executive Officers
 - i. President (Chair) – responsible for the public presentation of The Club. Allowable club signatory.
 - ii. Club Captain (Vice Chair) – responsible for the public presentation and day-to-day running of The Club in conjunction with the secretary. Allowable club signatory.
 - iii. Secretary (Vice Chair) – responsible for day-to-day running of The Club in conjunction with the Club Captain. Also responsible for all correspondence, keeping all non-financial records, arranging fixtures and convening General Meetings and Committee Meetings. Allowable club signatory.
 - iv. Treasurer – responsible for keeping the club's finances in order (such as, but not limited to, keeping records of income and expenditure, establishing annual budget, proposing club subscription rates and arranging payment of club dues). Mandatory club signatory.



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- v. 1st XI Captain – shall be responsible for on field captaincy for the 1st XI, Cup XIs and Friendly XI unless agreed otherwise. Shall be responsible for ensuring club code of conduct is adhered to by all players and supporters. Allowable club signatory.
 - vi. 1st XI Vice-Captain – shall deputise for the 1st XI Captain as necessary.
 - vii. 2nd XI Captain – shall be responsible for on field captaincy for the 2nd XI unless agreed otherwise. Shall be responsible for ensuring club code of conduct is adhered to by all players and supporters. Allowable club signatory.
 - viii. 2nd XI Vice-Captain – shall deputise for the 2nd XI Captain as necessary.
 - ix. Midweek Captain – shall be responsible for on field captaincy for the Midweek XI and Cup XIs (those not captained by the 1st XI captain) unless agreed otherwise. Shall be responsible for ensuring club code of conduct is adhered to by all players and supporters.
 - x. Junior Cricket Manager – shall be responsible for managing all cricket activities related to under 18/junior cricket. This shall also include undertaking and encouraging the use of all appropriate governing body guidance and policies associated with safeguarding children and vulnerable groups.
 - xi. Social Secretary(ies) – shall be responsible for arranging club events and fundraising.
- b) Honorary Officers
- i. Vice-President(s)

If further teams are established, a Captain and Vice-Captain shall be elected with responsibilities as 2nd XI and 2nd XI Vice-Captain respectively.

6. Election of Officers

- a) All Officers shall be elected at the Annual General Meeting of The Club from, and by, the members of The Club.
- b) All Officers 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.
- c) This shall also include Honorary Vice-Presidents, who shall be elected at the AGM in recognition of their moral, spiritual or financial support of The Club. This shall be a non-executive role.

7. Management Committee

- a) The affairs of The Club shall be conducted by a Management (General) Committee (the Committee) comprising the Executive Officers of The Club and appropriate other members elected from, and by, the Full Members of The Club. Only these members of the Committee shall be entitled to vote at Committee meetings.
- b) The Committee will be convened by the Secretary and shall meet at agreed intervals and not less than four times per year.
- c) The quorum required for business to be agreed at Committee meetings shall be half the number of Officers in post.
- d) The duties of the Committee shall be:
 - i. To control the affairs of The Club on behalf of the members.



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- 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 checked by a nominated member before every Annual General Meeting. The Club shall maintain a bank current account any cheques drawn against club funds should hold the signatures of the Treasurer plus up to two Officers (from President, Club Captain, Secretary, 1st XI Captain).
 - iii. To co-opt additional members of the Committee as the Committee feel is 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.
- e) 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.
- f) 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.
- g) 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.
 - xiii. 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.

8. General Meetings

- a) The Annual General Meeting of The Club shall be held each year not later than the end of January following the previous season. 21 clear days written notice of the Annual General Meeting shall be given to members by circulating a copy of the notice to every member at their home address and/or posting the notice on The Club notice board (inclusive of social media). 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.



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- b) The business of the Annual General Meeting shall be to:
 - i. Confirm the minutes of the previous Annual General Meeting and any General Meetings held since the last Annual General Meeting
 - ii. Receive the accounts for the year from the Treasurer
 - iii. Receive the annual report of the Committee from the Secretary
 - iv. Elect the Officers of The Club (i.e. President; Vice Presidents, Chair etc.)
 - v. Review club subscription rates and agree them for the forthcoming year
 - vi. Transact such other business received in writing by the Secretary from members a minimum of 14 days prior to the meeting and included on the agenda.
- c) Nominations of candidates for election of Offices 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.
- d) Special General Meetings may be convened by the Committee or on receipt by the Secretary of a request in writing from not less than (number) Full Members of The Club. At least 21 days notice of the meeting shall be given.
- e) At all General Meetings, the Chair will be taken by the President or, in their absence, one of the Vice-Chairs or by a deputy appointed by Full Members attending the meeting. Decisions made at a General Meeting shall be by a simple two thirds majority vote from those Full Members attending the meeting. In the event of equal votes, the Chair of the meeting shall be entitled to an additional casting vote.
- f) A quorum for a General Meeting shall be 15 Full (Ordinary) Members and any other categories of membership entitled to vote (as outlined by the membership section of this Constitution) and Officers of The Club including at least 2 from the Chair, Secretary and Treasurer.
- g) Each Full Member of The Club shall be entitled to one vote at General Meetings.

9. Amendments to the Constitution

- a) Any proposed amendments to the Club Constitution may only be considered at an Annual or Special General Meeting, convened with the required written notice of the proposal. It is acceptable for the Special General Meeting to be held via conference call or equivalent.
- b) 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.

10. Finance

- a) All club monies shall be banked in an account in the name of The Club.



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- b) 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.
- c) The Treasurer (in conjunction with other members of the committee) shall ensure that the club maintains adequate and appropriate insurance to cover the activities of The Club.
- d) The financial year will end on 31st December each year.
- e) The Treasurer will present a statement of annual accounts at the Annual General Meeting.
- f) Any cheques drawn against club funds should hold the signatures of the Treasurer plus up to two Officers (from President, Club Captain, Secretary, 1st XI Captain).

11. Property and Funds

- a) 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.
- b) The Club may also in connection with the sports 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).

12. Discipline and Appeals

- a) All complaints regarding the behaviour of members should be lodged in writing with the Secretary.
- b) 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.
- c) 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 7 days following the hearing.
- d) 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 7 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



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Appeals Committee shall be final and binding on all parties.

13. Dissolution

- a) 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.
- b) If at that Special Meeting, the resolution is carried by at least two-thirds (three quarters) 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.
- c) The Committee will then be responsible for the orderly winding up of The Club's affairs.
- d) After settling all liabilities of The Club, the Committee shall dispose of the net assets remaining to one or more of the following:
 - i. to another club with similar sports purposes which is a registered charity and/or
 - ii. to another club with similar sports purposes which is a registered Community Amateur Sports Club and/or
 - iii. to The Club's governing body for use by them for related community sports.

14. Declaration

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

SIGNED (CLUB PRESIDENT)

NAME

DATE

SIGNED (CLUB CAPTAIN)

NAME

DATE

SIGNED (CLUB SECRETARY)

NAME

DATE