

Woodville Rechabite Cricket Club Inc.

Constitution

1.0 NAME

The name of the Incorporated Association is the *Woodville Rechabite Cricket Club Incorporated* hereinafter referred to as “the Club”.

2.0 OBJECTS

The objects of the Club are:

- 2.1 To promote, encourage and facilitate participation in the game of cricket at both senior and junior levels;
- 2.2 To provide a social or community facility, including licensed premises, for the benefit of the members of the Club and the surrounding community.

3.0 ATTAINING OBJECTS

The Club shall be empowered through the Committee of Management to do all things necessary or desirable for the attainment of the objects of the Club.

4.0 PROPERTY OF THE CLUB

The Club must apply all property and income of the Club towards the promotion of the objects of the Club, and no part of that property or income is to be paid or otherwise distributed, directly or indirectly, to members of the Club, except in good faith in the promotion of those objects or purposes, and with the express approval of the Committee of Management.

5.0 POWERS OF THE CLUB

In accordance with the provisions of the *Associations Incorporations Act 1985*, the Club has the power to:

- 5.1 acquire, hold, deal with, and dispose of any real or personal property;
- 5.2 open and operate bank accounts;

- 5.3 invest its money:
 - 5.3.1 in any security in which trust moneys may be invested; or
 - 5.3.2 in any other manner authorised by this Constitution;
- 5.4 borrow money upon such terms and conditions as the Club thinks fit;
- 5.5 give such security for the discharge of liabilities incurred by the Club as the Club thinks fit;
- 5.6 appoint agents and employees to transact any business of the Club on its behalf for reward or otherwise;
- 5.7 accept donations and gifts in accordance with the objects of the Club;
- 5.8 print and publish any information by any media including newsletters, newspapers, articles or leaflets, for promotion of the Club;
- 5.9 provide gifts and prizes in accordance with the objects of the Club;
- 5.10 organise social events for members and other parties interested in furthering the objects of the Club, and for the promotion of the Club; and
- 5.11 enter into any contract the Club considers necessary or desirable.

6.0 MEMBERSHIP

- 6.1 Membership shall be open to any person who wishes to further the interests of, and participate in the activities of the Club.
- 6.2 Any person seeking membership shall make application in written form to the Committee of Management through the Secretary of the Club, and the Management Committee shall determine whether the application is successful or not.
- 6.3 Each person admitted to membership is:
 - 6.3.1 bound by the Constitution and any other rules of the Club;
 - 6.3.2 liable for such fees and subscriptions as may be fixed by the Club; and
 - 6.3.3 entitled to all advantages and privileges of membership.

6.4 Membership Categories:

6.4.1 ORDINARY MEMBER

Any person who is a financial member of the Club is entitled to stand for election or appointment to the Committee of Management, represent the Club by playing cricket, and enjoy the privileges and voting entitlements of the Club.

6.4.2 JUNIOR MEMBER

Any person under the age of 18 years may become a Junior Member.

6.4.3 LIFE MEMBERSHIP

The Committee of Management may recommend to the Annual General Meeting that an award of Life Membership be given to any member who has given a minimum of ten (10) years' service to the Club.

For an award of Life Membership, the recommendation must be presented to the Annual General Meeting through the notice given to members of that meeting, and the nomination must receive at least a two-thirds majority support of the members present and voting.

Any member may nominate another member to the Committee of Management for consideration and recommendation for Life Membership.

Any person who is a Life Member of the Woodville Rechabite Matheson Sports Club Inc at the time of adoption of this Constitution shall be a Life Member of the Club.

PATRON

The Club may, at its discretion, elect or appoint a patron, or patrons, of the Club for such period as may be deemed necessary. A patron is not eligible to vote unless they are current members of the Club under another category of membership.

6.5 The Secretary must cause a current register of all members of the Club to be maintained. This requirement is satisfied by the maintenance of an electronic register.

7.0 SUBSCRIPTIONS

- 7.1 The annual subscription amount to be paid by different classes of membership is to be fixed by the Committee of Management;
- 7.2 Annual subscriptions shall be due on the first of April each year.
- 7.3 No member other than a Life Member is to be relieved of the payment of their membership, unless express written consent is provided by the Committee of Management;

8.0 TERMINATION OF MEMBERSHIP

- 8.1 Any person's membership may be terminated by any of the following events;
 - 8.1.1 Resignation
 - 8.1.2 Expulsion
 - 8.1.3 a Member's annual membership fee remains unpaid after three (3) months of it falling due;
- 8.2 The Committee of Management has the power to suspend or expel any member of the Club for:
 - 8.2.1 any of the events in Item 8.1; or
 - 8.2.2 false or inaccurate statements made in the member's application for membership of the Club; or
 - 8.2.3 breach of this Constitution or any other rule of the Club; or
 - 8.2.4 by any act deemed by the Committee of Management to be detrimental to the Club.
- 8.3 For any member in respect of whom it is proposed that they be expelled, suspended or have their membership terminated, the Committee of Management shall provide written notice of the intention of the Committee of Management to deal with their matter. The member has to present their case either orally or in writing or both to the Committee of Management.
- 8.4 A member has the right to appeal against their suspension or expulsion by presenting their case to a General Meeting called for such purpose, and the decision of the General Meeting shall be final.

9.0 COMMITTEE OF MANAGEMENT

- 9.1 Management of the Club shall be vested in the Committee of Management elected by the members at the Annual General Meeting or otherwise appointed, and consisting of;
 - 9.1.1 Chairman
 - 9.1.2 Secretary
 - 9.1.3 Treasurer
 - 9.1.4 Seven (7) Committee Members
- 9.2 Each nomination for the Committee of Management must be in writing and signed by at least one member and the person nominated. A sitting member may be re-elected to the Committee of Management.
- 9.3 If more candidates are nominated than there are vacancies on the Committee of Management, an election will be held by secret ballot.
- 9.4 If the same number of nominations are received as there are vacancies for the Committee of Management, the Chairman shall declare each nominee duly elected.
- 9.5 Any vacancies on the Committee of Management that remain vacant at the conclusion of an Annual General Meeting are to be filled at the discretion of the Committee of Management.
- 9.6 The Committee of Management must meet at least once every two months;
- 9.7 A quorum of the Management Committee shall be at least five (5) members.
- 9.8 The Chairman is to preside over all meetings of the Committee of Management. If the Chairman is unable to attend or otherwise unwilling to preside over a meeting, then a chairperson nominated by the meeting shall chair that meeting.
- 9.9 The Chairman has both a deliberative and a casting vote;
- 9.10 The Secretary must keep an accurate record of the minutes of each meeting of the Committee of Management and all general meetings of the Club;
- 9.11 The Secretary will be the Public Officer for the Club;
- 9.12 A member of the management committee may lose his or her seat on the committee for either of the following:

9.12.1 Absence from three or more meetings without leave of absence;

9.12.2 Found not to be a financial member.

10.0 POWERS OF THE MANAGEMENT COMMITTEE

10.1 The Committee of Management shall carry out the day-to-day running of the Club and shall have the power to:

10.1.1 administer the finances, and direct the opening of banking accounts for specific purposes and to transfer funds from one account to another, and to close any such account;

10.1.2 fix the manner in which such banking accounts shall be operated upon, providing the Committee of Management passes all payments;

10.1.3 fix fees and subscriptions (subject to ratification at AGM) payable by members and decide such levies, fines and charges as is deemed necessary and advisable, and to enforce payment thereof;

10.1.4 adjudicate on all matters brought before it which in any way affect the Club.

10.1.5 cause accurate minutes to be made of all proceedings at meetings of the Committee and all General Meetings of members;

10.1.6 have the power to form and appoint any sub committees as required for specific purposes;

10.1.7 (at its absolute discretion) employ a person or persons to carry out certain duties required by the Club, at salaries or remunerations for such period of time, as may be deemed necessary;

10.1.8 appoint an officer or agent of the Committee of Management to have custody of the Club's records, documents and securities.

10.1.9 appoint a Treasurer to perform the following:

10.1.9.1 receive all moneys of the Club and keep accurate accounts of such moneys;

10.1.9.2 be responsible for the bank accounts of the Club;

10.1.9.3 maintain an accurate book or books, which may be inspected by the Committee of Management at any time, demonstrating the financial position of the Club;

10.1.9.4 Submit a financial report statement and balance sheet signed by the duly appointed auditor at the Annual General Meeting;

10.1.9.5 Submit a financial report to each meeting of the Committee of Management.

10.2 Should a vacancy occur on the Committee of Management during the season, the Committee may appoint a successor until the next Annual General Meeting.

11.0 AUDITOR

11.1 The Annual General Meeting shall appoint an Auditor.

11.2 The Auditor must examine and audit all the books and accounts of the Club annually, and have the power to call for all books, papers, accounts, receipts and the like of the Club and report thereon to the Annual General Meeting.

12.0 GENERAL MEETINGS

12.1 Annual General Meeting

12.1.1 The Annual General Meeting of the Club must be held prior no later than 31 May each year;

12.1.2 The Secretary must give at least fourteen (14) days' notice of the date of the Annual General Meeting to members;

12.1.3 All financial members may attend the Annual General Meeting.

12.1.4 The quorum at the Annual General Meeting shall be a minimum of 15 members. If, at the end of 30 minutes after the time appointed in the notice for the opening of the Meeting, a quorum is not made out, the meeting shall stand and adjourn for a period not less than two (2) days and not exceeding seven (7) days, at the determination of the President. If at such meeting there is no quorum those members present shall be competent to discharge the business of the meeting.

12.1.5 The order of business for an Annual General Meeting shall be:

- Opening of Meeting

- Apologies
- Confirmation of Minutes of previous Annual General Meeting and any Special General Meeting held since the last AGM
- Correspondence requiring consideration at such a meeting
- Presentation of Annual Report by President
- Presentation of Treasurer's statement
- Election of the Committee of Management
- Appointment of Auditor
- Such other business as is deemed necessary

12.2 Special General Meetings

12.2.1 Special General Meetings may be called by the Committee of Management or at the request of the President and Secretary or on the written request of 15 members of the Club.

12.2.2 The Secretary shall give at least seven (7) days' notice, in writing, of the date of the General Meeting to the members. Notice of General Meetings shall set out clearly the business for which the meeting has been called. No other business shall be dealt with at that General Meeting.

12.2.3 The quorum at the Special General Meeting shall be a minimum of 15 members.

13.0 ALTERATIONS TO THE CONSTITUTION

13.1 No alteration, repeal or addition shall be made to the Constitution except at the Annual General Meeting, or a Special General Meeting, called for that purpose and notice of all motions to alter, repeal or add to the Constitution shall be given to members fourteen (14) days prior to the Annual General Meeting, or seven (7) days prior to a Special General Meeting called for such purpose.

13.2 The Secretary shall forward such notices of motion to each Management Committee member at least fourteen (14) days prior to the Annual General Meeting or seven (7) days prior to a Special General Meeting.

13.3 Such motions, or any part thereof, shall only be effective if passed by at least a seventy five percent (75%) majority of those present and entitled to a vote at the Annual General Meeting or Special General Meeting as the case may be.

13.4 Within one month of the passing of a Special Resolution, the Secretary shall notify the Department of Consumer and Business Services of the amendment.

14.0 DISSOLUTION

14.1 In the case it shall appear advisable or necessary to dissolve the Club a Special General Meeting duly called for that specific purpose shall have the power by at least a 75% majority of those members present and eligible to vote, to resolve that the Club be dissolved and its affairs be wound up accordingly.

14.2 At least one calendar months' notice must be provided in writing to members of a Special General Meeting called for the purpose outlined in clause 14.1.

14.3 Upon the dissolution or winding up of the Club, the assets of the Club are to be realised and converted into cash and the moneys from such realisation along with any other moneys held by the Club, are to be applied toward payment of the debts and liabilities of the Club.

14.4 Any residue of moneys from a realisation in accordance with clause 14.3 is to be transferred to another body with objects similar to the objects of the Club as to be determined by the Special General Meeting.