

HELENSBURGH CRICKET & RUGBY FOOTBALL CLUB

CONSTITUTION AND RULES

2024

NAME

1. The name of the Club shall be "Helensburgh Cricket and Rugby Football Club".

OBJECTS

2. The objects of the Club shall be:
 - (a) To promote, encourage and develop the playing of cricket and rugby football and such other sports as may from time to time be adopted.
 - (b) To promote any form of sporting activity, fete, display or other entertainment which will assist in fostering and maintaining the social side of the Club and contribute towards object (c) hereof.
 - (c) To raise funds for the purpose of maintaining and developing the playing fields and Clubhouse at Ardencaple and elsewhere as the Club may from time to time decide, and generally for expanding and improving the facilities available to members and the local community. The Club is non-profit making and any surplus income or gains will be reinvested in the Club. No surpluses or assets will be distributed to members or third parties other than those identified in Clause 28.

SECTIONS

3. The Club shall have the following sections: Cricket, Rugby Football and such other sections as may from time to time be promoted and approved by a General Meeting of the Club, who would be entitled to have their own separate constitutions so long as there is no conflict with the Helensburgh Cricket & Rugby Football Club Constitution & Rules.

MEMBERSHIP

4. The Club shall consist of:
 - a. Ordinary Members (voting)
 - (1) Honorary President and Vice Presidents
 - (2) Club (Playing including qualified Coaches/Referees/Umpires and Non-Playing Members)
 - (3) Intermediate Playing (Under 21 or Students in full time Education or Unemployed)
 - (4) Life
 - (5) Patron
 - (6) Family (consisting 1 nominated adult voting member)
 - b. Associate / Social members (non-voting)
 - c. Junior members (Under 18) (non-voting)
5. Membership is open to all and no application for membership will be refused on other than reasonable grounds. There will be no discrimination on grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race religion or belief, sex, sexual orientation, political or other opinion.
6.
 - (a) Any person who desires to become a member of the Club must lodge with the Honorary Secretary an application in such form as the General Committee may from time to time prescribe, together with the subscription appropriate to the class of membership.
 - (b) On receipt of the membership forms and the appropriate payment the general committee will be notified of the application and in the absence of issues with the applicant that run contrary to the club and the governing bodies' codes of conduct and expected behaviour the member will automatically become a member of the club.
 - (c) On the election of a new member, the Honorary Secretary shall at once give him or her notice of acceptance. The new member shall be issued with details of the Constitution and Rules.
 - (d) No person who has been rejected by the Committee or has had their membership revoked for any reason shall again be eligible as a candidate until the lapse of one year.

7. The General Committee shall have the power at their discretion to close any class of Membership or any section of such class. As Membership vacancies occur in such class or section a list of candidates shall be submitted to the Committee for election, according to priority of application. The election shall rest with the Committee and shall be by simple majority.

8. The Honorary President and Honorary Vice President status may be granted by a General Meeting of the Club to such persons as the General Committee may think fit in recognition of outstanding services rendered by them to the community or to sport or to the Club or in such other exceptional circumstances as the General Committee may in their discretion determine.

9. Visitors to the area may be admitted as temporary playing members of any section for such period and on such subscription terms as may be decided by the General Committee subject always to the provision of rules 5 & 6 hereof. Such person shall have no voting power and no liability beyond the subscription payable by him or her. Unless the General Committee decides to the contrary, members and players of other Clubs who are playing matches with the Club and are using the Club premises shall be admitted as Honorary Temporary Members without notice or payment for the day or days on which the match is in progress.

CESSATION OF MEMBERSHIP

10. A member shall cease to be a member of the Club:

(a) If their subscription is in arrears and if they fail to pay it within two months of issue to their last known address of the written intimation from the Honorary Treasurer referred to in rule 13. Such member may however, apply for reinstatement giving reasons for their failure to pay their subscription and may be reinstated by the General Committee on payment of any arrears of subscription.

(b) If he or she resigns by giving notice to the Honorary Secretary before the Annual General Meeting and at the time of giving such notice, pays all subscriptions due, otherwise, he or she shall be liable for the following year's subscription.

DISCIPLINE COMMITTEE

11. Any complaint that the behaviour of a member is or has been contrary to the objects, interests or reputation of the Club shall be made in the first instance to the Honorary Secretary, who shall then convene the Discipline Committee within fourteen days of notification to the Honorary Secretary. The Discipline Committee shall consist of the President and the Section Chairpersons, with the Honorary Secretary attending, but not voting. Any decision of the Discipline Committee, including a decision to expel any member whose continued membership they consider would be prejudicial to the interest of the Club, may be referred on appeal to the General Committee. Any member subject to such disciplinary proceedings must intimate any such appeal within seven days of that decision being intimated to him. Any member whose behaviour is under consideration by the Discipline Committee or the General Committee shall be notified at least seven days before the meeting in writing of the details of the complaint against him and will be entitled to appear before, present evidence and make representations to that committee. Decisions of the Disciplinary and General Committees shall be intimated in writing by the Honorary Secretary to the person subject to disciplinary proceedings within seven days of being made.

SUBSCRIPTIONS

12. The annual subscriptions shall be such sums as may be fixed by a General Meeting of the Club by a simple majority.

13. Cricket section subscriptions must be paid by 1 June in each year and Rugby section subscriptions by 1 September in each year. The names of defaulters shall be posted in the main Clubhouse. The Honorary Treasurer shall then notify each defaulter, and if subscriptions are not paid within the week thereafter each defaulter shall lose the privileges of the Club until they are paid. In addition a late fee, as determined by the General Committee may be levied on all subscriptions unpaid at the due date.

GENERAL COMMITTEE AND SECTION COMMITTEES

14. The General Committee shall conduct the whole general business of the Club and shall exercise the fullest powers in regard to the management thereof.

15. The whole direction, control, management and administration of the affairs and property of the Club shall be vested in the General Committee which shall consist of a President, Honorary Secretary, Honorary Treasurer, Cricket Chairperson and Rugby Chairperson (who shall be the five Office-Bearers of the Club), the respective Section Secretaries and representatives from Youth Rugby, Minis/Micros Rugby and Junior

Cricket. At the Annual General Meeting of the Club, the main Office-Bearers shall be elected by the members of the Club. All appointments shall be eligible for re-election. Any vacancies in their number occurring during the year may be temporarily filled by the General Committee from among the ordinary members of the Club.

16. The Bar, Grounds and House conveners shall be appointed by the General Committee of the Club and shall sit on that committee.

17. Each section shall be managed by a committee of which the, Section Chairperson, Section Financial Controller and Section Secretary are members ex officio and otherwise as follows:

CRICKET Captain (each XI), Vice-Captain (first XI), Junior Cricket organiser and not less than three ordinary members of the section.

RUGBY Captain (each XV), Vice-Captain (first XV), Fixture Secretary, Youth Rugby Convenor, Minis/Micros Rugby Convenor, Social Secretary and not less than three ordinary members of the section.

Each Sectional Committee shall contain at least four playing members of the section. The Sectional Committees shall be subject to the over-riding control of the General Committee and no expenditure in excess of a limit fixed by the General Committee in each financial year shall be made by a Sectional Committee unless authorised by the General Committee.

18. (a) The General Committee shall have power to make, alter and repeal all such bye-laws in connection with the sections of the Club or otherwise as they may deem necessary or expedient or convenient for the proper conduct and management of the Club.
- (b) Any Deed, instrument or other document to which the Club is a party shall be sufficiently executed on behalf of the Club if it is signed by any two of the Office-Bearers for the time being.
- (c) The Honorary Secretary and Honorary Treasurer for the time being shall be and are hereby empowered to sue for, recover and discharge all debts due to the Club, on an excerpt of minutes of the General Committee giving authority. No member shall be at liberty to make any disbursements or incur any debts whatsoever in the name or on behalf of the Club without the authority of the General Committee.

19. The Officials and members of the Committee for each section, except Captains and Vice Captains, shall be chosen at Annual General Sectional Meetings held as and when convenient, after the cessation of the League and Cup season. All Committee Members and Office-Bearers shall hold office until the annual meeting called for election in the following year. All appointees shall be eligible for re-election. A Sectional Committee may fill any vacancy in its number occurring during the year. Captains and Vice Captains of the sections should be recommended by the Coach and Players and ratified at the Sectional Meetings.

20. The General Committee shall be the sole authority as to the interpretation of the Constitution and Rules of the Club and shall be vested with all the powers competent to the Club itself, except in so far as these are expressly reserved to the members in General Meeting by the Constitution and Rules.

MEETINGS

21. (a) The Annual General Meeting of the Club shall be held not later than 30th April and not less than fourteen days' notice shall be given to each member entitled to attend and vote.
- (b) Not less than fourteen days' notice shall be given for the Annual General Meetings of each Section.
- (c) The General Committee shall meet for discussion each month and Sectional Committee meetings may be convened monthly in the playing season, and otherwise as and when deemed necessary.
- (d) The General Committee may call an Extraordinary General Meeting of the Club, not less than seven days' notice thereof being given. The business must be specified in the notice calling the meeting and that business alone done.

(e) If the Honorary Secretary of the Club receives a written requisition from not less than twenty members, he shall within twenty-one days of the receipt of the requisition, proceed to convene an Extraordinary General Meeting of the Club, not less than seven days' notice thereof being given. The requisition must state precisely the purpose of the meeting and shall be signed by all said members.

NOTE Notice as specified in sub-clauses (a), (c) and (d) above shall be prominently advertised by placing a notice on the club website and sending an e-mail to those members et al who have registered to receive club information by that method.

(f) At a General Meeting of the Club and Meetings of the General Committee only members present may vote. At General Meetings and Meetings of the General Committee the Chairman shall be the President, whom failing any member appointed by the meeting. Subject as otherwise provided a simple majority shall prevail. The Chairman shall have a deliberate vote, and in the event of an equality of votes shall have a casting vote. For the avoidance of doubt the Bar, Grounds and House Conveners are co-opted positions and therefore would not merit a vote unless they are also members of the club.

(g) The accidental omission to give notice of a General Meeting of the Club to, or the non-receipt of the notice of a meeting by any member entitled to receive notice shall not invalidate the proceedings of that meeting.

(h) The quorums required for the following meetings to be properly instituted shall be:

(1) General Meeting of the Club - fifteen members present and entitled to vote. In the event of a quorum not being present, the Meeting shall be adjourned for one week, when those members present and entitled to vote shall form a quorum.

(2) Annual General Meeting of any section - ten members present.

(3) Meeting of General Committee - four members present.

(4) Meeting of Section Committees - four members present.

(i) The General Committee and the Section Committees may elect either entirely from their own number or partly or wholly from other members of the Club any other Sub-committees they deem expedient and shall elect the conveners of all Sub-committees.

VOTING POWERS

22. Each ordinary member defined in Clause 4 shall have one vote at any Meeting of the Club.

ACCOUNTS

23. The Honorary Treasurer shall keep regular and distinct books recording the receipts and payments of all monies belonging to the Club and at the close of each financial year shall prepare a Statement of Accounts showing their intromissions with the Funds of the Club.

PROPERTY AND EFFECTS AND POWERS

24. (a) The Club shall have vested in it the power to acquire the ownership of and to sell heritable and moveable subjects and to lease property whether heritable or moveable on such terms and conditions as the Committee feel competent but provided that there shall be no sale or purchase of property with consideration in excess of £30,000 or lease of subjects or property with an initial rent in excess of £2,000 unless such purchase or lease is authorised at a duly convened Extra-Ordinary General Meeting or Annual General Meeting of the Club by a majority of two thirds of those voting.

(b) In the event that the Club is or becomes the owner or tenant of heritable subjects the General Committee for the time being shall be entitled to exercise all of the rights, powers and privileges competent to ownership but it shall not have the power to borrow money in excess of £30,000 on the security of any part of the property of the Club or otherwise unless borrowing is authorised at a duly convened Extra-Ordinary or Annual General Meeting of the Club by a majority of two thirds of those voting. The property, effects and money of the Club shall belong to the members equally among them during membership but the right and interest of every member shall be personal and limited to himself or herself and shall expire with his or her membership and shall not be assignable or arrestable or passed to his or hers heirs or executors.

LIABILITY OF MEMBERS

25. The majority of the members present at any Meeting of the Club and entitled to vote shall have power to assess the whole of the members of the Club for payment of such sum equally as may be considered necessary for liquidating the obligations of the Club and any such member failing to make payment of their share of the said assessment within one month of the date of the notice demanding payment of the same shall cease to be a member of the Club, and their name shall be struck off the roll of members, but they shall remain liable for their share of the said assessment. Members under the age of 18 and Honorary Members shall have no liability. The liability of all other members shall be limited to three years subscription.

CLUB LICENCE

26. The sale and supply of excisable liquor in the Club premises shall be governed by the following regulations:

- (a) The sale and supply of excisable liquor in the Club premises shall be managed by a Bar Convenor and a Bar Manager appointed annually by the General Committee.
- (b) No member of the General Committee and no manager or servant who may be employed in the Club shall have any personal interest in the sale of excisable liquor therein or in the profits arising from such sale.
- (c) Excisable liquor shall be sold or supplied in the Club premises to:
 - (1) Members of the Club aged 18 or over, consisting of members who have paid their subscriptions, for the year or period during which they use the Club premises and Honorary Members.
 - (2) Visitors subject to rule 26 (h).
- (d) No excisable liquor should be sold or supplied in the Club premises for the consumption off the premises except to a member of the Club in person for consumption by him.
- (e) The General Committee shall fix the prices which excisable and non-excisable liquor shall be sold in the Club premises.
- (f) The permitted hours for the sale of alcohol shall be those set out in the Club's Premises Licence or any occasional extension thereof that may be granted by the Licensing Board.
- (g) Members shall pay every expense they incur at the Club premises before leaving and no account shall be opened by or credit allowed to any member.
- (h) Visitors shall not be supplied with excisable liquor in the Club premises unless on the invitation and in the company of a member and the member shall on the admission to the Club enter his or her name and the name and address of the visitor in the Visitors Book which shall be kept in the premises and which book shall show the date of the visit. A member may not introduce more than three visitors on any one occasion and no person may be introduced as a visitor more than ten occasions in any one year. The number of visitors who can be signed in on any one occasion may be varied for special functions, at the discretion of the General Committee.
- (i) The Bar Manager shall be responsible for the control of stock and the maintenance of such records relating to the purchase and sale of liquors as may be required by the General Committee.

CONSTITUTION AND RULES - ALTERATION

27. The Constitution and Rules shall not be altered except at an Annual General Meeting or at an Extraordinary General Meeting called for that purpose, and then only by a majority of two thirds of those voting. One month's notice of any proposed amendment or alteration of rules shall be given to the Honorary Secretary who shall specify such proposed amendment or alteration in the circular calling the meeting.

DISSOLUTION

28. On dissolution of the Club the net assets may not be distributed to the members. Net assets on dissolution are to be apportioned between the Scottish Rugby Union and the Scottish Cricket Union in proportion to the paid up section membership of ordinary members per Clause 4a. The Scottish Rugby Union and the Scottish Cricket Union will be required to apply such funds received for use in community related sport.

Signed David Anderson President HCRFC Date 25 April 2024

Signed Chris Bull Hon Secretary HCRFC Date 25 April 2024

and / or

Signed _____ Hon Treasurer HCRFC Date _____