

Appendix F(c)

Constitution Amendment Proposal Update Winding Up Procedure

As it stands the proposal presented at the 2022 OXL AGM has not been progressed owing to the substantial amount of change the Committee had to deal with over the past season. The original proposal as presented at that AGM is provided below along with the AGM voting outcome (deferral of decision) for your reference and convenience.

Original 2022 AGM Appendix E(d) Proposal

In the process of formulating the Future League Funding Proposal the question was raised what would happen to the money left in the League's bank account should a decision taken be necessary to wind up the operation of the League.

No reference in the current League's Constitution is made as to what should happen to the funds in the League's bank account in the event of winding up. It is therefore deemed necessary for a winding up procedure to be written into the OXL Constitution. From memory, it has in the past been suggested that the funds ought to go to Oxfordshire AA. However, it is my view that as the club membership includes clubs located outside the county of Oxfordshire that such a resolution is unacceptable.

The proposal is therefore that all current member clubs receive either:

- a) An equal share of the monies left in the League's bank account.
- b) A proportional share based upon the current calculation used to determine a club's affiliation fee (*i.e. as to whether a club is categorised as being small, medium or large*).
- c) A proportional share based upon the number of seasons a club has been affiliated to the League (*– this would require some research as well as a record being kept*).

In addition, a statement ought to be included that any club that resigns from the League forfeits any rights to a share of funds should the League be wound up in future.

Proposed inclusion:

6. Winding Up Procedure

- 6.1. In the event a decision has to be taken to wind up the operations of the OXL a share of the funds left over in the OXL's bank account will be allocated as follows:
<Allocation method to be inserted as voted upon>.

- 6.2. Any club that resigns or is expelled from the League will automatically forfeit any rights to a share of left-over funds should the League be wound up in future.

Proposed by **OXL Committee**

Yes / No Distribution Option: **A | B | C**

Forfeiture Statement: **Yes / No**

Voting Outcome for 2022 AGM Appendix E(d) Proposal

Below is a copy of the voting outcome for the proposal taken from the draft 2022 OXL AGM Minutes for your reference and convenience.

Appendix E(d) – Winding Up Procedure Proposal

A short discussion followed a summary by the League Manager in which the reason stated for adding such wording to the Constitution being that there is currently nothing in place to say what will happen to League funds in the event the League were to be wound up. It had been suggested in the past that the funds should go to Oxon AA, but as not all member clubs are located in Oxfordshire and as all the League's funds have been derived from the member clubs, that was felt to be unreasonable.

The proposal put forward the following options that all current member clubs receive:

- a) An equal share of the monies left in the League's bank account.
- b) A proportional share based upon the current calculation used to determine a club's affiliation fee (*i.e. as to whether a club is categorised as being small, medium or large*).
- c) A proportional share based upon the number of seasons a club has been affiliated to the League (*– this would require some research as well as a record being kept*).

It was pointed out by Richard Stockting (*Witney Roadrunners*) that, if the League were to become a CIC as discussed previously in the meeting, this proposal would not be relevant as the funds could not be distributed to the member clubs. It was confirmed that the funds of a CIC that has been wound up can only be distributed to a charity or another CIC.

- Gary Warland (*Alchester RC*): Would an EGM be called by the League for the member clubs to decide whether to become a CIC?
 - Dene (OXL): Yes – an EGM would be called.

A vote was subsequently taken to determine whether or not the delegates were in favour of putting this proposal on hold until the outcome of becoming a CIC or otherwise has been agreed:

Votes for putting winding up proposal on hold:

For: 20
Against: 0
Abstention: 0

Action: *No action to be taken and no changes to the Constitution to be made.*

It is therefore proposed that this matter is further deferred for a decision to be voted on at the next AGM.

Proposed by OXL Committee

Yes / No