

**SHOALHAVEN EX-SERVICEMEN'S CLUB
CONSTITUTION AND RULES
CRICKET SECTION
AS APPROVED BY THE CLUB BOARD OF DIRECTORS ON 9TH SEPTEMBER
2009**

1 INTERPRETATION:

- 1.1 "The Club" is a reference to the Shoalhaven Ex-Servicemen's Club Ltd.
- 1.2 "The Club Board" is a reference to the Board of the Club.
- 1.3 "The Club President" is a reference to the President of the Club.
- 1.4 "The Secretary/Manager" means the Secretary/Manager of the Club.
- 1.5 "The Trustee" means the Board of the Club.
- 1.6 "The inaugural membership" means the members adopted by the Board as the inaugural membership of the section at the time the Board grants approval to the creation of the section.

2 APPROVAL TO SECTION

- 2.1 The Board hereby grants approval to the creation of the section to be known as "Shoalhaven Ex-Servicemen's Cricket Club" (the section).
- 2.2 A person is ineligible to be a member of the section unless he is a financial member of the Club.
- 2.3 The section shall conduct its affairs in accordance with the requirements of the Registered Clubs Act (where applicable), the Memorandum and Articles of Association of the Club and at all times shall be subject to the absolute control and supervision of the Board which reserves unto itself the unfettered discretion to make, alter and/or repeal any of these rules from time to time by simple resolution of a meeting of the Board.
- 2.4 The Board reserves the power to take disciplinary proceedings against a member of the section in accordance with the Memorandum and Articles of Association of the Club and the Club hereby authorises the Board, the Secretary/Manager or his delegate to take such action as may be required to give effect to any decision of the Board regarding or affecting the management of the section.

3 OBJECTIVES

The objectives of the section are as follows:-

- 3.1 To promote and encourage the sport of Cricket and to otherwise promote the objectives of the Club amongst members of the section.
- 3.2 To affiliate with any governing body which may regulate Cricket or which otherwise may be required to enable participation by members of the section in competitions and representative activities.
- 3.3 To organise and conduct competitions amongst members and visitors.
- 3.4 To promote the use of Hayden Drexel Oval and other facilities which the Club makes available to members and their invited guests.
- 3.5 To ensure that all members of the section act at all times in accordance with the rules of the Club.

4 MEMBERSHIP

- 4.1 A person may apply for membership of the section by completing the membership application form provided by the section committee.
- 4.2 Any person applying for admission to membership of the section must:-
 - 4.2.1 Be a member of the Club;
 - 4.2.2 Be proposed and seconded by a financial ordinary member of the section;
 - 4.2.3 Pay the membership and joining fee (if any) determined from time to time and in the manner as may be determined by the Club;
- 4.3 The persons comprising the inaugural membership are deemed members of the Section upon payment by them of the annual subscription.

5 CONDUCT AND CONTROL OF SECTION

- 5.1 The section will operate as a sporting and social club within the membership of the Club.
- 5.2 The section will operate in accordance with these rules and in accordance with the Memorandum and Articles of Association of the Club.
- 5.3 All members of the section, their invited guests and other persons invited to play in competitions controlled by the section shall abide by these rules and the rules adopted from time to time by the governing body of the game with which the section is affiliated from time to time.

- 5.4 The section shall have no separate legal existence other than as a club within the Club and all property of the section shall be and is hereby vested in the trustee.
- 5.5 The section shall not operate a bank account other than such account as is authorised and operated from time to time on behalf of the section by the Club.
- 5.6 The President and the Secretary/Manager shall be and remain signatories ex officio to any banking account operated by the section with the authority of the Club.
- 5.7 The Club may, in its absolute discretion from time to time, extend financial assistance to the section but it is not required to do so.
- 5.8 The section shall not conduct its affairs as a trading entity or for the purpose of gain or profit for its individual members and no property of the section shall be distributed or made available to members except as is authorised under these rules or the Memorandum and Articles of Association of the Club.

6 ACCOUNTS AND AUDIT

- 6.1 The section shall keep and maintain books of account showing the financial affairs of the section.
- 6.2 The books of account of the section shall be audited once in each period of six months by the Club's auditor and shall be reported to the Annual General Meeting of the Club and of the section.
- 6.3 The financial year of the section will correspond with the financial year adopted from time to time by the Club.
- 6.4 The Board may, at any time, require the section to provide a report to the Board provided that such requirement shall not be made of the section more frequently than once per calendar month.
- 6.5 Subject to the requirements of the Registered Clubs Act from time to time the Section Committee may authorise any expense incurred by an officer or member of the section in the performance of duties or obligations approved by a resolution of the Section Committee to be reimbursed out of the funds of the section upon production of such documentary evidence as may be required by the Section Committee

7 FEES AND SUBSCRIPTIONS

- 7.1 The joining fee (if any), annual subscription and playing fees payable by members of the section shall be set by the Club in consultation with the section committee.
- 7.2 The section committee shall set competition, playing or other fees in respect of competitions conducted by it.
- 7.3 The section committee may organise and conduct such other activities as it may require from time to time for the conduct or furtherance of its affairs or the objectives of the section and in respect of such activities, the section committee shall have the power to charge such fees or other payments as may be required and as are relevant to the activities.

8 SECTION COMMITTEE

- 8.1 The day to day affairs of the section shall be conducted by the section committee.
- 8.2 The section committee shall comprise the following persons:
 - 8.2.1 The Club President ex-officio;
 - 8.2.2 The Board delegate ex-officio;
 - 8.2.3 The section President;
 - 8.2.4 The section Vice-President;
 - 8.2.5 The section Secretary;
 - 8.2.6 The section Treasurer;
 - 8.2.7 Not more than 5 ordinary committee members.
- 8.3 The Board shall nominate the persons to comprise the Section Committee from the inaugural membership and such persons shall hold their respective offices until the first Annual General Meeting of the Section. The Section Committee members nominated by the Board shall be eligible to stand for office.

9 POWERS OF THE SECTION COMMITTEE

- 9.1 The section committee shall have power to:
 - 9.1.1 Recommend the opening and closing of the sporting facilities and area used by the section.
 - 9.1.2 Authorise expenditure from its funds.

- 9.1.3 Make recommendations for expenditure on the maintenance and improvement of the sporting and other facilities used by the section, and for any equipment needed by the section.
- 9.1.4 Appoint such sub-committees and liaison officers as it considers necessary.
- 9.1.5 Make such by-laws, Rules and Regulations, not inconsistent with the Memorandum and Articles of Association of the Club, these Rules or the Registered Clubs Act for the proper control, administration and internal management of the section's affairs.
- 9.1.6 Enforce the observance of all by-laws of the Club and the provisions of these Rules.
- 9.1.7 Make recommendations to the Club concerning any aspect of membership.
- 9.1.8 Appoint selectors, when appropriate, for all teams or individuals to represent the Club at inter-club or interstate competitions.
- 9.1.9 Otherwise act in the interests of all members of the section.
- 9.2 The Section Committee may grant leave of absence to a member of the Committee but the section Committee shall declare vacant the position of any elected committee member who shall, without having been granted a leave of absence, be absent for more than two consecutive meetings.
- 9.3 Any vacancies occurring on the Section Committee or other office between Annual General Meetings may be filled by the Section Committee and any such appointee will hold office until the next Annual General Meeting as if he had been elected at the Annual General Meeting.

10 SECTION COMMITTEE MEMBERS

- 10.1 The President of the Club and the Board delegate are ex-officio entitled to attend any meeting of the Section Committee and to vote and participate in the affairs and all meetings of the Section Committee and any sub-committee.
- 10.2 *Section President*
 - 10.2.1 The Section President shall be the Social and Business head of the section, and shall be responsible for the general supervision of the section's activities, social functions and administrative procedures.

The Section President shall preside over meetings of the section and will be an ex-officio member of all sub-committees.

10.2.2 The Section President shall ensure that all members of the Section Committee have a thorough knowledge of their obligations under the Memorandum and Articles of the Club, its by-laws and this constitution and rules.

10.2.3 As the social head of the section the Section President is responsible to welcome visitors to the section's activities and functions.

10.3 Section Vice-President

10.3.1 The Section Vice-President shall assist the Section President in the performance of their duties as may be required from time to time, and will assume the Section President's duties during their absence.

10.4 Section Secretary

10.4.1 The Section Secretary shall keep the records of the business transacted at all meetings, issue notices of all meetings, and carry out all other normal duties of a club secretary.

10.5 Section Treasurer

10.5.1 The Section Treasurer will collect and receive all monies due to the section and will disburse funds only as and when authorised by the Section Committee.

10.5.2 In urgent cases the Section President may give authority for a specific disbursement but the Section President's decision must subsequently be ratified by the Section Committee.

10.5.3 The Section Treasurer shall keep a record of all receipts and expenditure of the section and keep correct accounts and records which show the financial affairs of the section.

10.5.4 The Section Treasurer shall submit a Statement of Income and Expenditure to each monthly meeting of the section committee and will prepare the normal financial statements for presentation to the auditor for audit and to the Annual General Meeting of the members.

- 10.6 The Section Committee shall nominate two representatives to attend bi-monthly meetings of the Sports Council of the Club.

11 ELECTION OF OFFICERS

- 11.1 With the exception of the Club President and Board Delegate, all members of the Section Committee shall be elected at the Annual General Meeting of the section and subject to these rules shall hold office until the following Annual General Meeting.
- 11.2 Any elected officer shall be eligible for re-election.
- 11.3 All officers elected to the Section Committee shall act in an honorary capacity.

12 CONDUCT OF ELECTIONS

- 12.1 Any member standing for election to office of the Section Committee shall be financial Ordinary member of the Section and shall submit a nomination signed by the member and two other Ordinary financial members of the section on the nomination form provided by the Secretary.
- 12.2 The Secretary shall call for nominations for elected positions four (4) weeks prior to the date set for the Annual General Meeting of the section.
- 12.3 The closing date for nomination for positions shall be not less than fourteen (14) days prior to the date advertised for the holding of the Annual General Meeting.
- 12.4 The Secretary shall cause all nominations for positions to be posted on the section notice board from the closing date for nominations.
- 12.5 Elections.
- 12.5.1 Only financial Ordinary members of the section shall be eligible to vote in any election.
- 12.5.2 If there is more than one (1) nomination for an elected position then the Secretary shall cause an election by ballot to be conducted at the Annual General Meeting.
- 12.5.3 The election of officers shall be by secret ballot conducted at the Annual General meeting to be conducted on such terms as may be adopted by standing orders approved by the Section Committee from time to time. Voting by proxy shall not be permitted.

- 12.6 If a ballot is not required for an position then the candidate nominated for the position shall be declared elected to that position at the Annual General Meeting.
- 12.7 If no person is nominated for an elected position then the Chairman of the meeting may call for nominations from the floor without notice and if no candidate is nominated then the position shall be declared vacant and can be filled by the committee of the section subsequent to the Annual General Meeting as a casual vacancy.

13 MEETINGS

13.1 Annual General Meeting

- 13.1.1 The Annual General Meeting of the section shall be held in the month of July of each year on a date fixed by the Section Committee. The Section Committee shall give notice of the date of the Annual General Meeting and the place for the conduct of the meeting by causing a notice to be placed on the section notice board.
- 13.1.2 Notice of the date of the Annual General Meeting shall be given to the membership not less than twenty-one (21) days prior to the conduct of the meeting.
- 13.1.3 The business of the Annual General Meeting will be:-
- 13.1.3.1 Consideration and adoption of the annual reports.
 - 13.1.3.2 Presentation and adoption of the financial statements.
 - 13.1.3.3 Election of officers for the ensuring year.
 - 13.1.3.4 Notice of Motion.

13.2 Special General Meetings

- 13.2.1 At the written request of at least twenty percent (20%) of the aggregate number of financial Ordinary members of the section requesting the Secretary to conduct a Special General Meeting of the section and provided the notice states the object or reason for the calling of the meeting, then the Secretary shall cause a Special General Meeting of the section to be convened.
- 13.2.2 Notice of the convening of the Special General Meeting shall be given to the membership by posting notification of the meeting on the section

notice board at least twenty-one (21) days prior to the date set for the conduct of the meeting.

- 13.2.3 The only business to be transacted at the Special General Meeting shall be such business as is stipulated in the request of the members calling the meeting.
- 13.2.4 The Section Committee may, in its absolute discretion, notify all members by notice posted to each member of the calling of a Special General Meeting but the Section Committee is not required to give notice by post to each member.
- 13.2.5 The standing orders adopted by the Section Committee for Annual General Meetings shall govern the conduct of the Special General Meeting.
- 13.2.6 The Club President or his delegate shall be the Chairman of the Special General Meeting.
- 13.2.7 The business transacted at a special meeting shall be deemed special and will require approval by seventy-five percent (75%) of those members present and entitled to vote in order to carry a motion.

13.3 Section Committee Meetings

- 13.3.1 The Section Committee shall meet at least once per month or otherwise as determined by the Section Committee.

13.4 Generally

- 13.4.1 In the absence an adopted rule, by-law or standing order the provisions of the Memorandum and Articles of Association of the Club shall be called in aid to resolve any dispute regarding the conduct of a meeting.
- 13.4.2 The quorum for an Annual General Meeting or Special General Meeting shall be such number as is adopted in any standing orders and failing adoption of such number, then the quorum shall be ten (10) members. The quorum for a Section Committee meeting shall be five (5) not including ex officio members.
- 13.4.3 In the event of an equality of votes cast at a meeting the Chairman shall have both a substantive and casting vote.

13.4.4 At any meeting at which the Club President is entitled to vote the Club delegate may, in the Club President's absence, exercise and cast, in addition to their personal vote, the vote of the Club President.

13.4.5 Except with leave of the Chairman of the meeting, no business shall be debated at a meeting unless prior notice of the matter has been given to the meeting.

14 SECTION NOTICE BOARD

14.1 The Section Committee shall cause to be erected in a place authorised by the Board a notice board for use by the section and its members.

14.2 The section notice board shall be deemed the official notice board for the posting of all notices required under these rules.

14.3 Unless required by law, a notice posted on the section notice board shall be deemed sufficient notice to members provided the affixing of the notice is authorised by the Section Committee, the Board or these rules.

15 CLASSES OF MEMBERSHIP

15.1 The membership of the section shall consist of the following members:

15.1.1 Ordinary Members.

15.1.2 Life Members of the Shoalhaven Ex-Servicemen's Club Ltd.

15.1.3 Life Members of the Shoalhaven Ex-Servicemen's Club Cricket Club.

15.1.4 Junior Members.

15.2 Ordinary Members

15.2.1 To be eligible as a Ordinary Member, a person must be a financial member of the Club, and of the Section.

15.2.2 An Ordinary Member shall enjoy full playing rights to all competitions conducted by the section and may participate in any representative Association event or other competition ratified by the section committee.

15.3 Life Member of the Shoalhaven Ex-Servicemen's Club Ltd.

15.3.1 To be eligible as a Life Member of the Shoalhaven Ex-Servicemen's Club Ltd. a person must have been duly elected by the membership at a

Annual General Meeting of the Shoalhaven Ex-Servicemen's Club
Ltd.

- 15.4 Life Member of the Shoalhaven Ex-Servicemen's Cricket Club.
 - 15.4.1 To be eligible as a Life Member of the Shoalhaven Ex-Servicemen's Cricket Club, a person must have been duly elected by the Membership at a annual General Meeting of the Shoalhaven Ex-Servicemen's Cricket Club prior to 1st April 2006.
- 15.5 Junior Members.
 - 15.5.1 To be eligible as a Junior Member, a person must be a least seven years (7) of age and not older than Eighteen years (18) of age and must be a financial member of the Club and the Section.
 - 15.5.2 A Junior member shall enjoy full playing rights to all competitions conducted by the section and may participate in any representative Association event or other competition ratified by the section Committee.

16 REPRESENTATION BY MEMBERS OF THE SECTION

- 16.1 The Section Committee may, from time to time, appoint such members as may be required to act as delegates to any association or affiliated organisation that the section may be a member or affiliate of from time to time.
- 16.2 Any member nominated as a delegate shall report to the next meeting of the Section Committee.
- 16.3 Any member representing the section shall, at all times, conduct themselves so as to promote the good name of the section and of the Club.
- 16.4 Any expenses incurred by a member or delegate may, in the discretion of the Section Committee and subject to the Registered Clubs Act, be reimbursed out of the funds of the section.

17 DISCIPLINE

- 17.1 The discipline rules adopted by the Board or as may be expressed from time to time in the Memorandum and Articles of Association of the Club (the Discipline Rules) shall govern the conduct of members of the Section, their

invited guests and other competitors participating in any events organised or under the control of the Section Committee.

17.2 Any member or other person who acts contrary to the discipline rules shall be reported to the Board or the Secretary Manager.

17.3 All members and persons playing in competitions conducted by the Section Committee shall adhere to any rules adopted by the Club, the Section Committee or any governing body of the game as may be laid down or adopted from time to time by the affiliate body under which rules the competition is being played.

18 TROPHIES AND PRIZES

18.1 The Section Committee may, from time to time, determine to award trophies or prizes for competitions upon such terms and conditions as the Section Committee may from time to time adopt.

19 TERMINATION OF MEMBERSHIP

19.1 A member may resign from the section by giving notice in writing to the Secretary. Resignation shall not relieve the member of any outstanding financial obligation to the section or the Club.

19.2 Any member who remains un-financial after thirty (30) days of the financial year shall be deemed no longer a member of the Section and the Section Committee may, by notice published on the section notice board publish cancellation of that person's membership.

19.3 Any person whose membership of the Club is terminated shall thereupon be deemed to be no longer a member of the section.

19.4 Any member cited to the Section Committee who has been found by the Section Committee to have committed a serious breach of the Memorandum and Articles of Association of the Club, these rules or the Registered Clubs Act shall be terminated as a member of the section upon resolution of the Board to that effect.

20 ALTERATION OF THESE RULES

20.1 This Constitution and Rules may only be altered by the Board.

APPROVED BY THE BOARD: