



PCB<sup>®</sup>

Pakistan Cricket Board

**MODEL CONSTITUTION**

**FOR**

**CRICKET CLUBS**

## **MODEL CONSTITUTION FOR CRICKET CLUBS**

### **1. Title and Commencement**

- 1.1 The Club shall be called \_\_\_\_\_.
- 1.2 The Club shall be affiliated with the \_\_\_\_\_ City Cricket Association or any other body as may be directed by the Pakistan Cricket Board from time to time.
- 1.3 This Constitution shall come into force immediately upon promulgation by way of execution and consent by the existing members of the Club.

### **2. Definitions**

- 2.1 For the purpose of this Constitution, unless the context otherwise requires:

- a) **“Board” or “PCB”** where used means Pakistan Cricket Board;
- b) **“Chairman”** means the Chairman of the Pakistan Cricket Board;
- c) **“City Cricket Association” or “CCA”** means the City Cricket Association constituted and operating pursuant to the PCB Constitution and to which this Club is affiliated with;
- d) **“Club”** means this cricket club duly organized and established and recognized by and affiliated with the City Cricket Association pursuant to this Constitution, the CA Constitution and the PCB Constitution;
- e) **“Club Cricket”** means cricket played by Clubs and being other than First Class Cricket and list A Cricket;
- f) **“Cricket Association” or “CA”** means a Cricket Association constituted and operating pursuant to the PCB Constitution and to which the City Cricket Association is affiliated with;
- g) **“Dues”** includes annual subscription, registration fee, guarantee money of match(es), tournament fees or any other levy or charge or any fine imposed by the PCB, Cricket Association or the City Cricket Association;
- h) **“Financial Year”** means a year commencing on the first day of July;
- i) **“Format of Cricket”** means as prescribed and notified by the PCB from time to time;
- j) **“General Body”** shall have the meaning ascribed to it under this Constitution;
- k) **“Office Bearer”** means the President, Treasurer or any other office created by the General Body of the Club as the context may require;
- l) **“Officers”** means the managers and other executive management staff and employees of the Club;
- m) **“Participation Category”** means as prescribed and notified by the PCB from time to time;
- n) **“President”** means the President of the Club recognized and affiliated with the City Cricket Association;
- o) **“Secretariat”** means the Head Office of the Club;
- p) **“Treasurer”** means the Treasurer of the Club elected by the General Body pursuant to this Constitution; and
- q) **“Undertaking”** means the undertaking given by the Office Bearer(s) of the Club in the format provided by the Board from time to time.

- 2.2 All terms herein which have been defined or referred to under the PCB Constitution shall carry the same meanings as ascribed to them under the PCB Constitution.

### **3. Cricket Club**

- 3.1 The Club shall comprise of a General Body consisting of members categorized as voting members and non-voting playing members.

3.2 The Club shall be recognized as a duly organized Cricket Club upon being granted affiliation by the City Cricket Association pursuant to due scrutiny.

#### **4. Objects and Functions of the Club:**

4.1 The objects and functions of the Club shall be to:

- a) promote and develop the game of cricket within its local jurisdiction;
- b) organize, assemble, train and maintain cricket teams, for men and/or women, to represent the Club in cricket matches and tournaments for clubs;
- c) participate in all the mandatory club tournaments in terms of Format of Cricket and Participation Category as prescribed by the CCA or CA and also maintain all relevant record, i.e. including but not limited to score-books, match officials' record, player's performance data and registered players record;
- d) supervise activities of the Club and its members;
- e) ensure that the Rules, and/or Regulations of the CCA including Rules of Cricket as notified by the Board are implemented in letter and spirit in their jurisdiction;
- f) coordinate cricket activities including holding and organizing coaching, training and cricket events and tournaments, and endeavor to also organize or assist in organization of tournaments for schools and assist the CAA in such similar matters where required;
- g) generate funds, donations and subscriptions and utilize them in the manner as deemed expedient for achieving objectives and to maintain record of the same;
- h) ensure proper utilization of funds collected by it and maintain record of the same for the preparation of accounts;
- i) undertake selection and formation of cricket team(s) to represent the Club in tournaments in accordance with the prescribed policies of the CCA;
- j) appoint captains, vice captains, managers and other team officials for its cricket teams;
- k) acquire, lease, construct, develop and maintain stadium, playing grounds and other properties;
- l) educate and ensure implementation of the Code of Conduct, Anti-Corruption and other codes, policies, and rules/regulations to its members/office bearers/officials, match officials and players, as devised by the Board and/or ICC from time to time;
- m) manage and maintain the operations of the Club and recruit and employ necessary staff on terms and conditions to be determined;
- n) manage and operate the bank accounts of the Club;
- o) ensure elimination of any and all forms of corruption in the cricket affairs amongst their members, match officials and players registered with the Club and to report any form of corruption or suspected corruption to the CCA and the Board immediately;
- p) maintain the accounts of the Club in a manner prescribed by the CCA and provide to the CCA or the Board at any time;
- q) resolve disputes arising within their members;
- r) distribute the funds received on account of prize money, grants, donations etc. received from CCA, CA, PCB or any other source(s) to all concerned players, team officials or any other person, as the case may be, within ten (10) days of receipt thereof; and
- s) submit an annual report to the CCA relating to its performance and functions every year by 1<sup>st</sup> August including by way of filing the prescribed pro forma provided by the CCA from time to time and to immediately remove any violations or shortcomings on part of the Club as may be identified by the CCA or the Board.

#### **5. Members & General Body**

5.1 The Members of the Club shall be divided in the following categories;

a) Voting Member

A person who is resident of the local area or the city or town in which the Club is located and is either founding member or is approved as a member by the other Voting Members by majority subject to payment of prescribed membership fee. A Voting Member may not be a playing member of the Club. There shall be at all times no less than ten Voting Members of the Club.

b) Non-Voting Playing Members

A member who is selected or available for selection to any cricket team of the Club but is not a Voting Member. A Non-Voting Playing Membership shall be temporary and subject to renewal on an annual basis on fulfillment of the condition of availability for selection to any cricket team of the Club.

c) Honorary Member

A person who is elected by the General Body as an Honorary Member and shall have no voting rights.

5.2 Each Voting Member shall have a single vote in the General Body and shall be eligible to be elected as an office bearer of the Club. A Non-Voting Playing Member shall have the right to attend all general body meetings of the Club but shall not have voting rights.

## **6. Functions of the General Body**

The functions of the General Body shall be to

- a) consider and adopt the Annual Report furnished by the President and to recommend amendment(s) therein, if required;
- b) approve any amendment to the Constitution subject to prior approval of proposed amendments by the CCA and the PCB;
- c) approve the annual plans and development plans submitted by the President and approve the annual budget of the Club;
- d) approve the annual accounts of the Club;
- e) make regulations or procedures to conduct day to day affairs and for the purposes of this Constitution and for the exercise of powers vesting in the Office Bearers;
- f) approve the financial regulations and financial authorities and mandates vesting in the Office Bearers;
- g) elect the Office Bearers of the Club upon completion of the two year terms;
- h) appoint officers, staff, consultants, technical experts, selection committee, legal advisor amongst other for the Club;
- i) assign and delegate such duties and powers it deems appropriate to the President, Treasurer or any officer of the Club;
- j) take such other steps as may be necessary and expedient to carry out the aims and objects of the Club; and
- k) ensure that the Club, members, Office Bearers and officers at all times comply with the provisions of this Constitution, the CCA Constitution and the PCB Constitution and any and all rules, regulations, directives and policies as may be issued from time to time by the CCA and the Board.

## **7. Annual General Meeting (AGM)**

7.1 The Club shall hold its first Annual General Meeting within fifteen (15) days from the date on which the first Voting Members, being not less than ten, having signed and adopted this Constitution and prior to issuance of a notification of affiliation by the CCA and thereafter, once every year within ninety (90) days of commencement of each Financial Year. A failure to hold an AGM pursuant to this Article 7.1 shall be deemed to be a failure for the purposes of Article 23.1.

- 7.2 The AGM shall be ordinarily convened at the Secretariat of the Club. The President of the Club shall preside the meeting as its chairman. In case the President is unable to preside the meeting due to his absence or any other reason, the Treasurer or any other Office Bearer as may be previously determined and authorized by the General Body, shall preside the meeting.
- 7.3 The President shall issue a notice of the AGM to each member of the General Body or any other person entitled to attend at least fifteen (15) days prior to the date of meeting. The notice shall clearly mention the date, time and venue of the AGM, and shall contain the agenda thereof.
- 7.4 The Club shall submit to the CCA the copy of approved minutes of the Annual General Meeting within thirty (30) days of the meeting.
- 7.5 Fifty-one percent of the validly existing total Voting Members of the General Body shall constitute quorum for the AGM.
- 7.6 No proxy votes shall be permitted at an AGM.
- 7.7 If at any AGM the quorum is not met, the meeting shall be adjourned by the chairman of the meeting to a day not earlier than ten (10) days and no later than twenty one (21) days at the same venue.

Provided that all members shall be given notice of the adjourned meeting at least seven (07) days prior to the date of the adjourned meeting.

- 7.8 Any member of the General Body who has not paid its dues shall not be entitled to attend any meeting(s).
- 7.9 All decisions at any AGM shall be taken by simple majority of the members of the General Body present and voting. The President shall have a second or casting vote in the event of a tie.
- 7.10 The General Body shall hold a Bi-annual General Meeting not later than seven (7) after the holding of the AGM.
- 7.11 The President may himself, or on a written request of not less than 51% of the total members of the General Body, call an Extraordinary General Meeting (EGM) of the General Body for which notice to the members shall be issued at least seventy-two (72) hours prior to the meeting. The notice shall be in writing accompanied with agenda of the meeting and sent through courier or hand delivered.

Provided all other provisions of this Article 7 as are applicable to an AGM shall apply to an EGM.

- 7.12 In the event that the number of Voting Members of the Club falls below five, the Club shall be deemed to be temporarily defunct and shall notify the CCA within seven (7) days of such occurrence.

## **8. Office Bearers**

- 8.1 The following shall be Office Bearers of the Club elected by the General Body;
- a) President,
  - b) Treasurer,
  - c) any other office as may be determined and approved by the General Body at an Annual General Meeting.

- 8.2 Any person who is a Voting Member of the General Body of the Club and fulfills the following qualification criteria may be elected as an Officer Bearer of the Club:-
- a. is a Pakistani citizen and of sound mind;
  - b. is permanent resident within the City in which the Club is located;
  - c. has not been convicted of any criminal offence or an offence of corruption or moral turpitude or has entered into a plea bargain with any competent authority in respect of an offence pertaining to financial corruption;
  - d. has not in the past been removed from an office in a cricket organization in Pakistan or has not been not a defaulter of a cricket organization, including PCB and its affiliated units, in Pakistan;
  - e. is not an incumbent office bearer of any political party, elected representative, Minister, Senator, MNA, MPA, MLA, Nazim, Naib Nazim, Councilor, or draws financial or material support from any political, Religious, Ethnic or Sectarian party. In case any Office Bearer violates the provisions of this Article during his tenure, he will stand disqualified or shall be de-notified forthwith; and
  - f. is not a Government servant, public servant, civil servant nor an employee of any Federal or Provincial Corporation, or an employee of the CCA, CA, PCB, or any autonomous body or department or companies affiliated with the Board.
- 8.3 No Office Bearer Club or Voting Member of the General Body of the Club shall be paid any remuneration or any benefits.
- 8.4 The term of an Office Bearer shall be two years. Provided that a person may only be elected or nominated for two consecutive tenures, and thereafter shall not be eligible for re-election or nomination until a lapse of one term of two years from the expiry of the second tenure. Provided further that the tenures of Office Bearers of the Club shall be calculated from the date that the election is notified under this Constitution.
- 8.5 Any person eligible to be elected as an Office Bearer shall submit their nomination to stand for election to an office to the President of the Club at least ten days prior to the date of the Annual General Meeting and the President shall circulate all nominations so received to all members of the Club at least seven days prior to the date of the Annual General Meeting.
- 8.6 In the event the Club has been notified as a Full Member of the CCA, the Club shall by way of notice inform the CCA of the date of the Annual General Meeting to provide an observer to oversee or conduct the elections at the discretion of the CCA.
- 8.7 The results of an election shall be notified within seven (7) days of completion of the election to the CCA by the President of the Club who held the office in the previous year.
- 8.8 In the event of any delay in the election of the Office Bearers and the Club being an Associate or Full Member of the CCA, the CCA may immediately appoint a provisional committee for day to day management of the Club for a period not exceeding ninety (90) days. If elections cannot be held for any reason whatsoever within ninety (90) days, the said provisional committee shall continue functioning as aforesaid till the time elections are held or as may be notified by the CCA, but in any event not later than 360 days, after which the elections would be conducted by the PCB itself.

## **9. Removal of an Office Bearer**

- 9.1 A vote of "no confidence" against any Office Bearer shall not be initiated prior to expiry of six (6) months from the date of notification of the elected Office Bearer. The vote on a no confidence shall be conducted by a representative of the CCA on a date notified by the CCA where voting shall take place in the prescribed manner. A no confidence motion shall require 3/4<sup>th</sup> majority of all validly existing voting members to be carried.

In case of failure of “no confidence” motion, the same shall not be re-initiated prior to the expiry of twelve (12) months therefrom.

- 9.4 An elected Office Bearer of the Club shall only be removed through no confidence motion by adopting the following procedure:
- i. A resolution for a no confidence motion shall only be moved if signed by at least 50% of the relevant electoral college.
  - ii. Detailed reasons for removal of the elected Office Bearer shall be given in the resolution.
  - iii. Seven (07) days’ prior notice of the special meeting being held for the purpose along with a copy of the resolution to this effect shall be served to the Office Bearer against whom such resolution has been moved.
  - iv. The seat vacant as a result of a successful no confidence motion shall be filled for the remaining tenure through election within thirty (30) days.

## **10. Casual Vacancy**

- 10.1 Any casual vacancy in the office of an Office Bearer arising through death, no confidence, resignation, removal, withdrawal, disability or disqualification, shall be filled for the remaining term by way of election of the relevant vacant post to be conducted in the same manner as prescribed under this Constitution within thirty days of the occurrence of the vacancy.

## **11. Powers and Functions of the Office Bearers of the Club:**

11.1 The President shall:

- a) manage the affairs of the Club and ensure that the provisions of this Constitution, Rules, Regulations and Bye-laws of the CCA and PCB are duly adhered to;
- b) control and/or manage the affairs of the stadium, sports complex(es), gymnasias and playing grounds owned, leased or supervised by it;
- c) enter into contracts in furtherance of the objects of the Club including but not limited to contracts creating obligations, contracts for sale of property owned by the Club or purchase of property, contracts of guarantee, indemnity, financing, mortgage, construction, employment, services, sponsorship etc. For clarification, if it is expressly provided that the Club shall be solely responsible and liable for any and all obligations etc. that accrue because of such contract, guarantees or any other liabilities; and both the CCA and the PCB shall neither be responsible nor liable in any manner whatsoever;
- d) conducting the affairs of the Club and to ensure that the same are complied with by all members and the programs formulated are fully implemented;
- e) appoint, suspend and/or remove the officers and staff of the Club in consultation with the Treasurer and as per the guidelines prescribed by the General Body;
- f) ensure fulfillment of objects of the Club provided under this Constitution;
- g) preside meetings of the General Body. In case of his/her absence due to any reason, the Treasurer shall preside the meeting;
- h) ensure implementation of the rules, regulations, policies, directions issued by the General Body from time to time;
- i) act as the custodian of all the minutes and record of the General Body, AGM, and any sub committees;
- j) carry out all correspondence on behalf of the Club;
- k) have casting vote in the meeting(s) of the General Body; and
- l) appoint, in consultation with the Treasurer any consultants, technical persons, legal advisor etc. as the case may be pursuant to approval or ratification of the General Body.

11.2 The Treasurer shall:

- a) exercise general supervision of the finances / funds of the Club and advise in the formulation of its financial policy;
- b) prepare budget for the upcoming Financial Year in consultation with the President and submit for approval to the General Body;
- c) incur and authorize expenditure in accordance with the approved budget;
- d) maintain proper books of accounts including expenditures along with vouchers etc.;
- e) sign negotiable instruments on behalf of the Club along with the President. Any negotiable instrument of the Club, shall bear signatures of the Treasurer jointly with the President;
- f) submit audited accounts within four months of the end of the financial year;
- g) submit annual accounts of the Club to the CCA as and when required; and
- h) prepare and lay before the General Body meeting, a profit and loss account, audited balance sheet and budget etc.

## **12. Sponsor**

- 12.1 The Club may pursuant to preferably a transparent process to appoint sponsors of the Club or events or teams of the Club.
- 12.2 The sponsors shall be granted naming, branding and other sponsorship rights pertaining to the Club as determined by the General Body in consultation with the CCA to ensure such rights do not conflict with the CCA, CA or the PCB's commercial obligations. Neither the CCA, CA nor the PCB shall unreasonably withhold its consent with respect to the appointment of Club sponsor(s). In case of any dispute in this regard, the matter shall be referred to the PCB to make the final determination.
- 12.3 All sponsorship commercial agreements shall be approved by the General Body in advance of post facto.

## **13. Adherence to the PCB Constitution etc.**

The Club shall follow this Constitution, the CCA Constitution and the PCB Constitution and any other rules, regulations, bye laws, instructions or directives issued by the CCA or the Board, from time to time. Provided always that in case of conflict between this Constitution, the CCA Constitution and the PCB Constitution, the provisions of the PCB Constitution shall prevail. Provided further that the Board shall be the sole judge for issuing any clarification or interpreting any provision of this Constitution, rules, regulations, bye laws or instruction or direction, as and when required.

## **14. Bar against the employees of the Board or CA or CCA**

No employee of the Board, CA or CCA shall be eligible to contest any election of the Club.

## **15. Undertaking by the Office Bearers**

- 15.1 Every Office Bearer shall give an undertaking to the CCA and the General Body prior to his election, to the effect that:
  - a) they shall strive to achieve the objectives and purpose of the Club, City Cricket Association and the Board;
  - b) they shall abide by this Constitution, Rules, Regulations and any directives formulated or issued, from time to time, by the CCA and the Board and follow the code of conduct and discipline and the code of governance issued by the Board from time to time;



- c) they shall not criticize the Pakistan Cricket Board, Cricket Associations, City Cricket Associations or any of their functionaries or Member(s), players and officials in/on any media platform;
- d) they shall not hold any press conference, meeting, protest or participate in any procession, display any placard etc. against the Board, the CA, CCA or their officials at any private or public venue, individually or collectively;
- e) they shall abide by the directions of the CCA and the Board and meet all its obligations including those with regard to payment of Dues, as may be fixed or settled from time to time;
- f) they shall participate in all mandatory tournaments or matches organized by the CCA;
- g) they shall upon expiry of tenure or removal from office hand over all relevant documents including but not limited to accounts, records, CIDP etc. to the newly elected Office Bearers and/or a Provisional Committee as the case may be;
- h) they confirm that any and all information provided by them is and will be correct and accurate; and
- i) they shall, as a condition precedent, avail remedies available in this Constitution, the Constitution of the CCA or the PCB Constitution for redressal of grievances, if any.

15.2 The Board may seek a modification of the contents of the above undertaking from time to time and the Office Bearer shall be required to issue the modified undertaking within three (03) business days and failing which the Office Bearer shall be de notified by the Board.

15.3 If in the opinion of the CCA or the Board, any Office Bearer is in violation of the undertaking given by them, the CCA or the Board may take *suo motu* notice or based on an application/complaint by the CCA or any aggrieved individual, person or body. Upon initiation of action hereunder, the CCA or the Board, as the case maybe, shall issue a Show Cause Notice to such Office Bearer. For the sake of clarification, it is expressly provided that the proceedings against any Office Bearer shall be in person unless the CCA or the Board specifically issues notice to the Club. The Office Bearer to whom notice is issued shall respond to the same within a period of seven days in writing. If the reply to notice is not found satisfactory, the CCA or the Board shall appoint an officer to conduct an inquiry in the matter who shall also give an opportunity of personal hearing to the Office Bearer, and submit the report along with findings to the CCA or the Board. The CCA shall implement the findings by passing an order within thirty (30) days of receipt of the findings. Any person aggrieved of the decision may prefer an appeal as per Clause 37 of the PCB Constitution.

## **16. Dispute Resolution**

Any dispute(s) arising out of this Constitution shall be referred to the General Manager of the CCA in writing, who shall form a Grievance Committee to adjudicate the dispute in accordance with the principles of natural justice, and shall give a reasoned order in writing after providing an opportunity of hearing to concerned parties. Any person(s) aggrieved of the decision of the General Manager of the CCA may seek redressal of their grievance in accordance with Clause 37 of the PCB Constitution.

## **17. Funds of the Club**

The funds of the Club may comprise of the grants, donations, sponsorships, subscription fees and all other monies/funds payable to, or receivable by the Club. The funds shall be maintained in a bank account determined by the General Body on the recommendation of the Treasurer.

## **18. Amendment in Constitution**

The General Body may, on the recommendation of the President and with the prior approval of the CCA and the Board, amend, alter, or modify this Constitution from time to time and the Club shall be bound to act pursuant to such instructions on an immediate basis.

## **19. Penalties**

- 19.1 Whosoever violates this Constitution or any rules or instructions issued by the CCA or the Board shall be deemed to be immediately disqualified / removed / disaffiliated / suspended by the CCA or PCB, as the case may be, and shall cease to be an Office Bearer or member of the Club.
- 19.2 In addition the person found in violation under Article 19.1 may be barred from contesting elections or becoming an Office Bearer etc. of any Cricket Association or Organization which is managed, monitored, controlled by or affiliated to the Board for a period of two years. Provided that in case no elections take place during the said two years, the person shall be barred from contesting the forthcoming elections whenever held after expiry of the two year ban.

## **20. Disciplinary Committee**

- 20.1 The General Body shall appoint a Disciplinary Committee to probe into any disciplinary matter. The Disciplinary Committee shall follow the procedure as prescribed by the regulations ensuring a right of hearing to the person to whom a show cause notice is issued.
- 20.2 A recommendation and finding of the Disciplinary Committee shall be placed before the General Body for approval.

## **21. Secretariat**

The Club shall maintain a Secretariat, at its own cost and expense, to run its day to day affairs. The Secretariat of the Club shall be established at its headquarter.

## **22. Supersession of the Club**

- 22.1 The CCA if satisfied that the Club being an Associate or Full Member of the CCA is unable to perform its functions, may, for reasons to be recorded in writing with the copy provided to the CA, supersede the management of the Club and appoint an Interim Management Committee consisting of as many members as deemed appropriate to carry out the operations of the Club.
- 22.2 Upon an order of supersession being passed, the Office Bearers shall vacate their respective offices with immediate effect. The General Body shall during the period of suppression act on the instructions of the CCA.
- 22.3 The Interim Management Committee so appointed by the CCA shall assume functions of the Club.

Provided further that an order of appointment of an Interim Committee shall, unless extended by the CCA for reasons to be recorded in writing, cease to operate upon the expiry of a period of three (03) months.

- 22.4 The CCA may, at any time, revoke the order of supersession and cause the appointment of new General Body or Office Bearers through process provided under this Constitution.

- 22.5 Upon revocation of order of supersession, the Interim Management Committee, unless notified otherwise by CCA, shall dissolve *ipso facto* and the duly elected Office Bearers shall take charge.
- 22.6 All acts done, proceedings taken and contracts entered into by the Interim Management Committee shall be deemed to have been done, taken and entered into lawfully and validly and shall be binding upon the Club.
- 22.7 The Order of supersession of the CCA may be appealed, by any aggrieved party being a member of the General Body or Office Bearer, under Clause 37 of the PCB Constitution.

### **23. Power to make regulations**

- 23.1 Without prejudice to general power of the General Body to make Regulations, the General Body shall by Regulations, in particular, provide for the following, namely:-
- (a) conduct of holders of offices in the Club and of the players selected to represent the Club;
  - (b) code of conduct and discipline, code of governance and management, financial, operational, service or human resource or any other regulations;
  - (c) eligibility and registration with the Club of players;
  - (d) financial management, authority and controls;
  - (e) functions and powers of Office Bearers and delegation of such powers;
  - (f) any other matters it may consider necessary for achieving uniformity and coordination among the Members, or conduct of tournaments organized by it.

### **24. Removal of difficulties or doubts**

If any difficulty or doubt arises in giving effect to any provisions of this Constitution, the General Body may, subject to the express prior approval of the CCA and the Board, make such order to be necessary or expedient for the purpose of removing any such difficulty or doubt as the case may be.