

2024

Oxton Cricket and Sports Club

Constitution

The following document provides Members with a Club Constitution.

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OC&SC
23/02/2024





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Document History:

Changes necessary to this document will be controlled by an issue / amendment procedure. This will comprise either:

(a) Total re-issue of the **COMPLETE** document

OR

(b) An amendment to the document by re-issue of only those pages affected by the change (this will always include a re-issued sheet).

Except in the case of a major re-write of the document (which shall be stated in the documented history) any changed information within the document shall be indicated by "blue change bars" in the right hand margin and a blue triangle in bottom right of page. If the document is amended between full re-issues as in (b) above, then each amended page (including the front cover sheet) shall carry its own current status, e.g. Issue 1 New1.

Issue Control:

Issue Number:	Description:	Date:	Year:
1.0	Original Document	13 th September	1972
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3.0	Re-formatted Document	17 th December	2019
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6.0	Published Document	14 th April	2022
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Issue / Amendment Number:	Description:	Incorporated By:	Date:
1.0	Original Document – as approved at a Special General Meeting of the Club		13 th September 1972
1.1	Amended at Club Annual General Meeting		1987
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3.0	Re-formatted document – DRAFT – re-sectioning and adding or removal of text of document including but not limiting, a new Section on Trustees and Sports Equity, update of Discipline Procedure. Additional Declaration Section.	K. Andrews	17 th December 2019
4.0	Amended at Club Annual General Meeting		20 th February 2020
5.0	Amended at Club Annual General Meeting		12 th August 2021
6.0	Amended at Club Annual General Meeting		24 th February 2022
7.0	Amended at Club Annual General Meeting		22 nd February 2024



What is the Purpose of a Constitution?

A Constitution is simply a statement of basic principles and **Rules** that a Club will adopt and use. It's a statement of how the Club intends to run itself. It is an important document because:

- (i) It provides a starting point for sound Governance of the Club.
- (ii) It helps to protect Committee Members and Officers of the Club.
- (iii) It clarifies how Club procedures should work.
- (iv) It serves as a reference and source of help to resolve problems and disagreements within the Club or at any other times of controversy.
- (v) It allows non-members, especially potential sponsors the ability to see that this Club is democratic and accountable. This involves having a clear procedure by which decisions are made.

Glossary:

This provides a definition of some of the key terms used throughout this document.

General Committee	Consisting of the elected or appointed General Committee Members, in accordance with the Club's Constitution, has a responsibility to the Club and its Members, makes decisions on behalf of the Club and will take on duties to ensure everything operates smoothly.
Games Committee	Consisting of the elected or appointed Games Section Members, in accordance with the Club's Constitution, has a responsibility to the Games Section, Club and its Members, makes decisions on behalf of the Games Section it represents and will take on duties to ensure everything runs smoothly.
Officer of the Club	Officers of the Club - are elected Members chosen to coordinate the Club's activities.
Ex-officio	"Ex-officio" means "by virtue of office". An ex-officio Member is a person who is automatically entitled to a position on a Committee, for as long as he or she holds a certain office in the Club. e.g. Club Chairman
Honorary (Hon.)	Roles on General Committee with the Honorary (Hon.) title are Members who take on special roles to help the General Committee and Club to function effectively. e.g. Honorary General Secretary.



1.0 - Name & Status:

1.1 - Name:

The Club shall be called the;

Oxton Cricket and Sports Club

Hereafter in this document be referred to as "the Club".

1.2 – Status:

The Club will have the status of;

Community Amateur Sports Club (CASC)

CASC N°: 04051

2.0 - Objects of the Club:

- 2.1 The objects of the Club are to provide facilities for and promote participation of the whole community in the following sports, and social activities in connection therewith: Cricket, Lacrosse, Tennis, Hockey, and Bowls and such other lawful games as may be decided by the members in a general meeting.
- 2.2 The Club will endeavour to adopt best practice for the safety and well-being of children.
- 2.3 The Games Sections of Oxton Cricket and Sports Club will endeavour to adhere to the guidelines set down by their respective Governing Bodies as follows:
 - a) **The England and Wales Cricket Board**
 - b) **The English Lacrosse Association**
 - c) **The Lawn Tennis Association**
 - d) **Bowls England**
 - e) **England Hockey**



3.0 - Membership:

The classes of membership and rates of subscription shall be settled from time to time by a meeting of the Club General Committee and hence approved by **FULL** Members at the Annual General Meeting (AGM) of the Club.

3.1 – Classes of Membership:

These will consist of:

- a) Life Members.
- b) Limited Term Members.
- c) Playing Members (aged 18 years or over).
- d) Social Members (must be aged 18 years or over).
- e) Junior Members (aged under 18 years).
- f) Country Members.
- g) Honorary Members.
- h) Parent Social Members.

Categories a to d above shall hereafter in this document be referred to as FULL Members.

3.2 – Register of Members:

- 3.2.1 A Register of the names and addresses of all Members of the Club shall be kept by the Hon. Membership Secretary or by some other Member nominated from time to time by the General Committee.
- 3.2.2 Notices and other correspondence shall be deemed to have been properly delivered if sent to the last known home address or Email of a Member as shown on the Register.

3.3 – Election of Members:

- 3.3.1 Membership of the Club shall be **OPEN** to anyone interested in the sport regardless of sex, age, disability, ethnicity, nationality, sexual orientation, religion or other beliefs.
- 3.3.2 Every candidate for Membership of the Club shall make application on the official Application for Membership form, together with the appropriate remittance for the current year's subscription.
- 3.3.3 The General Committee may **refuse** Membership only for good cause such as conduct or character likely to bring the Club or Sport into disrepute. Unsuccessful candidates shall have their subscriptions returned.

3.4 – Resignation of Members:

- 3.4.1 Any Member wishing to resign from Membership of the Club shall notify the Hon. General Secretary, in writing.
- 3.4.2 Any Member, whose name appears on the Club's Register of Members on the date on which his or her subscription falls due, shall be liable for that subscription for the ensuing year.



3.5 – Entrance Fees and Rates of Subscription:

- 3.5.1 It shall be a condition of Membership that the Subscription and any other outstanding liabilities, when payable, shall be a debt due from the Member to the Hon. Treasurer for the time being, and shall be recoverable by him/her as such.
- 3.5.2 Subscriptions shall become due on Application or at Annual Renewal Date.
- 3.5.3 All Playing Members must be **under** the specified age limit at time of Application or Renewal Date.
- 3.5.4 Any Member paying by monthly Direct Debit, who ceases to make a payment or cancels their Direct Debit, will be immediately excluded from Membership. Any such member shall have to reapply for Membership, which may be refused by the General Committee.
- 3.5.5 If any Member's Subscription remains unpaid after it becomes due, the Member shall from that date, be precluded from taking part in any game or other amenities of the Club until the Subscription has been paid in Full. See Para 3.5.4 which shall apply if a Direct Debit is cancelled.
- 3.5.6 Members of the Old Birkonian Society (on proof of membership of said Society) shall be granted honorary courtesy use of the social amenities of the Club.
- 3.5.7 A Member of the Old Birkonian Society (on proof of membership of said Society) who applies to become a **NEW FULL Playing Member** will be offered a **10% discount on their first (1st) Annual Subscription**.

3.6 – Life or Honorary Membership:

- 3.6.1 The General Committee are empowered to propose and the Club may elect at an AGM any:
- (i) Member of the Club, or former Employee of the Club who has rendered distinguished service to the Club to become a **LIFE Member**.
 - (ii) Member of the Club who has made a consolidated payment to the Club in lieu of future subscriptions to become a **LIFE Member**.
 - (iii) Any person, not for the time being a Member of the Club and who has rendered distinguished service to the Club, to become an **Honorary Member** for such period as the General Committee deem appropriate
- 3.6.2 For the purposes of this Rule (3.6) Life Members shall be **FULL** Members of the Club and shall **NOT** pay an Entrance Fee or Annual Subscription Fee.
- 3.6.3 For the purposes of this Rule (3.6) a person appointed as an Honorary Member shall for the period of his or her Honorary Membership, be entitled to use all the Club facilities, without payment of any Entrance Fee or Annual Subscription Fee, but shall not be entitled to represent the Club in any sporting competition unless he or she has paid the appropriate subscription.



3.7 – Limited Term Member:

3.7.1 The General Committee shall be empowered to appoint any person, not presently a member of the Club, as a

LIMITED TERM MEMBER.

3.7.2 Limited Term Membership shall be for a maximum period of 12 months.

3.7.3 At the conclusion of any period for which a person has been appointed a Limited Term Member, the General Committee shall have the power in its discretion to extend the period of a person's Limited Term Membership for a further period not exceeding 12 months.

3.7.4 Any person appointed a Limited Term Member by the Committee shall be a FULL Member of the Club and shall not pay an Entrance Fee or Annual Subscription Fee.



3.8 – Guests, Visitors, Non Members, General (Bar):

3.8.1 Guests:

- (i) Members may introduce guests to the Club, but not more than **SIX (6)** Guests may be admitted at any one time by **ONE (1)** Member. The same persons may not be admitted as Guests on any more than **SIX (6)** occasions in any **TWELVE (12)** month period.
- (ii) The Member and his/her Guests must enter their names in the Visitors' book kept for the purpose adjacent to the bar in the Club. The Member must accompany his/her Guests whilst on the Club premises and is responsible for ensuring that the Rules of the Club are strictly observed.
- (iii) No person whose Membership application has been rejected or whose Membership has ceased or been suspended shall be admitted as a guest.

3.8.2 Visitors:

- (i) The Club shall admit as Visitors:
 - Members of Affiliated Clubs.
 - Members of visiting Sports Teams and their Supporters.
 - Members of visiting Societies/Clubs.
- (ii) Such persons shall sign the Visitors book including the name of the Club or Organisation (a single entry by the Club or Organisation will suffice).
- (iii) Visitors may purchase refreshments and intoxicating liquor while on the Club premises.

3.8.3 Non-Members:

- (i) Intoxicating liquor may be sold for consumption on the Club premises to Non-Members:-

When attending functions at the Club, authorised by the General Committee, provided that the function is booked by a Member for the celebration of an event in the nature of weddings, birthdays and anniversaries or Members own business entertainment and at any other such function.

3.8.4 General (Bar):

- (i) **No** off sales of intoxicating liquor shall be made to any person other than a Member.



4.0 - Sport Equity:

4.1 This 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.'

4.2 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.

4.3 The Club is committed to everyone having the right to enjoy their sport in an environment free from threat of intimidation, harassment and abuse.

4.4 All Club Members have a responsibility to oppose discriminatory behaviour and promote equality of opportunity.

4.5 The Club will deal with any incidence of discriminatory behaviour seriously, according to Club Disciplinary Procedures.

4.6 Each of the Club's Games Sections (as set out in Section 2.0 - Objects of the Club) will adopt and implement its National Governing Body's (NGB) policies and procedures and any future versions of these with regards to the above Rules (4.1 to 4.5). Such as:

a. Cricket Section:

- (i) England and Wales Cricket Board (ECB) "Safe Hands – Cricket's Policy for Safeguarding Children"
- (ii) England and Wales Cricket Board (ECB) Club Inclusion and Diversity Policy
- (iii) England and Wales Cricket Board (ECB) Anti-Discrimination Code 2022

b. Lacrosse Section:

- (i) England Lacrosse - The Safeguarding and Protecting Young People in Lacrosse Policy
- (ii) England Lacrosse - Diversity Policy and Action Plan

c. Tennis Section:

- (i) Lawn Tennis Association (LTA) - Safeguarding Policy and Safeguarding Strategy
- (ii) Lawn Tennis Association (LTA) - British Tennis Diversity and Inclusion Policy,

d. Bowls Section:

- (i) Bowls England - Safeguarding Bowls Policy & Guidelines
- (ii) Bowls England - Equality Policy

e. Hockey Section:

- (i) England Hockey (EH) - 'SafeD' – England Hockey's Safeguarding Young People Policy and Guidance
- (ii) England Hockey (EH) - Equality Policy



5.0 - Management and Administration:

5.1 – Officers of the Club:

5.1.1 The Officers of the Club shall be as follows:

- a) The President
- b) Club Chairman
- c) Honorary General Secretary
- d) Honorary Treasurer
- e) Honorary Membership Secretary

All (a to e above) of whom shall be ex-officio Members of the General Committee.

5.1.2 **The President and Club Chairman** shall normally hold office for **NO** more than **TWO (2)** consecutive years, but can be re-elected beyond **TWO (2)** or more consecutive years, only if the majority of Members of the General Committee resolve that each and every annual nomination for re-election beyond **TWO (2)** years is in the best interest of the Club. At General Committee, none of the standing Officers of the Club shall be entitled to vote on re-election for the post they hold but may vote for other posts.

5.1.3 The Vice-Presidents shall be Officers of the Club, but **shall not** be ex-officio Members of the General Committee.

5.2 – Election of Officers and Members of Committees:

- 5.2.1 The Officers of the Club and **TWO (2)** Vice-Presidents (nominated by the General Committee), as a whole to serve on the General Committee, and the Chairmen of the Standing Sub-Committees shall be elected at the Annual General Meeting of the Club. The Officers of each Games Section shall be elected at the Annual General Meeting of the Games Section concerned.
- 5.2.2 If an Annual General Meeting of the Club or of any Games Section concerns the election of Officers, a Member wishing to propose any other Member as an Officer shall **FOURTEEN (14) clear days** before the day appointed for such meeting, give notice in writing to the Hon. General Secretary or to the Secretary of the Games Section concerned, as the case may be. Stating the name of the person to be proposed together with the name of the seconder, and the endorsement of the candidate; without such notice a person shall not be proposed at the meeting.
- 5.2.3 Not less than **TEN (10) days** before the date appointed for the said meeting the Hon. General Secretary or the Secretary of the Games Section concerned, as the case may be, shall place on the notice board in the Club Pavilion, a list of the members to be proposed at the meeting.
- 5.2.4 The General Committee or the Committee of the Games Section concerned, as the case may be, shall have power to fill any vacancy which may occur among the Officers of the Club or the Games Section concerned.



5.3 – General Committee:

5.3.1 The Club shall be governed by a General Committee consisting of:

- a) The ex-officio Members as per Rule 5.1.1 (a to e).
- b) The Two (2) Vice-Presidents.
- c) The Chairmen of Standing Sub Committees elected under Rule 5.2.
- d) The Chairmen of each Games Section Committee (or a substitute nominated by a Games Section Committee).
- e) The Child Welfare Officer/Officers.

5.3.2 The Club Chairman shall be Chairman of the General Committee.

5.3.3 A quorum for a General Committee Meeting shall be **SIX (6)** voting Members.

5.3.4 The General Committee shall meet **NOT** less often than once in every month.

5.3.5 The General Committee shall be responsible for the purchase and supply of intoxicating liquor.

5.3.6 The Hon. General Secretary and **ONE (1)** Member nominated by the General Committee shall be responsible for the control of any gaming machines and shall account to the Hon. Treasurer for cash taken from the machines.

5.3.7 The General Committee shall develop a Communications Policy for the Club. It will include guidance etc on the use of social media (such as WhatsApp and Twitter or similar applications) by the Club Membership and the design, management and administration of a Club Website, which has external links (hyperlinks) to the Club's Sport Sections governing bodies as listed in Rule 2.2.3 herein.

5.4 – Standing Sub-Committees:

5.4.1 The General Committee at its first meeting in each year after the Annual General Meeting shall appoint Standing Sub-Committees (one being a Finance Sub-Committee), the number and constitution of which shall be as determined from time to time by the General Committee.

5.4.2 The Club Chairman, Hon. General Secretary and Hon. Treasurer shall be ex-officio Members of all Standing Sub-Committees.

5.4.3 The General Committee at any meeting may appoint such additional Standing Sub-Committees as it considers necessary and may dissolve any Standing Sub-Committee.

5.4.4 The General Committee may alter or rescind any decision of any Standing Sub-Committee if in the opinion of the General Committee it is necessary to do so in the interests of the Club.

5.4.5 The decisions of each Standing Sub-Committee shall be effective unless overruled by the General Committee.

5.4.6 Each Standing Sub-Committee shall appoint one of its Members to act as Secretary and such person shall keep minutes of the meetings of the Sub-Committee. If requested to do so by the Hon. General Secretary, the Secretary of the Sub-Committee shall produce to the General Committee the minutes of that Sub-Committee.

5.4.7 The functions and duties of each Standing Sub-Committee shall be as determined from time to time by the General Committee.

5.4.8 Each Standing Sub-Committee shall have the same power to co-opt as the General Committee.

5.4.9 The Finance Sub-Committee shall meet, (or failing this), The Hon. Treasurer shall report, to General Committee, not less than **FOUR (4)** times a year.

5.4.10 Other Sub-Committees shall meet not less than **FOUR (4)** times a year.

5.4.11 Each Sub-Committee shall liaise with and support the General Committee in the development and upkeep of the Club Website.



5.5 – Games Sections:

- 5.5.1 Each Games Section shall hold each year an Annual General Meeting of Members of the Games Section concerned. Such Annual General Meetings shall be held not less than ONE (1) month before the Club's Annual General Meeting. Minutes of such meetings shall be recorded and sent to the Honorary General Secretary by the Games Section Secretary.
- 5.5.2 Each Games Section shall be governed by a Committee, the Club Constitution and Chairman (whom shall be determined from time to time by the Members of the Games Section concerned and approved by the Annual General Meeting of the Games Section concerned).
- 5.5.3 The Secretary of each Games Section Committee shall keep minutes of the meetings of that Committee and shall, if requested by the Hon. General Secretary so to do, will produce to the General Committee the minutes of the Games Section concerned.
- 5.5.4 The General Committee shall have power to alter or rescind any decision of any Games Section Committee if in their opinion it is necessary to do so in the interests of the Club, provided that in **NO** case may the General Committee alter the composition of any team properly selected by a Games Section Committee from the members of the Games Section concerned.
- 5.5.5 Each Games Section Committee shall have the same power to co-opt as the General Committee.
- 5.5.6 Each Games Section Committee shall liaise and support the General Committee in the development and upkeep of the Club Website.
- 5.5.7 Each Games Section Committee shall meet at least four times every year.

5.6 – Trustees:

- 5.6.1 The property of the Club shall be vested in the Trustees, whose number shall not exceed **FOUR (4)** and shall be dealt with by them as the General Committee shall from time to time direct by Resolution (of which an entry in the Minute Book shall be conclusive evidence).
- 5.6.2 The Trustees must at the lawful and proper direction of the General Committee make any disposition of the Club property or any part of it and enter into any agreement in relation to the Club property as the General Committee thinks fit and proper in respect of any sums borrowed and to give security for any loan or interest.
- 5.6.3 The Trustees shall be indemnified against all risk and expense out of the Club property.
- 5.6.4 The Trustees shall be permanent officials and shall hold office until death or resignation, cesser of Membership, or for any reason that seems sufficient for the General Committee to remove a Trustee or Trustees from office.
- 5.6.5 If by reason of any such death, resignation, cesser of Membership, or removal, it shall seem necessary to the General Committee that a new Trustee, or Trustees should be appointed, or if the General Committee shall deem it expedient that an additional Trustee or additional Trustees should be appointed, the General Committee shall, by resolution, nominate the person or persons to be appointed as the new Trustee or Trustees.
- 5.6.6 A Resolution of the General Committee appointing persons to be new Trustees, shall have effect as if it were a Resolution nominating such persons to be a new Trustee subject to confirmation of such nomination under the foregoing provisions of this Rule.
- 5.6.7 For the purposes of giving effect to such nomination, the Chairman of the General Committee, is hereby nominated as the person to appoint a new Trustee or Trustees of the Club within the terms of the Trustee Act 2000 and shall by deed duly appoint the person or persons so nominated as aforesaid as the new Trustee or Trustees and the provisions of the Trustee Act 2000 shall apply to any such appointment. Any statement of fact in any such Deed of Appointment shall in favour of a person dealing bona fide and for value with the Club or the General Committee be conclusive evidence of the fact so stated.



6.0 - Meetings:

6.1 - Annual General Meeting (AGM):

- 6.1.1 The **Annual General Meeting (AGM)** of the Club shall be held on such date as the General Committee shall appoint, being **not later than** the last day in February in each year when the Hon. General Secretary's report and the Hon. Treasurer's independently examined Statement of Annual Accounts shall be submitted for approval.
- 6.1.2 A copy of The Annual Accounts shall be sent to all Members prior to the Annual General Meeting. Additional information shall be made available to Members on request in writing to the Hon. Treasurer provided that the information can be supplied without incurring unreasonable expenses.

6.2 - Special General Meeting (SGM):

- 6.2.1 The General Committee shall, at the request of no fewer than **TWENTY FIVE (25) Full Members of the Club**, call a **Special General Meeting (SGM)** of Members. Such a request shall be in writing addressed to the Honorary General Secretary, shall be signed by all the Members concerned, and shall state the business to be transacted at the Meeting. The date for the Meeting shall be fixed by the General Committee but in any case it shall be held within **SIX (6)** weeks of the request.
- 6.2.2 The General Committee may also, using its authority, call a SGM of Members.
- 6.2.3 The Games Section Committee shall, at the request of no fewer than TWELVE (12) Full Members of the Club, call a Special General Meeting of the Games Section. Such a request shall be in writing addressed to the Games Section Secretary, shall be signed by all the Members concerned, and shall state the business to be transacted at the Meeting. The date for the Meeting shall be fixed by the Games Section Committee but in any case it shall be held within SIX (6) weeks of the request.
- 6.2.4 **NO** business other than that stated on the notice convening the meeting shall be transacted at the SGM.

6.3 - Notice of Annual General Meeting or Special General Meeting Club or Games Section:

- 6.3.1 **TWENTY-ONE (21) days** before the date appointed for the Annual General Meeting of the Club or any Games Section, the Hon. Secretary of the Club or Secretary of the Games Section concerned shall send by post or email to each Full Member of the Club or Games Section concerned a notice in writing stating the date, time, place and purpose of such Meeting.
- 6.3.2 **FOURTEEN (14) days** before the date appointed for a Special General Meeting of the Club or any Games Section, the Hon. Secretary of the Club or Secretary of the Games Section concerned shall send by post or email to each Full Member of the Club or Games Section concerned a notice in writing stating the date, time, place and purpose of such Meeting.

6.4 – Notices of Motion:

- 6.4.1 If any **FULL** Member of the Club desires to propose any motion at any Annual General Meeting of the Club he/she shall give notice in writing, duly seconded, of such motion to the Hon. General Secretary. The said notice must reach the Hon. General Secretary not later than **FOURTEEN (14) days** before the date of the Meeting. Without such notice the motion may not be produced at the Meeting.
- 6.4.2 **TEN (10) days** before the date of the said Meeting the Honorary General Secretary shall place on the notice board in the Club Pavilion a notice setting out the motions to be proposed at the Meeting.
- 6.4.3 The Rule 6.4.2 shall also apply in the case of the Annual General Meeting of each Games Section, the duties of the Honorary General Secretary being carried out by the Honorary Secretary of the Games Section concerned.



6.5 - Voting:

- 6.5.1 Voting at any meeting shall be by show of hands or by voting papers as the Chairman of the Meeting shall decide. A vote shall be deemed approved by a simple majority unless otherwise herein stated.
- 6.5.2 The Chairman has only **ONE (1)** casting vote in the event of equality.
- 6.5.3 Voting at any Club Meeting shall be confined to **FULL** Members present at the meeting, and in the case of Meetings of Games Sections, voting shall be confined to:
 - a) Playing Members aged 18 years or over of the Games Section concerned
 - b) Social Members or Life Members who have previously been playing members of the Games Section concerned.
 - c) Limited Term Members representing the Games Section concerned.



7.0 - Finance:

7.1 – Club Assets:

- 7.1.1 The Income and Property of the Club shall be applied solely towards promoting the Club's objects as set forth in these rules and no portion thereof shall be paid or transferred, directly or indirectly, to the Members of the Club.
- 7.1.2 The Club grounds, property and other assets shall be vested in the Trustees who shall be appointed from time to time by the General Committee.
- 7.1.3 The General Committee shall be responsible for the management and control of the assets of the Club.

7.2 – Borrowing Powers:

- 7.2.1 If at any time the Club at a General Meeting pass a resolution authorising the General Committee to borrow money, the General Committee shall thereupon be empowered to borrow for the purposes of the Club such amount of money either at one time or from time to time and at such rate of interest and in such form and manner and upon such security as shall be specified in such resolution, and thereupon the Trustees of the Club shall at the direction of the General Committee make all such dispositions of the Club property or any part thereof and enter into such agreements in relation thereto as the General Committee may deem proper for giving security for such loans and interest.
- 7.2.2 All Members of the Club, whether voting on such resolution or not and all Members becoming Members of the Club after the passing of such resolution shall be deemed to have assented to the same as though they had voted in favour of the resolution.
- 7.2.3 A detailed Register of Borrowings is to be maintained and presented to the General Committee by the Hon. General Secretary.

7.3 – Exemption of Officers from Liability:

- 7.3.1 The Trustees and Officers of the Club (including the Members of all Committees and Sub-Committees) shall be **exempt** from personal liability in respect of all acts done and decisions made in good faith on behalf of the Club, provided that such acts or decisions are within the normal duties of the Trustees and Officers concerned.

7.4 – Club Account:

- 7.4.1 **All** Club monies shall be banked in an account in the Name of the Club.
- 7.4.2 The Hon. Treasurer shall be responsible for the finances of the Club and for providing a report on the financial position as required by the General Committee.
- 7.4.3 The Hon. General Secretary shall ensure that the Club maintains adequate and appropriate insurance to cover the activities of the Club.
- 7.4.4 **The financial year will end on 30th September.**
- 7.4.5 The Hon. Treasurer will present an independently examined Statement of Annual Accounts at the AGM.



8.0 - Amendments to the Constitution:

8.1 – Copy of the Constitution:

8.1.1 A copy of the Constitution shall be posted in the Club Pavilion. On **ALL** Notice boards and behind the Bar area or areas deemed appropriate by the General Committee.

8.2 – Amendment of the Rules:

8.2.1 No Rule, documented in this Constitution, shall be added, revised, amended or rescinded except by a simple majority of **FULL** Members present and voting at an Annual General Meeting of the Club.

8.2.2 Any notice in writing, of a motion adding, revising, amending or rescinding any Rule herein can **ONLY** be proposed by a **FULL** Member of the Club and seconded by another **FULL** Member.

8.2.3 The General Committee may, without notice to Members, alter any Rules in this Constitution to meet legal requirements without calling a Special General Meeting (SGM). Such amendments to the Rules shall be notified to all Members in writing and submitted to the next Annual General Meeting for ratification.

8.3 – Interpretation of the Rules:

8.3.1 Any question which may arise in the interpretation of these Rules or in connection with any matter relating to the Club which is not provided for in these Rules shall be determined by the General Committee.

8.4 – Bye-Laws:

8.4.1 The General Committee may from time to time make, alter or rescind Bye-Laws regulating the use of the Club Pavilion and ground, the management of matches and other matters of similar nature which Bye-Laws shall become binding upon all Members on being posted in the Club Pavilion.



9.0 - Discipline:

NOTE: This Section should be read in conjunction with the notes outlined in:

Appendix (1) – Code of Conduct - Members, Guests and Visitors

9.1 – Conduct of Members:

- 9.1.1 The Club shall adopt a 'zero tolerance' policy towards any Club Member or their Guests or any Visitors with regards to the following;
- (i) Abuse or Harassment, of an individual or group of individuals, be it verbal or physical.
 - (ii) Child Sexual Exploitation.
 - (iii) Drug Abuse (Supplying thereof, or use).
 - (iv) Foul Language.
 - (v) Bullying.
 - (vi) Indecent Exposure.
 - (vii) Hateful and Malicious Conduct, of an individual or group of individuals.
 - (viii) Social Media Abuse.
 - (ix) Unlawful Behaviour.
 - (x) Bringing the Club into Disrepute.
- 9.1.2 If any Member of the General Committee considers the conduct of a Member falls short of the matters outlined in Rule 9.1.1 above, he/she may request that such conduct is considered by the General Committee as if the complaint had been made by a Member as outlined in Rule 9.1.3 below.
- 9.1.3 Any complaint by a Member of the conduct of another Member shall be made in writing to the Hon. General Secretary. Such complaint shall be considered by the General Committee within **FOURTEEN (14) days** from receipt of the written complaint or at the next meeting of the General Committee whichever is the later.
- 9.1.4 No Member of the General Committee shall participate in any determination of any complaint, or disciplinary process relating thereto, where the complaint relates to conduct by another Member towards that Member of the General Committee or in any circumstances where it is deemed by the General Committee that it would be inappropriate for such a Member of the General Committee to participate in such procedure.
- 9.1.5 If the General Committee considers that there is no merit in the complaint, no further action shall be taken and the Member who made the complaint shall be notified in writing by the Secretary within 7 days.
- 9.1.6 If the General Committee considers that there is merit in the complaint, the General Committee shall proceed as follows:
- (i) Appoint a Sub-Committee of not less than **three (3) members** of the General Committee in order to make findings of fact in relation to the complaint.
 - (ii) Notify the Member who made the complaint and the Member about whom the Complaint is made (the 'relevant Member') of the appointment of the Sub-Committee and invite them within **FOURTEEN (14) days** to provide the Secretary with any or any further submission in writing together with any written statement from any witness that they regard as relevant. Any such submission or statement shall be forwarded by the Secretary to the Members of the Sub-Committee.
 - (iii) The Sub-Committee within 28 days after appointment shall deliver to the General Committee a Report setting out the Sub-Committee's Finding of Fact. The Sub-Committee shall not recommend any sanction.
- 9.1.7 If During the period from the appointment of the Sub-Committee to the determination by the General Committee following receipt of the Fact-Finding Report, the relevant Member shall be subject to any temporary restriction or suspension of Membership that the General Committee deem appropriate for the well being of the Club, its Members and employees.



- 9.1.8 Upon receipt of the Finding of Fact Report from the Sub-Committee, the General Committee shall within **TWENTY-EIGHT (28) days** either:
- (i) determine that no further action is to be taken, and notify the Member who made the complaint and the relevant Member accordingly.
 - (ii) determine that the relevant Member should be subject to one of the following levels of discipline:
 - (a) LEVEL 1: Verbal Reprimand or Written Warning.**
 - (b) LEVEL 2: Suspension of Membership for such period as the General Committee deem appropriate to a maximum period of suspension of FIVE (5) years.**
 - (c) LEVEL 3: Expulsion from Membership of the Club.**
- 9.1.9 The President of the Club shall not participate in the determination of the General Committee set out in para 9.1.8 (ii) above.
- 9.1.10 Where the General Committee has determined that the appropriate sanction is either **Level 2 or Level 3**, the relevant Member shall be informed of the General Committee's determination and be entitled to make any further submission in writing or, should the General Committee deem it appropriate in person, within **FOURTEEN (14) days**.
- 9.1.11 At the next General Committee meeting after the period of **FOURTEEN (14) days** referred to in the above paragraph, the General Committee shall ratify its decision or take any further action as it deems appropriate.
- 9.1.12 Where the General Committee has ratified its decision to impose a **Level 2 or Level 3 sanction**, the relevant Member shall be informed by the Secretary within **SEVEN (7) days**, and be entitled to a right of Appeal to the President of the Club.
- 9.1.13 Where the relevant Member has exercised his/her right of Appeal, the President shall appoint a Committee of **THREE (3) members** to consider the Appeal. Membership of the Appeal Committee shall be the President, a member of the General Committee and a member of the Club who has been a member of the Club for not less than **TWENTY (20) years**.
- 9.1.14 The Appeals Committee shall determine the Appeal within **TWENTY-EIGHT (28) days** of its appointment. In determining the Appeal the Appeals Committee shall in its discretion consider any submissions either in writing or in person as deemed appropriate. Within **SEVEN (7) days** of such determination, notify the Secretary who shall forthwith notify the relevant Member.
- 9.1.15 **The decision of the Appeals Committee shall be FINAL.**



10.0 - Dissolution:

- 10.1 A resolution to dissolve the Club can **ONLY** be passed at an Annual General Meeting or Extraordinary General Meeting through a majority vote of the Membership.
- 10.2 In the event of dissolution any profits or assets of the Club **shall not** be paid to or distributed amongst Members but shall be given or transferred to one or more of the following approved sporting or charitable bodies with similar objects to those of the Club to be nominated by the Members at an Annual General Meeting or Special General Meeting.
- (i) A registered charitable organisation(s)
 - (ii) Another Club which is a registered CASC
 - (iii) The Sports' National Governing Body for use by them for related community sports.

11.0 - Declaration:

- 11.1 This Constitution and its associated Rules, is hereby adopted and accepted as a current operating guide regulating the actions of Members of the;

Oxton Cricket and Sports Club

Signature 1

FULL NAME:	
SIGNATURE:	
POSITION HELD AT CLUB:	
DATE SIGNED:	

Signature 2

FULL NAME:	
SIGNATURE:	
POSITION HELD AT CLUB:	
DATE SIGNED:	



APPENDIX (1):

Code of Conduct - Members, Guests and Visitors

- a) The Club deems that upon payment of membership fees, all Members and their Guests have given their consent to be bound by both the restrictions and penalties imposed by this Code of Conduct. Members shall be liable for any breach committed whether by themselves or their Guests.
- b) Visitors are expected to abide by the Club's Code of Conduct whilst on the Club premises.
- c) The intention of the Code of Conduct is to establish clear and acceptable behaviour expectations for the Club Members, Guests and Visitors.
- d) It is not intended to restrict the rights of anyone but rather to ensure that all Members, Guests and Visitors can expect to be treated with respect whilst enjoying the Club and its facilities.

Responsibilities:

- a) Members must always act within the Club Constitution and any associated Bye-laws, Club Policies and Procedures. These can be found on the Club website and are available upon request from Hon. General Secretary or can be viewed on the main notice board in the pavilion. No Member shall be absolved from their effect on any allegation of not having received a copy.
- b) Be respectful of everyone as a Club Member that you come into contact with at the Club. Respect diversity, different roles and boundaries, and avoid giving offence. Do not engage in any form of sexual, racial, religious discrimination or harassment. Do not conduct yourself in any rude or immoral manner, including the use of profane language, gestures, insults or other such misbehaviors.
- c) The Club shall adopt a '**zero tolerance**' policy towards any Club Member or their Guests or any Visitors with regards to the following;
 - (i) Abuse or Harassment, of an individual or group of individuals, be it verbal or physical.
 - (ii) Child Sexual Exploitation.
 - (iii) Drug Abuse (Supplying thereof, or use).
 - (iv) Foul Language.
 - (v) Bullying.
 - (vi) Indecent Exposure.
 - (vii) Hateful and Malicious Conduct, of an individual or group of individuals.
 - (viii) Social Media Abuse.
 - (ix) Unlawful Behaviour.
 - (x) Bringing the Club into Disrepute.
- d) When using social media in connection with the Club, Officials or Members, should do so in a manner, which could not be deemed offensive. The Club's Communication Policy sets out guidance and rules around the use of social media. Members are asked to consider the impact of publicly expressive negative issues relating to the Club, its Officials or Members on social media. Any such issues should be raised in line with the process outlined in this Code of Conduct for dealing with complaints and protests.



Responsibilities contd:

- e) In no case shall an employee or servant of the Club be reprimanded directly by a Member, or entitled to enter into discussion with a Member on any instructions passed to them by the Club's General Committee.
- f) As well as avoiding actual impropriety, Members, their Guests and any Visitors are asked to conduct themselves in a manner which does not damage or undermine the reputation of the Club (especially when you are representing the Club or any Games Section) and not take part in any activity which is in conflict with the objects of the Club or which might damage the reputation of the Club.

Use of Club Games Playing Areas and Club Equipment:

- a) Take pride in the overall appearance of the Club and its grounds/playing areas, as if it was your own personal property.
- b) Apply the principles, rules and etiquette set out by the Club's Games Sections National Governing Bodies.
- c) Respect the rights of other players and Club staff.
- d) Respect the Club's equipment including all maintenance equipment and games training equipment.
- e) Act honestly on all occasions during play. Conduct yourself in a sporting manner and do not knowingly cheat, abuse, disrespect employees, officials or fellow competitors.

In the Clubhouse and Associated Grounds:

- a) Respect **ALL** Clubhouse facilities
- b) The use of foul or abusive language such as swearing has no place in the Clubhouse and any Member, Guest or Visitor heard using unacceptable or offensive language will be asked to cease or leave the premises. Where someone is consistently observed using foul language after being warned, then their continued membership of the Club may be reviewed. Whilst acknowledging that adult banter often contributes to a healthy atmosphere amongst Members, these rules are to safeguard others who should not have to hear language that they would not personally use or make others feel uncomfortable.
- c) Smoking or the use of E-Cigarettes (Vaping) is not permitted within any of the Club buildings or the associated grounds out buildings and **ONLY** permitted in the designated areas – this is a Sports Club, promoting health and fitness!
- d) Be considerate towards others when using any Mobile Communications device in the Clubhouse or associated grounds.



Complaints and Protests:

- a) All complaints must be made in writing addressed to the Hon. General Secretary (in accordance with Rule 9.0) and signed by the complainant.
- b) The Hon. General Secretary shall submit all complaints and protests to the General Committee for consideration at a properly convened meeting or earlier if required.
- c) The decision of the General Committee shall be **FINAL and BINDING** upon all concerned.

Disciplinary Procedures:

- a) Should the conduct of any Member of the Club either in the Clubhouse or the surrounding grounds or whilst representing the Club in Games fixtures, give concern to the General Committee, either by observation or implication and as such might cause the reputation of the Club to suffer, the General Committee will take whatever action deemed fit to rectify the situation in terms of Warning, Suspension or Expulsion from the Club.
- b) Such Member shall have the Right of Appeal to the General Committee in accordance with Rule 9.1.8 and Rule 9.1.9 respectively.
- c) Ultimately, the decision of the General Committee shall be **FINAL**.
- d) Neither the Club nor the General Committee shall be liable for any claim by a Member in respect of a Warning, Suspension or Expulsion.

Disciplinary Hearing:

- a) The hearing **is NOT** a Court of Law but an enquiry into the circumstances giving rise to the complaint.
- b) **NO Legal representation will be allowed.**
- c) The Disciplinary Committee shall comprise of General Committee Members. The Chair shall appoint **ONE (1)** one of the General Committee Members to make a written note of the Disciplinary Hearing. The decision, penalty and other matters arising for determination at the Disciplinary Hearing shall be on the basis of a simple majority vote.
- d) In the event of a split decision, the Chair shall have the casting vote.
- e) **NO person who is connected in anyway with the Member accused of misconduct** shall be involved in convening or officiating at the Disciplinary Hearing or on a Right to Appeal.



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