



NORTHERN DISTRICT CRICKET CLUB INCORPORATED

REGISTERED NO. Y11123-20

ADOPTED FOLLOWING A SPECIAL RESOLUTION OF THE CLUB

PASSED ON 11th JULY 2008

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RULES OF
NORTHERN DISTRICT CRICKET CLUB INCORPORATED

PART 1 - OBJECTS OF THE CLUB

1 CLUB'S OBJECTIVES

1.1 Objects stated

The objects of the Club are:

- 1.1.1 The management, promotion and development of the game of cricket within the Club's sphere of influence.
- 1.1.2 To participate at the highest possible level in cricket competitions.
- 1.1.3 To encourage, promote and develop the game of cricket at a school and junior level within the Club's sphere of influence.
- 1.1.4 To organise, control and govern games of cricket in which teams representing the Club participate.
- 1.1.5 To teach and coach players the fundamentals and skills of the game of cricket so that they may be able to play the game with skill, goodwill and good sportsmanship.

1.2 Club's headquarters

The headquarters of the Club are Waitara Oval.

PART 2 – INTERPRETATION OF THE CLUB’S RULES

2 INTERPRETATION

2.1 Dictionary

In these Rules, unless otherwise stated:

“Act” means the Associations Incorporation Act, 1984;

“AGM” means the Club’s Annual General Meeting’;

“Club” means the Northern District Cricket Club Inc.;

“member” means a member of the Club, in any category;

“NSWCA” means the New South Wales Cricket Association;

“Regulation” means the Associations Incorporation Regulation, 1985.

“Secretary” means –

- the person holding office as Club Secretary; or
- if no-one holds that office, the Club’s Public Officer

“SCA” means the Sydney Cricket Association;

“special general meeting” means any general meeting of the Club apart from the AGM;

2.2 Interpretation Act 1987

2.2.1 The Interpretation Act, 1987 applies to these Rules as if they were an instrument made under the Act.

2.3 Alternative Meanings

2.3.1 Words expressed in singular include plural and vice versa; and

2.3.2 Words expressed in one gender include the other.

PART 3 – CLUB COLOURS AND PLAYING DRESS

3 CLUB'S COLOURS AND ATTIRE

3.1 Colours

The Club's colours are royal blue, maroon and old gold.

3.2 Attire

All members playing for the Club must dress in proper attire. All boots, shoes, trousers, shirts, headwear and jumpers worn by players representing the Club must be in the Club colours or in such colours as are determined from time to time by the Committee.

3.3 Emblems

The design of emblems and badges which may be fixed to a player's attire will be as determined from time to time by the Committee.

PART 4 – MEMBERSHIP

4 MEMBERSHIP QUALIFICATIONS

4.1 Categories of Membership

Membership of the Club consists of the following categories:

- 4.1.1 Playing Members;
- 4.1.2 Non-playing Members;
- 4.1.3 Life members;
- 4.1.4 Vice Presidents; and
- 4.1.5 Honorary Members.

4.2 Qualifications

A person is a member of the Club if that person:

4.2.1 Playing Members and Non-playing Members

- 4.2.1.1 has been nominated for membership as a Playing Member or as a Non-playing Member in accordance with Rule 5;
- 4.2.1.2 has been approved for membership by the Committee; and
- 4.2.1.3 has paid the entrance fee and annual subscription.

4.2.2 Life Members

is a life member who has been elected under Rule 6.

4.2.3 Vice Presidents

is a Vice President who has been elected under Rule 7.

4.2.4 Honorary Members

is an Honorary Member who has been elected at the discretion of the Committee under Rule 8.

5 HOW TO NOMINATE A PLAYING OR NON-PLAYING MEMBER

5.1 Form

A nomination for membership as a Playing member or Non-playing Member;

- 5.1.1 must be name by a member in writing in the form set out in Schedule1; and
- 5.1.2 must be lodged with the secretary

5.2 Referred to Committee

Promptly after receiving the nomination the secretary must refer it to the Committee which must decide whether to approve or reject it.

5.3 Nomination approved

If the Committee approves the nomination, the secretary must promptly notify the new member of that approval and request payment of the entrance fee and annual subscription within a time period specified by the Committee.

5.4 Entry in member's register

On payment of the amounts mentioned in Rule 5.3 within the time period specified by the Committee, the public officer must enter the new member's name in the membership register and when that is done the new member becomes a member of the Club and is automatically bound by these Rules.

6 LIFE MEMBERS

6.1 Statement of principle

Life membership is the highest the Club can offer.

6.2 Nominations

6.2.1 A nomination for life membership must be proposed by a member and seconded by another member.

6.2.2 The minimum criteria for nomination as a Life Member must be that the nominee has satisfied one of the following criteria:

- (a) The nominee has been a Playing member for at least fifteen seasons, or
- (b) The nominee has been a Non-Playing member for at least twenty seasons, or
- (c) The nominee has been a Playing member or Non-Playing member for at least twenty seasons, or
- (d) The nominee has represented the Club with distinguished service.

6.3 To the Secretary

A nomination must be given to the Secretary before 30 April.

6.4 Supporting information

A nomination must be in writing and must state reasons for the nomination.

6.5 Considered by committee

The Committee must decide whether a nomination should be submitted to the next AGM.

6.6 Voting

A nomination submitted to the AGM will be voted upon by all members entitled to vote at that meeting. The meeting must decide whether that vote will be by show of hands or secret ballot.

6.7 Votes required

For a nomination to be successful the candidate must receive votes from not less than three quarters (3/4) of the members who are entitled to and actually do vote in person or by proxy at the AGM.

6.8 Privileges

A Life member has all the rights and privileges of a member of the Club and is not required to pay any fee to the Club.

7 VICE PRESIDENTS

7.1 How to Nominate

A nomination for membership as a Vice President:

7.1.1 May be made by a member in writing in a form similar to that set out in Schedule 1 and then lodged with the Secretary; or

7.1.2 May be made by the Committee.

7.2 How elected?

A person, nominated to become a Vice President in accordance with Rule 7.1, may then be appointed as a Vice President of the Club by the Committee in its absolute discretion.

7.3 Committee Vice President

Any Vice President is eligible for election as the Vice President who is to serve on the committee.

7.4 Register

The Secretary must keep a Register of the names and addresses of all Vice Presidents.

8 HONORARY MEMBERS

8.1 Committee's power to appoint

The Committee has the power to appoint honorary members of the Club.

8.2 What qualifications are necessary for a person to become an honorary member?

The Committee must decide what qualifications are necessary for a person to be appointed as an honorary member.

8.3 Rights of honorary members

The Committee must decide what rights and obligations apply to honorary members. If no rights or obligations are determined then honorary members have the full rights of membership of the Club.

8.4 Committee can distinguish between different categories of honorary members

The Committee may confer or impose different rights or obligations on individual honorary members.

8.5 Fees

The Committee can set an admission fee and/or an annual membership fee for honorary members and can set different fees for individual honorary members

9 TERMINATION OF MEMBERSHIP

Grounds for termination

A person ceases to be a member if he:

9.1 dies;

9.2 resigns;

9.3 is expelled; or

9.4 fails to pay any fee set by the Committee by the due date and becomes a "defaulting member" under Rule 57.

10 MEMBERSHIP CANNOT BE TRANSFERRED

A member's rights, privileges or obligations:

- 10.1 cannot be transferred to anyone; and
- 10.2 terminate immediately that person ceases to be a member.

11 RESIGNATION

11.1 Notice

A member can resign by giving one month's written notice to the Secretary or other period as determined by the Committee .

11.2 Effective date

When that period expires the person ceases to be a member.

11.3 Remains liable for outstanding fees

The person must still pay all fees due to the Club up to the date of resignation.

11.4 Removed from member's register

The public officer must record the date on which the person ceases to be a member.

12 MEMBER'S REGISTER

12.1 Form

The public officer must establish and maintain a register of members specifying:

- the name and address of each member; and
- the date of joining.

12.2 Open for inspection

The member's register must be kept at the Club's main place of administration and may be made available for inspection by any member for a legitimate reason, free of charge at any reasonable time. The Club adheres to the privacy laws in relation to the release of personal information.

13 FEES AND SUBSCRIPTIONS

13.1 Committee's power to set fees

The committee may determine:

- a fee to be paid on admission as a member; and
- a separate annual membership fee.

13.2 Different fees for different categories of members

The Committee can set a different fee (for admission and/or for annual membership) for each category of membership.

13.3 Committee's power to set different fees

The Committee may, in its discretion:

- 13.3.1 set a separate fee for senior and junior members;

- 13.3.2 define who “junior” members will be for each membership year;
- 13.3.3 set a separate fee for students;
- 13.3.4 consider the particular financial circumstances of a member and set a fee accordingly;
- 13.3.5 set a separate fee for playing members who only play on a casual basis;
- 13.3.6 set a separate fee for participants in social or trial matches;
- 13.3.7 grant a part or full refund of any fee;
- 13.3.8 take into account any other circumstances which the Committee considers relevant in determining the fee to be paid by a particular member.

13.4 Admission fee

Upon being admitted to membership a new member will pay an admission fee as determined by the Committee.

13.5 Annual fee

A member shall pay an annual membership fee as determined by the Committee.

13.6 Method of payment

The Committee may determine the method of payment of any fee.

13.7 Power to waive

The Committee may, in its discretion, waive all or part of any fee.

13.8 Membership year

The period of twelve (12) months, which commences on 1st September each year, constitutes the Club’s membership year but the Committee is to determine the date or dates by which any fee must be paid.

14 MEMBER’S LIABILITY

Limited liability

The member’s liability to contribute to the Club’s debts and liabilities or the expenses of winding-up the Club is limited to the amount, if any, unpaid by the member for the admission fee or the annual membership fee.

15 DISCIPLINE

15.1 Member to show cause

If the Committee believes a member has:

- 15.1.1 refused or neglected to comply with any of these Rules; or
- 15.1.2 acted in a manner detrimental to the interests of the Club and/or to cricket in general.

then the Committee may, by a resolution which is passed by a majority of not less than three-quarters of the members of the Committee who are present (or, in the case of a telephone meeting, are contactable) and vote, require the member to show cause why he should not be dealt with by the Committee under this Rule 15.

15.2 Member to be notified

If the Committee passes such a resolution then the Secretary must promptly notify the member in writing:

- 15.2.1 setting out the Committee's resolution and a brief summary of the grounds on which it is based;
- 15.2.2 telling the member that he can address the Committee at a meeting to be held not earlier than 48 hours after he receives the notice. This minimum notice period of 48 hours can be shortened if both the member and the Committee agree to an earlier meeting;
- 15.2.3 stating the date, place and time of the meeting; and
- 15.2.4 telling the member that he may:
 - 15.2.4.1 attend and speak at the meeting; and/or
 - 15.2.4.2 submit to the Committee written representations.

15.3 Committee's consideration

At the Committee meeting called under Rule 15.2, the Committee will:

- 15.3.1 allow the member and any witness called by him to make oral representations;
- 15.3.2 consider any written representations;
- 15.3.3 consider any other relevant evidence;
- 15.3.4 determine by a resolution, which must be passed by a majority comprising not less than three quarters of the members of the Committee who are present and vote, to:
 - 15.3.4.1 dismiss the complaint; or
 - 15.3.4.2 expel the member; or
 - 15.3.4.3 suspend the member for a specific period; or
 - 15.3.4.4 reprimand the member; or
 - 15.3.4.5 impose a fine; or
 - 15.3.4.6 require the member to compensate the Club for any physical damage caused to the assets of either the Club or another member or a member of the public; or
 - 15.3.4.7 impose any of the previous penalties but suspend the implementation of them for a specific period on condition that the member does not re-offend during that period.

15.4 Member to be notified

Whatever decision the Committee reaches must be notified to the member in writing within 7 days. Unless the complaint is dismissed, that notice must tell the member of his right of appeal under Rule 16.

15.5 Penalty suspended pending appeal

If the Committee imposes a penalty, then that penalty does not take effect:

- 15.5.1 until the period for appeal has passed and no appeal is lodged; or
- 15.5.2 if an appeal is lodged, until that appeal is rejected.

16 RIGHT OF APPEAL

16.1 To a general meeting of the Club

A member can appeal to the Club in general meeting against a penalty imposed under Rule 15.

16.2 Time

An appeal must be in writing and be lodged with the secretary within 7 days after notice of the penalty is served on the member.

16.3 Convening of meeting

On receipt of an appeal the secretary must tell the Committee which must then convene a general meeting of the Club within 21 days after the secretary receives the appeal.

16.4 Procedure at Club meeting

At that general meeting of the Club:

16.4.1 only the appeal will be dealt with;

16.4.2 both the Committee and the member will have the opportunity to present their cases orally or in writing or both;

16.4.3 a resolution passed by a simple majority of those members present (and voting must be by secret ballot) will decide whether the appeal is upheld or rejected.

PART 5 – THE COMMITTEE

17 COMMITTEE'S POWERS

Powers defined

Subject to the Act, the Regulation, these Rules and any resolution passed at a general meeting, the Committee

- 17.1 will control and manage the Club's affairs;
- 17.2 may exercise all functions that the Club can exercise apart from those which must be exercised by a general meeting of members;
- 17.3 can perform all acts and do all things which the Committee thinks are necessary or desirable to properly manage the Club's affairs;
- 17.4 can make, amend and repeal by-laws to regulate the Club's affairs which the Committee thinks are necessary for the proper and effective management of the Club (but no by-law can be inconsistent with these Rules);
- 17.5 can employ any person;
- 17.6 can co-opt to its meetings or the meetings of any sub-committee any person, whether a member or not (but that person will not be entitled to vote);
- 17.7 will elect delegates to the NSWCA, the SCA and any other organisation;
- 17.8 can appoint honorary members of the Club;
- 17.9 will appoint the Selection Panel and Captains; and review any appointment when necessary
- 17.10 can fill a casual vacancy on the Committee

18 MEMBERS OF THE COMMITTEE

18.1 The Committee will consist of:

- 18.1.1 the President;
- 18.1.2 the Committee Vice President;
- 18.1.3 the Assistant Committee Vice President;
- 18.1.4 the Secretary
- 18.1.5 the Assistant Secretary;
- 18.1.6 the Treasurer;
- 18.1.7 the Assistant Treasurer;
- 18.1.8 an Ex officio women's representative
- 18.1.9 six (6) other members.

making a total of fourteen (14) Committee Members.

At least Four (4) members of the Committee, if nominated must be Playing Members.

18.2 Term of appointment

Each Committee member, subject to these Rules, holds office until the end of the AGM after that member's election, but is eligible for re-election.

18.3 Casual vacancies

18.3.1 If a casual vacancy occurs on the Committee, then the Committee may appoint a member to fill that vacancy. That member then holds office, subject to these Rules, until the end of the AGM following the date of his appointment.

18.3.2 When a Playing Member causes a casual vacancy, then the Committee will use its best endeavours to fill the casual vacancy with a Playing Member. .

18.4 Power of co-opt

The Committee may permit any person to attend its meetings. That person can speak at meetings but not vote.

18.5 Office bearers

The office bearers of the Club will be:

18.5.1 the Patrons;

18.5.2 the President;

18.5.3 the Committee Vice President;

18.5.4 the Assistant Committee Vice President;;

18.5.5 all other Vice Presidents;

18.5.6 the Secretary;

18.5.7 the Assistant Secretary;

18.5.8 the Treasurer;

18.5.9 the Assistant Treasurer.

19 ALTERNATE COMMITTEE MEMBERS

19.1 Leave of Absence

A committee member may request the Committee to grant him/her leave of absence and to appoint a member of the Club to be an Alternate Committee Member in his/her place during such period as the Committee thinks fit. This period may be extended by the Committee from time to time.

19.2 Rights

An Alternate Committee Member has all the rights of the Committee Member he/she is replacing during this period. The Committee Member he/she is replacing loses all those rights during that period.

19.3 Termination of Appointment

The appointment of the Alternate Committee Member may be terminated at any time by the Committee – even if the period of appointment of that Alternate Committee Member has not expired. The appointment is automatically terminated if the Committee Member who is being replaced ceases to be a Committee Member for any reason.

19.4 Maintain 4 Playing Members

While it is desirous to ensure that at least four (4) members of the Committee are Playing Members in accordance with Rule 18.1, then the Committee will use its best endeavours to appoint an Alternate Committee Member who is a Playing Member.

19.5 Further Alternates

If, under Rule 19.3, the Committee terminates the appointment of the Alternate Committee Member, then the Committee may appoint another Alternate Committee member using the same procedure as specified in this Rule.

20 ELECTION OF MEMBERS OF COMMITTEE

20.1 How to nominate

A nomination of a member for election as an office bearer of the Club or as an ordinary member of the Committee (and "ordinary members" are those members of the Committee who are not office bearers):

20.1.1 must be a financial Member of the Club;

20.1.2 must be in writing, signed by 2 members and have the written consent of the candidate; and

20.1.3 must be given to the secretary at least 7 days before the AGM.

20.2 Not enough nominations

If insufficient nominations are received to fill all vacancies, all candidates nominated will automatically be elected and further nominations can then be received at the AGM.

If not enough further nominations are received then the vacant positions remaining become casual vacancies.

20.3 Adequate nominations

If the nominations received equal the number of vacancies then the persons nominated are automatically elected.

20.4 Excess of nominations

If the nominations received exceed the number of vacancies then there must be a ballot.

20.5 Conduct of ballot

The ballot for the election of office bearers and ordinary members of the Committee must be conducted in a manner directed by the Committee.

20.6 Cannot hold two positions

No member can hold two Committee positions unless the secondary position cannot be filled, but this does not apply to a Committee member who is also the Club's delegate to another organisation.

21 ELECTION OF DELEGATES

21.1 Committee to appoint

The Committee must appoint, from within the members of the Committee, those people who are to represent the Club as delegates to the NSWCA, the SCA or any other organisation.

21.2 Dual appointments

A committee member may be a delegate to more than one organisation.

22 SECRETARY

22.1 Address

The Secretary will, promptly after appointment, notify the Club of his address.

22.2 Minutes

The Secretary must keep minutes of:

22.2.1 all appointments to the Committee;

22.2.2 all appointments by the Committee;

22.2.3 the names of members present at a Committee meeting or a general meeting; and

22.2.4 all proceedings at Committee meetings and general meetings.

22.3 Signing of minutes

All minutes must be signed by the chairman of the meeting or the chairman of the next succeeding meeting.

22.4 Duties

It is the duty of the Secretary (and this may be done in conjunction with the Assistant Secretary, if the Secretary wishes) to:

22.4.1 attend to all correspondence, incoming and outgoing;

22.4.2 arrange and supervise preparation of the annual report;

22.4.3 issue notices of meetings;

22.4.4 prepare an agenda for each Committee meeting;

22.4.5 arrange the booking of all grounds for matches in which the Club is involved;

22.4.6 arrange and supervise preparation of the player's handbook; and

22.4.7 attend to such other matters as the Committee may determine.

23 TREASURER

Duties

It is the duty of the Treasurer (and this may be done in conjunction with the Assistant Treasurer, if the Treasurer wishes) to ensure that:

23.1 all money due to the Club is collected and all payments authorised by the Club are made;

23.2 correct books and accounts are kept showing the financial affairs of the Club, including full details of all receipts and expenditure;

23.3 a statement is presented to each Committee meeting showing all receipts and payments made since the last Committee meeting and showing the current financial position of the Club;

23.4 all admission and annual membership fees are paid and to implement procedures to recover outstanding fees;

23.5 a budget is prepared if directed by the Committee;

- 23.6 the Club's financial affairs are audited;
- 23.7 accurate records of the Club's equipment and clothing are maintained;
- 23.8 details of all accounts received for payment are presented to each Committee meeting; and
- 23.9 all other matters as the Committee may determine are attended to.

24 CASUAL VACANCIES

24.1 How this arises

A casual vacancy occurs if a member of the Committee:

- 24.1.1 dies;
- 24.1.2 ceases to be a member of the Club;
- 24.1.3 becomes bankrupt;
- 24.1.4 resigns;
- 24.1.5 is removed from office under Rule 25;
- 24.1.6 becomes of unsound mind;
- 24.1.7 is absent from three successive meetings of the Committee without providing an explanation which is reasonably acceptable to the Committee.

25 REMOVAL OF MEMBER

25.1 How?

At any time by a resolution at a general meeting passed by a simple majority, the Club can remove a member of the Committee from that office. By a similar resolution the Club can then appoint another member to take that person's place and that appointment runs for what would have been the term of the member who has been removed.

25.2 Member's explanation

If a Committee member who is to be the subject of a resolution under Rule 25.1 wants to make written representations to the members, then the secretary may either send a copy of those representations to each member or read those representations to the meeting.

26 MEETINGS AND QUORUM

26.1 Number

A quorum of the Committee consists of one half of the current members of the Committee.

26.2 Time

The committee cannot conduct any business unless a quorum is present. If there is no quorum within half an hour of the time appointed for the start of the meeting then that meeting is automatically adjourned to the same place, same hour and same day of the following week.

27 CONDUCT OF MEETINGS

27.1 Frequency

Unless the Committee decides otherwise it will meet at least once each month.

27.2 Time and place

The Committee is to decide the time and place of its meetings.

27.3 Extra meetings

The President or any other Committee member can convene additional Committee meetings at any time.

27.4 Notice

Except in relation to a telephone meeting under Rule 27.7, the Secretary must give either oral or written notice of a Committee meeting to each Committee member at least 48 hours (or such other period as the Committee determines) before the time appointed for the meeting.

27.5 Agenda

The notice given for the Committee meeting (or, in the case of a telephone meeting, the member desiring that meeting) must specify the general nature of the business to be conducted. No other business will be dealt with unless the members present unanimously agree to treat it as urgent.

27.6 Chair

27.6.1 The President will preside;

27.6.2 If the President is absent the Committee Vice-President will preside;

27.6.3 If the President and the Committee Vice-President are absent or unwilling to act then another member of the Committee, chosen by the members present, will preside.

27.7 Telephone meetings

A meeting of the Committee may be held by telephone. The following procedure will apply:

27.7.1 The Committee member desiring the meeting must:

27.7.1.1 take all reasonable steps to contact all other Committee members by telephone or personally to determine each member's attitude to the matter to be dealt with; and

27.7.1.2 must record the views of each member and the decision reached.

27.7.2 So far as it is suitable, the procedure set out in these Rules for a meeting of the Committee will apply to a telephone meeting except that the members are not required to be present in the same room.

27.7.3 At the next meeting of the Committee which is not a telephone meeting, the decision made as a result of the telephone meeting will be tabled and recorded by the secretary in the minutes.

28 SUB-COMMITTEES

28.1 Power to delegate

The Committee may, in writing, delegate to one or more sub-Committee (which may consist of members and/or non-members – as the Committee thinks appropriate) the exercise of any of the Committee's functions, but not;

28.1.1 this power to delegate; nor

28.1.2 a function which is a duty imposed on the Committee by the Act or by any other law.

28.2 Powers of Sub-Committee

If a function is delegated to a Sub-Committee then until the delegation is cancelled by the Committee, that function can be exercised by the Sub-Committee but under the control of the Committee.

28.3 Limitations on Sub Committee

If a function is delegated to a Sub-Committee then the Committee can impose restrictions and limitations and can also specify a time or other factor which may limit the Sub-Committee.

28.4 Does not restrict the Committee's powers

Even if a function is delegated to a Sub-Committee, the Committee can still continue to exercise that function.

28.5 Effect of Sub-Committee's decisions

Any act or thing the Sub-Committee does, within its powers, has the same force and effect as it had been done by the Committee.

28.6 Cancellation

The Committee may, in writing, cancel wholly or in part anything it delegates to a Sub-Committee.

28.7 Procedure of Sub-Committee

A Sub-Committee may meet and adjourn as it thinks appropriate.

29 VOTING AND DECISIONS

29.1 Simple majority

Questions arising at Committee meetings or Sub-Committee meetings will be decided by a simple majority of the votes of members who are present.

29.2 Casting vote

Each member present, including the person presiding, has one vote. If votes are equal on any question the person presiding has a second or casting vote.

29.3 Effect of vacancies

Provided there is a quorum, the Committee can act even if there is a vacancy on it.

29.4 Validity of actions

Anything done by the Committee or by a Sub-Committee is valid and effective even if it is later discovered that there is a defect in the appointment or qualifications of any member of the Committee or of the Sub-Committee.

30 BY-LAWS

Committee's power

The Committee has power to make, amend and repeal by-laws to regulate the Club's affairs which the Committee thinks are necessary for the proper and effective management of the Club, but no by-law can be inconsistent with these Rules.

31 PUBLIC OFFICER

31.1 Appointment

The Committee must appoint, from within the members of the Committee, the Public Officer.

31.2 Duties

Apart from those duties imposed on him by the Act or specified in these Rules, the Committee will determine the duties of the Public Officer.

31.3 When appointed

The Committee must appoint the Public Officer at the first committee meeting held after the AGM.

PART 6 – GENERAL MEETINGS OF THE CLUB

32 HOLDING OF THE ANNUAL GENERAL MEETING

32.1 When

The Club must call an AGM of its members at least once in each calendar year and within six months of the end of the Club's financial year.

32.2 Specific date

The Club must hold its AGM so as to comply with the policy of the SCA. If there is no policy then that meeting must be held no later than the Tuesday before the last Monday in July.

32.3 Where?

The Committee will determine the place, time and date of the AGM – but it must comply with Rule 32.2.

33 BUSINESS TO BE CONDUCTED AT THE ANNUAL GENERAL MEETING

The business to be conducted at the AGM will be:

33.1 President's opening remarks;

33.2 Apologies tendered;

33.3 Minutes of the last AGM and of any special general meeting held since to be confirmed;

33.4 Reports from the Committee on the Club's activities during the previous financial year (including the annual report, balance sheet and treasurer's financial statement) to be tendered;

33.5 To receive and consider the Statement which must be submitted to members under Section 26(6) of the Act;

33.6 Election of Life Members, if appropriate;

33.7 Election of patrons;

33.8 Election of Vice Presidents, if appropriate;

33.9 Election of office bearers of the Club and ordinary members of the Committee;

33.10 Election of an auditor;

33.11 To deal with any special resolutions.

34 THE CALLING OF SPECIAL GENERAL MEETINGS

34.1 At Committee's discretion

The Committee may convene a special general meeting of the Club whenever it thinks appropriate.

34.2 Request by members

The Committee must convene a special general meeting of the Club if at least ten (10) members make a written request.

34.3 Form of member's request

34.3.1 must state the purpose of the meeting;

34.3.2 must be signed by the members requesting the meeting; and

34.3.3 must be lodged with the Secretary.

34.4 Failure of Committee to Convene

If the Committee does not convene a special general meeting to be held within one (1) month after the date on which the member's request is lodged with the Secretary, then any one or more of the members who made that request can convene that special general meeting and it must be held not later than three (3) months after that date.

34.5 Meeting convened by members

If a special general meeting is convened by a member under Rule 34.4 then it must be called in the same way as general meetings are convened by the Committee. If the member incurs expense in doing this the Club must reimburse him.

35 NOTICE OF THE MEETING

35.1 Form of notice where no special resolution proposed

Unless the business to be dealt with at a general meeting requires a special resolution, the Secretary will at least fourteen (14) days before the date set for the meeting post to each member at his address as appearing in the member's register a notice which sets out:

- the place;
- the date;
- the time;
- the business proposed to be transacted

at that meeting.

35.2 Form of notice where special resolution proposed

If the business to be dealt with at a general meeting requires a special resolution then the Secretary will, at least 21 days before the date set for that meeting, post to each member at his address as appearing in the member's register a notice which complies with Rule 35.1 and also indicating the fact that a special resolution will be dealt with.

35.3 No other business

Apart from that specified in the notice, no other business may be conducted at a general meeting (except that business which is permitted at the AGM).

35.4 How do members bring business before a general meeting?

A member who wants to bring any business before a general meeting must give written notice to the Secretary who will then include that business in the next notice which calls a general meeting.

36 PROCEDURE

36.1 Must be a quorum

No item of business can be dealt with at a general meeting unless a quorum is present when the meeting is considering that item.

36.2 What constitutes a quorum?

Twenty (20) members present in person (being members who are entitled to vote at a general meeting) constitute a quorum for the purpose of conducting business at a general meeting.

36.3 No quorum

If a quorum is not present within half an hour of the appointed time for commencement of a general meeting then:

- if the meeting was convened at the request of members, it will be dissolved;
- in any other case, the meeting is automatically adjourned to the same day in the following week at the same time and place. This can only be varied if the person presiding at the meeting so decides or if members are given written notice of a change.

36.4 Quorum at adjourned meeting

If no quorum is present at the adjourned meeting within half an hour after the time appointed for commencement then the members present (provided there are not less than three) constitute a quorum.

37 CHAIR

37.1 At each general meeting the President will preside.

37.2 If the President is absent the Vice-President will preside.

37.3 If the President and the Vice-President are absent or unwilling to act then another member of the Committee, chosen by the members present, will preside.

38 ADJOURNMENT

38.1 Chairman's right to adjourn

If there is a quorum present at a general meeting then the chairman can, with the consent of the majority of members present, adjourn the meeting – but at the adjourned meeting only the unfinished business can be dealt with.

38.2 Fresh notice

If a general meeting is adjourned for 14 days or more then the Secretary must give written or oral notice to each member of the place, date and time of the new meeting and the nature of the business to be dealt with.

38.3 Otherwise no notice

Apart from the situations mentioned in Rules 38.1 and 38.2 notice of an adjournment of a general meeting or of the business to be dealt with at that adjourned meeting does not have to be given.

39 MAKING OF DECISIONS

39.1 How?

A question arising at a general meeting will be determined by a show of hands.

39.2 Evidence of the decision

Unless before or on the declaration of the result of the show of hands a member demands a poll, a statement by the chairman that a resolution has been carried or carried unanimously

or carried by a particular majority or lost is evidence of that fact without the need to record the number of votes in favour or against.

39.3 Right to a poll

A poll may be demanded by the chairman or by not less than 3 members present in person or by proxy.

39.4 Format for a poll

If a poll is demanded then it must be taken:

39.4.1 immediately, if it relates to the election of the chairman of the meeting or as to whether there should be an adjournment; or

39.4.2 in any other case, in a manner and at a time (before the close of the meeting) as the chairman directs.

40 SPECIAL RESOLUTION

What is it?

A special resolution is one:

40.1 passed by a majority of not less than three-quarters of the members who are entitled to vote and who do so in person or by proxy at a general meeting of which not less than 21 days written notice has been given. That notice must specify the intention to propose the resolution as a special resolution; or

40.2 if the Department administering the Act is satisfied that it is not possible or practicable for a resolution to be passed in the manner specified in Rule 40.1 then the resolution must be passed in a manner specified by that Department.

41 VOTING

41.1 One vote per member

A member has one vote only.

41.2 Limit on proxies

Voting must be personal or by proxy. No member may hold more than 5 proxies.

41.3 Casting vote

If the votes are equal then the chairman has a second or casting vote.

41.4 Eligibility of vote

A member or proxy cannot vote unless all money due by that person to the Club has been paid.

42 APPOINTMENT OR PROXIES

42.1 Entitlement

A member can appoint another member as his proxy by giving written notice to the Secretary at least 24 hours before the meeting.

42.2 Form

That notice must be in the form set out in Schedule 2.

PART 7 – MISCELLANEOUS

43 INSURANCE

43.1 Compulsory

The Club must maintain the insurance required by Section 44 of the Act.

43.2 Additional insurance

The Club may maintain other insurance.

44 SOURCE OF FUNDS

44.1 From where?

The Club's funds will be derived from:

- annual subscriptions;
- donations;
- grants from the SCA and NSWCA; and
- any other source the Committee may determine.

44.2 Pay into bank account

All money received by the Club must be promptly paid into the Club's bank account.

44.3 Receipts

Promptly after receiving money the Club must issue a receipt.

45 MANAGEMENT OF FUNDS

45.1 By the Committee

The Club's funds will be used to meet the Club's objects in a manner determined by the Committee.

45.2 Signature of cheques

Cheques and other negotiable instruments must be signed by any two Committee members who are authorised by the Committee to do so.

45.3 Payment of interim expenses

The Treasurer can make payments without the prior authority of the Committee to a total sum which does not exceed a figure which is determined by the Committee from time to time. He must report those payments to the next Committee Meeting for approval.

46 FINANCIAL YEAR

The Club's financial year starts on 1st May and ends on 30 April.

47 ALTERING THE CLUB'S OBJECTS AND RULES

A special resolution is needed to change, cancel or add to these objects and rules.

48 COMMON SEAL

48.1 Who keeps it?

The public officer must keep the common seal.

48.2 Method of use

The common seal will not be used without the Committee's authority. When it is affixed:

- two members of the Committee must sign; or
- one Committee member and the Public Officer must sign; or
- one Committee member and the Secretary must sign.

48.3 Seal register

The public officer will keep a register listing the occasions on which the seal has been used.

49 CLUB'S BOOKS AND RECORDS

Unless the Rules say otherwise, the public officer will keep control of all the Club's records, books and documents.

50 INSPECTION OF BOOKS, ETC.

A member can inspect the Club's records, books and documents at any reasonable time.

51 SERVICE OF NOTICES

51.1 How?

A notice may be served on a member:

- 51.1.1 personally; or
- 51.1.2 by post to the member's address taken from the member's register;
- 51.1.3 by email to the member's address taken from the member's register; or
- 51.1.4 by fax if the member has notified a fax number.

51.2 By Post

If a notice is sent by pre-paid post then it is deemed to be served on the member when delivery would occur in the ordinary course.

51.3 By Fax

If a notice is sent by fax then it is deemed to be served on the member on the next business day after the sender receives acknowledgment that the transmission has been successful.

52 HOW TO RESOLVE INTERNAL DISPUTES

The Club will try to amicably resolve any dispute between members (in their capacity as members) and any disputes between members and the Club. If those efforts are unsuccessful the dispute will be referred to either the NSWCA or the SCA for determination, with the Committee to decide which of those organisations is the more appropriate one given the nature of the dispute.

PART 8 – SELECTION OF TEAMS AND CAPTAINS

53 TEAM CAPTAINS

- 53.1 The Captains for each team will be appointed by the Committee.
- 53.2 The Committee may exercise its discretion to review the appointment of Captains and appoint alternate Captains for any reason whatsoever.

54 SELECTION PANEL

54.1 Definition

Separate Selection Panels will be appointed for Mens and Womens teams and the Committee shall have the discretion to appoint Selection Panels for other teams as required.

54.2 Role

Each Selection Panel will select all teams throughout the season including practice matches.

54.3 Who are its members?

The Selection Panel will consist of:

- 54.3.1 No less than four persons who have appropriate cricket knowledge and expertise to perform the duties as a member of the respective Selection Panel and are approved by the Committee;
- 54.3.2 a Chairman of Selectors appointed by the Committee before the first meeting of each Selection Panel.
- 54.3.3 The Committee may exercise its discretion to review the appointment of any Selection Panel member for any reason whatsoever.

54.4 Meetings

The Selection Panel must meet preceding each grade round to select all grade teams for that round.

55.7 The Club Coach and/or Team Captains may be engaged in the capacity of advisors to the Selection Panel if not already a Selection Panel member.

PART 9 – CLUB’S AUDITOR

55 AUDITOR

An auditor must be elected at the AGM to audit the Club’s accounts. That audit must be completed before the next AGM. The auditor cannot be a member of the Committee.

PART 10 – UNFINANCIAL MEMBERS

56 DEFAULTING MEMBERS

56.1 Definition

A person is a “defaulting member” if:

56.1.1 That member owes money to the Club; and

56.1.2 A letter has been sent to that member stating:

56.1.2.1 that money is owed to the Club; and

56.1.2.2 the amount involved; and

56.1.2.3 that membership will be cancelled if the money due is not paid within such time as the Committee has determined; and

56.1.3 the amount stated in the letter has not been paid at the end of that time.

56.2 Loss of benefits

A defaulting member loses all benefits of membership of the Club and cannot vote. Upon payment of all money due to the Club, the Committee may, but is under no obligation to do so, reinstate the membership of that person.

56.3 Defaulters Named

The Committee must advise the SCA or the NSWCA of all defaulting members and must comply with the requirements of both the SCA and the NSWCA in respect of procedure to be adopted in relation to defaulting members.

PART 11 – CLUB’S PERMANENT PLAYING RECORD

57 PLAYING AVERAGES FOR ANNUAL REPORT

The qualifications for inclusion in the Club’s permanent record of aggregates and averages in the Annual Report are:

- 57.1 batting – a player must have batted on at least eight occasions and scored at least 100 runs;
and
- 57.2 bowling – a player must have bowled in at least five matches and taken at least 15 wickets.

PART 12 – PATRONS

58 PATRONS

58.1 Number

The Club will have a patron or patrons

58.2 How Elected?

The patron or patrons will be elected at the AGM of the Club and will hold that position until the next AGM of the Club.

58.3 How nominated?

Any member can nominate a person to become a patron of the Club by doing that orally at an AGM.

58.4 No right to vote

A patron is not a member of the Club and does not have a right to vote.

SCHEDULE 1

(Rule 5.1.1)

MEMBERSHIP APPLICATION

NORTHERN DISTRICT CRICKET CLUB INCORPORATED

I,
(full name of applicant)

of
(address)

..... hereby apply to become a member
(occupation)

of the NORTHERN DISTRICT CRICKET CLUB INC. If my membership is accepted I agree to be bound by the Rules of the Club.

.....
Signature of applicant

Date

I, a member of the Club,
(full name)

nominate the applicant, who is personally known to me, for membership of the Club.

.....
Signature of proposer

Date

I, a member of the Club,
(full name)

second the nomination of the applicant, who is personally known to me, for membership of the Club.

.....
Signature of seconder

Date

SCHEDULE 2

(Rule 42.2)

APPOINTMENT OF PROXY

I,
(full name)

of
(address)

being a member of NORTHERN DISTRICT CRICKET CLUB INCORPORATED

hereby appoint
(full name of proxy)

of
(address)

being a member of that Club, as my proxy to vote for me on my behalf at the general meeting of the

Club (Annual General Meeting or special general meeting, as the case may be) to be held on the

..... day of20..... and at any adjournment of

that meeting.

*My proxy is authorised to vote in favour of/against (delete as appropriate) the resolution

(inset details).

To be inserted if desired.

.....
Signature of member appointing proxy

Date

NOTE: A proxy vote may not be given to a person who is not a member of the Club