



Marylebone Cricket Club

POSTAL VOTING REGULATIONS

Made by the M.C.C. Committee on 8th July 1987 and amended
on the following dates:

9th December 1992

26th February 1997

19th April 2000

18th April 2001

15th August 2001

18th February 2004

15th April 2005

21st February 2007

8th February 2012

20th February 2013

23rd March 2016

20th March 2019

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MARYLEBONE CRICKET CLUB

POSTAL VOTING REGULATIONS

- (A) The M.C.C. Committee may use, pursuant to Rule 24, postal voting in relation to any Resolution, business or subject to be proposed at any General Meeting, if it considers that the Resolution, business or subject to be of sufficient importance to warrant full consideration by all Members entitled to vote (not merely those able to attend General Meetings in person).
- (B) The M.C.C. Committee may decide, pursuant to Rule 13, to confer power upon the Chief Executive & Secretary of M.C.C. to alter or adopt Regulations in relation to postal voting in accordance with Rule 24.

1. Definitions and Interpretation

- 1.1 The following words and expressions shall in these Postal Voting Regulations, except where the context otherwise permits or requires, bear the meanings ascribed below:-

“Club” means the Marylebone Cricket Club;

“Club Chairman” means the Club Chairman of M.C.C. in accordance with Rule 9;

“Lodged Voting Paper” means a Voting Paper lodged in accordance with Regulation 6.1;

“Committee” means the M.C.C. Committee;

“Meeting” means any Annual or Special General Meeting of the Club to which these Regulations apply (and includes any adjournment thereof);

“Member” means a Member of the Club entitled to attend and vote at General Meetings;

“Notice” means the notice to be sent to each Member by the M.C.C. Committee convening any Annual or Special General Meeting;

“Postal Voting Form” means a postal voting form in the form approved by the M.C.C. Committee with such variations as the M.C.C. Committee may approve;

“Postal Voting Regulations” means the Postal Voting Regulations as they may be amended from time to time and including any further Postal Voting Regulations made pursuant to Regulation 12;

“President” means the President of M.C.C. as chairman of the Meeting in accordance with the Rules;

“Resolution” means a Resolution (as referred to in Regulation (A));

“Return Address” means Electoral Reform Services, London, N81 1ER (or as varied as required by the Post Office) or such other address as the Returning Officer may specify from time to time, and also means the secure online voting site hosted by Electoral Reform Services as provided to the Committee from time to time;

“Returned Postal Voting Form” means a Postal Voting Form returned in accordance with Regulation 3.1, 3.2 or 3.3;

“Returning Officers” means Electoral Reform Services, The Election Centre, 33 Clarendon Road, London, N8 0NW;

“Rules” means the Rules of the Club from time to time;

“Scrutineers” means KPMG LLP, 15 Canada Square, London, E14 5GL.

“Secretary” means the Chief Executive & Secretary of the Club or the Deputy Secretary or any Assistant Secretary or other person duly authorised by the Chief Executive & Secretary or any person fulfilling the role of the Chief Executive & Secretary;

“Treasurer” means the Treasurer of M.C.C. in accordance with Rule 10;

“Voting Paper” means a voting paper in the form approved by the Committee with such variations as the Committee may approve.

1.2 In these Regulations, except where the context otherwise permits or requires:-

- (A) words or phrases defined or used in the Rules, shall bear the same meanings;
- (B) references to the singular include the plural and vice-versa;
- (C) references to a Rule are to the Rule similarly numbered in the Rules;
- (D) references to a Regulation are to the Regulation similarly numbered in these Regulations;
- (E) references to anything done by the Committee shall include anything done by any body or person upon whom the Committee has conferred any of its responsibilities or powers pursuant to Rule 16.2;
- (F) except in Regulations 3.3, 5 and 6, references to the Secretary being required to perform any duty shall be construed as references to his being required to perform the same by appointment in his office at the Pavilion, Lord’s Ground, London NW8 8QN; and
- (G) these Regulations shall be interpreted in accordance with Rule 30.

2. **Postal Voting Forms**

2.1 The Committee shall send to each Member a Postal Voting Form, and may send to each Member (or to each Member with a registered address in the United Kingdom of Great Britain and Northern Ireland) a reply-paid envelope addressed to the Return Address (or alternatively the Return Address and reply-paid material may be printed on the reverse of the Postal Voting Form), to accompany the Notice, provided that the accidental omission to send a Postal Voting Form or reply-paid envelope to, or the non-receipt of the same by, any Member shall not invalidate the proceedings at the Meeting.

2.2 Should any Postal Voting Form be mutilated or defaced it may be replaced upon surrender to the Secretary.

2.3 Should any Postal Voting Form be lost or stolen it may be replaced at the discretion of the Secretary on such terms as to evidence and undertaking as the Secretary may require.

3. **Postal Voting**

3.1 To be effective, Postal Voting Forms, save for those transmitted online as described in Regulation 3.2, should be returned so as to be received by the Returning Officers on behalf of the Club at the Return Address not later than noon on the day immediately before the day fixed for the Meeting or, if not a working day, noon on the preceding working day. Nothing shall require the Returning Officers to accept any Postal Voting Form where any amount of postage requires to be paid by them as addressee, other than pursuant to any United Kingdom reply-paid envelopes issued by the Committee.

- 3.2 Postal Voting Forms may also be transmitted via a secure ERS-hosted online voting site, in accordance with details provided by the Returning Officers, and shall be deemed valid upon receipt by the Returning Officers so long as such Postal Voting Forms are received otherwise pursuant to Regulation 3.1.
- 3.3 Alternatively, and in addition to Regulation 3.1, Postal Voting Forms may be returned by being lodged with the Secretary at the venue of the Meeting immediately prior to its commencement, or in the discretion of the Secretary, after its commencement, but prior to the time announced for the closure of the voting pursuant to Regulation 6. Postal Voting Forms so returned shall be delivered by the Secretary to the Returning Officers and shall be counted with the Postal Voting Forms returned pursuant to Regulation 3.1 above.
- 3.4 A vote in favour of the Resolution shall be signified by an “X” marked under “For”, and a vote against by an “X” marked under “Against” on the returned Postal Voting Form or, in either case, by such other mark considered by the Returning Officers to be unambiguous. Returned Postal Voting Forms considered by the Returning Officers to be mutilated, defaced or illegible shall be recorded as spoilt Postal Voting Forms.
- 3.5 Returned Postal Voting Forms may not be amended or withdrawn and shall be kept in the custody of the Returning Officers.
- 3.6 The Returning Officers shall certify in writing to the President (with a copy to the Secretary) on the basis of the returned Postal Voting Forms the total number of votes in favour of the Resolution, the total number against and the total number of spoilt Postal Voting Forms.
- 3.7 It shall be in the absolute discretion of the President as to if, when and to whom, prior to the announcement of the result of the voting pursuant to Regulation 6, he or she shall disclose or announce the votes for and against the Resolution comprised in the returned Postal Voting Forms as may be disclosed or certified by the Returning Officers from time to time to the Secretary.

4. **Attendance**

Except for representatives of the Returning Officers and of the Scrutineers and otherwise with the permission of the President, in his or her absolute discretion, admission to the Meeting will be permitted to Members in person only by production of a current valid Membership Pass or of such other means of identification as the Committee shall in their absolute discretion stipulate in the Notice. Members may attend the Meeting whether or not they have voted by returning a Postal Voting Form.

5. **Voting Papers**

- 5.1 The Secretary shall issue a Voting Paper to any Member on entrance to the Meeting only in exchange for an unused Postal Voting Form. No Member shall be entitled to claim more than one Voting Paper whether for himself or herself or purportedly for any other.
- 5.2 Should any Voting Paper be mutilated or defaced it may be replaced upon surrender to the Secretary.
- 5.3 No replacements shall be issued for any lost or stolen Voting Paper, except in exceptional circumstances and then only at the discretion of the President on such terms as to evidence and undertaking as the Secretary may require.

6. **Voting at Meeting**

- 6.1 To be effective, Voting Papers should be lodged with the Secretary at the time and place fixed and announced by the President for the lodging of votes and in any event not later than the time fixed and announced by the President or Secretary for the closure of the voting.

- 6.2 Lodged Voting Papers may not be amended or withdrawn and unused Postal Voting Forms surrendered in exchange for Voting Papers may not be withdrawn. The Secretary shall promptly deliver lodged Voting Papers and such unused Postal Voting Forms to the Scrutineers. Voting Papers and unused Postal Voting Forms so delivered shall be kept in the custody of the Scrutineers. Notwithstanding the foregoing, lodged Voting Papers and unused Postal Voting Forms surrendered in exchange for Voting Papers, if and so long as the Scrutineers so permit, may remain in the custody of the Secretary and lodged Voting Papers may be counted by the Secretary provided that (i) the same are held to the order of the Scrutineers, (ii) the Scrutineers supervise the counting of lodged Voting Papers and all matters in connection therewith (iii) the Scrutineers shall verify the counting of lodged Voting Papers by sampling or otherwise as the Scrutineers may consider appropriate, it being within the discretion of the Scrutineers whether or not themselves to count all the lodged Voting Papers, and (iv) following the announcement of the result of the voting, the lodged Voting Papers and Postal Voting Forms surrendered in exchange for Voting Papers shall be delivered to the Scrutineers.
- 6.3 A vote in favour of the Resolution shall be signified by an "X" marked under "For", and a vote against by an "X" marked under "Against" on the lodged Voting Paper or, in either case, by such other mark considered by the Scrutineers (in consultation with the Returning Officers) to be unambiguous. Lodged Voting Papers considered by the Scrutineers (in consultation with the Returning Officers) to be mutilated, defaced, illegible or uncompleted shall be recorded as spoilt Voting Papers.
- 6.4 The Scrutineers shall certify in writing to the President, on the basis of (i) the number of votes specified in the Returning Officer's certificate pursuant to Regulation 3 and (ii) the lodged Voting Papers delivered to the Scrutineers pursuant to Regulation 6.2 above, (a) the total number of votes in favour of the Resolution, (b) the total number of votes against, (c) the total number of spoilt papers and (d) whether or not the number of votes in favour is the requisite majority of the total number of votes cast necessary to pass the Resolution upon which votes have been cast, spoilt papers being excluded from votes cast.

7. **Voting – General**

- 7.1 Each Member is entitled to exercise only one vote whether by post, online or in person.
- 7.2 Only original Postal Voting Forms or Voting Papers issued by the Committee shall be valid. Photocopies or other reproductions shall not be valid.
- 7.3 If the Returning Officers or the Scrutineers at any time suspect any fraud or other irregularity in voting they shall promptly consult with one another and the President, failing whom the Club Chairman, or the Treasurer, or any other member of the Committee.

8. **Result of Voting**

- 8.1 The result of the voting certified by the Scrutineers pursuant to Regulation 6.4 shall, in the absence of any manifest error, be final and binding on the Members.
- 8.2 Save where expressly otherwise provided in the Rules in relation to particular categories of Resolution the affirmative vote of a majority of the total votes cast, whether by the completion and return of Postal Voting Forms or by the completion and lodging of Voting Papers in person at the Meeting, is required by Rule 23.5 for the Resolution to be passed at the Meeting.
- 8.3 The President shall promptly upon receiving the result of the voting certified by the Scrutineers announce the result of the voting and declare whether or not the Resolution shall have been duly passed.

9. **Copy Documents**

A copy of these Regulations and of any other document specified in, or in notes appended to, the Notice as being available on terms substantially to the effect set out in this Regulation, shall be delivered to any Member on application to the Secretary and, in any event, may be inspected by appointment with the Secretary.

10. **Returning Officers and Scrutineers**

10.1 The Returning Officers and the Scrutineers shall act as experts and not as arbitrators.

10.2 No Member shall be entitled to proceed against the Returning Officers or the Scrutineers in connection with the exercise or the non-exercise by them of their duties and discretions under these Regulations.

11. **Destruction**

The Returning Officers shall procure that all returned Postal Voting Forms, and the Scrutineers shall procure that all lodged Voting Papers and all Postal Voting Forms lodged in exchange for Voting Papers, shall be destroyed 10 working days after the date of the announcement of the result of the voting, unless otherwise directed by the Committee.

12. **Further Regulations**

12.1 The Committee reserves the right without consent of Members to prescribe such further regulations as regards, *inter alia*, postal voting in connection with, and the counting of votes at, the Meeting, or to amend these Regulations, as it may in its discretion determine.

12.2 Except where or in so far as these Regulations make express provision, postal voting in connection with, and the counting of votes at, the Meeting, shall be conducted in accordance with the Rules and the common law.

20th March, 2019


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G.W. LAVENDER
Chief Executive & Secretary, M.C.C.

Lord's Ground
London, NW8 8QN

By order of the
M.C.C. Committee