

# COFFS HARBOUR DISTRICT CRICKET ASSOCIATION INCORPORATED

## CONSTITUTION

Ammended 25 November 1991

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**COFFS HARBOUR DISTRICT CRICKET  
ASSOCIATION INCORPORATED**

**CONSTITUTION**

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ASSOCIATION INCORPORATED**

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**C O N S T I T U T I O N**

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**1. NAME**

The name of the Association is Coffs Harbour District Cricket Association, Incorporated.

**STATEMENTS OF OBJECTS**

The objects of the Association are:-

1. To promote, develop, conduct and manage the game of cricket within the area of the Association as determined by the North Coast Cricket Council.
2. To make, approve and enforce rules for the conduct of Cricket Competitions among Clubs affiliated with the Association.
3. To prepare and approve programmes of such cricket competitions and to allocate venues at which such matches are to be played each year.
4. To adjudicate on matters of dispute and difference between and referred to by Clubs affiliated with the Association.
5. To initiate and/or take such action as the Association deems fit in the event that, in the opinion of the Association, any affiliated Club and/or a team or member of such a Club does any act or thing which, in the opinion of the Association, is contrary to the rules or spirit of the game or is to the detriment of the Association, the New South Wales Cricket Association or the game of cricket in general and to this end the Association has the power to disqualify, suspend, fine or otherwise deal with such, Club, Team or Member.

**PART 1 - PRELIMINARY**

**Interpretation**

1. (i) In This constitution, except in so far as the context of subject matter otherwise indicates or requires:-
  - (a) words importing the singular include the plural and vice versa:-
  - (b) words importing one gender include any other gender:-
  - (c) "ordinary Member" means a member who is not an office-bearer;
  - (d) "Office Bearer" means a person elected or appointed to the position of Chairman, Deputy Chairman, Secretary or Treasurer of the Association in accordance with the provisions of Clause 14 of this Constitution;
  - (e) "Secretary" means the person who holds the office of secretary of the Association in accordance with the provisions of Clause 14 of this Constitution or, where no person holds that office, the public officer of the Association;
  - (f) "The Act" means the Associations Incorporation Act, 1984;

the regulations means the regulations made in accordance with the provisions of the Associations Incorporations Act, 1984.

(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.

#### **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 2 - AFFILIATION AND MEMBERSHIP**

3. (i) The Association will consist of; The Clubs and Bodies Affiliated with the Association at the completion of the previous season, plus any other Clubs or Bodies granted Affiliated in the current season, in accordance with Para 3. ii. below.
- (ii) On making written application any other Club having such qualifications as may be determined from time to time by the Association may be granted affiliation provided such application is approved by a two-thirds majority of the persons entitled to vote at a general meeting of the Association present and voting at the meeting at which the application is considered.
- (iii) Club affiliation fees, together with registration forms shall be submitted by Clubs and within such time limits as the Management Committee shall determine. A Club or Body in default of the time limits set by the Management Committee, may lose all or some privileges of Affiliation as determined by the management committee.

#### **Membership**

4. (i) The ordinary members of the Association shall be elected annually by the bodies entitled to elect members of the Association pursuant to paragraph (iii) of this Clause.
- (ii) Life Members- Benefactors of the game 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 and, if endorsed by the Management Committee, shall be submitted to the Annual Meeting. The Motion for the election of any such Life Member must be passed by a two-thirds majority of those in attendance and entitled to vote in any such meeting.
- (iii) The Association shall consist of members as follows:-
- (a) Three delegates from each of the Affiliated Cricket Clubs and one delegate from Bodies granted affiliation in accordance with paragraph 3 (i) of this Constitution
- (b) Life Members as elected in accordance with paragraph 4 (ii) of this Constitution.
- (iv) Upon application the Coffs Harbour District Junior Cricket Association and the Coffs Harbour District Cricket Umpires Bodies,

#### **Cessation of Membership**

5. A person shall cease to be a member of the Association if the person:-
- (a) dies;
- (b) resigns his membership;

or within a period of one year after ceasing to be a member thereof.

### **Disciplining of Members**

11. (i) Where the Committee, as described in part iii hereof, is of the opinion that a member of the Association:-
- (a) has persistently refused or neglected to comply with a provision or provisions of this constitution; or
  - (b) has persistently and willfully acted in a manner prejudicial to the interested of the Association; or
  - (c) has neglected to comply with any requirements or direction of the Association or the Committee, the Committee may, by resolution:-
    - (1) expel the member from the Association; or
    - (2) suspend or disqualify the member from membership of the Association for a specified period.
- (ii) A resolution of the Committee under paragraph (1) of this Clause shall be a no effect unless the Committee, at a meeting held not earlier than 14 days and not later than 28 days after service on the member of a notice in accordance with paragraph (iii) of this Clause, confirms the resolution in accordance with this clause.
- (iii) Where the Committee passes a resolution in accordance with paragraph (i) of this Clause, 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 on which it is based;
  - (b) stating that the member may address the Committee at a meeting to be held not earlier than 14 days and not later than 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:-
    - (1) attend and speak at the meeting;
    - (2) 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 Committee held as referred to in paragraph (iii) of this Clause, the 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 resolution determine to confirm or to revoke the resolution.
- (v) Where the Committee confirms a resolution under paragraph (iv) of this Clause 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) of this Clause does not take effect:-

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 12 (iv).

#### **Right of Appeal of Disciplined member.**

- 12. (i) A member may appeal to the Association in general meeting against a resolution of the Committee which is confirmed under Clause 11 (iv) within 7 days after notice of the resolution is served on the member, by lodging with the Secretary a notice in writing to that effect.
- (ii) Upon receipt of a notice from a member under paragraph (i) of this clause the 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 paragraph (ii) of this clause:-
  - (a) no business other than the question of the appeal shall be transacted;
  - (b) the 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 the general meeting the Association passes a special resolution in favor of the confirmation of the resolution, the resolution is confirmed.
- (v) If the resolution is confirmed in accordance with paragraph (iv) of this Clause the member may, within seven days of the date of the meeting of the Association at which the resolution was confirmed, lodge with the Secretary of the Association a further appeal to the North Coast Cricket Council and the Secretary shall forthwith send such appeal to the Secretary of the North Coast Cricket Council for consideration by that Council.

### **PART III - THE COMMITTEE**

#### **Powers, Etc of the Committee**

- 13. The Committee shall be called the Committee of Management of the Association and Subject to the Act, the Regulations and this Constitution and to any resolution passed by the Association in general meeting:-
  - (a) shall control and manage the affairs of the Association.
  - (b) exercise all such functions as may be exercised by the Association other than those functions that are required by this Constitution to be exercised by a general meeting of members of the Association;
  - (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.

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 this Constitution.

#### **Constitution and Membership of the Committee**

14. (i) Subject in the case of the first members of the Committee to Section 21 of the Act the Committee shall consist of:-

The office-bearers, One Delegate appointed from each Affiliated Body, assistant Secretary/Recorder.

- (ii) The Office-bearers shall be:-

The President, Senior Vice President, Secretary and Treasurer.

- (iii) Each member of the Committee shall, subject to this Constitution, hold office until the conclusion of the Annual General Meeting following the date of the member's election, but is eligible for re-election.

- (iv) In the event of a casual vacancy occurring 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 this Constitution, until the conclusion of the Annual General Meeting next following the date of the appointment.

#### **Election of Members**

15. (i) Nomination 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 (which) may be endorsed on the form of the nomination); 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 a nomination or nominations are not received for the position of an office-bearer nominations shall be received at the Annual General Meeting.
- (iii) If a nomination or nominations are not received in accordance with paragraph (i) and (ii) of this Clause, any vacant positions remaining 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 nominated for and elected to another office at the same election.



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 members of the Committee present at a Committee meeting or general meeting; and
- (c) all proceedings at Committee meetings and general meetings.

#### **Treasurer**

17. It is the duty of the Treasurer of the Association to ensure that:-

- (a) all money due to the Council is collected and received and that all payments authorized by the Association are made;
- (b) correct books and accounts are kept showing the financial affairs of the Association including full details of all receipts and expenditure connected with the activities of the Association.

#### **Casual Vacancies**

18. For the purpose of this Constitution, a casual vacancy in the office of a member of the 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;
- (e) is removed from office under Clause 19;
- (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;
- (g) is absent without consent of the Committee from two consecutive meetings of the Committee.

#### **Removal of member**

19. (i) The Association in general 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 shall by resolution appoint another person to hold office until the expiration of the term of office of the member so removed.

(ii) Where a member of the Committee to whom a proposed resolution referred to in paragraph (i) of this Clause relates makes representations in writing to the Secretary or Chairman (not exceeding a reasonable length) and requests that the representations be notified to the members of the Association the Secretary or the Chairman may send a copy of the representations to each member of the Association or, if they are not sent, the member is

at the meeting at which the resolution is considered.

### **Meetings and Quorum**

20. (i) The committee shall meet at least once in each year at such place and time as the Committee may determine.
- (ii) Additional meetings of the Committee may be convened by the President or by any member of the Committee.
- (iii) Oral or written notice of 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 paragraph (ii) of this Clause shall specify the general nature of the business other than that business shall be transacted at the meeting, except business which the Committee members present at the meeting agree to treat as urgent business.
- (v) Five members of the Committee shall 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 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 place and at the same hour of the same day in the following week.
- (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.
- (viii) At the meeting of the Committee;—
- (a) the President or, in the President's absence, a 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 Committee may, by instrument in writing, delegate to one or more sub-committees (consisting of such members of the Association as the Committee thinks fit) the exercise of such of the functions of the Committee as are specified in the instrument, other than;—
- (a) this power of delegation; and
- (b) a function which is a duty imposed on the Committee by the Act, by any other law or by this Constitution.
- (ii) A function the exercise of which has been delegated to a sub-committee under this clause 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 to the exercise of any function the subject thereof, or as to time or circumstances, any be specified in the instrument of delegation.
- (iv) Notwithstanding any delegation under this Clause, the Committee may continue to exercise any function delegated.
- (v) Any act or thing done or suffered by a sub-committee acting in the exercise of a delegation under this Clause has the same force and effect as it would have if it had been done or suffered by the Committee.

- (vi) The Committee may, by instrument in writing, revoke wholly or in part any delegation under this Clause.
- (vii) A sub-committee may meet and adjourn as it thinks proper.

### **Voting and Decisions**

- 22. (i) Questions arising at a meeting of the 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 member present at a meeting of the Committee or of any sub-committee appointed by the Committee (including the person presiding at the meeting) is entitled to one vote but, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.
- (iii) Subject to Clause 21 (v), the Committee may act notwithstanding any vacancy on the Committee.
- (iv) Any act or thing done or suffered, or purporting to have been done 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 of qualification or any member of the Committee or sub-committee.

### **PART IV - GENERAL MEETINGS**

- 23. The annual general meeting of the Association shall be held in the month of August in each year.
- 24. The regular business of the 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 Committee reports on the activities of the Association during the last preceding financial year;
  - (c) to receive and consider the statement which is required to be submitted to members pursuant to section 26(6) of the Act;
  - (d) to elect such number of delegates to the North Coast Cricket Council as the Association is entitled to elect in accordance with rules of the North Coast Cricket Council.
  - (e) to elect office-bearers of the Association;
  - (f) to elect other Officers of the Association;
    - (a) Two (2) Vice Presidents
    - (b) Assistant Ho. Secretary/Recorder
    - (c) Hon. Auditor
    - (d) Association Selector to N.C.C.C.
    - (e) Inter District Chairman of Selectors/Organizer
    - (f) Publicity Officer
    - (g) Inter District weatherman
    - (h) Any other Officer deemed necessary

All other business at an annual general meeting shall be special business.

### **Other General Meeting of the Association**

- 25. All general meetings other than annual general meetings shall be special general meetings.

26. (i) The Committee may, whenever it thinks fit, convene a special general meeting of the Association.
- (ii) The Committee shall, on the requisition in writing of not less than three members, convene a special general meeting of the Association.
- (iii) A requisition of members for a special general meeting:-
- (a) shall state the purpose or purposes of the meeting;
  - (b) shall be signed by the members making the requisition;
  - (c) shall be lodged with the Secretary; and
  - (d) may consist of several documents in similar form, each signed by one or more of the members making the requisition.
- (iv) If the Committee fails to convene a special general meeting to be held within one month after that date on which a requisition of members for the meeting is lodged with the Secretary, any one or more of the members who made the requisition may convene a special general meeting to be held not later than three months after that date.
- (v) A special general meeting convened by a member or members as referred to in paragraph (iv) of this Clause shall be convened as nearly as is practicable in the same manner as general meetings are convened by the Committee and any member who thereby incurs expense is entitled to be reimbursed by the Association for any expense so incurred.

#### Notice

27. (i) Except where the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the Association the Secretary shall, at least seven days before the date fixed for the holding of the general meeting, cause to be sent by pre-paid post to each member at the member's address appearing in the register of member, a notice specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.
- (ii) Where the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the Association, the Secretary shall, at least 21 days before the date fixed for the holding of the general meeting, cause notice to be sent to each member in the manner provided in paragraph (i) of this clause specifying, in addition to the matter required under paragraph (i) of this Clause, the intention to propose the resolution as a special resolution.
- (iii) No business other than that specified in the notice convening a general meeting shall be transacted at the meeting except, in the case of an annual general meeting, business which may be transacted pursuant to Clause 23 of this Constitution.
- (iv) A member desiring to bring any business before a general meeting may give notice in writing of that business to the Secretary who shall include that business in the next notice calling a general meeting after receipt of the notice from the member.
- (v) Notice of the Annual General Meeting is to be inserted in one (1) newspaper circulation in the Coffs Harbour District fourteen (14) day prior to the date of the meeting.

#### Procedure

28. (i) No item of business shall be transacted at a general meeting unless a quorum of members entitled under this

...to vote is present during the time the meeting is considering that item.

- (ii) Ten members present in person (being members entitled under this Constitution to vote at a general meeting) constitute a quorum for the transaction of the business of a general meeting.
- (iii) If within half an hour after the appointed time for the commencement of a general meeting the quorum is not present, the meeting if convened upon the requisition of members shall be dissolved and in any other case shall stand adjourned to the same day in the following week at the same time and (unless another place is specified at the time of the adjournment by the person presiding at the meeting or communicated by written notice to members given before the day to which the meeting is adjourned) at the same place.
- (iv) If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members present (being not less than five) shall constitute a quorum and if five members are not so present the meeting shall be dissolved.

#### **Presiding Member**

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

#### **Adjournment**

- 30. (i) The chairman of a general 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 business left unfinished at the meeting at which the adjournment took place.
- (ii) Where a general meeting is adjourned for fourteen 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.
- (iii) Except as provided in paragraph (i) and (ii) of this Clause, notice of a adjournment of a general meeting or of the business to be transacted at an adjourned meeting is not required to be given.

#### **Making Decisions**

- 31. (i) A question arising at a general meeting of the Association shall be determined on a show of hands and, unless before or on the declaration of the show of hands, a poll is demanded, a declaration by the Chairman that a resolution has, on show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the minute book of the Association, is evidence of the fact without proof of the number or proportion of the votes recorded in favor of or against that resolution.
- (ii) At a general meeting of the Association, a poll may be demanded by the Chairman or by not less than three members present in person or by proxy at the meeting.
- (iii) Where a poll is demanded at a general meeting, the poll shall be taken:-
  - (a) immediately in the case of a poll which relates to the election of the Chairman of the meeting or to the

- (b) in any other case, in such manner and at such time before the close of the meeting as the Chairman directs, and the resolution of the poll on the matter shall be deemed to be the resolution of the meeting on the matter.

### **Special Resolution**

32. A resolution of the Association is a special resolution if:-

- (a) it is passed by a majority which is not less than three quarters of such members of the Association as being entitled under this Constitution so to do, vote in person or by proxy at a general meeting of which not less than twenty-one days written notice specifying the intention to propose the resolution as a special resolution was given in accordance with this Constitution; or
- (b) where it is made to appear to the Business and Consumer Affairs Commission that it is not possible or practicable for the resolution to be passed in the manner specified in paragraph (a) - the resolution is passed in manner specified by the Commission.

### **Voting**

33. (i) Upon any question arising at a general meeting of the Association a member has one vote only.
- (ii) All votes shall be given personally or by proxy vote but no person may hold more than five proxies.
- (iii) In the case of an equality of votes on a question at a general meeting, the Chairman of the meeting is entitled to exercise a second or casting vote.

### **Appointment of Proxies**

34. (i) Each member shall be entitled to appoint another person as proxy by notice given to the Secretary prior to the time set down for the commencement of the meeting in respect of which the proxy is appointed. Any person so appointed as a proxy must be a member of the body which elected the member of the Association for whom the proxy is to act and the document appointing such a proxy must be countersigned by the Secretary or other authorized office of such body.
- (ii) The notice appointing the proxy shall be in the form set out in the Appendix to this Constitution.

## **PART V - MISCELLANEOUS**

### **Insurance**

35. (i) In 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 Committee to ascertain whether or not the Association is covered by a policy held by the New South Wales Cricket Association every year and, if not so covered, to effect such insurance either on its own account or by an Association held by the New South Wales Cricket Association.
- (ii) In addition to the insurance required under paragraph (i) of this Clause the Committee may effect and maintain such other insurance as it deems necessary either on its own account or through policies held by the New South Wales Cricket Association.

- (iii) All players selected to participate in any fixture arranged by or through the Association shall satisfy the President or Secretary or any other Office-Bearer of the Association that he is an insured player under the provisions of the Sporting Injuries Insurance Act, 1978 or under any Act or legislation intended to replace or complement the Sporting Injuries Act, 1978 or under such similar form of insurance having the same effect cover as required by that Act, before such player is entitled to participate as aforesaid.

#### **Funds Source**

36. (i) The funds of the Association shall be derived from such sources as the 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 and appropriate receipt.
37. (i) The funds of the Association shall be used solely in pursuance of the objects of the Association.
- (ii) All cheques, drafts bills of exchange, promissory notes and other negotiable instruments shall be signed by:-
- Any two of; President, Secretary or Treasurer jointly,
38. (i) The Treasurer shall maintain proper books of account in which shall be recorded all the financial transactions of the Association.
- (ii) At the end of each financial year the Treasurer shall prepare all such statements as are required to present to the annual general meeting in accordance with the provisions of Section 26 (6) of the Act and shall present such statements together with the report of the Auditors thereon to the Annual General Meeting.
39. The financial year of the Association shall end on the 30th June in each and every year.
40. The statement of objects and these rules may be altered, rescinded or added to, only by a special resolution of the Association.

#### **Common Seal**

41. (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, either of 2 members of the Committee or 1 member of the Committee and the Secretary or the Public Officer.

#### **Custody of Books, Etc.**

42. Except as otherwise provided by the rules, 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**

43. 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, on any business day.

44. (i) For the purpose of this Constitution, a notice may be served by, 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 the 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 this Constitution to have been served on the person at the time in which the letter would have been delivered in the ordinary course of post.

#### **Protests and Disputes**

45. All protests and disputes shall be adjudicate on, in the first instance by the Committee or a Sub-Committee thereof provided that any part to such protest or dispute may lodge and appeal to the North Coast Cricket Council with the Secretary of the Association within 7 days of the date on which the Committee or Sub-Committee hands down its decision on such appeal to the Secretary of the North Coast Cricket Council for its consideration.

#### **Surplus Property**

46. The Association may not be wound up or go into recess so long as Four (4) Clubs affiliate with the Association. In the event of the winding-up or cancellation of the incorporation of the Association all the surplus property of the Association pursuant to section 53 (2) of the Act, shall vest in the North Coast Cricket Council.

#### **Representative and Club Competition Rules**

##### **Representative Players**

47. Only members of affiliated clubs are eligible for inclusion in any Association Team, except where directed or requested by the New South Wales Country Association or its affiliates.

##### **Club Competitions**

48. Club Competitions shall be conducted by the Association as decided at each Annual General Meeting of the Association.
49. Competition Rules shall be separate to this constitution and the Secretary shall be responsible for their recording and up keep and shall give to each club a copy thereof prior to the start of the Competition each year.
50. No existing Club Competition Rule shall be repealed or altered, or any new rules adopted without the consent of the two thirds of the members present at the Annual General Meeting or any other General meeting called for that purpose and unless notice of such proposed alteration repeal or adoption is in the hands of the Secretary at least fourteen (14) days prior to the proposed date of the meeting.

#### **Association Trophies**

51. (i) All Association Trophies shall remain the property of the Association.
- (ii) Any Club requesting the use of Premiership Trophies for their respective Club Presentation function, shall be permitted access to the relevant Trophy for display at their function. Conditional that the Club's Association Delegate and one Executive member of the requesting Club, complete the Association "TROPHY RELEASE FORM" accepting responsibility for the safe keeping and return within ONE week of collection of such Trophies. All requests for Trophies are to be made to the Association Executive. Any damage to the Trophy shall be repaired by the Association and the amount involved to be charged against the relevant Club.



