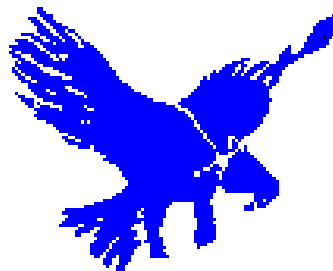


**Constitution**  
**of the**  
**North Canberra Gungahlin**  
**Cricket Club Incorporated**



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**Constitution**  
**of the**  
**North Canberra Gungahlin**  
**Cricket Club Incorporated**

**Part 1 - Preliminary Interpretation**

1. (1) This Constitution is to be read and construed in the light of the provisions of the Incorporation Act as provided herein.
- (2) The Schedule to this Constitution forms part of the Constitution.
- (3) For the purposes of the Incorporation Act:
  - (a) the objects of the Club are the objects set out in clause 5 of the Constitution, and
  - (b) the rest of this Constitution, including the Schedule hereto, constitutes the rules of the Club.
- (4) A person who, immediately prior to the coming into operation of this Constitution, was an officer, delegate or committee member elected or appointed under the previous Constitution shall, subject to this Constitution, continue to have that status under this Constitution.
- (5) In this Constitution, unless the contrary intention appears:
  - (a) a word in the plural includes the singular, and a word in the singular includes the plural;
  - (b) a word importing one gender imports, as necessary, each other gender;
    - (i) a reference to a function includes a reference to a power, an authority and a duty; and
    - (ii) a reference to the exercise of a function includes, where the function is a power or an authority or a duty, a reference to the exercise or the power or authority or to the performance of the duty;
  - (d) a reference in the main text of this Constitution to a clause, sub-clause, paragraph, sub-paragraph, Part or Division is a reference respectively to a clause, sub-clause, paragraph, sub-paragraph, Part or Division in the main text of this Constitution;
  - (e) a general or a particular reference to:

- a member or category of membership, an office, or officer or office-bearer, or
- a committee, is a reference to a member, category or membership, office, officer. Office bearer or committee of the Club as the case may be and includes a reference to a person acting in an office or as a member or a committee;

(f)

- 'ACT' means Australian Capital Territory.
- 'ACTCA' means the Australian Capital Territory Cricket Association Incorporated, 'ACTWCC' means the Australian Capital Territory Women's Cricket Council,
- 'AGM' means Annual General Meeting,
- 'Annual General Meeting' means a meeting held in accordance with paragraph 2 of the Schedule hereto,
- 'Chairperson' means Chairperson of a committee,
- 'Club' means the North Canberra Gungahlin Cricket Club Incorporated,
- 'Club's zone' means the area allocated to the North Canberra Gungahlin Cricket Club by the ACTCA,
- 'Incorporation Act' means the ACT Associations Incorporation Act 1991 including any amendment to that Act, and includes any regulations made under the Incorporation Act,
- 'match' means cricket match,
- 'officer' in relation to the Club, has the same meaning as the word has in the Incorporation Act,
- 'player' means cricket player,
- 'President' means the President of the Club,
- 'Secretary' means the Secretary of the Club, 'secretary' means secretary of a committee,
- 'special resolution' means a resolution of the voting members of the Club which is passed at a general meeting of the Club, being a meeting of which at least 21 days notice accompanied by notice of intention to propose the resolution as a special resolution, has been given to the voting members of the Club and which is passed by at least three quarters of those members who, being entitled to vote, vote in person at the meeting,
- 'Treasurer' means the Treasurer of the Club,

- 'treasurer' means the treasurer of a committee.
- 'unfinancial member' means any member who has not paid his or her membership fee in accordance with the method and time limit agreed at the Annual General Meeting.

(6) Headings to clauses or parts of clauses are for ease of reference only and are not to be taken as affecting the construction or interpretation of this Constitution.

### **The Club**

2. (1) The name of this incorporated association is the North Canberra Gungahlin Cricket Club Incorporated (referred in this Constitution as 'the Club').
- (2) The Club shall continue in existence as an incorporated association under the Incorporation Act.
- (3) The common seal of the Club shall be kept in safe custody by the Secretary of the Club, or such person as the Management Committee or the Club appoints and shall not be used except in accordance with a decision of the Management Committee or of the Club.
- (4) For the purposes of section 57 of the Incorporation Act the Secretary of the Club shall, subject to that Act, be the Public Officer of the Club.

### **Colours**

3. The colours of the Club shall be royal blue, sky blue and gold.

### **Badge**

4. The Club badge will be in gold and consist of an eagle, with the Club letters in gold surrounding it.

## **Objects**

5. The objects of the Club are:
- (1) To promote and manage the game of cricket in accordance with the objectives, constitution and strategic development plan of the ACTCA in part and in the ACT in general.
  - (2) To provide a basis for participation in the sport of Cricket.
  - (3) To provide a foundation of well-planned policy for the conduct of junior and senior cricket which will maximise enjoyment and emphasise the teaching and learning of skills.
  - (4) To develop a skill level in all junior cricketers that will ultimately provide them with the ability to compete successfully in senior cricket.
  - (5) To instill sportsmanship in all members of the Club.
  - (6) To develop junior and senior cricket by providing high quality coaching, administration and supervision.
  - (7) To develop and upgrade continually the equipment, facilities, material and information available to the Club.
  - (8) To obtain financial assistance to aid in the development of cricket within the Club.

## **Powers**

6. The Club has (but not so as to limit or diminish any power granted to the Club by the Incorporation Act or any other law) the power, which subject to any relevant law may be exercised both within and outside of the ACT:
- (1) to acquire, either exclusively or in conjunction with another party or other parties, property of any kind or interest in or relation to property for the use and benefit of the Club or members of the Club;
  - (2) to manage, to control, or to prepare grounds for the use or purposes of the ACTCA or the Club;
  - (3) to make arrangements or agreements with other parties for the purpose of improving the financial resources of the Club;
  - (4) to raise or to borrow money upon such terms and in such manner as the Club thinks fit and to secure the repayment of moneys so raised or borrowed or the

repayment of any debt or liability of the Club by granting mortgages, charges, or securities upon or over any of the Club's real or personal property;

- (5) to employ full-time, part-time or casual staff for the purposes of the Club and to determine the terms and conditions of employment of staff so employed;
- (6)
  - (a) to make provision
    - (i) for the registration of players participating or intending to participate in matches conducted by or on behalf of the ACTCA; and
    - (ii) for a system of taking discipline action against players or other persons who contravene this Constitution or any of the ACTCA's Constitution and Competition Rules (including applicable Laws of Cricket); and
  - (b) conform with any relevant legal provisions of government or ACTCA or as the Club decides, to establish, to operate and to participate in programmes for testing persons participating in matches conducted by, or on behalf of the ACTCA (including junior and youth matches) or an affiliate of either of those bodies to detect the use of illegal drugs by any such person;
- (7) to do as a principle or an agent, all things necessary, incidental or conducive to the attainment of any of the objects of the Club or to the exercise of any of its powers.

### **Income and Property**

- 7. The income and property of the Club wherever or however derived shall be applied solely towards the promotion of the objectives of the Club, as set forth in this Constitution. The Management Committee is empowered to meet members out of pocket expenses and grant remuneration for services considered beneficial to the objective(s) of the Club.

### **Privileges of the Club**

- 8. 'Full privileges of the Club', shall mean the right to represent the Club in the ACTCA competitions and or affiliated associations matches, and eligibility for election as an office-bearer under Clause 16(4), as a life member, Honorary member or as a member of the Management Committee.

## **Dissolution of Club**

9. The Club shall not be dissolved without the consent of at least two-thirds of the members present at a Special General Meeting convened for the purpose of considering such dissolution.

## Part II - Membership

### Members

10. (1) The members of the Club shall comprise:
  - (a) playing members.
  - (b) junior members;
  - (c) management members;
  - (d) social members;
  - (e) life members; and
  - (f) Honorary Members.
- (2) The playing members of the Club at any given time shall comprise those persons (other than junior members) to each of whom registration as a player has been granted in accordance with this Constitution which registration is at that time still current. The junior members of the Club shall comprise those persons registered as a junior player, including Have-A-Go cricketers.
- (3) The junior members of the Club shall comprise those persons registered as a junior player, including Have-A-Go cricketers.
- (4) The management members of the Club at any given time shall comprise those persons (other than playing members or life members) each of whom is at that time an officer of the Club (including members of all committees, delegates or representatives and includes junior team coaches and managers).
- (5) The social members of the Club at any given time shall comprise those persons each of whom has been accorded by the Management Committee the status of social member and in respect of whom that status is, at that time still current.
- (6) The life members of the Club, at any given time, shall comprise those persons, living at that time, upon whom life membership has been conferred by the Club under this or any previous Constitution of the Club.
  - (a) The voting members of the Club, upon the recommendation of the Management Committee, may at any AGM confer life membership on any one person, provided that the resolution is approved by not less than two-thirds of the members present and voting at such AGM.

- (7)
  - (a) An honorary member of the Club is a person who is not otherwise a member of the Club and who has a current honorary membership granted by the Management Committee on behalf of the Club.
  - (b) Honorary membership shall not be granted to any person for a continuous period in excess of six months.
  - (c) Honorary membership is a privilege which may be withdrawn at any time, without any reason being given, by a decision of the Club, by the Management Committee or by the Emergency Committee.
- (8)
  - (a) The voting members of the Club shall comprise:
    - (i) the management members;
    - (ii) the playing members 16 years and over; and
    - (iii) the life members.
  - (b) A person who attains the age of sixteen years while still registered as a junior member, may, by complying with conditions determined by the Management Committee or by the voting members of the Club at a general meeting, become a voting member of the Club.
- (10) A Register of Members shall be maintained and is to be available upon written request to the Secretary.

### **Carry Over Membership**

- 11. (1) A person who immediately prior to the coming into operation of this Constitution:
  - (a) was a playing member of the Club shall continue to have that status as though that person had become a playing member under this Constitution;
  - (b) was not a playing member but continues to have the status of an officer of the Club (including committee member or delegate) by reason of subclause 10(4) shall, subject to this Constitution, be a management member of the Club;
  - (c) was a junior member of the Club shall continue to have that status as though that person had become a junior member under this Constitution;

(d) was a social member of the Club shall continue to have that status as though that person had become a social member under this Constitution.

(2) A person who wishes to apply for playing or junior membership of the Club shall complete the relevant ACTCA Player Registration Form.

### **Patron**

12. The Club shall elect a person to be Patron of the Club at the AGM for a period determined by the Club.

### **Club Decisions**

13. (1) In this Constitution, a reference to a decision of the Club is a reference to a decision of voting members of the Club.

(2) A decision of the Club, otherwise within its powers, is not valid unless it is made at a meeting of the voting members convened in accordance with this Constitution.

(3) Any valid decision made by the Management Committee or other Committee is to be regarded for the purpose of this Constitution as a decision on behalf of the Club.

(4) Any decision made by the Management Committee or other committee may subject to this Constitution, be varied or revoked by a decision of the Club.

### **Meetings of the Club**

14. (1) A meeting of the voting members of the Club shall be convened and conducted in accordance with the provision of the Schedule hereto.

(2) A decision of the Club may direct the Management Committee to arrange for the convening of a meeting of all or some categories of members of the Club.

## Part III Officers and Committees

### Officers

15. (1) The offices of the Club are:

(a) the Management Committee to be elected annually at each AGM:

- President,
- Secretary,
- Treasurer,
- Assistant Secretary,
- Assistant Treasurer,
- General Manager, Cricket Committee,
- Communications Officer,
- Chairperson, Womens Committee,
- Chairperson, Junior Management Committee.

(2) In addition to those officers referred to in paragraph 15(1)(a) the following officers shall annually be elected at each AGM:

- Chairperson of Selectors,
- Finance committee member (s) — Fees,
- Finance committee member (s) — Social functions,
- Finance committee member (s) — Fund raising,
- Communication committee member (s) — Publicity,
- Communication committee member — Registrar,
- Communication committee member (s) — Information technology,
- Statistician.

(3) In addition to those officers referred to in paragraph 15(1)(a) and 15(2) the following positions should be open for nomination at each AGM for later consideration by the Management Committee:

- Club coach,
- Members of the coaching panel,
- Manager, equipment,
- Club captains,
- Team managers,
- Ground managers, and
- Training managers.

### **Length of Term**

16. (1)

(a) A person elected to an office specified in sub-clause 15(1) or (2) shall take office immediately upon election and, subject to this Constitution, shall hold office until a successor is elected.

(b) If an office referred to in the previous paragraph is not filled at the relevant election, the occupant of that office, if willing to do so, shall act in the office until it is filled in accordance with the Constitution.

(2) A nomination of a candidate for an election to any office referred to in subclause 15(1) or (2) can be made by a voting member at an Annual General Meeting provided they are seconded by another voting member.

(3) A person who is ineligible may not be nominated as a candidate pursuant to this clause.

(4) A person is ineligible to be nominated for or hold an office of the Club if that person:

(a) has not attained the age of 18 years;

(b) suffers from mental incapacity;

(c) is an unfinancial member of the Club;

(d) becomes an insolvent under administration within the meaning of the Corporation Law;

(e) has been convicted, whether in or outside the ACT, of:

- (i) an indictable offence; or
- (ii) an offence punishable by imprisonment for a period of 3 months or more.

### **Vacation of Office**

17. (1) Subject to the Incorporation Act, an office of the Club becomes vacant if the officer:
- (a) dies;
  - (b) is removed from office in accordance with this Constitution or otherwise in accordance with law;
  - (c) resigns by notice in writing to the Secretary, or, in the case of the Secretary, by notice in writing to the president;
  - (d) suffers from mental incapacity;
  - (e) becomes an insolvent under administration within the meaning of the Corporation Law;
  - (f) is convicted, whether in or outside of the ACT, of
    - (i) an indictable offence;
    - (ii) an offence punishable by imprisonment for a period of 3 months or more.

### **Filling Casual Vacancies**

18. (1)
- (a) When a casual vacancy occurs in an office to which, under this Constitution, a person is to be elected or appointed:
    - (i) The Club or the relevant committee shall, at the earliest opportunity, elect or appoint a successor for the remainder of the term applicable to the previous holder; and the Management Committee may arrange for a person to act in the office, until it is filled or becomes vacant in accordance with this Constitution.
  - (b) Where an office in which a person is acting becomes vacant in accordance with this Constitution and the office is not filled, the Management Committee or relevant committee may arrange for that person or some other person to act in the office for a

stipulated period or until the office is filled in accordance with the Constitution, which ever is the less period.

- (c) When ever an office holder is temporarily absent from the Association's area, the Management Committee or relevant committee may arrange for a person to act in the office for the whole or a part of the absence.
- (d) The Management Committee may at any time without assigning a reason, terminate a person's acting duty in an office.

## **Delegates and Representatives**

- 19. (1) The Club's delegates and representatives shall be as follows:
  - (a) Two delegates to the ACTCA — the President and the Secretary ex officio;
  - (b) one delegate to the ACTCA Junior Cricket Council - a member of the Junior Cricket Committee appointed annually by that Committee at least one week prior to the meeting of the Junior Cricket Council referred to in sub-clause 30(3) of the ACTCA Constitution.
- (2) A person who is elected or appointed as a Club delegate or representative shall, subject to this Constitution, hold office until a successor is elected or appointed in accordance with this Constitution.
- (3)
  - (a) A person who is a delegate or a representative of the Club has the obligation of attending each meeting of the body of which that person is a delegate or a representative.
  - (b) Delegates and representatives shall report on each meeting attended as follows:
    - (i) delegates to the ACTCA — to the meeting of the Management Committee occurring next after the ACTCA meeting being reported upon;
    - (ii) delegate to the ACTCA Junior Cricket Council — to the meeting of the Junior Cricket Committee occurring next after the ACTCA Junior Cricket Council meeting being reported upon.
  - (c) A delegate or representative, who will not be attending a meeting of the body of which he or she is a delegate or representative, shall inform Secretary or other relevant secretary, and state the reason for the proposed non-attendance.
  - (d) Information under the previous paragraph shall as far as practical be provided in sufficient time for a proxy or replacement to be appointed by the Committee from which the delegate or representative is drawn.

- (e) Where the Management Committee or relevant Committee is of the opinion that a delegate or representative has failed to comply satisfactorily, or at all, with this sub-clause, the Management Committee or relevant Committee may suspend the delegate or representative from functioning in that capacity and may as an interim measure appoint another person as a replacement.
- (f) The Management Committee or relevant Committee on behalf of the Club may act to give effect to any direction to the ACTCA or the Junior Cricket Council regarding the appointment of a replacement delegate or representative.
- (g) The Management Committee or relevant Committee shall report any action under the two previous paragraphs to the first meeting of the voting members of the Club occurring after the suspension and the voting members may either confirm the action of the Management Committee or relevant Committee or take such other action in relation to the matter as it sees fit.

## **Committees**

20. (1) The Club shall have the following committees:

- the Management Committee,
- the Cricket Committee,
- the Finance Committee,
- the Communications Committee,
- the Junior Cricket Committee,
- the Women's Cricket Committee,
- the Selection Committee,
- the Emergency Committee,

and such other committees as the Club, or the Management Committee on behalf of the Club, decides to create to perform specified functions.

(2) The Management Committee shall consist of:

(a) the following principal office bearers:

- the President,
- the Secretary,
- the Treasurer,

- the General Manager, Cricket committee,
- the Chairperson, Junior Cricket Committee,
- the Chairperson, Women's Cricket Committee,
- the Assistant Secretary,
- the Assistant Treasurer,
- the Communication Officer.

(3) The Cricket Committee shall consist of:

- the General Manager, Cricket Committee;
- the club coach,
- the club coaching panel,
- the Selection Committee,
- Ground Managers,
- Team Managers,
- the Equipment Manager,
- Training managers,
- and sufficient ordinary members as may be appointed.

(4) The Junior Committee shall consist of:

- the Chairperson, Junior Cricket Committee,
- the Secretary, Junior Cricket Committee,
- the Treasurer, Junior Cricket Committee,
- and sufficient ordinary members as may be elected.

(5) The Women's Cricket Committee shall consist of:

- the Chairperson, Women's Cricket Committee,
- the Secretary, Women's Cricket Committee,
- the Treasurer, Women's Cricket Committee,
- and sufficient ordinary members as may be elected.

(6) The Communications Committee shall consist of:

- the Chairperson, Communication Officer,
- the Registrar,
- at least one Publicity officer,
- at least one information technology officer,
- and sufficient ordinary members as may be appointed.

(7) The Finance Committee shall consist of:

- the Chairperson, Treasurer,
- the Assistant Treasurer,
- at least one officer responsible for fees,
- at least one officer responsible for social functions,
- at least one officer responsible for sponsorship,
- at least one officer responsible for fund raising,
- a number of administrative officers as appointed by the Management Committee,
- and sufficient ordinary members as may be appointed.

### **Selection Committee**

21. The Selection Committee shall comprise three member. The Chairperson of Selectors shall be elected at the AGM. The remaining two members of the Committee shall be appointed by the Management Committee.
22. The Selection Committee shall meet before the Thursday evening prior to the commencement of each match to select teams for the next competition match.
23. The Selection Committee shall have the power to seek such advice on the selection of teams as they deem fit and proper in all the circumstances. The Captain of each team will normally be consulted.
24. Any member of the Selection Committee failing to attend or absenting himself from regular meetings of the Committee or failing to attend to his duties as a Selector shall forfeit his position as a Selector unless an acceptable explanation is provided to the Management Committee.

25. The Management Committee shall have the power to appoint a selector to fill a vacancy on the Selection Committee.

### **Emergency Committee**

26. (1) The Emergency Committee shall consist of the President, the Secretary and the Treasurer of the Club.
- (2) In the absence of the President, Secretary or Treasurer, the General Manager, Cricket Committee may substitute for the absent member.
- (3) The Emergency Committee shall, on behalf of the Club, deal with any urgent matter the nature of which does not permit or warrant the calling of a special meeting of the Club or of the Management Committee.
- (4) The Emergency Committee shall submit a full report on each matter dealt with by it to the first subsequent meeting of the Club or of the Management Committee (whichever happens first).

### **Management Committee**

27. (1) The Management Committee shall, for the purposes of the Incorporation Act, be the committee of the Club.
- (2) Subject to the Incorporation Act, this constitution and any resolution passed at a meeting of the Club, the Management Committee may on behalf of the Club do anything necessary or convenient to further the objects of the Club.
- (3) Without limiting the generality of the previous sub-clause, the Management Committee may:
- (a) exercise on behalf of the Club any of the legal powers or functions of the Club;
  - (b) determine the terms and conditions of employment of any employee of the Club or of any contract or engaged to perform services for the Club;
  - (c) subject to this Constitution and in particular Part VII, overrule, disallow, vary any decision of a committee;
  - (d) subject to this Constitution, give directions, to any officer of the Club;
  - (e) deal with disputes, disciplinary matters and appeals as provided in Part VII hereof;

- (f) exercise any other power or function conferred on the Management Committee by this Constitution;
- (g) oversee the finances of the Club;
- (h) do anything incidental to the exercise of any of its powers or functions, including:
  - (i) to fill any office not filled at the AGM and any other vacancy that may occur from time to time;
  - (ii) to appoint Sub-Committees from its own members or elsewhere for any purpose and to delegate to those Sub-Committees such power(s) it deems desirable;
  - (iii) to appoint Club Selectors, other than the Chairperson of Selectors;
  - (iv) to appoint Club team Captains and vice Captains in consultation with the Chairperson of Selectors;
  - (v) to rescind any appointment of Captains and vice Captains and appoint a replacement on the advice of the Chairperson of Selectors;
  - (vi) to revoke or alter appointments or decisions made by other Committees;
  - (vii) to ensure the observance of the Club's Constitution and where necessary apply sanctions for their breach;
  - (viii) to appoint any delegate(s) to represent the Club for any purpose with such powers as may be thought fit;
  - (ix) to appoint, control, suspend, dismiss and determine the duties of Coaches, Managers, Representatives, Agents and Servants (excluding the Management Committee);
  - (x) to determine who shall be entitled to sign or endorse, on the Club's behalf, any contractual, financial or administrative documents;
  - (xi) to declare any person who has not paid the subscriptions, as required, a defaulter;
  - (xii) to suspend or disqualify members for refusing to play in the team for which he or she has been selected or acting in a manner which would bring discredit on the Club;
  - (xiii) to appoint a Returning Officer as required;
  - (xiv) to make by-laws not inconsistent with this constitution which shall have the same force and effect as this constitution.

28. Any member of the Committee with the exception of the President, who absents himself or herself from three consecutive meetings, shall unless he or she provides a satisfactory explanation to the Committee, through the Secretary, is deemed to have vacated his or her office and shall not be eligible for re-election to the Committee during the current year.

## **Responsibilities of Officers on the Management Committee**

29. The composition of the Management Committee and the responsibilities of each position are as follows:

(1) The President shall:

- (a) be Chairperson at all meetings that he attends and shall see that the business is conducted in a proper manner in accordance with the Standing Orders for Meetings. In all matters he shall have a casting vote in addition to his ordinary vote;
- (b) have unlimited authority on every question of order;
- (c) strive to achieve the objectives stated in Clause 5 (1) to (8) at all times within and outside the Club;
- (d) represent the Club and liaise with persons, bodies or organisations as is consistent with this Constitution;
- (e) co-ordinate and oversee all duties and activities allocated to Management Committee Members;
- (f) undertake any other duties as the Management Committee may request;
- (g) be a delegate to the ACTCA.

(2) The Secretary shall:

- (a) receive and/or record all incoming and outgoing correspondence;
- (b) prepare and co-ordinate Club's Annual Report;
- (c) represent the Club and liaise with persons, bodies, organisations on matters relevant and appropriate to the efficient running of the Club;
- (d) give notice and convene all meetings;
- (e) after consultation with the Management Committee be responsible for the preparation of all protests to the ACTCA for and on behalf of the Club and any members of the Club;
- (f) obtain and circulate material which will aid in achieving the Club's objectives;
- (g) take appropriate action on decisions at meetings;
- (h) pass to the Treasurer any moneys received by him for and on behalf of the Club;

- (i) liaise regularly with Committee conveners and maintain suitable supervision of each Committee;
  - (j) be a delegate to the ACTCA;
  - (k) after consultation with the Management Committee be responsible for the preparation and submission of approved clearances of players;
  - (l) carry out such other duties as the Management Committee may direct.
- (3) The Treasurer shall:
- (a) subject to this Constitution, have the general oversight of the financial affairs of the Club;
  - (b) by virtue of his office, be a member of the Management Committee and a voting member of the Club;
  - (c) be Chairperson of the Finance Committee,
  - (d) report to the Management Committee on the activities of the Finance Committee, in particular the financial statements and issues surrounding fees,
  - (e) ensure that sub-clauses 40(3) and (4) are not contravened;
  - (f) arrange for the proper collection and receipt of all moneys due to the Club and for the proper payment, in accordance with this Constitution, of all accounts payable by the Club;
  - (g) arrange for the safekeeping of financial instruments (such as cheque books, credit cards, bank books and receipt books) which belong to the Club;
  - (h) arrange for the issue of invoices and statement of accounts for all moneys owing to the Club;
  - (i) arrange for the keeping of correct accounts and books showing the financial affairs of the Club with full details of all receipts and expenditure connected with the activities of the Club;
  - (j) arrange for the safe custody of all security documents belonging to the Club;
  - (k) prepare a budget for presentation to the management committee at their first meeting following the AGM;
  - (l) present a statement of the Club's financial position based on the accounts of each committee for the period ending on the last day of each calendar month to Management Committee meetings;
  - (m) present the annual statement of income and expenditure and balance sheet to the Management Committee for their consideration following the close of business of the financial year of the Club;

- (n) submit to the Auditor, in time for him to complete the audit for the Management Committee and the AGM, the statement of income and expenditure and balance sheet;
- (o) present the annual statement of income and expenditure and balance sheeting to the AGM for its consideration;
- (p) ensure effective communication between the Finance Committee and the Communications Committee as required.

(4) The Assistant Secretary shall:

- (a) prepare agendas for all meetings;
- (b) record, prepare and issue Minutes of all Management Committee meetings, Special and General meetings;
- (c) in the absence or disability through illness or otherwise perform the duties and accept the privileges and responsibilities of the Secretary;
- (d) carry out such other duties as the Management Committee may direct.

(5) The Assistant Treasurer shall:

- (a) assist the Treasurer as required;
- (b) by virtue of his office, be a member of the Management Committee and a voting member of the Club;
- (c) report to the Management Committee on the activities of the Finance Committee, in particular in relation to sponsorship, fund raising and social functions;
- (d) be responsible for the oversight on behalf of the Management Committee of all social and fund raising activities within the Club;
- (e) be responsible for the preparation of a social and fund raising calendar and associated budget each year for consideration by the Management Committee at their first meeting after the AGM or as soon as practical after that time;
- (f) obtain Management Committee approval to the commitment of funds for social and fund raising activities;
- (g) in consultation with the Management Committee, oversight sponsorship for the Club,
- (h) ensure effective communication between the Finance Committee and the Communications Committee as required;
- (i) carry out such other duties as the Management Committee may direct.

(6) The General Manager, Cricket Committee shall:

- (a) in the absence of the President, chair all meetings and so have a casting vote only;
- (b) act as the focal point and coordinator for the club's activities in relation to playing, recruiting, preparing and training for cricket;
- (c) co-opt other members of the club to assist in successfully achieving duty (b);
- (d) chair the Cricket Committee;
- (e) report on the activities of the Cricket Committee to the Management Committee;
- (dc) in consultation with the club coach and coaching panel arrange the commencement of training for teams and the supervision of such training;
- (e) implement the Club's policies in relation to player behaviour in connection with matches;
- (f) advise the Management Committee on the selection of a club coach;
- (g) ensure that all senior coaches are striving to achieve the clubs objectives both in training and on the field;
- (h) with the assistance of his committee ensure that all the club's equipment is maintained at a reasonable level;
- (i) with the assistance of his committee ensure that pitches prepared by the Club are to a satisfactory standard;
- (j) arrange practice matches as required;
- (k) with the assistance of his committee ensure the maintenance and safe keeping during the off-season of the equipment belonging to the Club;
- (l) prior to the commencement of the cricket season and from time to time as the need shall arise prepare a written record for presentation to the Management Committee on the state of the Club's equipment with recommendations for the purchase of new equipment;
- (m) carry out such other duties as the Management Committee may direct.

(7) The Chairperson, Junior Cricket Committee shall:

- (a) act as Chairperson of the Junior Cricket Committee which shall consist of Vice-Chairperson, Secretary, Treasurer, and Have-A-Go cricket co-ordinator;
- (b) to present, at meetings of the Management Committee, the views of the Junior Cricket Committee;
- (c) act as Club delegate to the ACTJCC;

(d) be responsible for liaison between the Junior Cricket Committee and the Management Committee; and

(e) carry out such other duties as the Management Committee may direct.

(8) The Chairperson, Women's Cricket Committee shall:

(a) act as Chairperson of the Women's Cricket Committee which shall consist of Vice-Chairperson, Secretary, Treasurer, and Registrar;

(b) to present, at meetings of the Management Committee, the views of the Women's Cricket Committee;

(c) act as Club delegate to the ACTWCC;

(d) be responsible for liaison between the Women's Cricket Committee and the Management Committee; and

(e) carry out such other duties as the Management Committee may direct.

(9) The Communication Officer shall:

(a) act as Chairperson of the Communications Committee;

(b) report to the Management Committee on the activities of the Communications Committee;

(c) be responsible for the oversight on behalf of the Management Committee of all communication activities (publicity, home page, newsletter, registrations) within the Club;

(d) ensure effective communication between the Finance Committee and the Communications Committee as required;

(e) carry out such other duties as the Management Committee may direct.

(10) The ACTCA delegates shall:

(a) represent the club at all meetings of the ACTCA;

(b) advise the Management Committee on all proposals put before the ACTCA and vote on such proposals as directed by the Management Committee;

(c) use their discretion when voting upon matters raised from the floor of ACTCA meetings;

(d) if required make themselves available for appointment to sub-committees of the ACTCA.

## **Responsibilities of Officers on the Communications Committee**

30. The responsibilities of other officers on the Communication Committee are as follows:

(1) The Registrar shall:

- (a) maintain a register of all members;
- (b) ensure that all players are registered;
- (c) provide a list of registered players to the Secretary, Assistant Secretary, Treasurer and Selectors;
- (d) ensure that endorsed registration sheets are provided to the ACTCA in accordance with the ACTCA Constitution and ensure that any other ACTCA requirements in regard to registration have been met;
- (e) be a member of the Communications Committee;
- (f) carry out such duties as the Management or Communication Committees may direct.

(2) The publicity officer (s)

- (a) shall arrange the preparation and distribution of a club newsletter on a regular basis;
- (b) arrange the provision of material to media outlets as required;
- (c) advertise and promote all Club social and fund raising activities;
- (d) be a member of the Communications Committee;
- (d) carry out such duties as the Management or Communication Committees may direct.

(3) The information technology officer (s):

- (a) shall arrange the maintenance and upkeep of the club's electronic communications including internet communication such as the club's home page;
- (b) shall arrange the electronic distribution of material required by the Communications Committee;
- (c) be a member of the Communications Committee;
- (d) carry out such duties as the Management or Communication Committees may direct.

## **Responsibilities of Officers on the Finance Committee**

31. The responsibilities of other officers on the Finance Committee are as follows:

(1) Fees officer (s) shall:

- (a) be responsible for the collection of Senior Subscriptions;
- (b) follow up outstanding subscriptions;
- (c) provide a list of financial members to the Selection Committee, Management Committee and Finance Committee on a regular basis;
- (d) provide a list of unfinancial members to the ACTCA as required;
- (e) communicate with the Registrar to maintain an accurate list as required by 31(1)(a), 31(1)(c) and 31(1)(d);
- (f) pass all collection of subscriptions as quickly as possible to the Treasurer;
- (g) report directly to the Treasurer on the undertaking of these duties;
- (h) carry out such duties as the Management or Finance Committees may direct.

(2) Social function officer (s) shall:

- (a) in consultation with the Assistant Treasurer be responsible for the preparation of a social function calendar each year for consideration by the Management Committee at their first meeting after the AGM or as soon as practical after that time;
- (b) arrange the organisation of social functions consistent with 31(2)(a);
- (c) ensure, in consultation with the Communications Committee and Finance Committee, that all members, sponsors and other guests are informed of all social functions;
- (d) carry out such duties as the Management or Finance Committees may direct.

(3) Sponsorship officer (s) shall:

- (a) in consultation with the Assistant Treasurer, and other members, seek sponsorship for the club;
- (b) be responsible for ensuring undertakings to sponsors are carried out;
- (c) carry out such duties as the Management or Finance Committees may direct.

(4) Fund raising officer (s) shall:

- (a) in consultation with the Assistant Treasurer be responsible for the preparation of a fund raising calendar each year for consideration by the Management Committee at their first meeting after the AGM or as soon as practical after that time;
- (b) arrange the organisation of fund raising consistent with 31(4)(a);

- (c) ensure, in consultation with the Communications Committee and Finance Committee, that all members, sponsors and other guests are informed of all fund raising activities;
- (d) carry out such duties as the Management or Finance Committees may direct.

### **Responsibilities of Other Positions**

32. The responsibilities of officers other than those on the Management Committee are as follows:

(1) The Chairperson of Selectors shall:

- (a) be Chairperson at all meetings to select all senior teams;
- (b) ensure that the meetings are conducted in a proper manner;
- (c) have the casting vote in all matters affecting team selections;
- (d) notify players of their selection either verbally or by displaying their names on a club notice board;
- (e) notify the media and/or the ACTCA of team lists if required;
- (f) seek expressions of interest from players and make recommendations to the Management Committee for appointment of team captains;
- (g) carry out such other duties and services as the Management Committee may direct.

(2) The Statistician shall:

- (a) establish and maintain in relation to all of the Club's teams participating in the ACTCA Grade Competitions, accurate and comprehensive records of:
  - (i) competition points gained in the Grade Competitions; and
  - (ii) Club batting, bowling and fielding performances including current averages of players.
- (b) provide statistics as required to the ACTCA;
- (c) provide statistics for inclusion in the Annual Report;
- (d) carry out such other duties as the Management Committee may direct.

## Part IV - Junior Committee

### Junior Cricket Committee

33. (1) The Chairperson, Junior Cricket Committee shall, ex officio, be a member of the Management Committee.
- (2) The persons administering the Junior Cricket Committee on behalf of the Club immediately prior to coming into operation of this Constitution shall subject to any direction by the Management Committee, exercise the functions of the Junior Cricket Committee under this Constitution until the first elections are held under this clause.
- (3) The functions of the Junior Cricket Committee, subject to this Constitution are:
- (a) to recruit, train and to constitute teams of junior players to meet the Club's responsibilities in relation to the ACTCA junior competitions and in regard thereto to establish and maintain complete and accurate records of performances of the Club's junior players and teams;
  - (b) to provide adequate equipment and practice facilities for such teams;
  - (c) to recruit and to train persons suitable to be managers of, and umpires for, the Club's junior teams and to ensure that persons so recruited have or acquire a good knowledge of the Laws of Cricket and the ACTCA and ACTCA Junior competition rules;
  - (d) to implement the Club's policy in relation to players' behaviour in connection with matches;
  - (e) to manage the finances of junior cricket for the Club;
  - (f) foster and promote Junior cricket within the club's allocated zone and attract players to the Club through a recognised, well organised and effective junior development policy;
  - (g) prepare junior players for transition into senior grade cricket thus maintaining the long term strength and competitiveness of the senior grade teams;
  - (h) ensure that all junior cricketers in the Club's allocated zone are given every opportunity to achieve representative honour;
  - (i) ensure that the ACT Cricket Association's Junior and Youth programs are implemented;
  - (j) be responsible for recording and reporting results of all matches;
  - (k) arrange for the issue of fixture booklets and preparation of instructions to Managers.

34. (1) In this clause, 'junior' in relation to a player means a player registered as eligible to play in the junior competition of the ACTCA or ACTWCC and under the age of 18 years on such date as determined by the ACT Junior Cricket Council.
- (2) It is the responsibility of the Junior Cricket Committee, subject to this Constitution, on behalf of the Club to give effect, in the zone assigned by the ACTCA and ACTWCA to the Club, to the policy of the ACTCA and the ACTCA. and in particular the Junior Cricket Council of the ACTCA, in relation to the development of junior cricket within the ACTCA boundaries.

## **Responsibilities**

35. In addition to the responsibilities set out in clause 29(10), the Chairperson, Junior Cricket Committee shall:

- (1) where present at a meeting of the Junior Cricket Committee, to chair that meeting;
- (2) supervise generally the Club's activities in relation to junior cricket to ensure that the Club is meeting its obligations to junior cricket;

36. The responsibilities of the Secretary of the Junior Cricket Committee are, subject to this Constitution:

- (1) to prepare and to maintain adequate minutes of all meetings of the Junior Cricket Committee;
- (2) to arrange the preparation and maintenance of records of performances of each junior player and junior team of the Club;
- (3) to attend to all correspondence on behalf of the Junior Cricket Committee;
- (4) to assist the Chairperson, Junior Cricket Committee as that officer requests.

37. The responsibilities of the Treasurer of the Junior Cricket Committee are, subject to this Constitution:

- (1) to maintain adequate control over the funds made available to the Junior Cricket Committee for junior cricket;
- (2) to arrange for the keeping of correct accounts and books showing the financial affairs of junior cricket with full details of all receipts and expenditure connected with the activities of the Committee;
- (3) to report to the Chairperson, Junior Cricket Committee any case where an over expenditure may occur;
- (4) on behalf of the Junior Cricket Committee, to prepare annually draft estimate of expenditure in relation to the Club's junior cricket activities;

- (5) in conjunction with the Treasurer of the Club, to assist in the preparation of Annual Accounts of the Club for auditing;
- (6) to be responsible for collecting all moneys due to the Junior Cricket Committee; and
- (7) to keep the Club Treasurer informed of any financial activities undertaken or proposed by the Junior Cricket Committee.

## Part V - Women's Cricket

38. (1) The Chairperson, Women's Cricket Committee shall, ex-officio, be a member of the Management Committee. The persons administering women's cricket on behalf of the Club immediately prior to the coming into operation of this Constitution shall, subject to any direction by the Management Committee, exercise the functions of the Women's Cricket Committee under this Constitution, until the first elections are held under this clause.
- (2) The functions of the Women's Cricket Committee, subject to this Constitution are:
- (a) To recruit and to train players for, and to constitute, teams to participate in competitions conducted by the ACT Women's Cricket Council;
  - (b) To arrange, on behalf of the Club for the preparation of cricket grounds for ACTWCC competition purposes;
  - (c) To provide adequate equipment and practice facilities for such teams;
  - (d) To recruit and to train persons suitable to act as managers of, and scorers for, such teams;
  - (e) To implement the Club's policy in relation to players behaviour in connection with matches;
  - (f) To establish and to maintain in relation to Club teams participating in the ACTWCC competitions, accurate and comprehensive records of:
    - (i) competition points gained in ACTWCC competitions, and
    - (ii) Club batting, bowling and fielding performances including current averages of players.

### **Responsibilities**

39. In addition to the responsibilities set out in clause 29(11), the Chairperson, Women's Cricket Committee shall:

- (1) where present at a meeting of the Women's Cricket Committee, to chair that meeting;
- (2) present, at meetings of the Management Committee, the views of the Women's Cricket Committee.

40. The responsibilities of the secretary, Women's Cricket Committee are, subject to this Constitution:

- (1) To prepare and to maintain adequate minutes of all meetings of the Women's Cricket Committee;
- (2) To arrange the preparation and maintenance of records of performances of each Club player and team in the ACTWCC competitions;
- (3) To attend to all correspondence on behalf of the Women's Cricket Committee;
- (4) To assist the Chairperson, Women's Cricket Committee as that officer requests.

41. The responsibilities of the treasurer of the Women's Cricket Committee are, subject to this Constitution:

- (1) to maintain general oversight over the funds controlled by the Women's Cricket Committee for women's cricket;
- (2) to arrange for the keeping of correct accounts and books showing the financial affairs of women's cricket with full details of all receipts and expenditure connected with the activities of the Committee;
- (3) to report to the Chairperson, Women's Cricket Committee any case where an over-expenditure may occur;
- (4) on behalf of the Women's Cricket Committee, to prepare annually draft estimate of expenditure in relation to the Club's women's cricket activities;
- (5) in conjunction with the Treasurer of the Club, to assist in the preparation of Annual Accounts of the Club for auditing;
- (6) to be responsible for collecting all moneys due to the Women's Cricket Committee; and
- (7) to keep the Club Treasurer informed of any financial activities undertaken or proposed by the Women's Cricket Committee.

## Part VI - Finance

42. (1) Club Funds Subject to the next sub-clause, the funds of the Club shall be derived principally from:
- (a) membership fees,
  - (b) sponsorship,
  - (c) fund raising,
  - (d) hiring of ground.
- (2) The Management Committee, in conjunction where appropriate, with the Junior Cricket Committee, the Women's Cricket Committee or the Social, Fund Raising and Sponsorship Committee, may from time to time develop sources of funds for the Club other than those referred to in the previous paragraph.
- (3) The finances of the Junior, Women's and Social, Fund Raising and Sponsorship Committees shall for all intents and purposes be kept separate and be reported on separately at the AGM while comprising the consolidated accounts of the Club.
- (4) The funds held by a committee shall not be transferred without the consent of two-thirds of the members of that committee for the use of one of the other committees or to meet the debts of one of the other committees unless passed by special resolution of a meeting of the Club.
- (5) The assets and income of the Club shall be applied solely in furtherance of the Club's objects and no portion shall be distributed directly or indirectly to the members of the Club except as a bona fide compensation for services rendered or expenses incurred on behalf of the Club.
- (6) In the event of the Club being dissolved, the amount which remains after such dissolution and the satisfaction of all debts and liabilities shall be paid and applied by the Management Committee or a meeting of the Club in accordance with their powers, to any fund, institution or authority which is a non-profit organisation.

### Financial Year

43. The financial year of the Club shall end on 30 June in each year.

## **Fees**

44. The amount of membership fee payable by a member in each category of membership, shall be fixed by the club's Management Committee, the method and time of payment of such fees shall also be fixed by the Management Committee.

## **Surplus Funds**

45. Any surplus funds of the Club may be applied for the benefit of members in such a manner as a meeting of the Club determines, provided that sub-clauses 40(3), (4) and (5) are not contravened.

## **Accounts**

46. Each Committee shall cause true accounts to be kept of receipts and expenditure and of matters to which such receipts and expenditure relate and of all assets and liabilities of the Club.

## **Inspection of Books**

47. All books of accounts or any other records, excluding commercial-in-confidence information, may be inspected by any member of the Club upon request in writing to the Secretary.

## **Statement of Receipts and Expenditure**

48. (1) The Treasurer shall present, or cause to be presented, for the consideration of the AGM a true and audited consolidated statement of receipts and expenditure for the previous financial year and a balance sheet reflecting the true position of the Club's assets and liabilities as at the end of the previous financial year.
- (2) The statement shall include details of:
- (a) the amount of money held in any reserve fund or funds and proposals to transfer surplus moneys to these reserve funds; and

(b) the names of unfinancial members. Upon acceptance by the AGM, the Public Officer shall lodge the statement and balance sheet with the Registrar of Incorporated Associations as required by the Incorporation Act.

### **Auditor**

49. (1) An Auditor shall be appointed annually by the Club at the AGM. No office bearer or member of the Club may serve as the Auditor.
- (2) The appointment of the Auditor shall be consistent with the provisions of the Incorporation Act.
- (3) The person who was the Auditor of the Club immediately prior to the coming into operation of this Constitution shall continue to be the Auditor of the Club as though appointed under this constitution.
- (4) The Auditor shall audit the accounts of the Club prior to their consideration at the AGM.
- (5) The report of the Auditor shall be presented to the AGM and to the Registrar of Incorporated Associations as required by the Incorporation Act.

### **Cheque Account**

50. The Management Committee shall operate cheque accounts at banks or financial institutions as determined by the Management Committee from time to time.

### **Investment of Funds**

51. (1) The funds of the Club may be invested in bank accounts, building societies and government securities under such conditions and terms as thought fit by the Management Committee.
- (2) Moneys belonging to the Club shall not be invested otherwise than in accordance with the preceding provisions of this clause, unless a meeting of the Club Otherwise determines by a two-thirds majority of members present and voting.
- (3) All moneys belonging to the Club shall, at the first convenient opportunity after receipt, be lodged in the Club's bank account.

## **Signing Cheques**

52. Cheques drawn by the Club on any of its cheque or investment accounts shall be signed by any two of the President, Secretary, Treasurer and Assistant Treasurer, provided that in the absence or incapacity of any of these four officers the Management Committee shall have power to make temporary arrangements for the signing of the Club's cheques.

## **Borrowing**

53. The Management Committee on behalf of the Club may raise or borrow money upon such terms and in such manner as it thinks fit and secure the repayment of money so raised or borrowed or the payment of a debt or a liability of the Club by granting mortgages, charges or securities upon or over all or any of the real or personal property of the Club.
- (1) Every voting member or officer of, or person employed (on a full-time, part-time or casual basis) by the Club shall be indemnified by the Club in accordance with this Clause.
  - (2) The Club shall pay all costs, losses and expenses, which a voting member, officer or employee may incur or may be liable for, by reason of any contract entered into with the Club or any bona fide act or thing done as, or in the bona fide exercise of the functions of, a voting member, officer or employee.
  - (3) The amount of money for which, in a given case, the indemnity referred to in sub-clause 51(1) is provided, shall immediately attach as a lien on the property of the Club and have priority, as between the members, over all other claims against the Club.

## Part VII - Status' Contraventions, Discipline

### Division 1: Procedure

#### Natural Justice, Time Limits, Decisions

55. (1) The Club and all other bodies, in exercising functions under this Part, shall observe the rules of natural justice.
- (2) The Club or other body in exercising functions under this Part:
- (a) shall act accordingly to equity, good conscience and the substantial merits of the case;
  - (b) shall determine its own procedure;
  - (c) shall conduct its proceedings with as little formality and technicality possible, and with as much expedition, as the requirements of this Constitution and a proper consideration of the matter permits; and
  - (d) is not bound by the rules of evidence but may inform itself on any matter in such matters as it sees fit.
- (3) The Club, or any other body, in exercising functions under this Part, shall give any member concerned a reasonable opportunity:
- (a) of stating that members case and of correcting, or contradicting, any statement prejudicial to that case, and
  - (b) of scrutinising relevant documents.
- (4) It is a contravention of this Constitution for a member:
- (a) to give knowingly false information to; or
  - (b) to withhold relevant information, known to the member, from the Club, any of its officers or committees in or in relation to any proceedings referred to in this Constitution or in relation to obtaining a payment or other advantage from the Club or any of its bodies or officers.
- (5) Where, in this Part, action is required to be taken within a specified period, the Club or other body concerned may extend the period where it is of the opinion that it would be reasonable to do so or may ignore the fact that the action has been taken beyond the specified period.

- (6) Nothing in the previous sub-clause prevents the Club or other body from treating as nugatory and of no effect for the purposes of this Constitution any document lodged, or other action taken, out of time.
- (7) Where in this Part a decision is required to be in writing, the Club or other body concerned may announce its decision orally prior to the distribution of a written decision.
- (8) A copy of a written decision shall be provided to each person directly affected by the decision.
- (9) Subject to this Constitution, in any proceedings under this Part a member, against whom disciplinary action is taken, may:
  - (a) if present at the proceedings, be represented by another member who has attained the age of 18 years; or
  - (b) if not present at the proceedings, be represented with the permission of, the body before whom the proceedings are being taken, by another member who has attained the age of 18 years.
- (10) It is a contravention of this Constitution for a member to request, or to receive, a fee in relation to:
  - (a) the preparation of a document on behalf of another member to be used for the purposes of this Part; or
  - (b) the representation of another member in accordance with this Part.

### Disciplinary Sub-Committees

56.
  - (1) At the first meeting of each of the Management Committee, the Junior Cricket Committee and the Women's Cricket Committee after each AGM, the committee concerned shall appoint three of its members to constitute a disciplinary sub-committee to operate in relation to the forthcoming cricket season and shall nominate one of the three members to preside at any inquiries conducted by the sub-committee.
  - (2) The function of each disciplinary sub-committee shall be to inquire into, and to report to its full committee, in relation to all allegations of misconduct of relevant member.
  - (3) Clause 57 deals with inquiries and reports by disciplinary sub-committees.
  - (4) Each committee may appoint one of its members to its disciplinary sub-committee in substitution for a member unavailable to act, or who may not appropriately act, on the sub-committee in relation to a matter under inquiry or who ceases to be a member of the sub-committee.

## **Division 2: Termination of Membership Contraventions of Constitution, Suspension**

57. (1) Subject to this Constitution, whenever it appears to the Management Committee that a member in any category of membership has, in the opinion of the Committee, on more than one occasion contravened this Constitution or acted in a manner prejudicial to the Club, the Management Committee may suspend the member.
- (2) For purposes of the previous sub-clause, action prejudicial to the Club includes:
- (a) dealing dishonestly with property of the Club;
  - (b) obtaining moneys from the Club dishonestly or in circumstances involving a contravention of this Constitution;
  - (c) through misconduct, involving the Club in expense or liability,
  - (d) defaming the Club; and
  - (e) behaving in a manner which is discreditable and injurious to the character and interests of the Club and its members.
- (3)
- (a) Where the Management Committee suspends a member pursuant to this Clause, it shall, as soon as possible after doing so, give written notice of suspension to the member.
  - (b) A suspended member shall promptly give to the Secretary all papers and property of the Club in his possession or under his control.
  - (c) If a suspended member is not in the ACTCAs or ACTWCCs area or cannot be found, the Secretary, on behalf of the Management Committee shall take reasonable steps to have the notice of suspension served on the member and to obtain possession of any papers and property of the Club that the member is known to have in possession or under control.
- (4) A notice of suspension shall state the reason for the suspension and the date on and from which the suspension operates.
- (5) A notice of suspension shall offer the suspended member the option:
- (a) of requesting the Management Committee to review its decision; or
  - (b) of appealing to the Club against the suspension, to be exercised within 14 days of the date of the notice.
- (6) If the suspended member takes no action to exercise the option in the notice, or cannot be found, the Management Committee shall report the suspension to the next meeting of the Club which may terminate all forms of membership of the suspended member.

- (7) A suspended member who wishes to request the Management Committee to reconsider its decision:
- (a) shall do so in writing;
  - (b) shall state in writing whatever suspended member wishes to appear before the Management Committee with or without a representative; and shall provide with the written request any documentary evidence that the suspended member wishes to bring before the Management Committee.
- (8)
- (a) A suspended member may, if appearing before the Management Committee, be represented with the permission of the Management Committee by another person who is a member of the Club.
  - (b) A suspended member who has requested the Management Committee to review its decision and who does not appear in person before the Management Committee shall not be entitled to be represented unless the Management Committee considers that the suspended member's absence is unavoidable, in which event the member may be represented with the permission of the Management Committee by another person who is a member.
- (9)
- (a) Where, at the request of a suspended member, the Management Committee reconsiders its decision the Management Committee may continue the suspension or terminate it.
  - (b) The Management Committee shall set out in writing its decision and the reasons for the decision.
  - (c) Where the Management Committee continues the suspension, the suspended member may appeal against the suspension to the Club.
- (10)
- (a) In the case of a suspended member's appeal against suspension to the Club, the procedure set out in this sub-clause shall apply to the institution of the appeal.
  - (b) The appellant shall, within 11 days of the relevant decision by the Management Committee, forward to the Secretary a written form of appeal, together with any documentary evidence further to that (if any) provided to the Management Committee.
  - (c) The appeal document shall be in the name of the suspended member, shall be signed and dated by that member, and shall state whether the appellant intends to appear personally before the Club and to be represented there by another member nominated in the appeal document.
- (11)

- (a) Upon the receipt of a notice of appeal under this clause, the Secretary shall arrange for the calling of a general meeting of the voting members of the Club:
  - (i) of which meeting at least 21 days' notice shall be given; and
  - (ii) at which meeting the sole business shall be the hearing of the appeal and any business ancillary thereto.
- (b) Notices calling the general meeting referred to in the previous paragraph shall state that the Club will be asked at the meeting, after hearing the appeal, to consider and, if thought fit, to pass a special resolution that the membership of the suspended member shall be terminated.
- (12) The suspended member shall be entitled to attend and address the general meeting or, being in attendance at the meeting, to have, with the permission of the meeting, some other person who is a member speak on the suspended member's behalf.
- (13) If the special resolution referred to in paragraph 55(1 l)(b) is not passed, the Club may take any other action in relation to the suspended member as it sees fit.
- (14)
  - (a) Where, under this clause, the Management Committee is dealing with a motion that a Management Committee member be suspended, that member is ineligible to vote on the motion or any business ancillary thereto and that member's presence shall be ignored for the purposes of a quorum.
  - (b) Where, under this clause, a meeting of the Club is dealing with a notice of appeal by a voting member, that member is ineligible to vote on the proposed special resolution that membership shall be terminated and any business ancillary to the appeal, and the member's presence shall be ignored for the purposes of a quorum.

### **Division 3: Disciplinary and Similar Matters ACTCA and ACTWCC**

#### Representation of Club or Member

- 58. (1) Where the ACTCA Board, the ACTCA Cricket Committee, the ACTCA Cricket Development Council (including the Cricket Development Council Disciplinary Committee) or the ACTCA Independent Tribunal is to deal with any matter under Part VII of the ACTCA Constitution, the Secretary of the Club shall, subject to this Constitution represent the Club or a member concerned in the relevant proceedings.
- (2) Where by sub-clause 56(1) the Secretary is required to represent the Club or a member and the Secretary is unavailable or it is inappropriate for the Secretary to act as representative, the Emergency Committee shall assign another club member to act as representative.

- (3) A member who does not wish to be represented by the Secretary or the member assigned by the Emergency Committee shall inform the Secretary of the fact and the member shall be personally responsible for arranging representation, if any.
- (4)
- (a) Where the ACTCA Junior Cricket Council or its Executive (including a committee thereof) is to deal with a matter under Part VII of the ACTCA Constitution, the secretary, Junior Cricket Committee shall, subject to this Constitution, represent the Club or a member who is a junior player concerned in the relevant proceedings.
- (b) The Chairperson, Junior Cricket Committee may assign another member to act instead of the secretary, Junior Cricket Committee if that officer is unavailable or it is appropriate for the secretary, Junior Cricket Committee to act as representative.
- (c) A member, being a junior player, who does not wish to be represented in relevant proceedings by the secretary, Junior Cricket Committee or a person assigned under the previous paragraph, shall inform the secretary, Junior Cricket Committee of that fact and the member shall be personally responsible for arranging representation (if any).
- (5)
- (a) Where an ACTWCC Disputes Committee is to deal with a dispute involving the Club or with allegations or complaints of misconduct on the part of the member of the Club, the secretary, Women's Cricket Committee shall, subject to this Constitution, represent the Club or a member concerned in the relevant proceedings and in any appeal against a decision of the Disputes Committee.
- (b) The Chairperson, Women's Cricket Committee may sign another member to act instead of the secretary, Women's Cricket Committee if that officer is unavailable or it is inappropriate for the secretary, Women's Cricket Committee to act as representative.
- (c) A member who does not wish to be represented in relevant proceedings by the secretary, Women's Cricket Committee or a member assigned under the previous paragraph shall inform the secretary, Women's Cricket Committee of the fact and the member shall be personally responsible for arranging representation (if any).
59. (1) Where it comes to the notice of the Management Committee, Junior Cricket Committee or Women's Cricket Committee that there are allegations that a relevant member has been guilty of misconduct in or in relation to:
- (a) a match under the control of the ACTCA Board, the ACTCA Cricket Committee, the ACTCA Junior Cricket Council or the ACTWCC, as the case may be;
- (b) a tour or visit conducted by any one of those bodies or by the Club, or a match wherever played which is conducted by the Club; or
- (c) any representative match in which a team representing the ACTCA or ACTWCC takes part or is to take part the relevant Committee shall proceed in accordance with this Clause.

(2) For the purposes of this Clause:

- (a) the Management Committee is the relevant Committee in the case of ACTCA Grade matches, youth matches, tours or visits conducted by the ACTCA Board or ACTCA Cricket Committee and all representative matches other than junior or women's representative matches;
- (b) the Junior Cricket Committee is the relevant Committee in the case of matches, tours and visits for junior cricketers conducted by the ACTCA Junior Cricket Council or by the ACTWCC and of junior representative matches;
- (c) the Women's Cricket Committee is the relevant Committee in the case of matches, tours and visits conducted by the ACTWCC; and
- (d) in the case of matches, tours and visits conducted by the Club:
  - (i) the Management Committee is the relevant committee in relation to playing members other than junior players or women players;
  - (ii) the Junior Cricket Committee is the relevant committee in relation to junior players; and
  - (iii) the Women's Cricket Committee is the relevant committee in relation to women players.

(3)

- (a) The relevant disciplinary sub-committee shall hold an inquiry into the allegations and for that purpose one or more of its members may make preliminary inquiries prior to any formal hearing.
- (b) An inquiry shall be conducted in accordance with the principles set out in clause 53.
- (c) The disciplinary sub-committee shall act promptly in relation to any allegations brought to its notice and shall, as soon as practicable, fix a place, date and time for a formal hearing of the matter.
- (d) The member against whom allegations have been made shall be provided as early as possible before formal hearing, with details of the allegations and of their source and copies of all relevant documents.
- (e) The member concerned shall be requested by the sub-committee to attend the formal hearing so as to have an opportunity to hear any oral evidence to be given, to ask questions and make submissions to the sub-committee.

(4)

- (a) After the formal hearing, the disciplinary sub-committee shall as quickly as possible report in writing to its committee.
- (b) The report shall state:
  - (i) the relevant facts as found by the sub-committee; and

- (ii) the penalty, if any, that in the sub-committee's opinion, should be imposed upon the relevant member.
- (5) A disciplinary sub-committee may recommend, and a relevant committee may impose, any one or more of the following penalties:
  - (a) that the member be counselled by a specified member;
  - (b) that the member be reprimanded;
  - (c) that the member be suspended:
    - (i) for a specified period not exceeding 1 year;
    - (ii) for a specified match or matches; or
    - (iii) a combination of (i) and (ii);
  - (d) that an allowance or other amount payable to the member by or on behalf of the Club be not paid (in whole or in part) to the member;
  - (e) that the member be directed to pay, in whole or in part, an amount for which the Club has become liable by reason of the misconduct of the member;
  - (f) that the member be fined an amount not exceeding \$500.00.
- (6) The fact that another cricket body, including the ACTCA or ACTWCA or any committee of either of those associations, has taken or is about to take, action in relation to a member does not prevent a disciplinary sub-committee or a relevant committee from proceeding under this clause, in respect of that member but in coming to its decision shall take into consideration any action taken by the relevant cricket body.
- (7) Where a relevant committee is considering a report from its disciplinary sub-committee:
  - (a) a member of the sub-committee is not eligible to act as a member of the committee; and
  - (b) the member of the Club who is the subject of the sub-committee's report may attend before the committee and make whatever representations to it that the member regards as relevant.
- (8)
  - (a) The relevant committee shall give, in writing, its decision in relation to the matter and shall provide a copy of the decision to the member concerned.
  - (b) The previous paragraph does not prevent the committee from orally announcing its decision to the member prior to the publication of the decision in writing.
- (9) A member upon whom a penalty is imposed under this clause is not, in relation to the penalty, entitled to a refund of any part of any membership fee paid or other payment made to the Club.

## **Division 4: Miscellaneous**

### Defaulters

60. Any person being declared a defaulter by the Management Committee by reason of his or her not having paid the subscription as determined at the AGM, or any fees for which he or she is liable, shall not be allowed to take part in practices or matches or enjoy any privileges of membership (as defined in Clause 8).

### Suspension or Disqualification

61. For refusing to play with the team for which he has been selected, or failing to give the Chairperson of Selectors a satisfactory explanation of his or her absence from a match or his or her arrival thereat, or for any other reasonable cause, any member may be suspended or disqualified by the Management Committee for such time as it deems fit, and no such member shall have any claim on the Club or the members of the Management Committee by reason of such suspension or disqualification. Any member acting in manner which in the opinion of a majority of members of the Management Committee is calculated to bring discredit on the Club may be disqualified and become disentitled to the privileges of the Club (as defined in Clause 8) for such periods as the Management Committee shall determine.

### Revocation of life Membership

62. Life Membership previously granted may be revoked if any Life Member's conduct is discreditable or injurious to the character or interests of the Club. For Life Membership to be revoked, it shall require a majority vote by members for such action. Voting to be by secret ballot at a General Meeting. Before Life Membership can be revoked, the Life Member in question shall be given the opportunity to defend himself/herself and to justify or explain their conduct and/or actions.

## Part IX - Constitutional Alterations and Saving Clause

### Alterations to Constitution

63. (1) In this clause a reference to this Constitution is a reference to the objects and rules of the Club.
- (2)
- (a) The Management Committee may to this Constitution from time to time propose alterations;
- (b) The Management Committee shall, in relation to a proposed alteration, arrange for a meeting of the voting members of the Club to be called of which meeting each of those members is given at least 14 days notice, accompanied by a notice of intention to propose the alterations in the form of a special resolution.
- (3)
- (a) Three voting members, other than members of the Management Committee, may jointly propose to the Management Committee an alteration to this Constitution.
- (b)
- (i) If the Management Committee adopts the proposed alteration, it shall proceed as provided in paragraph 61(2)(b);
- (ii) If the Management Committee does not adopt the proposal, the three members initiating the proposal may jointly request the Management Committee to proceed as provided in paragraph 61 (2)(b) and the Management Committee shall comply with the request.
- (4) Amendments to the Constitution can only be affected by the consent of two thirds majority of the members present at the Annual or Special General Meeting and unless the Secretary shall have given at least 14 days notice by circular to each member of such proposed amendments.

### Saving Clause

64. Any act or thing done or suffered, or purporting to have been done or suffered, by the Club, or a Committee of the Club, is valid and effectual notwithstanding any defect that may afterwards be discovered in the appointment or qualification of any person who participated in the relevant decision.

# Schedule to the Constitution of the North Canberra Gungahlin Cricket Club Incorporated

## **Part 1 - Calling and Conducting Meetings of Voting members of the Club**

### Definition

1. In this Part "Meeting", "meeting" and "meeting of the Club" each means meeting of the voting members of the Club.

### Annual General Meeting

2. (1) The AGM shall be held such a time and place as may be determined by the Management Committee.
- (2) Notice of the time, date and place of the AGM shall be advertised in one or more Canberra newspapers at least seven days before the date of the AGM. At least 14 days notice of the AGM shall be given in writing to each voting member.

### Order of Business

3. The order of business at each Annual General Meetings shall be:
  - (1) acceptance of apologies;
  - (2) reading and confirmation of the minutes of the previous AGM;
  - (3) receive and consider the Club Annual Report including the Financial Statements;
  - (4) elections required by this constitution to be held at the AGM;
    - (a) Patron;
    - (b) President;
    - (c) Communications Officer;
    - (d) Secretary;
    - (e) Treasurer;

- (f) Assistant Secretary;
- (g) Assistant Treasurer;
- (h) Registrar;
- (i) General Manager, Cricket Committee;
- (j) Publicity Officer
- (k) Chairperson, Junior Management Committee;
- (l) Chairperson, Women's Cricket Committee;
- (m) Chairperson of Selectors;
- (n) Statistician;
- (o) Information technology officer;
- (p) Fees Officer;
- (q) Social function officer;
- (r) Sponsorship officer;
- (s) Fund raising officer;
- (t) Auditor.

(5) call for nominations for the following positions:

- (a) the club coach;
- (b) the club coaching panel;
- (c) the selection committee;
- (d) ground managers;
- (e) team managers;
- (f) the equipment manager;
- (g) training mangers; and
- (h) club captains.

(6) consider motions of which due notice has been given to the Secretary in accordance with this constitution;

(7) general business.

4. All members of the Executive Committee shall after presenting their respective reports to the AGM and at the time the President hands over to the Returning Officer, vacate their positions.
5. The President shall conduct the AGM until it is necessary for the Returning Officer to call for nominations for the Management Committee. At all other General Meetings the President shall preside. Should the President be absent the General Manager, Cricket Committee shall chair the meeting.

### Special Meetings

6. (1) Special meetings of the Club may be convened:
  - (a) by direction of the President;
  - (b) by the Secretary;
  - (c) by decision of the Management Committee;
  - (d) on the requisition to the Secretary signed by no fewer than eleven adult members stating the business to be considered.
- (2) Voting members shall be given not less than five days' notice (in writing by the Secretary) of the time, date, place and object of a special meeting.
- (3) If a meeting requested by the members is not convened within twenty-one (21) days of receipt of the request the members may convene the meeting for the stated purpose and shall have access to the Register of Members and any other records necessary for notifying all members.

### Order of Business

7. The order of business at meetings of the Club shall be as follows:
  - (a) Apologies;
  - (b) Confirmation of Minutes of previous meeting(s);
  - (c) Business arising from Minutes;
  - (d) Correspondence;
  - (e) Financial Statement;
  - (f) Motions on Notice;
  - (g) Reports; and

(h) General Business.

### Conduct of Meetings

8. (1) All meetings of the Club shall, subject to Part VII of this Constitution, be conducted in accordance with this paragraph.

### Chair

- (2) At each meeting of the Club the President shall be chair or in his or her absence, the chair shall be the General Manager, Cricket Committee, or shall be elected from the voting members present.

### Chair's Vote

- (3) The chair has the right to vote on any question and shall have a casting vote.

### Mode of Voting

- (4) At all General or Management Committee meetings the voting on all questions arising out of motions submitted to the Chairman shall be decided on the voices, or by a show of hands, unless a ballot is demanded by not less than 5 members in the case of a general meeting if called by a member, or by two members in the case of a Management Committee meeting, in which event a ballot shall be taken and 2 scrutineers shall be appointed by the Chairman to report to him the result of the ballot. In the case of an election for office, where there are two or more candidates for such office, there shall be a secret ballot.

### Voting Power

- (5) At any election, and in the case of all motions, each voting member present at the meeting has one vote.
- (6) Those entitled to vote at AGM shall be active members who were financial at the end of the season prior to the meeting, members of the Management Committee and the patron.
- (7) No member shall be entitled to vote or to be elected to any office unless he is deemed financial.

- (8) Objections to the qualification of any voter must be raised at the meeting at which the vote objected to is given or tendered. Votes not disallowed at such meetings shall be deemed valid for all purposes. All objections shall be referred to the Chairperson whose decision thereon shall be final.

#### Notice of Motion

- (9) All notices of motion for consideration at a meeting of the Club shall be delivered to the Secretary in writing, and each notice shall be preserved by him until after the matter to which it refers shall have been disposed of.

#### Absence of Mover

- (10) No notice of motion which has been entered on the business paper shall be preceded with in the absence of the voting member by whom the notice has been given unless some other voting member produces written authority from such first-named member to act on his behalf.

#### Putting Questions

- (11) The chair shall put all questions first in the affirmative and then in the negative, and may do so as often as may be necessary to enable him to determine the sense of the meeting and there upon he shall declare his decision which shall be final unless a ballot is demanded by three voting members.

#### Motions to be Seconded

- (12) No motion shall be discussed until it is seconded by a voting member and when seconded shall not be withdrawn without leave of the meeting.

#### Amendments

- (13) When a motion has been moved and seconded, any member may move an amendment.

#### Further Amendments

- (14) No amendment shall be taken into consideration until any previous amendment has been disposed of.

### Amendment becomes the Question

- (15) If an amendment is carried, the question as thereby amended shall become the question before the meeting, whereupon any further amendment may be moved.

### Moving of further Amendment

- (16) If an amendment, either upon the original motion or upon any amended motion, shall be negatived, then a further amendment (if not to the same effect as that already negatived) may be moved to the motion to which such first-named amendment was moved, and so on, provided that not more than one question and one proposed amendment thereon shall be before the meeting at one time.

### Members not to speak twice

- (17) No member shall speak twice on the same question unless in explanation, and then only with the permission of the chair, provided that any member, having previously spoken to the original question, shall be entitled to speak once on each amendment, and the mover of the original question shall have the right of final reply.

### Time limitation on speakers

- (18) No member shall speak upon any motion or amendment for a longer period than five minutes without the consent of the meeting.

### Offensive remarks or behaviour

- (19)
- (a) No member shall make any offensive personal reflections upon, or impute any improper motives to, any other member or officer, and any member so offending shall, immediately upon being required by the chair to do so, withdraw such offensive expression and retract any such imputation of motive.
  - (b) Any member refusing to withdraw such offensive expressions or imputations shall not be allowed to address the chair further at that or any other meeting of the Club until he shall have complied with such requirements, and his vote shall not be recorded upon any question.

### Chair to preserve order

- (20) The chair shall preserve order, and may at any time call to order any member whom he may deem to be out of order, and when two or more members rise to speak at the same time, he shall decide which member be heard first.

### Members out of order

- (21) Any member may call the attention of the chair to any other member being out of order or to any point of order.

### Points of order

- (22) Every point of order shall be taken into consideration immediately upon its arising and shall be decided by the Chairperson.

### Disagreement with Chair's ruling

- (23)
- (a) It shall be competent for any member to move a motion of disagreement with any ruling of the chair.
  - (b) Upon such motion being seconded, the chair shall vacate the chair and the chair shall then be temporarily occupied by another person chosen by the meeting for the purpose until such time as the motion is disposed of, whereupon the chair shall re-occupy the chair.

### Motion - Question be put

- (24) A motion "that the question be put" shall be dealt with as an amendment and it shall take precedence over all other amendments and without debate, and, if it be carried, the original question is to be put forthwith, without permitting adjournment, amendment or debate.

### Motions to rescind

- (25) No motion to rescind any decision shall be entertained without the consent of the meeting.

(26)

- (a) At a meeting of the Club, a person who is not a voting member may not address the meeting unless invited to do so by the person chairing the meeting.
- (b) A person who is not a voting member is not eligible to move or second a motion for consideration at a meeting of the Club.
- (c) Only voting members, as defined in clause 10(1)(a) of this Constitution, are eligible to vote at a meeting of the Club.

### Quorum

- 9. (1) At an annual or general meeting called by the President or the Management Committee, fifteen (15) members must be present to constitute a quorum. At a special general meeting called at the request of members, forty (40) members must be present to constitute a quorum.
- (2) If a quorum is not present within thirty (30) minutes of the commencement of an annual general or special general meeting the meeting if convened at the request of members shall be dissolved. When convened by the President or by the authority of the Management Committee it shall be adjourned to a later date. If at the adjourned meeting a quorum is not present within thirty (30) minutes of the commencement of the meeting the members present shall form a quorum. No business shall be taken or any resolution passed at any meeting unless a quorum is present.

### Adjournment of Ordinary Meetings

- 10. The Chairperson shall adjourn a ordinary meeting at which a quorum is present by resolution and no notice of such adjournment is necessary. No business shall be dealt with at the adjourned meeting other than that left unfinished.

### Presence at Meeting

- 11. (1) Subject to the next sub-paragraph, a person shall not vote at a meeting of the Club unless present at the meeting. Voting by proxy or postal vote shall not be allowed.
- (2) A person (not being the chair of the meeting) shall be regarded as present at the meeting if located elsewhere but in effective, direct voice contact by telephone or other electronic means with all other persons at the meeting.
- (3) The chair at a meeting may give a ruling that the conditions referred to in sub-paragraph (2) have not been met but such a ruling may be the subject of a motion of disagreement under sub-paragraph 9(23) of this Schedule.

## **Part II - Meeting of the Committees**

### Meetings of the Management Committee

12. (1)
  - (a) The Management Committee shall meet at least once in every calendar month and at such other times as it considers necessary.
  - (b) A meeting of the Management Committee shall be called at the request of the President or Secretary or any two members of the Management Committee.
- (2)
  - (a) At least five days notice shall be given for the first meeting of the Management Committee after an AGM.
  - (b) At its first meeting after an AGM, the Management Committee shall decide how much notice must be given for subsequent meetings of the Management Committee.
  - (c) The Management Committee may vary any period of notice fixed under sub-paragraph 2(b).
- (3) Minutes of all resolutions or proceeding of the meeting shall be recorded in writing.

### Procedures at Management Committee Meetings

13. The Management Committee shall, subject to this Constitution, determine the order of business and procedures at each of its meetings. Minutes of all resolutions or proceedings of the meeting shall be recorded in writing.

### Minutes of Meetings

14. The Assistant Secretary shall record the following information in the Minutes:
  - (1) The names of the members present and the result of voting at each meeting.
  - (2) The number of members present and voting.
  - (3) All resolutions and proceedings at all meetings.
  - (4) A statement of the Clubs financial position.

### Quorum of the Management Committee

15. (1) Subject to the provisions of Part VII of this Constitution, five members of the Management Committee present at a meeting of the Committee shall, subject to the next sub-paragraph, constitute a quorum.
- (2) Sub-paragraph 12(2) of this Schedule applies to a meeting of the Management Committee, other than a meeting to deal with a matter under Part VII as though a reference in that sub-paragraph to a meeting were a reference to a meeting of the Management Committee.
- (3) The person presiding at a meeting of the Management Committee shall be the sole judge as to whether the conditions referred to in sub-paragraph 12(2) in its application to the Management Committee have been met.
- (4) The person presiding at a meeting of the Management Committee shall have a vote and a casting vote.

### Order of Business

16. The order of business at Management Committee Meetings shall be:
  - (1) Apologies.
  - (2) Reading and confirmation of minutes of previous committee meeting.
  - (3) Business arising out of minutes.
  - (4) Report by the Treasurer.
  - (5) Report by the Assistant Treasurer.
  - (6) Report by the Communications Officer.
  - (7) Report by the General Manager Cricket Committee.
  - (8) Report by the Chairperson, Junior Committee.
  - (9) Report by the Chairperson, Womens Committee.
  - (10) Correspondence.
  - (11) Delegates and sub-committees' reports.
  - (12) Motions on Notice.
  - (13) Any other business regularly before the meeting.

### Meetings of the Junior Cricket Committee

17. The Junior Cricket Committee shall meet at least once a month during the currency of the cricket season and such other times as it may determine.

### Procedures at Junior Cricket Committee Meetings

18. The members of the Junior Cricket Committee present and entitled to vote at a meeting of that Committee shall, subject to this Constitution, determine the order of business and the procedures to be followed at that meeting.

### Quorum of the Junior Cricket Committee

19. (1) Subject to the provisions of Part VII of this Constitution, five members of the Junior Cricket Committee present at a meeting of that Committee, constitute a quorum.  
(2) Sub-paragraphs 12(2) and 12(3) of this Schedule apply to a meeting of the Junior Cricket Committee, other than a meeting to deal with a matter under Part VII as though a reference in those sub-paragraphs to a meeting were a reference to the Junior Cricket Committee.

### Chairperson of Junior Cricket Committee

20. (1) The Chairperson of the Junior Cricket Committee shall preside at all meetings of that Committee at which he is present.  
(2) In the absence of the Chairperson of the Junior Cricket Committee from any meeting of that Committee, an acting Chairperson shall be chosen from and by the members of the Junior Cricket Committee who are present and entitled to vote.

### Vote of Presiding Officer

21. The person presiding at a meeting of the Junior Cricket Committee shall have deliberative vote but not a casting vote.

### Equality of Votes

22. At any meeting of the Junior Cricket Committee, if the votes are equal the question shall be resolved in the negative.

### Meetings of the Women's Cricket Committee

23. (1) Meetings of the Women's Cricket Committee shall be convened at the direction of the Chairperson, Women's Cricket Committee or of the secretary, Women's Cricket Committee. All members of the Women's Cricket Committee shall be given five days' written notice of the date, time and place of a meeting of that Committee.

### Procedures at Women's Cricket Committee Meetings

24. The members of the Women's Cricket Committee present and entitled to vote at a meeting of that Committee shall, subject to this Constitution, determine the order of business and the procedure that is to be followed at that meeting.

### Quorum of the Women's Cricket Committee

25. (1) Subject to the provisions of Part VII of this Constitution, five members of the Women's Cricket Committee, present at a meeting of that Committee constitute a quorum.
- (2) Sub-paragraph 12(2) and 12(3) of this Schedule apply to a meeting of the Women's Cricket Committee, other than a meeting to deal with a matter under Part VII of the Constitution, as though the reference in those sub-paragraphs to a meeting were a reference to a meeting of the Women's Cricket Committee.

### Chairperson of the Women's Cricket Committee

26. (1) The Chairperson, Women's Cricket Committee shall preside at all meetings of the Women's Cricket Committee at which that person is present.
- (2) In the absence of the Chairperson, Women's Cricket Committee from any meeting of the Women's Cricket Committee an acting presiding officer shall be chosen from and by the members of the Committee who are present.

### Vote of Presiding Officer

27. The person presiding at a meeting of the Women's Cricket Committee shall have a deliberative vote but not a casting vote.

### Equality of Votes

28. At any meeting of the Women's Cricket Committee, if the votes are equal the question shall be resolved in the negative.

### Meetings of the Selection Committee

29. (1) The Selection Committee shall meet as often as it is necessary to perform their functions.
- (2) The Chairperson of the Selection Committee shall arrange with the other selectors the method of calling meetings and the procedures to be followed at those meetings.

### Quorum of the Selection Committee

30. (1) Two selectors present at a meeting of the Selection Committee shall, subject to the next paragraph, constitute a quorum.
- (2) Sub-paragraphs 12(2) and 12(3) of this Schedule apply to a meeting of the Selection Committee as though a reference in those sub-paragraphs to a meeting were a reference to a meeting of those selectors.

### Chairperson of the Selection Committee

31. (1) The chair of the Selection Committee shall preside at all meetings of those selectors which he is present.
- (2) In the absence of the chair of the Selection Committee from any meeting of those selectors, an acting Chairperson shall be chosen from and by the selectors who are present.

### Voting of Presiding Officer

32. The person presiding at a meeting of the Selection Committee shall have a deliberative vote and, in the event of an equality of votes, a casting vote.

### Meetings of the Finance Committee

33. (1) The Finance Committee shall meet as often as it is necessary to perform their functions.

- (2) The Chairperson of the Finance Committee shall arrange with the other members of the Finance Committee the method of calling meetings and the procedures to be followed at those meetings.

#### Quorum of the Finance Committee

34. (1) Three Finance Committee Members present at a meeting of the Finance Committee shall, subject to the next paragraph, constitute a quorum.
- (2) Sub-paragraphs 12(2) and 12(3) of this Schedule apply to a meeting of the Finance Committee.

#### Chairperson of the Finance Committee

35. (1) The chair of the Finance Committee shall preside at all meetings of the Finance Committee at which he is present.
- (2) In the absence of the chair of the Finance Committee from any meeting of those members of the Finance Committee, an acting Chairperson shall be chosen from and by the members of the Finance Committee who are present.

#### Voting of Presiding Officer

36. The person presiding at a meeting of the Finance Committee shall have a deliberative vote and, in the event of an equality of votes, a casting vote.

#### Meetings of the Communication Committee

37. (1) The Communication Committee shall meet as often as it is necessary to perform their functions.
- (2) The Chairperson of the Communication Committee shall arrange with the other members of the Communication Committee the method of calling meetings and the procedures to be followed at those meetings.

#### Quorum of the Communication Committee

38. (1) Three Communication Committee Members present at a meeting of the Communication Committee shall, subject to the next paragraph, constitute a quorum.

- (2) Sub-paragraphs 12(2) and 12(3) of this Schedule apply to a meeting of the Communication Committee.

### Chairperson of the Communication Committee

39. (1) The chair of the Communication Committee shall preside at all meetings of the Communication Committee at which he is present.
- (2) In the absence of the chair of the Communication Committee from any meeting of those members of the Communication Committee, an acting Chairperson shall be chosen from and by the members of the Communication Committee who are present.

### Voting of Presiding Officer

40. The person presiding at a meeting of the Communication Committee shall have a deliberative vote and, in the event of an equality of votes, a casting vote.

### Meetings of the Cricket Committee

41. (1) The Cricket Committee shall meet as often as it is necessary to perform their functions.
- (2) The General Manager of the Cricket Committee shall arrange with the other members of the Cricket Committee the method of calling meetings and the procedures to be followed at those meetings.

### Quorum of the Cricket Committee

42. (1) Three Cricket Committee Members present at a meeting of the Cricket Committee shall, subject to the next paragraph, constitute a quorum.
- (2) Sub-paragraphs 12(2) and 12(3) of this Schedule apply to a meeting of the Cricket Committee as though a reference in those sub-paragraphs to a meeting were a reference to a meeting of those selectors.

### Chairperson of the Cricket Committee

43. (1) The General Manager of the Cricket Committee shall preside at all meetings of the Cricket Committee at which he is present.

- (2) In the absence of the General Manager of the Cricket Committee from any meeting of those members of the Cricket Committee, an acting Chairperson shall be chosen from and by the members of the Cricket Committee who are present.

### Voting of Presiding Officer

44. The person presiding at a meeting of the Cricket Committee shall have a deliberative vote and, in the event of an equality of votes, a casting vote.

### Meetings of the Emergency Committee

45. (1) The Emergency Committee shall meet whenever an occasion arises for the exercise of its functions.
- (2) Three members of the Emergency Committee present at a meeting shall constitute a quorum.
- (3) The Emergency Committee shall proceed, in relation to any matter coming within its functions, in the most appropriate and practicable way available.

## Part VI - Provisions of General Application

### Conduct at Meetings

46. The provisions of the following sub-paragraphs of paragraph 6 of this Schedule, namely sub-paragraphs 9(1), 9(4), 9(j), 9(11), 9(12), 9(13), 9(14), 9(15), 9(16), 9(17), 9(18), 9(19), 9(20), 9(21), 9(22), 9(23), 9(24), 9(25) and 9(26), shall apply to all meetings of the Management Committee the Junior Cricket Committee and the Women's Cricket Committee as though a reference in those sub-paragraphs

\* to a meeting were a reference to a meeting of the relevant committee; and

\* to the chair, were a reference to the person presiding at the relevant meeting.

### Ballots

47. (1) Where a ballot is to be conducted at a meeting of the Club, of the Management Committee, the Junior Cricket Committee and the Women's Cricket Committee, the provisions of this paragraph shall apply.
- (2) The person presiding at the meeting shall appoint two persons (not necessarily members) to be scrutineers, who shall be responsible for distributing the ballot papers, collecting and scrutinising them when completed and declaring the result of a ballot.
- (3) In the case of a ballot for an election, the following provisions paragraph shall apply:
- (a) When only one position is to be filled, in this sub-paragraph
- (i) each voter shall be required to write on the ballot paper the surname of the candidate whom the voter wishes to be elected;
- (ii) that candidate is elected who receives the highest number of votes, provided that the number is at least two-fifths of the total number of valid votes cast; and
- (iii) if the requisite number of votes is not obtained by any candidate, a second ballot will be held between the two candidates receiving the highest number of votes in the first ballot.
- (b) When two or more positions are to be filled in the one ballot,
- (i) the candidates receiving the highest number of votes shall be elected;
- (ii) any ballot containing votes for more candidates than the number of positions to be filled shall be invalid; and

- (iii) if the results of the ballot cannot be declared because of a tie between candidates, a second ballot shall be held between the tied candidates and if the result is still a tie, the result shall be decided by drawing lots.

### Misconduct at Meetings

48. (1) In this sub-paragraph –

- (a) 'meeting' includes a hearing under Part VII of this Constitution; and
- (b) 'chair' means the person presiding at the meeting.

(2)

- (a) The principles set out in this sub-paragraph shall apply to and in relation to the attendance of any person at, or the exclusion of any person from, a meeting of the Club, the Management Committee, or any other committee.

(b)

- (i) The chair of a meeting shall have the power to admit to, or to exclude from, the meeting any person (whether a member of the Club or not) who is not a member of the body conducting the meeting.
- (ii) Any action by a chair in exercising this power shall not be subject to any motion of disagreement under sub-paragraph 9(20) of this Schedule.

(c)

- (i) The body conducting the meeting shall have the power, by a majority vote, to exclude from the meeting a member of the body whose conduct at the meeting is of a kind referred to in sub-paragraph 37(2)(e) or whose presence, in view of the body, is otherwise inappropriate.
- (ii) Where the exclusion of a member of a body by a majority vote of the members of the body reduces the numbers of members present below the number of members required for a quorum, those members remaining may agree either to proceed with the meeting (in which event a quorum will be regarded as being present) or to adjourn the meeting.

(d)

- (i) Where, at a meeting, the eligibility or alleged misconduct of a member is to be considered, the presence of the member at the meeting, although desirable, is not essential to the relevant body's proceeding with the matter before it.
- (ii) Where a member appears at a meeting at which his eligibility or alleged misconduct is to be considered, the member and his representative (if any) shall, consistently with the adequate representation of the member's case, observe proper conduct.

- (e) Any person (whether a member or not) including a member referred to in sub-paragraph 7(2)(d)(ii) of this Schedule and his representative, who continually interrupts the proceedings, whose presence is otherwise inappropriate or whose conduct is a contravention of sub-paragraph 9(16) of this Schedule, may be directed by the Chairperson to leave forthwith the place of the meeting.
- (f)
- (i) It is a contravention of this Constitution for a member to fail to comply with a Chairperson's direction under sub-paragraph 37(2)(e) of this Schedule or a majority vote under sub-paragraph 37(2)(c) of this Schedule.
- (ii) The body conducting the meeting may, by a majority vote, suspend a contravening member until a specified date or until a date to be subsequently fixed by the body.
- (iii) There is no right of appeal against a suspension made under this sub-paragraph, but a member who is suspended by a committee under this sub-paragraph may request the Management Committee to exercise its power under paragraph of this Constitution to disallow the decision to suspend him.
- (g) Where a person fails to leave a meeting in accordance with the chair's direction or a member fails to comply with a majority vote excluding him from the meeting, the meeting may be adjourned to a later time on the same day or to a later date (either specified or to be fixed).

### General Definition

49. A reference to this Schedule to "this Constitution" is a reference to the main body of the Constitution contained in Parts I to VIII inclusive.