

# **CAMBUSDOON SPORTS CLUB: - CONSTITUTION AND RULES**

(As approved at the Annual General Meeting held on 31st March 2021)

## 1. **NAME**

The name of the Club shall be Cambusdoon Sports Club incorporating Ayr Cricket Club, Alloway Bowling Club and Cambusdoon Football Club.

## 2. **OBJECT**

The object of the Club shall be to provide facilities for and to promote and foster participation in the games of cricket, bowls, football and other such sports and activities as may be considered suitable by the Management Committee. The Club is a non-profit making organisation. All surpluses will be used to maintain or improve the Club's facilities and no surpluses or assets will be distributed to members or third parties.

## 3. **PROPERTY**

The property, effects and monies of the Club shall belong to the members during membership equally and shall be vested in the Management Committee for the time being. The Management Committee may not dispose of, acquire, or otherwise deal in the heritable property of the Club on behalf of the members unless empowered and instructed to do so by the members meeting in Annual or Special General Meeting. Any decision relative to the said heritable property of the Club will require the approval of 80% of the members attending and eligible to vote at such a meeting.

The invested funds now placed in the hands of a Stockbroker will be administered by the Portfolio Investment Committee (PIC) to include The President, The Treasurer and 5 other independent voting members, not being members of The Management Committee, but being elected by the Management Committee. The PIC Chairperson shall not be a member of the Management Committee. Each independent member will serve a maximum of 5 years and retire in rotation. A retiring member may then seek re-election.

Requests may be made by the Management Committee for a withdrawal from the invested funds; such requests must be approved by at least 4 of the members.

All income (dividend and interest) from the invested funds will be made available to The Management Committee.

## 4. **OFFICE BEARERS**

The Office Bearers of the Club shall consist of a President, Vice President (who will represent clubhouse sports members), Club Secretary, Treasurer, one appointed representative for each of the Cricket, Bowling and Football Sections, the Membership Secretary, the Ground Convenor, and the Clubhouse and Property Convenor. They shall be known collectively as the Management Committee. All Office Bearers in the Management Committee shall be elected at the Annual General Meeting of the Club with the exception of Section representatives who will be elected at the respective Annual General Meeting of the section. In the event of any vacancies occurring during the year it shall be in the power of the Management Committee to fill such vacancies. The President, on retiral from office, shall be entitled to receive notice of, and attend at meetings of the Management Committee during the year immediately following their retiral from office but shall not be entitled to vote at such meetings.

Nominations for the posts of President and Vice-President who must have been members of the Club for at least the last three consecutive years must be in the hands of the Club

Secretary, and include the signatures of both the proposer and seconder, 28 days before the Annual General Meeting.

The Management Committee shall be empowered to appoint other Club members to its membership to cover any identified skills and knowledge gaps. This may take place at any time and is to ensure that the Management Committee is able to carry out its responsibilities effectively and efficiently. Such appointments will be approved by the Management Committee, notified to Club members through the Management Committee's monthly communication with Club members and formally reported at the Annual General Meeting.

The Management Committee shall be empowered to form Sub-Committees which will report to the Management Committee. Members of the said Sub-Committees need not be drawn solely from the Management Committee.

## 5. **MEMBERSHIP**

Membership of the Club shall consist of: -

- (a) Senior Playing or Participating Official (including coaches, conveners of teams and team umpires) members of the Club who shall be affiliated to one or more playing sections, subject to payment of the relevant membership fee
- (b) Junior Playing members (refer rule 13) of the Club who shall be affiliated to one or more playing sections, subject to payment of the relevant membership fees
- (c) Non-playing members over the age of 18 years who shall not be eligible to play any of the named sports provided by the clubs named in section 2
- (d) Country members, being members, whose place of residence is out with a radius of 50 miles from the Clubhouse at the date when subscriptions are due
- (e) Life membership – Limited to 30 members
- (f) Temporary members. (Refer rule 20)
- (g) Honorary members comprising: The Honorary President, Honorary Vice Presidents and Honorary Life Members
- (h) Corporate Membership/Affiliated Sports Club members – non-voting and with qualifying criteria set by the Management Committee

The Honorary President, Honorary Vice-Presidents and Honorary Life Members, senior playing, participating official and non-playing members and all Life Members shall be entitled to attend and vote at the Annual General Meeting and any Special General Meeting of the Club.

Non-playing juniors under the age of 18 years included within a Family membership will be retained within membership records as a dependent. They will be issued with a payment card for non-alcoholic bar purchases.

6. **MANAGEMENT COMMITTEE**

The Management Committee shall be responsible for the general affairs and administration of the Club, including the right to employ, suspend, or discharge any paid servant of the Club. The Management Committee shall have the powers to borrow monies as required and to grant security therefore, for the general day to day running of the Club's financial affairs. They shall also have power to frame regulations and to appoint sub-committees as the occasion may arise and may fill any vacancy arising in the Committee during the year. Any such regulations shall be binding on all members of the Club and spectators attending Club matches until set aside by the Committee or by the Annual or a Special General Meeting of the Club. All such regulations shall be posted on the Club Notice Board or other convenient place selected by the Committee.

As an elected membership, the Committee has the mandate on behalf of the club membership for managing the process and outcome of investigating complaints and undertaking the discipline processes as apply to club staff and members. This includes the expulsion of members following disciplinary proceedings.

The Chair of the Committee, who shall have a deliberative and casting vote at all meetings of the said Committee, shall be the President, in whose absence the Vice-President shall take the chair, or in their absence a Chair elected by the meeting. Five members of the said Committee shall form a quorum. The Management Committee shall normally meet once each month during the year and at other times as may be expedient or necessary for the administration of the Club. The Management Committee will operate under a formal charter and will maintain formal records of its meetings. The Charter will be subject to annual review with any material amendments requiring approval at the Annual General Meeting or a separate Special General Meeting.

There shall be a separate Cricket Committee, Bowling Committee and Football Committee which shall have vested in them by the Management Committee responsibility for the administration, playing finance, direction, and development of their respective sports within the Club. All decisions of these Committees affecting Club Policy and Finance will require ratification of the Management Committee before they become binding on the Club. Office Bearers, Captains and the respective Committees will be appointed by their playing members at their respective annual general meetings.

7. **ANNUAL GENERAL MEETING**

The Annual General Meeting of the Club shall be held each year on a date determined by the Management Committee but no later than the 31<sup>st</sup> March annually.

The business of the meeting shall include:

- (a) The submission of the Annual Report
- (b) The submission of the Accountant prepared Income and Expenditure Account and Balance sheet of the club as at 31<sup>st</sup> December
- (c) The election of Office Bearers
- (d) Confirmation of the continued validity of the Constitution or proposal of its amendment and any necessary approval
- (e) The approval of annual subscriptions fees recommended by the Management Committee
- (f) The approval of any Honorary Life Membership proposals
- (g) Transacting any other competent business of the Club notified to the Club Secretary in writing twenty-eight days before the meeting.

Notice of the place, date, and time of such meeting, and of the business to be brought before such meeting, together with a statement of the audited accounts shall be posted or emailed to each member of the Club at least fourteen days before the date of the said meeting. Where two or more nominations are proposed for office or offices at the Annual General Meeting, the exhaustive balloting system shall be used.

In the event of Government legislation or guidance preventing or making it undesirable to hold the AGM in person, the Management Committee (as the body elected by the members to carry out the business of running the Club) has the powers to organise the AGM in a way which allows members to participate in virtually, or exceptionally, to cancel the AGM for that year, in which case elected Office Bearers will continue in post and membership fees will remain unchanged. If the AGM is held virtually, due attention to the enabling of participation or representation will be made.

## 8. **SPECIAL GENERAL MEETING**

A Special General Meeting of the Club may be convened on the determination of the Management Committee at any time or shall be convened on a requisition being lodged with the Club Secretary, signed by twenty-five members entitled to vote or by order of the Management Committee. Notice of such Special General Meeting, to be held within 28 days of the date of such requisition must be posted or emailed to each member seven days before the date of the meeting, and such notice must state the day and hour of, and business to be brought before, such meeting. Any Notice in terms of this and the preceding rule is deemed to have been properly given if there shall be a quorum at the meeting so convened in terms of the Notice.

At all General Meetings of the Club, twenty-five members entitled to vote and personally present shall form a quorum. In the case of parity in voting the Chair will have a casting as well as a deliberate vote.

## 9. **ADMISSION OF MEMBERS**

9.1 Any person seeking to join the Club shall submit an application to the Management Committee. Members shall be admitted by the Management Committee. Membership is open to all and there will be no discrimination on grounds of the Protected Characteristics as defined by the Equality Act 2010. The Club may refuse membership only for good and sufficient cause such as conduct or character likely to bring the Club or sport into disrepute.

9.2 All members joining the Club shall be deemed to accept the terms of this Constitution and any byelaws from time to time adopted by the Club, without prejudice to the foregoing generality, the requirement to conduct themselves in accordance with the Club's ethical framework and the byelaws as to discipline set out therein.

9.3 Applicants for playing Membership in any section, upon lodgment of their application form with the Membership Secretary may be offered temporary playing facilities while awaiting membership to the Club if their current subscription is lodged with the application.

9.4 An applicant who is refused membership shall have the right to appeal directly to the Club's members who shall be able to follow the procedure for calling a Special General Meeting under Clause 8 for the membership to decide by a majority vote regarding the refusal of membership.

## 10. **SALE OF ALCOHOLIC LIQUOR**

No alcoholic liquor shall be sold on the Club premises except to members or guests over 18 years of age.

11. **INTEREST IN SALES OF ALCOHOLIC LIQUOR**

No member of the Management Committee and no manager or staff employed in the Club shall have any personal interest in the sale of alcoholic liquors therein, or the profits arising from such sales.

12. **CONSUMPTION OF ALCOHOLIC LIQUOR**

No alcoholic liquor shall be sold or supplied in the Club premises for consumption outside the designated licensed areas of the Club.

13. **JUNIOR PLAYING MEMBERS**

Youths under the age of 18 years may become junior playing members with the Club on payment of the appropriate charge as determined by the Annual General Meeting. The Management Committee shall prescribe the times at which they shall be entitled to use the pavilion and ground. On attaining the age of 18 years they shall be entitled to apply for full membership of the Club.

The Club is committed to safeguarding the welfare of all children in its care. It recognises its responsibility to promote safe practice and to protect children from harm, abuse and exploitation. Members, staff, and volunteers will work together to embrace difference and diversity and respect the rights of young and vulnerable people. The Club has a Safeguarding Policy in place. Each playing section as appropriate will have a designated Safeguarding Officer.

14. **SUBSCRIPTIONS**

The Annual Subscription for each class of member shall be approved at the Annual General Meeting or Special General Meeting convened for this purpose. and shall be implemented annually on the 1<sup>st</sup> April. The subscription year runs from 1<sup>st</sup> April to the 31<sup>st</sup> March for all types of sections. Payment of fees by direct debit is preferred. Where payment is monthly, members are to be aware that this represents a means to spread the annual fee. Payments in full are due by the 15<sup>th</sup> May.

To enable the implementation of revised subscriptions the Football membership fees (excluding walking football) and the non-playing fees will be approved at the AGM in the calendar year prior to their introduction. If, at the following AGM when all other fees are approved, a necessary in-year change to the Football fees or the non-playing fee is required, adjustment to existing Debit payments are required by the 1<sup>st</sup> May payment and any adjustment or refund to fees paid annually will be made by 30<sup>th</sup> April.

If the Subscriptions are not paid by the final due date of the 15<sup>th</sup> May (for Bowling, Cricket, Walking Football and Non-Playing memberships) or 15<sup>th</sup> January for all other Football memberships, they shall be considered to be in arrears and the Membership Secretary shall have power to intimate to any member who has failed to pay within said time that if his/her subscription be not paid within fourteen days, thereafter, his/her name shall be brought before the Management Committee, who shall have power to terminate membership. No member whose subscription is in arrears shall be entitled to the privileges (including training with or playing for a club team) of the Club or to attend or vote at any General Meeting. Each playing section is responsible and accountable for ensuring that all players who use the Club's facilities, attend Club training sessions, or represent the Club have a current membership.

Payments from existing members received after the 15<sup>th</sup> May or 15<sup>th</sup> January (as applicable) will attract the late payment fee.

Monthly Direct Debit payment of the membership fee is available. Members are to be aware that this represents a means to spread the payment of the annual fee.

15. **RESIGNATIONS**

Any member may tender their resignation from membership by doing so in writing to the Membership Secretary and on its acceptance by the Management Committee they shall cease to be a member. Notice of resignation from Playing Membership must be in the hands of the Membership Secretary prior to the applicable late payment date of the relevant playing season. Notice of resignation of all other members must be in the hands of the Membership Secretary before the date of the Annual General Meeting. When notice is given subsequent to the issue of membership cards or club keys such notice will only be effective if accompanied by these items.

When a member resigns, a period of notice of two full months, with payment, is required irrespective of whether the member remains active in the Club or playing section. This is to protect the Club's financial position and the membership structure. Members who have paid a full subscription at the start of their membership year will be appropriately refunded. Members paying by Direct Debit are required to cancel the payment once the two months' notice has elapsed.

The Club reserves the right to pursue any payments outstanding.

16. **EXPULSIONS**

Expulsion may only be considered for good and sufficient cause such as conduct and character likely to bring the club or sport into disrepute and will be the outcome of a disciplinary process.

17. **DISCIPLINE**

Any complaint about the conduct of a member, member's guest or club staff shall be made in writing to the Club Secretary or President. The recipient shall acknowledge receipt and advise the Management Committee of its content within one week or the next Committee meeting whichever is sooner.

The President will appoint a sub-committee of three of its members excluding the President and Club Secretary. The sub-committee shall follow the Club's Discipline Investigation Procedure as detailed below to investigate the complaint and meet with the individual who is the subject of the complaint. Where the individual was a signed in guest of a member, the member will be also be subject to the discipline procedure.

Deadlines for the presentation of pertinent information and evidence (including attending investigative meetings) will be given. If the member or member's guest fails to meet these deadlines, the investigation will continue, and the outcome will be determined on the basis of the information available to the sub-committee.

At the conclusion of their investigations the sub-committee will have the power regarding the member complained of or to the member signing in the guest complained of, to:

- dismiss the complaint
- reprimand or admonish the member
- suspend the member for a period to be defined by the sub-committee
- expel the member

and in regard to a guest complained of; to bar the guest from entering the premises for a period defined by the sub-committee.

The decision of the sub-committee should be given to the individual complained of (and in the case of a guest also to the signing-in member) verbally where possible and confirmed in writing. The decision should also be fully minuted and lodged with the Club Secretary.

In regard to members, the sub-committee must advise the member of their right of appeal and if the sub-committee decides upon a period of suspension or expulsion, they must report the decision to the Management Committee and post it on the Club Notice Board.

A member's right of appeal must be lodged in writing to the Club Secretary or President within 7 days of receipt of the written decision of the sub-committee. The President of the Club will then be required to call a special meeting of the Management Committee (excluding those on the sub-committee), hereinafter referred to as the "Appeal Committee", within 14 days for the purpose of hearing the appeal. The individual who is the subject of the complaint will continue to be a member of the Club pending the appeal before the Appeal Committee. The quorum for the Appeal Committee will be the President, (who will act as Chair), the Club Secretary and a minimum of three other full voting members.

At the meeting of the Appeal Committee, a member of the sub-committee shall report the circumstances of the case and the investigation carried out. The member appealing (who may bring a representative of their choice) shall have an opportunity to state their case. Both the Appeals Committee and the member appealing may ask questions. The Appeal Committee will then be asked to uphold the decision of the sub-committee and the appeal will be dismissed if a majority of the Appeal Committee endorses the decision.

If the appeal succeeds and the decision of the sub-committee is not endorsed then the Appeal Committee shall decide by a majority vote whether to dismiss the complaint entirely, apply a decision with lesser effect, or accept a compromise resolution proposed by the appealing member.

If the appeal fails, then in the case of expulsion only the further right of appeal to members in Clause 16 exists.

The above procedure will not apply when the complaint is anonymous. In such cases, the complaint will be reviewed by the Management Committee, which will agree how the complaint will be dealt with. This may include some or none of the stages above.

## 18. **COMPLAINTS AND PROTESTS TO THE MANAGEMENT COMMITTEE**

Complaints and protests concerning the Club's services, decisions or actions or activity on its premises must be made in writing to the Club Secretary providing the details of the complaint and desired resolution.

The Club Secretary will acknowledge the complaint and advise the complainant how the complaint will be considered.

Where the complaint is about a service, a member of the Management Committee will be asked to investigate the complaint and provide a written response to the complainant within a two-week timescale. The nominated Management Committee member will usually be responsible for the service of which the complaint is about.

Where the Complaint is about a Management Committee decision or action, it will be included as an agenda item for the next scheduled Management Committee meeting and the Club Secretary will contact the complainant to ascertain any further details in advance of the meeting.

Where the complaint is of a nature which suggests a service, action or decision might involve criminal activity or other activity which could bring the club into disrepute or jeopardise its operation, the Management Committee reserves the right to convene an emergency meeting to deal with the complaint.

The outcome of a Management Committee member's investigation of a complaint will be communicated to the complainant directly, with a copy submitted to the Club Secretary for note at the next management committee meeting.

The outcome of the Management Committee's consideration of a complaint will be communicated to the complainant within ten working days of the Management committee meeting.

If the complainant remains dissatisfied, they may submit an appeal against the outcome to the Club Secretary.

Where the original complaint was about a club service, the Club Secretary will identify two non-associated members of the Management Committee to investigate further.

Where the original complaint concerned the actions or decisions of the Management Committee, a team convened by the Honorary Club President and made up of three other club members not associated with the Management Committee will investigate and report back its findings and decision to the Complainant within one calendar month of being appointed.

The decision of second stage investigations shall be final and binding on all concerned.

The above procedure will not apply when the complaint is anonymous. In such cases, the complaint will be reviewed by the Management Committee, which will agree how the complaint will be dealt with. This may include some or none of the stages above.

## 19. **FINANCIAL ACCOUNTS**

The Treasurer shall on behalf of the Club receive all monies payable to the Club and shall defray all liabilities due by the Club after the same has been approved and authorised by the relevant Management Committee member. He or she shall lodge all money coming into his/her possession to the credit of the Club in an account kept in such Bank as the Management Committee may decide. The Bank Account may be operated on the signature of any two Office Bearers from the President, Vice-President, Club Secretary and Treasurer or other Management Committee member approved by the Management Committee. The Treasurer shall keep a cashbook or electronic record showing all the financial affairs of the Club. After 31<sup>st</sup> December each year all books, records and relative vouchers shall be submitted to the Accountant appointed at the Annual General Meeting to prepare an Income and Expenditure Account and Balance sheet of the Club at 31<sup>st</sup> December.

The Management Committee are authorised to outsource the book-keeping of the Club as appropriate. The Treasurer in turn is responsible to the Committee for the effective management of that relationship.

Each Playing Section is responsible for its own expenses and income generation in relation to the costs associated with playing their respective sports and must maintain their own bank account and records as appropriate. Each will operate to a 31<sup>st</sup> December year end for the purposes of preparing an annual statement of account. They must also provide a copy of their income and expenditure statement for the six-month periods leading up to the

30<sup>th</sup> June and 31<sup>st</sup> December. These must be provided to the Club Treasurer within 6 weeks of the end of each six-month period.

Where a playing section requests that they collect monies from playing members to assist in meeting their playing costs via the Membership Fee payment process such financial arrangements will be approved by the Management Committee. The actual amount to be collected will be detailed in the Membership Fee proposal for approval by members at the relevant AGM

20. **VISITORS**

No visitors shall be supplied with alcoholic beverages unless on the invitation and in the company of a member, and such member shall, upon admission of such visitor to the Club premises, or immediately on his being supplied with such beverage, enter his/her own name and the name and address of such visitor and the date of each visit in the Visitor's Book. No member may introduce more than four visitors at one time and may not introduce the same visitor any more than six times a year.

The Management Committee may at their discretion admit members of other Clubs having similar aims and objectives, users of the all-weather playing surface and individuals who are attending an approved event at the Club as temporary members for the day or for such other period as may be fixed by the Management Committee. The Management Committee reserves the right to refuse entry to any non-member.

21. **ALTERATION OF CONSTITUTION AND RULES**

No motion for the alteration of any of the rules of the Club or the enactment of any new rule shall be entertained by the Club unless the terms thereof shall have been intimated to the Club Secretary at least twenty-one days prior to the date of the Annual General Meeting and communicated to the Members on the Notice convening such meeting. Alternatively, alterations to the Constitution and Rules may be enacted by a Special General Meeting convened in terms of Rule 8. Amendments to such alterations or enactments may be allowed at the discretion of the meeting. Any such motion for alteration or enactment must be approved by a vote of at least two thirds of the members present and voting.

22. **ACTIONS AND CONTRACTS**

These shall be in joint names of any two of the President, Vice-President, Club Secretary and Treasurer in their respective capacities of Office Bearers and shall attach no personal liability to any Office Bearer provided that their authority so to act has been approved by the Management Committee.

23. **RULES AND CONSTITUTIONS FOR PLAYING SECTIONS**

All rules and constitutions for playing sections, or other sections within Cambusdoon Sports Club are subservient to the rules and constitutions of Cambusdoon Sports Club. All playing sections rules and constitutions shall require to be approved by the Management Committee and will be subject to annual review

24. **DISSOLUTION OF THE CLUB**

24.1 The Club may be dissolved only at a Special General Meeting or Annual General Meeting of the Club properly called and with intimation on the notice calling the meeting that the business to be considered at the meeting is to consider the dissolution of the Club. The Club may not be dissolved unless at least two thirds of those present and voting at the meeting shall vote in favour of dissolution.

24.2 In the event of dissolution: -

The net assets shall not be distributed to any member or members of the Club.

Any unspent grant monies or assets purchased by such monies shall be returned to the organisation making such grant or alternatively shall be disposed of by the authority of that organisation.

The net assets (that is remaining assets after all debts and liabilities of the Club have been repaid) shall be transferred to another organisation or organisations with similar objectives to those of the Club providing that such organisation or organisations shall be established for (a) charitable purposes or (b) for the promotion of amateur sport as a community amateur sports club or (c) for the promotion of sport through a sport's governing body but specifically for the use of community related sport similar to that of the Club.

This will be undertaken in accordance with relevant HM Revenue and Custom's rules prevailing at the time.

25. **FUND RAISING**

Playing sections may raise funds for their own sport related activities providing:

- (a) Their Constitution has been approved by the Management Committee with reference to rule 23 and such activities are approved by the Management Committee; and
- (b) The annual accounts of each playing section are submitted to the Management Committee for oversight prior to submission to the relevant sections Annual General Meeting.

26. **ALL WEATHER SURFACE RENEWAL PROVISION FUND**

To fund the future replacement of the All-Weather Surface, the Club will annually agree an amount as part of the approved budget for the operating year. This will be calculated to cover the total replacement costs for the All-Weather Surface over the agreed life span of the facility and is expected to come from rental income from the All-Weather Surface.

Should there be any shortfall the remaining balance outstanding will be raised through fundraising activity, donations and from grant applications.

27. **EQUALITY STATEMENT – AMENDED FEBRUARY 2015 TO COMPLY WITH EQUALITY ACT 2010 & SOUTH AYRSHIRE COUNCIL'S GENDER EQUALITY SCHEME**

Cambusdoon Sports Club is committed to ensuring that equity is incorporated across all aspects of its activities and development. In doing so it acknowledges and adopts the following definition of sports equity:

- Sports equity is about fairness in sport, equality of access, recognizing 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.
- The club respects diversity and individual's rights, dignity, and contribution. It will treat everyone equally within the context of their sport, regardless of protected characteristic, ability, and social/economic status.
- The club is committed to everyone having the right to enjoy their sport in an environment free from threat of intimidation, harassment, and abuse.
- All club members have a responsibility to oppose discriminatory behaviour and promote equality of opportunity and diversity.

- The club will deal with any incidence of discriminatory behaviour seriously, according to club disciplinary procedures.

Approved