

## **The Watsonian Cricket Club Constitution**

The **Watsonian Cricket Club** is an independent Section of The Watsonian Club, a Company Limited by Guarantee. In the pursuit of its objects, it shall abide by any rules established by The Watsonian Club affecting its sections generally.

The Constitution was approved by The Watsonian Council on [] after being adopted by the Club at its Annual General Meeting (**AGM**) on 27<sup>th</sup> November 2023 subject to the Council ratification.

### 1. Naming and Title

The Section shall be called The Watsonian Cricket Club, abbreviated in print and commonly referred to as the Watsonian Cricket Club and hereinafter referred to as 'the Club'.

### 2. Purpose

The object of the Club shall be to encourage the game of cricket.

### 3. Office Bearers

The elected Office Bearers of the Club shall consist of:

- i. Honorary President, who shall be the Master of the Merchant Company for the time being
- ii. Not more than fifteen Honorary Vice-Presidents
- iii. President
- iv. Captain
- v. Vice Captain
- vi. Captains of any other senior teams representing the Club in a recognised league
- vii. Honorary Secretary
- viii. Honorary Treasurer
- ix. Four ordinary Committee members

The four ordinary Committee members may be assigned such functions and accorded such titles as the Committee sees fit in order to manage its affairs most suitably for the benefit of the Club.

The offices of Honorary Secretary and Honorary Treasurer may be combined and either or both may be undertaken in conjunction with any other office in the Club.

All Office Bearers shall hold office from the conclusion of the meeting at which they are elected until the conclusion of the following Annual General Meeting. All retiring Office Bearers shall be eligible for re- election.

A candidate for election to any office need not be a Member but, if elected, shall take out full membership for the Club for so long as he/she remains an Office Bearer.

#### 4. Committee

The direction and control of the affairs of the Club shall be delegated to a Committee, which shall consist of the above Office Bearers, excluding the Honorary President and the Honorary Vice-Presidents. The Committee shall:

- i. be elected by the Members of the Club at each AGM;
- ii. retire annually and shall be eligible for re-election; and
- iii. have the power to fill vacancies which may arise in its number and to co-opt additional members
- iv. any person so appointed shall serve until the next AGM and shall be eligible for re-election.

The duties of the Committee shall be to conduct the affairs of the Club.

The Committee shall have the fullest powers in regard to investment, retention, realisation and transfer of property and the management thereof, and powers to invest the assets of the Club in heritable and leasehold property, investment securities, deposits and other assets of whatever description whether producing income or not, with power to insure any property on whatever terms the Committee shall think fit, with power to administer and manage any heritable property forming part of the assets of the Club, to repair, maintain, renew or improve the said heritable property, to grant, vary and terminate leases and rights of tenancy or occupancy, and with power to enter leases whether as landlord or tenant on such terms and conditions as the Committee in its sole discretion determines. None of the Committee shall be liable personally for depreciation in the value of the property which forms part of the assets of the Club nor for omissions or errors in judgement nor for neglect in management nor for the acts of omissions, neglects or defaults of each or any agent consulted or employed by them. Any assets acquired for and on behalf of the Club shall be registered in the name of the Club with the President, Honorary Secretary and Honorary Treasurer of the Club from time to time acting as Trustees ex officio.

There will also be a Selection Committee consisting of at least the Captain and Vice-Captain, and the Captains of any other senior teams representing the Club in a recognised league.

#### 5. General Responsibilities of the Committee

The Committee shall meet not less than twice a year and its responsibilities shall include:

- i. managing the activities undertaken in the name of the Club;
- ii. ensuring that the Club's aims and objectives are met; and
- iii. ensure the funds of the Club are appropriately managed and deployed.

In furtherance of carrying out the foregoing delegated duties, the Committee (acting through the Office Bearers) shall be empowered to enter into such contracts or other agreements as may be desirable or necessary in the interests of the Club. If and when necessary, the Committee may also appoint Sub-Committees.

## 6. The President and Honorary Secretary

The responsibilities of the Club President shall be to:

- i. chair meetings of the Committee and Club;
- ii. exercise a casting vote, as required, in the event of a tie, and where a deliberative vote has already been cast (Committee decisions requiring a simple majority to pass);
- iii. provide a point of reference/advice to the School on matters relating to the Club;
- iv. promote the Club and its objectives; and
- v. represent the Club at School occasions.

The Honorary Secretary shall deputise for the President, as necessary, at the request of the President. In the absence of both, the Committee shall appoint one of its members to act as Chairman for Committee meetings and the General Meeting may elect any member to the Chair for General Meetings.

## 7. The Captain and Vice-Captain

The Chair of the Selection Committee shall be the Captain of the club, whom failing the Vice-Captain. In the absence of both, the Selection Committee shall appoint one of its members to act as Chairman.

## 8. The Honorary Secretary

The responsibilities of the Honorary Secretary shall be to:

- i. give notice of meetings of the Club or Committee;
- ii. keep an accurate record of all proceedings of the Club;
- iii. attend to correspondence;
- iv. maintain an up-to-date membership database containing contact details and relevant information pertaining to each Member. Such a database shall be kept in accordance with current General Data Protection Regulations (GDPR);
- v. keep charge of books, papers and records of the Club; and
- vi. ensure a copy of all minutes and papers are available for inspection by The Watsonian Council on request, and that the annual report and accounts are submitted annually to The Watsonian Council.

## 9. The Honorary Treasurer

The responsibilities of the Honorary Treasurer shall be to:

- i. keep detailed accounts and deal with all financial matters pertaining to the Club.
- ii. In October of each year, prepare a detailed statement of accounts for the year to 30th September and send them, along with vouchers, for inspection by a suitably qualified individual who shall be selected by the Committee.

## 10. Membership

Membership shall be open to all, subject to payment of the appropriate subscription, regardless of gender, sexual orientation, race, religion or ability. No application shall be refused other than on reasonable grounds.

Any applicant refused membership shall have a right of appeal which must be submitted in writing to the Honorary Secretary. The applicant will have the right to appear before an Executive Committee comprising the President, Honorary Secretary, Honorary Treasurer and Captain to put their case and that Committee will consider representations before either the refusal to grant membership is confirmed or the application is accepted. The decision will be conveyed to the applicant in writing.

The Club may create a Junior Section for its Colts' players, with such membership fees as the Committee may decide. The conditions of membership of the Junior Section shall mirror those of ordinary Members. Junior Section Members would have no right to vote at any Annual General Meeting or Special General Meeting of the Club.

### **Honorary Membership**

Persons who have rendered outstanding service to the Club, or who have particularly advanced the purposes of the Club, may be elected Honorary Members at an Annual General Meeting on the recommendation of the Committee. Honorary Members shall be entitled to all the privileges of membership. Honorary Members shall be exempt from payment of the annual subscription fee.

### **11. General Meetings**

#### **Annual General Meeting**

The AGM of the Club will be held on a date fixed by the Committee, which date shall be not later than 31 January following each financial year, and shall be called by notice served at least fourteen days prior to the date of the meeting.

Notices may be given in any of the following ways:

- by sending it by post addressed to the Member's registered address; or
- by leaving it at that address; or
- by sending it by Electronic Communication to the Electronic Address for the time notified by the Member.

At that meeting a report shall be given by:

- i. the President or Honorary Secretary,
- ii. the Captain or Director of Cricket, covering the preceding year's events, notable occurrences, forthcoming events, and any future plans for the Club; and
- iii. the Honorary Treasurer, covering the accounts and financial affairs of the Club for the preceding year.

The accounts shall be available to Members from the Honorary Treasurer at, or shortly after, the Meeting. The Office Bearers and the Committee shall be elected, and any other competent business transacted.

Only Members of the Club who have paid any subscription due at the date of the meeting shall be entitled to take part in the proceedings or vote.

### Extraordinary General Meeting

The Honorary Secretary shall call an Extraordinary General Meeting of the Club at the request of the Committee or upon a request, in writing, signed by no fewer than ten or one-quarter of the Members of the Club, whichever is the smaller. The purpose for which the Meeting is called shall be specified in the requisition and in the notice calling the Meeting. Notice shall be sent to each Member of the Club, by any of the means specified under Annual General Meeting above, not less than fourteen days prior to the date of the Meeting. No business, other than that specified in that notice, shall be transacted at such a Meeting. Only Members of the Club who have paid any subscription due at the date of the meeting shall be entitled to take part in the proceedings or vote.

### 12. Quorum

Ten Members of the Club shall form a quorum at any General Meeting of the Club, four at any Committee meeting and three at any Selection Committee meeting.

### 13. Subscriptions

The subscription to the Club, which is due and payable in full no later than 30th September, shall be such sum or sums as may be fixed from time to time by the Committee. The Committee shall have the power to waive payment of subscriptions in exceptional circumstances when it is considered in the best interests of the Club that this should be done. No person shall be admitted the privileges of the Club unless their subscription has been paid by the date set by the Committee, save that they are Honorary Members, or the Committee has waived payment.

### 14. Expulsion

Every Member undertakes to comply with these rules. Any failure to do so or to engage in conduct detrimental to the good name of the Club or The Watsonian Club, in the opinion of the Committee, shall render a Member liable to expulsion. Before confirming an expulsion the Committee shall call upon the Member to provide an explanation of the conduct in question and shall provide the Member with an opportunity of offering a defence. After considering any defence offered, the decision to expel a Member or otherwise shall be taken by the Committee by means of a ballot. A majority of two-thirds of the Committee present and voting at a meeting held to consider the matter will be sufficient to determine the outcome.

### 15. Funds and Investments

The fund(s) of the Club shall be kept in such a manner as the Committee may determine and be used for the benefit of the Club as deemed appropriate by the Committee. All investments of the Club shall be in the name of the President, Honorary Secretary and Honorary Treasurer for the time being as trustees of the Club. Any transactions relating to

the investments of the Club shall require the signature of two trustees. Proper books and accounts shall be kept by the Honorary Treasurer showing the Club's financial affairs.

16. Property and Insurances

Any assets gifted to the Club by Members or others comprising cricket memorabilia, awards, trophies or similar shall be recorded in a register of 'gifted assets' and can only be sold or disposed of where prior agreement has been given by The Watsonian Council. The Committee shall arrange appropriate insurances for such property. The Committee shall arrange appropriate insurance for other Club property and meetings and other events run by the Club at its discretion. Such insurances may be inspected by any Member of the Club upon request to the Honorary Secretary.

17. General Data Protection Regulation (GDPR)

The Club shall comply with all applicable data protection and privacy legislation in force from time to time in the UK including (without limitation) the Data Protection Act 2018 in all matters relating to the collection, retention and processing of personal data of Members and other persons associated with Club activities. Such data shall only be used for lawful purposes and shall only be available to the Committee in relation to their duties and responsibilities. The Honorary Secretary shall maintain an up-to-date, secure database containing such information and shall regularly check the accuracy of data it holds.

18. Health and Safety

The Club shall remain aware of its responsibilities pertaining to the health and safety of its Members in connection with events run by the Club. The Club shall appoint a 'Person in Charge' for each event whose role shall be, amongst others, to ensure that all matters relating to the Health and Safety of Members, guests and members of the public have been properly assessed and any risks mitigated appropriately.

19. Child Protection

The Club shall remain aware of its responsibilities pertaining to child protection and safeguarding in connection with events run by the Club. It shall act in accordance with the policies and practice of George Watson's College at any event where pupils of the School may be present.

20. Alterations to the Constitution

This Constitution shall not be altered except with the consent of not less than two-thirds of the Members of the Club present and voting at an Annual or Extraordinary General Meeting. Notice of any proposed alterations, together with the names of the proposer and seconder, shall be intimated by the Honorary Secretary to the Members of the Club not less than fourteen days prior to the Meeting. Any Member of the Club wishing to propose an amendment to any proposed alterations of the Constitution shall give a notice thereof, in writing, together with the name of a seconder, to the Honorary Secretary at least seven days prior to the date of the Meeting. There shall be no obligation on the Honorary Secretary to circulate such amendments so intimated. Amendments of a minor nature may be intimated from the floor at the Meeting without notice, so long as two-thirds of those present agree that the matter can be discussed and voted upon.

A copy of any amended Constitution shall be communicated to The Watsonian Council and only after approval can any changes be implemented by the Club.

21. Bye Laws

The Committee shall have power to make Bye-Laws which shall be binding on the Members until the next Annual General Meeting or Extraordinary General Meeting of the Club, when the same shall be confirmed or otherwise.

22. Dissolution

No motion for dissolution of the Club shall be considered except at an Extraordinary General Meeting called for the purpose of dissolution. Such motion shall require the support of not less than three quarters of the Members of the Club present and voting.

In the event of such a motion being carried, all funds and assets of the Club including all paper records, minute books and other items or artefacts that may be relevant for acquisition by the George Watson's College Historical Archives and Collections will be ingathered, the Club's debts will be settled in full, final accounts will be prepared and any surplus of funds will be donated to George Watson's College for the development or furtherance of the game of Cricket in a manner to be agreed upon between the Committee and the School Principal.

**AS REVISED:**

Date

27<sup>th</sup> November 2023