



England Cricket Association for the Deaf (ECAD) Constitution

Charity Registration Number: 1182075

November 2020

1. NAME

- 1.1. The England Cricket Association for the Deaf and hearing impaired (herein called “The Association”) is a charity

2. AIMS AND OBJECTIVES

- 2.1. The promotion of community participation in healthy recreation in particular by the provision of facilities for the playing and the development of Deaf Cricket for the benefit of persons who have need of such facilities due to a hearing disability.

3. MEMBERSHIPS

- 3.1. Memberships shall be open, irrespective of sex, sexual orientation, race or of political, religious or other opinions to individuals aged sixteen years and over.
- 3.2. Individuals aged under sixteen years old, shall be known as Junior members and may be admitted to membership, subject to such conditions as The Committee may decide. Any Junior members may attend meetings as an observer, but do not have the right to vote.
- 3.3. Players - All players must be bona fide paid up members of the Association.
- 3.4. Non – Players - All members who are not players pay a levy, to the Association.
- 3.5. Associate Membership – All individuals who are not deaf nor hard of hearing, who wish to support the aims of The Association.
- 3.6. The fees for memberships will be prepared by the committee and presented to members for adoption for the following season. This may take place at the AGM or through direct contact with current members.

4. HONORARY OFFICERS

- 4.1. The Association is run by a board. The elected honourable officers (i.e. The Trustees) will consist of a:
 - Chairman
 - Vice-Chairman
 - Secretary
 - Treasurer
 - Company Secretary (Non-voting role)

Exact duties to be confirmed and adjusted by the Committee as required, with the experience and skill sets of individuals elected taken into account.

- 4.2. Only members of The Association aged eighteen years old and over shall be eligible to serve as honourable officers on The Committee.
- 4.3. The members with the power to vote present at the AGM shall elect for the committee a:
 - Chairman;
 - Vice chairman;
 - Treasurer; and
 - Secretary
 - And other such honorary officers as The Association may from time to time decide who shall serve in their respective capacities. (No more than 7 at any one time).
 - At the first meeting after the AGM, the elected committee representatives and Trustees shall elect a chairperson and vice chair for meetings.
 - All representatives (See 4.8 and 4.9) will also be confirmed.
- 4.4. An honorary officer shall cease to hold office if he/she notifies the Secretary of The Association of his / her resignation.
- 4.5. If a vacancy occurs by death, resignation or disqualification amongst the honorary officers of The Association, The Committee shall have the power to fill the position from its members until the next AGM. (See section 8).
- 4.6. The Secretary will be responsible for convening all meetings, the recording of all minutes and administration of decisions made by the Committee.
- 4.7. ECB Representation - The elected Chairman or nominated deputy will attend meetings with the England Cricket Board Disability Sub Committee on behalf of The Association. In particular, focus will be the commitments set out in the Memorandum of understanding (MOU) with the ECB. The representative will convey all dialogue with the Committee and any matters that require decisions to be taken.
- 4.8. Other Representation - The elected Chairman or nominated deputy will also represent The Association on the National Deaf Sports Body and attend Meetings on behalf of the Association. The representative will convey all decisions made to The Committee.
- 4.9. The committee may from time to time, co-opt up to five people to supplement the skills of the committee. People who are co-opted, may serve for up to two years.
- 4.10. Should anyone have a grievance about how ECAD is operated or the actions of the ECAD Committee, they should contact the Company Secretary in the first instance. The President will act as arbitrator, in event of any issues or dispute arising from the administration of The Association. If the grievance is about the company secretary then the chairman should be contacted.
- 4.11. ECAD's President shall be an honorary officer of ECAD as determined in the Constitution. Their term of office will be for one year and for no more than four consecutive terms. The President of ECAD shall not be appointed as a Trustee or a member of the Board. Their role is to provide a figurehead for ECAD and to promote & champion ECAD's work. They will chair ECAD's AGM

5. THE ECAD COMMITTEE

- 5.1. The policy and general management of the affairs of The Association shall be directed by The Committee, which shall meet not less than two times per year. The Committee

shall have the power to enter into contracts for the purposes of The Association on behalf of all its members.

- 5.2. The Committee shall consist of:
- The honourable Officers elected at the AGM (Minimum requirement for Quorum)
 - The ECB representative (Non-Voting Capacity)
 - The DICC representative (Non-Voting Capacity)
 - A playing membership representative.
 - In addition, there will be places available to co-opted members, in event of addition expertise being required by The Committee. (See 4.10)
- 5.3 If casual vacancies occur amongst the elected members of The Committee, it shall have power to fill these from amongst the members of The Association.
- 5.4 The proceedings of The Committee shall not be invalidated by any failure to elect or defect in the election, appointment, co-option or qualification of any member.
- 5.5 A member of The Committee shall cease to hold office if he or she: -
- Is disqualified from holding such office by virtue of section 72 of the Charities Act 1993 (or statutory modification or re-enactment of that provision) or
 - Becomes incapable by reason of mental disorder, illness or injury of managing his or her own affairs or
 - Is absent without permission of the committee from all its meetings held within a period of 12 months and The Committee resolves that he / she shall cease to hold office, or
 - Notifies The Committee in writing of his / her resignation (provided that the other two elected honorary officers will remain in office when the notice of resignation is to take effect.
- 5.6 Any resolution of The Committee shall be passed by a majority of members voting on the resolution. In the event of an equality of votes, the chair of the meeting shall have the casting vote.
- 5.7 An Extraordinary General meeting (EGM) may be called at any time by the Chairman or by any two members of The Elected Committee, with no less than 21 days' notice to the other committee members. This must be in writing and stating the business to be considered. 21 days' notice must be given for the meeting.
- 5.8 The minimum number (a quorum) at an EGM is that at least two of the elected members of the Committee should be present.
- 5.9 Board member's term of office shall be for four years and for no more than two consecutive terms in the same role.

6. WORKING PARTIES

- 6.1. The Committee may appoint from time to time one or more working parties for supervising or performing any activity or service.
- 6.2. The Committee shall:
- Define the terms of reference
 - Determine the composition and duration of activities.
 - State that all acts and proceedings are reported as soon as possible to the Committee.
 - Delegate any member of The Committee to be an ex-officio member of working party

7. FINANCE

- 7.1. All individual members and affiliated cricket teams shall pay such subscriptions as The Committee may from time to time determine. Cricket clubs must be properly affiliated to The Association.
- 7.2. All fees such as member fees, competition entrance fees to be agreed by The Committee.
- 7.3. All entrance fees should be payable to the England Cricket Association for the Deaf (ECAD) and sent to the Treasurer, who shall acknowledge by receipt. No club that has not paid its fees direct to the Treasurer and had receipt acknowledged shall be permitted to take part in the ECAD Competitions.
- 7.4. The elected Treasurer shall keep an accurate record of all financial transactions that have taken place in any financial year, and to account for any unspent budgets and report to the Annual General Meeting (AGM) in the form of a balance sheet. Other stakeholders may also request copies, subject to the discretion of the committee.
- 7.5. The Committee will have the authority to agree Service Level Agreements (SLA's) or MOU's with individuals or companies to deliver specific projects or programmes that is in keeping with the Aims of the organisation.
- 7.6. Such agreements will clearly define the level of fees, objectives and outcomes. The MOU with the ECB should be reviewed not less than every two years.

8. ANNUAL GENERAL MEETING

- 8.1. There shall be An Annual General Meeting (AGM) of The Association at which the following business shall be conducted:
 - I. The consideration and adoption of the Annual Report and the accounts of the Association.
 - II. Where necessary, the election of Chairman, Treasurer or Secretary, who shall hold office for three years and be eligible for re-election. (The only exception to this ruling will be in the first and second year of the amendment, where one position will be subject to re-election).
 - III. The election to The Committee of persons nominated by groups or persons prior to the meeting. Nominations to the Secretary, not less than 14 days prior to the date of the meeting.
- 8.2. Each member of The Committee shall upon election or appointment to The Committee receive a copy of The Association's constitution. No person shall be entitled to act as a member of The Committee following election or re-election or appointment or reappointment, until they have signed in the minute book of The Committee an acceptance and willingness to act as representative of The Association.
- 8.3. Notice of such meetings shall be given of not less than 21 days in writing.
- 8.4. All clubs and where appropriate counties must advise the Secretary no later than 31st of January of each year of the name, address (including e-mail if appropriate) of their club representative. This person will be expected to attend the AGM.
- 8.5. Members, whether of a playing or non-playing category, which attend the meeting, shall be entitled to one vote per person.

- 8.6. There must be enough members of The Committee present to constitute a valid meeting. The minimum number (a quorum) is that at least two of the elected Committee is present. (No less than 2 members)
- 8.7. All matters to be decided upon will be decided by a majority vote. In the event of a tied vote, the chairman has a second additional vote to resolve the issue (known as a casting vote)

9. EXTRAORDINARY MEETINGS

- 9.1. An Extraordinary General Meetings (EGM) shall be called if at least 8 members request such a meeting, which must be in writing and stating the business to be considered.
- 9.2. Members shall not be given less than fourteen days' notice in the case of an EGM called by the Executive Committee, or 21 days notice in the case of other such meetings.
- 9.3. Acts, bona-fide done at the EGM of The Association shall not be invalidated solely because there was some defect or omission in the procedure for convening the meeting or in the qualification of some person voting.
- 9.4. The Quorum at a General Meeting of The Association shall be not less than 8 persons personally present and entitled to vote in addition to the Chair of the meeting. At least one third of that number should be elected Committee members. (No less than 2 members)

10. ALTERATION TO THE RULES

- 10.1. No alteration to the Constitution rules shall be made except at the AGM with the exception of those put forward for consideration from the National Deaf Sports Body, and the ECB for consideration and adoption. Any rules that are offered for alteration or amendment must have a majority vote recorded before it can be accepted.
- 10.2. In the event that the ECAD achieves Charitable Status, any amendments must be acceptable to the Charity Board Commission. No change to the following Clause - Objects, Personal Interest or Dissolution will take effect, until approval in writing of the Charity Commissioner if charitable status has been attained.
- 10.3. Proposed alterations must be submitted to the Secretary at least 21 days before an AGM. Every four years, the Cricket Committee shall review the Constitution, including any additions and changes to rules and prepare an agenda for the AGM meeting, which shall be submitted to all club representatives before the date of the meeting.

11. RULES OF PROCEDURE AT ALL MEETINGS

- 11.1. Voting: Any question arising at the meeting of The Association or one of its committees, shall be decided by a simple majority of those present or voting. No member shall exercise more than one vote, notwithstanding that he or she may have been appointed to represent two or more interests, but in the case of an equality of votes, the chair shall have a second or casting vote.
- 11.2. There must be enough members of The Committee present to constitute a valid meeting. The minimum number (a quorum) with power to vote is that at least one third of the elected Committee is present. (No less than 2 members)

12. ACCOUNTS

12.1. The Committee shall comply with its obligations with respect to:

- The keeping of accounting records for The Association
- The preparation of annual statements of the accounts of The Association
- The auditing or independent examination of the statements of accounts of The Association
- The transmission of the statement of account

13. ANNUAL REPORT AND RETURN

13.1. The Committee shall comply with its obligations with respect to a preparation of annual report and annual return

14. INDEMNITY

14.1. In the execution of trusts hereof, no member of The Committee shall be liable:

- For any loss to The Association by reason of improper investment made in good faith (as long as he/she shall have sought professional advice before making such investment)
- For the negligence or fraud of any agent by any other member of The Committee in good faith (provided reasonable supervision shall have been exercised.)

15. DISSOLUTION

15.1. If The Committee by a simple majority decides at any time that on the ground of expense or otherwise, it is necessary or advisable to dissolve The Association, it shall call a meeting of all members with power to vote of the age of eighteen and upwards, of which meeting not less than 21 days' notice (stating the terms of resolution to be proposed thereat) and given in writing to the Charity Commissioners for England and Wales if charitable status has been attained.

15.2. Such a decision shall be confirmed by a simple majority of those present and voting at such a meeting, The Committee shall have power to dispose of any assets held by or in the name of The Association. Any assets The Association has, after the satisfaction of any proper debts and liabilities, shall be applied towards charitable purposes.

16. COMPLAINTS

16.1. Any club member making a complaint, against any other club, player or member shall put the complaint in writing to the Secretary of the Committee and send a copy of the complaint to the other club's secretary. The Secretary or nominated deputy shall investigate the complaint, and make a decision.

16.2. If the complainant or the club is still not happy with the decision made, they may put their dissatisfaction in writing and send to the President, who will act as arbitrator. The decision of the President is final. The matter may be brought up at the next AGM meeting.