

**ST FAGANS CRICKET CLUB**  
**CONSTITUTION**

1. **NAME:** The Club shall be called “St Fagans Cricket Club”.
2. **OBJECTS:** The objects of the Club shall be the pursuit and encouragement of any amateur game or sport but primarily cricket and the provision of such amenities for members as are approved by the Management Committee.
3. **COLOURS :** The Club colours shall be light-blue, cerise and dark-blue.
4. **MEMBERSHIP:**
  - (a) Honorary Life Members shall be such persons as to have been or may be nominated by the Management Committee in its absolute discretion whom the Committee considers will add distinction to the Club or be deserving of it honour by outstanding service to the club.
  - (b) Paid- up Life Members shall be such persons who have or may be so appointed by the Management Committee having paid such fee as the Committee shall from time to time set.
  - (c) Vice-Presidents shall be such persons who have been nominated by the Management Committee and elected at the Club Annual General Meeting, each year they shall be a member until the next Annual General Meeting and eligible for re-election.
  - (d) Associate Members shall be non-playing members who should be at least 18 years of age at the time of acceptance for membership.
  - (e) Playing Members are in the following categories of playing members, age on the 1<sup>st</sup> of January past to be applicable in relation to the calculation of subscription payable:
    - (i) Senior- age 18 years or over
    - (ii) Student – age 18 or over and in full time education
    - (iii) Junior – age 16-17
    - (iv) Junior – age 15 and under.
  - (f) Parents/guardians/carers of junior members will have automatic non-voting membership as part of their child’s junior membership.

**5. ELECTION AND DUTIES OF MEMBERS**

- (i) Members (except Vice-Presidents) shall be elected by the Club Management Committee.
- (ii) Any person may apply for membership at the club regardless of sex, age, disability, ethnicity, nationality, sexual orientation, religion or other beliefs by a written application to the Club Secretary for consideration by the Management Committee at the next meeting of the Committee. The decision of the Committee is to be made by a simple majority vote. The Club Committee may refuse membership only for good cause such as conduct or character likely to bring the Club into disrepute. Appeal against refusal may be made to the Members.
- (iii) The club will ensure a duty of care to all members, by adopting and implementing the ECB Cricket Equity Policy and any future versions of the Policy.
- (iv) All members shall be bound by the Club Rules, and shall be responsible for notifying the Secretary of their address or changes of address.

- (v) As a condition of membership all Senior Playing members and Student members will be required to undertake some form of service as determined by the Management Committee to assist in the running of the Club. (EGM 2000).

## **6. SUBSCRIPTIONS**

The entrance fee (if any) and subscriptions (and match fee for playing members) shall be fixed from time to time by the Management Committee. Annual subscriptions shall become due on the 1st of January each year and be payable by April 1st each year except in the case of newly elected members entrance fees and subscriptions shall be payable immediately upon election. An additional fee may be levied for the late payment of the annual subscription. The club will keep subscriptions at levels that will not pose a significant obstacle to people participating.

## **7. EXPULSION AND SUSPENSION OF MEMBERS**

The Management Committee may expel or suspend any member from membership of the Club if in the opinion of the Committee the member is in breach of these rules or a regulation which may be prescribed by the Committee or is guilty of misconduct or otherwise acting in a manner deemed inconsistent with the interests of the Club. Before any such member is expelled or suspended he shall be given 14 days notice in writing by the Secretary or Chairman to attend a meeting of the Management Committee, such notice informing him of the complaints made against him. No member shall be expelled or suspended without first having an opportunity to appear before the Committee and answering the complaints against him, nor unless at least two thirds of the Committee present vote in favour of his expulsion or suspension as the case may be. Except in the case of a Junior boy or girl member the Committee shall not be bound to follow above procedures and may simply notify the Junior boy or girl of his or her expulsion or suspension.

## **8. REGISTRATION, TERMINATION AND LAPSE OF MEMBERSHIP**

- (i) Any member may resign his membership of the Club by giving written notice to the Secretary in any year before the 1st of May.
- (ii) Membership of any member shall lapse and he be deemed to have resigned if any subscription payable by him is overdue by 12 months.
- (iii) The Management Committee may terminate the membership of any member who is in arrears with his subscription and who has failed to pay off his arrears within 14 days of posting of notice to him at his last notified address. The subscription in arrears shall thereafter remain payable and the Committee shall have power to sue for and recover the same. The rule overrides the provision of Rule 7.

## **9. FINANCIAL YEAR**

The financial year shall begin on the 1st October.

## **10. AUDITORS**

One or more auditors shall be nominated by the Management Committee and appointed at the Annual General Meeting of the Club each year. They shall have access to all books, accounts, funds, and effects of the Club. No Officer of the Club or member of the Management Committee shall be elected auditor. An appointee of the Committee shall fill a casual vacancy in the office.

## **11. TRUSTEES**

- (i) The property and assets of the Club (other than cash) shall be vested in four trustees who shall be subject to such directions as they may receive from time to time by the Management Committee (of such an entry in the Committee Minutes shall be conclusive evidence).
- (ii) The Management Committee shall appoint the first Trustees of the Club. A Trustee shall hold office until death or he resigns or is removed from office by a resolution passed by not less than two-thirds of the Members present and voting at a meeting of the Management Committee. The Trustee concerned shall have the right to speak and shall be given 14 days written notice of the meeting.
- (iii) Where by reasons of any such death, resignation or removal it shall appear necessary to the Committee that a new Trustee or Trustees shall be appointed or the Committee shall by resolution nominate the person or persons to be appointed. For the purpose of giving effect to such nomination the Chairman for the time being is hereby nominated as the person to appoint new Trustees within the meaning of Section 36 of the Trustees act 1925 and he shall apply to any such appointment. Any statement of fact in any such Deed of Appointment shall be conclusive of any fact so stated in favour of any person dealing bona fide and for value with the Club or the Committee.

## **12. CASH**

All cash belonging to the Club shall be lodged with a Bank approved by the Management Committee or invested in other accounts approved by the Management Committee. All accounts shall be in the name of the Club and shall be operated by the means of cheques or other instructions to be signed by any two of the following, the Chairman, Secretary and Treasurer.

## **13. VISITORS**

- (a) Subject to the right of the Management Committee to restrict the use of any part of the Club for members only to withdraw or refuse this privilege for any particular visitor without giving any reason members may introduce visitors to any part of the Club premises or property.
- (b) The following shall not be admitted as visitors: -
  - (i) Persons who have been refused membership.
  - (ii) Expelled former members.
  - (iii) Former members whose membership has been terminated for non-payment of subscriptions and whose subscriptions remain owing.
  - (iv) Suspended members for the period of their suspension.

- (c) The procedure for introducing visitors shall be as follows, except members and officials of visiting teams may be admitted without complying with any formalities other than those set down by statute or local by-laws: -
  - (i) The member shall enter the visitors name and address in the Visitors book.
  - (ii) The visitor shall leave the club before or at the same time as the introducing member.
- (d) No visitor shall be permitted to order or pay for any excisable liquor nor shall be supplied with excisable liquor except on the invitation of and in the company of a member.

#### **14. GAMBLING**

Gambling shall be allowed on the Club premises only as authorised by the Management Committee and permitted by any statute applicable to the Club.

#### **15. LICENSING HOURS**

The Club premises shall be open for the sale of excisable liquor during the hours authorised by the Management Committee in accordance with any statute applicable to the Club and as notified to the Clerk to the Justices provided that these hours may be extended on special occasions as sanctioned by the Licensing Justices.

#### **16. EMPLOYEES**

- (a) Any employee of the Club may be eligible for membership of the Club on such terms as the Management Committee may from time to time decide.
- (b) Employees shall be under the orders of the Management Committee only and shall not be reprimanded by any member. Member's complaints regarding employees shall be made in writing to the Management Committee.
- (c) No employee of the Club shall have any personal interest in the sale of excisable liquor on the part of the Club or in the profits arising from such sale.

#### **17. RESTRICTION ON THE SUPPLY OF INTOXICANTS TO YOUNG PERSONS.**

No person under the age of 18 years shall consume any intoxicating liquor on Club premises and no person shall supply or aid or procure the supply of intoxicating liquor to any persons under the age of 18 years.

#### **18. OFFICERS**

The Officers of the Club shall be the President, the Chairman, the Vice-Chairman, the Hon. Treasurer, Hon. Secretary and Club Welfare Officer. The Officers shall in all things be subject to the control of the Management Committee. All Officers shall advise policy matters.

- (i) **The Hon. Secretary** shall be responsible to the Management Committee for the general administration of the Club. He shall conduct the correspondence and shall have custody of the Club Records. He shall draw up a calendar and provide agenda for meetings as well as keeping full correct minutes of all meetings of the Management Committee and of all General Meetings.

- (ii) **The Hon. Treasurer** shall keep the accounts of the Club and shall, in the month of October in each year, draw up accounts showing the financial position of the Club as at the end of the financial year. Such accounts shall be presented to the Management Committee, to the Auditor for audit, as well as being presented to the Club Annual General Meeting.
- (iii) **The Vice-Chairman** shall deputise for the Chairman.
- (iv) **Chairman.** The Chairman shall preside at all meetings of the Management Committee and at all General Meetings. In the absence of the Chairman, the Vice-Chairman shall preside. In the absence of both the Chairman and the Vice-Chairman, a person shall be elected from those present to chair the meeting. In the event of equality of votes in any matter, the person chairing the meeting shall have casting vote, whether he shall have already voted or not.
- (v) **The President** shall liaise with outside organisations.
- (vi) **The Club Welfare Officer** will be responsible for promoting the welfare of children within the club and dealing with any concerns about the protection of children

## 19. MANAGEMENT

- (i) The Management of the Club shall be vested in the Club Management Committee, which shall comprise the Officers of the Club together with the Facilities Manager, the Cricket Manager, the Business Manager and the Chairman of the Junior Committee. These Managers shall be responsible for the running of their sub-committees.
- (ii) **SUB-COMMITTEES**  
All sub-committees shall be subject to the overall control and direction of the Management Committee. The Club Chairman, Vice-Chairman, the Hon. Secretary and the Hon. Treasurer shall be deemed to be ex-officio members of each sub-committee and shall be notified of all meetings.
- (iii) The members of each sub-committee shall be appointed by the sub-committee chairman but subject to the approval of the Management Committee.
- (iv) The Selection Committee of the club shall consist of the Chairman of Selectors and the Captains of each playing XI or their representatives and shall be responsible to the Cricket Committee of which the Chairman of Selection shall be a member.
- (v) The Facilities Committee shall comprise of the Facilities Manager and at least three other persons whose names when required be notified to the Clerk of the Licensing Committee as the persons responsible for the control and running of the house and bar.
- (vi) The Junior Committee shall comprise of the Junior Committee Chairman, junior team coaches and other interested members.
- (vii) **POWERS**  
The Management Committee shall have full power and control over the property, funds and affairs of the Club and in particular and without derogation from the general powers thus vested in it shall have power to: -
  - (i) Borrow money for the purposes of the Club subject to it obtaining any consent which may from time to time may be required and subject to a resolution being passed by the Club in General Meeting authorising the loan which shall be upon such terms as shall be specified in the resolution. Thereupon the trustees shall at

the discretion of the Management Committee make all such dispositions of the Club property or any part thereof and enter into any such agreements in relation thereto as the Management Committee may, subject as aforesaid, deem proper for such loan. All members of the Club whether voting on such a resolution or not and all such person becoming members of the club after such a resolution shall be deemed to have assented to the same as if they had voted in favour of such resolution.

- (ii) Control exclusively all the finances of the Club and regulate income and expenditure. No expenses shall be incurred without the authorisation of the Management Committee.
- (iii) Suspend or dismiss any paid servant of the Club.
- (iv) Require any member or other person occasioning any damage to the property of the Club, either wilfully or through improper use to cause the damage to be made good or the property to be replaced, as the Management Committee shall decide.
- (v) Make, alter or revoke regulations relating to the use of the property of the Club, to the Government of the club and to the conduct or duties of any member provided such regulations are not inconsistent with these rules.
- (vi) Fill any casual vacancy, which may occur in the Officers of the Club or in the composition of the Management Committee. All persons appointed under this Rule shall hold office until the next Annual General Meeting of the Club.
- (vii) Appoint and delegate its Authority to Sub-Committees for such purposes, as it deems necessary.
- (viii) Invite non-committee members to attend meetings in an advisory capacity provided that they shall not be entitled to vote.
- (ix) A quorum at any meeting of the Management Committee shall consist of half its members.
- (x) The decisions of the Management Committee and Sub-Committees shall be by simple majority unless otherwise stated in these Rules and in the event of equality of votes the Chairman of the meeting shall have the casting vote whether he shall already have voted or not.
- (xi) If any member of the Management Committee shall fail to attend three consecutive meetings thereof the Management Committee may declare his membership of the Committee terminated and may co-opt another member in replacement.
- (xii) All surplus income or profits must be reinvested in the Club.
- (xiii) The Committee will have due regard to the law on disability discrimination and child protection.

## **20. INDEMNITY**

The Trustees, Officers of the Club or its Sections and members of the Management Committee of the Club or any Section Management Committee shall have the right of indemnity against and reimbursement out of funds and property of the Club and jointly and severally against the members of the Club in respect of any claim brought against them with regard to acts done or omitted, in their respective capacity, so long as such acts or omissions were within scope of their authority.

## **21. LIABILITY OF MEMBERS**

Without prejudice to Rule 20 all members shall be jointly and severally liable for the liabilities of the Club.

## **22. ELECTION OF OFFICERS, SUB-COMMITTEE CHAIRMAN AND CAPTAINS.**

The President, Vice-President, the officers of the Club, the sub-committee chairman and the Captains of each of each playing XI, shall be elected at the Annual General Meeting in each year. They shall hold office for one year from the end of the meeting and be eligible for re-election. The management Committee shall be able to appoint Life Members.

## **23. APPOINTMENT OF VICE CAPTAINS AND MEMBERS OF SUBCOMMITTEES**

The Vice-Captain of each playing eleven shall be appointed by the Captain of that eleven and members of the sub-committees shall be appointed by the Chairman of the relevant committee. All appointments made under this rule shall be subject to the approval of the Management Committee.

## **24. GENERAL MEETINGS.**

- (a) An Annual General Meeting of the member of the Club shall be held on a date in November as determined by the Management Committee.
- (b) The business of the Annual General Meeting shall be receipt of the minutes from the preceding Annual General Meeting and other General Meetings held in the preceding year; the receiving of annual reports of the Chairman and Treasurer, the annual accounts and auditors report, the Sub-Committee Chairman, the Chairman of the Selection Committee and the Captains of the playing XIs. The meeting will conduct such business of the Club as the meeting and all motions duly received by the Secretary in accordance sub -rule (e) hereunder.
- (c) An extraordinary General Meeting shall be held as and when considered necessary by the Management Committee or upon the written request of at least 20 members entitled to vote at a General Meeting. Such a request must be given in writing to the Secretary at least 28 days before the proposed date of the meeting accompanied by the resolution or resolutions to be moved and the names of the proposers and seconders of such resolution or resolutions.
- (d) Twenty-one days notice of all General Meetings shall be given by prepaid post to each member over 18 years of age at his or her address last notified to the Secretary and shall state the closing date for receipt of nominations and motions.
- (e) Motions and nominations must be received in writing by the Secretary at least 14 days before the meeting. These should be in writing duly proposed and seconded and in the case of nomination signed by the nominee, however motions for and nominations for election may be made by the Management Committee at any Committee Meeting before the relevant General Meeting without complying with the above formalities provided compliance with sub -rule (f) can be achieved.
- (f) The Secretary shall send out copies of the following to members entitled to vote at least seven days before the appointed date for such meeting: an Agenda, Notices of Motion, and lists of nominations made. In addition any notices of any motion affecting the rights or obligations of any category of member except those aged 17 or

under on the 1<sup>st</sup> January past shall be sent to all such members affected. No other business shall be conducted at the meeting except as may be allowed by the Chairman.

- (g) A quorum at a General Meeting shall consist of 15 members entitled to vote.
- (h) The members entitled to vote at a General Meeting are life members, playing members over the age of 18 as at the 1<sup>st</sup> of September immediately preceding the meeting and such members of the Management Committee not otherwise entitled to vote.
- (i) All decisions at General Meetings shall be by simple majority vote of those present and entitled to vote except as otherwise prescribed in the rules. Where requested by any member present and entitled to vote voting shall be by ballot and count the vote cast otherwise voting shall be by show of hands the result to be determined by the Chairman of the meeting.
- (j) Any member is entitled to inspect the minutes of any General Meeting within 7 days of written request by the Club Secretary.

## **25. NOTICES**

- (a) In calculating any period of time referred to in the rules any notice given pursuant to any rule shall be deemed to have been received by a member the day after the date of posting to the address last notified to the Secretary. Any accidental omission to send such notice or the non-receipt of the same shall not invalidate any proceedings or resolution.
- (b) Where there are references to written applications or notices or to posting of notices, these are deemed to have been carried out if such communications have been made by electronic mail. References to addresses are assumed to include email addresses.

## **26. CIRCULATION OF RULES**

Copies of the Rules of the Club shall be kept in the Club House for the purpose of reference and shall be circulated to each member on election.

## **27. INTERPRETATION**

The Management Committee shall be the sole authority for interpreting rules and regulations of the club for the settling of disputes relating to the affairs of the club or to the conduct of members or visitors.

## **28. ALTERATION OF RULES**

These rules shall not be altered, rescinded or added to except by resolution at a General Meeting and carried by at least two-thirds majority of those present entitled to vote and voting on a motion notice of which has been given to the secretary or proposed by the Management Committee and notice of which has been circulated to members in accordance with the provisions of Rule 24 of these rules.

## **29. DISSOLUTION**

If at any time the Club shall pass in General Meeting by a majority comprising two-thirds or more of the members present and entitled to vote a resolution (in this rule called “the first resolution”) of its intention to dissolve, the Management Committee or failing it the trustees shall take immediate steps to convert into money all the property of the club, with power, however, to postpone or delay the conversion of any particular property if the Club in General Meeting shall so authorise. Out of the proceeds of such a conversion the Trustees shall discharge all debts and liabilities of the Club, including the expenses of such conversion and any balance remaining in their hands shall be disposed of by them as the Club in General Meeting shall resolve; and thereupon the Club shall for all purposes be dissolved. Provided that if the Club shall not within six months after the date of the first resolution resolve upon the disposition of any such balance, the same shall be given to the England and Wales Cricket Board (or another bona fide organisation as agreed) to be held in trust by that organisation for a period of 10 years. If during that period the Club is reformed the said money and property are to revert to the Club. If, after a period of ten years from the date of the payment to the organisation, the Club is not reformed, the organisation will be entitled to use the funds for the benefit of Welsh Cricket.

A quorum at a General Meeting called for the purposes of this rule shall consist of 15 members of the club entitled to vote or two-thirds of the members of the Club entitled to vote whichever shall be the lesser number.

## **30. CHILD WELFARE**

The Club will ensure a duty of care to all members by adopting and implementing the ECB ‘Safe Hands – Welfare of Young People in Cricket’ and any future versions of the Policy.