

CONSTITUTION AND RULES

of the

WEST OF SCOTLAND CRICKET CLUB

Instituted 1862

Ground

**HAMILTON CRESCENT
PARTICK**

Date last amended:- 3rd October 2011.

1. The name of the Club shall be the “WEST OF SCOTLAND CRICKET CLUB”
 - (a) The object of the Club shall be to foster the playing of Cricket.
2. The Rules of the Game shall be those adopted by the Marylebone Cricket Club.
3. The control and the administration of the Club, the business and the affairs of the Club, and the property of the Club, shall subject to the provision of Rules 4 and 17, be under the management of a Board of Directors consisting of the Chairman, the Honorary Secretary, the Honorary Treasurer (the last two of which offices may be held by one person) and six Members all elected by the general body of Members at the Annual General Meeting, and who shall all retire annually but shall be eligible for re-election. There shall also be elected, as aforesaid, an Honorary President, and Honorary Vice-Presidents, but they shall not, in virtue of such office, have any voice in the management of the Club. The Secretary shall convene meetings of the Board whenever he thinks fit, and shall be bound to convene a meeting when required to do so by two Members of the Board. The Board shall in any case meet once a month. The Chairman shall preside at all meetings of the Board, but if unable to be present the Members shall appoint one of their own number as Chairman. Five Directors shall form a quorum. No Member of the Board and no Manager or Servant employed in the Club shall have any personal interest in the Sale of excisable liquors therein, or in the profits arising from such sale.
4.
 - (a) The Captains and Vice-Captains of the First, Second and Third Elevens shall be appointed at the Annual General Meeting. If, during his term of office, any one of these officials be transferred from the Eleven, the Match Committee shall nominate a member of the Eleven to act temporarily for him.
 - (b) The Match Committee for the First and Second Elevens shall be appointed at the Annual General Meeting. It shall consist of the Captains of the First and Second Elevens, one other Playing Member, and two Non-Playing Members, who shall have been players. After selection of the First Eleven has been completed, the Captain of the Third Eleven shall be co-opted to the Committee. A convener shall be appointed from their own number. They shall appoint Committees for the selection and management of the other Elevens. Three to form a quorum.
5. The membership of the Club shall be of eight denominations:
 - (a) Playing Members.
 - (b) Club Members.
 - (c) Life Members.
 - (d) Country Members
 - (e) Corporate Members
 - (f) Family Members
 - (g) Associate Members
 - (h) Group Sports Affiliate Members
6. Every applicant for admission to the membership shall submit to the Secretary an application form (as approved by the Directors) signed by the Applicant. The Secretary shall submit the application to the first meeting held thereafter of the Board of Directors, who shall have power of approval of the application. Such approval shall be by a simple majority of votes cast by those Directors present and voting at the meeting and may not be unreasonably refused. The admission of a Member shall be immediately notified to him by the Secretary, who shall at the same time furnish him with a copy of the Rules of the Club, and he shall thereupon become bound thereby. In the event of an applicant not being approved he shall be so informed by the Secretary. Every applicant for admission as a Life member must not be less than 40 years of age. Every applicant for admission as a Country Member shall have his principal place of residence not less than 50 miles from the Club. Every applicant for admission as a Corporate Member must be a bona fide business entity carrying on a genuine trade business or profession for commercial gain and must comprise a

sole trader, a partnership, or a limited company. Additionally, every application for admission as a Corporate Member must with his application lodge a list of the names and addresses of the Nominated Persons who shall have right to enjoy the facilities and privileges of Membership of the Club as a Nominated Person of a Corporate Member. The facilities and privileges of Membership of the Club as a Corporate Member shall only be available to Nominated Persons approved by the Board of Directors of the Club. Every Nominated Person must be an existing employee or principal of the candidate for Corporate Membership and on no account may the Board of Directors of the Club consider any application for Corporate Membership where the accompanying list comprises less than five or more than twenty Nominated Persons. During the period of Membership of a Corporate Member, any such Corporate Member may, subject to the aforementioned minimum and maximum numbers of Nominated Persons and subject to the discretion of the Board of Directors of the Club, put forward for consideration additional or substitute Nominated Persons. Termination, for whatever reason of the Membership of a Corporate Member shall automatically terminate all rights and privileges of Membership of the Club of all the Nominated Persons of such Corporate Member. Neither Corporate Members nor Nominated Persons shall be eligible to vote on matters at General Meetings. All applicants for admission to the category of membership designated "Family Members" must be a family group consisting of both parents and any one or more of their children, provided always that any children included within the family group for the purposes of this category of Membership must be under 18 years of age on the 1st day of September of the year prior to the relevant calendar year of Membership. All applicants for admission as Family Members must include as part of their application a note of the names and addresses of both parents and the names, addresses and respective dates of birth of such of their children as they wish to have included within said category of Membership. Termination, for whatever reason of the Membership of either parent within the family group will automatically terminate all rights, privileges and membership of the Club of the whole family group previously admitted as Family Members. Termination, for whatever reason of the Membership of the only child within a family group previously admitted as Family Members shall automatically terminate all rights, privileges and membership of the Club of all of said family group. Any child previously admitted to the category of Family Membership as a member of a family group as herein defined shall automatically forfeit his or her membership of the Club within said category on 1st January of the calendar year immediately succeeding the calendar year in which he or she attains 18 years of age unless his or her 18th birthday falls after 1st September when automatic forfeiture shall not apply until 1st January of the next but one calendar year after the date of said 18th birthday. If by 1st January of any calendar year there are no children then under 18 years of age within any family group previously admitted as Family Members of the Club, then except where any child within the family group only attained 18 years of age after 1st September of the preceding calendar year, the whole of said family group shall automatically cease to be members of the Club within said category of Membership. No family group enjoying the privilege of membership of the Club within the category of Family Membership shall be entitled to more than one vote on matters at General Meetings. Associate Members shall not be eligible to vote on matters at General Meetings. Every applicant for admission as a Group Sports Affiliate Member must be a bona fide formally constituted club or organisation whose use and enjoyment of the Club facilities and privileges of Membership of the Club must be compatible with the main object of the Club (Clause 1(a) hereof). Any such applicant must on request produce to the Board of Directors a copy of its constitution. Group Sports affiliate Members shall not be eligible to vote on matters at General meetings. No individual member within the category of Corporate Member, Family Member or Group Sports Affiliate Member shall be precluded from applying for membership of the Club within any other category of Membership for which he is eligible. Subject to this Rule 6, membership shall be open to all irrespective of age, gender, disability, race, ethnic origin, creed, colour, social status, and sexual orientation.

7. Members of visiting teams and their guests shall be admitted as Members of the Club for the day, and shall have all the privileges of membership during that time.
8. Members' Subscriptions shall be proposed by the Board of Directors and approved by the Members in General Meeting. In addition to voting restrictions contained in Rule 6, Members who are under 18 years on the preceding 1st September shall not be eligible to vote on matters at General Meetings.
9. All subscriptions except those of Associate Members shall be due on 1st January, and shall be payable in advance. Should a Member not have paid his subscription by 28th February, or if admitted subsequent to 1st January, within one month of approval of

his application, the Board of Directors may cause said member's name to be posted in a conspicuous place in the pavilion and the Board of Directors may also impose a surcharge not exceeding £10 per annum on said unpaid subscription. Should any member have still not paid his subscription in full together with any surcharge imposed thereon by 31st March, the Board of Directors may, at their discretion, terminate the membership of any such member with immediate effect whereupon such member shall automatically forfeit his or her whole rights and privileges of membership of the Club while remaining liable for arrears of subscription and surcharge as aforesaid. The subscriptions of Associate Members shall be due on 1st July and shall be payable annually in advance. The remainder of this Rule 9 shall apply mutatis mutandis to Associate Members except that reference to 1st January shall be deemed to mean 1st July, reference to 28th February shall be deemed to mean 31st August and reference to 31st March shall be deemed to mean 30th September.

10. Members intending to resign must give notice in writing to that effect to the Secretary before or at the Annual General Meeting, otherwise they shall be liable for their subscriptions for the current year.
11. The Annual General Meeting shall be held in the month of December. At this meeting Honorary President, Honorary Vice-Presidents, the Board of Directors, and Match Committee shall be appointed and the Treasurer's Report and Balance Sheet brought down to 30th September previous and duly approved by a Reporting Accountant or Accountants, shall be submitted. Seven days' notice at least of this meeting shall be given by circular to each Member, and along with said notice shall be sent a copy of the balance sheet to be submitted to the meeting.
12. The Board of Directors may, whenever they think fit, call an Extraordinary General Meeting of the Club, and they shall do so upon a requisition in writing, signed by not less than seven Members of the Club, and addressed to the Secretary. Such requisition shall express the object of the meeting proposed to be called, and the Board shall thereupon convene an Extraordinary General Meeting which shall be held not later than 21 days from the date on which said requisition shall have been received by the Secretary. Subject to the provisions of Rule 27, seven days' notice at least of every Extraordinary General Meeting, specifying the objects and business of the meeting, shall be given to every Member, and no business other than such as is specified in said notice shall be transacted thereat.
13. The Chairman, and in his absence a Member of the Board, shall be Chairman of General Meetings of the Club. At all meetings, whether of the Club, of the Board or of Committees, the Chairman shall have a casting as well as a deliberative vote.
14. The quorum for every General Meeting shall be fifteen Members present personally, and all General Meetings of the Club and meetings of the Board of Directors shall be held in Glasgow. Proxies shall be admissible at all General Meetings only in cases where an alteration in the Rules of the Club is proposed. Proxies shall be duly stamped and signed, and must be deposited at the business address of the Secretary, twelve hours at least before the meeting at which they are to be used. No person shall act as a proxy unless at the time of so acting he is a member of the Club.
15. The Board of Directors shall have all the powers conferred upon them by Rule 3, and elsewhere throughout these Rules; and without implying any restriction on these general powers but in further corroboration thereof, they shall have power to do the following things:-
 - (a) To fill up vacancies that may occur during the year amongst the Office Bearers of the Club, or on the Match Committee. Where more than one vacancy occurs amongst the Office Bearers of the Club, an Extraordinary General Meeting shall be called for the purpose of filling said vacancies.
 - (b) To convene General Meetings of the Club.
 - (c) To consider applications for membership.
 - (d) To take such steps as they think necessary in dealing with Members whose subscriptions are in arrears.
 - (e) To institute and defend legal proceedings and suits by or against the Club, and to settle and compromise the same.

- (f) To control and apply the finances of the Club.
 - (g) To lease the heritable property of the Club and, subject to the provisions of Rule 16, to borrow money on the security thereof, but not to sell or feu the same.
 - (h) To limit the membership of the Club.
 - (i) To control and regulate the use of the grounds and pavilion by Members and Elevens.
 - (j) To make regulations regarding the introduction of guests to the grounds and pavilion by Members.
 - (k) To appoint, suspend, and remove professionals, groundsmen and other servants of the Club, to determine their several duties, and to fix their salaries.
 - (l) To enter into contracts in name and on behalf of the Club, to execute all necessary deeds and instruments, and to take the title to any property of the Club in their own name or in the names of certain of their number.
 - (m) To make such Bye-laws and Regulations as they may think advisable for the proper management of the Club.
 - (n) To appoint Sub-Committees.
16. The Board shall not, without the consent of the Club in General Meeting first obtained, borrow money to an extent exceeding £50,000 in all.
17. No Member of the Board shall be personally liable for any loss or expense caused to the Club through the insufficiency or deficiency of title to any property acquired by the Board on behalf of the Club, or for loss arising from the securities and investments in which the Club funds may be, or for any loss, damage, or misfortune which shall happen in the execution of the duties of his office, unless the same shall happen through his own wilful act or default; and the Club shall indemnify every Member of the Board for all loss and expense incurred by him in or about the discharge of his duties except such as happens from his own wilful act or default.
18. The taking on of fixtures and arrangement of matches for the various Elevens shall, subject always to the control of the Board of Directors, be in the hands of the Match Secretary of the Club, who may, if he so desire it, have the assistance of the Match Committee Chairman, the Captains of the three Elevens and the Junior Convener.
19. The Secretary shall keep Minutes of all General Meetings of the Club, and the Treasurer shall keep regular correct and distinct Accounts and Books showing the financial affairs and intromissions of the Club, which shall be approved by a Reporting Accountant or Accountants to be appointed at the Annual General Meeting in each year.
20. No Member of the Club, except the Secretary and the Treasurer, shall be entitled to make disbursements, order goods, or incur accounts in name of the Club or in any way to pledge the credit of the Club, unless he has been previously authorised in writing by the Board of Directors so to do.
21. The Club may sue and be sued in the joint names of the Secretary and Treasurer for the time being, unless the Board in any particular case, otherwise determine.
22. A visitor 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, upon the admission of such a visitor to the Club premises or immediately upon his being supplied with such liquor, enter his own name and the name and address of the visitor in a book which shall be kept for the purpose and which shall show the date of each visit.
23. No excisable liquors shall be sold or supplied for consumption outside the premises of the Club except to a Member on the premises and for his own consumption.
24. No excisable liquors shall be sold or supplied to any person under eighteen years of age.

25. The whole assets, property, and effects of the Club shall belong to the Members equally during membership, but the right and interest of every Member in and to the same shall be purely personal, and not assignable or attachable; shall expire with his membership, and not pass to his heirs or executors. For the avoidance of doubt this Rule shall not apply to Associate Members, Corporate Members and Group Sports Affiliate Members, none of whom shall have any right, title or interest to any assets or property of the Club. Notwithstanding the foregoing, no profits or surpluses may be distributed at any time to the Members of the Club or any of them, it being competent only to make such distributions to another non profit making organisation or organisations having objects similar to the objects of the Club.
26. Any Member not conforming to the Rules of the Club, or whose conduct is derogatory or injurious to the good name or interests of the Club may, upon proof thereof to the satisfaction of the Board of Directors be expelled from the Club by the Board, and shall thereupon forfeit the rights and privileges of membership. Before, however, a Member is expelled he shall be afforded an opportunity of hearing what are the charges against him, and of answering the same either personally or by a representative. Any Member so expelled may appeal within one month, to a General Meeting of the Club against the decision of the Board.
27. The heritable property of the Club shall not be sold or feued, nor shall any of these Rules be altered, rescinded, or added to, nor shall the Club be dissolved, without the consent of at least three-fourths of those voting at an Extraordinary General Meeting called for such specific purpose. Fourteen days' notice at least of such a meeting shall be given to every Member, and the circular calling the meeting shall specify the business for which it is convened, and in the case of an amendment or alteration of these Rules shall contain a copy of the proposed amendment or alteration.
28. Every notice issued in terms of these Rules, shall, if sent through the post, be deemed to have been served at the time at which it is posted.
29. The hours during which excisable liquors may be sold are those set out in the Club's Premises Licence and Operating Plan for time to time in force in terms of the Licensing (Scotland) Act 2005 or any amendment or successor thereof.
30. In the event of the dissolution of the Club all available assets and property after the discharge of all liabilities and debts shall be transferred to some other non profit making organisation or organisations having objects similar to the objects of the Club, such organisation or organisations to be determined by the Members of the Club by resolution passed at a General Meeting at or before the time of the dissolution, and insofar as effect cannot be given to such determination, then to such sporting charity or charities as shall be agreed by the Members.