

**CONSTITUTION
OF
MACLEAY
VALLEY
CRICKET
ASSOCIATION
INCORPORATED**

NAME

The name of the Association is **Macleay Valley Cricket Association Incorporated.**

OBJECTS

The objects of the Association are:

- To promote, develop, conduct and manage the game of cricket within the area of the Association as determined by the Mid North Coast Cricket Council, and also in conjunction with any other Association that may wish to enter such an alliance.
- To make, approve and enforce rules for the conduct of Cricket Competitions among Clubs affiliated with the Association.
- To prepare and approve programmes of such cricket competitions and to allocate venues at which such matches are to be played each year.
- To adjudicate on matters of dispute and difference between Clubs affiliated with the Association.

PART I
PRELIMINARY

INTERPRETATION

1. (i) In this Constitution, except in so far as the context or subject-matter otherwise indicates or requires -

words importing the singular include the plural and vice versa;

words importing one gender include any other gender;

"member" means a member of the Association who is not an office-bearer as referred to in Clause 4(i);

"office-bearer" means a person elected or appointed to the position of President, Vice President, Secretary, Treasurer or Recorder.

"secretary" means -

(a) the person holding office under these rules as Secretary of the Association; or

(b) where no such person holds that office - the public officer of the Association;

"the Act" means the Associations Incorporation Act, 1984;

"the Regulation" means the Associations Incorporation Regulation, 1985.

- (ii) In this Constitution -

(a) a reference to a function includes a reference to a power, authority or duty; and

(b) a reference to the exercise of a function includes, where the function is a duty, a reference to the performance of the duty.

- (iii) 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 made under the Act.

HEADINGS

2. Headings to Clauses of this Constitution are intended for ease of reference only and are not to be taken to affect the Constitution or the interpretation of such Clauses.

PART II
AFFILIATION & MEMBERSHIP

MEMBERSHIP QUALIFICATIONS

3. (i) The Association shall be comprised of the Clubs affiliated with it and the members of such Clubs as the Macleay Valley Cricket Umpires & Scorers Association and its members and such office bearers as are duly elected in accordance with Clause 4(i).
- (ii) Upon making written application any other Club or Association having such qualifications as may be determined from time to time by the Management Committee may be granted affiliation provided such application is approved by a two-thirds majority of votes cast at a Management Committee Meeting.
- (iii) Each and 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 Management Committee of the Association. Club affiliation fees, together with registration forms shall be submitted by Clubs within such time limits as the Management Committee shall from time to time determine.
- (iv) 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.
- (v) In addition to an affiliation fee in terms of 3(iii) above the Management Committee may levy a performance bond or any other such surety or charge against any Club(s) that the Management 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.

AFFILIATION & MEMBERSHIP (Cont...)

MEMBERSHIP

4. (i) OFFICE BEARERS

Office Bearers of the Association shall be the President, two (2) Vice Presidents, Secretary, Treasurer and Recorder, who shall comprise the Executive of the Association, all of whom shall be elected at the Annual General Meeting of the Association.

All Office Bearers must be financial members of an affiliated Club or Organisation.

(ii) LIFE MEMBERS

Members who give outstanding service to the Association may be made 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.

(iii) MANAGEMENT COMMITTEE

The Management Committee shall consist of members as follows:

- (a) The Office Bearers (who cannot be delegates for any Club)
- (b) Delegates of each of the Cricket Clubs granted affiliation in accordance with paragraphs 3(i) & 3(ii) of this Constitution in the ratio per Club of one delegate per each grade of competition in which that Club has engaged for the current season
- (c) One delegate from any Association(s) granted affiliation in accordance with paragraphs 3(i) & 3(ii) of this Constitution
- (d) Any person not affiliated with a Club or Organisation may be appointed to the Management Committee in an Honorary, non-voting, capacity.

AFFILIATION & MEMBERSHIP (Cont...)

CESSATION OF MEMBERSHIP

- 5.** (i) An Association Member ceases to be a member if the Member -
- (a) dies or ceases to exist in its 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 4 of this Constitution
- (ii) A Member ceases to be a Member of the Association at the Management Committee's discretion if that Member fails to be represented - without leave - from three (3) consecutive meetings of the Association.

MEMBERSHIP ENTITLEMENTS NOT TRANSFERABLE

- 6.** A right, privilege or obligation which a person or organisation has by reason of being a member of the Association -
- (a) is not capable of being transferred or transmitted to another person or organisation
 - (b) terminates upon cessation of the person's or organisation's membership.

RESIGNATION OF MEMBERSHIP

- 7.** (i) A member of the Association is not entitled to resign that membership except in accordance with this rule.
- (ii) 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 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.
- (iii) Where a member of the Association ceases to be a member pursuant to Clause (ii), 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.

AFFILIATION & MEMBERSHIP (Cont...)

REGISTER OF MEMBERS

8. (i) The Secretary/Public Officer shall establish and maintain a register of members of the Association specifying the name and address of each member of the Association together with the date on which that member joined.
- (ii) The register of members shall be kept at the principal place of administration of the Association and shall be open for inspection, free of charge, by any member of the Association at any reasonable hour.

MEMBERS' LIABILITIES

9. The liability of a member of the Association to contribute towards the payment of the 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.

DISCIPLINING OF MEMBERS

10. (i) Where the Executive Committee is of the opinion that a member of the Association, as defined in Clauses 4(i), 4(ii) & 4(iii) -
- (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,
- the Executive Committee may, by resolution -**
- (d) expel the member from the Association; or
 - (e) suspend the member from membership of the Association for a specified period; or
 - (f) impose a monetary fine upon the member; or

AFFILIATION & MEMBERSHIP (Cont...)

DISCIPLINING OF MEMBERS (Cont...)

- (g) impose a combination of disciplinary actions contained in paragraphs (e) and (f) of this Clause.

- (ii) A resolution of the Executive Committee under clause (i) 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 (iii), confirms the resolution in accordance with this rule.

- (iii) Where the Executive Committee passes a resolution under clause (i), the Secretary shall, as soon as practicable, cause a notice in writing to be served on the member -
 - (a) setting out the resolution of the committee and the grounds upon which it is based;
 - (b) 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;
 - (c) stating the date, place and time of that meeting; *and*
 - (d) informing the member that the member may do either or both of the following: -
 - (i) attend and speak at that meeting;
 - (ii) submit to the committee at or prior to the date of that meeting written representations relating to the resolution.

- (iv) At a meeting of the Executive Committee held as referred to in clause (iii), that committee shall -
 - (a) give to the member an opportunity to make oral representations;
 - (b) give due consideration to any written representations submitted to the committee by the member at or prior to the meeting; *and*
 - (c) by further resolution determine whether to confirm or to revoke the original resolution.

AFFILIATION & MEMBERSHIP (Cont...)
DISCIPLINING OF MEMBERS (Cont...)

- (v) Where the committee confirms a resolution under paragraph (iv), 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 12.
- (vi) A resolution confirmed by the committee under paragraph (iv) does not take effect -
 - (a) 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*
 - (b) where within that period the member exercises the right of appeal, unless and until the Association confirms the resolution pursuant to Clause 11(iv).

RIGHT OF APPEAL OF DISCIPLINED MEMBER

- 11.**
- (i) A member may appeal to the Association Management Committee against a resolution of the Executive Committee which is confirmed under rule 10(iv), within 7 days after notice of the resolution is served on the member by lodging with the secretary a notice to that effect.
 - (ii) Upon receipt of a notice from a member under clause (i), the secretary shall notify the Management Committee which shall convene a general meeting of the Association to be held within 21 days after the date on which the secretary received the notice.
 - (iii) At a general meeting of the Association convened under clause (ii),
 - (a) no business other than the question of the appeal shall be transacted;
 - (b) the Executive Committee and the member shall be given the opportunity to state their respective cases orally or in writing, or both; *and*
 - (c) the members present shall vote by secret ballot on the question of whether the resolution should be confirmed or revoked.
 - (iv) If at a Management Committee Meeting the Association passes a special resolution in favour of the confirmation of the original resolution, the resolution is confirmed.

POWERS OF DISCIPLINE NOT TO BE LIMITED

- 12.** Notwithstanding the powers conferred upon the Executive Committee and the Management Committee by Clause 10 and Clause 11 of this Constitution, Clauses 10 & 11 of this Constitution shall not restrict in any way the powers of the Executive Committee, the Management Committee nor the Judiciary which are conferred upon these committees by the Playing Rules of this Association.

PART III
THE EXECUTIVE COMMITTEE

POWERS, ETC., OF THE EXECUTIVE COMMITTEE

- 13.** The Executive Committee of the Association, subject to the Act, the Regulation and these rules and to any resolution passed by the Association in general meeting -
- (a) shall control and manage the affairs of the Association;
 - (b) may exercise all such functions as may be exercised by the Association other than those functions that are required by these rules to be exercised by the Management Committee of the Association; and
 - (c) has power to perform all such acts and do all such things as appear to the Committee to be necessary or desirable for the proper management of the affairs of the Association.
 - (d) 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
 - (e) 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

COMPOSITION AND MEMBERSHIP

- 14.** (i) 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 vide 4(i).
- (ii) In the event of a casual vacancy occurring (vide Clause 5) in the membership of the 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.

ELECTION OF MEMBERS

- 15.** (i) 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.
- (ii) If insufficient nominations are received to fill all vacancies on the committee, the candidates nominated shall be deemed to be elected and further nominations shall be received at the annual general meeting.
- (iii) If insufficient further nominations are received any vacant positions remaining on the committee shall be deemed to be casual vacancies.
- (iv) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected.
- (v) If the number of nominations received exceeds the number of vacancies to be filled, a ballot shall be held.
- (vi) The ballot for the election of office-bearers shall be conducted at the annual general meeting in such usual and proper manner as the committee may direct.
- (vii) 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.

THE EXECUTIVE COMMITTEE (Cont...)
MEETING AND CHORUM (Cont...)

SECRETARY

- 16.** (i) The Secretary of the Association shall, as soon as practicable after being appointed as Secretary, lodge notice with the Association of his or her address.
- (ii) It is the duty of the secretary to keep minutes of -
- (a) all appointments of office-bearers and members of the committee;
 - (b) the names of all persons present at a committee meeting or a general meeting; *and*
 - (c) all proceedings at committee meetings and general meetings.
- (iii) Minutes of proceedings at a meeting shall be signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting.

TREASURER

- 17.** 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 authorised 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.
These records shall be available for inspection at a reasonable time by any Member and shall be held in the custody of the Treasurer.

RECORDER

- 18.** The Recorder shall
- (i)
 - (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 Rules in force from time to time
 - (d) ensure that Cumulative Points Tables are regularly published in the local media.
 - (ii) Report any discrepancies relating to points gained in competition play at the next Management Committee meeting for adjudication

THE EXECUTIVE COMMITTEE (Cont...)

REMOVAL OF MEMBER

- 19.** (i) The Association in a Management Committee meeting may by resolution remove any Member of the Committee from the office of Member 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.

MEETINGS AND QUORUM

- 20.** (i) The Executive Committee shall meet at least once in each period of 12 months at such place and time as the committee may determine.
- (ii) Additional meetings of the Executive Committee may be convened by the President upon request.
- (iii) Oral or written notice of a meeting of the committee shall be given by the secretary to each member of the 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.
- (iv) Notice of a meeting given under clause (iii) 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 committee members present at the meeting unanimously agree to treat as urgent business.
- (v) Any 3 members of the committee constitute a quorum for the transaction of the business of a meeting of the committee,
- (vi) No business shall be transacted by the 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.
- (vii) 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.

THE EXECUTIVE COMMITTEE (Cont...)

- (vii) At a meeting of the committee -
 - (a) the President or, in the President's absence, the Vice-President shall preside; or
 - (b) if the President and the Vice-President are absent or unwilling to act such one of the remaining members of the committee as may be chosen by the members present at the meeting shall preside.

DELEGATION BY COMMITTEE TO SUB-COMMITTEE

- 21.** (i) 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 -
- (a) this power of delegation; and
 - (b) a function which is a duty imposed on the Executive Committee by the Act or by any other law.
- (ii) 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.
- (iii) A delegation under this section may be made subject to such conditions or limitations as may be specified in the instrument of delegation.
- (iv) The Executive Committee may revoke wholly or in part any delegation under this rule.
- (v) 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.
- (vi) A sub-committee may meet and adjourn as it thinks proper.

THE EXECUTIVE COMMITTEE (Cont...)

VOTING AND DECISIONS

- 22.** (i) Questions arising at a meeting of the Executive Committee or of any sub-committee appointed by the committee shall be determined by a majority of the votes of members of the committee or sub-committee present at the meeting.
- (ii) Each Committee Member present at a meeting of the Executive Committee or of any Sub-Committee appointed by the Committee is entitled to one vote and in the event of an equality of votes on any question the motion shall be declared in the negative.
- (iii) Subject to Clause 20(v), the Executive Committee may act notwithstanding any vacancy on the committee.
- (iv) Any act or thing done or suffered, or purporting to have been done or suffered, by the committee or by a sub-committee appointed by the committee, is valid and effectual notwithstanding any defect that may afterwards be discovered in the appointment or qualification of any member of the committee or sub-committee.

PART IV
GENERAL MEETINGS

GENERAL MEETINGS - HOLDING OF

- 23.** (i) 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.
- (ii) Clause (i) shall have effect subject to any extension or permission granted by the Commission under section 26(3) of the Act.
- (iii) Any other General Meeting shall be a Special Meeting.

ANNUAL GENERAL MEETINGS - CALLING OF AND BUSINESS AT

- 24.** (i) The Annual General Meeting of the Association shall, subject to the Act and to Clause 23, be convened on such date and at such place and time as the Executive Committee thinks fit.
- (ii) The business of an Annual General Meeting shall be -
- (a) to confirm the minutes of the last preceding annual general meeting and of any special general meeting held since that meeting;
- (b) to receive from the President and Secretary reports upon the activities of the Association during the last preceding financial year;
- (c) to receive and consider the statement of accounts, the balance sheet & auditor's report and accept and approve the submission of the Annual Statement required under Section 26(6) of the Act..
- (d) to elect Office Bearers of the Association
- (e) 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
- (f) to appoint an auditor, honorary solicitor and patrons
- (g) to elect members to sub-committees as may be required

GENERAL MEETINGS (Cont...)

- (h) 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.

OTHER MEETINGS - CALLING OF

- 25.** (i) The Executive Committee may convene a Special Meeting of the Association or a Management Committee Meeting at any time.
- (ii) The Executive Committee shall, 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.
- (iii) 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.

NOTICE OF MEETINGS

- 26.** (i) ANNUAL GENERAL MEETING - 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 and details of any notice of motion to be transacted.
- (ii) SPECIAL GENERAL MEETING - notice shall be forwarded to each member Club or Association 14 days prior to the meeting stating the business to be transacted
- (iii) MANAGEMENT COMMITTEE MEETING - notice 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.
- (iv) General Meetings shall be advertised via at least one local medium giving the relative notice periods specified in 26(i) & 26(ii).

GENERAL MEETINGS (Cont...)

PROCEDURE

- 27.** (i) (a) The quorum for an Annual General Meeting or Special Meeting shall be 10 members
- (b) the quorum for Management Committee Meetings shall be 5 members of the Management Committee
- (ii) No item of business shall be transacted at any meeting unless a quorum of members entitled to vote is present.
- (iii) 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.
- (iv). 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.
- (v). The Rules of Debate at all meetings of the Association shall, except where provided for by this Constitution, be in accordance with Parliamentary procedure in so far as the same are applicable to such meetings
- (vi). 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

PRESIDING MEMBER

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

GENERAL MEETINGS (Cont...)

ADJOURNMENT

- 29.** (i) The chairperson of a meeting at which a quorum is present may, with the consent of the majority of members 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.
- (ii) 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.

MAKING OF DECISIONS

- 30.** (i) A question arising at a general 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
- (ii) At a General Meeting of the Association, a secret ballot may be demanded by the chairperson or by not less than 3 members
- (iii) Where a secret ballot is demanded at a general meeting, the poll shall be taken immediately.

SPECIAL RESOLUTION

- 31.** 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.

VOTING

- 32.** (i) Upon any question arising at any Meeting of the Association each member of the Management Committee has one vote only.
- (ii) In the case of an equality of votes on a question at a general meeting, the motion shall be declared in the negative.

- (iii) An Association Member's delegate is not entitled to vote at any meeting of the Association unless all money due and payable by the member to the Association has been paid.
Notwithstanding the non-entitlement to vote, all requirements upon a Member to be represented by delegates remain fully effectual.

PART V.
MISCELLANEOUS

INSURANCE

- 33.** (i) 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
- (ii) In addition to the insurance required under paragraph (i), the Association may effect and maintain such other insurance as it deems necessary either on its own account or through policies held by Cricket New South Wales.

FUNDS - SOURCE

- 34.** (i) The funds of the Association shall be derived from such sources as the Management Committee determines
- (ii) 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.
- (iii) The Association shall, as soon as practicable after receiving any money, issue an appropriate receipt.

FUNDS - MANAGEMENT

- 35.** (i) Subject to any resolution passed by the Association in general meeting, the funds of the Association shall be used in pursuance of the objects of the Association in such manner as the committee determines.
- (ii) **All payments** made by the Association must be paid **by cheque**.
- (iii) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by any two (2) Office Bearers conjointly
- (iv) Honorariums may only be paid on a recommendation of the Management Committee and approved by an Annual General Meeting.

MISCELLANEOUS (Cont...)

FINANCIAL YEAR

- 36.** The financial year of the Association shall end on 31 May in each and every year.

ALTERATION OF OBJECTS AND CONSTITUTION

- 37.** 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 of which notices vide 24(ii)(h) and 26(i) 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.

COMMON SEAL

- 38.** (i) The Common Seal of the Association shall be kept in the custody of the Secretary.
- (ii) The Common Seal shall not be affixed to any instrument except by the authority of the committee and the affixing of the Common Seal shall be attested by the signatures of two (2) members of the Executive Committee

CUSTODY OF BOOKS, ETC.

- 39.** 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.

INSPECTION OF BOOKS, ETC.

- 40.** 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.

MISCELLANEOUS (Cont...)

SERVICE OF NOTICES

- 41.** (i) For the purpose of these rules, a notice may be served by or on behalf of the Association upon any member either personally or by sending it by post to the member at the member's address shown in the register of members.
- (ii) Where a document is sent to a person by properly addressing, prepaying and posting to the person a letter containing the 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.

SURPLUS PROPERTY

- 42.** (i) 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.
- (ii) The incorporated Association so nominated shall be one which fulfils the requirements specified in section 53(2) (a) - (c) of the Act.

REPRESENTATIVE AND CLUB COMPETITION RULES

- 43.** (i) 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
- (ii) 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
- (iii) 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
- (iv) Rules governing alterations to Playing Rules shall be contained within the Playing Rules

MISCELLANEOUS (Cont...)

ASSOCIATION TROPHIES

- 44.** (i) All perpetual Association Trophies shall remain the property of the Association
- (ii) Clubs and individual players undertake that should they win a perpetual trophy they shall assume full responsibility for the safe keeping and return of such trophy or trophies by 1 March of the following year.
- (iii) 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 Management Committee.