



CONSTITUTION and RULES
of the
PENRITH JUNIOR CRICKET
ASSOCIATION INCORPORATED

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PART 1

PRELIMINARY

1. Interpretation

- 1.1 In these rules, except in so far as the context or subject matter otherwise indicates or requires:
- “the Association” means the “Penrith Junior Cricket Association Incorporated”;
 - “Secretary” means the person holding office under these rules as secretary of the Association, or where no such person holds that office, the Public Officer of the Association;
 - “special general meeting” means a general meeting of the Association other than the annual general meeting;
 - “the Act” means the Association Incorporation Act, 1984;
 - “the Regulation” means the Associations Incorporation Regulation, 1985;
 - “playing conditions” means the conditions applying to the conduct of the Association’s cricket competitions.
- 1.2 In these rules:
- (a) a reference to a function includes a reference to a power, authority and duty; and
 - (b) a reference to the exercise of a function includes, where the function is a duty, a reference to the performance of the duty.
- 1.3 The provisions of the Interpretation Act 1987, apply to and in respect of these rules in the same manner as those would so apply if these rules were an instrument made under the Act.

2. Objectives

- 2.1 The objectives of the Association shall be:
- (a) the management and promotion of the game of cricket in the district;
 - (b) to arrange and manage cricket competition between Member clubs in accordance with the rules of the Association, the playing conditions and the prevailing rules and conditions of cricket and its governing bodies;
 - (c) to adjudicate on all disputes and differences that may arise during the conduct of such competitions;
 - (d) to arrange and manage cricket competition between PJCA representative teams and other Associations in accordance with the rules of the governing body administering such competitions;
 - (e) to affiliate with and where appropriate appoint delegates to appropriate governing bodies of cricket.

PART 2

MEMBERSHIP

3. Membership Qualifications

- (a) Subject to these rules the first members of the Association shall be comprised of the Member clubs of the Association immediately prior to incorporation together with those clubs accepted into the Association prior to 30 June 2004 and those persons who have been elected to Life membership.
- (b) Members shall consist of the following classes:
 - (i) Member clubs, comprising those clubs which apply for membership of the Association with a view to participating in the competition organised by the Association.
 - (ii) Persons who are not members with a member club but directly apply for membership of the Association.
 - (iii) Persons who are active members of a member club
 - (iv) Life members being those persons who have been elected as life members of the Association and who shall have such rights and privileges of the Association as referred to in these rules.

4. Application for Membership

4.1 An application by a club to be a Member club of the Association:

- (a) shall be made in writing in the form prescribed by the Association;
- (b) signed and authorised by the secretary of the proposed affiliating club;
- (c) shall be lodged with the Secretary of the Association; and
- (d) shall be accompanied by membership fees as provided by Rule 11.
- (e) Member club membership fees fall due for payment at the first (1st) delegates meeting held in August. Where such fees are not paid within fourteen (14) days following this meeting then the affiliating club will not be eligible to be included in the competition for that season.

4.2 An application by a person for membership of the Association (as per Rule 3b (ii)):

- (a) shall be made in writing in the form prescribed by the Association;
- (b) shall be nominated by the secretary of a Member club or by a member of the Executive Committee; and
- (c) shall be lodged with the Secretary of the Association; and
- (d) shall be accompanied by membership fees as provided by Rule 11.

4.3 Membership applications will be deemed to be approved unless the Executive Committee determines otherwise within thirty (30) days of the receipt of the application, provided that the proposed member:

- (a) is not disqualified from membership as provided by Rule 13; and
- (b) is not in default to any other association affiliated with the New South Wales District Cricket Association or with the New South Wales Cricket Association, or their successors.

4.4 The Secretary shall, on payment of the amount referred to in Rule 11.1 within the period referred to in that rule, enter the applicant's name in the register of members, and upon the name being so entered, the applicant becomes a member of the Association.

4.5 Where applications are rejected by the Executive Committee, the Secretary shall, within (14) fourteen days after that determination notify the applicant either directly or by advice to the member nominating the applicant, of the Executive Committee's determination.

5. Cessation of Membership

5.1 A Member club ceases to be a member of the Association if:

- (a) it ceases to have any teams in the competition run by the Association;
- (b) it is expelled from the Association; or
- (c) it fails to pay any fees due as set out in the playing conditions.

5.2 A person ceases to be a member of the Association if the person:

- (a) dies;
- (b) is expelled from the Association;
- (c) resigns that membership; or
- (d) fails to renew membership by 30 October of the current season.

6. Membership Entitlements not Transferable

6.1 A right, privilege or obligation which a person has by reason of being a member of the Association:

- (a) is not capable of being transferred or transmitted to another person; and
- (b) terminates upon cessation of the person's membership.

7. Resignation of Membership

7.1 A Member club of the Association who has paid all amounts payable to the Association may resign from membership of the Association by giving notice in writing to the Secretary on receipt of which the Member club ceases to be a member.

7.2 Where a Member Club or a member of the Association ceases to be a member for any reason, the Secretary shall cause an appropriate entry to be effected in the register of members.

8. Life Members

8.1 The Association may, at an annual general meeting, elect Life members providing:

- (a) the vote shall be by a majority of the members present and eligible to vote; and
- (b) the persons nomination is recommended and approved by a majority of the Executive Committee; and
- (c) such nomination has been submitted to the Executive Committee one (1) month before the annual general meeting.

8.2 The Association shall have the power to elect Life members (maximum of two (2) per year).

8.3 Any person shall be eligible for election to Life membership provided he or she has met the following criteria:

- (a) A member of the Executive Committee* for a minimum of five (5) years; and/or
- (b) a person who has contributed meritorious service to the Association for an equivalent length of time.

*or Management Committee (prior to 2018)

8.4 Life members may take part in any annual general meeting or special meeting of the Association and vote on any matter brought forward (excludes Executive Committee meeting or Delegates Meeting).

9. Register of Members

9.1 The Public Officer or Secretary of the Association shall establish and maintain a register of current members, Life members and Member Clubs (including the name, address and email address of each member) of the Association. On request they may also seek the register of members from member clubs.

9.2 The register of members shall be open to inspection at any reasonable hour, free of charge, by any member of the Association upon request to the Secretary of the Association.

10. Member Clubs

10.1 An approved Member club may apply to enter one or more teams in competitions conducted by the Association provided that such teams conform to the playing conditions as determined by the Association

10.2 The name adopted by a Member club shall be subject to approval by the Executive Committee.

10.3 The responsibility for payment of any and all fees and charges due to the Association by the Member Club in respect to the playing conditions of competitions conducted by the Association shall be the responsibility of the Member club.

11. Fees, Subscriptions etc.

11.1 An application by a person for membership of the Association (under rule 3b (ii)) shall be accompanied by an application fee of \$2, or where some other amount is determined by the Executive Committee.

11.2 In the event of the Executive Committee rejecting the application, the application fee will be refunded.

11.3 In addition to any amount payable by the member under Rule 11.1, a member of the Association shall pay to the Association an annual membership fee, if any, which is determined by the Executive Committee, such amount, if any, to be paid within fourteen (14) days of application for renewal of membership.

11.4 An application by a club for Member club affiliation with the Association shall be accompanied by an application fee of \$10, or where some other amount is determined by the Executive Committee.

11.5 An application by Member Clubs for Team nomination/s with registration, late registration and insurance fees, (fees as determined by the Executive Committee from time to time), where applicable, must be accompanied by the relevant registration form.

11.6 Other fees and charges e.g., Umpire's fees, fines in respect to the playing conditions of competitions conducted by the Association shall be set by the Executive Committee and shall be due for payment by Member clubs within fourteen (14) days of advice of such amounts due being forwarded to the secretary of the Member club.

12. Member's Liabilities

12.1 The liability of a member or Member club of the Association to contribute towards the payment of debts and liabilities of the Association or the costs, charges and expenses of the winding up of the Association is limited to the amount, if any, unpaid by the member or Member club as required by Rule 11.

13. Disciplining of Members

13.1 Where the Executive Committee following a written complaint is of the opinion that a member of the Association or a team or Member club within the Association's competitions has or have:

- (a) refused or neglected to comply with a provision or provisions of these rules; or
 - (b) persistently or willfully acted in a manner prejudicial to the interests of the Association; or
 - (c) refused or neglected to comply with the playing conditions of the Association's competitions of the Association's Code of Behaviour; then
 - (d) the Executive Committee may refer the matter to an independent sub-committee to hear the matter and make recommendations to the Executive Committee; or
 - (e) review the matter itself from the available information.
- 13.2 Where the Executive Committee or sub-committee requires further information before taking action as set out in Rule 13.3 it may by resolution require the Secretary, as soon as practicable to cause a notice in writing to be served on the member or secretary of the Member club:
- (a) setting out the purpose of the meeting;
 - (b) stating that the member or representatives of the team and/or Member club are required to appear before the Executive Committee or a duly appointed sub-committee at a meeting to be held not earlier than five (5) days after service of the notice although in exceptional circumstances the period of five (5) days' notice may be waived by the Executive Committee or sub-committee;
 - (c) stating the date, place and time of that meeting;
 - (d) informing the member or representatives of the team and/or Member club that they may attend and speak at the meeting together with such other members as they are relevant to the matter.
- 13.3 The Executive Committee may, by resolution –
- (a) expel the member, team or Member club from the Association; or
 - (b) suspend the member, team or Member club from the Association; or
 - (c) fine the member, team or Member club, an amount, determined by the Executive Committee; or
 - (d) impose any other penalty it may deem appropriate; and
 - (e) advise any appropriate governing body or bodies of its actions.
- 13.4 Where the Executive Committee takes action under Rule 13.3, the Secretary shall within seven (7) days of that decision, confirm in writing, inform the member, or secretary of the Member club of the decision.
14. Right of Appeal of Disciplined Member
- 14.1 A member or Member club may appeal to the Executive Committee against a resolution advised under Rule 13.3 by advising the Secretary to that effect within seven (7) days after notice of the resolution is served on the member or Member club.
- 14.2 Upon receipt of a notice from a member, or Member club under Rule 14.1 the full Executive Committee shall hear the appeal within twenty eight (28) days, whereupon the Executive Committee may confirm or amend the resolution.
- 14.3 In regard to a resolution passed in respect to Rule 13.3, a member or Member club may appeal to the New South Wales District Cricket Association or its successor or another appropriate governing body by lodging with the Secretary a notice to that effect within seven (7) days after notice of the original resolution or if applicable, notice of the Executive Committee's decision under Rule 14.2 is served on the member, or Member club whereupon the Secretary shall use his or her best endeavours to arrange such an appeal hearing.
- 14.4 The Executive Committee shall recognise and put into effect any resolution of the New South Wales District Cricket Association or other appropriate body on appeals made under Rule 14.3.
- 14.5 The Executive Committee may by resolution re-instate a member, team or Member club at any time.

PART 3

THE EXECUTIVE COMMITTEE

15. Powers of Executive Committee

- 15.1 The committee shall be called the Executive Committee of the Association and, subject to the Act, the Regulation and these rules and to any resolution passed by the Association in general meeting:
- (a) shall control and manage the affairs of the Association;
 - (b) may exercise all such functions as may be exercised by the Association other than those functions that are required by these rules to be exercised by a general meeting of members of the Association or by a delegates meeting;
 - (c) has power to perform all such acts and do all such things as appear to the Executive Committee to be necessary or desirable for the proper management of the affairs of the Association and the conduct of its competitions;
 - (d) may organise and conduct such cricket competitions as appear to the Executive Committee to be necessary or desirable;
 - (e) shall set such fees and charges for the conduct and administration of its competitions as it deems necessary; and
 - (f) has power to accept or reject applications by clubs or teams to enter its competitions and to grade or re-grade any team admitted to its competitions or any member wishing to join the Association.

16. Membership of Executive Committee

The following officers shall be elected at the AGM and for the Executive Committee pursuant to Rule 17:

- (a) President
 - (b) Vice President
 - (c) Secretary
 - (d) Treasurer
 - (e) Representative Coordinator
- 16.2 No more than two (2) members from one Member club may be elected to the Executive Committee unless insufficient written nominations are received and a vacancy exists (as per rule 17.2).
- 16.3 Each Executive Committee member shall, subject to these rules, hold office until the conclusion of the annual general meeting following the date of the members election, but is eligible for re-election.
- 16.4 In the event of a casual vacancy occurring in the membership of the Executive Committee, the Executive Committee may appoint a member of the Association to fill the vacancy, subject to these rules.
- 16.5 Any member appointed, pursuant to Rule 16.4, as an Executive committee member of the association shall hold office, subject to these rules, until the conclusion of the annual general meeting next following the date of appointment.
- 16.6 A person who is not a member (aged eighteen (18) years or over) or a Life member, is not eligible for election to the Executive Committee

17. Election of Executive Committee members

17.1 Nominations of candidates for election as Executive committee members of the Association:

- (a) shall be made in writing on the approved nominated form or a form deemed appropriate by the Secretary at the time of nomination; and
- (b) shall be delivered to the Secretary of the Association not later than 14 days prior to the annual general meeting.
- (c) Shall be endorsed by the President or Secretary of the member club in which they are a member or endorsed by the Executive Committee at the time in which the nomination is received

17.2 If insufficient written nominations are received to fill all positions, the candidates nominated shall be deemed to be elected and further nominations shall be received at the annual general meeting.

17.3 If insufficient further nominations are received, any vacant positions remaining shall be deemed to be casual vacancies.

17.4 If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed elected.

17.5 If the number of nominations received exceeds the number of vacancies to be filled, a ballot shall be held.

17.6 The ballot for the election of Executive Committee member shall be conducted at the annual general meeting in such usual and proper manner as the Executive Committee may direct.

17.7 No member may hold two positions as an Executive Committee member of the Association.

18. Vice President

18.1 The Vice President deputises for the President in their absence and assumes other duties from time to time as directed by the President.

19. Secretary

19.1 The Secretary of the Association shall, as soon as practical after being appointed as Secretary, lodge notice with the Association of his or her address.

19.2 It is the duty of the Secretary to handle and deal with all correspondence and contact with members of the Association and all other persons and organisations with whom the Association may deal from time to time.

19.3 The Secretary shall have the power to deal with any matters of urgency occurring between dates set down for meetings of the Executive Committee. Any matters dealt with under this rule must be reported to the following Executive Committee meeting.

19.4 It is the duty of the Secretary to keep minutes of:

- (a) all appointments of the Executive Committee;
- (b) the names of members of the Executive Committee present at an Executive Committee meeting, or a general meeting; and
- (c) all proceedings at Executive Committee meetings and any other meetings.

20. Treasurer

20.1 It is the duty of the Treasurer to:

- (a) ensure that correct books and accounts are kept showing the financial affairs of the Association including full details of all receipts and expenditure connected with the activities of the Association for both district and representative cricket.
- (b) payments can be made by cheque or bank transfer, to be signed or approved by any two of the Executive Committee. Major and unusual expenditure shall be authorized in advance by the Executive Committee.
- (c) ensure all monies due to the Association are collected and received and that all payments authorized by the Association are made.

21. Casual vacancies of the Executive Committee

21.1 For the purpose of these rules, a casual vacancy in the office of an Executive Committee member of the Association occurs if the member:

- (a) dies;
- (b) ceases to be a member of the Association;
- (c) becomes an insolvent under administration within the meaning of the Corporation act;
- (d) resigns office by notice in writing given to the Secretary;
- (e) is removed from office under Rule 22;
- (f) becomes of unsound mind or a person or estate liable to be dealt with in any way under the law relating to mental health: or
- (g) is absent without the consent of the Executive Committee from three consecutive meetings.

22. Removal of a member of the Executive Committee

22.1 The Executive Committee may by resolution remove any member of the Executive Committee from the office of member before the expiration of the member's term of office and may by resolution appoint another person to hold office until the expiration of the term of office of the member so removed.

22.2 Where a member of the Executive Committee to whom a proposed resolution referred to in Rule 22.1 relates makes representations in writing to the Secretary or President (not exceeding a reasonable length) the member is entitled to require that the representations be read out at the meeting at which the resolution is considered.

23. Executive Committee Meetings and quorum

23.1 The Executive Committee shall meet each month or at least six (6) times in each period of twelve (12) months at such intervals as the Executive Committee may determine at such day, place and time as the Executive Committee may determine.

23.2 Additional meetings of the Executive Committee may be convened by the President of the Association, or by any three (3) members of the executive committee.

23.3 The Secretary shall, at least forty eight (48 hours) before the date fixed for the meeting, send to each Executive Committee member and to each secretary of any Member club, a notice specifying the place, date and time of the meeting.

23.4 Any three (3) members of the Executive Committee constitute a quorum for the transaction of the business of a meeting of the Executive Committee.

- 23.5 A member desiring to bring any business before the Executive Committee may give notice in writing of that business to the Secretary who shall include that business in the next notice calling an Executive Committee meeting given after the receipt of the notice from the member.
- 23.6 No business shall be transacted by the Executive Committee unless a quorum is present and if within half an hour of the time appointed for the meeting a quorum is not present the meeting stands adjourned to the same place and at the same hour of the same day in the following week.
- 23.7 If at the adjourned meeting a quorum is not present with half an hour of the time appointed for the meeting, the meeting shall be dissolved.
- 23.8 At a meeting of the Executive Committee:
- (a) the President shall preside; or
 - (b) if the President is absent or unwilling to act as such, the Vice President shall preside.
 - (c) If the Vice President is absent or unwilling to act as such, one of the remaining members of the Executive Committee as may be chosen by the members present at the meeting shall preside.
24. Delegation by Executive Committee to a sub-committee
- 24.1 The Executive Committee may, by resolution, delegate to one or more sub-committees (consisting of members of the Association as the Executive Committee thinks fit) the exercise of such of the functions of the Executive Committee as are specified in the resolution, other than:
- (a) this power of delegation; and
 - (b) a function which is a duty imposed on the Executive Committee by the Act or by any other law.
- 24.2 A function the exercise of which has been delegated to a sub-committee under this rule may, while the delegation remains unrevoked, be exercised from time to time by the sub-committee in accordance with the terms of the delegation.
- 24.3 A delegation under this section may be subject to such conditions or limitations as to the exercise of any function the subject thereof, or as to time or circumstances, as may be specified in the resolution.
- 24.4 Notwithstanding any delegation under this rule, the Executive Committee may continue to exercise any function delegated.
- 24.5 Any act or thing done or suffered by a sub-committee acting in the exercise of a delegation under this rule has the same force and effect as it would have if it had been done or suffered by the Executive Committee.
- 24.6 The Executive Committee may, by resolution, revoke, wholly or in part, any delegation under this rule.
- 24.7 A sub-committee may meet and adjourn as it thinks proper but must meet as directed by the Executive Committee.
25. Voting and decisions by Executive Committee and sub-committees
- 25.1 Questions arising at a meeting of the Executive Committee or of any sub-committee shall be determined by a majority of the votes of members of the Executive Committee or sub-committee present at the meeting.
- 25.2 Each member of the Executive Committee (including the person presiding at the meeting) present at the Executive Committee meeting is entitled to one vote but, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.

- 25.3 Each member of a sub-committee appointed by the Executive Committee (including the person presiding at the meeting) present at the meeting is entitled to one vote but, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.
- 25.4 Subject to Rule 23.6, the Executive Committee may act notwithstanding any vacancy on the Executive Committee.
- 25.5 Any act or thing done, or suffered, or purporting to have been done or suffered, by the Executive Committee or by a sub-committee appointed by the Executive Committee, is valid and effectual notwithstanding any defect that may afterwards be discovered in the appointment or qualification of any member of the Executive Committee or sub-committee.
- 25.6 Any decision made by a sub-committee in relation to any matter relating to the operation of the Association is required to be ratified by the Executive Committee. This is not limited to but should include expenditure of funds, sponsorships, member code of conduct and amendments to competition rules.

PART 4

GENERAL MEETINGS

26. Annual general meetings - holding of
- 26.1 With the exception of the first annual general meeting of the Association, the Association shall, at least once in each calendar year and within the period of six (6) months after the expiration of each financial year of the Association convene an annual general meeting of its members.
- 26.2 The Association shall hold its first annual general meeting:
- (a) within the period of eighteen (18) months after its incorporation under the Act; and
 - (b) within the period of two (2) months after expiration of the first financial year of the Association.
- 26.3 Rules 26.1 and 26.2 have effect subject to any extension or permission granted by the Department of Fair Trading under Section 29 (3) of the Act.
27. Annual general meetings - calling of and business at
- 27.1 The annual general meeting of the Association shall, subject to the Act and to Rule 26, be convened on such date and at such place and time as the Executive Committee thinks fit.
- 27.2 In addition to any other business which may be transacted at an annual general meeting, the business of an annual general meeting shall be:
- (a) to confirm the minutes of the last preceding annual general meeting;
 - (b) to receive from the Executive Committee reports from the activities of the Association during the last preceding financial year;
 - (c) to receive and consider a statement from the Executive Committee which is not misleading and gives a true and fair view of the last financial year of the Association's:
 - (i) income and expenditure
 - (ii) assets and liabilities
 - (iii) mortgages, charges and other securities; and
 - (iv) trust properties.
 - (d) Amendments to the Constitution
 - (e) to elect the Executive committee members of the Association;
 - (f) to elect the following non-Executive positions of the Association:
 - (i) Competition Secretary
 - (ii) Registrar
 - (iii) Public Officer
 - (iv) Webmaster
 - (v) Historian and Records Officer
 - (vi) Umpires Coordinator
 - (vii) Girls Coordinator
 - (viii) Marketing/Sponsorship Coordinator
 - (ix) Representative Development Coordinator
 - (g) to elect Life Members
- 27.3 All members of the Executive Committee and other non-Executive positions must be members of the Association.
- 27.4 An annual general meeting shall be specified as such in the notice advising it to members.

28. General meetings - calling of

28.1 The Executive may, whenever it thinks fit, convene a general meeting of the Association.

28.2 The Executive Committee shall, on the requisition in writing of not less than 5 per cent of the total number of members, convene a general meeting of the association.

28.3 A requisition of members for a general meeting:

- (a) shall state the purpose or purposes of the meeting;
- (b) shall be signed by the members making the requisitions;
- (c) shall be lodged with the Secretary; and
- (d) may consist of several documents in similar form, each signed by one or more of the members making the requisition.

28.4 If the Executive Committee fails to convene a general meeting to be held within one (1) month after the date on which a requisition of a meeting of the members for the meetings is lodged with the secretary, any one or more of the members who made the requisition may convene a general meeting to be held not later than three (3) months after that date.

28.5 A general meeting convened by a member or members as referred in Rule 28.4 shall be convened as early as is practicable in the same manner as general Executive meetings are convened by the Executive Committee and any member who thereby incurs expense is entitled to be reimbursed by the Association for any expenses so incurred.

29. Notice for general meetings

29.1 Except where the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the Association, the Secretary shall, at least fourteen (14) days before the date fixed for the holding of the general meeting, cause to be sent to each member or to each secretary of a Member club, a notice specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.

29.2 Where the nature of business proposed to be dealt with at a general meeting requires a special resolution of the Association, the Secretary shall, at least twenty one (21) days before the date fixed for the holding of the general meeting, cause notice to be sent to each member or to each secretary of a Member club in the manner provided by rule 29.1, the intention to propose the resolution as a special resolution.

29.3 No business other than that specified in the notice convening a general meeting shall be transacted at the meeting

30. Procedure for general meetings

30.1 No item of business shall be transacted at a general meeting unless a quorum of members entitled under these rules to vote is present during the time the meeting is considering that item.

30.2 Twelve (12) members present in person constitute a quorum for the transaction of the business of a general meeting.

30.3 If within 30 minutes after the appointed time for the commencement of a general meeting a quorum is not

present, the meeting if convened upon the requisition of members, shall be dissolved and in any other case shall stand adjourned to the same day in the following week at the time and (unless another place is specified at the time of the adjournment by the person presiding at the meeting) at the same place.

30.4 If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members present (being not less than ten) shall constitute a quorum.

31. Presiding member at general meetings

- (a) the President shall preside; or
- (b) if the President is absent or unwilling to act as such, the Vice President shall preside.
- (c) If the Vice President is absent or unwilling to act as such, one of the remaining members of the association as may be chosen by the members present at the meeting shall preside.

32. Adjournment of general meetings

32.1 The chairperson of a general meeting at which a quorum is present may, with the consent of the majority of members present at the meeting, adjourn the meeting from time to time and place to place, but no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting which the adjournment took place.

32.2 Where a general meeting is adjourned for fourteen (14) days or more, the Secretary shall give written or oral notice of the adjourned meeting to each member of the Association, or each secretary of a Member club, stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.

32.3 Except as provided in Rules 32.1 and 32.2, notice of an adjournment of a general meeting or the business to be transacted at an adjourned meeting is not required to be given.

33. Making of decisions at general meetings

33.1 A question arising at the general meeting of the Association shall be determined on a show of hands and, unless before or on the declaration of the show of hands a poll is demanded, a declaration by the chairperson that a resolution has, on a show of hands, been carried unanimously or carried by a particular majority or lost, or an entry to that effect in the minute book of the Association, is evidence of the fact without proof of the number or proportion of the votes recorded in favour or against that resolution.

33.2 At a general meeting of the Association, a poll may be demanded by the chairperson or by not less than three (3) members present at the meeting.

33.3 Where a poll is demanded at a general meeting, the poll shall be taken:

- (a) Immediately in the case of a poll which relates to the election of the chairperson of the meeting or to the question of an adjournment; or
- (b) In any other case, in such manner and at such time before the close of the meeting as the chairperson directs, and
- (c) the resolution of the poll shall be deemed to be the resolution of the meeting on that matter.

34. Special Resolutions

34.1 A resolution of the Association is a special resolution if:

- (a) it is passed by a majority, which comprises not less than two thirds of such members of the Association as, being entitled, under these rules so to do, vote in person at a general meeting of which not less than twenty one (21) days written notice specifying the intention to propose the

- resolution as a special resolution was given in accordance with the rules; or
 - (b) where it is made to appear to the Department of Fair Trading that it is not possible or practicable for the resolution to be passed in the manner specified in Rule 34.1(a) - the resolution is passed in a manner by the Department of Fair Trading.
- 34.2 A special resolution must be passed by a general meeting of the Association to effect the following changes:
 - (a) a change of the Association's name; or
 - (b) a change of the Association's constitution and rules; or
 - (c) a change of the Association's objectives; or
 - (d) amalgamation with another incorporated association, or
 - (e) to voluntarily wind up the Association and distribute its property; or
 - (f) to apply for registration as a company or co-operative.
- 35. Voting at general meetings
 - 35.1 Upon any question arising at a general meeting of the Association a member has one vote only.
 - 35.2 All votes shall be given personally and there shall be no voting by proxy.
 - 35.3 In the case of an equality of votes on a question at a general meeting, the chairperson of the meeting is entitled to exercise a second or casting vote.

PART 5

DELEGATES MEETINGS

36. Annual delegates meeting - holding of

36.1 The Association shall at least once in each calendar year convene a meeting of delegates of Member clubs to be held no earlier than seven (7) days after the annual general meeting and no later than the third week in August.

36.2 For the purpose of these rules a delegate may be any member of the Association representing a Member club of which he or she is also a member. This member must be endorsed by the President or Secretary of the member club prior to voting at any delegates meeting.

36.3 For the purpose of these rules a Member club at the time of the meeting is any club:

- (a) which was a Member club during the last preceding financial year of the Association;
- (b) which expresses an intention to enter a team or teams in the Associations competitions in the current competition season;
- (c) which has met all commitments in respect to fees and charges imposed under the playing conditions for the last preceding competition season.

36.4 Subject to Rule 43 the Executive Committee may allow any other member or prospective Member Club or prospective member of the Association to attend a delegates meeting of the Association.

37. Annual delegates meeting - calling of and business at

37.1 The annual delegates meetings of the Association shall subject to Rule 36 be convened on such date and at such place and time as the Executive Committee thinks fit.

37.2 The business of an annual delegates meeting shall be:

- (a) to confirm the minutes of the last preceding annual delegates meeting and any special delegates meeting held since that date;
- (b) to consider alterations and amendments to the playing conditions of the Association's competition;
- (c) to recommend to the Executive Committee any action which the Executive Committee may at its discretion consider in respect to the conduct of the Association's competitions;

37.3 Notwithstanding these rules, no amendments to the playing conditions shall be made which:

- (a) contravene or potentially contravene any laws, rules, conditions or conventions of the game of cricket;
- (b) contravene or potentially contravene any rules or conditions established by the New South Wales District Cricket Association, the New South Wales Cricket Association, their successors or other appropriate governing bodies;
- (c) contravene or potentially contravene any laws, by-laws, rules or conditions of any council, body or person from whom the Association obtains the use of playing grounds; or
- (d) is for any reason impractical or unreasonable in respect to the competitions conducted by the Association.

38. Special delegates meeting - calling of

38.1 The Executive Committee may, whenever it thinks fit, convene a special delegates meeting of the Association.

38.2 The Executive Committee shall, on the requisition in writing of not less than three (3) members secretaries of Member clubs, convene a special general meeting of the Association.

- 38.3 A requisition of members for a special delegates meeting:
- (a) shall state the purpose or purposes of the meeting;
 - (b) shall be signed by the members making the requisitions;

 - (c) shall be lodged with the Secretary; and
 - (d) may consist of several documents in a similar form, each by signed by one or more of the members making the requisition.
- 38.4 If the Executive Committee fails to convene a special delegates meeting to be held within one (1) month after the date on which a requisition of more of the members who made the requisition may convene a special delegates meeting to be held not later than three (3) months after that date.
- 38.5 A special delegates meeting convened by a member or members as referred to in Rule 38.4 shall be convened as nearly as is practicable in the same manner as delegates meetings are convened by the Executive Committee and any member who thereby incurs expense is entitled to be reimburses by the Association for any expense so incurred.
39. Notice of delegates meeting
- 39.1 The Secretary shall at least fourteen (14) days before the date fixed for the holding of the delegates meeting, cause to be sent to each secretary of a Member club, a notice specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.
- 39.2 No business other than that specified in the notice of the delegates meeting shall be entered into.
- 39.3 A member desiring to bring any business before a delegates meeting shall give notice in writing of that business, which shall be endorsed by the Secretary of the Association who shall include that business in the next notice calling a delegates meeting given after receipt of the notice from the member.
40. Procedure at delegates meeting
- 40.1 No item of business shall be transacted at a delegates meeting unless a quorum of members entitled under these rules to vote is present during the time the meeting is considering that item.
- 40.2 Ten (10) members present in person (being members entitled under these rules to vote at a delegates meeting) constitute a quorum for the transaction of the business of a delegates meeting.
- 40.3 If within thirty (30) minutes after the appointed time for the commencement of a delegates meeting a quorum is not present, the meeting if convened upon the requisition of members shall be dissolved and in any other case shall stand adjourned to the same day in the following week at the time and at the same place (unless another place and /or time is determined by the person presiding at the meeting)
- 40.4 If at the adjourned meeting a quorum is not present within thirty (30) minutes after the appointed commencement time of the meeting, the members present (being not less than six [6]) shall constitute a quorum.
41. Presiding member at delegates meeting
- (a) the President shall preside; or
 - (b) if the President is absent or unwilling to act as such, the Vice President shall preside.
 - (c) If the Vice President is absent or unwilling to act as such, one of the remaining members of the association as may be chosen by the members present at the meeting shall preside.

42. Adjournment of delegates meeting

42.1 The chairperson of a delegates meeting at which a quorum is present may with the consent of the majority of members present at the meeting, adjourn the meeting from time to time and place to place, but no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.

43. Making of Decisions at delegates meeting

43.1 A question arising at a delegates meeting of the Association shall be determined on a show of hands and, unless before or on the declaration of the show of hands a poll is demanded, a declaration by the chairperson that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the minute book of the Association, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.

43.2 At a delegates meeting of the Association, a poll may be demanded by the chairperson or by not less than five (5) members present at the meeting.

43.3 Where a poll is demanded at a delegates meeting, the poll shall be taken:

(a) immediately in the case of a poll which relates to the election of the chairperson of the meeting or to the question of an adjournment; or

(b) in any other case, in such manner and at such time before the close of the meeting as the chairperson directs,

and the resolution of the poll on the matter shall be deemed to be the resolution of the meeting on that matter.

44. Voting at delegates meeting

44.1 Upon any questions arising at a delegates meeting of the Association the only members entitled to vote shall be:

(a) members acting as delegates of a Member club pursuant to Rules 36.2 and 36.3;

(b) the Executive Committee of the Association.

44.2 Pursuant to Rule 44.1, no more than two members acting as delegates of a Member club may vote at a delegates meeting except:

(a) when a Member club nominates only one (1) team; or

(b) a newly formed club has not completed their first year of affiliation; then

only one (1) delegate will be entitled to vote.

44.3 All votes shall be given personally and there shall be no voting by proxy.

44.4 In the case of an equality of votes on a question at a delegates meeting, the chairperson of the meeting is entitled to exercise a casting vote.

44.5 A member is not entitled to vote at any delegates meeting unless all money due and payable by the Member club to the Association has been paid, other than the amount of the annual subscription payable in respect of the current year.

PART 6

MISCELLANEOUS.

45. Insurance

45.1 The Association shall effect and maintain insurance pursuant to section 44 of the Act.

45.2 In addition to the insurance required under Rule 45.1, the Association may effect and maintain other insurance.

47 Financial Year

47.1 The financial year shall conclude on April 30th in each year.

48 Funds - source

48.1 The funds of the Association shall be derived from entrance fees, annual subscription of members, fees, charges and sponsorships in respect of the Association's competitions and, subject to any resolution passed by the Association in general meetings, such other source as the Executive Committee determines.

48.2 All money received by the Association shall be deposited as soon as practicable and without deduction to the credit of the Association's bank or building society or credit union account.

48.3 The Association shall, as soon as practicable after receiving any money, issue an appropriate receipt.

48.4 The Executive may at its discretion accept sponsorship payments to the Association from third parties for cash or in-kind services.

49. Funds - management

49.1 Subject to any resolution passed by the Association in general meeting, the funds of the Association shall be used in pursuance of the objects of the Association in such manner as the Executive Committee determines.

49.2 All cheques, drafts, bills of exchange, promissory notes, funds transfers and other negotiable instruments shall be signed by any two (2) members of the Executive Committee of the Association.

49.3 All accounts shall be presented to and passed for payment at any Executive Committee meeting and full details of such approvals shall be entered into the Minutes.

50. Audit

50.1 The auditor(s) shall be nominated at the annual general meeting or soon thereafter.

50.2 They shall examine all accounts, vouchers, receipts, books etc and furnish a report thereon to members at the Annual General Meeting as required.

50.3 Audits shall be conducted at regular intervals of not more than twenty four (24) months.

51. Common Seal

51.1 The common seal of the Association shall be kept in the custody of the Public Officer.

51.2 The common seal shall not be affixed to any instrument except by the authority of the Executive Committee and the affixing of the common seal shall be attested by the signature of two (2) members of the Executive Committee or of one (1) members of the Executive Committee and of the Public Officer or Secretary.

52. Custody of books etc

52.1 Except as otherwise provided by these rules, the Public Officer shall keep in his or her custody or under his or her control all records, books and other documents relating to the Association.

53. Inspection of books etc

53.1 Except as otherwise provided by these rules, the records, books and other documents of the Association shall be open to inspection, free of charge, by a member of the Association at any reasonable hour.

54. Register of Players

54.1 The Registrar of the Association shall establish and maintain a register of players competing in competitions conducted by the Association.

54.2 Details of the players name, address, age, date of birth and Member club members shall be entered into the register.

55. Dissolution of the Association

55.1 The Association shall be dissolved in the event of Member club membership being less than three (3) clubs or upon the vote of a three-fourths majority of delegates present at a special general meeting convened to consider such an action.

55.2 Upon a resolution being passed in accordance with Rule 56.1, all assets and funds of the Association on hand shall, after payment of all expenses and liabilities, be handed over to registered and incorporated body that furthers the game of cricket, as a simple majority of the delegates at a special general meeting so convened, or at a subsequent special general meeting, may decide.

56. Service of notices

56.1 For the purpose of these rules, a notice may be served by or on behalf of the Association upon any member either personally, by post or via email either to the member at the members' post or email address shown in the register of members or to the secretary of a Member club of which the member is also a member.

56.2 Where a document is sent to a person by properly addressing, prepaying and posting to the person a letter containing the document, the document shall, unless the contrary is proved, be deemed for the purposes of these rules to have been served on the person at the time at which the letter would have been delivered in the ordinary course of post. If via email the notice shall be deemed served at the time it is digitally sent on the base that no bounced email message is returned.

57. Income and property

57.1 The income and property of the Association shall be used only for promotion of the objects of the Association.