



SUTHERLAND SHIRE CRICKET ASSOCIATION INCORPORATED

THE RULES OF THE SUTHERLAND SHIRE CRICKET ASSOCIATION INCORPORATED ARE SET DOWN IN THIS DOCUMENT AND ARE TO BE READ IN CONJUNCTION WITH THE STANDING ORDERS AND BY-LAWS OF THE SUTHERLAND SHIRE CRICKET ASSOCIATION AND THE MCC LAWS OF THE GAME APPLICABLE FROM TIME TO TIME.

THE RULES OF THE SUTHERLAND SHIRE CRICKET ASSOCIATION INCORPORATED ARE IN ACCORDANCE WITH THE PROVISIONS OF THE ACT AND CONTAIN THOSE MATTERS SPECIFIED IN SCHEDULE 1 OF THE ACT.

THE RULES, STANDING ORDERS, BY-LAWS AND MCC LAWS OF CRICKET APPLY TO THE COMPETITION MATCHES CONDUCTED BY THE SUTHERLAND SHIRE CRICKET ASSOCIATION INCORPORATED AND OPERATE FROM 1 SEPTEMBER 2014.

TABLE OF CONTENTS

<u>Rule</u>		<u>Page</u>
1	DEFINITIONS	1
2	NAME	1
3	OBJECTS	1
4	COLOURS	1
5	MEMBERS	2
6	APPLICATION FOR MEMBERSHIP	2
7	AFFILIATED CLUBS	2
8	DELEGATES	3
9	LIFE MEMBERS	3
10	RIGHTS AND LIABILITIES OF MEMBERSHIP	3
11	CESSATION OF MEMBERSHIP	4
12	REGISTER OF MEMBERS	4
13	SUBSCRIPTIONS	5
14	DISCIPLINING OF MEMBERS	5
15	RIGHT OF APPEAL OF DISCIPLINED MEMBERS	6
16	COMPOSITION OF THE EXECUTIVE COMMITTEE	6
17	POWERS AND DUTIES OF THE EXECUTIVE COMMITTEE	7
18	PROCEEDINGS OF THE EXECUTIVE COMMITTEE	7
19	CASUAL VACANCIES	8
20	REMOVAL OF MEMBER	8
21	ELECTION OF OFFICE BEARERS AND EXECUTIVE COMMITTEE MEMBERS	9
22	DUTIES OF OFFICE BEARERS GENERALLY	10
23	SECRETARY / PUBLIC OFFICER	10
24	TREASURER	11
25	ASSOCIATION COUNCIL	11
26	CHEQUES, BILLS AND DEPOSITS	11
27	SUB-COMMITTEES	12
28	RESOLUTIONS OF THE EXECUTIVE COMMITTEE AND SUB-COMMITTEES	12
29	ATTENDANCE OF MEMBERS	12
30	GENERAL MEETINGS	13
31	NOTICE OF GENERAL MEETINGS	13
32	PROCEEDINGS AT GENERAL MEETINGS	14
33	VOTING AT A MEETING	15
34	RULES OF DEFAULTS	15
35	WHEN DEFAULT RECOGNISED	16
36	DEFAULT – REPORT TO nswdca	16
37	PENALTY FOR DEFAULT	16
38	CLEARANCES	16
39	INSURANCE OF PLAYERS – INJURY BENEFIT	17
40	CLAIMS	17

41	INSURANCE FUND	17
42	ACCOUNTS	18
43	AUDIT	18
44	NOTICES	18
45	TRUSTEES	19
46	INSURANCE	19
47	FUNDS – SOURCE	19
48	FUNDS – MANAGEMENT	19
49	ALTERATION TO RULES	19
50	COMMON SEAL	20
51	CUSTODY OF BOOKS	20
52	INSPECTION OF BOOKS	20
53	DISSOLUTION	20
54	DIVISION OF PROPERT ON DISSOLUTION	20
55	BY-LAWS AND LAWS OF CRICKET	21
56	MATTERS NOT SPECIFICALLY PROVIDED FOR AND INTERPRETATION OF THE RULES AND BY-LAWS OF THE ASSOCIATION	21
	Appendix 1	23

RULES OF THE SUTHERLAND SHIRE CRICKET ASSOCIATION INCORPORATED

1. DEFINITIONS

1.1 In these Rules unless the contrary intention appears:

- a. “the Act” means the Associations Incorporation Act, 2009.
- b. “the Association” means the Sutherland Shire Cricket Association Incorporated.
- c. “Executive Committee” means the whole or any members (not being less than a quorum) of the Executive Committee of the Association for the time being assembled at a meeting in accordance with these Rules.
- d. “financial year” shall be the period commencing on 1st May of each year and finishing on 30th April of the following year.
- e. “Register” means the Register of Members of the Association as maintained under these Rules.
- f. “The Regulation” means the Associations Incorporations Regulation 2010.
- g. “Secretary/Public Officer” means the person holding office under these Rules as Secretary/Public Officer of the Association.
- h. “special general meeting” means a general meeting of the Association other than an annual general meeting.
- i. “special resolution” means a resolution passed at a general meeting of the Association by a majority of not less than three-quarters of the members of the Association who are entitled to vote at the meeting as provided by Section 39 of the Act.
- j. “NSWDCA” means the New South Wales Districts Cricket Association.

1.2 In these Rules:

- a. A reference to a function includes 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.

1.3 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.

2. NAME

The name of the Association is SUTHERLAND SHIRE CRICKET ASSOCIATION INCORPORATED.

3. OBJECTS

The objects for which the Association is established are to encourage and promote the game of cricket in the Sutherland Shire.

4. COLOURS

The official colours of the Association shall be white and sky blue.

5. MEMBERS

A member shall be:

- a. Any person elected a life member under rule 9,
- b. Any person who, for the time being, holds office under rule 21, or
- c. Any person whose application for membership is accepted under rule 6.

6. APPLICATION FOR MEMBERSHIP

6.1 An application by any person for membership of the Association:

- a. Shall be made electronically in the form set out in Appendix 1 to these Rules, The form may be varied to comply with website requirements by 28 days notice from the Association Secretary
- b. Shall be made by completing in full all details listed to 'Register Players' at the Association website. The Association website shall be advised to all Clubs by the Association Secretary and,
- c. A hard copy of the form shall be lodged with the Secretary/Public Officer of the Association.

6.2 By registering a player that players name and address is entered into the Register of Applicants for Membership.

6.3 As soon as practicable after receiving an application for membership, the Secretary/Public Officer shall refer the application to the Executive Committee who shall determine whether to approve or to reject the application.

6.4 A person so admitted to membership shall have the right to receive notices and attend all meetings and gatherings of the Association and to be elected to any office of the Association and generally to exercise the rights of a member of the Association.

6.5 Where the Executive Committee rejects an application the application shall be returned to the Register of Applicants for Membership only upon the written request of the rejected applicant.

7. AFFILIATED CLUBS

7.1 An affiliated club, comprising of not fewer than eleven (11) persons may apply for affiliation with the Association subject to payment by the said club of a fee as determined by the Executive Committee from time to time.

7.2 An affiliated club shall enjoy all privileges of membership.

7.3 The Executive Committee shall have the power to disaffiliate any club or team or reject any application for affiliation, if in its absolute discretion it considers it appropriate.

7.4 Team entries will not be accepted from clubs in financial default at the annual general meeting.

8. DELEGATES

8.1 Each affiliated club, or in the case of a club affiliating more than one team, each affiliated team, shall be entitled to be represented at the annual general meeting and on the Association council by two delegates who have the power to vote.

8.2 Each affiliated club shall be represented by at least one delegate at every meeting called by the Association.

8.3 Each affiliated club must advise the Secretary/Public Officer in writing of the name and address of each delegate.

8.4 Delegates shall hold office until the closing of affiliations at the next annual general meeting, subject to the provisions of these Rules.

8.5 The Secretary of an affiliated club may, where a delegate is unable to attend a meeting for bona fide reasons, appoint a proxy delegate provided that such appointment is in writing to the Secretary/Public Officer of the Association or approval to accept the proxy is given by the relevant meeting.

8.6 Affiliated clubs must be represented at all meetings of the Association Council and all special meetings of the Association.

8.7 Any delegate not present nor represented by a proxy at three (3) consecutive meetings shall forfeit his seat on the Association Council. His club shall be directed to appoint another delegate in his stead.

9. LIFE MEMBERS

The Executive Committee may elect as a life member any person who has rendered distinguished service to the Association for an aggregate period of not less than ten (10) years. A life member shall pay no fees and shall be entitled to vote.

10. RIGHTS AND LIABILITIES OF MEMBERSHIP

10.1 Any right or privilege, which a person has by reason of membership of the Association shall be personal and shall not be capable of assignment, transfer or devolution on death.

10.2 The personal liability of each member of the Association is limited to the amount payable as annual fees as hereinafter determined.

11. CESSATION OF MEMBERSHIP

11.1 A person ceases to be a member of the Association if the person:

- a. Dies;
- b. Resigns that membership; or
- c. Is expelled from the Association

11.2

- a. A member of the Association is not entitled to resign that membership except in accordance with this Clause.
- b. A member of the Association who has paid all amounts payable by the member to the Association in respect of the member's membership may resign from membership of the Association by first giving notice (not less than one (1) month or such other period as the Executive Committee may determine) in writing to the Secretary/public Officer 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 sub-clause (b), and in every other case where a member ceases to hold membership, the Secretary/Public Officer shall make an appropriate entry in the Register recording the date on which the member ceased to be a member.

12. REGISTER OF MEMBERS

12.1 The Secretary/Public Officer of the Association shall establish and maintain a Register of Members of the Association specifying the name and address of each person who is a member of the Association together with the date on which the person became a member.

12.2 The Register of Members shall be kept at a 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.

12.3 A member of the association may obtain a copy of any part of the register on payment of a fee of not more than \$1 for each page copied.

12.4 If a member requests that any information contained on the register about the member (other than the member's name) not be available for inspection, that information must not be made available for inspection.

12.5 A member must not use information about a person obtained from the register to contact or send material to the person, other than for:

- (a) the purposes of sending the person a newsletter, a notice in respect of a meeting or other event relating to the association or other material relating to the association, or
- (b) any other purpose necessary to comply with a requirement of the Act or the Regulation.

13. SUBSCRIPTIONS

- 13.1 A member of the Association shall, upon admission to membership, pay to the Association any entrance fee determined by the Executive Committee from time to time.
- 13.2 A member of the Association shall pay to the Association any annual subscription fee determined by the Executive Committee from time to time.
- 13.3 The annual subscription shall be due and payable on 31 July in each year or on such other date as may be determined from time to time by the Executive Committee. Members admitted to membership more than six (6) months after the due date shall pay one-half of the annual subscription for the than current year.

14. DISCIPLINING OF MEMBERS

- 14.1 Where the Executive Committee is of the opinion that a member of the Association:
- a. Has persistently refused or neglected to comply with a provision or provisions of these Rules; or
 - b. has persistently and willfully acted in a manner prejudicial to the interests of the Association, the Executive Committee may, by resolution:
 - c. Expel the member from the Association; or
 - d. Suspend the member from membership of the Association for a specified period.
- 14.2 A resolution of the Executive Committee under clause (14.1) is of no effect unless the Executive Committee, at a meeting held not earlier than fourteen (14) days and not later than twenty-eight (28) days after service on the member of a notice under clause (14.3), confirms the resolution in accordance with this rule.
- 14.3 Where the Executive Committee passes a resolution under clause (14.1), the Secretary/Public Officer shall, as soon as practicable, cause a notice in writing to be served on the member.
- a. Setting out the resolution of the Executive Committee and the grounds on which it is based;
 - b. Stating that the member may address the Executive Committee at a meeting to be held not earlier than fourteen (14) days and not later than twenty-eight (28) 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 the meeting;
 - ii. Submit to the Executive Committee at or prior to the date of the meeting written presentations relating to the resolution.
- 14.4 At a meeting of the Executive Committee held as referred to in clause (14.3), the Executive Committee shall;
- a. Give to the member an opportunity to make oral representations:

- b. Give due consideration to any written representations submitted to the Executive Committee by the member at or prior to the meeting; and
 - c. By resolution determine whether to confirm or to revoke the resolution.
- 14.5 Where the Executive Committee confirms a resolution under clause (14.4), the Secretary/Public Officer shall, within seven (7) days after the confirmation, by notice in writing inform the member of the fact and of the member's right to appeal under Rule 15.
- 14.6 A resolution confirmed by the Executive Committee under clause (14.4) 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 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 Rule 15 (4).

15. RIGHT OF APPEAL OF DISCIPLINED MEMBERS

- 15.1 A member may appeal to the Association in general meeting against a resolution of the Executive Committee which is confirmed under rule 14 (2) within seven (7) days after the notice of the resolution is served on the member, by lodging with the Secretary/Public Officer a notice to that effect.
- 15.2 Upon receipt of a notice from a member under clause (15.1), the Secretary/Public Officer shall notify the Executive Committee, which shall convene a general meeting of the Association to be held within twenty-one (21) days after the date on which the Secretary/Public Officer received the notice.
- 15.3 At a general meeting of the Association convened under clause (15.2):
 - 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.
- 15.4 If at a general meeting the Association passes a special resolution in favour of the confirmation of the resolution, the resolution is confirmed.

16. COMPOSITION OF THE EXECUTIVE COMMITTEE

- 16.1 The Executive Committee shall comprise fourteen (14) members (or such other number of members as fixed from time to time by the Executive Committee), including the President, Senior Vice-President, Junior Vice-President, Secretary/Public Officer, Assistant Secretary, Treasurer, Competition Manager / Recorder, three (3) ordinary members elected at general meetings of the Association, and one delegate from each of the Sutherland Shire Cricket Umpires Association, the Sutherland Shire Junior Cricket Association and the Sutherland District Cricket Club; and

- 16.2 Of the members of the Executive Committee from time to time not less than a simple majority shall be persons who are actively involved in playing the game of cricket on a regular basis within the Association.

17. POWERS AND DUTIES OF THE EXECUTIVE COMMITTEE

- 17.1 The business of the Association shall be managed by the Executive Committee which shall have full power to carry out the objects of the Association, make and change the standing rules of the Association and to do on behalf of the Association all such acts as are authorised by the members in general meeting.
- 17.2 The Executive Committee shall have full power to carry out the objects of the Association including the power to borrow money for the purpose of the Association to the extent authorised by general meeting. The money may be borrowed from such sources and at such rates of interest and upon such other terms and conditions and with such security as shall be specified in the resolution of the general meeting or in the event of the general meeting failing to specify any term or condition, as shall be determined by the Executive Committee.
- 17.3 The Executive Committee may in good faith pay reasonable and proper remuneration to any servant or employee of the Association not being an Executive Committee member in return for any services actually rendered to the Association. The Executive Committee may resolve to reimburse an Executive Committee member for reasonable expenditure incurred by way of traveling expenses or otherwise in the service of the Association.
- 17.4 The Executive Committee may from time to time, upon its own notice, convene an extraordinary general meeting the purpose of which is to make, repeal or amend these Rules provided that the notice requirements as stated hereinafter are complied with.
- 17.5 All appropriations or expenditure of funds of the Association must be made or approved by the Executive Committee or some member or members of the Association delegated by the Executive Committee.

18. PROCEEDINGS OF THE EXECUTIVE COMMITTEE

- 18.1 The Executive Committee may meet for the dispatch of business adjourn and otherwise regulate meetings as it thinks fit. The President may at any time and the Secretary/Public Officer shall on the requisition of the President or any three (3) members of the Executive Committee summon a meeting of the Executive Committee. The Executive Committee shall hold at least four (4) meetings in each year and shall make an annual report to the Association of its activities during the year.
- 18.2 Subject to these Rules, questions arising at any meeting of the Executive Committee shall be decided by a simple majority of votes and a determination by the majority of Executive

Committee members present shall for all purposes be deemed a determination of the Executive Committee. In case of an equality of votes, the Chairman of the meeting shall have a second or casting vote.

- 18.3 The quorum necessary for the transaction of the business of the Executive Committee shall be four (4) members.
- 18.4 The President shall act as Chairman of all meetings of the Executive Committee and in his absence the Vice-President, but if the President and Vice-President are not present, the Executive Committee members present may choose one of their number to be Chairman of the meeting.
- 18.5 A resolution in writing signed by all members for the time being of the Executive Committee or of any Committee of the Executive Committee shall be as valid and effectual as if it had been passed at a meeting of the Executive Committee or of such Committee (as the case may be) duly convened and constitutional.
- 18.6 All acts done by any meeting of the Executive Committee or a sub-committee of the Executive Committee or by any person acting as a member of the Executive Committee or any sub-committee of the Executive Committee shall notwithstanding that it is afterwards discovered that there was some defect in the appointment of any such member or person acting as aforesaid or that they or any of them were disqualified be as valid as if every such person had been duly appointed and qualified to be such member.

19. CASUAL VACANCIES

For the purpose of these Rules, a casual vacancy in the office of a member of the Executive Committee occurs if the member:

- a. Dies;
- b. Ceases to be a member of the Association;
- c. Becomes an insolvent under the administration within the meaning of the Companies (New South Wales) Code;
- d. Resigns office by notice in writing given to the Secretary/Public Officer;
- e. Is removed from office under Rule 20;
- f. Becomes of unsound mind or a person whose person or estate is liable to be dealt with in any way under the law relating to mental health: or
- g. Is absent without the consent of the Committee from all meetings of the Executive Committee held during a period of six (6) months.

20. REMOVAL OF MEMBER

- 20.1 The Association in general meeting may by resolution remove any member of the Executive 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

- 20.2 Where a member of the Executive Committee to whom a proposed resolution referred to in clause (1) relates makes representation in writing to the Secretary/Public Officer or President (not exceeding a reasonable length) and requests that the representations be notified to the members of the Association, the Secretary/Public Officer or the President may send a copy of the representations to each member of the Association, if they are not sent, the member is entitled to require that the representations be read out at the meeting at which the resolution is considered.
- 20.3 This rule does not apply to members of the Executive Committee who are delegates of the Sutherland Shire Cricket Umpires Association, the Junior Association and the Sutherland District Cricket Club.

21. ELECTION OF OFFICE BEARERS AND EXECUTIVE COMMITTEE MEMBERS

21.1

- a. The office bearers of the Association shall be the President, Senior Vice-President, Junior Vice-President, Treasurer, Secretary/Public Officer, Assistant Secretary and Competition Manager/Recorder.
- b. No person shall at any time be eligible to be an Executive Committee member who is not a member of the Association.
- c. A member of the Executive Committee shall cease to be a member of the Executive Committee if the member ceases to be a member of the Association.

21.2

- a. The election of the office bearers shall take place in the following order:
 - i. President;
 - ii. Senior Vice-President;
 - iii. Junior Vice-President;
 - iv. Treasurer ;
 - v. Secretary/Public Officer;
 - vi. Assistant Secretary;
 - vii. Competition Manager / Recorder.
- b. Where no more than the required numbers of candidates are nominated for any position, the candidate or candidates so nominated shall be declared elected. If there are more than the required numbers of candidates for any position, an election to fill such position shall be held in the following manner:

by secret written ballot to be conducted in such manner as the general meeting may decide. The candidate or candidates receiving the most votes shall be declared elected to the office or offices the subject of the election, and if two or more candidates obtain an equal number of votes for any position remaining unfilled, the result shall be decided by a draw conducted by the Chairman of the meeting immediately following such vote.

- c. The first Executive Committee Members shall be elected by the general meeting of the Association at which these Rules are adopted. At each annual general meeting Executive Committee members shall resign and new Executive Committee members shall be elected.
- d. A member of the Executive Committee ceasing to be a member of the Executive Committee shall *ipso facto* cease to be an office bearer.
- e. An office bearer may retire by giving written notice to the Secretary/Public Officer to that effect.

This rule does not apply to members of the Executive Committee who are delegates of the Sutherland Shire Cricket Umpires Association, the Junior Association and the District Club.

22. DUTIES OF OFFICE BEARERS GENERALLY

- 22.1 The President shall be the chief executive officer of the Association and as such, subject to these Rules, shall generally supervise its affairs. The President shall have the power to call general meetings of the Association and meetings of the Executive Committee.
- 22.2 The President, Vice-President or the Executive Committee may authorise by instrument in writing any committee or individual to represent the Association before any government, or other body or committee or to make statements or express views on behalf of the Association. Such representatives, in the course of their representation, shall not express any views on behalf of the Association other than those authorised by the President. Except as aforesaid no member of the Association or any representative of a member shall make any statement or express any view, which purports to be a statement, or view of the Association or having been made on behalf of or with the concurrence of the Association.
- 22.3 The Executive Committee shall have the authority to appoint such committees, as it may deem necessary to facilitate the business of the Association. The President shall be an ex-officio member of all committees.
- 22.4 In case of the absence or inability to act of the President, the Senior Vice-President shall discharge the duties of the President.

23. SECRETARY/PUBLIC OFFICER

- 23.1 The Secretary/Public Officer of the Association shall:
 - a. As soon as practicable after being appointed as the Secretary/Public Officer, lodge notice with the Association of his or her address;
 - b. Within fourteen (14) days after becoming Public Officer give notice to Fair Trading NSW in the prescribed form (accompanied by the prescribed fee) of the fact and his or her full name and address in the State.
- 23.2 It is the duty of the Secretary/Public Officer to keep minutes of:
 - a. All appointments of the office bearers and members of the Executive Committee;

- b. The names of members of the Executive Committee present at an Executive Committee meeting; and
- c. All proceedings at Executive Committee meetings and general meetings.

23.3 Minutes of proceedings at a meeting shall be signed by the Chairman of the meeting or by the Chairman of the next succeeding meeting.

24. TREASURER

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

- a. All money due to the Association is collected and received and that all payments authorised by the Association are made; and
- 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.

25. ASSOCIATION COUNCIL

25.1 The Executive Committee may from time to time delegate by instrument in writing any of its powers, authorities and directions (other than that of the delegation) to the Association Council as the Executive Committee shall think fit and may from time to time revoke any such delegation. The Association Council shall in the exercise of the powers, authorities and discretions so delegated conform to any conditions imposed on it from time to time by the Executive Committee.

25.2 The Association Council shall comprise two delegates from each team, one delegate from the district cricket club, one delegate from the junior association, office bearers and life members.

25.3 Each member of the Association Council shall have the right to vote.

25.4 Each affiliated club or in the case of a club affiliating more than one team each affiliated team shall be entitled to be represented at the annual general meeting and on the Association Council by two delegates who have the power to vote and each club shall be represented by at least one delegate at every meeting.

26. CHEQUES, BILLS AND DEPOSITS

26.1 All cheques, bills of exchange and promissory notes shall be signed, drawn, accepted, made or endorsed as the case may be for and on behalf of the Association by any two Executive Committee members or shall be signed, drawn, accepted, made or endorsed as the case may be on behalf of the Association in such other manner as the Executive Committee may from time to time determine.

26.2 The opening of all bank accounts or accounts with other permitted financial institutions shall require the written authority of not less than four (4) Executive Committee members, and thereafter shall be operated by any two (2) Executive Committee members.

26.3 The range and type of deposit account shall be limited to the Authorised Trustee Investments as officially notified from time to time.

27. SUB-COMMITTEES

27.1 The Executive Committee may from time to time delegate by instrument in writing any of its powers, authorities and discretions (other than that of delegation) to sub-committees as the Executive Committee shall think fit and may from time to time revoke any such delegation. Any sub-committee so formed shall in the exercise of the powers, authorities and discretions so delegated conform to any conditions that may be imposed on it from time to time by the Executive Committee.

27.2 Subject to the powers of the Executive Committee, the President may appoint one of the members of a sub-committee to act as Chairman of that sub-committee.

27.3 Until the Executive Committee determines otherwise, there shall be two sub-committees: the Selection Committee and Assistant to Competition Manager / Recorder.

27.4 Members of sub-committees shall be elected by the Association in general meeting.

28. RESOLUTIONS OF THE EXECUTIVE COMMITTEE AND SUB-COMMITTEES

28.1 Questions arising at a meeting of the Executive Committee or any sub-committee shall be determined by a majority of the votes of members of the Executive Committee or sub-committee present at the meeting.

28.2 Each member present at a meeting of the Executive Committee or of any sub-committee (including the person presiding at the meeting) is entitled to one vote but, in the event of an equality of votes on any one question, the person presiding may exercise a second or casting vote.

28.3 The Executive Committee may act notwithstanding any vacancy on the Executive Committee.

29. ATTENDANCE OF MEMBERS

29.1 The Executive Committee shall have the power to call upon any member or person associated with a member or official of any club or organisation affiliated with the Association to attend any of its meetings and to reply to such questions to the satisfaction of the Executive Committee as may be put to any person so called. Any member or person so called shall be given prior notice of the purpose of the requested attendance.

29.2 Non-compliance with clause (29.1) shall, subject to compliance by the Executive Committee of the rules of natural justice, render any person called liable to suspension from membership and/or participation in the activities of the Association.

30. GENERAL MEETINGS

30.1 Without prejudice to the power conferred on the President to convene meetings under these Rules the Executive Committee shall convene an extraordinary meeting on the requisition of at least five (5) club secretaries from affiliated clubs.

30.2 With the exception of the first annual general meeting of the Association, the Association shall, at least once in each calendar year and within a period of six (6) months after the expiration of each financial year of the Association, convene an annual general meeting of its members.

30.3 The Association shall hold its first annual general meeting:

- a. Within the period eighteen months after its incorporation under the Act; and
- b. Within the period of two months after the expiration of the first financial year of the Association.

30.4 Clauses (30.2) and (30.3) have effect subject to any extension or permission granted by the Commission under Section 26(3) of the Act.

31. NOTICE OF GENERAL MEETINGS

31.1 Not less than seven days notice (exclusive of the day on which the notice is served or deemed to be served but inclusive of the day on which notice is given) specifying the place, the day and the hour of the meeting and in case of special business the general nature of that business shall be given to such persons as are under these Rules of the Association entitled to receive such notices from the Association.

31.2 The notice convening a general meeting shall give notice of the business to be transacted thereat including notice of any resolution to be submitted by members and, in the case of the annual general meeting, shall be accompanied by the report of the Executive Committee, the balance sheet and statement of accounts.

31.3 The accidental omission to give notice of a meeting to or the non-receipt of notice of the meeting by any person entitled shall not invalidate the proceedings at any meeting.

32. PROCEEDINGS AT GENERAL MEETINGS

32.1 All business shall be deemed special that is transacted at an extraordinary general meeting and also all that is transacted at the annual general meeting with the exception of the consideration of the accounts, balance sheets and the report of the Executive Committee and Auditors, the election of executive Committee members and the appointment of the Auditors.

32.2 The business to be transacted at an annual general meeting shall be:

- a. To receive from the Executive Committee their report as hereinafter described, an audited balance sheet and statement of accounts for the preceding financial year;
- b. To elect office bearers, other members of the Executive Committee and members of sub-committees;
- c. To consider and, if thought fit, pass any resolution duly circulated in the notice convening the meeting;
- d. To transact such other business as may be properly transacted at a general meeting.

32.3 The Executive Committee shall submit to the meeting a report which in addition to any other particulars, which they deem desirable, shall contain a summary of the activities of the Association since the previous report.

32.4 No business shall be transacted at any general meeting unless a quorum is present when the meeting proceeds to business; save as herein otherwise provided twenty (20) persons present in person or by representative, proxy or attorney and entitled to vote thereat shall be a quorum.

32.5 If within thirty (30) minutes from the time appointed for the meeting a quorum is not present the meeting convened upon the requisition of members shall be dissolved. In any other case it shall stand adjourned to the same day in the next week (or if that day be a bank or other public holiday then to the next business day following that holiday) at the same time and place and if at the adjourned meeting a quorum is not present within thirty (30) minutes from the time appointed for the meeting the persons present (not being less than three (3) in number) shall be a quorum.

32.6 The President, or in the absence of the President, the Vice-President, shall preside as Chairman at every general meeting of the Association.

32.7 If neither the President nor the Vice-President is present within thirty (30) minutes after the time appointed for holding the meeting or if being present is or are unwilling to act as Chairman those present shall choose one of their number to be Chairman.

32.8 The Chairman may with the consent of any meeting at which a quorum is present (and shall if so directed by the meeting) adjourn the meeting from time to time and from place to place but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place. When a meeting is adjourned for thirty (30) days or more, notice of the adjourned meeting shall be given as in the case of an original meeting. Save as aforesaid it shall not be necessary to give any notice of an adjournment or of the business to be transacted at an adjourned meeting.

33. VOTING AT A MEETING

33.1 A resolution put to any general meeting shall be decided on a show of hands unless a poll is (before or on the declaration of the result of the show of hands) demanded:

- a. By the Chairman of the meeting; or
- b. By not less than three members (or their nominees) entitled to vote on the resolution and who are present at the meeting.

33.2 Unless a poll is so demanded a declaration by the Chairman that a resolution has been carried or carried by a particular majority or lost and an entry to that effect in the book containing the minutes of the proceedings of the Association shall be conclusive evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against the resolution. The demand for a poll may be withdrawn. In case of an equality of votes whether on a show of hands or on a poll the Chairman of the meeting shall have a second or casting vote in addition to the vote to which he may be otherwise entitled.

33.3 If a poll is duly demanded it shall be taken in such manner as the Chairman of the meeting directs and the result of the poll shall be the resolution of the meeting at which the poll was demanded. No poll may be demanded on the election of a Chairman of the meeting or on a question of adjournment.

34. RULES OF DEFAULT

34.1 Subject to the provisions of clause (34.4) every eligible member or nominee of an eligible member present in person or by his proxy or attorney duly appointed in writing shall have one vote on a show of hands and on a poll shall have a vote for himself and each proxy or power of attorney held.

34.2 A default shall subject to clause (2) mean a failure to pay an amount owing for any fees, fines or levies imposed in accordance with the Association or club rules, any tickets for social functions and the like issued by the Association to or by a club to a member and all other payments or dues provided for in Association and/or club rules.

34.3 When a club disbands or withdraws from association it shall be exempted from any financial obligations occurring after the first Association Council or Executive Committee meeting following the receipt of notice by the Secretary/Public Officer of the Association of such disbandment or withdrawal.

34.4 Where a club disbands or withdraws under the provisions of clause (34.2) each registered member of that club shall contribute an equal proportionate share of the amount owing by the club.

35. WHEN DEFAULT RECOGNISED

Defaults will be recognized and the necessary action taken by Association and the NSWDCa when the following conditions have been complied with:

- a. Where a club is in default each registered member of such club shall be notified in writing by the Association as to the default and be offered an opportunity of meeting his proportion of the liability within fourteen (14) days of the issue of such notice.
- b. Where a member of a club has been posted by his club as a defaulter, the secretary of such club shall notify the member in writing of the amount of the default and shall forward a copy of the notification to the association secretary, who shall take similar action as that laid down in sub-clause (a) of this rule.

36. DEFAULT – REPORT TO NSWDCa

When default is proved to the satisfaction of the Executive Committee the Association shall immediately advise the NSWDCa of the names and addresses of the defaulters together with the amount of the liability.

37. PENALTY FOR DEFAULT

37.1 The penalty for default whether the defaulter is a member of the Association or any other association or sporting body recognized by the Association shall be automatic suspension until the liability is met. In addition, any team knowingly playing a defaulter shall forfeit all matches in which such player has participated.

37.2 Club secretaries shall advise the Secretary/Public Officer of the Association within seven (7) days of any defaulter who has not met his financial obligations.

37.3 For the purpose of rules regarding default “club” shall be understood to include the Association and “player” or “member” shall include any member of the Association.

38. CLEARANCES

38.1 A player who is not under suspension or whose name is not on the NSWDCa official list of defaulters shall, subject to any domestic rule of an association, be entitled to play with another association without a clearance, provided that a player who has played during a current season and desires to transfer to another association or to a district club shall not do so unless he first obtains a clearance from the association with which he is playing. Such clearance shall be issued within seven (7) days of the receipt of a written application and shall be withheld only on the ground that the player is unfinancial.

38.2 Each year a list of volunteer players shall be made available to the Sutherland District Club. These players may be called upon at short notice to play grade cricket and should they be

involved in a match then in progress they shall be replaced by an eligible substitute who may participate in all facets of the match.

38.3 Any player registered with the Association who subsequently plays grade cricket in the current season may not again play in the Association competition in the same season without first obtaining written clearance from the grade club and shall be subject to regrading by the Executive Committee. The only exception to this rule will be players registered with the Secretary/Public Officer of the Association as a listed reserve for the Sutherland District Cricket Club.

38.4 Except where otherwise specifically provided in these rules, a club or registered player of the Association violating the rules or neglecting to comply with the direction of the Executive Committee shall be liable to censure or suspension or both during the pleasure of the Committee.

39. INSURANCE OF PLAYERS – INJURY BENEFIT

39.1 In the event of an injury to a registered player or officially appointed umpire participating in an Association match or trial, the Association may reimburse that person for 50% of his medical or other expenses to a maximum of five hundred dollars (\$500.00) for each injury upon submission of accounts for treatment. Payment will be assessed only after recoveries have been made from Medibank or other insurance funds including any insurance cover provided by Cricket Australia or any of its nominees and on production of documented evidence.

39.2 Members not covered by a medical fund must include a declaration to that effect with their claims.

39.3 In the event of a person showing he has been involved in serious pecuniary loss for treatment the Executive Committee of the Association shall have the right to increase the benefit of five hundred dollars (\$500.00) by such amount as it deems reasonable, depending upon the financial state of the insurance fund at that particular time.

40. CLAIMS

Any claim for benefit under Rule 39 may be disallowed unless submitted to the association on the approved claim form within thirty (30) days of the injury and supported by a certificate or detailed account for treatment.

41. INSURANCE FUND

41.1 Payments shall be debited against a fund established for that purpose by a compulsory levy as determined from time to time on all registered members and umpires and by such other means as may be deemed necessary.

41.2 The insurance fund shall not be available for any other purpose than that for which it is established.

41.3 Notwithstanding anything contained in these rules no payment shall be made under the provision of Rule 39 if funds are not available in the insurance fund account. In the event of the insurance fund becoming exhausted a record of commitments shall be kept and payments shall recommence immediately funds become available but no payments shall be made in respect of any claim until the preceding claim is met in full.

41.4 The provisions of Rule 39 to 41 inclusive apply equally to members of the Sutherland Shire Cricket Umpires Association.

42. ACCOUNTS

42.1 The Executive Committees shall cause proper books of account to be kept with respect to:

- a. All sums of money received and expended or otherwise dealt with by the Association and the matters in respect of which the receipts and expenditure take place; and
- b. The assets and liabilities of the Association.

42.2 The books of account shall be kept at the principal place of administration or office of the Association or at such other place or places as the Executive Committee thinks fit and shall be open to the inspection of Executive Committee members.

43. AUDIT

An Auditor or Auditors shall be appointed by resolution at the annual general meeting. The accounts of the Association shall as soon as practicable after the end of the financial year be audited by the Auditor or Auditors so appointed.

44. NOTICES

44.1 A notice may be given by the Association to any member either personally or by sending it by post or by email to him or his address registered in the Register.

44.2 The Association shall not be required to send a notice to any address outside Australia.

44.3 Where a notice is sent by post, service of the notice shall be deemed to be effective by properly addressing, prepaying and posting a letter or wrapper containing the notice and shall be deemed to have been effective on the day following the date on which the notice was posted. A certificate in writing signed by an Executive Committee member that the letter or wrapper containing the notice was so addressed, prepaid, and posted shall be conclusive evidence thereof.

44.4 Where a notice is sent electronically the notice shall be deemed to be effective immediately.

45. TRUSTEES

45.1 The Executive Committee may appoint not more than five (5) Trustees who are members of the Association, and the property of the Association (other than cash) shall be vested in them and they shall deal with such property as directed by the Executive Committee from time to time.

45.2 The Trustees shall be indemnified out of the property of the Association against all risks, liabilities and expenses incurred whilst holding, maintaining or dealing with the property and whether arising from any act, omission or neglect on their part or the part of any of them provided that no such indemnity will be in respect of fraud, or other misuse of trust property, by the Trustee or Trustees.

45.3 The Trustees' right of indemnity will be against the trust property only and no such right will be against the individual members or any member of them.

46. INSURANCE

46.1 The Association shall effect and maintain insurance pursuant to Section 44 of the Act.

46.2 In addition to the insurance required under clause (1), the Association may effect and maintain other insurance.

47. FUNDS – SOURCE

47.1 The funds of the Association shall be derived from fees and donations and, subject to any resolution passed by the Association in general meeting, such other sources as the Executive Committee determines.

47.2 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.

47.3 The Association shall, as soon as practicable after receiving any money, issue an appropriate receipt.

48. FUNDS – MANAGEMENT

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 Executive Committee determines.

49. ALTERATION TO RULES

The statement of the objects and Rules may be altered, rescinded or added to only by a special resolution passed at a general meeting of the Association.

50. COMMON SEAL

The common seal of the Association shall be kept in the custody of the Secretary/Public Officer. 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 either of two members of the Executive Committee or one member of the Executive Committee and the Secretary/Public officer.

51. CUSTODY OF BOOKS

Except as otherwise provided by these Rules, the Secretary/Public Officer shall keep in his or her custody or under his or her control, all records, books and other documents relating to the Association.

52. 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.

53. DISSOLUTION

The Association may be dissolved by special resolution passed at a general meeting provided not less than twenty-one (21) days' notice of the resolution has been given to members.

54. DIVISION OF PROPERTY ON DISSOLUTION

54.1 At the first general meeting of the Association, the Association shall pass a special resolution nominating an incorporated association as the association in which the Association is 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.

54.2 The incorporated association so nominated shall be one, which fulfils the requirements specified in Section 53(20(a)-(c) of the Act.

54.3 Upon the passing of a resolution for dissolution of the Association the Executive Committee shall forthwith dispose of the assets in the following manner:

- a. By transfer to the nominated incorporated association;
- b. If the nominated incorporated association is no longer in existence by transfer to an incorporated association, which in the opinion of the Executive Committee has similar aims and objects as the Association.
- c. If there is no incorporated association which in the opinion of the Executive Committee fulfils the requirements of sub-paragraph (b) of this clause then by transfer to the Municipal Council responsible for the time being for the area known as Sutherland.

54.4 Unless all sums presently payable by any member to the Association have been paid such member shall not be entitled to vote at any general meeting either personally or by representative, proxy or attorney.

55. BY-LAWS AND LAWS OF CRICKET

55.1 Definition of Association By-Laws

- (a) The Association By-Laws means the By-Laws as adopted
- (b) The Committee may make such changes to the By-Laws as it sees appropriate and notify all members of the Association and affiliated clubs within fourteen (14) days of such resolution.

55.2 Inconsistency of By-Laws

Any By-Law introduced by the Committee is of no effect if it is inconsistent with The Act or these Rules or it is contrary to law.

55.3 Application of MCC Laws of Cricket

- (a) The MCC Laws of Cricket (as amended from time to time) utilised by the Association in the playing of traditional cricket may only be repealed, altered, amended or added to by a two thirds (2/3) majority vote of the Association members
- (b) Such a vote may be made at a delegates meeting, the annual general meeting, or at a special general meeting called for the purpose. The Secretary / Public Officer shall receive details of the relevant proposals in writing and distribute the proposals for the information and consideration of all members of the Association and affiliated clubs at least twenty one (21) days prior to the date set for the meeting.

56. MATTERS NOT SPECIFICALLY PROVIDED FOR AND INTERPRETATION OF THE RULES AND BY-LAWS OF THE ASSOCIATION

56.1 Extent of Committee's Powers

The Committee is hereby empowered to deal as it may think fit with members, and affiliated clubs or members thereof, in respect of complaints or offences and any other matters or circumstances not otherwise specifically provided for or covered in these Rules or the Association By-Laws

56.2 Committee sole authority to interpret rules.

- (a) The Committee shall be the sole authority for the interpretation of these Rules and the Association By-Laws

- (b) The Committee decision on any question of interpretation or upon any other matter affecting the Association shall be final and binding upon its members, affiliated clubs and the members of any standing committees and all other persons affected by these Rules and Association By-Laws.

APPENDIX 1

Sutherland Shire Cricket Association

TEAM NOMINATION FORM: Season = “YEAR” “NAME” Cricket Club, Team #1 Grade Requested: []

Secretary:		Captain:		For NEW players			
Address:		Address:		Print their statistics on the			
Suburb:		Suburb:		back of this sheet			
Phone:		Phone:					
Mobile:		Mobile:					
Name of Player	DOB	Address	Phone	Email	Season	Club	Grade
1.							
2.							
3.							
4.							
5.							
6.							
7.							
8.							
9.							
10.							
11.							
12.							
13.							