



## OD CUACO CRICKET CLUB

The Clubhouse, St Dunstan's Lane, Park Langley, Beckenham, Kent BR3 3SS  
020 8650 1779

# THE CLUB CONSTITUTION

(As amended and approved at an EGM – May 2017)

### DEFINITIONS

*The Club - The OD Cuaco Cricket Club.*

*The Management Committee - The Committee of the Club.*

*Officer of the Club - A member of the Committee of the Club.*

*The Colts Section - The Colts Section of the OD Cuaco Cricket Club.*

*The Association - The Old Dunstonian Association.*

*The Sports Club - The Old Dunstonians Sports Club Limited.*

*The House Club - The Old Dunstonian House Club.*

*The Ground Committee - The Ground Committee of the Old Dunstonians Sports Club Limited.*

*Simple majority - More than 50% of votes cast. The Chairman of the meeting shall have a casting vote.*

*Special majority - Two-thirds or more of votes cast. The Chairman of the meeting shall have a casting vote.*

*Postal vote - A written indication of vote received by the Honorary Secretary.*

### 1. THE CLUB

The OD Cuaco Cricket Club shall:

- (i) Be affiliated to the England and Wales Cricket Board (ECB) through the Kent Cricket Board.
- (ii) Be a member of the Club Cricket Conference, the Kent Cricket Board, the Kent Cricket League, the Kent Regional Cricket League, the South London Sunday League and the North Kent Junior League.
- (iii) Be based at the Old Dunstonians Sports Ground at Park Langley, Beckenham, Kent.
- (iv) Maintain a Colts Section for junior players up to the age of 16 years. The Section shall be at all times an integral part of the Club and governed by this Constitution. It shall be a member of the North Kent Junior League.
- (v) Maintain an open-ended rental agreement with the Sports Club for the use of the Park Langley Ground and Clubhouse facilities thereby entitling it to elect 4 representatives to the Sports Club Limited Company Board of Directors and one each to the House Club and the Association.

### 2. AIMS & OBJECTIVES

The aims and objectives of the Club shall be to:

- (i) Foster and promote the sport of cricket at all levels within the community and within the sport, providing opportunities for recreation, coaching and competition.
- (ii) 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.
- (iii) The Club shall adopt and implement the ECB Safe Hands – Cricket's Policy for Safeguarding Children and any future versions of the policy. The Club shall also adopt and implement both the ECB's One Game Strategy and the Club Inclusion and Diversity Policy and any future versions of these documents.

- (iv) Encourage all Members to participate fully in the activities of the Club.

### **3. MEMBERSHIP**

The principles of Membership of the Club shall be:

- (i) Membership is open to anyone interested in the sport of cricket, including all persons irrespective of gender, age, disability, ethnicity, nationality, sexual orientation, religion or beliefs.
- (ii) Membership will be granted on satisfactory completion of a Club Membership Application form and payment of the relevant subscription as determined at the Club's AGM.
- (iii) All Members of the Club shall, on acceptance into membership and without exception, become members of the Sports Club and, as such, entitled to use all the facilities of the Clubhouse and Ground.
- (iv) No person shall be eligible to take part in the business of the Club or for selection for any Club team unless the appropriate subscription has been paid for the season or Honorary Membership has been agreed by the Management Committee.
- (v) By joining the Club, all Members shall be deemed to have accepted in full the provisions of this Constitution and any Codes of Conduct the Club has adopted.

### **4. CLASSES OF MEMBERSHIP**

There shall be three classes of Club Membership available.

#### **a. Classes**

- Senior Member.
- Colts Member.
- Honorary/Life Member.

- (i) A list of Members in each category shall be maintained by the Hon Treasurer of the Club.

#### **b. Senior Members**

A new Senior Member shall be both proposed and seconded by Senior Members and granted membership on payment of the appropriate subscription.

#### **c. Colts Members**

A Colts Member shall be granted membership on registration with the Club's Colts Section.

#### **d. Life and Honorary Members**

Life and Honorary Members shall consist of:

- (i) The President – elected from the membership by Members at an AGM.
- (ii) Past Presidents / Chairmen – all Past Presidents of the Old Dunstonian Cricket Club and Past Chairmen of the Cuaco Cricket Club prior to the merger of the two clubs in 2001.
- (iii) Vice Presidents – a Vice President shall be both proposed and seconded by Senior Members and shall be approved by a special majority at an AGM.
- (iv) Life Members - a Life Member shall be both proposed and seconded by Senior Members and shall be approved by a special majority at a meeting of the Management Committee.
- (v) Honorary Members – an Honorary Member shall be both proposed and seconded by Senior Members and shall be approved by a special majority at a meeting of the Management Committee.

### **5. COLTS SECTION**

Members shall be appointed to a Colts Section Management Committee to oversee all activities of the Section. Members so appointed shall elect one of their number to chair the Colts Section Management Committee meetings.

#### **a. Management**

- (i) The day-to-day running of the Colts Section shall be carried by the Club's appointed Colts Manager under the guidance of the Colts Section Management Committee.
- (ii) The composition of, and any changes to, the Colts Section Management Committee shall be formally approved by the Club Management Committee.
- (iii) The Colts Manager and the Club's Welfare Officer shall at all times be members of the Club Management Committee.
- (iv) All matters relating to the welfare of Colts players as required by law or regulation shall be the direct and personal responsibility of the Club's appointed Welfare Officer.

## **b. Administration**

- (i) The Colts Section Management Committee shall be responsible to the Club Management Committee for the management of the administration and finances of the Section.

## **c. Dissolution**

Upon the dissolution or formal winding up of the Colts Section and after all outstanding liabilities and debts have been met satisfactorily, the Management Committee shall dispose of the net remaining assets of the Club by assigning them for the benefit of colts cricket in the Club's local community.

## **6. SUBSCRIPTIONS**

Annual subscription rates for Membership of the Club shall be kept at levels that will not pose a significant obstacle to participation. Subscription rates shall be agreed for each season at the AGM which may, if so decided, delegate this task to the Management Committee.

### **a. Rates**

- (i) Subscriptions shall be payable as follows:
  - *Full subscription* - Senior Members.
  - *Half subscription* - Senior Members at school or in full-time higher/further education.
  - *Colts subscription* – Colts Members. An inclusive subscription which covers the individual Colts Member and his/her immediate family.
  - *Recommended minimum voluntary donation* - All non-playing Members, including Life and Honorary Members.
- (ii) The Management Committee may, at its discretion, lower but not raise individual subscriptions depending on personal circumstances.
- (iii) The Management Committee shall establish for each season discounts for prompt payment of the Full & Half rates which shall be operated on subscriptions paid by standing order or before 1st June in any year.

### **b. Players' Match Fees**

- (i) Match fee rates shall be established prior to the start of each season by the AGM which may, if so decided, delegate this task to the Management Committee. Match fee rates may only be varied subsequently with the prior agreement of the Management Committee.
- (ii) The standard match fee shall be payable by any guest player representing the Club.
- (iii) Colts Members who have paid their Colts Subscription may play for a senior team without payment of a further subscription but shall pay a match fee at half the Playing Member rate.
- (iv) Team captains shall be personally responsible for the collection of match fees from each player and for their transmission to the Hon Treasurer.

## **7. OFFICERS, ELECTIONS & APPOINTMENTS**

Officials of the Club shall be elected annually for a period of one year by the Members at the Annual General Meeting or be appointed by the Club's Management Committee. They shall be eligible for re-election to any office on completion of their year's service.

### **a. Officers**

The following Officers of the Club shall be elected annually from among the current Membership at the Annual General Meeting:

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|--|---|
| (i) The President.                       | (vii) The Chairman of Selectors.        |
| (ii) The Executive Chairman.             | (viii) The Hon Fixture Secretary.       |
| (iii) The Honorary Secretary.            | (ix) The Colts Manager.                 |
| (iv) The Honorary Treasurer.             | (x) The Sports Club Nominees (four).    |
| (v) The Captain of the Club.             | (xi) The House Club Nominee (one).      |
| (vi) Senior Team Captains/Vice-Captains. | (xii) The OD Association Nominee (one). |

### **b. Other elected posts**

The following shall also be elected annually from among the current Membership at the Annual General Meeting:

- (i) Additional Vice-Presidents - such appointments shall be for life.
- (ii) An Honorary Auditor who shall not be a current Club Member.

### **c. Appointments**

The following appointments shall be made annually from among the current Membership by the Management Committee:

- (i) The Hon Team Secretary.
- (ii) The Hon Social Secretary.
- (iii) The Ground Committee Nominee (one).
- (iv) The Welfare Officer.

## **8. MANAGEMENT**

The Club shall be managed by a Management Committee which shall meet regularly and not four times a year to conduct the business of the Club. Only members of the Management Committee shall be entitled to vote at its meetings. All issues pertaining to playing and coaching at the club will be the responsibility of the Playing/Coaching Committee

### **a. The Management Committee**

(i) The Management Committee shall consist of the following Club Officers elected at the AGM:

- The Executive Chairman (Chairman).
- The Hon Secretary.
- The Hon Treasurer.
- The Club Captain.
- The Chairman of Selectors.
- The Team Captains.
- The Colts Manager.

And the following appointed officials:

- The Playing/Coaching committee Chairman.
  - The Welfare Officer.
  - A sports Club Nominee.
  - The Colts Committee Chairman.
- (ii) The Management Committee may co-opt individual Members to serve in its number as non-voting advisers. Members thus co-opted shall not be Officers of the Club. Such co-options shall be carried by a simple majority.
  - (iii) A quorum of three Club Officers shall be required for each Management Committee meeting.
  - (iv) The Hon Secretary shall keep records and minutes of each Management Committee meeting and distribute such minutes to all Management Committee members prior to its next meeting.

### **b. Sub-Committees**

- (i) The Management Committee may establish and supervise standing sub-committees to handle specialist areas of the Club's business.
- (ii) Sub-Committees may co-opt Members at their discretion.
- (iii) Sub-Committees shall be answerable to the Management Committee at all times.

### **c. President's Advisory Group**

An informal President's Advisory Group shall be maintained by the Club's Management Committee with the specific role of addressing strategy on the future of the Club. The Group shall:

- (i) Discuss and bring forward ideas and proposals for the Club's future development and recommend them to the Management Committee with options on suitable courses of action.
- (ii) Have no separate executive powers but act at all times only through the Management Committee whose decision on any Group recommendation shall be final.
- (iii) Meet not less than three times a year.
- (iv) Consist of:
  - The Club President.
  - The Executive Chairman.
  - The Club Captain.
  - The Hon Secretary.
  - The Chairman of the Colts Section Management Committee
  - A co-opted current Senior Member of the Club.

#### **d. Team selection**

Team selection shall be conducted by a special Sub-Committee of the Management Committee chaired by the Chairman of Selectors and consisting of Team Captains.

- (i) *Voting*  
Decisions shall be reached by simple majority where necessary, the Chairman of Selectors having a casting vote.
- (ii) *Eligibility*  
All paid up Senior Members shall be eligible for selection without qualification. Any player who has not paid their subscription by the end of the first full weekend in June shall not be selected for club matches until payment is made. New Senior Members shall be eligible for selection for the 1<sup>st</sup> XI only on completing two games for any other Club teams.
- (iii) *Availabilities*  
Team captains shall be solely responsible for obtaining and confirming players' availabilities.

#### **e. Overseas players**

Overseas Players – as defined in the constitutions of the Kent Cricket League and the Kent Regional Cricket League - shall be invited to play for the Club at the sole discretion of the Management Committee.

- (i) *Conditions*  
The conditions under which Overseas Players play for the Club shall be determined by the Management Committee.
- (ii) *Selection*  
The selection of Overseas Players for Club teams shall be subject to any limitations specified by the Leagues to which the Club is affiliated.
- (iii) *Club Membership*  
Overseas Players taken on by the Club shall be Members only for the season for which they are engaged.
- (iv) *Rules*  
Overseas Players shall be subject to all the rules of the Club Constitution during the period in which they are invited to play for the Club.

#### **f. Playing/Coaching Committee**

- (i) The Playing/Coaching Committee shall be answerable to the Management Committee and consist of the following club members:
  - The Playing/Coaching Committee Chairman (appointed by Management Committee).
  - The Head Coach.
  - The Adult Club Captain.
  - Hon Fixture Secretary.
  - All Adult Team Captains.
  - All Qualified Club Coaches
  - The Colts Manager.
- (ii) The Playing/Coaching Committee shall meet no fewer than four times per season before a Management committee meeting.

### **9. GOVERNANCE**

The Club shall be governed by a written Constitution.

#### **a. The Constitution**

- (i) *Amendments*  
The Constitution of the Club shall only be amended by the Club's Annual General Meeting or by an Extraordinary General Meeting specially convened for the purpose.
- (ii) *Requirements*  
All proposed amendments shall meet the requirements of section 9(b) of this Constitution.
- (iii) *Majority*  
All proposed amendments shall be carried by special majority.

## **b. General Meetings**

The Club shall hold an Annual General Meeting of Members not later than the end of November of each year and may convene Extraordinary General Meetings as required to conduct the business of the Club.

(i) *Due Notice*

Notice of a General Meeting shall be sent to all Members. Notification via the Club Fixture Card or the Clubhouse Notice Board shall not constitute proper notice of a General Meeting. Notice of a General Meeting shall carry details of all proposed Constitutional amendments and candidates for election including the names of proposer and seconder. Such proposals must be received in writing by the Honorary Secretary not less than 21 days before the date of the General Meeting which shall not consider any proposal not satisfying these requirements. In the event of no nominations being received for any post, the Management Committee shall appoint to that post at its discretion.

(ii) *Chairman*

The President of the Club shall chair General Meetings of the Club. He may, at his sole discretion, nominate an Officer of the Club to chair a General Meeting or any part thereof. The Chairman shall only have a casting vote.

(iii) *Voting*

Any Member whose subscription is unpaid shall not be entitled to vote. A Member shall not be entitled to appoint a proxy to vote on his behalf in his absence. A formal secret ballot of those entitled to vote at an AGM or an EGM shall be called on any matter where a vote is required.

(iv) *Quorum*

A quorum of 10 voting Members shall be required for a General Meeting and must include at least three Officers of the Club.

(v) *Majorities*

All proposals other than those relating to the Constitution shall be carried by a simple majority. Proposals amending the Constitution shall require a special majority.

(vi) *Postal votes*

Postal votes must be received by the Honorary Secretary not less than seven days before a General Meeting. Details of postal votes shall not be divulged to the Meeting until a vote on the business to which they relate has been taken among those present.

## **c. Annual General Meeting**

(i) The business of the AGM shall be to:

- Approve minutes of the previous AGM.
- Receive the Hon Secretary's report.
- Receive the Hon Treasurer's report and approve the Accounts.
- Elect the Officers of the Club.
- Elect the Hon Auditor.
- Elect Senior Team Captains and Vice Captains.
- Elect new Vice Presidents.
- Consider proposed amendments to the Constitution.
- Set subscription rates for the ensuing year or agree to delegate this task to the Management Committee.
- Confirm the date of the next AGM.
- Consider any other business.

(ii) *Notice of AGM*

Members shall receive not less than 14 days' formal notice of an AGM. Should the date of an AGM be changed for any reason, Members shall be notified of the change not less than six weeks prior to the new date.

## **d. Extraordinary General Meeting**

(i) An EGM may be called by the Management Committee or by not less than ten voting Members of the Club of whom not less than seven shall be Senior Members.

(ii) *Notice of EGM*

Members shall receive not less than 14 days' formal notice of an EGM which shall only consider business detailed in that notice.

## **10. FINANCES**

All surplus income or profits generated through the Club's activities shall be re-invested in the Club and no surpluses generated by the Club nor any of its assets shall be distributed to members or third-parties.

### **a. Accounts, Audit and Banking**

- (i) The Hon Treasurer shall be held responsible for the proper conduct of the Club's finances and shall keep all books as necessary, preparing Accounts for each year ended 30th September.
- (ii) The Hon Treasurer shall ensure that the Club Accounts are submitted to audit by the Hon Auditor.
- (iii) Audited Accounts shall be presented to all Members for approval at the AGM.
- (iv) The Club shall hold an account with a Bank nominated by the Management Committee.
- (v) The signatories to the Club bank account shall be the Hon Treasurer, the Hon Secretary and the President.
- (vi) All cheques for amounts over £100 shall require two signatures.

### **b. Payments and expenses**

The Management Committee shall be solely responsible for agreeing payments and reimbursing Members' out-of-pocket expenses by the Club.

- (i) *Payments*  
Payment to Club umpires and scorers shall be permitted at rates set by the Management Committee.
- (ii) *Voluntary work*  
No Club Members other than umpires and scorers shall be paid either for playing or for voluntary work undertaken on behalf of the Club.
- (iii) *Expenses*  
Members may be reimbursed for out-of-pocket expenses incurred on behalf of the Club.

## **11. PROPERTY AND FUNDS**

The property and funds of the Club shall not be used for the direct or indirect benefit of Members and all surplus income or profits shall be reinvested in the Club. The Club may in connection with its sporting purposes:

- (i) Sell and supply food and related sports clothing and equipment.
- (ii) Raise funds for the Club through the organisation of social and other events.
- (iii) Contract Members and remunerate them for providing goods and services, on fair terms set by the Management Committee.
- (iv) Pay for reasonable hospitality for Visiting Teams and Guests.
- (v) Indemnify the Management Committee and Members acting properly in the course of running of the Club against any liability they may incur but only to the extent of its assets.

## **12. DISCIPLINE & APPEALS**

The Club may refuse membership to an individual or expel a Member from membership only for good and sufficient cause.

- (i) *Management Committee powers*  
The Management Committee shall have the sole power to suspend or expel a Member from membership of the Club. Such a decision shall require a special majority at a Management Committee meeting.
- (ii) *Notice*  
All complaints regarding the behaviour of Members must be lodged in writing with the Club Hon Secretary and shall be heard within 14 days of receipt, if necessary by holding a specially-convened meeting of the Management Committee.
- (iii) *Grounds*  
A Member may be suspended or expelled from Club membership if their conduct or character is judged by the Management Committee to be likely to bring the Club or the sport of cricket into disrepute. A Senior Member may be suspended from Club membership and thus team selection while his current subscription remains unpaid.
- (iv) *Right of Appeal*

Any Member who may be subject to suspension or expulsion by the Management Committee shall have the right to attend and be heard at the Management Committee meeting considering the matter. He shall also have the right to appeal to an Extraordinary General Meeting (EGM) of Members against any ruling by the Management Committee and the Management Committee shall be obliged to convene such a Meeting if requested by the Member. The Member's Appeal shall be heard at the EGM and decided by a simple majority of Members voting at the Meeting.

(v) *Suspension and reinstatement*

A Member's suspension shall remain in force unless and until he is reinstated by an EGM of Members whose decision shall be final. A Member may resume Membership on completion of any suspension period.

(vi) *Expulsion*

Members expelled at an EGM by the Club for any reason shall not be re-admitted to Membership.

### **13. DISSOLUTION**

A formal resolution put to the AGM or a specially-convened EGM shall be required to call for the dissolution of the Club.

(i) *Second Meeting*

If the first resolution is carried by a simple majority, a further EGM shall be called not less than one month thereafter to discuss the proposal further and to confirm or reject a second resolution to go into dissolution, this time by a special majority.

(ii) *Realising assets*

If that second resolution is carried by the required majority, the Management Committee shall immediately, or by such date specified in the resolution, proceed to realise the assets of the Club and to discharge all the debts and liabilities of the Club.

(iii) *Winding up*

The Management Committee shall be solely responsible for the orderly winding up of the Club's affairs.

(iv) *Disposal of net assets remaining*

After settling all the Club's liabilities, the Management Committee shall dispose of the net remaining assets of the Club by assigning them for the benefit of colts cricket in the Club's local community.

### **14. DECLARATION**

This Constitution adopted and accepted as the definitive current document regulating the actions of the Club and its Members.

Signed

R Q Rangecroft  
Club President  
Date 3/5/2017

A W Rouse  
Club Executive Chairman  
Date 3/5/2017

A S Parker  
Club Hon Secretary  
Date 3/5/2017