

KNOX CITY CRICKET CLUB INC. CONSTITUTION



REVISED MAY 2009



KNOX CITY CRICKET CLUB INCORPORATED

1. Name:

The Knox City Cricket Club is recognised and approved through Victorian Legislation and Approval as an Incorporated Association. Throughout this document the Knox City Cricket Club is simply referred to as “The Association”.

2. Association Rules Glossary of Terms:

a. The following Glossary of Terms unless clear direction or intent is given:

- (1) **EXECUTIVE or EXECUTIVE COMMITTEE** means the committee of management of the Association.
- (2) **FINANCIAL YEAR** means the year ending 30 June
- (3) **GENERAL MEETING** is a meeting of members of the association convened in accordance with rule 9
- (4) **MEMBER** is any member of the association (Knox City Cricket Club)
- (5) **ORDINARY MEMBER** is a member of the association committee who is not holding an executive role under Rule 16
- (6) **THE ACT** means the Association Incorporation act of 1981
- (7) **THE REGULATIONS** means rules governing the associations under the act
- (8) **PUBLIC OFFICER** is an independent person known to the executive to act in an arbitrary role for the management of the Association
- (9) **MATCH COMMITTEE** made up of team captains, coach and chairman of selectors

b. Words or expressions contained in the Associations Constitution can be interpreted IAW the provisions made in the Interpretations Act of 1958 and any subsequent act as released by governing agencies hence time.



3. MEMBERSHIP

Membership of the association will be open to any interested persons following payment of an appropriate membership fee or subscription as advertised and set by the Executive of the association as follows:

- a. Playing Senior and Junior Members of the Association as being registered to the Knox City Cricket Club and as shown on the Ringwood District Cricket Association Web site
- b. Non Playing Members as the name suggests are interested persons who can become members of the association
- c. A parent of a Junior playing member will automatically be granted Non playing membership of the Association provided the Junior member is financial with the Association and the parent has signed the Association Membership register
- d. Life Members of the Association are automatic members of the Association for long standing service and support to the Association. It is responsibility of the Executive Secretary to ensure all life members are registered on the Association membership register.
- e. Honorary membership covers opposition sporting clubs on game days affiliated with the RDCA who will enjoy reciprocal membership rights with the Association, and are to have full access to facilities and privileges as if they were accessing their own club. This does not extend to voting or standing for association office.

4. ANNUAL MEMBERSHIP/SUBSCRIPTION AND PLAYING FEES

- a. The annual subscription/membership to the Association is a fee as set and approved by the Executive Committee and is payable by all members of the Association prior to the commencement of the first game
- b. Annual playing fees are decided by the Executive Committee and are divided into three categories, the subscription/membership fee is included in the annual playing fee:
 - (1) Senior Playing Members
 - (2) Senior Student Playing Members (14 years and over)
 - (3) Junior Members (Under 16 years)
- c. At a minimum a part payment of playing fees is due to the Association prior to the commencement of the first game, with all payments to be received and completed prior to 31st of October. If payment is not received by the Association at this time, the



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member in question is suspended from team selection until such time as arrears money due is paid.

d. The Executive Committee in consultation with ordinary members has the discretionary ability to put in place Annual fee incentive programs to promote member involvement in having all members financial to the Association.

e. Where a member of the Association is experiencing genuine financial hardship the Executive Committee has discretionary powers to extend fee payment due dates.

5. RECORDS OF MEMBERS OF THE ASSOCIATION

a. The Secretary shall keep and maintain an internal use only, record of members of the association. This record shall include the member's full name and address and any contact phone numbers as applicable. This register is to also include details of life members and non-playing members of the association.

b. A secondary no less complete register of members of the association shall also be generated and managed by the Secretary. This register is to be of a mobile nature and is used as proof of membership of the association on demand by official interested parties. The register should be sectionalized to include:

- (1) Registered Playing Members Senior & Junior
- (2) Association Life Members
- (3) Non-Playing Members including Parents of Junior Members
- (4) Visitors of the Association

6. RESIGNATION OF MEMBERSHIP TO THE ASSOCIATION

a. A member of the association who has paid all subscription and fees payable may resign from the association by notifying intent to a member of the Executive Committee. Thirty days from notification the member will cease to be a member of the association.

b. After the cooling off period as stated at 6a, the secretary is to annotate in club records and registers, stating the date when the member ceased affiliation with the association



7. EXPULSION OF MEMBERS FROM THE ASSOCIATION

a. A member of the association maybe at the discretion of the Executive Committee with a supporting majority of eligible voting members of the association be expelled. The vote of the association maybe open or closed voting as deemed by the President of the Association. To expel a member of the association is to be not under taken lightly, however below and not limited too are areas where expulsion maybe warranted:

- (1) A serious breach of bringing the association into disrepute
- (2) A repeat offender found guilty of on field breaches of the etiquette of cricket
- (3) A repeat offender with respect to fighting or drunkenness, which goes against the family values the association is promoting
- (4) Where other disciplinary measures have been applied by the association and the member has ignored or has refused to comply

b. A member who has been expelled from the association has right of appeal by putting a case forward for the executive committee's consideration in writing. The executive committee must respond within 14 days of receipt of a rebuttal. In cases where a rebuttal is received it is a responsibility of the whole committee of the association to manage the rebuttal and come to a majority decision. The executive committee reserves the right to veto a general committee decision where it is felt the decision reached in not in the best interest of the association.

8. SUSPENSIONS AND FINING OF MEMBERS

The association Executive committee on recommendation from the match committee or general committee may impose a suspension from the association for a pre-determined period, a fine or suspension from playing for the association for minor misdemeanours. The types of offences are generally of a less serious nature and to fine or suspend a player is a last resort, where consultation/counselling has been tried and failed. The most common occurrence where a player will be suspended from the association is when subscription and playing fees are over-due or for minor on-field offences, where the match committee or general committee of the association feel a sanction is warranted.



9. ANNUAL GENERAL MEETING (AGM) OF THE ASSOCIATION

a. The association shall in each calendar year convene an annual general meeting of the association membership. The AGM shall be held on a day at the discretion of the executive committee and it is the responsibility of the executive committee to notify the members at least 30 days in advance to ensure a legal forum of the association members are in attendance.

b. The AGM is to be generally run in the following format:

- (1) The AGM is to be opened by the President of the Association
- (2) The Executive Committee normally Treasurer will present the financial statement for the preceding 12 months for the association as required by the Act to the members for consideration and endorsement. It is important in accordance with the Act the presented financial statement contains:
 - i. A statement of income and expenditure
 - ii. Statement of Assets and Liabilities
 - iii. A statement setting out all mortgages, charges and securities affecting property of the association at the end of the last financial year
 - iv. A statement in respect of any trust of which the Association is trustee
 - v. The association executive should endeavour to have the financial statement prepared independent, where this is not conducted it is a requirement under the Act to have the prepared financial statement audited by a qualified auditor.
 - vi. The purpose of having the financial statement audited to reduce the risk of making false or misleading statements (Errors), which is an offence under the Incorporation Act.
- (3) To elect the new officers of the association to the executive committee and the ordinary members of general committee positions. Members of the association are to nominate for a position in writing no less than 14 days prior to the scheduled date of the AGM. All nominations are to be considered by the forum in attendance at the AGM, and then voted on with the majority winning member securing the position.



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- (4) With the new voted in Executive Committee in control of proceedings of the AGM, first order of business for the new executive is to determine playing fees.
- (5) Appoint the independent financial auditor
- (6) If time permits and at the discretion of the new executive special business of the Association may be heard, this generally when at least 14 days notice has been given about the subject to be discussed. All other business maybe deferred to be given consideration at a meeting of the association committee.

10. SPECIAL GENERAL MEETING (SGM)

a. All general meetings other than the AGM shall be called Special General Meetings, they are convened for the following reasons:

- (1) Where the association committee feels it necessary to have full involvement of members in making a decision that affects the association direction during the course of a year.
- (2) In the event a vote of the members of the association is required to expel a member for serious breaches of club rules.
- (3) By a group of members of the association not less than 5% of all members, when an issue has been raised to the association committee and it either has not been dealt with satisfactorily or the members feel the decision made by the committee is not in the best interest of the association and wishes to raise this matter to a full forum of the association to put the issue to a majority vote.
- (4) Where there is a total dissatisfaction in the performance of the Executive committee and a forum of members not less than 60% of eligible voting association members wish to pass a no confidence vote in the current executive and elect a new committee for the running of the association.
- (5) All reasonable costs incurred by members convening a Special General Meeting will be refunded by the association.

b. All special general meetings running procedures will be where possible run to a schedule similar to an AGM, with a financial statement not generally required. A special general meeting is only convened to action business raised in the notice of convening a special general meeting; no other business will be entered into.



11. PROCEDURES / RULES

- a. All business at either the AGM or SGM is specifically referred to in these rules is to be considered special business all other business is referred to as ordinary business. Ordinary business is business that the executive committee conducts in the running of the day to day activities of the association including any issues resolved by a general committee meeting of the association.
- b. No order of business can be transacted at an AGM or SGM unless a quorum of association members is present to decide the business. A minimum of 5 association members qualified to vote are required to be present.
- c. If a quorum of members of the association is not present 30 minutes after the designated start time, the matter is to be adjourned until such time at the discretion of either the executive chairman or to an agreed time as set by the group of association members convening a SGM.

12. CHAIRMAN

The President, or in his absence, the Vice-President, shall preside as Chairman, if either executives are unavailable those association members present will elect a member to act in the capacity of chairman of the meeting.

13. ADJOURNMENT

- a. During a course of a meeting it is at the discretion of the chairmen to call an adjournment to proceedings, this generally for comfort breaks and minor stoppages due to the need for some private time to clarify a point of business.
- b. A matter of business can be adjourned and carried forward to a future meeting at any time during a meeting with the general consensus of the quorum in attendance.

14. VOTING

- a. Any question posed to the quorum at a AGM or SGM of the association shall be determined by a show of hands, the chairman will declare whether a motion has been carried, carried unanimously, carried by a majority or if the motion has been rejected. At times with contentious issues it maybe required to poll the vote to reach a decision. There is no requirement to document in association minutes actual voting numbers for or against, a simple carried or rejected is all that is required.
- b. There will be **no proxy voting** within the association; only those present are entitled to vote.



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- c. In the case of a tied vote count to a particular order of business the chairman of the meeting is entitled to cast a second vote to resolve the business.
- d. A member is not entitled to vote at a convened meeting of the association unless all monies due and payable have been paid to the association.

15. THE ASSOCIATION COMMITTEE

- a. The executive committee shall be ultimately responsible for the control of the association's finances and in conjunction with the full committee be responsible for the running and operations of the association on a day to day basis.
- b. Full committee meetings will be convened at the association President's discretion, with urgent business dealt with by a meeting of the executive committee as required.
- c. The make-up of the association committee is as follows with the executive committee designated in bold print:

- (1) **PRESIDENT**
- (2) **VICE-PRESIDENT**
- (3) **SECRETARY**
- (4) **TREASURUR**
- (5) VETERAN'S REPRESENTITIVE (if applicable)
- (6) JUNIOR REPRESENTITIVE (if applicable)
- (7) BAR MEMBER
- (8) CANTEEN MEMBER
- (9) PROPERTY MEMBER
- (10) GENERAL POSITION
- (11) GENERAL POSITION
- (12) SOCIAL & FUNDRAISING DIRECTOR
- (13) S&F ASSISTANT
- (14) S&F ASSISTANT



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- d. All elected member's of the association will hold office until the next AGM at a date after the date of election generally not exceeding 12 months, all members are entitled to re-election.
- e. To resign from the association committee a member is required to put the resignation in writing to the executive committee, at which time the committee can canvas available members of the association to fill the vacancy.
- f. Subject to section 21 of the Act, the committee make-up meets the intent for incorporated associations, with the executive positions within the committee also being executive positions if applicable for the association Junior and Veteran elements of the association.

16. ELECTION OF COMMITTEE MEMBERS

- a. All nominations to fill a position of the association committee will be submitted in writing and if not nominating for self, will be signed by the person being nominated to acknowledge the nomination.
- b. All nominations shall be receipted to the Secretary no later than 7 days prior to the scheduled date of the AGM.
- c. Where nominations received equals positions vacant, the member is considered elected, however where there is multiply nominations for the one position a ballot is to take place. If there is no suitable nominations for a vacant position of the committee the chairman of the meeting is to canvas the quorum of members to see if any member is willing to fill the position and take of the role and responsibility of that position.

17. GROUNDS FOR TERMINATION OF OFFICE

- a. For the purpose of these rules, the member of the executive committee of the association or a member of the ordinary member of the committee becomes vacant if the officer or member:
 - (1) Ceases to be a member of the association
 - (2) Becomes an insolvent under administration within the meaning of companies (Victoria) code
 - (3) Is found guilty of a major criminal offence as detailed in the crimes Act of 1984



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- (4) As previously mentioned by resigning office by giving notice in writing to the executive committee

18. PROCEDURES FOR COMMITTEE MEETINGS

a. The association committee will meet as required but generally not less than 3 times in a calendar year:

- (1) Meetings will be run in the same format and governed by the same rules as an AGM, with the President residing as Chairman
- (2) A minimum of 7 days notice shall be given to committee members to ensure adequate time to make arrangements to attend
- (3) To be deemed to have a quorum a committee meeting must have a minimum of 3 members including at least one Executive officer, to conduct association business
- (4) Any vacancy of a committee position can be filled by an eligible member and ratified at the meeting of the association committee

19. SECRETARY

a. The secretary of the association shall keep minutes of all meetings and include all resolutions and proceedings including action agenda items that may carry over to a future meeting. The minutes should also contain the names of the members present when association business was conducted.

b. The secretary is also responsible for ensuring all players of the association are registered and insured to play.

c. On game day the secretary is responsible for phoning match results through as required and entering and updating home game results as required.

20. TREASURER

a. The treasurer of the association shall:

- (1) Collect and receive all moneys due to the association and make all payments authorised by the association
- (2) Keep accounts and ledgers showing the financial affairs of the association with full details with respect to expenditure with receipts for association activities



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- b. The accounts and books referred to above shall be available for inspection by any association member who wishes to do so.
- c. All moneys and proceeds of the association are to be banked or placed with a reputable corporate body approved by the executive committee.

21. PROPERTY MEMBER

The property member is responsible for maintaining all of the association equipment and assets. He is also responsible for the issuing of equipment for use by teams on game day and training as well as ensuring association cricket pitches including cricket nets are clean and in good repair.

22. SOCIAL & FUNDRAISING MEMBER & ASSISTANTS

The S&F members are responsible for all fund raising activities, social functions and assisting with Bar and Canteen duties or any other duties as directed by the executive committee as deemed necessary and in the best interest of the association.

23. JUNIOR & VETERANS REPRESENTITIVES

These representatives are responsible for raising any issues revolving around their realm of responsibility to the association and be a direct point of contact for matters relating to Junior or veteran issues. They are to ensure that all teams they represent have sufficient resources to enjoy on-field endeavours.

24. REMOVAL OF COMMITTEE MEMBERS

- a. The association at a convened special general meeting may pass a resolution to remove any members of the committee prior to completing the tenure in office and then appoint another association member to the vacant position or positions. This is conducted by a majority vote of the association members.
- b. Where an association member has been removed from office, they have an avenue for right of appeal and may represent in writing to the association President. At which time the President is to notify association members of the appeal and allow them access to the written representation, at which time another SGM is convened as soon as practicable to resolve the representation.
- c. The Life members of the association with a majority vote can when deemed necessary and in the best interest of the association remove any member of the committee.



25. APPOINTMENT OF COACH & TEAM CAPTAINS

- a. The executive committee of the association is responsible for appointing a coach of the club, who also will generally be captain of the first XI.
- (1) The coach is responsible in consultation with the executive committee the appointment of all team captains
 - (2) The coach is responsible for all training and on-field game day issues
 - (3) The coach is lastly responsible for appointing assistants to run training when absent, this is generally team captains but can be any association member as deemed appropriate by the coach

26. TEAM SELECTION

- a. The executive committee in consultation with the coach is to appoint a chairman of selectors to act as an impartial member for team selection.
- b. The selection committee shall consist of:
- (1) Chairman of Selectors
 - (2) Coach
 - (3) Team Captains
- c. A member of the executive committee is required to brief and advise the selection committee of any non-availability of association members through being regarded as a non-financial to the association refer 4c.

27. ASSOCIATION FINANCIAL ARRANGEMENTS

- a. All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by any two of the following:
- (1) President
 - (2) Treasurer
 - (3) Secretary
 - (4) Vice-President



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b. It is at the association's executive committee's discretion how financial matters are managed. It would be deemed normal to have an association bank account that is two tiered to have:

- (1) A working account with card access
- (2) A main account with cheque book

c. It is envisaged that the working account does not have more than 25% of the available association funds and is primarily used by canteen and bar members of the committee to buy stock and necessary supplies for the associations use.

28. BRAND NAME & COMMON SEAL

The association's brand name and common seal (Knox City Cricket Club with the tiger logo) shall not be affixed to any instrument or used in anyway without the written permission of the executive committee. Association members are to be mindful that bringing the association into a position of disrepute are grounds for expulsion from the association refer 7a(1).

29. ALTERATION OF THE CONSTITUTIONS CONTENT

The rules and guidelines contained in the association constitution are binding and shall not be altered except by means in accordance with the Act.

30. SERVICING OF NOTIFICATION TO MEMBERS

a. Notification to association members of meetings or association activities are by means at the discretion of the executive committee. These include traditional methods of by letter posted, club notice board or phone. However new methods can be used by advertising on the clubs website, E-mail directly to association members or by phone using the SMS capability.

b. It is the member's responsibility to ensure the association secretary has all current contact details.

31. DISBANDING THE ASSOCIATION

In the event of the winding up or the cancellation of the incorporation of the association, the assets of the association shall be disposed of in accordance with the provisions of the Act.



32. CUSTODY OF BOOKS AND OTHER DOCUMENTS

Except as otherwise stated in these rules, the secretary shall keep in his custody or under his control; all association books, documents, securities and records of the association. On request, shall make them available for inspection by members.

33. SOURCE OF FUNDS

The funds of the association shall be derived from entrance fees, annual subscriptions, donations sponsorship and such other sources as the committee determines.

34. COLOURS

The colours of the association the Knox City Cricket Club since foundation are Black and Gold.

35. LIQUOR LICENSING

a. The Association Executive Committee in holding a liquor licence for members of the association's enjoyment and convenience have rules and requirements placed against them with respect to the Responsible Service of Alcohol (RSA). As required under terms of holding a liquor licence in accordance with liquor licensing legislation, the association is required as a minimum to ensure the following conditions and requirements are met at all times (This is the minimum at time of writing this constitution suggest the executive committee publish and make association members aware of any further requirements under future legislation):

- (1) Bar opening/closing times and liquor licensing legislative rules in accordance with the association's issued licence are to be strictly adhered to, the duty bar person has full authority of the association President when enforcing rules governing bar operations.
- (2) The bar is to be only opened for service when a member of the association who has an approved RSA certificate is on-site to oversee bar activities.
- (3) Under provisions in the issuing of the association's liquor licence only those over the age of 18 years are permitted to consume alcohol on the premises.
- (4) Only members of the association as recognised within the secretaries records or as an escorted visitor signed in by a member of the



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association in the visitor's sign in register are permitted to consume alcohol within the association premises

- (5) As stated previously at rule 3(f) opposition teams including support members on game days are deemed to be honorary members of the association under a reciprocal membership arrangement between sporting clubs within the RDCA.
- (6) All requirements as mandated on the issued liquor licence for the association are to be adhered to at all times, it is the responsibility of all association members to help enforce requirements.
- (7) The association has an approved licensed area, this area is defined by the red line plan displayed within the association premises; drinks purchased from the association are to be consumed within this designated area. All association members are responsible for enforcing this requirement.

b. The association executive reserves the right to open and close the association bar, with or without cause and as such empowers duty bar person's who are duly qualified in RSA to work within prescribed rules and standards to best meet the association's responsibility to the members and the wider community, with respect to the consumption of alcohol.

c. By promoting a safe and harmonious environment for all persons who visit the association, better places the association to attract new members and financial sponsorship. This will further help ensure the associations longevity, now and into the future; with a secondary no less positive aspect of an improved standing within the local community.

SJM
May 2009