



Incogniti Cricket Club

## **CONSTITUTION**

(Formally adopted by the Incogniti Committee in April 2021  
following the April 2021 Annual General Meeting)

### **1. Name & Description**

- i. The name of the Club is Incogniti Cricket Club.
- ii. The colours of the Club are purple, yellow and black.
- iii. The Club, established in 1861, is a 'wandering' cricket club, and as such does not possess its own facilities and nor does it have a permanent ground.

### **2. Aims and Objectives**

- i. The main purpose of the Club is to encourage participation in the sport of amateur cricket. The Club shall aim to foster and promote the spirit of competitive and friendly amateur cricket within the United Kingdom and abroad, and across age ranges.
- ii. To ensure that all members abide by the 'ECB Code of Conduct' which incorporates the Spirit of Cricket and the Laws of Cricket.
- iii. To ensure a duty of care to all members of the Club by adopting and implementing the ECB 'Safe Hands – Cricket's Policy for Safeguarding Children', and any future versions of that policy.
- iv. To ensure a duty of care to all members of the Club by adopting and implementing the ECB Cricket Equity Policy and any future versions of that policy.
- v. To encourage all members to participate fully in the activities of the Club.

### **3. Membership**

- i. All members whose membership subscription is paid up for the year form the Club. No member shall be eligible to take part in Club business or be eligible for selection unless the appropriate subscription has been paid by the specified date agreed by the Committee or the Committee is satisfied with any extenuating circumstances offered by a member.
- ii. Eligibility for membership of the Club shall be based on an interest in the sport of cricket, regardless of sex, age, disability, ethnicity, nationality, sexual orientation, religion or other beliefs.
- iii. The election of members shall be decided by the Committee. Candidates for membership of the Club shall be proposed by a member and seconded by another member, and they must be known personally by the proposer and seconder. To be elected as a playing member, the candidate must have first played either at least three matches in a single season or four matches over two seasons for the Club. In exceptional circumstances the Committee has the discretion to elect members who may not have totally met this criterion (e.g. due to a rain-curtailed match).



- iv. Members selected to play in a match are expected to appear in the colours of the Club and arrive at the ground in suitable attire. Once at the ground, members are to remain appropriately dressed as determined by the Match Manager.
- v. Any candidate proposed but not elected by the Committee shall not be proposed again without the authority of the Committee, and in such a circumstance the candidate will need to play a number of qualifying matches specified by the Committee.
- vi. The candidate shall only officially become a member of the Club once their membership subscription has been paid for the first full season following their election. Their election will become void if the subscription has not been paid within the timescale set out in section 4 (Membership Subscription).
- vii. If a candidate is not elected, the Hon. Secretary will inform them.
- viii. The Committee may refuse membership, or remove it, only for good cause such as conduct likely to bring the Club or cricket into disrepute. Appeal against removal may be made to the Hon. Secretary who shall appoint an Appeals Committee to hear the appeal (see section 13).
- ix. All members will be subject to the regulations of the Constitution and by joining the Club will be deemed to accept these regulations and any Codes of Conduct that the Club has adopted and notified to members.
- x. The Constitution shall identify those members eligible to vote at any General Meetings.

#### **4. Membership Subscription**

- i. For the purposes of membership, subscriptions are for the period commencing 1st April until 31st March of the following year. Subscriptions are due on 1st April, and must be paid before 31st May of the same year, after which date membership will be deemed to have lapsed.
- ii. The annual subscription shall be at a fixed rate or rates to be decided at the Annual General Meeting of the Club. Subscriptions shall be paid by standing order, or by other arrangements agreed with the Hon. Treasurer. Provided that subscriptions are paid by standing order without interruption, they shall remain at the rate set upon election of the member, until such time as the Hon. Treasurer deems that the sum is insufficient to cover the costs of the Club such as postage and administration.
- iii. The Club may have different classes of membership and subscription on a non-discriminatory and fair basis. The Club will keep subscriptions at levels that will not pose a significant obstacle to participation.

#### **5. Classes of Membership**

There are five classes of membership available. These are:

1. Full Member (over 21) – full subscription required
  2. Under 21 Member – no subscription required
- In addition the Committee will have the discretion to elect:
3. Honorary Life Vice-Presidents
  4. Life Members
  5. Honorary Members (do not have the right to attend or vote at general meetings)



A list of members in each category shall be maintained by the Hon. Treasurer and the Membership Secretary (the Membership Secretary will support the Hon. Treasurer and Hon. Secretary in the fulfilment of their duties, and is not required to be a Committee member).

## **6. Officers**

The Officers of the Club shall be as follows:

### Honorary Officer

- President (appointed by the Executive Officers)

### Executive Officers

- Hon. Secretary
- Hon. Treasurer
- Hon. Fixture Secretary
- Hon. Club Welfare Officer
- Hon. Keeper of the Club Scores and Averages
- Ex-officio members (not to exceed four)

## **7. Election of Officers**

- i. All Officers shall be elected at the Annual General Meeting of the Club from, and by, the members of the Club.
- ii. At the Annual General Meeting of the Club all members of the Committee will retire and the vacancies shall be refilled. All retiring members are eligible for re-election for the ensuing year.
- iii. The names of new candidates for the Committee shall be forwarded by the proposer to the Hon. Secretary at least eight weeks in advance of the Annual General meeting. Nominations should express which Committee post they are standing for. Existing members standing for re-election may self-nominate but will require a seconder.

## **8. Committee**

- i. The affairs of the Club shall be conducted by a Committee comprising the President, Hon. Secretary, Hon. Treasurer, Hon. Fixture Secretary, Hon. Keeper of the Club Scores and Averages, the Club Welfare Officer and the Ex-officio Committee members.
- ii. The Committee will be convened by the Hon. Secretary and shall meet at agreed intervals and not less than twice per year in addition to the Annual General Meeting.
- iii. The quorum required for business to be agreed at Committee meetings shall be four members of the Committee. At any General meeting of the Club, four members of the Committee and six additional members will be required for the meeting to be deemed quorate.
- iv. The duties of the Committee shall be:
  - a. To control the affairs of the Club on behalf of the members.



- b. To keep accurate accounts of the finances of the Club through the Hon. Treasurer. These should be available for reasonable inspection by members and should be audited before every Annual General Meeting.
  - c. To co-opt additional members to the Committee as the Committee feels is necessary. Co-opted members shall not be entitled to a vote on the Committee.
  - d. To make decisions on the basis of a simple majority vote. In the case of equal votes, the President (or Hon. Secretary in their absence) shall be entitled to an additional casting vote.
  - e. To appoint sub-committees as necessary and to co-opt members to sub-committees as necessary.
  - f. To appoint a Club Welfare Officer to ensure compliance with safeguarding legislation and the ECB's 'Safe Hands – Cricket's Policy for Safeguarding Children'. The Club Welfare Officer shall report to relevant Committee meetings and the reports, together with any action taken, must be minuted.
- v. An elected Committee member ceases to be such if they cease to be a member of the Club, resigns by written notice, or is removed by the Committee for good cause after the member concerned has been given the chance of putting their case to the Committee. Appeal against removal may be made to the Appeals Committee. The Committee shall fairly decide time limits and formalities for these steps.
- vi. The Committee has the power, on behalf of the Club, to:
- a. Rent grounds and playing facilities, and purchase equipment.
  - b. Take out any insurance for the Club and its members as appropriate.
  - c. Raise funds by means of appeals, subscriptions, and other fundraising activities.
  - d. Set aside funds for special purposes or as reserves.
  - e. Invest funds in any lawful manner.
  - f. Employ and engage staff and others that provide services.
  - g. Co-operate with or affiliate to, any bodies regulating or organising the sport of cricket, any Club or body involved with cricket, and government and related agencies.
  - h. Do all other things reasonably necessary to advance the aims and objectives of the Club.

**None of the above powers may be used other than to advance the aims and objectives of the Club.**

## **9. General Meetings**

- i. The Annual General Meeting of the Club shall be held not later than the end of April each year. The Committee will ensure that adequate notice of the Annual General Meeting shall be given to all Club members. Members must advise the Hon. Secretary in writing of any other business to be moved at the Annual General Meeting at least 14 days before a meeting. The Hon. Secretary shall circulate or give notice of the agenda for the meeting to members not less than seven days before the meeting.
- ii. The business of the Annual General Meeting shall be to:
  - a. Confirm the minutes of the previous Annual General Meeting and any General



Meetings held since the last Annual General Meeting.

- b. Receive the audited accounts for the year from the Hon. Treasurer.
  - c. Receive the annual report of the Committee from the Hon. Secretary.
  - d. Elect an auditor.
  - e. Elect the Officers of the Club.
  - f. Review Club membership subscription rates and agree them for the forthcoming year.
  - g. Transact such other business received in writing by the Hon. Secretary from members 14 days prior to the meeting and included on the agenda. Nominations of candidates for election of Officers shall be made in writing to the Hon. Secretary at least 14 days in advance of the Annual General Meeting date. Nominations can only be made by Full Members and must be seconded by another Full Member.
- iii. At all General Meetings, the person who chairs the meeting will be the President or, in their absence, a deputy (usually the Hon. Secretary) appointed by Committee members attending the meeting. Decisions made at a General Meeting shall be by a simple majority vote from those Full Members attending the meeting. In the event of equal votes, the person chairing the meeting shall be entitled to an additional casting vote.
- iv. Each Full Member of the Club shall be entitled to one vote at General Meetings.

## **10. Amendments to the Constitution**

Any proposed amendments to the Club Constitution may only be considered at an Annual or Special General Meeting, convened with the required written notice of the proposal. Any alteration or amendment must be proposed by a Full Member of the Club and seconded by another Full Member. Such amendments shall be passed if supported by not less than two-thirds of those Full Voting Members present at the meeting, assuming that a quorum has been achieved.

## **11. Finance**

- i. The Club shall maintain a bank current account in the name of the Club. All Club monies shall be banked in said account or held as investments determined by the Committee. Any two of the following Officers shall be authorised to sign Club cheques: the President, Hon. Treasurer, Hon. Secretary and any other Officer, as agreed by the Committee. With regard to electronic (internet) banking, the Hon. Treasurer must seek prior agreement from another Executive Officer to authorise and execute payments over an amount to be set yearly by the Committee (initially this has been set at £50.00) and must provide proof of payment upon completion of the transaction. In addition the Hon. Treasurer will comply with any security measures deemed necessary by the bank or the investment provider with whom the Club account is registered.
- ii. 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 Committee.
- iii. The Hon. Treasurer shall ensure that the Club maintains adequate and appropriate insurance to cover the activities of the Club.
- iv. The financial year will end on 30<sup>th</sup> September each year.
- v. The Hon. Treasurer will present an audited statement of annual accounts at the Annual General Meeting.



## 12. Property and Funds

- i. The property and funds of the Club cannot be used for the direct or indirect private benefit of members and all surplus income or profits shall be reinvested in the Club.
- ii. The Club may also in connection with the sports purposes of the Club:
  - a. Sell Club-branded sports and leisure 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 opposition teams and guests.
  - 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.

## 13. Discipline and Appeals

- i. All complaints regarding the behaviour of members should be lodged in writing with the Hon. Secretary.
- ii. The Committee shall appoint a Disciplinary sub-committee which shall meet to hear complaints within a reasonable period of time from the complaint being lodged (not longer than twelve weeks). Any member requested to attend a Disciplinary sub-committee shall be entitled to be accompanied by a friend or other representative and to call witnesses. The Committee (or its sub-committee) has the power to take appropriate disciplinary action, including the termination of membership.
- iii. The outcome of the disciplinary hearing shall be put in writing to the person who lodged the complaint and the member against whom the complaint was made within seven days following the hearing.
- iv. There shall be a right of appeal to the Committee against either the finding or the sanction imposed or both following disciplinary action being taken. The Committee shall appoint an Appeals Committee (a maximum of three) which shall not include members involved with the initial disciplinary hearing.
- v. The Appeals Committee shall consider the appeal within 28 days of the Hon. Secretary receiving the appeal. The individual submitting the appeal shall be entitled to be accompanied by a friend or other representative and to call witnesses. The decision of the Appeals Committee shall be final and binding on all parties.

## 14. Other Policies

This Constitution is supported by the following Club policies:

1. Safeguarding Policy (adopted at the 2018 AGM)
2. Code of Conduct (adopted at the 2018 AGM)
3. Privacy Policy (adopted in May 2018)



## 15. Dissolution

- i. If at any General Meeting of the Club, a resolution is passed calling for the dissolution of the Club, the Hon. Secretary shall immediately convene a Special General Meeting of the Club to be held not less than one month thereafter to discuss and vote on the resolution.
- ii. If at that Special General Meeting, the resolution is carried by at least three quarters of the Full Voting Membership present at the meeting, the Committee shall thereupon, or at such date as shall have been specified in the resolution, proceed to realise the assets of the Club and discharge all debts and liabilities of the Club.
- iii. The Committee will then be responsible for the orderly winding up of the Club's affairs.
- iv. After settling all liabilities of the Club, the Committee shall dispose of the net assets remaining to one or more UK-registered charities with a purpose of encouraging the participation of disadvantaged groups in cricket (e.g. Chance to Shine, Lord's Taverners). The charities and allocation of assets will be decided at the time of dissolution.

## 16. Declaration

Incogniti Cricket Club hereby adopts and accepts this Constitution as a current operating guide regulating the actions of all members.

Signed:

Name: Nick Gibbs Date: 14<sup>th</sup> April 2021

Incogniti Cricket Club President

Signed:

Name: Tim Sims : 14 April 2021

Incogniti Cricket Club Hon. Secretary