



TUNBRIDGE WELLS CRICKET CLUB

Established before 1782

CONSTITUTION & RULES

Last updated 17th February 2021

CONSTITUTION & RULES

1. Title

Tunbridge Wells Cricket Club (hereinafter referred to as 'the Club'), is an independent unincorporated club.

1. Aims & Objectives of the Club

- (a) Actively to promote participation in the game of cricket in all forms at all levels within the whole community, having regard to the Laws of Cricket as published by the Marylebone Cricket Club (MCC);
- (b) To provide cricket and social amenities for all Members of the Club;
- (c) To ensure a duty of care to the Members of the Club; to this end the Club has adopted and implemented the England and Wales Cricket Board (ECB) 'Safe Hands - Cricket's Policy for Safeguarding Children', and will similarly adopt and implement any future versions of this Policy;
- (d) To provide the Club's services in a way that is fair to everyone;
- (e) To ensure that all present and future Members receive fair and equal treatment;
- (f) To promote the Club within the whole of the local community.

2. Amateur Status

At all times the Club shall operate as an Amateur Cricket Club; the Officers of the Club and all Members will safeguard amateur status by ensuring that :-

- (a) any surplus income or surplus gains are reinvested in the Club;
- (b) no Club assets, whether in cash or in kind, are distributed or paid away to anybody or person or Member or third party (but this shall not prevent the Club from making donations to charities or other amateur cricket clubs);
- (c) no Member shall be employed or remunerated by the Club for the provision of any goods or services, other than on a strictly arm's length basis.

The provisions above shall not prevent the Club from providing to its Members :-

- (i) suitable facilities and equipment and ensuring that such facilities and equipment are properly maintained;
- (ii) qualified coaches or coaching courses, including reimbursement of reasonable costs incurred for attending such coaching courses;
- (iii) the reimbursement of reasonable travel expenses incurred by players and officials travelling to away matches;
- (iv) insurance cover and medical treatment;
- (v) reasonable post-match refreshments for players and match officials;
- (vi) the sale or supply of food or drink as a social adjunct incidental to the Club's sporting purposes.

3. Membership of the Club

- (a) The principles of equality of opportunity will be applied and membership of the Club shall be open to all persons irrespective of age, gender, disability, race, ethnicity, nationality, colour, parental or marital status, pregnancy, religious belief, class and/or social/economic background, sexual preference or political belief; this includes job applicants, employees, participants, volunteers, and spectators;
- (b) The Club shall consist of a President, Honorary Life Vice-Presidents, Vice-Presidents, Playing and Social Members, and Affiliated Members;
- (c) Application for Playing and Social Membership is open to all; the General Committee Membership Secretary will deal with all these applications. Playing Membership shall be accorded to any designated Overseas player(s) contracted by the General Committee. Membership applications that are declined will have a right of appeal to a separate appeals panel;
- (d) Honorary Life Vice-Presidential Membership may be accorded by the Club at the Annual General Meeting to officials who have rendered outstanding service to the Club, or regularly have performed duties essential to the functioning of the Club;
- (e) Members of other Clubs who visit the Club premises to take part in or to watch any matches, competitions or similar events may be authorised by the General Committee, to be admitted to the Premises on the day of such visit only, and to purchase intoxicating liquor for on-site consumption only. A Member of such other Club shall, if required, produce evidence of their membership of such other Club;
- (f) Affiliated Membership may be accorded by the General Committee to Playing, Social and Honorary Members of the Tunbridge Wells Hockey Club.

4. Officers of the Club

The Officers of the Club shall be elected annually and shall consist of the President, Chairman, Honorary Secretary, Honorary Treasurer, Membership Secretary, Head of Youth Cricket, Head of Women's Cricket, Head of Open Age Cricket, Chairman of Selectors, Safeguarding & Welfare Officer, Open Age Fixtures Secretary, Youth Fixtures Secretary & Website Manager, Tunbridge Wells Borough Council Liaison Manager, Sponsorship Manager, Results & Archive Records Administrator; the General Committee quorum shall be three; other Members may be co-opted by the General Committee, if necessary.

5. Subscriptions

- (a) The Playing and Social subscriptions shall be determined at the Annual General Meeting;
- (b) No subscription payments shall be required from Honorary Life Vice-Presidents, or from Vice-Presidents, or from Affiliated Members;
- (c) The General Committee may, at its discretion, waive or reduce a Playing subscription where a Member through illness or other causes beyond their control is unable to play regularly;
- (d) Subscriptions shall be payable to the Treasurer on or before 1st June each year. The General Committee shall have power to refuse the facilities of the Club to Members who do not comply with this Rule;
- (e) Any Playing Member whose subscription is not paid in accordance with these Rules, then the Selection Committee shall have the right to not consider the Member for team selection.

6. Cessation of Membership

- (a) Resignation from membership shall be communicated to the General Committee. If it is tendered after the start of the playing season, then the Member may remain liable for payment of their subscription;
- (b) A Member may be asked to resign by the General Committee if, in its opinion, the Member has been guilty of conduct liable to bring discredit to the Club;
- (c) The General Committee shall have the right to cancel the membership of any Member whose subscription remains unpaid at the end of the Club's financial year on 30th September;
- (d) No Member resigning from the Club or having their membership cancelled shall have any claim whatsoever on the Club or its assets.

7. General Committee & Selection Committee

- (a) The General Committee shall be responsible for the control and management of the Club. It shall have powers to co-opt, to fill any vacancy occurring in its body from time to time, and to appoint sub-committees it considers necessary; its decision on matters not covered by these Rules shall be final;
- (b) The General Committee shall have the power to invite any Member of the Club to attend its meetings and to take part therein as the General Committee shall think fit (such persons shall not, however, have the right to vote at General Committee meetings);
- (c) The General Committee shall meet at least once a month during the season and at such other times as it considers necessary;
- (d) The General Committee shall be responsible for the interpretation of this Constitution and shall decide on any matter on which the Constitution is silent;
- (e) The Selection Committee shall consist of the Captains of the Adult Elevens and the Chairman of Selectors, and shall be responsible for the selection of the teams. The Selection Committee shall meet on Monday evenings throughout the season; The Selection Committee quorum shall be two.

8. General Meetings

- (a) The Annual General Meeting shall be held not later than 31st December in each year. Ten clear days' notice shall be given to the Members. Notice of the Annual General Meeting will include the Annual Report of the General Committee, the Statement of Accounts and details of all issues/matters to be discussed with sufficient depth, so as to provide Members with an informed decision as to whether they would like to attend. The Annual General Meeting must have a quorum of ten Members of the Club;
- (b) The Annual General Meeting shall confirm the Minutes of the previous AGM, confirm the Report and Statement of Accounts, elect Officers and an independent Examiner of Accounts for the current year, fix subscriptions and honoraria, make alterations to the Rules (provided that two-thirds of the Members present are in favour of the alterations) and transact any other business brought before it;
- (c) The General Committee may call an Extraordinary General Meeting on 14 days' notice at any time and shall do so on receiving a requisition signed by fifteen Members of the Club, or one-fifth of the total number of Members entitled to vote at a General Meeting, whichever is the less;
- (d) The Minutes of all General Committee Meetings shall be recorded by the Secretary who shall deliver them to the General Committee prior to the next corresponding meeting, which shall confirm or amend them, whereupon they shall be signed by the Chairman and shall be conclusive evidence of the correctness of the proceedings recorded;
- (e) At an Annual or Extraordinary General Meeting, voting shall be confined to Members and shall be by a show of hands, unless a ballot is proposed and seconded by the Members present. Affiliated Members shall not be entitled to attend or vote at General Meetings.

9. Accounts

- (a) The Treasurer shall present a Statement of Accounts made up to 30th September of the preceding year to the Annual General Meeting. The Statement shall have been examined by the Independent Examiner of Accounts appointed at the previous Annual General Meeting;
- (b) The Club shall maintain a banking account in the name of 'Tunbridge Wells Cricket Club' into which all monies received shall be paid. All accounts shall be passed by the General Committee and paid by inter-bank transfer, or cheques signed by the Treasurer and counter-signed by the Chairman or Secretary.

10. Club Colours

The colours of the Club shall be Red, Dark Blue, and Light Blue.

11. Club Premises

- (a) The Club premises shall be open to Members on such days and between such hours as the General Committee shall from time to time determine. The General Committee may close the Club's premises for such times as they may deem necessary;
- (b) The purchase for the Club and the supply by the Club of intoxicating liquor shall be managed by an elected sub-committee to be known as the Bar Sub-Committee. The Bar Sub-Committee shall be appointed by the General Committee following the Annual General Meeting each year and shall consist of at least three and not more than five Members. Intoxicating liquor shall not be supplied to Members on the premises otherwise than by or on behalf of the Club. No person shall receive at the expense of the Club any commission percentage or similar payment on or with reference to purchase of such liquor by the Club. Any pecuniary benefit derived from the supply of intoxicating liquor shall accrue to the Club as a whole and be enjoyed by the Members in such manner as the General Committee in their discretion think proper;
- (c) The hours for the supply of intoxicating liquor on the Club premises shall be such as the General Committee shall from time to time determine subject to the provisions of the Licensing Act 1964, and as notified to the Magistrates' Clerk. Intoxicating liquor for consumption off the premises shall be supplied only to a Member in person.

12. Equity Policy Statement

- (a) The Club is committed to the ECB Inclusion & Diversity Policy and all future versions of such, ensuring that equity is incorporated across all aspects of its development. The Club acknowledges and adopts Sport England's definition of Sports Equity relating to fairness in sport, equality of access, recognising inequalities and taking steps to address them; it is about changing the culture and structure of sport to ensure it becomes equally accessible to everyone in society;
- (b) The Club respects the rights, dignity, and worth of every person and will treat everyone equally within the context of their sport, regardless of age, gender, disability, race, ethnicity, nationality, colour, parental or marital status, pregnancy, religious belief, class, social and/or economic background, sexual preference or political belief;
- (c) The Club is committed to everyone having the right to enjoy their sport in an environment free from threat of intimidation, harassment, and abuse. Members have a responsibility to oppose discriminatory behaviour and promote equality of opportunity;
- (d) The Club will deal with any incidence of discriminatory behaviour seriously, according to the Club's Disciplinary procedures.

13. Personal Data Protection Policy

- (a) Personal data is vital to the Club because it allows the Club to manage effectively its relationship with all those individuals involved with the Club - Members, Members' parents and the Club's officers. However, it is important to balance this relationship with the need to respect the privacy of individuals and to keep their data safe;
- (b) The Club has a Data Protection Policy which sets out the policies and processes that the Club have in place to ensure that it complies with the UK Government's "General Data Protection Regulation" (GDPR), which came into effect on 25th May 2018. The Secretary's role also includes the role of Personal Data Protection Officer.

14. Discipline

- (a) Any case of misconduct by a Member either on the premises of the Club or whilst participating or watching a match in which one of the teams of the Club is participating, may be dealt with immediately by any two members of the General Committee, who shall have the power to suspend and/or exclude the offending Member for up to seven days and shall immediately report the misconduct to the General Committee in writing;
- (b) The General Committee shall appoint a Disciplinary Sub-Committee who will meet to hear the complaint within seven days of the complaint being lodged. The Disciplinary Sub-Committee shall have the power by majority vote to suspend or exclude from membership of the Club, any Member found guilty of misconduct for such period as may be deemed reasonable (having due and proper regard to the misconduct in question);
- (c) A Member shall not be suspended or excluded unless first given written notice to attend a meeting of the Disciplinary Sub-Committee and is given written details of the complaint. The outcome of the Disciplinary Hearing shall be put in writing to the Member involved within seven days following the Disciplinary Hearing;
- (d) There shall be a right of appeal to the General Committee against either the finding or the sanction imposed or both following the Disciplinary Hearing. The General Committee shall appoint an Appeals Sub-Committee which shall not include any of the persons involved with the initial Disciplinary Hearing, but may include non-members of the Club;
- (e) The Appeals Sub-Committee shall consider the appeal within seven days of the Club receiving the appeal, and the Member submitting the appeal shall be entitled to attend and be accompanied by another representative person, and to call witnesses;
- (f) The decision in writing of the Appeals Sub-Committee shall be final and binding on all parties.

15. Circulation and Alterations of The Rules

- (a) The Club Rules shall be available for viewing on the Club website by all Members and their presence on the Club website shall be evidence of their being within the knowledge of the Members concerned, who shall be held fully bound thereby;
- (b) Alteration in the Rules shall take place only at a Annual General Meeting of the Club. The proposed alterations must be circulated with the notice convening the Annual General Meeting of the Club, and to be passed must receive the support of two-thirds of the Members present.

16. Dissolution of the Club

- (a) If at any General Meeting of the Club, a resolution is passed calling for the dissolution of the Club, the Secretary shall immediately convene an Extraordinary General Meeting of the Club to be held not less than one month thereafter to discuss and vote on such a resolution;
- (b) If at that Extraordinary General Meeting, the dissolution resolution is carried by at least three quarters of the Membership entitled to vote and present at that Extraordinary General Meeting, the General Committee shall thereupon, or at such date as shall have been specified in the resolution, proceed with the orderly winding up of the Club's affairs by realising the assets of the Club and discharging all debts and liabilities of the Club;
- (c) After settling all liabilities of the Club, the General Committee shall dispose of the net assets of the Club remaining to one or more of the following :-
 - (i) To another club with similar cricketing purposes in the local vicinity;
 - (ii) To the England & Wales Cricket Board.