



## Constitution of St Johns Tecoma Cricket Club Inc.

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## 1. Name

2. The Name of the Club shall be St Johns Tecoma Cricket Club Inc.

## 1. Preamble

1.1. This is the only constitution of the St Johns Tecoma Cricket Club Inc; any other constitution that has reference to St Johns Tecoma Cricket Club Inc is hereby revoked.

1.2. This constitution shall be deemed to incorporate the Model Rules for an Incorporated Association, pursuant to the Association Incorporation Act 1981 (schedule 3), save to the extent of any inconsistency in which case this constitution shall prevail.

## 2. Statement of Objectives

2.1. The aim of the St Johns Tecoma Cricket Club Inc is to promote and foster the sport of cricket and act in the best interests of its members.



## 3. Logo and Club Colours

3.1. The club colours shall be Bottle Green, Yellow, and a Black Surround. The logo is set out below.

Yellow  
Bottle Green

## 4. Definitions:

4.1. The Club means St Johns Tecoma Cricket Club Inc.

4.2. The Committee means the Committee of Management, which shall manage the affairs of the Club.

4.3. The Association means St Johns Tecoma Cricket Club Inc.

4.4. AGM means annual general meeting of the club.

4.5. Financial Member means a person who has paid their approved subscription as described in section 13.1, or is in the process of paying their subscriptions through instalments approved by the treasurer.

4.6. The Act means the Associations Incorporation Act 1981

4.7. General Meeting means a meeting of members called by a quorum of members

## 5. Committee of Management

The Committee will consist of:

1. President
2. Vice President
3. Secretary
4. Treasurer
5. Junior Coordinator
6. Ladies Delegate
7. Coach
8. General Committee Members

The election of these office bearers will occur at the AGM.

### 5.1. *President*

The President will be elected at an AGM, and must be a financial member of the club. The President will hold office for one year (up until the next AGM).

The President will be responsible for chairing all Committee meetings, chairing the AGM, be authorised to sign cheques on the clubs behalf. The President shall have a deliberative vote and, in the event of a tied vote, the President shall have the right to make a casting vote. The President will represent the club at Ferntree Gully and Districts Cricket Association (FTGDCA) meetings (along with the Junior Coordinator) and will vote on behalf of the club. The President should inform the Committee before attending any rule change meetings. The President must then vote according to the majority rule of the Committee. If it is not possible to notify the Committee then the President should vote how he/she believes it would best benefit the club.

### 5.2. *Vice President*

The Vice President will be elected at an AGM, and must be a financial member of the club. The Vice President will hold office for one year (up until the next AGM). The Vice President will be responsible for performing the duties of the President in his absence.

### 5.3. *Secretary*

The Secretary will be elected at an AGM, and must be a financial member of the club. The Secretary will hold office for one year (up until the next AGM).

The Secretary will be responsible for receiving all mail addressed to the club, be authorised to sign cheques on the clubs behalf, sending out mail on behalf of the club, keeping a minute record of all Committee meetings and an AGM.

### 5.4. *Treasurer*

The Treasurer will be elected at an AGM, and must be a financial member of the club. The Treasurer will hold office for one year (up until the next AGM).

The Treasurer will be responsible for the collection of all sums of money in the clubs name. The Treasurer should also keep a detailed record of Income and expenditure, be authorised to sign cheques on the clubs behalf, as well as preparing a yearly budget and financial report.

### **5.5. Junior Coordinator**

The Junior Coordinator will be elected at an AGM, and must be a financial member of the club. The Junior Coordinator will hold office for one year (up until the next AGM).

The Junior Coordinator shall be responsible for the day-to-day organization of the junior section of the club. The Junior Coordinator will represent the club at Ferntree Gully and Districts Cricket Association (FTGDCA) meetings (along with the President) and will vote on behalf of the club. The Junior Coordinator should inform the Committee before attending any rule change meetings. The Junior Coordinator must then vote according to the majority rule of the Committee. If it is not possible to notify the Committee then the Junior Coordinator should vote how he/she believes it would best benefit the club.

### **5.6. Ladies Delegate**

The Ladies Delegate will be elected at an AGM, and must be a financial member of the club. The Ladies Delegate will hold office for one year (up until the next AGM).

The Ladies Delegate shall be responsible for the day-to-day organization of the Ladies section of the club.

The Ladies Delegate will represent the club at Victorian Women's Cricket Association (VWCA) meetings and will vote on behalf of the club. The Ladies Delegate should inform the Committee before attending any rule change meetings. The Ladies Delegate must then vote according to the majority rule of the Committee. If it is not possible to notify the Committee then the Ladies Delegate should vote how he/she believes it would best benefit the club.

### **5.7. General Committee Members**

General Committee members will be elected at an AGM, and must be a financial member of the club. The General Committee members will hold office for one year (up until the next AGM).

The maximum number of General Committee members is eight (8) and the minimum is nil (0).

General Committee members are responsible to the Committee and can be ordered to undertake jobs by the Committee.

## **6. Elections to the Committee**

All people elected to a Committee must be financial members.

If there is only one nominee then that person shall be declared elected.

If there is more than one nominee, then a ballot shall be arranged for financial members present or their proxies (see section on proxies 9.4).

Elections can occur at an AGM or an extraordinary general meeting of club members.

Casual vacancies will be filled as per the regulations of the Act

## **7. Responsibilities of the Committee**

**7.1.** The Committee shall control and manage the affairs of the club. The Committee is subject to the rules of this constitution and the regulations of the Associations Incorporation Act 1981.

7.2. The Committee has the power to perform all Acts and things as appear to the Committee to be essential for the proper management of the business and affairs of the club.

7.3. In the event of a casual vacancy the Committee shall appoint any member it sees fit to that vacancy. That person may hold office only until the next AGM when that position must be declared vacant.

7.4. The Committee has the power to decide matters that relate to:

8.4.1 Electing captains;

8.4.2 How the president and Junior Coordinator are to vote at Ferntree Gully and Districts Cricket Association (FTGDCA) meetings;

8.4.3 Setting the annual price of Subscriptions;

8.4.4 Fundraising ventures;

8.4.5 Expenditure of club funds - for expenditure over \$200.00 the Committee must approve the expenditure by a majority of two (2);

8.4.6 To decide whether the club can go into debt. It must be a unanimous Committee decision before the club can go into debt;

8.4.7 The discipline of members, by way of a delegation of Committee members;

8.4.8 Appoint people to minor offices - eg: bar manager;

8.4.9 Ask Committee members to investigate a matter and prepare a report back to the Committee;

8.4.10 May from time to time co-opt a club member as it deems necessary

8.4.11 Decide on general policies for the club - eg: selection policy: and

8.4.12 Any other areas that relate to the general running of the club.

All of these areas can be dealt with by the Committee without referring to an AGM. All of these decisions will be considered to have passed if the majority of Committee members vote in favour, except for item 8.4.5, which must be a majority of 2, and item 8.4.6, which must be a unanimous vote in favour.

7.5. The Committee has the Power to make recommendations to be considered by a general meeting in regard to:

- Length of Terms for Office Bearers;
- Grounds upon which a Committee position can become vacant eg: health, insanity, etc and;
- Any other matter that the Committee believes should be decided on by a general meeting.

## **8. Proceedings at the AGM and Committee meetings:**

8.1. Both an AGM and Committee Meetings will be run according to general meeting rules. That is, the person who put the motion and the seconder can speak to any motion put forward, and then anyone who wishes to speak against the motion can, with the first or seconder having a right of reply. Then a vote on the matter should occur.

8.2. An agenda should be provided for all present.

8.3. The AGM must be held prior to October 1.

8.4. Financial members are entitled to a Proxy vote, which must be in writing and handed to the secretary before the commencement of voting procedures. Proxy votes must be assigned to a financial member of the club or, in the case of a junior member, may be assigned to a parent or guardian in which case the

nominated parent/guardian will assume the full rights of a member for the purposes of that meeting.

## 9. Proceedings for the Committee

9.1. The Committee shall meet at least three times a year at a place outside of the clubrooms.

9.2. All votes should be by a show of hands with each person only having one (1) vote, except the President, who shall have the right to a casting vote only in the advent of a tied vote.

9.3. All Committee members should have prior notice of any Committee meeting, and an agenda should be provided.

## 10. Quorum for an AGM

10.1. A quorum for an AGM is 14 financial members - no business or elections can occur without a quorum.

In the event of no quorum the meeting may be adjourned and reconvened within three weeks.

## 11. Quorum for a Committee meeting

11.1. A quorum for a Committee meeting is fifty percent of office bearers and general committee members - no business can be transacted without a quorum.

11.2. In the event of no quorum the meeting may be adjourned and reconvened within one month.

## 12. Application for membership

12.1. There shall be different type of memberships and subscriptions shall be based on these: Senior, Student/Unemployed, Junior, Veteran, Social Member, Guest Member, and Associate Member. The last two are non-fee paying members.

12.2. Any person who wishes to join the club shall fill in a membership application (or Registration form for the FTGDCA), and should be nominated by one existing member of the club. All applications should go to the Committee for approval. After the approval of any such person the secretary shall notify that person in writing of their approval.

12.3. Guest Members are entitled to use the club facilities and their membership is only valid until 12 midnight on the day they are signed in. Guest members must be signed in by a financial member.

12.4. Associate membership will be granted to members of the Ferntree Gully District Cricket Association(FTGDCA) executive and to financial members of clubs affiliated with the FTGDCA.

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## 13. Register of Members

13.1. The secretary shall keep a record of all members' name and address details and this record should be available for inspection by members of the public.

## **14. Removal of a Committee member**

*14.1.* A general meeting of financial members may, on a majority vote, remove a Committee member, and replace that person with another until the current term expires where the office shall be declared vacant.

## **15. Cheques**

*15.1.* All cheques, bills of exchange, promissory notes and other negotiable instruments shall be signed by two Committee members, with one of those being the either President, Secretary or Treasurer.

## **16. Seal**

*16.1.* The common seal of the club shall be kept in the custody of the secretary. The seal can only be used by the authority of the Committee and must be accompanied by at least two Committee members' signatures, with one of those being the either President, Secretary or Treasurer.

## **17. Alteration of Rules and Purpose.**

*17.1.* These Rules and Purposes can only be altered in accordance with the rules set out in the Act.

## **18. Winding up or Cancellation**

*18.1.* In the event of winding up or cancellation of the incorporation of the club, the assets shall be disposed of by the return of all property to the Ferntree Gully and Districts Cricket Association (FTGDCA) and used consistent with the Clubs stated objectives. The winding up must be held in accordance with the Act.

## **19. Custody of Records**

*19.1.* The Secretary shall keep all records that relate to the Club.

## **20. Sources of Funds**

*20.1.* The club has the power to generate funds through Subscriptions, sponsorships, fund raising and any other methods in accordance with the Act

## **21. Incorporation**

*21.1.* The word "Incorporated" or the Abbreviation "Inc" will always follow the clubs name.

## **22. Life Memberships**

*22.1.* Any Person who has been a member of the Club for Ten years or over can be nominated for Life membership of the Club. The majority of the Committee must approve the nomination.

## **23. Member Rights**

*23.1.* Financial Members have the right to vote or give their proxy to another member in the case of a vote.

Financial Members have the right to inspect all books/documents of the club.

## **24. Notice of General Meeting**

*24.1.* Members must be notified two weeks prior to the date of a meeting (including an Annual General Meeting or Extraordinary General meeting).

## **25. Audits**

*25.1.* Financial records of the club must be audited annually.

## **26. Discipline of Members and the Removal of Membership.**

*26.1.* If a member of the club brings the club into disrepute or acts against the interests of the club then, upon a majority of the full committee agreeing, the member shall be called before the committee to discuss the matter.

*26.2.* If the committee is not satisfied with the outcome of the meeting it may issue a written warning to the member stating that there be no further occurrences of the incident.

*26.3.* If the actions continue after the member has received notification from the committee, then the committee may, upon a majority of the full committee agreeing, withdraw membership rights from the member concerned. Any current membership fees held by the club shall be forfeited.

*26.4.* At anytime during the process the committee may elect to suspend the member from attending club activities for a period of time deemed, by the committee, commensurate with the severity of the offence.

*26.5.* Any further proceedings or appeals shall be conducted in accordance with Section 7 of the "Model Rules for an Incorporated Association" as schedule 5 to the Associations Incorporation Regulations 1998 and the Act.

## **27. Further Rules and Policies**

*27.1.* Further rules and policies pursuant to the running of the club shall be published by the committee as required and will be freely available to all members.