



# HEATHERDALE CRICKET CLUB

Heatherdale Reserve: Purches Street, Mitcham VIC 3132

ABN: 13 303 381 155 | Incorporation ID: A0006546Z



## CONSTITUTION

### HEATHERDALE CRICKET CLUB INC

#### 1. NAME

The name of the Club shall be the Heatherdale Cricket Club (hereinafter called 'the Club')

#### 2. PURPOSES

The purpose of the Club is:

- a. To inspire and support all players and members, from all walks of life and backgrounds, to love of the game of cricket at Heatherdale Cricket Club in a fun and safe environment, creating life-long friendships along the way.
- b. Aim to consistently deliver the best coaching and support structures through strong investment in development, education and growth for all players
- c. Promote equity through fostering, promoting and supporting an all-inclusive and diverse community environment for its players, members and supporters.
- d. Submit teams in cricket associations that live to the Purposes of the Club as listed above

#### 3. FINANCIAL YEAR

The financial year of the Club is each period of 12 months ending on 30th April

#### 4. DRESS

The Club uniform shall be what is required for the specific grade of cricket played within the association it is affiliated with at the time. This will be a mixture of either all white, white tops and blue bottoms, or all blue. This will incorporate a blue or white club hat. The official club colours will be royal blue (pantone 2945), navy blue (pantone 2767) and white.

#### 5. SUBSCRIPTIONS & MEMBERSHIP

- a. Every person deemed to be a member of the Club shall be liable to pay an annual subscription and match subscription, the amount of which shall be decided by the Committee.



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- b. All subscriptions shall become due and payable to the Club Treasurer or any Committee member nominated by the Treasurer and approved by the committee before the 30<sup>th</sup> November.
- c. Subscriptions shall be divided into groups as determined by the committee at the start of the season, however, as a minimum will include options for Seniors, Junior, Life Members and Social membership options.
- d. All subscriptions not paid for previous year to be brought forward into current season and any member whose subscriptions are not paid, shall be suspended until such payment is made. No clearance will be passed without a member being financial.
- e. Visiting teams, officials, & umpires who visit Heatherdale CC for the purpose of playing or officiating games of cricket are considered honorary members of the club for the day(s) in which they are involved.

## 6. SUSPENSION

Any member who:

- a. Fails to pay their subscription within any period of time presently specified by the Committee of the Club or
- b. Fails to comply with any rules and regulations or directions whether enacted by this Constitution or enacted by the Committee exercising its power under this Constitution

Shall be liable at the discretion of the Committee to forfeit their right to participate in any Club activity or vote at any Club meeting during the term of the suspension.

A member so suspended may appeal against the suspension to an Appeals Board comprising of three impartial and independent people elected at the Annual General Meeting. The elected Appeals Board will have the power to uphold, overrule or amend the suspension given. Any appeal must be made in writing by email, within 21 days of the suspension notice provided, to the Club Secretary.

## 7. COMMITTEE POWERS

- a. The administration and management of the Club shall be conducted by the Committee of the Club.
- b. Subject to any provision contained in this Constitution, every member of the Committee shall be held responsible for their actions to the Committee and if required to the Club as a whole.
- c. The Committee shall have power to decide matters of policy and make regulations binding on the Club, provided that such policy decisions and regulations shall be consistent with but limited by the provisions of this Constitution.



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- d. Any such decisions or regulations enacted under Section 6c of this Constitution shall be published on the notice board of the Club and shall be operative from the date specified on any such notice or otherwise operative seven (7) days thenceforth.
- e. The Committee may be a simple majority sanctions the delegation of any function by a Committee member ordinarily exercising that function to any Club member provided that without the sanction of the Committee such delegation shall be ineffective and void.
- f. Where a vacancy has occurred on the Committee because of:
  - a. The resignation of a Committee member forwarded to the Secretary in writing or
  - b. For any other reason whatsoever except removal at an Extraordinary General Meeting the Committee shall have power to fill the vacancy with any Club member howsoever nominated provided that such member has the support of the majority of all Committee members whose opinion shall be ascertained by the Secretary of the Club.
- g. On the vote of a clear majority of the members present at a properly constituted Committee meeting, any member of the Committee who has consistently neglected their duties under the Constitution or who has wilfully disregarded a constitutionally valid ruling of a majority of the Committee or who has wilfully exceeded their constitutional power under the Constitution may be removed from the Committee. Such vote shall be by secret ballot.
- h. The vacancy thereby created by be filled in the manner directed by Section 10 of this Constitution.

## 8. PROCEDURAL RULES GOVERNING MEETINGS

- a. For a meeting of the Committee to be valid and properly constituted a quorum of FOUR Committee members must be present.
- b. The Committee should meet at least once each month of the Cricket season and at such other times or shorter intervals as the Committee may from time to time determine. The venue and the commencing time of the meeting may be selected by those persons having power under this Constitution to call meetings.
- c. i. All formally constituted meetings of the club (including Committee, EGM & AGM) may be conducted, and members may take part, by the use of technology that allows members to clearly and simultaneously communicate with each other participating member.



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ii. All formal and proper processes for such meetings have been followed and members properly advised.

iii. For the purposes of this part, a member participating in a general meeting as permitted under sub-rule (8.c.i) is taken to be present at the meeting and, if the member votes at the meeting, is taken to have voted in person.

## 9. VOTING

- a. Voting at a Committee meeting, an Extraordinary General Meeting or General Meeting shall, except where otherwise provided in this Constitution, be by a show of hands and, except where otherwise provided, a simple majority shall be sufficient to pass any motion or enactment whatsoever.
- b. In the case of an equal division of opinion, the President shall have a casting vote.
- c. There shall be no voting by proxy at any meeting.
- d. Voting on any matter shall be by secret ballot is a motion to this effect is passed by a simple majority of the meeting.

## 10. VOTING & ELECTION RIGHTS

- a.
  - i. Financial members, as determined by the committee in accordance with Section 5.c. will have the right to vote.
  - ii. Each financial member will have 1 vote per person, except those financial members under the age of 16.
  - iii. Parents of Junior financial members (under the age of 16) will have 1 vote, and in the case of two or more Junior members belonging to one family, 1 vote will be permitted for the family on behalf of the junior financial members.
  - iv. Financial members who are also Parents of a Junior financial member shall be eligible for 2 votes.
  - v. A condition of receiving Life Membership is that a Life Member will be considered financial for all voting purposes.
- b. Financial Members and Parents of Junior Financial Members shall be eligible for election to the Committee.

## 11. COMPOSITION OF THE COMMITTEE

- a. The Committee of management shall consist of the President, Treasurer, Secretary, and others deemed necessary for the effective running of the club.



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## 12. MANNER OF ELECTIONS

- a. The Committee shall be elected on a simple majority of votes of those members present at a properly constituted Annual General Meeting.
- b. Any candidate must be nominated by one member and seconded by another.
- c. Nominations for Committee positions may be received before or at the Annual General Meeting.
- d. Voting for the election of Committee shall be by secret ballot and be supervised by two scrutineers who shall be appointed by the President.

## 13. FINANCE

- a. All monies collected by the Club shall be held in a Bank Account with a Bank approved by the Committee. To withdraw money from the account the signatures of two of the following officers, at least one signature to be that of the Treasurer, and either:  
The President, or the Secretary.
- b. The Treasurer shall receive and disburse all monies as an agent of the Club. The Treasurer's signature on a receipt shall be evidence of payment to the Club.
- c. The Treasurer shall be responsible for the collection of all subscriptions from Club members.
- d. The Treasurer shall disburse all monies necessary for the furtherance of any objectives and activities listed in this Constitution.
- e. The Treasurer shall prepare a Profit & Loss Statement showing the receipts and expenditure of the Club during each year. A Balance Sheet may also be prepared each year. Such financial statements, together with an Annual Report which the Treasurer shall prepare, must be submitted to the Annual General Meeting.

## 14. ANNUAL GENERAL MEETING

- a. The Annual General Meeting of the Club shall be held in the month of May prior to the Association(s) Annual General Meeting, at a date to be set by the Committee. All members shall be notified in writing at least fourteen (14) days before the said date of the meeting.
- b. Quorum for such meeting shall be constituted by one-fifth of voting members of the Club.



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## 15. POWERS OF ANNUAL GENERAL MEETING

- a. Any business whatsoever may be discussed and any motions whatsoever may be passed by the members at the Annual General Meeting, but such business shall include, but not be limited to, the following:
  - i. Reading, reception and confirmation of the Club minutes of the previous Annual General Meeting
  - ii. Apologies
  - iii. Correspondence
  - iv. Reports, i.e. Committees, Delegates
  - v. Accounts (Treasurer's report)
  - vi. Election of office bearers
  - vii. Appointment of Life Members Committee
  - viii. Appointment of Appeals Board
  - ix. General Business
- b. Copies of the Treasurer's report should be made available to all members in attendance at the Annual General Meeting.
- c. Unless the provisions of Section 15 (a) of this constitution are complied with, the meeting shall not be a properly constituted Annual General Meeting and shall be null and void and a new meeting complying with the requirements of the said Section shall be called.
- d. The President of the Club shall control the Club Committee, Annual General and Extraordinary General Meetings and may prepare the Agenda may be dealt with under General Business.

## 16. EXTRAORDINARY GENERAL MEETING

- a. An Extraordinary General Meeting may be called by the Committee on a majority vote or by not less than on-fifth of the members of the Club.
- b. For the meeting to be properly constituted seven days notice of meeting must be given by a notice posted on the Club notice board and a notice given to or posted to all Club members. Such notice shall bear the names of those members who are call such Extraordinary General Meeting and shall state clearly and concisely the matter or matters to be considered at such Extraordinary General Meeting. One-fifth of all Club members shall constitute a quorum.
- c. Voting procedure shall be identical with that enacted for the Annual General Meeting.



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- d. Chairman of the meeting shall, in the case of a meeting called by the Committee, be the President of the Club, and in the case of a meeting called by one-fifth of Club members, be such person elected by the said one-fifth of Club members.

## 17. POWERS OF EXTRAORDINARY GENERAL MEETING

- a. Any business whatsoever may be discussed and any motions whatsoever may be passed, provided that where a set procedure is provided in this constitution it must be followed, otherwise the action taken shall be null and void.
- b. In matters affecting the Committee an Extraordinary General Meeting shall have the following powers –
  - It may on the vote of three-quarters of those members present, remove from the Committee any person or persons.
- c. The Extraordinary General Meeting may call for a report on the exercise of any power or function from any person exercising such power or function.
- d. The Extraordinary General Meeting may exercise any powers specifically given to it elsewhere in this Constitution.

## 18. LIFE MEMBERSHIP

- a. Life Membership Medallion may be awarded for meritorious service and/or of administration of the Club and/or performance on the cricket field.
- b. Life Membership nomination must be made in writing by email to the Club Secretary for recognition before the conclusion of the current season by the end of February each calendar year.
- c. Such Life Membership nominations will be discussed and voted on by a 75% majority of the Life Members Committee, appointed at the Annual General Meeting and passed onto the Club Secretary for final discussion and voting by the Club committee.
- d. Life Membership Medallion shall be awarded on a vote of 75% of the full Club Committee after a recommendation is received by the Club Secretary.

## 19. CONSTITUTIONAL AMENDMENT

- a. Any provision of the Constitution shall be capable of any addition, deletion and amendment in following way:
  - By vote of a two-thirds majority of the voting members present at the Annual General Meeting or at any Extraordinary General Meeting.



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- b. For a valid constitutional change the following provision must be complied with:
  - A notice listing the proposed alteration must be posted on the Club notice board and such notice must be posted at least two weeks before any meeting at which such change is to be considered.

## 20. CONFLICT OF INTEREST

- a. A committee member, or any member of the Club, who has a material personal interest in a matter being considered at a committee meeting, annual general meeting or extraordinary general meeting must disclose the nature and extent of that interest to the Club Committee.
- b. The member –
  - i. Must not be present while the matter is being considered at the meeting; and
  - ii. Must not vote on the matter.

## 21. MISCELLANEOUS

Any Club member acting in an official capacity who expends personal finance in carrying out any Club function pursuant to this Constitution shall be entitled to reimbursement out of Club funds.

## 22. INTERPRETATION

Where any functions and powers are listed under this Constitution they shall not be read as being exhaustive. In construing this constitution the widest, most general and liberal meaning shall be given to section.

The adoption of this Constitution shall make null and void all previous Club rules and regulations

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**Last Amended – AGM on 13-May-2024**