

**ENGLAND & WALES CRICKET BOARD ASSOCIATION OF CRICKET OFFICIALS****CONSTITUTION**

The content of this document comprises the constitution of the England & Wales Cricket Board Association of Cricket Officials (the 'Constitution').

**N.B.** It should be noted that anywhere in this document;

- Any reference to a person in the male gender refers equally to the female gender. It should be understood that this expression is not discriminatory and is used only for the sake of brevity.
- The term 'in writing' is deemed to include, but not be limited to, email, publication on the England & Wales Cricket Board Association of Cricket Officials' website, publication in the England & Wales Cricket Board Association of Cricket Officials' newsletter, or by post.

**Definitions:**

Within this document the following definitions shall apply:-

|                         |   |
|-------------------------|---|
| Board                   | the group as defined in Paragraph 5 below which has the responsibility for the affairs of the ACO                             |
| County ACO              | the associations that have been established within County Boards to further the aims and objectives of cricket officials      |
| County Board            | the body recognised by ECB as responsible for recreational cricket within the Counties  |
| ECB                     | the England and Wales Cricket Board   |
| First Class Counties    | Counties designated first class by ECB  |
| First Class Scorers     | Scorers engaged by First Class Counties   |
| First Class Umpires     | Umpires contracted by the ECB   |
| Laws                    | the Laws of Cricket as published by the Marylebone Cricket Club under the jurisdiction of which the game of cricket is played |
| Region                  | one of the organised Regions as defined by the ECB  |
| Regional Forum          | a biannual Regional meeting   |
| Regional meetings       | meetings of the Members in the Regions as defined by the ECB  |
| Regional Representative | Board member elected by the County representatives of their Region  |
| Sub-Committee           | a group established by the Board for a specific purpose   |
| Task Force              | a group established by the Board or Sub-Committee to further a specific objective as defined at Paragraph 10 below            |

## **1. Title**

England & Wales Cricket Board Association of Cricket Officials (hereinafter referred to as ACO), as an independent, unincorporated association.

## **2. Structure**

- 2.1 The ACO is a Members' organisation with County ACOs in each County Board area in England and Wales.
- 2.2 There are six Regional forums based on the five England & Wales Cricket Board (ECB) Regions and Europe.
- 2.3 The ACO is led by a Board with an independent Chairman.
- 2.4 The ACO operates under the protection and with the support of the ECB.

## **3. Aims and Objectives**

- 3.1 To promote the interests of cricket officials in England, Wales and Europe in particular, and elsewhere in the world where appropriate.
- 3.2 To promote the development of cricket officials through education and training.
- 3.3 To serve the game in accordance with the Spirit of Cricket as defined in the Laws.
- 3.4 The ACO shall take account of and use reasonable endeavours to apply all relevant ECB directives, regulations and guidance including, but not limited to, ECB "Safe Hands" and "Equity Policies".

## **4. Membership**

- 4.1 Membership to the ACO shall be open to any person interested in furthering the Aims and Objectives of the ACO.
- 4.2 Membership shall commence from the date of issue in writing of confirmation after receipt and acceptance of an application form and verification of all associated documentation and payment of an annual subscription laid down from time to time by the Board.
- 4.3 Any Member not paying the renewal of an annual subscription and verification of relevant documentation within 60 days of his membership renewal date shall be deemed to be lapsed and his membership and all benefits of the ACO shall cease.
- 4.4 Membership shall comprise:
  - 4.4.1. Honorary Life Member  
Honorary Life Membership shall be the highest honour the ACO can bestow.  
The Board shall be empowered to nominate any individual, including recommendations from County ACOs or individual Members of the ACO, whose services to the ACO have been such that it considers he is worthy of Honorary Life Membership.  
Honorary Life Members shall be elected at an Annual General Meeting and shall have the rights and privileges of a Full Member and shall be free of financial obligations of the ACO.

#### 4.4.2 Full Member (England & Wales)

Any Member residing in England or Wales and participating in cricket, or any activity organised or administered by the ACO.

A Full Member (England & Wales) must maintain as legally required, for the duration of his membership, a current Enhanced Disclosure Certificate, or any successor, issued through the Criminal Records Bureau (CRB).

A Full Member (England & Wales) is covered by the insurance policy taken out and maintained by the ACO, subject always to the terms of the policy.

#### 4.4.3 Full Member (Europe)

Any Member residing in Europe (other than England or Wales) participating in cricket, or any activity organised or administered by the ACO.

A Full Member (Europe) must meet, as legally required, for the duration of his membership, any disclosure/vetting requirements of the National Governing Body for cricket of the country in which he resides.

A Full Member (Europe) is covered by the insurance policy taken out and maintained by the ACO, subject always to the terms of the policy.

#### 4.4.4 Overseas Member

Any Member residing in a country outside England, Wales & Europe, participating in cricket, or any activity organised or administered by the ACO.

An Overseas Member must meet, as legally required, for the duration of his membership, any disclosure/vetting requirements of the National Governing Body for cricket of the country in which he resides.

No insurance cover is provided.

#### 4.4.5 Young Official

Any Member under the age of 25 participating in cricket, or any activity organised or administered by the ACO.

A Young Official must meet, as legally required, for the duration of his membership, any disclosure/vetting requirements of the National Governing Body for cricket of the country in which he resides.

A Young Official is covered by the insurance policy taken out and maintained by the ACO once he has reached his 16th birthday, subject always to the terms of the policy.

#### 4.4.6 Associate Member

Any Member who is involved only in social activities of the ACO.

No insurance cover is provided, and a CRB disclosure certificate/vetting is not required.

4.5 As defined within clause 4.4 of this Constitution, qualifying categories of Membership will extend the benefit of the appropriate provisions of the ACO's Insurance policy (the 'Policy') to Members. The Policy shall include public liability and personal accident cover for Members of qualifying age, officiating at any cricket match or on other ACO business authorised by the Board or attending an ACO meeting and whilst travelling in connection therewith. The

cover provided by the Policy will be limited to the specific provisions of the Policy in force at the time and the ACO will not have any liability whatsoever for any matter not covered by the terms of the Policy.

- 4.6 A Member wishing to resign from the ACO shall notify the ACO Senior Executive Officer in writing. His resignation will come into effect when received and all his benefits and entitlements of the ACO shall cease with immediate effect.
- 4.7 Subject to the Disciplinary and Appeals Procedure (Appendix 2) the Board shall be empowered to expel from membership or refuse membership to any individual it considers, at its absolute discretion, to have behaved in such a way as to bring the ACO or the game of cricket into disrepute.
- 4.8 All Members of the ACO, resident in or with appropriate cricketing connections with a County, shall be registered with that County ACO. For the avoidance of doubt, a Member may only be registered with one County ACO at any one time.
- 4.9 Affiliation to a County ACO will be available to any association of Cricket Officials based within that County.

## **5. Board**

- 5.1 The ACO and its assets shall be administered by a Board consisting of:

Chairman  
 Regional Representative for Midlands (or his nominated deputy)  
 Regional Representative for Wales (or his nominated deputy)  
 Regional Representative for South & West (or his nominated deputy)  
 Regional Representative for North (or his nominated deputy)  
 Regional Representative for London & East (or his nominated deputy)  
 Regional Representative for Europe (or his nominated deputy)

Independent Director  
 ACO Senior Executive Officer

ECB Director of Cricket Partnerships (or his nominee)  
 ECB Director of Finance (or his nominee)  
 Representative of the First Class Umpires (or his nominee)  
 Representative of the First Class Scorers (or his nominee)  
 ECB Umpires' Manager  
 Representative of MCC

- 5.2 The Board shall appoint a director who is independent of ECB and ECB ACO.
- 5.3 The Board shall nominate a Vice Chairman from its members annually at the first meeting of the Board after the Annual General Meeting.
- 5.4 At any meeting of the Board the quorum shall be eight of whom a minimum of four must be Regional Representatives or their respective nominated deputies.
- 5.5 The Board shall administer the affairs of the ACO, meeting at least 4 times annually.

- 5.6 At a meeting of the Board, all Board members as defined in Paragraph 5.1 of this Constitution shall have one vote, except the chairman who shall exercise only a casting vote.
- 5.7 If necessary, the Board may co-opt members who shall have no voting rights at any meeting of the Board.
- 5.8 Sub-Committees, as appropriate, may be established and may include members other than Board members.
- 5.9 The Board shall be notified of Board meetings at least 28 days in advance.
- 5.10 Items to be presented to the Board shall be in writing and shall be circulated to the Board members at least 10 days before the date of the meeting. These items shall be raised at the meeting at the discretion of the Chairman.
- 5.11 All contracts, renewals and other legally binding documents which affect the ACO shall be put to the Board for ratification before signature. The Board, at its discretion, may delegate powers to such other body or individual(s) as it deems appropriate.
- 5.12 A member of the Board shall cease to hold office if he:
- a) at the Board's discretion, becomes incapable by reason of mental disorder, illness or injury of managing or administering his own affairs
  - or
  - b) is absent from three consecutive meetings without reason acceptable to the Board
  - or
  - c) notifies in writing to the Board a wish to resign
- 5.13 Term of Office
- 5.13.1 The Chairman shall serve for 3 years and shall be nominated by the Board and elected at the Annual General Meeting.
- 5.13.2 The following Board members shall serve for 3 years and shall retire on the 31st December on the following rotation, and thereafter on a rolling 3 year basis:-
- 2010 Regional Representative for Wales  
Regional Representative for Midlands
  - 2011 Regional Representative for North  
Regional Representative for South & West
  - 2012 Independent Director  
Regional Representative for London & East  
Regional Representative for Europe
- 5.13.3 Each member elected on the Board shall be entitled to stand for re-election at the end of his term of office.

## **6. Roles and Responsibilities of the Board**

6.1 The responsibilities of the Board are outlined in Appendix 1.

### 6.2 Chairman

- a) To conduct each meeting in accordance with good practice
- b) To represent the ACO nationally and worldwide and in particular to the media
- c) To authorise the agenda for Board meetings
- d) To authorise minutes of Board meetings prior to distribution

### 6.3 Vice Chairman

- a) To act as deputy for the Chairman when he is not available

### 6.4 Independent Director

- a) To share views and to offer advice to the Board from a different and wider perspective

### 6.5 Regional Representatives

- a) To represent the Members and their views
- b) To represent the Board on selected Sub-Committees
- c) To establish a Regional Committee
- d) To organise and chair Regional Meetings
- e) To be responsible for preparing an annual budget for his Region
- f) To ensure that the Region adopts the ACO Constitution and any model rules for Regions as prescribed from time to time by the Board

### 6.6 ACO Senior Executive Officer

- a) To co-ordinate and manage the ACO and ECB staff members engaged in ACO activities
- b) To manage all ACO correspondence
- c) To notify all Board members of Board meetings
- d) To be responsible for all matters relating to meetings of the Board and its Sub-Committees including the production and distribution of the minutes
- e) To provide reports from all Sub-Committees to the Board
- f) To be responsible for the production and editorial content of the ACO's newsletter and website
- g) To act as archivist for the ACO

### 6.7 ECB Director of Cricket Partnerships

- a) To communicate to the Board all relevant initiatives and information from the ECB

### 6.8 ECB Director of Finance

- a) To manage all financial affairs of the ACO
- b) To report to the Board at each meeting
- c) To produce an annual financial statement

### 6.9 ECB Umpires' Manager

- a) To act as liaison in all relevant matters and report on the development of the pathway opportunities.

### 6.10 Representative of MCC

- a) To communicate to the Board all relevant initiatives and information appertaining to the Laws of Cricket.

#### 6.11 Representative of First Class Umpires

- a) To share views and offer advice to the Board on behalf of First Class Umpires.

#### 6.12 Representative of First Class Scorers

- a) To share views and to offer advice to the Board on behalf of First Class Scorers.

### **7. Indemnity**

7.1 Each and any member of the Board and any Member to whom responsibility for ACO business has been delegated by the Board shall be indemnified out of the assets of the ACO against any and all losses or liabilities which he may sustain or incur in or about the execution of the duties of his office or otherwise in relation thereto, including any loss or liability incurred by him in defending any proceedings, whether civil or criminal, in which judgment is ultimately given in his favour or in which he is acquitted by a recognised and empowered tribunal. No member of the Board or any Member to whom responsibility has been delegated by the Board shall be liable for any loss, damage or misfortune which may happen to be incurred by the ACO in the execution of the duties of his office or in relation thereto, save in relation to circumstances where such loss, damage or misfortune arises out of an act of fraud or criminal activity on the part of the member of the Board or Member for which he is subsequently convicted or found guilty by any duly authorised tribunal.

7.2 The members of the Board shall have the power to purchase and maintain out of the assets of the ACO, for any member of the Board, and to any Member to whom responsibility has been delegated by the Board, insurance against personal liability for acts properly undertaken by him in breach of trust but under an honest mistake.

### **8. General Meetings**

#### 8.1 Annual General Meeting

8.1.1 An Annual General Meeting shall be held during October or November each year:

- a) To receive the report from the Chairman of the Board
- b) To receive the report from the ACO Senior Executive Officer
- c) To receive a financial statement
- d) To receive and announce the result of any postal ballot and/or to hold a ballot of Members present
- e) To transact other business of which proper notice has been given
- f) To elect the Chairman according to Paragraph 5.13.1 of this Constitution

8.1.2 Members shall be given notice of an Annual General Meeting, together with the agenda including notice of any motions submitted for debate, no less than 28 days before the date of the meeting.

8.1.3 Motions to be submitted to the Annual General Meeting, unless proposed by the Board, shall be proposed and seconded by Members of the ACO and reach the ACO Senior Executive Officer or his nominated representative in writing not later than 31<sup>st</sup> August.

- 8.1.4 Any motion to dissolve the ACO will only be put as an Extraordinary Motion as defined at Paragraph 8.2 of this Constitution.
- 8.1.5 Any motion on the agenda for the Annual General Meeting shall, at the discretion of the Board, be decided by a postal ballot. In such cases ballot papers shall be circulated to all Members of the ACO with the agenda and shall be completed by Members and returned to independent scrutineers appointed for the purpose by the Board. The scrutineers shall hold the results of the voting in confidence and convey them in writing to the Chairman at the Annual General Meeting.
- 8.1.6 At an Annual General Meeting, the quorum shall be 75 Members of the ACO.
- 8.1.7 At an Annual General Meeting all Members of the ACO present shall have one vote.
- 8.1.8 At an Annual General Meeting a simple majority of those Members present and voting shall be required to carry a motion, subject to Paragraph 8.1.9 of this Constitution.
- 8.1.9 In cases where a change to the Constitution is motioned, the motion shall be carried by two-thirds of votes cast.

## 8.2 Extraordinary Motion

- 8.2.1 A motion for consideration outside the Annual General Meeting, known as an Extraordinary Motion, may be put by the Board or on the written request of at least 50 paid-up Members of the ACO, of whom no more than half the proposers shall be registered in the same Region.
- 8.2.2 An Extraordinary Motion shall be decided by postal ballot of all ACO Members. Ballot papers shall be circulated to all members of the ACO and shall be completed by Members and returned to independent scrutineers appointed for the purpose by the Board. The scrutineers shall hold the results of the voting in confidence and convey them in writing to the Chairman. The result shall be announced within a week of the ballot closing date.
- 8.2.3 An Extraordinary Motion requires a two-thirds majority of votes cast to be carried.

## **9. Audit Committee**

- 9.1 An independent Audit Committee shall be established by the Board to monitor finances, controls and procedures of the ACO and shall report to the Board. The Audit Committee shall include
- Independent Chairman appointed by the Board
  - Nominated Member of the Board
  - Two independent members

## **10. Sub Committees & Task Forces**

- 10.1 The Board shall nominate a chairman for each Sub-Committee defined at Paragraphs 10.3 to 10.5 below who shall be appointed at the first Board meeting after the Annual General Meeting.
- 10.2 At a meeting of any Sub-Committee or Task Force the appointed members who are present at the meeting shall each have one vote. In the event of an equal number of votes the chairman of that meeting shall have a second and decisive vote.
- 10.3 Education Committee shall consist of:  
 Education Officer  
 ECB Umpires' Manager  
 Nominated Member of the Board  
 One representative from each Region
- 10.4 Membership Services Committee ('MSC') shall consist of:  
 Membership Officer  
 Nominated Member of the Board  
 One Representative from each region
- 10.5 The Board shall be empowered to establish any other Sub-Committee or Task Force as it deems necessary.
- 10.6 Any other Board member shall be entitled to attend any of the Sub-Committee or Task Force meetings as an observer but shall have no voting rights at that meeting.
- 10.7 Any Sub-Committee or Task Force shall have the power to co-opt any additional member who shall not have voting rights at that meeting.
- 10.8 The minutes of all Sub-Committee meetings shall be lodged with the ACO Senior Executive Officer for distribution to Board members as in Paragraph 6.6 of this Constitution.

## **11. Interpretation**

- 11.1 The Board shall be responsible for the interpretation of this Constitution and shall decide on any matter on which this Constitution is silent.

## **12. Dissolution/Disposal of assets**

- 12.1 Should, for any reason, the Members of the ACO agree and vote that the ACO should be dissolved, then a duly convened meeting of paid-up Members present and voting shall decide, by a two thirds majority, on how the assets of the ACO shall be disposed of, provided always that the assets are used for the purposes of the benefit of cricket officiating, and in the best interests of the game of cricket.

## **13. Property**

- 13.1 The property and all funds of the ACO remain vested in the members of the ACO, and must be used solely for promoting the Aims and Objectives of the ACO.

## Appendix 1

### Responsibilities of the Board

1. To determine the ACO's Mission and Purpose
  - Ø A statement of mission and purposes should articulate the ACO's goals, means, and primary constituents served. It is the Board's responsibility to create the mission statement and review it periodically for accuracy and validity. Each individual Board member should fully understand and support it
2. To work with ECB to select the executives
  - Ø The Board must reach consensus on the ACO executives' job descriptions and, in conjunction with the ECB, undertake a careful search process to find the most suitable individuals for the posts
3. To support the Executives and ensure their performance is reviewed
  - Ø The Board should ensure that the ACO executives have the moral and professional support they need to further the goals of the ACO. The executives, in partnership with the Board, should decide upon a periodic evaluation of their role
4. To ensure effective organisational planning
  - Ø The Board must actively participate with the executives in an overall planning process and assist in implementing the plan's goals
5. To ensure adequate resources
  - Ø One of the Board's foremost responsibilities is to do all that it can to provide adequate resources for the ACO to fulfil its mission. The Board should work in partnership with the ACO executives and ECB to generate funds from appropriate sources
6. To manage resources effectively
  - Ø The Board must assist in developing the annual budget and ensuring that proper financial controls are in place
7. To determine and monitor the ACO's programmes and services
  - Ø The Board's role in this area is to determine which programmes are the most consistent with the ACO mission, and to monitor their effectiveness
8. To enhance the ACO's public image
  - Ø The Chairman shall provide the primary link to the media, the community and the public, clearly articulating the ACO's mission, accomplishments and goals, as well as gathering support from important members of the community.
9. To serve as a Court of Appeal
  - Ø The Board will serve as a court of appeal, where required, in personnel matters.
10. To assess its own performance
  - Ø The Board will be responsible for evaluating its performance and reach consensus on which areas need to be improved.

## Appendix 2

### **Disciplinary & Appeals Procedures. (C.f. Constitution Paragraph 4.7)**

1. The Board has jurisdiction only over Members and those who wish to become Members.
2. All Members are expected to uphold the Aims and Objectives of the ACO at all times.
3. If any Member is deemed, at the absolute discretion of the Board, to have brought the ACO or the game of cricket into disrepute he will be subject to disciplinary procedures set out within this Appendix 2.
4. All complaints regarding the behaviour of any Member shall be lodged in writing with the ACO Senior Executive Officer.
5. The Board shall appoint a disciplinary Sub-Committee which will meet to hear complaints within 30 days of a complaint being lodged.
6. Any Member requested to attend a Disciplinary Sub-Committee hearing shall be entitled to be accompanied by a friend or other representative and to call witnesses. The Disciplinary Sub-Committee has absolute discretion as to the form and the content of such a hearing, including.
7. The Board (or its Sub-Committee) has the power to take appropriate disciplinary action, including the termination of membership.
8. The outcome of the disciplinary hearing shall be put in writing to the person who lodged the complaint and the Member against whom the complaint was made within 3 days following the hearing.
9. There shall be a right of appeal to the Board against either the finding or the sanction imposed or both following disciplinary action being taken.
10. All appeals shall be lodged in writing with the ACO Senior Executive Officer within 14 days of the outcome of the disciplinary hearing being conveyed.
11. The Board shall appoint an Appeals Committee [a minimum of 3 and maximum of 5] with an independent chairman which shall not include any member involved with the initial disciplinary hearing but may include non Members of the ACO.
12. The Appeals Committee shall consider the appeal within 30 days of the appeal being lodged.
13. At an appeals hearing, the individual submitting the appeal shall be entitled to be accompanied by a friend or other representative and to call witnesses. The Appeals Committee has absolute discretion as to the form and the content of such a hearing.
14. The Appeals Committee shall have the power, at its absolute discretion, to uphold, reverse or otherwise alter the decision of the Disciplinary Sub-Committee, such power to include the power to increase any imposed sanction.
15. The decision of the Appeals Committee shall be binding and final on all parties with no further right of appeal.