

Tolchards Devon Cricket League

Constitution – 2018

1. TITLE AND STATUS

- i. The League shall be known as the Devon Cricket League (DCL) and shall include, if required, reference to its sponsors.
- ii. The DCL is a not-for-profit organisation which belongs to the member clubs.

2. OBJECTIVES

The objectives of the DCL shall be to:

- i. Organise cricket for member clubs on a competition basis.
- ii. Promote the highest possible standards of cricket and playing facilities.
- iii. Ensure that play is conducted within the spirit and laws of the game of cricket and the DCL competition rules.
- iv. Ensure a duty of care to all member clubs and members regardless of race, gender, disability and sexual orientation.

3. MEMBERSHIP

- i. Those clubs who have in the past been elected to the membership of the DCL and are still participating in the league structure.
- ii. Additional clubs must apply to be admitted to membership of the DCL by written application to the DCL Secretary no later than 30th September following the season end.
- iii. All applications for membership of the DCL shall be considered by the Operational Management Committee (OMC). All clubs which meet the criteria for membership, as laid out in the DCL Playing Rules and Regulations (PRR), shall have their applications put forward to a vote at the Annual General Meeting (AGM). Those successful clubs, accepted at the AGM, will be eligible to participate in the DCL competitions with effect from the forthcoming season.
- iv. Membership shall be continuous unless a club:
 - a. Terminates it in writing to the DCL Secretary no later than 30th September following the season end. This includes where a club wishes to withdraw one or more teams. Only the lowest position team may be withdrawn first.
 - b. Is expelled by the vote of member clubs at either the AGM or Extraordinary General Meeting (EGM), where a minimum of two-thirds of the member clubs vote for expulsion.
- v. Member clubs will only be eligible to participate in the DCL fixtures or competition if all monies owing to the DCL are paid by **1st May, or 15th May for clubs that pay subscriptions by instalments (but see Appendix for late payment penalty).**

4. STRUCTURE OF THE DEVON CRICKET LEAGUE

i. The structure of the DCL, as agreed from time to time, is laid out in detail within the Playing Rules and Regulations section: change to the structure of the DCL is a constitutional matter for voting purposes, whilst change to the various playing rules and regulations is a matter for the relevant clubs that play under those particular playing rules and regulations.

ii. The Playing Rules and Regulations Management Committee (PRRMC), as advised by the OMC, will manage the playing aspects of the League being guided by the following principles:

- a. To provide as much competitive cricket as is reasonably possible.
- b. No two or more teams from the same club will be permitted to play in the same division.
- c. Promotion and relegation between divisions will be made on a two up and two down basis unless a special provision has decreed otherwise.

iii. **Clubmark** – ALL teams participating in the Premier Division of the DCL must be in possession of a current Clubmark Certificate issued by the Devon Cricket Board Ltd (DCB) and the England and Wales Cricket Board (ECB). **Failure to achieve this will result in relegation.** Similarly, a team will be refused promotion from the A Division to the Premier Division.

5. MANAGEMENT AND OFFICERS

For the sake of efficiency and ease of understanding, the DCL shall be managed by separate bodies: the Devon Cricket League Management Board (DCLMB), Operational Management Committee (OMC), and Playing Rules and Regulations Management Committee (PRRMC).

i. The General Committee

Each member club is entitled to one representative who will be empowered to vote at any AGM or EGM.

ii. DCLMB

The function of the General Committee (DCL) will be undertaken on their behalf by the DCLMB (hereinafter referred to as the Board). The Board will have oversight of the work of both the OMC and PRRMC, and ensure that all business is conducted in a clear and transparent manner.

The Board will consist of a minimum of four and a maximum of six representatives from member clubs. The League President will chair meetings of the Board. The League Secretary will provide administrative support to the Board. Chairman of the OMC and a member of the PRRMC will also be in attendance when the Board meets.

Board members will be elected at the League AGM to serve for a 3-year term.

The Board will meet four times per year: second Monday of January, April, July and October.

The Board will have access to all documentation of all committees and working groups elected to serve the League.

The Board will act to:

- a. Appoint the Chairman of the League.
- b. Approve the annual objectives, including the financial plan.
- c. Approve the annual targets of the PRRMC.
- d. Ensure the League officers and committee members act in the best interests of the DCL.

iii. The OMC

This will comprise the following positions with the incumbents known as Operations Officers (OO):

- Chairperson
- Vice Chair
- Secretary (non-voting)
- Treasurer
- Logistics Officer
- Registration Secretary
- Playing Rules Secretary
- Commercial Secretary

This committee will be responsible to the members for:

- a. Implementing control of finance, direction and administration of policy on matters that affect the organisation of the DCL. Preparing annual accounts of the DCL in accordance with appropriate current accounting practice.
- b. Acting on behalf of and reporting to the DCB as required of them and to the ECB.
- c. The employment, control and supervision of any paid staff; all such payments must be declared to the AGM in the accounts of the DCL.

The OMC chairperson will be elected for a 4-year term of office, with a maximum of two terms (8 years). All other OOs will serve for 12 months, commencing from the AGM, before seeking re-election.

The OMC will have the power to appoint sub-committees as necessary, to appoint advisors as required to fulfil its business, and to co-opt additional people to the committee when considered appropriate.

iv. The PRRMC

This will comprise the following positions with the incumbents known collectively as the Rules and Regulation Officers (RRO):

- Playing Rules Secretary
- Secretary of OMC (non-voting)
- Fixtures Secretary
- Registration Secretary
- Discipline Officer
- Club Divisional Representatives from the Premier, 'A' and 'B' Divisions

- East and West Divisional Representatives
- Divisional Results Secretaries
- DACO Representative
- County Welfare Officer

Chair for each meeting will be decided at the end of the previous meeting. This committee will be responsible to the members for:

- a. The registration of players.
- b. Devising league and cup rules and regulations in conjunction with members.
- c. The arranging and cancellation of league fixtures to include unavailability or fitness of grounds.
- d. Arranging cup competitions, fixtures for these if required and grounds as necessary.
- e. Conduct of matches.
- f. Collating results of matches and the preparation of league statistics.
- g. Assimilating member views and informing the OMC as necessary.
- h. Ground criteria.
- i. The Code of Conduct.
- j. Disciplinary rules and procedures.

All RROs will serve for 12 months from their election date before seeking re-election apart from the Secretary of the OMC.

The PRRMC will have the power to co-opt, as necessary, additional people to the committee in order to facilitate its business.

v. The Emergency Committee

This will comprise three members of the OMC with the chairperson or their deputy able to co-opt from the PRRMC or from outside the DCL if considered appropriate. The purpose of such a meeting will be to discuss any matters that would require a response earlier than the next scheduled OMC meeting. A full report of any such meeting must be made at the next meeting of the OMC and PRRMC.

6. AMENDMENT TO THE CONSTITUTION AND PLAYING RULES AND REGULATIONS

Constitutional changes can only be made, and Playing Rules and Regulations may only be amended, deleted, or new rules adopted at an AGM or EGM called specifically for this purpose.

Proposals for any change to the Constitution, Playing Rules or Regulations to be put forward for consideration at the next AGM must be received, in writing, by the DCL Secretary no later than 24th September. The DCL will introduce a process to assist in the preparation of proposals to go forward to the AGM. The final list of proposals will be circulated, along with the AGM Agenda, to all member clubs at least 28 days before the AGM.

7. COMMITTEE MEETINGS

i. The OMC

- a. Will meet as required throughout the year, but no less than nine times during the year.
- b. All meetings are to be minuted and accessible to member clubs.
- c. Each committee member, including co-opted members with the exception of any salaried official, shall have one vote. The chairperson at the meeting will have a casting vote.
- d. To constitute a quorum 50% of officials must be present.
- e. Any abstentions will be counted in the recording of votes cast.

ii. The PRRMC

- a. Will meet as required throughout the year, but no less than six times during the year.
- b. All meetings are to be minuted and accessible to member clubs.
- c. Each committee member, including co-opted members with the exception of any salaried official, shall have one vote. The chairperson at the meeting will have a casting vote.
- d. To constitute a quorum 50% of officials must be present.
- e. Any abstentions will be counted in the recording of votes cast.

8. ANNUAL GENERAL MEETING

The DCL AGM shall be held after the end of the financial year on the last Friday in November, and be attended by the member clubs.

i. For constitutional matters, each member club represented has one vote. ***In order to make any constitutional change, a two-thirds majority of votes cast will be required.***

ii. For playing rules and regulation matters each member club represented has one vote. ***In order to make any changes to the playing rules or regulations, a simple majority of votes cast is required.***

iii. A quorum at the AGM shall consist of 75% of member clubs represented.

iv. The AGM Agenda shall be as follows:

Constitutional Matters

- Apologies for absence
- A mark of remembrance
- Adoption of the Minutes of the previous AGM
- Chairperson's report
- Vice Chairperson's report
- Secretary's report; issued in advance
- Treasurer's report; issued in advance
- OMC report
- DCLMB report
- Subscriptions and/or constitutional rule changes

- Election of the OMC officers, excluding any salaried secretary
- Election of any new members

Playing Rules and Regulations Matters

- Discuss and adopt proposed rule changes from member clubs for the following season
- Election of the RRO officials
- Presentation of awards
- Any other business for which prior notification has been received
- OMC Chairperson's closing address

9. EXTRAORDINARY GENERAL MEETING

i. An EGM may be called by either the OMC or on written application of no less than 25% of the member clubs. Each application must state that it supports the actual resolution to be put before the meeting; it must be on the club official headed paper and be signed by an officer of the club. This can be submitted to the DCL Secretary by post or any form of electronic transmission.

ii. The Secretary shall arrange for the EGM to be held no more than 4 weeks after its request and shall give at least 14 days' notice of the meeting to member clubs, together with details of the resolution to be put before the meeting.

iii. No business other than the resolution that is being put to the meeting will be allowed.

10. FINANCE AND SUBSCRIPTIONS

i. The financial year shall run 1st October to 30th September.

ii. The income and expenditure of the DCL shall be the responsibility of the Treasurer, who will be accountable to ensure funds are utilised effectively to ensure that the DCL stays within budget.

iii. All monies received shall be paid into a bank account in the name of the DCL.

iv. Invoices and accounts shall be paid by any automated banking system approved by the OMC or by cheque signed by the Treasurer and any other nominated member of the OMC as necessary to comply with the banking mandate.

v. Before any change is made to the banking mandate this must have the prior approval of the OMC. Any written instruction must be on DCL headed paper and signed by the Chairperson and the Treasurer.

vi. Subscriptions for membership of the DCL must be paid on or before 1st May, or 15th May for clubs that pay by instalments.

vii. Any surpluses retained year-on-year shall be held for the benefit of the member clubs and as an advance of funds for the future administration of the DCL.

viii. Surpluses will not be distributed as dividends or profits to member clubs, but will be used for the future costs of running the DCL,

ix. In the event that the annual subscription does not cover the expenses of the DCL, any deficit shall be borne equally by all member clubs.

x. Any club leaving the DCL consents to all funds being retained for the benefit of the continuing membership.

xi. The Treasurer will recommend to the OMC and AGM the level of subscription to be paid by the member clubs each year. Any suggested change will be voted for at the AGM.

xii. The annual accounts, to be presented to the AGM will be drawn up by the Treasurer. An independent accountant who holds an appropriate professional qualification will undertake an independent examination of the accounts and confirm that the accounts are in accordance with the books and records of the DCL.

11. DISSOLUTION OF THE DCL

The DCL will not be dissolved except by a two-thirds majority of the votes recorded at an EGM called specifically for this purpose. In the event that, at dissolution, the DCL funds are insufficient to cover the legal liabilities, any shortfall will be borne equally by member clubs in proportion to the number of teams they play in the DCL.

Similarly, in the event of a surplus of funds at dissolution, such surplus will be equally divided between all member clubs in proportion to the number of teams they play in the DCL at that date.

Tolchards Devon Cricket League

Administration

1. OBLIGATIONS TO DCL AND DCB

i. All member clubs will be subject to the regulations of the Constitution and by joining the DCL will be deemed to have accepted these together with the Playing Rules and Regulations. Clubs will also have agreed to affiliate to the DCB and the Devon Association of Cricket Officials (DACO). Furthermore, clubs will support and uphold the ECB 'Code of Conduct', the 'Spirit of Cricket' - as laid down in the Laws of Cricket – and follow ECB 'Directives and Guidelines' including the 'Safe Hands Policy'. All clubs agree to abide by the DCL 'Disciplinary Regulations and Procedures'.

ii. All member clubs must appoint a representative with an active email address to receive and communicate with the DCL.

iii. All clubs must complete an annual 'affirmation' of details to be held in the Club Directory of the DCB website. The DCL representative will receive an email in December or January from the DCB Administrator containing a unique PIN number. This will allow the club access to the website where they must amend the details that are held or confirm that the existing details are correct.

iv. The deadline for completion of the annual affirmation process is 28th February.

v. When a member club makes any subsequent change affecting its officials, captains or other data relevant to the smooth running of the DCL, it must notify the Secretary within 14 days from the date of such a change.

vi. All Premier clubs are required to complete the annual ECB compliance document and return this to the DCL Secretary no later than 23rd April.

vii. It is obligatory for each member club to have a voting representative at all GM and at divisional sub-committee meetings. Clubs not attending will be fined.

viii. Member clubs have 21 days from the date of notification to respond to all DCL correspondence unless otherwise indicated. Failure to do so within the time frame will incur a fine, unless there are mitigating circumstances acceptable to the OMC.

ix. Failure to comply with DCL directives, deadlines or to attend meetings will incur a fine to be determined by the OMC. The level of fines will be reviewed annually and published.

2. DCL SECRETARY

The DCL will employ the executive services of a Secretary, on a PAYE basis.

The OMC is authorised to increase the salary for such services in line with the increase in the National Living Wage (or anything that replaces it) or any

higher amount that might be appropriate, effective from 1st February each year.

3. THE MERGER OR SEPARATION OF MEMBER CLUBS

Where two member clubs with 1st XIs in different divisions merge, the reformed club's 1st XI will be placed in the division of the highest placed former 1st XI for the coming season unless requested otherwise.

Any 2nd XI or lower (subsequent) XIs will be placed in the most appropriate division by the PRRMC so as to ensure that only one side plays in a division.

Should a club with three or more teams in the DCL wish to split into two separate entities the OMC will convene to discuss where the demerged team(s) will play.

4. DIVISIONAL MEETINGS

Divisional meetings will be held at the end of the season, at the latest by 7th October, on dates and at times and venues to be arranged by the DCL Secretary. Meeting information, including Agenda, will be notified at least 14 days before the meeting is to take place.

The chair of the meeting will be either a Club Representative or the Chairman of the PRRMC. The DCL Secretary will take Minutes.

It is anticipated that an outcome of these meetings will be to finalise playing proposals for the AGM.

5. TROPHIES AND AWARDS

Winners of Championship (Divisional) Trophies, the Player of the Year (adjudicated by the OMC, based upon performance) and the Bob Bridges Youth Award (adjudicated by the OMC, based upon performance by Youths up to a maximum of 19 years of age) will be responsible for their safe custody and their return to the DCL Secretary on or before the Annual Divisional Meetings (ADM).

Failure by a club or player to return the trophy in good condition by the due date will result in a fine or the cost of a replacement, whichever is the greater.

6. SUBSCRIPTIONS FOR THE FOLLOWING SEASON

i. Each member club shall pay an annual subscription on or before 1st May, or 15th May for clubs that pay by instalments; the rates for subscriptions shall be agreed at the AGM. See Appendix for agreed rates.

ii. The annual subscription payable will change in line with the rate of inflation as measured by the Retail Price Index (or any such index that replaces it) as at 30th September of the previous year. Any such increase will be rounded to the nearest £1.00. The OMC may propose any alteration that it considers to be in the best interest of its members.

7. TEA FEES

The rate charged for teas to away teams at all matches. In this context, a “team” means 11 players, a scorer and an umpire.

i. The rates for teas shall be agreed at the AGM. See Appendix for agreed rates.

ii. The rate for teas payable will change in line with the rate of inflation as measured by the Retail Price Index (or any such index that replaces it) as at 30th September of the previous year. Any such increase will be rounded to the nearest £1.00. The OMC may propose any alteration that it considers to be in the best interest of its members.

8. RIGHTS OF APPEAL OTHER THAN DISCIPLINE

The OMC and PRRMC are elected at the AGM and thereby empowered to apply the rules and regulations of the DCL fairly and to impose penalties, where considered appropriate.

In the event of a member club, or one of its members disagreeing with a decision reached against it there is a **Right of Appeal**.

The appeal procedure can either be:

i. Made in writing to the DCL Secretary within 7 days of receiving the original decision notification. The appeal request must be accompanied by a deposit fee; see Appendix.

ii. The Arbitration Panel (AbP) will be made up of three persons comprising two PRRMC members (to include any co-opted member) and one OO (to include any co-opted member), none of who were involved in the original decision. The DCL Secretary will also attend to take the minutes.

iii. The purpose of the AbP is to review the previously supplied evidence that resulted in the decision reached and any new evidence submitted. The panel will either endorse the original decision or revoke it.

Alternatively:

i. A club can request an **Appeal Hearing** within the same time-frame as outlined above. This request must be delivered to the DCL Secretary in writing and accompanied by a deposit fee; see Appendix. The Hearing will be arranged at a venue and on a date to be agreed between the parties concerned within four weeks from the date of the ‘Appeal’ letter. If no date can be agreed then the DCL will set the date.

ii. The Appeal Panel (AP) will be made up of three persons comprising two PRRMC members (to include any co-opted member) and one OO (to include any co-opted member) none of who were involved in the original decision. The DCL Secretary will also attend to take the minutes.

iii. The appellant has the right to be represented.

iv. The AP may confirm, vary or reverse the previous OMC decision. It will have the power to order the deposit (or part thereof) forfeit if the appeal is lost. When the appeal is upheld in full or in part the original deposit will be refunded, in whole or in part, dependent upon the decision reached.

v. The AP will provide a written explanation of their decision. This will be final and binding on both parties.

vi. In exceptional circumstances, e.g. legal interpretation of DCL Rules and Regulations, a club can subsequently appeal to the DCB Ltd in accord with their Constitution and upon payment of their costs. The decision of any such arbitration service will be binding on both parties. Any deposit previously paid to the DCL will be refunded if this appeal is successful.

9. DEVON COUNTY CRICKET CLUB

Member clubs will not refuse permission to any of their players to assist the Devon County Cricket Club (DCCC) when required.

The DCL will assist by arranging competition fixtures to accommodate DCCC fixtures.

10. DCL – ROLES AND RESPONSIBILITIES

Chairman	Elected at AGM	
Vice-Chairman	Elected annually at AGM	
DCL Secretary Non-voting Member of the OMC and PRRMC	Appointed by OMC	Responsible to the Chairman. An employed role, on a PAYE basis
Treasurer Member of the OMC	Elected annually at AGM	Responsible for managing the League finances and maintaining the accounts
Playing Rules Secretary Member of the OMC and PRRMC	Elected annually at AGM	Responsible for maintaining the playing rules and regulations and the provider of relevant advice/interpretation of these
Registration Secretary Member of the OMC and PRRMC	Elected annually at AGM	Responsible to the Chairman. A fee for service is awarded
Commercial Secretary Member of the OMC	Elected annually at AGM	Responsible for liaising with the League's sponsors and advertisers, and ensuring the satisfaction of all parties
Logistics Officer Member of the OMC	Elected annually at AGM	Responsible for the ordering and supply of cricket materials, and the invoicing of items supplied to member clubs
Fixtures Secretary Member of the PRRMC	Elected annually at AGM	Responsible for providing the fixtures in support of the DCL Saturday League
Discipline Officer Member of the PRRMC	Elected annually at AGM	Responsible for the discipline process used by DCL
Divisional Representatives Members of the PRRMC	Elected annually at AGM	Responsible for reporting meeting outcomes to member clubs

Results Secretaries Members of the PRRMC	Elected annually at AGM	Responsible for checking scorecards (they are complete and correct).
County Welfare Officer Member of the PRRMC	Appointed by DCB Ltd	Responsible for advice, training member club Welfare Officers and identification of those member clubs that have a CWO whose training will fall due within the next 6 months, or where a club no longer has a currently trained CWO
DACO Representative Member of the PRRMC	Appointed by DACO	Responsible for advising the PRRMC on matters relating to umpiring. Feedback to DACO

APPENDIX

Subscriptions 2018 season

Levels of subscription would be subject to the recommendation of the Treasurer to AGM.

Premier Division First XI	£160.00
Divisions 'A', 'B' & 'C' First XI	£110.00
Division 'D' First XI and any other subsequent divisions	£85.00
Where a club runs any additional team in the DCL, an additional subscription shall be payable for each such team	£60.00
Fine for non-payment of a subscription on or before 15 th May	£10.00 per month

Tea fees 2018 season

£33.00 per team

In this context, a "team" means 11 players, a scorer and an umpire.

Rights of appeal fee 2018 season

The appeal request must be accompanied by a deposit fee for £25, payable to the 'Devon Cricket League'.

Appeal hearing fee 2018 season

The appeal request must be accompanied by a deposit fee for £100, payable to 'Devon Cricket League'.