

# Southern Spirit Cricket Club Inc. Constitution



**Club Established:** 2014  
**Club Incorporated:** 7 August 2014  
**Constitution Updated:** 15 May 2023

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## 2. Name

The name of the Club shall be **Southern Spirit Cricket Club Inc.**

## 3. Interpretation

In this Constitution, unless the context otherwise requires:

- The Club shall mean **the Southern Spirit Cricket Club Inc.**
- The Association shall mean the **Central Coast Cricket Association.**
- The Members shall mean those who are granted membership pursuant to rule 15.
- The General Committee shall mean those who are elected at the AGM pursuant to rule 14.1.5.
- The Executive Committee shall mean those who are elected to form the Executive Committee from the General Committee pursuant to rule 9.
- Committee Members shall mean any position/role deemed to be appropriate for the upcoming season by the Executive Committee pursuant to rule 12.
- AGM shall mean the Annual General Meeting pursuant to rule 14.1.
- Special General Meeting shall mean a meeting convened pursuant to rule 14.2.
- Committee Meeting shall mean a meeting convened pursuant to rule 14.3.

## 4. Office and Place of Business

The office and principle place of business of the Club shall be the Secretary's place of residence for the time being or at such place as the Club shall from time to time direct.

## 5. Southern Spirit Cricket Club Objectives

- 5.1 To encourage and foster the game of cricket in an atmosphere of good sportsmanship, good citizenship and honesty.
- 5.2 To promote and conduct the playing of cricket in accordance with rules set down by the Association.
- 5.3 Conduct activities associated with cricket.

## 6. Club Colours and Emblem

The club colours shall be **Purple and White** with the club emblem being a **Phoenix**.

## 7. Financial Year

The financial year of the Club will commence 1<sup>st</sup> day of May and conclude the 30<sup>th</sup> day of April when all club books and accounts shall close.

A statement of Income and Expenditure and an Inventory of Club assets and stock shall be presented at the next Annual General Meeting of the Club.

## 8. Common Seal

The Club shall have a Common Seal which shall be kept by the Secretary and which shall only be used as authorised by the Executive Committee.

The President and either the Secretary or Treasurer shall be authorised to use the Common Seal and to counter sign such seal.

## 9. Office Bearers

9.1 The office bearers of the Club shall be:-

- President
- Senior Vice President
- Junior Vice President
- Secretary
- Treasurer
- Club Registrar
- Property Officer
- Committee Members

9.2 The office bearers shall be elected at the AGM for the term of One year. All positions become vacant each year.

9.3 Any person may hold more than one (1) position, but have the power of one (1) vote only.

9.4 On ceasing to hold office for any reason the person or persons concerned shall immediately hand all property, books, equipment etc to the Executive Committee and sign releases as necessary.

## 10. Duties of Officers

10.1 President

- The President shall preside over all general meetings and see that the business is conducted in an orderly and proper manner. The President may call Executive Committee meetings at his/her discretion and in all cases of emergency, and generally ensure the wellbeing and objectives of the club.
- Ensure all General Committee positions are filled or that the duties of vacant positions are carried out.
- In case the votes at any time shall be equal, the President may exercise the privilege of giving a casting vote only.
- He/she shall represent the Club on all ceremonial occasions.

## 10.2 Senior Vice President

- The Senior Vice President shall assist the President at all meetings of the Club and in the absence of the President shall occupy the chair and conduct the business of the meeting and have the same rights as the President when in the chair.
- The Senior Vice President shall be eligible to take part in any discussions and voting at Club meetings.

## 10.3 Junior Vice President

- The Junior Vice President shall reside over all junior matters pertaining to the Club.
- The Junior Vice President can convene and reside over meetings pertaining to Junior cricketing matters as required but is required to table a Junior report at General Committee Meetings.

## 10.4 Secretary

- The Secretary shall convene all meetings. The Secretary shall attend all meetings and cause minutes to be taken thereof, receive or dispatch all correspondence and answer such questions as may be asked in accordance with this constitution.
- The Secretary shall document all correspondence dispatched and shall carry out all duties pertaining to the office not inconsistent with this constitution.
- The Secretary shall be eligible to take part in any discussion and voting at Club meetings.

## 10.5 Treasurer

- The Treasurer shall receive all monies paid to the club and deposit them in a bank account or any other financial institution that the Executive Committee may nominate.
- The account will be held under the name of **Southern Spirit Cricket Club Inc.**
- The Treasurer shall issue all receipts for all monies received and pay all accounts passed for payment by the General Committee.
- The Treasurer shall produce a statement of receipts and payments signed by the Auditors at the AGM and at such time as he/she is requested to do so by the General Committee.
- The Treasurer shall also provide the General Committee a statement of financial position of the Club at each meeting.
- As a general rule accounts must be paid by electronic transfer from the nominated Club account.
- Payments prepared by the Treasurer must be signed jointly by any two (2) of the following:
  - President, Secretary, Treasurer.
- The Treasurer shall be eligible to take part in any discussion and voting at Club meetings.

## 10.6 Club Registrar

- The Club Registrar shall keep a correct record of all members, their registration and transfer.
- The Club Registrar shall also be responsible for ensuring that all requirements laid down by the Association in the area of registration are fulfilled on the Club's behalf.

- The Club Registrar shall work in conjunction with the Treasurer to ensure that all players are financial.

#### 10.7 Property Officer

- The Property Officer shall be responsible for all equipment belonging to the club, including the maintenance and purchase of equipment.
- Equipment also includes gear, uniforms, Club merchandise and Club assets.
- The Property Officer shall identify, record and maintain an accurate record and inventory of all property belonging to the Club.
- The Property Officer shall be eligible to take part in any discussions and voting at Club meetings.

## 11. Coaches

The appointment of the Club coach/es shall be made by the Executive Committee.

## 12. General Committee

- 12.1 The General Committee shall consist of the President, Senior Vice President, Junior Vice President, Secretary, Treasurer, Club Registrar, Property Officer plus a number of Committee Members as outlined in 9.
- 12.2 The General Committee shall;
- Frame by-laws, consistent with the Constitution of the Club.
  - Arrange all financial matters of the Club.
  - Manage the Club affairs, as they deem fit, consistent with the best interests of the Club and its members.
- 12.3 Member/s elected to the General Committee shall remain in office until their term of office is complete (as per 9.3). The Executive Committee or General Committee shall have the power to grant leave of absence.
- 12.4 The General Committee shall have the power to declare vacant the office of any member who fails to attend three (3) consecutive meetings without leave or apology and proceed to fill the vacancy.

- 12.5 If any member shall be found guilty of any act which in the opinion of the Executive Committee renders it undesirable that he/she should continue as a Member, the Executive Committee may expel such offending member and strike his/her name off the list of membership provided that such Member may appeal to a Special General Meeting.
- 12.5.1 Written notices of such appeal must be made to the Secretary within seven (7) days of notification of expulsion to such member.
- 12.5.2 The decision of the Executive Committee may only be repealed by a vote of three quarters (3/4) of the Members present at such meeting.
- 12.5.3 Any membership subscription from the offending member is non-refundable should expulsion occur.

## 13. Executive Committee

- 13.1 The Executive Committee shall consist of the President, Senior Vice President, Junior Vice President, Secretary, Treasurer, Club Registrar and Property Officer.
- 13.2 The Executive Committee shall meet at the discretion of the President.
- 13.3 The Executive Committee shall from time to time have power to make such by-laws necessary to carry out the objects of the Club, and to vary such by-laws from time to time subject to ratification by the full committee.
- 13.4 The Executive Committee may exercise all powers of the Club and carry into effect all such objects of the Club and do all other acts or things that may be necessary for the welfare and benefit of the Club.
- 13.5 Members of the Executive Committee may not hold the same position for a period greater than 5 consecutive years. Unless under the circumstance where there is no other suitable candidate.
- 13.5.1 The intention of this is to ensure that the Executive Committee, or any specific position of the Executive Committee, does not become stagnated over an extended period of time.
- 13.5.2 A member, having previously held a position for 5 consecutive years, may be elected to the same position for a further term of up to 5 years, as long as the said member has had a break in service from this position of at least 1 year. Unless under the circumstance where there is no other suitable candidate.

## 14. Meetings

### 14.1 Annual General Meeting

- 14.1.1 The AGM of the Club shall be held no later than thirty first (31st) May each year, but not before the thirtieth (30th) April each year.
- 14.1.2 Notice of this meeting shall be published at least fourteen (14) days prior to the AGM.

14.1.3 The quorum for the AGM shall be a minimum of ten (10) members.

14.1.4 All office bearers and Members shall be eligible to vote. (see 9 & 15)

14.1.5 The order of business at the AGM shall be:-

1. Open meeting
2. Attendance – Apologies
3. Reading and confirmation of previous AGM minutes
4. Business arising from minutes
5. Correspondence
6. President Report
7. Treasurer Report
8. Registrar Report
9. Property Officer Report
10. Amendments to the constitution
11. Positions to be declared vacant (as per 9.3) Interim Chairperson to be appointed.
12. Election of Office Bearers (see 9.3)
13. Election of General Committee
14. General Business
15. Close Meeting

#### 14.2 Special General Meeting

14.2.1 Special General Meetings may be called by two (2) Executive Committee Members on request from any of the Members. Such request shall be signed by all concerned and state the reason for the meeting.

14.2.2 Notification Of such request shall be published within seven (7) days of request. The Special General Meeting shall be held within fourteen (14) days of notification of the meeting.

14.2.3 The quorum of a Special General Meeting shall be a minimum of ten (10) Members.

14.2.4 All Office Bearers and Members shall be eligible to vote (see 9 & 15)

14.2.5 The business mentioned in the notification shall be the only business transacted at the Special General Meeting.

#### 14.3 General Committee Meetings

14.3.1 The General Committee shall meet at the discretion of the President.

14.3.2 A quorum for a General Committee Meeting shall be at least two-thirds (2/3) of the General Committee Members.

14.3.3 All Members, Coaches and Managers may attend General Committee Meetings, take part in discussions, but shall not be allowed a vote unless a member of a General Committee.

14.3.4 The order of business for the General Committee Meeting shall be:-

1. Open meeting
2. Attendance – Apologies
3. Reading and confirmation of previous minutes
4. Business arising from previous minutes
5. Correspondence (inwards / outwards)
6. Treasurer Report
7. Registrar Reports
8. Association Report
9. Special Business
10. General Business
11. Date of next meeting
12. Close meeting

14.3.5 A quorum for a General Committee Meeting shall be at least two-thirds (2/3) of the General Committee Members.

#### 14.4 Proxy or Absentee Voting

14.4.1 Each Member shall be entitled to appoint another Member as proxy by notice received by the Secretary (mail or email) no later than 24 hours before the time of the meeting in respect of which the proxy is appointed.

14.4.2 The notice appointing the proxy shall be set out in the Appendix 1 of these rules.

14.4.3 In the case of a Member being absent from any Special General Meeting convened by the Club, a Member shall be entitled to submit their absentee vote by mail or email to the Secretary. The Secretary must receive these votes at least 24 hours before the time of the meeting in respect to which the absentee vote was intended.

## 15. Membership

Membership is open to all persons interested in cricket.

15.1 Such persons are considered to be members of the Club who pay all membership fees as set by the General Committee annually and shall entitle that person to the rights and privileges of the Club.

15.2 Parent/s or guardian/s of a person who has paid membership fees (as set in 16.1), or any other person so approved by the General Committee, shall be entitled to the rights and privileges of the Club.

15.3 No Member will be permitted to participate in any game of cricket organised by the Club until they are a financial member or have a payment plan approved by the General Committee.

15.4 Life Members

- 15.4.1 On recommendation by the General Committee, persons having made outstanding contributions to the Club may be nominated for Life Membership.
- 15.4.2 Voting on Life Membership may be made at an AGM or Special General Meeting and must receive three quarters (3/4) a majority vote in favour of the nomination.
- 15.4.3 Shall have annual subscriptions discounted as determined by the Executive Committee.
- 15.4.4 Life Membership shall take immediate effect from the awarded date and commemorative recognition be commissioned and presented at the next presentation event.

## 16. Membership Fees

- 16.1 Membership Fees shall be paid as determined by the Executive Committee on an annual basis.
- 16.2 Financial members must be given preference over non-financial members in team selection.
- 16.3 Non-financial members shall not be eligible for trophies or transfer to another cricket club.
- 16.4 In the case of extreme Financial hardship, the Executive Committee shall have the power to take action regarding 15.1, 15.2 and 15.3 in the case of an individual.

## 17. Disorderly Conduct

- 17.1 Any General Committee Member or coach shall have the power to report to the Club any player or member of the Club for Disorderly Conduct.
- 17.2 The General Committee shall deal with the report in accordance with its powers.

## 18. Constitution Amendments

- 18.1 A minimum of fourteen (14) days notice of an amendment to the Constitution shall be published.
- 18.2 Alteration of, or amendment to this Constitution shall only be effected at an AGM or Special General Meeting, convened in accordance with this Constitution.
- 18.3 No alteration of, or addition to the Constitution shall be effected, except by a three quarters (3/4) majority of those present and eligible to vote.

## 19. Non-Profit

- 19.1 The income and property of the Club shall be applied solely towards the promotion of the objectives of the Club.
- 19.2 No portion of the income or property shall be paid, transferred or distributed directly or indirectly to the Members of the Club, provided that nothing shall prevent the payment in good faith or remuneration to any officer or employee of the Club or to any person other than a Member, in return for services rendered to the Club.

## 20. Inspection of Club Records

A member may at any reasonable time inspect without charge, the books, documents and securities of the Club within Privacy law constraints.

## 21. Dissolution

- 21.1 The Club may be dissolved by a resolution passed at a Special General Meeting by three quarters (3/4) of those present and eligible to vote.
- 21.2 If upon the winding up or dissolution of the Club there remains after satisfaction of all its debts and liabilities and property whatsoever, the same must not be paid to or distributed among its Members, or former members. The surplus property must be given or transferred to another association incorporated under the Act which has similar objects and which is not carried out for the purposes of profit or gain to its individual members, and which association shall be determined by resolution of the members.
- 21.3 If upon the winding up of the Club there remains outstanding debts, then the liability of Club Members shall be limited to any outstanding fees that they may owe to the Club.

## 22. Appendix 1 - Appointment of Proxy

I,

.....  
(full name)

of

.....  
(address including postcode)

being a member of the Southern Spirit Cricket Club Incorporated hereby appoint:

.....  
(full name of proxy)

of

.....  
(address of proxy including postcode)

being a member of the Southern Spirit Cricket Club, as my proxy to vote for me on my behalf at the meeting of the Southern Cricket Club (Annual General Meeting, General Meeting or Special General Meeting, as the case may be)

Signed .....  
(signature of member appointing proxy)

Date ...../...../.....

**Note:** A proxy vote may not be given to a person who is not a member of the Association.