

# **ASSOCIATION DES CLUBS DE CRICKET DU SUD OUEST**

## **Constitution**

Document approved by Annual General Meeting on Saturday 1st November 2008.

**Caveat: This document is a translation from the French-language original *Statuts*, which is and will remain the document of record.**

**Changes will be made in the first instance to the French-language document.**

**Every effort will be made to minimise any delay in updating this English-language document in line with any changes to the French-language original.**

**In the event of any debate or dispute, the French-language document will prevail.**

### **Article I : Constitution**

At a plenary meeting in 1992, the founder-members set up an Association under the terms of the law of 1<sup>st</sup> July 1901, as amended by subsequent texts.

This Association took the following name: « Association des Clubs de Cricket du Sud Ouest », also to be known by its acronym « ACCSO ».

The present Constitution was approved at Annual General Meeting on Saturday 1st November 2008.

### **Article II : Purpose**

The purpose of this Association is to promote and to develop the sport of cricket in the greater south-west of France and in particular by:

- i) co-ordinating the activities of existing clubs
- ii) encouraging and helping the development of new clubs within the region
- iii) organising the clubs into groupings or divisions to reflect the geographical spread of the sport
- iv) organising and managing competitions among the clubs, defining and regulating such competitions and qualifying those who participate therein
- v) ensuring that there are enough qualified umpires to stand in the planned programme of official matches, running or arranging the necessary training
- vi) negotiating and publishing a roster of umpires for official matches
- vii) ensuring that there are enough qualified scorers within member-clubs to cover the programme of official matches, running or organising the necessary training
- viii) organising - or helping individual clubs to organise - training sessions, demonstrations, junior cricket and other activities which help to promote the sport
- ix) recording and publishing the results of competitive matches and league tables

- x) supporting member clubs by acting as a centre of competence and clearing-house on the regulations affecting and governing the sport of cricket.
- xi) developing and maintaining Internet-based communications for the timely dissemination of relevant information
- xii) aiding and assisting member-clubs in the co-ordination of the fixtures of touring sides.
- xiii) all other acts that are considered necessary for the promotion and development of cricket in greater south-west France.

### **Article III : Base**

The Association is registered at Damazan.

This registration can be transferred elsewhere if the Association' Committee so decides.

### **Article IV : Life**

The life of the Association is not limited.

### **Article V : Membership**

**V.1.** Membership is open to

- all cricket clubs of good standing and/or
- those sporting clubs which include cricket in their official activities ;

Provided that such clubs

- operate within the Grand Sud-Ouest
- are in accord with the Association's objectives
- are members of, and up-to-date with membership fees for, the bodies mandated in ACCSO's internal regulations.

Applications for new membership are subject to approval by Committee.

**V.2.** Ongoing membership is subject to prompt payment of an annual subscription fee. This will be set – and modified - by a simple majority vote of the Committee, and which will come into effect after approval by Annual General Meeting.

**V.3.** Membership ceases when a member-club resigns or if it has not paid the pre-requisite subscriptions by the end of March of a given year, and after two reminders, thereby forfeiting its ACCSO membership for the current year.

**V.4.** Exceptionally, the Committee can decide to expel a Club which has been sanctioned for legal, fiscal or sporting reasons.

## **Article VI : Assets**

The resources of the Association are financial and comprise:

- subscriptions payable by member-clubs
- grants, gifts, sponsorships and the net income from all events directly organised by the Association.

The Committee shall have the discretion to obtain funds from various sources and by various means. However no loan shall be negotiated without the prior and documented authority of the Committee.

The Committee may enter into agreements with commercial sponsors. The Committee shall be the judge of the appropriateness of such agreements but they shall not affect the right of individual member-clubs to enter into an agreement with the same sponsor(s) and this shall not be held to be conflictual. However, member-clubs should not negotiate sponsorship which conflicts with sponsorship already in place or under negotiation at Association-level.

Monies derived from subscriptions, gifts, grants and sponsorships shall be spent only on the Objectives defined above.

## **Article VII : Expenses**

Expenditures are subject to the conditions and limits set by the Committee, as published in the Association's internal regulations.

## **Article VIII : General Meetings**

### **VIII.1 : Announcement**

The Association's membership shall meet at least once every twelve months in an Annual General Meeting ("AGM"); and will meet as and when required in an Extraordinary General Meeting ("EGM").

An announcement made according to ACCSO internal regulations will constitute a valid call for a General Meeting.

The announcement will specify the date, time, place and agenda for such a meeting, and will also include the list of voting resolutions identified by the Committee.

If the quorum required by ACCSO internal regulations for a General Meeting is not achieved, the meeting will be re-convened, at least two weeks later, but there will then be no quorum required.

### **VIII.2 : Voting rights, proxies, quorum**

General meetings will be managed according to the Association's internal regulations.

### **VIII.3 : Annual General Meetings (« AGMs »)**

Annual General Meetings (“AGMs”) define, direct and control the policy and practice of the Association.

AGMs are called by the Association’s President, following decision by Committee, and in accordance with the Association’s internal regulations.

The following are presented to an AGM :

- President’s report
- Reports on the activities of the Committee and of any current sub-committees or projects
- Statement of accounts for the previous period, and budget proposals for the current period.

Member-clubs present or represented by proxy

- Vote on the reports of Committee / sub-committees and projects
- Vote on the statement of accounts and on the budget proposals
- Elect or reject the membership of the Association’s Committee
- Where applicable, ratify or disapprove any provisional appointments made to Committee
- Debate and vote on matters relevant to the AGM and , more generally, on any matters tabled or raised as “Any Other Business”

An AGM will be conducted in accordance with the Association’s internal regulations.

A General Meeting may be called between two consecutive Annual General Meetings if the Committee need to submit for discussion and approval any matter(s) which fall within the remit of a General Meeting.

### **VIII.4 : Extraordinary General Meeting (« EGM »)**

An Extraordinary General Meeting (EGM) is the forum for matters which fall within its remits: such as proposals for the dissolution or liquidation of the Association.

An EGM is called and will be conducted in accordance with the Association’s internal regulations.

### **VIII.5 : Records of meetings**

The proceedings of all General Meetings are recorded in minutes which will contain

- a summary of debate
- the formal text of decisions taken
- the outcome of all votes taken.

The minutes are signed by the President and the Secretary and, within the two months following the meeting, are distributed to representatives of all member-clubs, and transmitted to the relevant authorities.

The President of the Association (or his deputy) will, within three months, notify the departmental or district prefecture of all changes made in the management of the Association.

## **Article IX : Committee**

### **IX.1 : Composition**

The Association is administered by a Committee, elected at Annual General Meeting by representatives of member-clubs and composed as defined in the Association's internal regulations.

Membership of committee, whether elected or co-opted, is open only to persons who are current members of a club itself currently member of the Association.

Nomination for the election of any such person must be supported by the club of which he/she is a member.

There shall be no limitation on the number of ACCSO Committee posts held by members of any one member-club, but the more widespread the better.

Committee membership is not open to

- i) persons under the age of 18 years as at the date of the AGM
- ii) French nationals whose name cannot appear on electoral rolls because of a conviction
- iii) persons of other nationalities who, had they been French nationals, would not be able to be registered on electoral rolls because of a conviction
- iv) any person who has been sanctioned for any serious breach of the laws or of the spirit of the game.

Given the broad geographical base of the association and its member clubs, the Internet is a highly efficient and economical way to execute the business of the Association. However, Internet access is *not* a factor in the nomination of candidates for election to the Bureau.

### **IX.2 : Term of Office**

The Association's internal regulations specify the electoral process and terms of office for members of Committee.

Committee members may be nominated for re-election and there shall be no upper limit on the number of times any one person may be re-elected.

If a Club ceases to be a member of the Association (because of resignation or dismissal, non-payment of membership fees, or similar sound reason), its representative(s) on Committee shall be obliged to resign with immediate effect. If a Committee officer ceases to be a member of a member-Club he/she must resign from the Committee.

When a Committee post falls vacant in the period between two consecutive AGMs, the Committee must co-opt a replacement (current member of a current member-club). This provisional co-option will cease at the date of the following AGM.

### **IX.3 : Operation**

The Committee is invested with the powers necessary to administer the Association, to authorise all proper actions and to take all measures which conform to the remit of the Committee and which are not delegated to the remit of a General Meeting.

The Committee may delegate some of its powers or functions to any other member(s) of a member-club or to one or more third-parties; but the Committee remains responsible to the Association for the actions of any such persons.

The Committee shall meet and function according to the Association's internal regulations.

Committee membership typically being geographically scattered, Committee meetings may validly be held by telephone and/or via Internet, subject to the results of such virtual meetings being made available via Internet and/or in printed form. Committee members carry out their duties at their own expense.

### **Article X : Role of Committee and its Members**

The functions of the President are defined in the Association's internal regulations. Additional presidential responsibilities may be determined and authorised by Committee from time to time and as appropriate.

The principal responsibilities of other members of Committee are also defined in the Association's internal regulations.

### **Article XI : Audit**

Representatives of member-clubs may decide, in the course of a General Meeting, to invite external auditors to validate the financial statement produced by the Association's Treasurer. In the absence of such a decision, the Treasurer has sole responsibility for the proper administration and accuracy of the Association's accounts.

### **Article XII : Sub-committees and Projects**

As provided for in Article IX.3 above, the Committee has authority to set up and manage sub-committees and projects.

The composition and scope of sub-committees or projects will be defined at the time of their creation and will be documented in the Association's internal regulations

### **Article XIII : Administrative Procedures**

In complement to this Constitution, a set of internal regulations will be created by Committee and subject to approval by member-clubs at an Annual General Meeting.

## **Article XIV : Changes to Constitution - Dissolution of the Association and its liquidation**

### **XIV.1 : Changes to Constitution**

This constitution can be modified only with the approval of an Annual General Meeting and in accordance with the Association's internal regulations.

### **XIV.2 : Dissolution and liquidation of the Association**

The Association can be dissolved only at the instigation of the Committee and subject to approval at an Extraordinary General Meeting in accordance with the Association's internal regulations.

Liquidation will be executed in accordance with the requirements of the Law of 1<sup>st</sup> July 1901, as amended by subsequent texts.

## **Article XV : Formalities**

The President is empowered to observe all formalities with respect to declaration and publication as required by the Law of 1st July 1901 and subsequent decrees.

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