

NAIRNE CRICKET CLUB

CONSTITUTION

Version: July 9 2008

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1. NAME

- (a) The name shall be Nairne Cricket Club Incorporated hereinafter referred to as the "Club".
- (b) The Club shall be an Affiliated member of a Cricket Association.
- (c) The nickname of the club shall be "The Razorbacks".
- (d) The colours of the club shall be Maroon and White.

2. OBJECTS:

- (a) To promote and encourage the playing of cricket by persons resident of and affiliated with NAIRNE and surrounding districts, and ensure the club fields the necessary teams to cater for their participation.
- (b) To give special consideration and assistance to any ~~young~~ people who have need of relief because of physical or other handicaps, sickness, destitution or other misfortune.
- (c) To select teams accordingly such that member players be allowed to play in those teams.
- (d) To allow and encourage any member player to pursue their cricket career at the highest level possible, being District, State and International, and to support any member player doing so.
- (e) To encourage co-operation between cricket clubs.
- (f) To encourage co-operation between other sporting clubs of Nairne and surrounding districts.
- (g) To support and co-operate with the Nairne Oval Committee Incorporated to continually improve the Nairne Oval facility.
- (h) In carrying out the objects of the Club there shall be no discrimination against any member because of his or her political beliefs, race, creed, religion or any socially and legally acceptable lifestyle choices.

3. MEMBERSHIP:

- (a) Membership shall be open to those who uphold the aims of the Club and who are enrolled with the sanction of the Committee.
- (b) Membership shall also be open to any person who in the opinion of the Committee is in any way in special need of the facilities.
- (c) The Members shall have the power to fix and vary fees and subscriptions for members from time to time and make rules for ensuring the collection thereof. They may waive the payment of joining fees and subscriptions in cases of genuine hardship or where membership has been granted because of special circumstances.
- (d) A member shall be subject to immediate expulsion for any action which contravenes the objects of the Club. Such expulsion and appeals against such expulsion shall be decided by the Committee.
- (e) Any adult person who agrees to uphold the objects of the Club may become a member on the payment of the required fees.
- (f) Any person under the age of 18 who agrees to uphold the objects of the Club and with the permission of their parent or guardian may become a Junior Member of the club on the payment of the required fees.
- (g) All Officers and members of the Committee shall be ex-officio members of

the Club.

4. PATRON AND SUB PATRONS:

Two patrons and sub-Patrons may be appointed and such appointments shall be made at the Annual General Meeting.

5. LIFE MEMBERS.

- (a) The Committee is empowered to bestow Life Membership upon any person who has rendered outstanding, consistent and high quality service to the Club over a significant period of time, consistent with the status of all current Life Members.
- (b) Life Members may be nominated by any committee member at any committee meeting by motion or by any Member or Life Member in writing to the Secretary who shall move the nomination at the next official committee meeting, held as per section 11, after receipt of such nomination. Motions of nomination for Life Membership may only be passed by two thirds majority vote of those present at the meeting. Motions of nomination may be deferred to a later Committee meeting by motion and a simple majority vote.
- (c) Any successful Life Membership nomination shall be awarded at the senior presentation function in the same season the Life Member is appointed.
- (d) Life Members shall be entitled to freely take part in any or all activities of the Club without further payment, as long as the rules of the Constitution are always fully observed.

6. OFFICERS:

Officers of the Club shall be President, Vice-President, Honorary Secretary, Honorary Treasurer. The Officers shall be elected at the Annual General Meeting and hold office for twelve months and be eligible for re-election if they wish.

7. DUTIES OF OFFICERS:

- (a) President
The President shall preside at all General Meetings, except as provided for in Section 12 (d), and meetings of the Committee, except as provided for in Section 11 (e), and shall conduct same with dignity and decorum being conscious only of the true objectives of the Club.
- (b) Vice President
In the absence of the President at General Meetings and meetings of the Committee, the Vice-President shall carry out the duties of the President, except as provided for in Section 12 (d) and Section 11 (e).
- (c) Honorary Secretary
 - (i) Shall call General Meetings and meetings of the Committee when directed to do so.
 - (ii) Shall record accurate minutes of all such meetings, except as provided for in Section 11 (f) and Section 12 (e).
 - (iii) Shall be responsible for the custody of the books, journals and all

documents whatsoever belonging to the Club.

- (iv) Shall make all books of the Club available for inspection by the auditors or any member of the Committee.
- (v) Shall conduct correspondence and perform such other duties as the Committee may from time to time direct.
- (d) Honorary Treasurer
 - (i) Shall pay into the account of the Club at its Bank all moneys and cheques received on behalf of the Club.
 - (ii) Shall keep proper records of all moneys received and expended by, or on behalf of the Club and of all matters pertaining to such receipts funds, liabilities and transactions of the Club.
 - (iii) Shall prepare and submit to the Annual General Meeting of the Club in each year, a duly audited annual statement of accounts and balance sheet of the Club made up to and including the 30th day of June in each year.
 - (iv) Shall submit a financial statement at each meeting of the Committee if required.

8. COMMITTEE OF MANAGEMENT:

- (a) There shall be a Committee of Management hereinafter referred to as the "Committee" which shall comprise the Officers and at least three (3) but not more than five (5) members who shall be elected at the Annual General Meeting, hold office for twelve (12) months and be eligible for re-election if they wish.
- (b) The Committee shall be responsible for the general management of the Club and shall provide for the administration and control of the affairs and property of the Club.

9. POWERS OF THE COMMITTEE:

The Committee shall have the power without prejudice to the powers conferred by this Constitution subject only to the provisions of the Associations Incorporation Act, 1956-1965 or any statutory amendment thereof referred to in Section 21 (1) of the Associations Incorporation, Act, 1956-1965.

- (a) Buy, take on lease, or otherwise acquire any real or personal property for the purpose of the Club.
- (b) Sell or otherwise dispose of all or any of the real or personal property of the Club.
- (c) Let all, or any portion of the real or personal, property of the Club for such term or terms, at such rent or rents, and generally upon and subject to such terms, conditions and agreements as may be deemed desirable, and to accept surrenders of leases and the vacation of tenancies.
- (d) Invest any moneys of the Club, in the name of the Club, in any securities of, or guaranteed by the Government or the Parliament of the Commonwealth or State, or with any Australian Bank, with power from time to time to vary or transpose such investments for or into others of a like nature.
- (e) Arrange for the supply of all articles, books, periodicals and things considered necessary for purposes of the Club.
- (f) Attend generally to all matters affecting the welfare of the Club.

- (g) Give guarantees and borrow money, upon the security of the assets of the Club or otherwise.
- (h) Authorise four (4) bank signatories who shall be the officers of the club. Accounts shall be operated such that the signature of any two (2) of the four (4) signatories are required to access club funds.
- (i) Appoint and dismiss all paid officers or servants of the Club and define their duties and -the terms of their employment.
- (j) Fix the salaries or remuneration or honorariums of all persons.
- (k) Appoint a member to fill any Committee vacancy that may occur during the year.
- (l) Make rules and by-laws consistent with this constitution for the regulation of its own proceedings and for defining the respective powers and duties of sub-committees or officers of the Club and for the government generally. Such rules and by-laws shall be recorded as minutes.
- (m) Authorise any expenditure and the payment of any valid accounts or moneys owed by the club.
- (n) Appoint an Auditor

10. SUB-COMMITTEE:

- (a) The Committee shall have power to appoint sub-committees for specific purposes. The President and Honorary Secretary shall be ex-officio members of all sub-committees.
- (b) The Committee shall at all times retain the right to review or revoke any actions of its sub-committee or Officers,

11. COMMITTEE MEETINGS:

- (a) The Committee shall meet at least ~~three~~ *six* times in each year, and the interval between any two meetings shall not exceed ~~eight~~ *six* months.
- (b) If any member of the Committee absents himself or herself from three (3) consecutive meetings without an acceptable apology or permitted leave, the Committee may terminate his or her membership of the Committee.
- (c) Committee members shall receive at least seven days' notice of all Committee Meetings.
- (d) Four Committee Members, including two (2) officers shall constitute a quorum at committee meetings.
- (e) The President, or in his or her absence, the Vice-President of the Club, shall preside at all Committee Meetings of the Club. If the President or Vice-President shall be absent or unwilling to act as Chairman of a Committee meeting, the voting members shall appoint one of their numbers to be chairman.
- (f) If the Secretary shall be absent from a Committee meeting the Committee members shall appoint one of their numbers to record accurate minutes of that meeting.
- (g) A committee meeting will be called by the Secretary at the request of any Officer or Committee member.

12. GENERAL MEETINGS - ANNUAL AND SPECIAL:

- (a) Annual General Meetings shall be held not later than 31st August each year and shall be open to the public
- (b) The Annual General Meeting shall
 - (i) Confirm minutes of the previous Annual General Meeting and of Special General Meetings if any.
 - (ii) Receive and adopt the Annual Report of the President.
 - (iii) Receive and adopt the audited statement of receipts and balance sheet for the previous financial year.
 - (iv) Elect the Officers and Committee members for the ensuing year.
 - (v) Transact other business of which at least fourteen days prior notice has been given.
- (c) Special General Meetings may be called by the President or at the request of at least five (5) voting members of the Club provided that at least fourteen days' notice to all members and the business to be discussed is detailed in the notice.
- (d) The President, or in his or her absence the Vice-President of the Club, shall preside at all General Meetings of the club. If the President or Vice President shall be absent or unwilling to preside at a general meeting members present shall appoint one of their members to preside at the meeting
- (e) If the secretary shall be absent from a General Meeting, the voting members present shall appoint one of their numbers to record accurate minutes of that meeting.
- (f) Ten (10) voting members, including two (2) Officers, present at Annual or Special General Meetings shall constitute a quorum.

13. VOTING:

- (a) At all General Meetings members, fourteen years of age and over, shall be entitled to one vote each. One parent or guardian of each member 13 years of age and under, shall be entitled to one vote. A parent or guardian who is already a member, or is the parent or guardian of more than one member, 13 years of age and under, shall be entitled to only one vote.
- (b) At all meetings of the Committee, Officers and Committee members shall be entitled to one vote each.
- (c) At all General Meetings and meetings of the Committee the Chairman shall be entitled to a vote and a casting vote where there is an equality of voting.
- (d) All elections and questions shall be decided by a simple majority except as prescribed in Clause 18 and Clause 5.
- (e) At all meetings voting shall be by a show of hands. If so requested by two (2) or more voting members, who are present at the meeting at which the election or question is to be decided, voting shall be by secret ballot.

14. MINUTES:

Accurate minutes shall be kept of all meetings and shall be available for examination by any member. No resolution of a General Meeting shall be rescinded unless fourteen days notice is given to members.

15. FINANCE:

- (a) The Committee shall cause to be kept proper books of account in which full, true and complete details of the affairs and transactions of the Club shall be recorded.
- (b) The Committee shall take the necessary steps to open a bank account in the name of the Club and all moneys received shall be paid into the account forthwith.
- (c) The Committee shall have power to open special trust accounts for specific projects from time to time and such accounts may be operated on only for the set purpose for which they are opened.

16. AUDIT:

As soon as practical after the 30th day of JUNE in each year (and also whenever requested by the President of the Club), the accounts of the Club shall be audited and the auditor shall report thereon to the Committee or the Club.

17. ASSETS:

No part or parts of the assets of the Club shall be given or transferred in any way to any member or members of the Club except that payments in faith may be made to a member of the Club for services rendered to the Club, or for goods supplied in the ordinary way of business or for any reasonable out-of-pocket expenses incurred by a member of the Club acting under the authority of the Committee.

18. ALTERATION OF CONSTITUTION:

- (a) Alterations to this Constitution may be made at a General Meeting by a resolution passed by a two-thirds majority of those present and entitled to vote.
- (b) At least one calendar months notice of the general meeting and of the proposed alterations shall be given.

19. PUBLIC OFFICER:

The Committee shall, from time to time appoint any person other than the auditor to be the Public Officer of the Club and may revoke any such appointment.

20. DISSOLUTION:

If at any time the Committee considers that the Club should be dissolved it shall present its reasons to a Special General Meeting of the Club. If a resolution for dissolution is carried by a majority of voting members present the real and personal property of the Club shall be sold and disposed of by the Committee by private treaty or by auction as the Committee shall determine (with power to the Committee to give good and valid receipts for all purchase moneys) and the moneys arising from such sale and disposition after payment of all *incidental* expenses and debts and liabilities of the Club shall be held, by the Committee upon trust. Such moneys shall be given

to The Nairne Oval Committee Incorporated, or they shall be divided amongst The Nairne Oval Committee Incorporated and such other charitable institutions in South Australia as the Committee selects, or they shall be divided amongst such charitable institutions in South Australia and such proportions and in such manner as the Committee may determine provided the institutions are approved by the Commissioner of Taxation for the purpose of Section 78 (1) (a) of the Income Tax and Social Services Contribution Assessment Act 1936-1960 or any enactment amending Section 78 (1) (a) of passed in substitution therefor.