

Northern Districts Social Club (Incorporated)



CONSTITUTION

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1. NAME

The Club shall be called “Northern Districts Social Club (Incorporated)” trading as “Scarborough Cricket Club”.

2. DEFINITIONS AND INTERPRETATION

2.1 Definitions

In this Constitution, unless the context otherwise requires:

“**Act**” means the *Associations Incorporation Act 2015*.

“**Regulations**” means the regulations of the *Associations Incorporation Act 2015 (WA)*.

“**The Club**” means the Northern Districts Social Club (Incorporated) trading as Scarborough Cricket Club.

“**Constitution**” means the Constitution of the Northern Districts Social Club (Incorporated).

“**A.G.M.**” means the Annual General Meeting pursuant to Paragraph 16.1.

“**Intellectual Property**” means all rights subsisting in copyright (including in photographs, videos or films), business names, trademarks, registered designs and/or computer software relating to The Club.

“**Local area**” means the geographical area for which The Club is responsible as recognised by the regional and/or state organisations for cricket of which The Club is a member.

“**Office Bearer**” means a person elected according to Paragraph 8.

“**Member**” means a Social Member, Playing Member, Junior Member, Provisional Member, Life Member, Parent/Guardian Member or Honorary Member of The Club.

“**Social Member**” means a person granted membership of The Club pursuant to Paragraph 14.5.3.

“**Playing Member**” means a person granted membership of The Club pursuant to Paragraph 14.5.1.

“**Junior Member**” means a person granted membership of The Club pursuant to Paragraph 14.5.6.

“**Honorary Member**” means a person granted membership of The Club pursuant to Paragraph 14.5.2.

“Provisional Member” means a person granted membership of The Club pursuant to Paragraph 14.5.5.

“Parent/Guardian Member” means a person granted membership of The Club pursuant to Paragraph 14.5.7.

“Life Member” means a person appointed as a Life Member of The Club pursuant to Paragraph 14.5.4.

“Club Meeting” means a Special General Meeting, General Committee Meeting or Annual General Meeting.

“Special General Meeting” means a meeting convened pursuant to Paragraph 16.2.

“General Committee Meeting” means a meeting convened pursuant to Paragraph 16.3.

“Junior Team” means a team eligible to participate in a junior WACA competition.

“WACA” means the Western Australian Cricket Association.

“WADCC” means the Western Australian District Cricket Council.

“Policy” means a policy of The Club according to Paragraph 30

2.2 Severance

If any provision of this Constitution or any phrase contained in it is invalid or unenforceable, the phrase or provision is to be read down if possible, so as to be valid and enforceable, and otherwise shall be severed to the extent of the invalidity or unenforceability, without affecting the remaining provisions of this Constitution.

3. OBJECTS

The objects of The Club are:

- 3.1 To encourage and foster the game of cricket in an atmosphere of good sportsmanship, competitiveness, good citizenship and honesty.
- 3.2 To provide the opportunity for Playing Members and Junior Members of The Club to participate in the game of cricket in competitions conducted in accordance with Rules managed by the WADCC.
- 3.3 To provide coaching to all Playing Members and Junior Members of The Club that assists them in developing their cricket potential.

3.4 To identify and promote for selection Playing Members and Junior Members considered to have the potential to perform at Premier, State and/or National representative level.

3.5 To provide playing facilities of the highest possible standard for Playing Members and Junior Members.

4. POWERS

The Club shall have the power to manage and administer all matters deemed necessary to the attainment of the objects of The Club specified in Paragraph 3.

5. NON-PROFIT

5.1 The income and property of The Club shall be applied solely towards the promotion of the objects of The Club specified in Paragraph 3.

5.2 No portion of the income or property shall be paid, transferred or distributed directly or indirectly to any Member or Office Bearer of The Club, provided that nothing shall prevent the payment in good faith or remuneration to any person other than a Member or Office Bearer in return for services rendered to The Club.

5.3 Notwithstanding Paragraph 5.2, payment in good faith may be made to any Member or Office Bearer if the payment is approved by the General Committee.

6. DEEMED MEMBERSHIP

All persons who were, prior to this Constitution coming into effect, Members and Office Bearers of The Club shall be deemed to be Members and Office Bearers subsequent to this Constitution coming into effect.

7. COLOURS

The Club colours shall be green, gold and black.

8. OFFICE BEARERS

8.1 The Office Bearers of The Club shall be:

- President
- Vice President
- Secretary

- Treasurer
 - Players Representative
 - W.A. District Cricket Council Delegate
 - W.A. Junior Cricket Council Delegate
 - Committee Members
- 8.2 Office Bearers shall be elected at each A.G.M. Any vacant positions may be filled as required after the A.G.M. at the discretion of the General Committee.
- 8.3 Office Bearers shall, at all times, act on behalf of and in the best interests of The Club.
- 8.4 An Office Bearer must be a Member of The Club.

9. DUTIES OF OFFICE BEARERS

9.1 President

- 9.1.1 The President shall chair all Club Meetings and see that business is conducted in an orderly and proper manner. The President may call meetings at his/her discretion
- 9.1.2 If votes in respect of a General Committee decision are equal, the President may exercise a casting vote that is in addition to the normal vote of the President.
- 9.1.3 The President shall promote the wellbeing and objects of The Club.
- 9.1.4 The President shall represent The Club at all ceremonial occasions and shall act as a spokesperson for The Club.

9.2 Vice President

- 9.2.1 The Vice President shall assist the President at all Club Meetings as required, and in the absence of the President shall occupy the chair, conduct the business of the Club Meeting and have the same rights as the President when in the chair, including exercising a casting vote.
- 9.2.2 The Vice President is entitled to perform all functions of the President identified at Paragraph 9.1 should the President be unable to perform the functions.

9.3 Secretary

- 9.3.1 The Secretary shall convene all General Committee Meetings on behalf of the President. The Secretary shall attend all General Committee Meetings and cause minutes to be taken, shall receive and dispatch all correspondence and answer questions in relation to this Constitution.
- 9.3.2 The Secretary shall cause to be kept a copy of all correspondence dispatched, and shall carry out all duties consistent with this Constitution.
- 9.3.3 The Secretary shall obtain from the Treasurer an Annual Financial Report, which includes a statement of income and expenditure and a statement of financial position.
- 9.3.4 The Secretary shall process, in accordance with WADCC Rules, all player clearance applications and permits sought.
- 9.3.5 The Secretary shall process, in accordance with WADCC Rules, all player registration requirements.

9.4 Treasurer

- 9.4.1 Any monies paid to The Club and received by the Treasurer shall be deposited in a bank account nominated by the General Committee within 14 days of receipt.
- 9.4.2 The Treasurer shall issue receipts for all monies received as required, and pay all accounts as required from time to time.
- 9.4.3 The Treasurer shall produce an annual financial statement signed by the Auditors.
- 9.4.4 The Treasurer shall maintain for the General Committee a statement of financial position of The Club, and if requested to do so shall present the statement of financial position to the General Committee at a General Committee Meeting.
- 9.4.5 Cheques drawn by and electronic money transfers instigated by the Treasurer must be countersigned by any one (1) of the following:
- President;

- Vice President; and
- Secretary.

9.4.6 The Treasurer shall perform such other duties regarding the financial business of The Club that the General Committee reasonably requires.

9.5 Players Representative

9.5.1 The Players Representative shall disseminate information to Playing Members as required by the General Committee, and shall communicate information from the Playing Members to the General Committee.

9.5.2 The Players Representative shall make it known to Playing Members that the General Committee is amenable to suggestions from the Playing Members in the interests of improving The Club, and to bringing suggestions to the attention of the General Committee in the spirit of open and honest communication.

9.5.3 The Players Representative shall encourage support from Playing Members in relation to social functions, sponsorship and fundraising activities.

9.7 W.A. District Cricket Council Delegate

9.7.1 The W.A. District Cricket Council Delegate shall represent The Club at meetings of the W.A. District Cricket Council.

9.7.2 The W.A. District Cricket Council Delegate shall exercise a vote on behalf of The Club at meetings of the W.A. District Cricket Council as directed by the General Committee.

9.7.3 The W.A. District Cricket Council Delegate shall disseminate relevant information received at meetings of the W.A. District Cricket Council to the General Committee.

9.7.4 The W.A. District Cricket Council Delegate shall communicate relevant information from The Club to the W.A. District Cricket Council at meetings of the W.A. District Cricket Council.

9.8 W.A. Junior Cricket Council Delegate

- 9.8.1 The W.A. Junior Cricket Council Delegate shall represent The Club at meetings of the W.A. Junior Cricket Council.
- 9.8.2 The W.A. Junior Cricket Council Delegate shall exercise a vote on behalf of The Club at meetings of the W.A. Junior Cricket Council as directed by the General Committee.
- 9.8.3 The W.A. Junior Cricket Council Delegate shall disseminate relevant information received at meetings of the W.A. Junior Cricket Council to the General Committee.
- 9.8.4 The W.A. Junior Cricket Council Delegate shall communicate relevant information from The Club to the W.A. Junior Cricket Council at meetings of the W.A. Junior Cricket Council.
- 9.8.5 The W.A. Junior Cricket Council Delegate shall provide a report at each meeting of the General Committee on matters relating to Junior Teams and Junior Members.

9.9 Committee Members

Committee Members shall perform duties for The Club as determined from time to time by the General Committee.

10. MANAGEMENT

- 10.1 Management of The Club shall be carried out by:
- The General Committee
 - The Playing Committee
 - The Board of Trustees
- 10.2 The following persons must not accept an appointment or act as a member of the General Committee, the Playing Committee or the Board of Trustees:
- A person who is, according to the Interpretation Act 1984 section 13D, a bankrupt or person whose affairs are under insolvency laws;
 - A person who has been convicted, within or outside the State of Western Australia, of:

- an indictable offence in relation to the promotion, formation or management of a body corporate;
 - an offence involving fraud or dishonesty punishable by imprisonment for a period of not less than three months; or
 - an offence under Part 4 Division 3 or section 127 of the Act.
- 10.3 Paragraph 10.2 applies to a person who has been convicted of the above offences only for a period of 5 years from the time of the person's conviction, or if the conviction results in a term of imprisonment, from the time of the person's release from custody.
- 10.4 An Office Bearer and a member of the Playing Committee or the Board of Trustees must exercise his or her powers and discharge his or her duties with a degree of care and diligence that a reasonable person would exercise if that person-
 - (a) were an officer of The Club in The Club's circumstances; and
 - (b) occupied the office held by, and had the same responsibilities within The Club as, the officer.
- 10.5 An Office Bearer and a member of the Playing Committee or the Board of Trustees must exercise his or her powers and discharge his or her duties-
 - (a) in good faith in the best interests of The Club; and
 - (b) for a proper purpose.
- 10.6 An Office Bearer and a member of the Playing Committee or the Board of Trustees must not improperly use his or her position to-
 - (a) gain an advantage for the officer or another person; or
 - (b) cause detriment to The Club.
- 10.7 A person who obtains information because the person is, or has been, an Office Bearer or a member of the Playing Committee or Board of Trustees must not improperly use the information to-
 - (a) gain an advantage for the person or another person; or
 - (b) cause detriment to The Club.
- 10.8 Where a person ceases to be an Office Bearer or a member of the Playing Committee or Board of Trustees, the person must, as soon as practicable after their membership ceases, deliver to a member of the General Committee all of the relevant documents and records they hold pertaining to the management of the affairs of The Club.
- 10.9 An Office Bearer and a member of the Playing Committee or the Board of Trustees who has a material personal interest in a matter being considered

by the General Committee, the Playing Committee or the Board of Trustees must:

- (a) as soon as he or she becomes aware of that interest, disclose the nature and extent of his or her interest to the relevant General Committee, Playing Committee or the Board of Trustees;
 - (b) disclose the nature and extent of the interest at the next A.G.M.
- 10.10 Paragraph 10.9 does not apply in respect of a material personal interest:
- (a) that exists only because the person-
 - is an employee of The Club; or
 - is a member of a class of persons for whose benefit The Club is established; or
 - (b) that the member has in common with all, or a substantial proportion of, the Members of The Club.
- 10.11 A member of the General Committee, the Playing Committee or the Board of Trustees who has a material personal interest in a matter being considered at a meeting of the General Committee, the Playing Committee or the Board of Trustees must not be present while the matter is being considered at the meeting or vote on the matter.
- 10.12 The Club must record every disclosure made by a member of the General Committee, the Playing Committee or the Board of Trustees of a material personal interest in the minutes of the meeting at which the disclosure is made.
- 10.13 The Club shall keep an inspectable record of members of the General Committee, the Playing Committee and the Board of Trustees.

11. GENERAL COMMITTEE

- 11.1 The General Committee shall consist of the Office Bearers specified in Paragraph 8.
- 11.2 The General Committee shall:
- Frame Policies consistent with this Constitution;
 - Arrange all financial matters of The Club;
 - Manage the affairs of The Club, as the General Committee deems fit, consistent with the best interests of The Club and its Members.
- 11.3 Office Bearers elected to the General Committee shall remain in office until their term of office is complete.

- 11.4 The term of office of an Office Bearer shall be 1 year commencing when the Office Bearer is elected at the A.G.M. convened according to Paragraph 17.1.
- 11.5 The General Committee shall have the power to declare vacant the office of any Office Bearer who fails to attend three (3) consecutive meetings without leave or apology.
- 11.6 The General Committee shall have the power to create a sub-committee and to define the powers and responsibilities of the sub-committee.
- 11.7 Office Bearers elected to the General Committee are not liable in respect of the liabilities of The Club.

11.8 Election of General Committee Members

- 11.8.1 General Committee Members shall be elected by ballot at each A.G.M.
- 11.8.2 Nominations for the General Committee shall be called for at least 3 weeks prior to the A.G.M.
- 11.8.3 Nominations for the General Committee shall be in writing.
- 11.8.4 Any vacant General Committee positions after the A.G.M. may be filled as required at the discretion of the General Committee.
- 11.8.5 Newly elected General Committee Members shall take office immediately after the A.G.M. at which they were elected.
- 11.8.6 A vote of no confidence in a General Committee Member passed at a Special General Meeting by two thirds majority of those present and entitled to vote shall automatically remove a General Committee Member from office.

11.9 Decisions of the General Committee

- 11.9.1 Each General Committee Member shall have 1 vote and decisions of the General Committee shall be by a majority of the General Committee Members.
- 11.9.2 The President shall have the casting vote if votes of General Committee Members in favour and against are equal.
- 11.9.3 Decisions of the General Committee may be made in person or through electronic communication.

12. PLAYING COMMITTEE

12.1 Role of the Playing Committee

- 12.1.1 The Playing Committee shall be responsible for managing issues arising in relation to:
 - 12.1.1.1 performance of the Playing Members;
 - 12.1.1.2 behaviour of Playing Members; and
 - 12.1.1.3 the maintenance of optimum playing conditions for Playing Members.
- 12.1.2 The Playing Committee shall be responsible for:
 - 12.1.2.1 appointing Coaches;
 - 12.1.2.2 appointing Senior Grade Captains;
 - 12.1.2.3 appointing selectors;
 - 12.1.2.4 appointing a Club Practise Captain;
 - 12.1.2.5 investigating and adjudicating in respect of any breach of the Code of Conduct of the Club by a Playing Member;
 - 12.1.2.6 determining the action to take in respect of any breaches of WADCC Rules.
 - 12.1.2.7 providing the General Committee with a detailed budget of all intended financial transactions relating to Coach payment for the forthcoming cricket season for final approval by the General Committee;
 - 12.1.2.8 ensuring minutes are kept of all meetings conducted by the Playing Committee;
 - 12.1.2.9 presenting to the General Committee a report of relevant matters, as required by the General Committee.
- 12.1.3 The Playing Committee shall, from time to time, make recommendations to the General Committee regarding changes to the playing conditions and playing rules that are presented to The Club.
- 12.1.4 The Playing Committee shall be constituted such that it is able to operate independently of the General Committee and in an

unbiased way in relation to all matters in respect of which the Playing Committee is responsible.

- 12.1.5 In reporting on matters related to disciplinary and Code of Conduct breaches the Playing Committee may exercise discretion to preserve confidentiality associated with a person if the Playing Committee considers it to be appropriate in the circumstances.

12.2 Composition of the Playing Committee

- 12.2.1 Having regard to the objective of the Playing Committee to operate independently of the General Committee and in an unbiased way in relation to all matters in respect of which the Playing Committee is responsible, the following conditions apply:
- 12.2.1.1 current Playing Members and Senior Grade Captains, except the President, are not eligible to be members of the Playing Committee;
 - 12.2.1.2 existing Office Bearers, except the President, are not eligible to be members of the Playing Committee;
 - 12.2.1.3 parents or relatives of current players, except the President, are not eligible to be members of the Playing Committee.
- 12.2.2 The Playing Committee shall consist of the President and 3 other Playing Committee Members.
- 12.2.3 The Members of the Playing Committee shall be appointed by the General Committee.
- 12.2.4 The Chairman of the Playing Committee shall be selected by the General Committee.
- 12.2.5 Members elected to the Playing Committee are not liable in respect of the liabilities of The Club.
- 12.2.6 A delegate selected by the President may attend a meeting of the Playing Committee and exercise a vote on behalf of the President if the President is unable to attend a Playing Committee Meeting.
- 12.2.7 A quorum of 3 Playing Committee Members is required.

12.3 Decisions of the Playing Committee

- 12.3.1 Each Playing Committee Member shall have 1 vote and decisions of the Playing Committee shall be by a majority of the Playing Committee Members.
- 12.3.2 Decisions of the Playing Committee may be made in person or through electronic communication.

13. BOARD OF TRUSTEES

13.1 Role of the Board of Trustees

- 13.1.1 The Board of Trustees shall be responsible for:
 - 13.1.1.1 making decisions in respect of nominations for Life Membership of The Club communicated to the Board of Trustees by the General Committee.
 - 13.1.1.2 reviewing for approval all capital expenditure of The Club.
- 13.1.2 Details of requests for special expenditure over \$5000 must be presented to the Board of Trustees for consideration and approval by the Board of Trustees.

13.2 Composition of the Board of Trustees

- 13.2.1 The Board of Trustees shall comprise at least 3 Life Members.
- 13.2.2 Each member of the Board of Trustees shall desirably serve a term of 3 years.
- 13.2.3 Notwithstanding Paragraph 13.2.2, for the sake of ensuring continuity, the composition of the Board of Trustees shall be such that one member of the Board of Trustees ceases to be a member of the Board of Trustees at the A.G.M each year and at least 2 members of the Board of Trustees remain as members of the Board of Trustees at the A.G.M each year.
- 13.2.4 Nominations for the Board of Trustees will be called for at least 3 weeks prior to the A.G.M.
- 13.2.5 The members of the Board of Trustees are not liable in respect of the liabilities of The Club.

14. MEMBERSHIP

- 14.1 Membership of The Club is open to all people interested in cricket.
- 14.2 A parent or guardian of a Junior Member that is not otherwise a Member of the Club, or any other person approved by the General Committee, shall be entitled to the rights and privileges of a Provisional Member of the Club.
- 14.3 At least one parent or guardian of a Junior Member must be a Member of The Club.
- 14.4 A Member is not liable in respect of the liabilities of The Club.
- 14.5 The following categories of membership are available:

14.5.1 Playing Membership

- 14.5.1.1 Playing Membership is available to any person interested in playing cricket on payment of an annual general membership fee determined by the General Committee.
- 14.5.1.2 Playing Members are eligible to vote at the A.G.M. and Special General Meetings.

14.5.2 Honorary Membership

- 14.5.2.1 Honorary Members are proposed by the General Committee.
- 14.5.2.2 Honorary Members have no voting rights at the A.G.M. and Special General Meetings.
- 14.5.2.3 Honorary Members are not required to pay membership fees.

14.5.3 Social Membership

- 14.5.3.1 Social Membership is available to any person desiring to use the social facilities of The Club.
- 14.5.3.2 Social Members have voting rights at the A.G.M. and Special General Meetings.

- 14.5.3.3 Social Members are required to pay an annual general membership fee determined by the General Committee.

14.5.4 Life Membership

- 14.5.4.1 Nominations for Life Members are communicated to the Board of Trustees by the General Committee for decision by the Board of Trustees.
- 14.5.4.2 A person is eligible to be nominated for Life Membership if the person satisfies the following minimum criteria:
- the person has been a Member of The Club for at least 15 years; and
 - the person has been a coach and/or manager and/or member of a committee of The Club.
- 14.5.4.3 Nominations for Life Membership must include a report including information as to why in the opinion of the General Committee the nomination should be accepted by the Board of Trustees.
- 14.5.4.4 Notwithstanding the minimum criteria specified in paragraph 14.5.4.2, the Board of Trustees has discretion to accept or refuse nominations for Life Membership.
- 14.5.4.5 Life Membership is awarded at the first A.G.M. subsequent to the decision to accept the nomination for Life Membership by the Board of Trustees.
- 14.5.4.6 Life Members are eligible to vote at the A.G.M. and Special General Meetings.
- 14.5.5.7 Life Members are not required to pay membership fees.

14.5.5 Provisional Membership

- 14.5.5.1 A person visiting The Club as a member or official of another Club associated with a team that is to contest a pre-arranged event on a particular day is entitled to Provisional Membership of the Club on that day.

- 14.5.5.2 A person visiting The Club as an umpire or official representative of the WACA or WADCC on a particular day is entitled to Provisional Membership of the Club on that day.
- 14.5.5.3 A Provisional Member shall be entitled to the same rights and privileges of the Club as a Social Member on the day that the team associated with the other Club contests the pre-arranged event.
- 14.5.5.4 For the avoidance of doubt, a Provisional Member shall not be entitled to vote at the A.G.M. or at a Special General Meeting.

14.5.6 Junior Membership

- 14.5.6.1 Junior Membership is available to any person selected in a squad and eligible to represent a Junior Team of the Club on payment of an annual junior membership fee determined by the General Committee.
- 14.5.6.2 A Junior Member shall not be entitled to vote at the A.G.M. or at a Special General Meeting.

14.5.7 Parent/Guardian Membership

- 14.5.7.1 Parent/Guardian Membership is available to a parent or legal guardian of a Junior Member.
- 14.5.7.2 At least one parent or legal guardian of a Junior Member shall sign the Club Code of Conduct and shall ensure that the Junior Member associated with the parent or legal guardian abides by the Club Code of Conduct.
- 14.5.7.3 Parent/Guardian Membership ensures that Junior Members that are under 18 have representation in respect of alleged breaches of this Constitution and/or the Club Code of Conduct.
- 14.5.7.4 A Parent/Guardian Member shall not be entitled to vote at the A.G.M. or at a Special General Meeting.

- 14.5.7.5 Parent/Guardian Members are required to pay an annual general membership fee determined by the General Committee.

15. MEMBERSHIP FEES

- 15.1 Membership fees shall be determined annually by the General Committee.
- 15.2 Membership fees shall be paid as determined by the General Committee.
- 15.3 Non-financial members shall not be eligible for trophies or transfer to another cricket club.

16. MEETINGS

16.1 Annual General Meeting (A.G.M.)

- 16.1.1 The A.G.M. of The Club shall be held no later than 30 June each year, but not before the 30 April each year.
- 16.1.2 Notice of the A.G.M. shall be published at least 14 days prior to the A.G.M.
- 16.1.3 The quorum for the A.G.M. shall be 20% of Members eligible to vote.
- 16.1.4 All Office Bearers, Playing Members, Social Members and Life Members shall be eligible to vote.
- 16.1.5 Office Bearers, Playing Members and Social Members must be financial in order to vote.
- 16.1.6 The A.G.M. shall include at least:-
1. President Report
 2. Treasurer Report
 3. Election of Office Bearers
 4. Coaches Report

16.2 Special General Meeting

- 16.2.1 A Special General Meeting will be convened when at least 15 Members eligible to vote submit a request for a Special General

Meeting in writing. The request shall state the reason for the Special General Meeting.

- 16.2.2 Notification of the request referred to in Paragraph 16.2.1 shall be published within 7 days of request. The Special General Meeting shall be held within fourteen 14 days of publication of the notification.
- 16.2.3 The quorum of a Special General Meeting shall be 20% of Members eligible to vote.
- 16.2.4 All Office Bearers, Playing Members, Social Members and Life Members shall be eligible to vote.
- 16.2.5 Office Bearers and Playing Members must be financial in order to vote.
- 16.2.6 The business mentioned in the notification shall be the only business transacted at the Special General Meeting.

16.3 General Committee Meetings

- 16.3.1 The General Committee shall meet at the discretion of the President.
- 16.3.2 A quorum for a General Committee Meeting shall be two-thirds of the General Committee Members.

17. AUDIT

A financial statement audited by persons appointed by the General Committee, must be presented by the Treasurer at the A.G.M.

18. DISCONTINUANCE OF MEMBERSHIP

- 18.1 A Member may resign from membership of The Club by providing notice to The Club.
- 18.2 A Member may be expelled from membership of The Club by the General Committee upon breach of any Paragraph of this Constitution, including, but not limited to, the failure to pay membership fees owed to The Club.
- 18.3 If a Playing Member transfers to another club, the Playing Member is deemed to have relinquished membership of the Club.

- 18.4 A decision by the General Committee to expel a Member must be communicated in writing to the Member.
- 18.5 If a Member is expelled, the Member may appeal..
 - 18.5.1 Written notices of such appeal must be made to the Secretary within seven (7) days of notifying the Member of expulsion.
 - 18.5.2 An appeal in relation to expulsion of a Member is conducted in accordance with the Dispute Resolution procedure specified in Paragraph 28.
 - 18.4.3 Any membership fee paid by the expelled Member is non-refundable.

19. AMENDMENT OF THE CONSTITUTION

- 19.1 This Constitution may only be amended or repealed at an A.G.M. or a Special General Meeting called for that purpose.
- 19.2 A motion to amend or repeal this Constitution shall require a two-thirds majority of the votes of the Playing Members, Social Members, Life Members and Office Bearers present.
- 19.3 Office Bearers and Playing Members must be financial in order to vote.

20. NOTICES OF MOTION

- 20.1 A notice of motion must be in writing and provided to the Secretary at least 21 days prior to the Meeting at which the motion is to be put forward.
- 20.2 The motion must be signed by the proposer and any party supporting it.
- 20.3 All Members must be provided with the motion at least 7 days prior to the Meeting at which the motion is to be put forward.

21. COMMON SEAL

The common seal of The Club shall be kept by the President. The seal must not be used or affixed to any deed or other document except pursuant to a resolution of the General Committee.

22. DISSOLUTION AND WINDING UP PROVISIONS

- 22.1 The Club may be wound up or dissolved by a resolution at an A.G.M. or Special General Meeting called for that purpose.
- 22.2 If The Club is dissolved or wound up according to paragraph 22.1, then after all debts and liabilities have been settled, any remaining assets shall be:
- 22.2.1 given to another organisation selected by the Board of Trustees and considered by the Board of Trustees to have similar objectives to the objectives of The Club; or
- 22.2.2 given to one or more charitable organizations selected by Members of The Club.
- 22.3 If The Club is dissolved or wound up according to paragraph 22.1, then after all debts and liabilities have been settled, no assets shall be given to Members of The Club.
- 22.4 A resolution to wind up or dissolve The Club shall require a two-thirds majority of the votes of the Playing Members, Life Members and Office Bearers present.

23. CLUB AWARDS, PRESENTATIONS, PLAYER TROPHIES

- 23.1 A Club award or presentation to a person that is not a Playing Member may be made at the discretion of the General Committee.
- 23.2 Senior Club Player Trophies comprise batting, bowling and most valuable player (MVP) awards.
- 23.3 Senior Club Player Trophies shall be awarded according to the Senior Club Player Trophy Policy of The Club.
- 23.4 Junior Club Player Trophies shall be awarded according to the Junior Club Player Trophy Policy of The Club.

24. BANKING

The Club shall operate one or more bank accounts, as considered necessary by the General Committee.

25. REGISTER OF MEMBERS

- 25.1 The Club shall keep a Register comprising:
- 25.1.1 the full name and address of each Member; and
 - 25.1.2 where applicable, the date of termination of membership of Members.
- 25.2 Having regard to the Act, confidentiality considerations and privacy laws, an extract of the Register, excluding the address or other contact details of Members, shall be available for inspection by a Member on request. Such inspection does not include copying the Register or any part of the Register.

26. FINANCIAL YEAR

The financial year of The Club commences on 1 May and concludes on 30 April.

27. DISPUTE RESOLUTION

- 27.1 The dispute resolution procedure set out in this Paragraph applies to disputes between a Member and:
- (i) another Member; or
 - (ii) the Club.
- 27.2 The parties to the dispute must meet to discuss the dispute with a view to resolving the dispute within fourteen days after the dispute comes to the attention of the parties.
- 27.3 If the parties are unable to resolve the dispute, the General Committee shall review the dispute and make a decision in relation to the dispute.
- 27.4 A decision of the General Committee in relation to the dispute is appealable to an independent tribunal determined by the General Committee.

28. CODE OF CONDUCT

The behaviour expected of Members of The Club is determined according to the Code of Conduct Policy of The Club, and investigations and adjudications in respect of any breach of the Code of Conduct of the Club by a Member shall be carried out according to the Code of Conduct Policy of The Club.

29. POLICIES

- 29.1 The Club may, by resolution at a General Committee Meeting, make, amend or revoke Policies.
- 29.2 Policies may:
- (a) provide for the rights and obligations that apply to Members;
 - (b) impose restrictions on the powers of the General Committee, the Playing Committee and/or the Board of Trustees, including the power to dispose of the assets of The Club;
 - (c) impose requirements relating to the financial reporting and financial accountability of The Club and the auditing of The Club's accounts; and/or
 - (d) provide for any other matter The Club considers necessary or convenient to be dealt with in a Policy.
- 29.3 A Policy is of no effect to the extent that it is inconsistent with the Act, the Regulations or this Constitution.
- 29.4 Without limiting Paragraph 29.3, a Policy made for the purposes of Paragraph 29.2 (c) may only impose requirements on The Club that are additional to, and do not restrict, a requirement imposed on The Club under Part 5 of the Act.
- 29.5 At the request of a Member, The Club must make a copy of the Policies available for inspection by the member.

30. PLAYING CAP

The playing cap to be used by Playing Members of The Club shall be of peaked type and shall include the following features:

- a) the playing cap shall be predominantly formed of felt material or material that is similar to felt.

- b) the colour of the playing cap shall be dark green according to Australian Standards AS2700 or a colour that is as similar as possible to dark green.
- c) the playing cap shall include 3 generally concentric rings that are generally equidistantly spaced from each other.
- d) the colour of the concentric rings shall be homebush gold according to Australian Standards AS2700 or a colour that is as similar as possible to homebush gold.
- e) the playing cap shall include the following logo at a location generally central of the playing cap above a peak of the playing cap:

