

MILDEN CRICKET CLUB CONSTITUTION

1. NAME

- 1.1 The name of the club is Milden Cricket Club (the "**Club**").
- 1.2 The colours of the Club are navy, maroon and pink.

2. CLUB PURPOSES

The purposes of the Club (the "**Purposes**") are to foster and promote participation in the amateur sport of cricket in the village of Milden and the surrounding area, providing facilities for playing cricket, opportunities for recreation, coaching and competition, and providing all its services in a way that is fair to everyone.

3. SPORTS EQUITY

- 3.1 The Club is committed to ensuring that equity is incorporated across all aspects of its development. In doing so it acknowledges and adopts the following Sport England definition of sports equity:

Sports equity is about 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.

- 3.2 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, ability, gender, race, ethnicity, religious belief, sexuality or social/economic status.
- 3.3 The Club is committed to everyone having the right to enjoy their sport in an environment free from threat of intimidation, harassment and abuse.
- 3.4 All Members have a responsibility to oppose discriminatory behaviour and promote equality of opportunity.
- 3.5 The Club will deal with any incidence of discriminatory behaviour seriously, according to Club disciplinary procedures as set out in these Rules and Club Regulations.

4. AFFILIATION

- 4.1 The Club is affiliated to the England and Wales Cricket Board through the Suffolk Cricket Board.
- 4.2 The Club and its Members shall ensure that Members, playing and non-playing, abide by the ECB Model Discipline Regulations (the "**MDR**") applicable to clubs (which incorporate the Code of Conduct and the Spirit of Cricket) and any future versions of the MDR, and by the Laws of Cricket.
- 4.3 The Club shall adopt and implement:
 - 4.3.1 the ECB "Safe Hands Policy" (the "**Safe Hands Policy**"), and associated guidance;
 - 4.3.2 the ECB Anti-Discrimination Code;and any future versions of each of these policies.

5. MEMBERSHIP

- 5.1 Membership of the Club shall be open to anyone interested in the sport on application, regardless of sex, age, disability, ethnicity, nationality, sexual orientation, religion or other beliefs, except as a necessary consequence of the requirements of cricket.
- 5.2 The Club may have different classes of membership and subscription on a non-discriminatory and fair basis.
- 5.3 The Club will have an equitable pricing policy and will keep subscriptions at levels that will not pose a significant obstacle to people participating.
- 5.4 The level of subscriptions will be decided by the Committee from time to time and notified to the Members.
- 5.5 The Club will have the following classes of membership:
 - 5.5.1 Full member – playing;
 - 5.5.2 Concessions – playing;
 - 5.5.3 Vice President – non-playing;
 - 5.5.4 Junior member (under the age of 18) – playing,
(each a "**Member**").
- 5.6 Eligibility for Concessions membership shall be determined by the Committee from time to time, and details of the applicable eligibility requirements then in force shall be made available to Members and prospective Members.
- 5.7 Application for membership of the Club shall be by completion of a membership application form.
- 5.8 No person shall be eligible to take part in the business of the Club, vote at general meetings or be eligible for selection for any Club team unless the applicable subscription has been paid by the due date and/or membership has been agreed by the Committee.
- 5.9 The Committee may refuse or remove membership at its discretion, but only for good cause (such as conduct or character likely to bring the Club or cricket into disrepute), and:
 - 5.9.1 the Committee may only refuse to admit a new Member if a resolution is passed at a meeting where the person in question has been notified in writing in advance and been given 14 days to submit written representations for the Committee to consider at the meeting;
 - 5.9.2 the procedure for taking disciplinary action against a Member, including removing membership, is dealt with in more detail at Rule 13 below; and
 - 5.9.3 appeal against a refusal or removal of membership shall be to the Appeals Committee in accordance with Rules 13.8 and 13.9.
- 5.10 All Members will be subject to the rules set out herein (the "**Rules**") and by joining the Club will be deemed to accept the Rules, any Club Regulations and any codes of conduct that the Club has adopted. A code of conduct for Members and guests will be displayed prominently to ensure that all Club guests and non-Member volunteers are aware of the code and the requirement to abide by it.

- 5.11 The Committee will keep a register of Members.
- 5.12 Membership is not transferable and shall cease on death.
- 5.13 A Member may resign by written notice to the Club, but the return of any subscription paid is at the discretion of the Committee.

6. **ALL GENERAL MEETINGS**

- 6.1 All Members over the age of 18 may attend all general meetings of the Club, either in person or by telephone, televisual or other electronic or virtual means agreed by the Committee in which all participants may communicate simultaneously with all other participants, and vote at such meetings. A parent or guardian of a Junior Member may attend and vote at such meetings on their behalf.
- 6.2 All Members have one vote.
- 6.3 Members must be given at least 14 clear days' notice of all general meetings.
- 6.4 The quorum for all general meetings is 5 Members present.
- 6.5 If a quorum is not present within 15 minutes of the start of the meeting, the meeting will be adjourned to the following week at the same time and place or such other time and place as the Committee decide and any Members attending the adjourned meeting will constitute a quorum.
- 6.6 The Chair or (in his or her absence) another Member chosen at the meeting by the Members shall preside.
- 6.7 Except as otherwise provided in these Rules or in Club Regulations every resolution shall be decided by a simple majority of the votes cast on a show of hands.
- 6.8 Formalities in connection with general meetings (such as how to put down resolutions) shall be decided by the Committee in Club Regulations and publicised to Members.

7. **ANNUAL GENERAL MEETINGS**

- 7.1 The Club will hold an annual general meeting ("**AGM**") once in every calendar year and not more than 15 months after the last AGM.
- 7.2 The Secretary will give at least 21 clear days' notice of the AGM to all Members.
- 7.3 At every AGM:
 - 7.3.1 the Members will approve the minutes of the previous AGM;
 - 7.3.2 the Members will elect the Officers to serve until the next AGM, which election shall be by secret ballot in the event of a contested position;
 - 7.3.3 the Treasurer will produce accounts of the Club for the latest financial year (the "**Accounts**") and will present a report on the Club's finances;
 - 7.3.4 the Members will approve the Club's Accounts;
 - 7.3.5 the Committee will present a report on the Club's activities since the previous AGM;
 - 7.3.6 the Members will agree the subscriptions, match fees and budget for the following year; and

7.3.7 the Members will discuss and vote on any resolution (whether about policy or changes to these Rules) and deal with any other business put to the meeting.

7.4 Nominations for Officers shall be sent to the Secretary at least 10 clear days prior to the AGM, who shall circulate them to the Members at least 7 clear days before the AGM.

7.5 Proposed changes to these Rules shall be sent to the Secretary at least 10 clear days prior to the AGM, who shall circulate them to the Members at least 7 clear days before the AGM.

7.6 For the purposes of an AGM, "Members" shall, subject to Rule 5.8 include all Members of the club for the immediately preceding playing season.

8. **EXTRAORDINARY GENERAL MEETINGS**

8.1 An extraordinary general meeting ("**EGM**") shall be called by the Secretary within 14 days of a request to that effect from a simple majority of the Committee members or on the written request of not less than 5 Members or 20% of the total membership (whichever is the greater) signed by them. Such a request must state the purpose for which an EGM is required.

8.2 An EGM shall be held on not less than 14 nor more than 21 days' notice at a place decided upon by the Committee or in default by the Chair.

8.3 If the Secretary fails to call a meeting within 14 days of receiving a valid request from the Members then the requisitionists may themselves call a meeting, the reasonable costs of which will be reimbursed by the Club.

9. **THE COMMITTEE**

9.1 **Role**

9.2 The affairs of the Club shall be conducted by a committee (the "**Committee**") which shall, subject to these Rules, have responsibility for the management of the Club, its funds, property and affairs.

9.3 The Committee will be responsible for adopting new policy, codes of practice, rules and regulations that affect the organisation of the Club (the "**Club Regulations**") and will publicise these to Members.

9.4 **Composition, etc.**

9.4.1 The Committee shall consist of a Chair, Treasurer and Secretary (the "**Officers**"), together with such other Members as the Committee may co-opt in accordance with this Rule 9.4.

9.4.2 The Committee shall consist of at least 3 and not more than 7 members (including Officers).

9.4.3 All Committee members must be Members of the Club.

9.4.4 The Committee members may co-opt Members of the Club (up to the maximum permitted number) to serve until the end of the next AGM.

9.4.5 If required, the Committee shall elect a Vice Chair from among its members.

- 9.4.6 The Committee shall appoint a Club Welfare Officer to ensure compliance with applicable safeguarding legislation and the Safe Hands Policy. The Club Welfare Officer shall report to relevant Committee meetings and the reports, together with any action taken, must be minuted.
- 9.4.7 The term of office shall be for one year.
- 9.4.8 Any Committee member or Officer may be re-elected or re-co-opted without limit.
- 9.4.9 If the post of any Officer or ordinary Committee member should fall vacant following an election pursuant to Rule 7.3.1, the Committee shall have the power to fill the vacancy until the succeeding AGM
- 9.4.10 A Committee member ceases to be such if he or she:
 - (A) ceases to be a Member of the Club; or
 - (B) resigns by written notice to the Club; or
 - (C) is removed by the Committee in accordance with Rule 5.8 or 13.

9.5 Powers

- 9.5.1 The Committee has the power to:
 - (A) acquire and provide grounds, equipment, coaching, training and playing facilities, clubhouse, transport, medical and related facilities;
 - (B) provide coaching, training, medical treatment, and related social and other facilities;
 - (C) take out any insurance for Committee members, employees, contractors, players, guests and third parties;
 - (D) raise funds by appeals and subscriptions;
 - (E) open bank accounts;
 - (F) buy, lease or licence property and sell, let or otherwise dispose of the same;
 - (G) make grants and loans and provide other benefits;
 - (H) set aside or apply funds for special purposes or as reserves;
 - (I) deposit or invest funds in any lawful manner;
 - (J) employ and engage staff and others and provide services;
 - (K) appoint any advisers to the Committee as necessary to fulfil its business;
 - (L) co-operate with any organisation, club, sporting body, government or government-related agencies; and
 - (M) do all other things reasonably necessary to advance the Purposes.
- 9.5.2 None of the above powers may be used other than to advance the Purposes consistently with these Rules and applicable law.

9.5.3 The Committee will have due regard to the law on disability discrimination and the safeguarding of children and vulnerable adults.

9.6 **Property, etc.**

9.6.1 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 are to be re-invested in the Club. No surpluses or assets will be distributed to Members or third parties.

9.6.2 The Club may provide sporting and related social facilities, sporting equipment, coaching, courses, insurance cover, medical treatment, away-match expenses, post match refreshments and other ordinary benefits of Community Amateur Sports Clubs as provided for in the Corporation Tax Act 2010.

9.6.3 The Club may also in connection with the Purposes:

- (A) sell and supply food, drink and related sports clothing and equipment;
- (B) employ Members (though not for playing) and remunerate them for providing goods and services, on fair terms set by the Committee without the person concerned being present;
- (C) pay for reasonable hospitality for visiting teams and guests; and
- (D) 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).

9.7 **Committee Meetings**

9.7.1 The Committee may decide its own way of operating. Unless it otherwise resolves the following rules apply:

- (A) the quorum for Committee meetings shall be 2 members of the Committee (including at least one Officer);
- (B) the Committee shall meet no less than 4 times per calendar year;
- (C) Committee meetings may be held either in person or by telephone, televisual or other electronic or virtual means agreed by the Committee in which all participants may communicate simultaneously with all other participants;
- (D) the Chair or whoever else those present choose shall chair meetings;
- (E) only Committee members shall have the right to attend and vote at Committee meetings;
- (F) decisions shall be by simple majority of those voting;
- (G) a resolution in writing signed by every Committee member shall be valid without a meeting; and
- (H) the chair of the meeting shall not have a casting vote.

9.7.2 Whenever a Committee member has a personal interest in a matter to be discussed he/she 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.

9.8 **Delegation, etc.**

9.8.1 The Committee may delegate any of their functions to one or more sub-committees but must specify in respect of each sub-committee:¹

- (A) the scope of its activity and powers;
- (B) the extent to which it can commit the funds of the Club;
- (C) its membership; and
- (D) its duty to report back to the Committee.

9.8.2 The Committee may wind up any sub-committee at any time or change its mandate and operating terms.

10. **PRESIDENT**

10.1 The Members may, at a general meeting, appoint or remove a president (the "**President**") of the Club.

10.2 The President must be a Member of the Club.

10.3 The President ceases to be such if he or she:

10.3.1 ceases to be a Member of the Club; or

10.3.2 resigns by written notice to the Club; or

10.3.3 is removed by the Committee in accordance with Rule 5.7 or 13; or

10.3.4 is removed by the Members at a general meeting.

11. **FINANCES**

11.1 The Treasurer will be responsible for the finances of the Club.

11.2 The Club's financial year will run from 1 January and end on 31 December in each calendar year.

11.3 Any bank account in which any part of the Club's funds are deposited shall be operated by the Treasurer and shall be held in the name of the Club.

11.4 Notwithstanding Rule 11.5, the Treasurer, Chair and Secretary will each individually be authorised to sign cheques drawn against Club funds, and may each individually authorise electronic orders for payment of money from any bank account held in the name of the Club. The Committee may (if required) appoint further persons from among its members to be so authorised.

¹ Sub-committees to be discussed – potentially to include:

- selection committee;
- grounds committee;
- fundraising/social committee.

Don't need to be finalised for the purposes of this constitution

11.5 All payments to be made from Club funds in excess of the approval limits agreed by the members from time to time in general meeting (details of the approval limits currently in force being attached hereto as Schedule 1 (*Approval Limits*)) shall be approved by the members in general meeting. Details of all expenses incurred by or on behalf of the Club shall be recorded by the Committee in the minutes of the next Committee meeting.

11.6 All Members shall be jointly and severally responsible for the financial liabilities of the Club.

12. **DISCLOSURE**

Annual club reports and Accounts must be made available for inspection by any Member and all Club records may be inspected by any Committee member.

13. **REMOVAL OF MEMBERSHIP, DISCIPLINE AND APPEALS**

13.1 Subject to Rule 13.2, any complaints regarding the behaviour of Members, guests or volunteers should be lodged in writing with the Secretary.

13.2 All concerns, allegations or reports of poor practice/abuse relating to the welfare of children and young people will be recorded and responded to swiftly and appropriately in accordance with the Club's safeguarding policy and procedures. The Club Welfare Officer is the lead contact for all Members in the event of any safeguarding concerns

13.3 Any person that is the subject of a written complaint or appeal shall be notified of the procedures to be followed by the relevant committee in reasonable time to prepare for any hearing.

13.4 The Committee shall appoint a disciplinary sub-committee (the "**Disciplinary Sub-Committee**") who will meet to hear complaints within 21 days of a complaint being lodged.

13.5 Any person requested to attend a Disciplinary Sub-Committee shall be entitled to be accompanied by a friend or other representative and to call witnesses.

13.6 The Disciplinary Sub-Committee has the power to take appropriate disciplinary action on behalf of the Committee, including the termination of membership or exclusion from Club premises.

13.7 The outcome of the disciplinary hearing shall be notified in writing to the person who lodged the complaint and the person against whom the complaint was made within 14 days following the hearing.

13.8 There shall be a right of appeal within 14 days of receipt of a disciplinary decision made pursuant to this Rule 13 or a decision to refuse membership pursuant to Rule 5.9:

13.8.1 against the Disciplinary Sub-Committee's findings or the sanction imposed or both; or

13.8.2 against the Committee's refusal to admit a new Member,

and in either case, the Committee shall appoint an appeals committee (the "**Appeals Committee**") to consider the appeal.

13.9 **Appeals Committee**

- 13.9.1 The Appeals Committee shall have a maximum of three members which shall not include persons involved with the initial disciplinary hearing but may include non-Members of the Club.
- 13.9.2 The Appeals Committee shall consider the appeal within 21 days of the Secretary receiving the appeal.
- 13.9.3 The individual who submitted the appeal shall be entitled to be accompanied by a friend or other representative and to call witnesses.
- 13.9.4 The decision of the Appeals Committee shall be final and binding on all parties.

14. **PROPERTY TRUSTEES**

- 14.1 Any property or assets of the Club may be vested in between two and four trustees. The trustees shall hold the same for and on behalf of the Members of the Club.
- 14.2 The Committee shall have power by notice in writing to appoint such trustees from the membership of the Club, and may remove them at any time, by resolution of the Committee.
- 14.3 The trustees shall deal with the Club's property and assets as directed by the Committee from time to time.
- 14.4 The trustees shall be entitled to be indemnified against any cost or expense properly incurred in dealing with the property or the assets (but only to the extent of the Club's assets).

15. **NOTICES**

- 15.1 Notices to be sent out in accordance with these Rules may be sent by hand, by post or by suitable electronic means and will be treated as being received:
 - 15.1.1 24 hours after being sent by electronic means or delivered by hand to the relevant address;
 - 15.1.2 two clear days after being sent by first class post; or
 - 15.1.3 three clear days after being sent by second class post.
- 15.2 Notice of all general meetings must also be put on the Club's notice board(s) and website (if any).
- 15.3 A technical defect in the giving of notice of which the Members or the Committee are unaware at the time does not invalidate decisions taken at a meeting.

16. **AMENDMENTS**

- 16.1 These Rules may be amended at a general meeting by resolution passed by two-thirds of the votes cast but not (if relevant) so as to jeopardise the Club's status as a Community Amateur Sports Club ("**CASC**") as first provided for by the Corporation Tax Act 2010 and not in any event to alter its Purposes (unless the procedure set out in Rule 16.2 has been followed) or winding up provisions.

16.2 The Purposes may be changed to include another eligible sport if the Committee unanimously agree and the members also agreed the change by a 75% majority of votes cast.

17. **WINDING UP THE CLUB**

17.1 The Members may vote to wind up the Club if not less than three quarters of those present and voting support that proposal at a properly convened general meeting.

17.2 The Committee will then be responsible for the orderly winding up of the Club's affairs.

17.3 After settling all liabilities of the Club, the Committee shall dispose of the net assets remaining to one or more of the following:

17.3.1 to another club with similar sports purposes which is a registered charity;
and/or

17.3.2 to another club with similar sports purposes which is a registered CASC;
and/or

17.3.3 to the Club's national governing body for use by them for related community sports.

Adopted at a meeting held

at 2 Cherry Ground Cottages, Boxford

on 26 February 2025

Signed

Name Martin Roffey

Signature

Chair

SCHEDULE 1

APPROVAL LIMITS

	Expense Limits	Approval Required
1.	Expenses included in a budget approved by the members in general meeting for that season	Any Committee member (subject to any conditions or stipulations as may be made by the members when approving the budget)
2.	Expenses up to and including £50	Any Committee member
3.	Expenses up to and including £200	Any Officer
4.	Expenses up to and including £500	Any two Committee members, one of whom shall be an Officer
5.	Expenses up to and including £1000	The Committee