



COOMEALLA / WENTWORTH CRICKET CLUB CONSTITUTION (June 2016)

1. NAME

The name of the Club shall be the Coomealla / Wentworth Cricket Club, herein after referred to as “the Cricket Club” or “the Club”.

2. DEFINITIONS

“Committee” means the Committee established under Clause 9(a) of this Constitution.

“C M S C” means the Coomealla Memorial Sporting Club Ltd.

“The Board” means the Board of Directors of the Coomealla Memorial Sporting Club Ltd.

3. STATUS

The Cricket Club is established as a sub club of and shall function as a section of the CMSC Ltd.

4. AFFILIATION

The Cricket Club shall affiliate with and abide by the Rules and Bylaws of the Sunraysia Cricket Association or such other Associations or bodies as the Committee from time to time determines.

5. POWERS

The Committee shall have the power to manage the affairs of the Cricket Club as a sub-committee of the CMSC Ltd. In the exercise of this power the Committee shall conform to any regulation or direction that may from time to time be imposed on it by the Board.

6. MEMBERSHIP

(a) Categories of Membership:

The categories of membership of the Cricket Club shall be: -

Ordinary Member

Junior Member

Honorary Life Member

(b) Eligibility for Membership:

(i) Ordinary Members - shall comprise both Registered playing members and non – playing members. Only persons who are financial members of the CMSC shall be eligible for admission to the Cricket Club as Ordinary Members.

(ii) Junior Members - Persons under the age of 18 years and who have attained the age of 7 years and who are interested in the game of cricket may be admitted as Junior Members of the Cricket Club.

(iii) Honorary Life Members - Any Ordinary Member who has rendered long or meritorious service to the Cricket Club or for any other commendable reason may be elected at any General Meeting as an Honorary Life member of the Cricket Club provided the Committee has recommended such member for election.

Any nomination for a life Membership of the CWCC is to be forwarded to the Board of the CMSC for endorsement prior to the CWCC Committee/nominating member recommending such member for election at the CWCC AGM.

Life Members shall only be elected by a three-fourths majority of those present at the General Meeting at which the recommendation is considered.

A member elected as an Honorary Life Member shall be relieved from payment of any subscription to the Club but shall have all rights and privileges of an Ordinary Member.

(iv) Life Members of the Coomealla Cricket Club and the Wentworth Services Cricket Club shall be afforded Life Membership status with the Coomealla / Wentworth Cricket Club.

(c) Application for Membership:

(i) An applicant for Ordinary and Junior membership must complete, sign and return the Application / Registration form for membership approved from time to time by the Committee. The relevant annual subscription fee is to accompany the application / registration.

(ii) Honorary Life Members - See Rule 6 (b) (iii).

(d) Consideration of Membership Applications:

All applications for membership are subject to approval by the Committee and an application may be rejected without the Committee giving a reason. If an application is rejected the annual subscription fee is to be refunded.

(e) Rights of Members:

(i) Ordinary Members - These members shall be entitled to attend and vote at all General Meetings of the Cricket Club; to represent the Cricket Club in competition and practice matches if registered as players; to use the equipment and facilities of the Cricket Club as the Committee from time to time determines and to hold office on the Committee.

(ii) Junior Members - These members shall be entitled to represent the Cricket Club in competition and practice matches if registered as players and to use the equipment and facilities of the Cricket Club as the Committee from time to time determines.

Junior members attaining 18 years of age during a current financial year and after being granted membership of the CMSC may be transferred to Ordinary Membership without incurring additional subscription fees for the year in which their membership

is transferred. Upon transference to Ordinary membership a member will be entitled to hold office on the Committee.

(iii) Voting Rights - No person shall be entitled to attend or vote at any General Meeting of the Club or be nominated for any position on the Committee if at the due date their subscription remains unpaid.

7. SUBSCRIPTIONS AND MATCH FEES:

(a) The Annual Subscription / membership fee for the classes of membership shall be determined at the Annual General Meeting of the Cricket Club along with the Match Fees payable by players representing the Cricket Club in the various grades and competitions for the ensuing season.

(b) In determining the subscriptions / membership fees, the members at the AGM must abide by any direction given by the Board as to the minimum or maximum levels of such fees.

(c) The Annual Subscription is in addition to the Annual Subscription payable by members of the Club to the CMSC.

(d) The due date for payment of Annual Subscription Fees shall be: -
Playing members - prior to their first game of the season
Non – playing members - prior to the first game of the season
New members - upon application to join the Club

(e) All outstanding match fees must be paid prior to selections for the next round for a player to be eligible for selection in that round.

8. SUBMISSION TO RULES:

(a) Every member on payment of their subscription shall thereby be deemed to acknowledge their submission to the rules and by-laws of the Cricket Club and shall be bound by all valid acts of the Committee.

(b) A copy of this Constitution and By-Laws of the Club shall be kept in the clubrooms and shall be available for perusal by any member upon request.

9. MANAGEMENT:

(a) Committee. (i) Management of the business and affairs of the Cricket Club shall be in the hands of a Management Committee which shall consist of a President, Vice President, Honorary Secretary, Honorary Treasurer and a minimum of 6 and maximum of 8 other committee members all of whom are to be elected at the Annual General Meeting and will hold office until the conclusion of the next Annual General Meeting following their election unless they resign from or vacate their position.

(ii) In the exercise of its functions and powers the Committee shall conform to any regulation or direction that may be imposed on it by the Board of the CMSC.

(iii) The Committee shall meet at least monthly on a date and at a time to be determined by the members of the Committee. The President may at any time and the Secretary upon the request of not less than 4 members of the Committee convene a meeting of the Committee with at least 2 days notice of such a meeting being given to all Committee members.

(iv) The quorum for a Committee Meeting shall be 6 members personally present. If no quorum is present within 30 minutes from the due time, the meeting shall lapse.

(v) If any member of the Committee is absent without approved leave from three consecutive meetings that member shall be deemed to have vacated his / her office.

(b) Casual Vacancies.

The Committee shall have the power to fill any casual vacancy or extra-ordinary vacancy in any position on the Committee by appointment of an eligible member. The member so appointed shall hold office until the conclusion of the next AGM of the Cricket Club at which he / she may stand for election to the Committee by the members of the Club.

(c) Sub Committees.

(i) The Committee may appoint from its members and / or members of the Cricket Club such sub-committees for specific purposes as it may from time to time determine. Each sub-committee shall appoint a chairperson from its own number and shall conduct its affairs in such manner as it considers appropriate subject always to the right of the Committee to direct any sub-committee in any manner or to dissolve any sub-committee or to change the membership of any sub-committee.

(ii) Quorum for Sub-Committees -

A majority of appointed members present at any meeting of a sub-committee shall constitute a quorum.

10. QUALIFICATIONS AND PROCEDURE FOR ELECTION TO MANAGEMENT COMMITTEE:

(a) Only Ordinary members and Honorary Life Members shall be eligible for election.

(b) Members of the Committee shall be elected at the Annual General Meeting of the Cricket Club and shall hold office until the conclusion of the next AGM following their election or until they resign from or vacate the position.

(c) Nominations of candidates for election to the position of President, Vice President, Secretary, Treasurer and Committee members shall be made in writing signed by two members of the Club and will be received by the Secretary up to the commencing time of the Annual General Meeting. The consent of the nominee must be available.

(d) If there are more nominations than there are positions to be filled, a ballot shall be held at the Annual General Meeting in such proper manner as the Committee may direct.

(e) If there are the same number of nominations, as there are positions to be filled the nominations shall be declared elected.

(f) If insufficient nominations to fill the positions are received prior to the Annual General Meeting those nominated in accordance with Rule 10 (c) shall be declared elected and additional nominations to fill the remaining vacancies shall be called for at the meeting provided any such candidate being present and nominated at the meeting verbally consents to the nomination. If not present then his / her written consent must be delivered to the Secretary prior to the meeting.

(g) If insufficient numbers are elected to the Committee at the Annual General Meeting that Committee shall have the power to fill any remaining vacancies by acting in accordance with Rule 9 (b) – Casual Vacancies.

11. MEETINGS

(a) Annual General Meeting

(i) An Annual General Meeting of the Cricket Club shall be held in June or July of each year on such a day prior to the Sunraysia Cricket Association AGM as the Committee determines

(ii) At the Annual General Meeting the business shall be:

- Confirmation of the Minutes of the previous Annual General Meeting and any Special General Meeting held during the year
- To receive from the Committee the President's Report and a Treasurer's financial statement and a copy of the Auditors Report for the preceding year
- To elect the President, Vice President, Secretary, Treasurer and other members of the Committee
- To elect the Patron or Patrons of the Club
- To set the annual subscriptions for the various categories of membership for the upcoming year
- To set the match fees applicable to the various grades and competitions to be paid by players during the upcoming cricket season
- To transact such other business of which due notice has been given
- To deal with any other business that the meeting may approve of, of which due notice has not been given

(iii) Notices of Motion -

Notices of Motion for inclusion on the agenda of the Annual General Meeting must be delivered to the Secretary at least twenty eight days prior to the date of the Annual General Meeting to enable such notices of motion to be included in the notice of meeting. Only those Notices of Motion correctly received and advertised may be discussed and voted on at that meeting.

(b) Special General Meetings

(i) The Committee may by Ordinary Resolution convene a Special General Meeting of the Cricket Club at any time

(ii) The Committee shall convene a Special General Meeting of the Cricket Club upon receipt of a requisition of at least 10 Ordinary or Honorary Life Members of the Club. The requisition shall state the objects of the meeting and shall be signed by the

requisitioning members and shall be sent to the address of the Secretary of the Cricket Club. The Committee shall within seven days of the receipt by the Secretary of the requisition proceed to convene a Special General Meeting of the Cricket Club to be held not less than twenty one days nor more than twenty eight days from the date of receipt of the requisition by the Secretary and where the meeting is convened on the request of members, no matters shall be discussed except those stated in the written requisition.

(iii) If the Committee does not cause a Special General Meeting to be held within one month after the date on which the requisition is received by the Secretary, the members making the requisition may convene a Special General Meeting in the same manner as if convened by the Committee and all reasonable expenses incurred in convening the meeting shall be refunded by the Club to the person or persons convening the meeting.

(c) Notice of Meetings:

Not less than 14 days notice must be given of the time, date and place of and the agenda for the Annual General Meeting and any Special General Meeting of the Cricket Club. Such notice of meeting is to be advertised in the press and posted on the notice boards in the Cricket Clubrooms and in the Coomealla Memorial Sporting Club.

(d) Quorum for Special General Meeting and Annual General Meeting

A quorum for the Annual General Meeting and a Special General Meeting shall be not less than ten eligible members personally present. If a quorum is not present within 30 minutes from the time appointed for an Annual General Meeting, the meeting will stand adjourned to the same time and place on the same day of the ensuing week. In the case of a Special General Meeting if a quorum is not present within a period of 30 minutes from the time appointed the meeting shall be dissolved.

12. PROCEDURE OF GENERAL & COMMITTEE MEETINGS:

(a) At each General or Committee Meeting of the Club the President shall be the chairperson and in his / her absence the chair shall be taken by the Vice President. If the President and Vice President are not present the chair shall be taken by a Committee member elected by the meeting. If no Committee members are present the chairperson will be elected from the members present.

(b) Normal meeting procedure will be adopted and every voting member present including the chairperson shall have one vote and in the case of an equality of votes the chairperson shall have in addition to his/her ordinary vote, a casting vote which he/she must exercise.

(c) Voting for the election of office bearers shall be by secret ballot and all other voting is to be by show of hands unless the chairperson of the meeting determines it to be by ballot.

(d) At any meeting unless a poll be demanded by one third of the voting members present, the declaration of the chairperson that a resolution has been carried or not carried shall be conclusive.

(e) The minutes of all resolutions and proceedings of a meeting shall be read and submitted for confirmation at the subsequent General or Committee meeting as the case may be and a copy of the minutes of all meetings are to be forwarded to the Board of the CMSC within 30 days of the date of confirmation of the meeting minutes.

(f) Conflicts of interest must be officially recorded and managed as appropriate. Committee members are responsible for declaring interests if and when they arise, and this is to be recorded in the minutes of the meeting. The member must excuse themselves from all deliberations relevant to the declared conflict of interest.

13. RESOLUTIONS BINDING:

All resolutions passed at properly constituted meetings of the Club shall be conclusive and binding on all members of the Club whether they be present at such meeting or not.

14. DUTIES OF CERTAIN OFFICE BEARERS

(a) President.

The President shall act as Chairperson at all General Meetings of the Club and of the Committee. He/she shall also be an ex-officio member of all sub-committees. He/she will also present a report to the Annual General Meeting of the Club concerning its activities during the preceding year. The President will generally represent the Club with the Board of the CMSC, the Sunraysia Cricket Association and with the public (including other Clubs and Associations).

(b) Vice President

In the absence of the President, the Vice President shall perform the duties of the President.

(c) Secretary

(i) The Secretary shall keep minutes of the resolutions and proceedings of each General Meeting and each Committee Meeting in books provided for that purpose together with a record of the names of persons present at the meetings.

(ii) The Secretary shall keep and maintain a register of members in which shall be entered the name, address and contact details for all Club members and in the case of Junior Members, their date of birth.

(iii) Subject to the directions of the Committee the Secretary shall receive and reply to correspondence in relation to the Cricket Club.

(iv) The Secretary shall have care of all books, securities and documents belonging to the Cricket Club.

(d) Treasurer

The Treasurer of the Club -

(i) Shall collect and receive all monies due to the Club and make all payments authorised by the Club.

(ii) Shall keep correct accounts and books showing the financial affairs of the Club including a list of financial members of the Club.

(iii) Shall prepare for each Committee Meeting and the Annual General Meeting, a statement of its financial position.

(iv) Shall prepare accounts and submit them for auditing annually. The auditor's report is to be submitted to the Annual General meeting.

15. FUNDS AND FINANCE

The funds of the Cricket Club are to be derived from annual subscriptions from members, match fees, sponsorship, donations and such other sources as the Committee from time to time determines which may include but not be limited to social functions, catering functions, hire of Clubrooms and coaching fees.

16. SIGNING OF CHEQUES

All cheques, bills of exchange, promissory notes and other negotiable instruments shall be signed by two members of the Committee who have had their name recorded as Authorised Signatories at the clubs banking institution.

17. COMPLAINTS

All complaints shall be made to the Secretary in writing, who, if he/ she is unable to deal with them shall submit them to the Committee whose decision shall be final.

18. BY - LAWS

The Committee shall have the power from time to time to make, alter, repeal By-Laws (which shall not conflict with or exceed the rules in this Constitution) as it may deem necessary or convenient for the proper conduct of the Cricket Club. Such By-Laws shall be kept with those rules in the Clubrooms and should include but not be limited to the following matters: -

(a) Criteria to be met to be eligible for the award of trophies in the various grades and competitions.

(b) The number and classification of trophies to be awarded.

(c) The terms and conditions upon which persons, social clubs and charity groups may be entitled to use the Clubrooms and Cricket Club equipment and the fees (if any) that may be charged.

(d) Procedures for the selection of Captains and Vice Captains in the respective grades and competitions.

19. DISPOSAL OF ASSETS

In the event of the Club winding up or either the Coomealla Cricket Club or the Wentworth Services Cricket Club deciding to reform in their own right, the assets of the Club shall be distributed equally to the reforming Clubs, except for the Clubrooms at Wentworth which would revert to the Wentworth Services Cricket Club.

20. ALTERATION OF CONSTITUTION

(a) The rules in this Constitution may be altered or amended by a Notice or Notices of Motion passed by three-fourths majority of the members of the Club entitled to vote and present at the Annual General Meeting or at a Special General Meeting convened for that purpose.

(b) No alteration or amendment to this Constitution shall be submitted to a General Meeting of the Cricket Club unless it has been approved by the Board before being submitted.

21. RESIGNATION AND SUSPENSIONS

(a) A member may at any time resign from membership of the Club by giving notice in writing to the Secretary.

(b) If an Ordinary Member of the Cricket Club ceases to be a member of the CMSC either by resignation or expulsion he / she as from the date of such cessation be deemed to have resigned from the Cricket Club and his / her name shall be removed from the list of members.

(c) If a member of the Cricket Club is suspended from membership of the CMSC for a set period of time, such suspension automatically applies to his / her membership of the Cricket Club.

(d) Members are expected to conduct themselves in an appropriate manner at all times in all Club buildings, at Club functions and when representing the Club elsewhere. If any member be guilty of conduct which in the opinion of the Committee is unbecoming of a member, the Committee shall have the power to reprimand, suspend the member's playing rights or to take any other action the Committee may deem to be appropriate.

The Committee shall also have the right to recommend to the Board of the CMSC Ltd that all membership privileges of a member be suspended for a specified period of time.

The Committee shall comply with the procedures in accordance with the CMSC Ltd Constitution - Disciplinary Proceedings.

22. LIMITING LIABILITIES

No official of the Club shall be liable for the accounts, receipts, neglects or defaults or any other act of conformity or expense happening to the Club through the inefficiency, or deficiency of the title of any property acquired by order of the Club or for the insufficiency or deficiency of any securities in or upon which any of the monies of the Club shall be invested or any loss or damage arising from bankruptcy, insolvency or tortuous acts of any persons with whom monies, securities or effects shall be deposited, or for any loss, damage or misfortune whatever, which shall occur in the execution of his office or in relation thereto, unless the same occurs through his own wilful act or default.

23. ADOPTION OF RULES

This Constitution was adopted, as amended, by the members of the Coomealla / Wentworth Cricket Club at the Annual General Meeting held on 30th day of June, 2016.