



*Manning River District
Cricket Association
Incorporated*

Constitution

2021 – V1

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Version and Amendment Control

Version	Date	Page No.	Description
2021.V1	31/8/21		For adoption of amendments as per the Fair Trading and cricket NSW Constitution.

Name of Association

The Manning River District Cricket Association Inc. (an Incorporated Association) shall be known as the Manning River District Cricket Association or its abbreviated form MRDCA but herein referred to as the Association.

Core Principles

This constitution covers the core principles to be observed in the management of the Association.

1. To promote, develop, conduct, and manage the game of cricket within the boundaries of the Association as determined by the Mid North Coast Cricket Council and also in conjunction with any other Association that may wish to join such alliance.
2. To develop, approve and enforce rules for the conduct of Cricket Competitions among clubs affiliated to the Association.
3. To prepare and approve programmes of such Cricket Competitions and to allocate venues for such matches.
4. To adjudicate on matters of dispute between clubs affiliated with the Association in accordance with the playing conditions and laws.
5. To ensure safe management practices are exercised.

PART 1 - PRELIMINARY

1. TERMINOLOGY

In this Constitution.

- a. The Association means the “Manning River Cricket Association Incorporated”.
- b. Office Bearers refers to the persons elected/appointed at the Annual General Meeting.
- c. Executive Committee refers to those Office Bearers elected at the Annual General Meeting.
- d. Delegates refer to the persons nominated by their clubs to attend Association Meetings.
- e. Sub Committee refers to the persons invited /appointed by the Executive Committee to those positions.
- f. “Special General Meeting” refers to a general meeting of the Association other than the annual general meeting.
- g. Statement of Duties refers to the Office Bearers responsibilities to the Association.
- h. “The Act” refers to the Association Incorporation Act, 2009.
- i. “The Regulation” refers to the Association Incorporation Regulation, 2016.
- j. “Playing conditions” refers to the conditions applying to the conduct of the Associations Cricket competitions.
- k. MNCCC refers to the Mid North Coast Cricket Council Inc.
- l. MRDCUASA refers to the Manning River District Cricket Umpires and Scorers Association Inc.
- m. In Writing refers to communication either electronically, written, text or by post.
- n. A reference to a function includes a reference to a power, authority, and duty;
and
- o. A reference to the exercise of a function includes, where the function includes, where the function is a duty, a reference to the performance of that duty.
- p. The provisions of the interpretation Act, 1987 apply to and in respect of these rules in the same manner as those provisions would so apply if these rules were an instrument under the Act.

PART 2 - AFFILIATION & MEMBERSHIP

3. MEMBERSHIP QUALIFICATIONS

- a. The Association shall be comprised of the Clubs affiliated with it and such office bearers as are duly elected in accordance with Clause 5.1.
- b. Upon making written application any other Club or Association having such qualifications as may be determined from time to time by the Executive Committee, may be granted affiliation provided such application is approved by a two-thirds majority of votes cast at a Delegates Committee Meeting.

4. FEES AND SUBSCRIPTIONS FOR MEMBERSHIP

- a. Every affiliated Club or body shall pay to the Association affiliation fees, the amounts of which will be determined from time to time by the Delegates Committee of the Association and published in the Playing Conditions. Club affiliation fees, shall be submitted by Clubs within such time limits as the Executive Committee shall from time to time determine.
- b. Each affiliated Club or Association shall be required to pay to the Association a joining fee of \$20 and an annual subscription of \$10 which shall register that body and its members. Any new Club seeking affiliation prior to the coming season shall pay a one-off pro-rata fee on application.
- c. In addition to an affiliation fee in terms of clause 4 (a) above, the Executive Committee may levy a performance bond or any other such surety or charge against any Club(s) that the Executive Committee may at its discretion determine warrants such action in order to protect the interests of the Association and its affiliated Clubs. The amount of any such bond, surety or charge shall be determined on a case-by-case basis.

5. MEMBERSHIP

Membership of the Association will be made up of the following Membership Groups

- Office Bearers/ Executive Committee
- Delegates Committee
- Life Members

5.1 Office Bearers/ Executive Committee:

- a) Office Bearers of the Association shall be the President, Vice President, Secretary, Treasurer, Recorder and Public Officer, who shall comprise the Executive of the Association, all of whom shall be elected at the Annual General Meeting of the Association.
- b) All Office Bearers must be financial members of an affiliated Club or Organisation.

5.2 Delegates Committee:

The Delegates Committee shall consist of members as follows:

The Office Bearers (who cannot be delegates for any Club).

- i. Delegates of each of the Cricket Clubs granted affiliation in accordance with paragraphs 3(a) & 3(b) of this Constitution, a minimum of 1 delegate per club and a maximum of 2 delegates.
- ii. One delegate from any Association(s) granted affiliation in accordance with clauses 3(a) & 3 (b) of this Constitution.
- iii. Any person not affiliated with a Club or Organisation may be appointed to the Delegates Committee in an Honorary, non-voting, capacity.
- iv. Members of the MRDCUASA are classified as Honorary Members of the MRDCA who are entitled to one deliberate vote at meetings.

5.3 Life Members:

Members who give outstanding service to the Association may be nominated and elected as a Life Members of the Association. Nominations for Life Membership must be forwarded in writing to the Secretary no later than twenty-eight (28) days prior to the Annual General Meeting. The motion for the election of any such Life Member must be passed by a majority of not less than two thirds of votes cast. All Life Members shall be regarded as Financial Members of all affiliated bodies.

6. CESSATION OF MEMBERSHIP

An Association Member ceases to be a member if the Member:

- a. Dies or ceases to exist in his/her own right.
- b. Resigns that membership in writing.
- c. Is expelled from the Association.
- d. Ceases to be a member of the body which elected him in accordance with Clause 3 of this Constitution.
- e. A Member ceases to be a Member of the Association at the Executive Committee's discretion if that Member fails to be represented, without leave, from three (3) consecutive meetings of the Association.

7. MEMBERSHIP ENTITLEMENTS NOT TRANSFERABLE

- a. A right, privilege or obligation which a person or organization has by reason of being a member of the Association:
 - i. Is not capable of being transferred or transmitted to another person or organization.
 - ii. Terminates upon cessation of the person's or organization's membership.

8. RESIGNATION OF MEMBERSHIP

- a) A member of the Association is not entitled to resign that membership except in accordance with the following:
- b) A member of the Association may resign from membership of the Association by first giving notice (being not less than 1 month or not less than such other period as the Executive Committee may determine) in writing to the secretary of the

member's intention to resign and, upon the expiration of the period of notice, the member ceases to be a member.

- c) Where a member of the Association ceases to be a member pursuant to clause 5.1 and in every other case where a member ceases to hold membership, the secretary shall make an appropriate entry in the register of members recording the date on which the member ceased to be a member.

9. REGISTER OF MEMBERS

- a. The Secretary shall establish and maintain a register of members of the Association, (whether in written or electronic form) specifying the name and address and/or email of each member of the Association together with the date on which that member joined.
- b. The register of members shall be kept in MyCricket/ Play HQ database, accessible by the Secretary and shall be open for inspection, free of charge, by any member of the Association at any reasonable hour.

10. MEMBERS' LIABILITIES

The liability of a member of the Association to contribute towards the payment of debts and liabilities of the Association or the cost, charges and expenses of the winding up of the Association is limited to the amount of One Dollar (\$1.00) and every member of the Association is deemed to have undertaken to pay such amount, if so required, in the event that the Association is wound up whilst a member or within a period of one year after ceasing to be a member thereof.

11. DISTRIBUTION OF PROPERTY ON WINDING UP OF ASSOCIATION

- a) Subject to the Act and the Regulations, in a winding up of the association, any surplus property of the association is to be transferred to another organisation with similar objects and which is not carried on for the profit or gain of its individual members.
- b) In this clause, a reference to the surplus property of an association is a reference to that property of the association remaining after satisfaction of the debts and liabilities of the association and the costs, charges, and expenses of the winding up of the association.

Note. Section 65 of the Act provides for distribution of surplus property on the winding up of an association.

12. DISCIPLINING OF MEMBERS

Where the Executive Committee is of the opinion that a member of the Association, as defined in Clauses 5.1, 5.2 and 5.3

- a) Has persistently refused or neglected to comply with a provision or provisions of this Constitution; or,
- b) Has persistently and wilfully acted in a manner prejudicial to the interests of the Association; or
- c) Has neglected to comply with any requirements or direction of the Association or the Executive Committee and,

- d) Refused or neglected to comply with the playing conditions of the Association's competitions or the Association's Code of Conduct, Racial and Religious Vilification Code, MCC Spirit of Cricket and the use of social media to bring the game into disrepute.

The Executive Committee may, by resolution:

1. Expel the member from the Association; or
 2. Suspend the member from membership of the Association for a specified period; or
 3. Impose a monetary fine upon the member; or
 4. Impose a combination of disciplinary actions contained in clauses **12** (d) 1 to 3
- e) A resolution of the Executive Committee under clause **12** (a) is of no effect unless the Executive Committee, at a meeting held not earlier than 7 days and not later than 21 days after service on the member of a notice under clause **12** (g), confirms the resolution in accordance with this rule.
- f) Where the Executive Committee passes a resolution under clause **12** (a), the Secretary shall, as soon as practicable, cause a notice in writing to be served on the member:
- i. Setting out the resolution of the committee and the grounds upon which it is based.
 - ii. Stating that the member may address the committee at a meeting to be held not earlier than 7 days and not later than 21 days after service of the notice.
 - iii. Stating the date, place, and time of that meeting; and
 - iv. Informing the member that the member may do either or both of the following:
 - Attend and speak at that meeting.
 - Submit to the committee at or prior to the date of that meeting written representations relating to the resolution.
- g) At a meeting of the Executive Committee held as referred to in clause 12 (f), that committee shall:
- i. Give to the member an opportunity to make oral representations.
 - ii. Give due consideration to any written representations submitted to the committee by the member at or prior to the meeting; and
 - iii. By further resolution determine whether to confirm or to revoke the original resolution.
- h) Where the committee confirms a resolution under paragraph 12 (f), the secretary shall within 7 days after that confirmation, by notice in writing inform the member of the fact and of the member's right of appeal under Clause 13.
- i) A resolution confirmed by the committee under paragraph 12 (g) does not take effect:
- i. Until the expiration of the period within which the member is entitled to appeal against the resolution where the member does not exercise the right of appeal within that period; or

- ii. Where within that period the member exercises the right of appeal, unless and until the Association confirms the resolution pursuant to Clause 13 (g).

13. RIGHT OF APPEAL OF DISCIPLINED MEMBER

- a) A member may appeal to the Association Delegates Committee against a resolution of the Executive Committee which is confirmed under clause 12 (h), within 7 days after notice of the resolution is served on the member by lodging with the secretary a notice to that effect.
- b) Upon receipt of a notice from a member under clause 13 (a), the secretary shall notify the Delegates Committee and shall convene a general meeting of the Association to be held within 21 days after the date on which the secretary received the notice.
- c) At a general meeting of the Association convened under clause 13 (a):
 - i. No business other than the question of the appeal shall be transacted.
- d) The Executive Committee and the member shall be given the opportunity to state their respective cases orally or in writing, or both; and
- e) The members present shall vote by secret ballot on the question of whether the resolution should be confirmed or revoked.
- f) If at a Delegates Committee Meeting the Association passes a special resolution in favour of the confirmation of the original resolution, the resolution is confirmed.

14. POWERS OF DISCIPLINE NOT TO BE LIMITED

Notwithstanding the powers conferred upon the Executive Committee and the Delegates Committee by clause 12 and clause 13 of this Constitution, shall not restrict in any way the powers of the Executive Committee, the Delegates Committee nor the Judiciary which are conferred upon these committees by the Playing Rules of this Association.

PART 3 - THE EXECUTIVE COMMITTEE

15. POWERS, ETC., OF THE EXECUTIVE COMMITTEE

The Executive Committee of the Association, subject to the Act, the Regulation, and these rules and to any resolution passed by the Association in a general meeting:

- i. Shall control and manage the affairs of the Association and act only in the Associations best interest.
- ii. May exercise all such functions as may be exercised by the Association inclusive of any function regarding safe playing practices, other than those functions that are required by these rules to be exercised by the Delegates Committee of the Association; and
- iii. Has power to perform all such acts and do all such things as appear to the Executive Committee to be necessary or desirable for a safe and proper management of the affairs of the Association and the conduct of its competitions.
- iv. Each year administer the preparation of rules for the conduct of such cricket competitions as the New South Wales Country Cricket Association may require the Association to conduct and manage.
- v. Each year prepare programmes of matches to be played in such cricket competitions as required and any other matches in conformity with the objects of the Association.

16. COMPOSITION AND MEMBERSHIP

- a) Subject in the case of the first members of the Executive Committee to section 21 of the Act, the Executive Committee shall consist of the office-bearers of the Association re clause 5.1.
- b) In the event of a casual vacancy occurring re clause 4 in the membership of the Executive Committee, the committee may appoint a member of the Association to fill the vacancy and the member so appointed shall hold office, subject to these rules, until the next Annual General Meeting.

17. ELECTION OF MEMBERS

Nominations of candidates for election as office-bearers of the Association:

- a) Shall be made in writing, signed by 2 members of the Association, and accompanied by the written consent of the candidate: and
- b) Shall be delivered to the Secretary of the Association not less than 7 days before the date fixed for the holding of the annual general meeting at which the election is to take place.
- c) Where the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected.
- d) If the number of nominations received exceeds the number of vacancies to be filled, a ballot shall be held.
- e) If insufficient nominations are received to fill all vacancies on the committee, the
- f) Candidates nominated shall be deemed to be elected.
- g) If after nominated positions have been filled and vacancies still exist, then nominations will come from the floor.

- h) The ballot for the election of office-bearers shall be conducted at the annual general meeting in such usual and proper manner as the Executive Committee may direct.
- i) A nomination of a candidate for election under this clause is not valid if that candidate has been elected to another office at the same election.

18. DUTIES AND FUNCTIONS OF OFFICE BEARERS

18.1 PRESIDENT

Specific duties include but are not limited to.

- a) Chairperson at all meetings
- b) Shall conduct such meetings in accordance with the constitution and the by-laws.
- c) Ex officio chairperson of all committees.
- d) Delegate a representative or attend all MNCCC and MJCA meetings
- e) Ensure all safety practices are adhered to.
- f) Is a signatory to the association's finances.
- g) Facilitates the planning in determining the Associations future.
- h) Have one casting vote only at any meetings.

18.2 VICE PRESIDENT

Specific duties include but are not limited to.

- a) Chairs any Association meeting in the Presidents absence.
- b) Provides support to the Executive Committee when required.
- c) Shall have one deliberate vote at all meetings.

18.3 SECRETARY

Specific duties include but are not limited to.

- a) As soon as practicable after being appointed as Secretary, lodge notice with the Association of his or her address.
- b) Keep all minutes of meetings being Delegates Committee, Special, Sub Committee, and AGM.
- c) Record all contact information of elected Office Bearers.
- d) Record all contact information of Club Delegates.
- e) Maintain a record of attendees at meetings.
- f) Attend to all correspondence and generally perform all duties usually connected with the position.
- g) Receive and action appeals arising from the Association meetings.
- h) Ensure all minutes are signed by the President or the Chair in his/her absence.
- i) Prepares and provides updates to policies, Playing Conditions and Constitution for discussions and approval by Executive and Delegates Committee.
- j) Shall have one deliberate vote at all meetings.

18.4 TREASURER

It is the duty of the Treasurer of the Association to ensure that:

- a) All money due to the Association is collected, receipt issued, banked as soon as possible and all payments authorized by the Association are made.

- b) 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.
- c) These records shall be available for inspection at a reasonable time by any Member and shall be held in the custody of the Treasurer.
- d) Provide a concise Financial Statement at the AGM.
- e) Notification to the bank of any signatory changes if required after the AGM.
- f) Shall have one deliberate vote at all meetings.

18.5 RECORDER

Specific duties include but are not limited to.

- a) Keep all results of competition matches played.
- b) Keep all results of individual performances of all players in all competition matches.
- c) Allocate competition points in accordance with the Playing Conditions in force from
- d) time to time.
- e) Report any discrepancies relating to points gained in competition play to the Executive and at the next meeting, Delegates Committee for adjudication.
- f) Keeps the Associations Web Site current.
- g) Uploads to the website final and approved copies of policies, playing conditions, and the Constitution.
- h) Shall have one deliberate vote at all meetings.

18.6 PUBLIC OFFICER

Specific duties include but are not limited to.

- a) Notifies Fair Trading of any change to the association's address within 28 days.
- b) Attends to all matters relating to the Dept of Fair Trading.
- c) Collects all association documents from outgoing committee members and delivers such documents to new committee members.
- d) Custody of any documents as required by the constitution.
- e) Shall have one deliberate vote at all meetings.
- f) Any other duties in support of the Executive Committee.

19. REMOVAL OF MEMBER

The Association in a Delegates Committee meeting may by resolution remove any Executive member of the Committee from the office 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.

Where a member of the Executive to whom a proposed resolution referred to in (a) relate makes representation in writing to the President or Secretary, the member is entitled to require that the representations be read out at the meeting at which the resolution is considered.

20. DELEGATION BY COMMITTEE TO SUB-COMMITTEE

- a) The Executive Committee may delegate to one or more sub-committees the authority to carry out such functions of the Executive Committee as specified in writing, other than: this power of delegation; and a function which is a duty imposed on the Executive Committee by the Act or by any other law.
- b) A function 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.
- c) A delegation under this section may be made subject to such conditions or limitations as may be specified in the instrument of delegation.
- d) The Executive Committee may revoke wholly or in part any delegation under this rule.
- e) 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.
- f) A sub-committee may meet and adjourn as it thinks proper.

21. EXECUTIVE COMMITTEE VOTING AND DECISIONS

- a) Questions arising at a meeting of the Executive Committee or any sub committee shall be determined by a majority of votes of committee members present at the meeting.
- b) Each Office Bearer (excluding the President) present at such meeting is entitled to one vote and in the event of an equality of votes on any question the President shall have a casting vote.
- c) Subject to clause 16(e), the Executive Committee may act notwithstanding any vacancy on that committee.
- d) Any act or thing done or made, or purporting to have been done or made, 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.

PART IV - MEETINGS

22. USE OF TECHNOLOGY AT COMMITTEE MEETINGS

- a) Committee meetings may be held at 2 or more venues using any technology approved by the committee that gives each of the Executive and Delegate Committee members a reasonable opportunity to participate.
- b) A committee member who participates in a committee meeting using that technology is taken to be present at the meeting and, if the member votes at the meeting, is taken to have voted in person.

23. EXECUTIVE COMMITTEE MEETINGS AND QUORUM

23.1 Holding of Meeting

- a) The Executive Committee shall meet at least once in each period of 12 months at such place and time as the committee may determine.
- b) Additional meetings of the Executive Committee may be convened by the President upon request.

23.2 Notice of meetings

- a) Oral, written or electronic notice of a meeting of the Executive Committee shall be given by the secretary to each member of such committee at least **48 hours**, or such other period as may be unanimously agreed upon by the members of the committee, before the time appointed for the holding of the meeting.
- b) Notice of a meeting given under clause (c) shall specify the general nature of the business to be transacted at the meeting and no business other than that business shall be transacted at the meeting, except business which the Executive Committee members present at the meeting unanimously agree to treat as urgent business.

23.3 Quorum

- a) Any 3 of such members of the Executive Committee constitute a quorum for the transaction of the business of a meeting of such committee.
- b) 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 hour of the same day in the following week at a place to be advised.
- c) If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the meeting shall be dissolved.
- d) At a meeting of the Executive Committee: The President or, in the President's absence, the Vice-President shall preside; or
- e) If the President and the Vice-President are absent or unwilling to act as such, one of the remaining members of the committee as may be chosen by the members present at the meeting shall preside.

24. ANNUAL GENERAL MEETINGS

24.1 Holding of meeting

- a) The Association shall, at least once in each calendar year and prior to the 31st of August in each year, convene an Annual General Meeting of its members.
- b) Clause 19(a) shall have effect subject to any extension or permission granted by the Commission under section 26(3) of the Act.
- c) Any other Meeting shall be a Delegates Committee or Special Meeting.

24.2 Notice of meetings

Oral, written or electronic notice shall be forwarded to each member Club or Association **14 days prior** to the meeting and be accompanied by a copy of the financial statement, balance sheet, auditor's report, nomination form and details of any notice of motion to be transacted.

24.3 Standing orders

- a) The Annual General Meeting of the Association shall, subject to the Act and to clause 19, be convened on such date and at such place and time as the Executive Committee thinks fit.
- b) The business of an Annual General Meeting shall be:
 - i. To confirm the minutes of the last preceding annual general meeting and of any special general meeting held since that meeting.
 - ii. To receive from the President and Secretary reports upon the activities of the Association during the last preceding financial year.
 - iii. To receive and consider the statement of accounts, the balance sheet and accept and approve the submission of the Annual Statement required under Section 26(6) of the Act.
 - iv. To elect Office Bearers of the Association.
 - v. To elect such number of delegates to the Mid North Coast Cricket Council as the Association may be entitled to elect in accordance with the rules of the Mid North Coast Cricket Council.
 - vi. Other business of which notice of motion has been received in writing by the Secretary at least 21 days prior to the Annual General Meeting.

24.4 Quorum

- a) The quorum for Association General Meetings shall be two-thirds representation of all associated clubs or bodies.
- b) No item of business shall be transacted at any meeting unless a quorum of members entitled to vote is present.
- c) If within half an hour after the appointed time for the commencement of any meeting a quorum is not present, the meeting if convened upon the requisition of members shall be dissolved; and in any other case the person presiding shall adjourn the meeting to the same day and time in the following week at the place advised.
- d) If at the adjourned meeting a quorum is not present within fifteen (15) minutes after the time appointed for the commencement of the meeting, the members present shall constitute a quorum.
- e) The Rules of Debate at all meetings of the Association shall, be in accordance with this constitution and be conducted in such a manner as encouraging free speech.

- f) No resolution passed at any meeting shall be rescinded at a subsequent meeting unless written Notice of Intention to propose such motion shall have been received by the Secretary at least fourteen (14) days prior to the subsequent meeting

25. DELEGATES COMMITTEE (GENERAL) MEETINGS

25.1 Holding of meeting

- a) The Association shall, at least once in each calendar year and prior to the 31st of August in each year, convene an Annual General Meeting of its members.
- b) Clause 19(a) shall have effect subject to any extension or permission granted by the Commission under section 26(3) of the Act.
- c) Any other General Meeting shall be a Special Meeting.

25.2 Notice of meetings

- a) Oral, written or electronic notice of a Delegates Committee Meeting shall be forwarded **7 days prior** to the meeting and accompanied by a copy of the minutes of the previous meeting and details of any known business to be transacted.
- b) General Meetings may be advertised via at least one local medium giving the relative notice periods specified in clauses 22(a) & 22(b).

25.3 Quorum

- a) The quorum for Delegates Committee Meetings shall be two-thirds representation of all associated clubs or bodies.
- b) No item of business shall be transacted at any meeting unless a quorum of members entitled to vote is present.
- c) If within half an hour after the appointed time for the commencement of any meeting a quorum is not present, the meeting if convened upon the requisition of members shall be dissolved; and in any other case the person presiding shall adjourn the meeting to the same day and time in the following week at the place advised.
- d) If at the adjourned meeting a quorum is not present within fifteen (15) minutes after the time appointed for the commencement of the meeting, the members present shall constitute a quorum.
- e) The Rules of Debate at all meetings of the Association shall, be in accordance with this constitution and be conducted in such a manner as encouraging free speech.
- f) No resolution passed at any meeting shall be rescinded at a subsequent meeting unless written Notice of Intention to propose such motion shall have been received by the Secretary at least fourteen (14) days prior to the subsequent meeting

26. SPECIAL OR OTHER MEETINGS - CALLING OF

26.1 Holding of meeting

The Executive Committee may convene a Special Meeting of the Association or a Delegates Committee of the Association, meeting at any time.

26.2 Notice of meetings

- a) Oral, written or electronic notice shall be forwarded to each member Club or Association **14 days prior** to the meeting stating the business to be transacted.
- b) The Executive Committee shall, at their discretion, OR on the requisition in writing of not less than five (5) members, convene a Special Meeting of the Association within **28 days of receipt of the requisition**.
- c) A requisition of members for a Special 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 signed by one or more of the members making the requisition.

26.3 Quorum

- a) The quorum for Special Or Other Meetings shall be two-thirds representation of all associated clubs or bodies.
- b) No item of business shall be transacted at any meeting unless a quorum of members entitled to vote is present.
- c) If within half an hour after the appointed time for the commencement of any meeting a quorum is not present, the meeting if convened upon the requisition of members shall be dissolved; and in any other case the person presiding shall adjourn the meeting to the same day and time in the following week at the place advised.
- d) If at the adjourned meeting a quorum is not present within fifteen (15) minutes after the time appointed for the commencement of the meeting, the members present shall constitute a quorum.
- e) The Rules of Debate at all meetings of the Association shall, be in accordance with this constitution and be conducted in such a manner as encouraging free speech.
- f) No resolution passed at any meeting shall be rescinded at a subsequent meeting unless written Notice of Intention to propose such motion shall have been received by the Secretary at least fourteen (14) days prior to the subsequent meeting

27. PRESIDING MEMBER

- a) The President or, in the President's absence, a Vice-President, shall preside as chairperson at each meeting of the Association.
- b) If the President and the Vice-Presidents are absent from a meeting or unwilling to act, the office Bearers present shall elect one of their number to preside as chairperson at the meeting.

28. ADJOURNMENT

- a) The chairperson of a meeting at which a quorum is present may, with the consent of the majority of delegates 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.

- b) Where a meeting is adjourned for 14 days or more the secretary shall give written or oral notice of the adjourned meeting to each member of the Association stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.

29. MAKING OF DECISIONS

- a) A question arising at a Delegates Committee meeting of the Association shall be determined on a show of hands and, unless before the declaration of the show of hands a secret ballot is demanded, a declaration by the chairperson that a resolution has been carried or lost shall be binding.
- b) At a Delegates Committee Meeting of the Association, a secret ballot may be demanded by the chairperson or by not less than 3 members.
- c) Where a secret ballot is demanded at a Delegates Committee meeting, the poll shall be taken immediately.

30. SPECIAL RESOLUTION

A resolution of the Association is a special resolution if it is passed by a majority which comprises not less than three quarters of such members of the Association present at the meeting and being entitled under these regulations to vote at a Special Meeting of the Association.

31. VOTING

- a) Upon any question arising at any meeting of the Association each Office Bearer with the exception of the President, has one vote only.
- b) Upon any question arising at any meeting of the Association each member of the Delegates Committee has one vote only. This vote can only be exercised by the club appointed delegate.
- c) In the case of an equality of votes on a question at a Delegates Committee meeting, the President shall have a casting vote.
- d) An Association member's delegate is not entitled to vote at any meeting of the Association
 - i. the delegate vote would constitute a conflict of interest
 - ii. unless all money due and payable by the member to the Association has been paid.
- e) Notwithstanding the non-entitlement to vote, all requirements upon a member to be represented by delegates remain fully effectual.

PART V - MISCELLANEOUS

32. INSURANCE

- a) With respect to the insurance required to be maintained by the Association pursuant to Section 44 of the Act, it shall be a function of the Executive Committee to ascertain whether or not the Association is covered by a policy held by Cricket New South Wales each year and, if not so covered, to effect such insurance forthwith and ensure that the Association maintains such insurance either on its own account or by a policy held by Cricket New South Wales
- b) In addition to the insurance required under clause 29(a), the Association may affect and maintain such other insurance as it deems necessary either on its own account or through policies held by Cricket New South Wales.

33. FUNDS - SOURCE

- a) The funds of the Association shall be derived from such sources as the Executive/Delegates Committees determines.
- b) All money received by the Association shall be deposited as soon as practicable and without deduction to the credit of the Association's bank account.
- c) The Association shall, as soon as practicable after receiving any money, issue an appropriate receipt.

34. FUNDS - MANAGEMENT

- a) Subject to any resolution passed by the Association in Delegates Committee meeting, the funds of the Association shall be used in pursuance of the objects of the Association in such manner as the committee determines.
- b) All payments made by or to the Association must be paid by cheque, cash or funds transfer.
- c) All payments require provision of an Invoice to initiate the payment.
- d) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by any two (2) Office Bearers conjointly.
- e) In the advent of a Funds Transfer, a receipt will be issued as soon as practicable after receiving any money.
- f) Honorariums may only be paid on a recommendation from the Delegates Members and approved by an Annual General Meeting.

35. USE OF FUNDS

The funds of the Association shall be used solely in pursuance of the objects of the Association.

36. FINANCIAL YEAR

The financial year of the Association shall end on June 30 in each and every year.

37. ALTERATION OF OBJECTS AND CONSTITUTION

The statement of objects and the Constitution may be altered, rescinded or added to only by a Special Resolution of the Association at an Annual General Meeting or under circumstance critical to the legality of this Constitution, a Special Resolution of which notices refer clause 20 (a) and clause 22(a) have been given and which special

resolution has been passed by a majority which comprises not less than three quarters of such members of the Association present at the meeting and being entitled under these regulations to vote at an Annual General Meeting of the Association.

38. COMMON SEAL

The Common Seal of the Association shall be kept in the custody of the Secretary. 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 signatures of two (2) members of the Executive Committee

39. CUSTODY OF BOOKS

Except as otherwise provided by the Constitution, the Secretary shall keep in his or her custody or under his or her control all records, books and other documents relating to the Association, however.

All Financial documents/records shall be in the custody of the Treasurer at all times.

40. INSPECTION OF BOOKS

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 which is mutually agreeable between any such member and the Secretary or other Custodian.

41. SERVICE OF NOTICES

- a) For the purpose of these rules, a notice may be served by or on behalf of the Association upon any member or member club, either personally, ~~or by~~ sending it by post, email, facsimile, or delivering to the member at the member's address shown in the register of members.
- b) Where a document is sent to a member or member club by properly addressing, prepaying, and posting, emailing, or faxing to the person a notice or 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, email or facsimile.

42. SURPLUS PROPERTY

- a) At the first general meeting of the Association, the Association shall pass a special resolution nominating an incorporated Association as the Association in which to vest its surplus property pursuant to section 53(2) of the Act in the event of the winding up or the cancellation of the incorporation of the Association.
- b) The incorporated Association so nominated shall be one which fulfils the requirements specified in section 53(2) (a) - (c) of the Act.

43. REPRESENTATIVE AND CLUB COMPETITION RULES

- a) Only members of affiliated Clubs are eligible for inclusion in any Association team, except where directed or requested by the New South Wales Country Cricket Association or its affiliates.

- b) Club Competitions shall be conducted by the Association in such a manner and at such venues as determined from time to time by the Match Committee.
- c) Playing Rules shall be separate from this Constitution and the Secretary shall be responsible for their recording and upkeep and shall give to each Club a copy thereof prior to the start of the Competition each year.
- d) Rules governing alterations to Playing Rules shall be contained within the Playing Rules.

44. ASSOCIATION TROPHIES

- a) All perpetual Association Trophies shall remain the property of the Association.
- b) Clubs and individual players will be awarded trophies at the annual MRDCA presentation night. All trophies will then be collected at the end of the presentation night and stored for safe keeping.
- c) Any damage to perpetual trophies shall be repaired by the Association and the cost charged against the Club, individual or individual's Club as deemed appropriate by the Executive Committee.

Signed _____

Date _____

President MRDCA