



# CONSTITUTION AND BY LAWS

- INDEX:**
1. NAME
  2. HEADQUARTERS
  3. COLOURS
  4. OBJECTS
  5. POWERS
  6. MEMBERSHIP
  7. ADMISSION TO MEMBERSHIP
  8. TERMINATION OF MEMBERSHIP
  9. EXPULSION OF MEMBERS
  10. SUBSCRIPTIONS
  11. OFFICERS
  12. MANAGEMENT
  13. POWERS OF MANAGEMENT
  14. MEETINGS
  15. VOTING
  16. COMMITTEES
  17. FINANCE
  18. ALTERATIONS TO CONSTITUTION  
AND BY LAWS
  19. ASSETS
  20. DISSOLUTION
  21. LICENCE LAWS
  22. COMMON SEAL





## 1. NAME

The name of this body shall be the Leederville Cricket Club and shall be here inafter referred to as the "Club".

## 2. HEADQUARTERS

The headquarters of the Club shall be the Britannia Road Complex, Leederville.

## 3. COLOURS

The colours of the Club shall be Black and Gold.

## 4. OBJECTS

- 4.1 To promote interest in cricket.
- 4.2 To promote good fellowship among those interested in playing cricket.
- 4.3 To educate, train, encourage and coach members of the Club.
- 4.4 To do all such things and acts conducive to the furtherance of the objects and interests of the Club.

## 5. POWERS

The Club shall have the power to do all such things as are necessary, incidental or conducive to the attainment of the Club.

## 6. MEMBERSHIP

6.1 Membership of the Club shall be open to:

- 6.1.1 (a) ORDINARY MEMBER
- (b) JUNIOR MEMBER
- (c) SOCIAL MEMBER
- (d) ASSOCIATE MEMBER
- (e) NON PLAYING MEMBER
- (f) LIFE MEMBER

6.1.2 No person under the age of 18 years will be admitted to Ordinary, Social, Associate or Non Playing membership of the Club.

6.2 Definition of Membership Class

- 6.2.1 (a) **ORDINARY MEMBER:** Any person being a senior playing member or otherwise entitled to enjoy full Club privileges upon being elected and an Ordinary Member.
- (b) **JUNIOR MEMBER:** (i) Any person under the age of 18 years may make application for admission to the Club as a Junior Member.  
(ii) A Junior Member shall have no voice in the management of the Club and shall not be entitled to hold office, attend General Meetings or vote at any poll of the Club, but shall in other respects conform to and be bound by these Rules and By Laws of the Club for the time being in force.
- (c) **SOCIAL MEMBER:** Members who are entitled to exercise such of the privileges of the Club as may be provided by its Rules with the proviso that they will not be eligible to vote or hold office.
- (d) **ASSOCIATE MEMBER:** Any person who has been nominated and elected in accordance with Rule 7.1.3 of this Constitution and who has been afforded the privileges of membership subject to such restrictions as the Rules of the Club may from time to time provide but shall not be entitled to vote or hold office.
- (e) **NON PLAYING MEMBER:** Persons 18 years of age and over not being Ordinary, Social or Life Members, who are entitled to exercise the full privileges of the Club.
- (f) **LIFE MEMBER:** The Management Committee may nominate a member for Life Membership in consideration of special services rendered to the Club provided always that the Committee shall not nominate a member of such position unless such member has completed 10 years membership with the Club. Life Members shall be entitled to vote and hold office. Life Members shall be elected at an Annual General Meeting or Special General Meeting of the Club.





## **7. ADMISSION TO MEMBERSHIP**

7.1 A person wishing to become a member of the Club shall:

- 7.1.1 Be bound by the Constitution and By Laws of the Club.
- 7.1.2 Become liable for such fees as may be decided by the Management Committee.
- 7.1.3 Send or deliver to the Secretary, an application for membership on the prescribed form. The names and addresses of persons proposed as members of the Club shall be displayed in a conspicuous place of the Club premises for a period of at least 7 days prior to their election and an interval of not less than 14 days shall elapse between the nomination and the date of election.

## **8. TERMINATION OF MEMBERSHIP**

- 8.1 Any member may resign from the Club and such resignation must be in writing and forwarded to the Secretary of the Club.
- 8.2 Upon any person ceasing to be a member of the Club for any reason whatsoever, he shall not be entitled to the return of his membership subscription or any portion thereof.

## **9. EXPULSION OF MEMBERS**

- 9.1 The Committee may expel from the Club or otherwise punish or penalise any member whose conduct, in the opinion of the Committee, is discreditable or injurious of the Club.
- 9.2 Before any member is expelled or otherwise punished or penalised, his conduct shall be enquired into by the Committee and the Member shall be given the opportunity to defend himself and then justify or explain his conduct.
- 9.3 Provided that a quorum is established and the majority is of the opinion that the Member has been guilty of such conduct or action as aforesaid, then the Committee may expel or suspend him from membership or otherwise punish or penalise him.
- 9.4 Should any member fail to appear at an enquiry conducted under Clause 9.2 hereof, or any adjournment thereof, the Committee may proceed in that Member's absence, to conduct the enquiry and make its findings as herein before empowered.
- 9.5 Any member having been expelled or otherwise punished or penalised, has the right of appeal to a General Meeting of the Club. Procedure for such a meeting shall be as for a special General Meeting as outlined in Clause...

## **10. SUBSCRIPTIONS**

- 10.1 The annual membership fee for all classes of membership shall be determined at a General Meeting prior to the start of the season.
- 10.2 Payment of such annual fees shall become due at the Annual Meeting and shall be paid to the Treasurer at least one half before October 31st and the balance before November 30th each year.
- 10.3 Any person joining after October 31st shall be required to pay at least one half before being accepted as a member and the balance to be paid within 6 weeks of acceptance as a member.

## **11. OFFICERS**

The Officers of the Club shall be the President, Vice President, Secretary and Treasurer.

## **12. MANAGEMENT**

12.1 Management of the Club shall be vested in a Management Committee, elected as prescribed in the By Laws, consisting of:

- 12.1.1 (a) PRESIDENT
- (a) VICE PRESIDENT
- (b) SECRETARY
- (c) TREASURER
- (d) CHAIRPERSON OF SELECTORS
- (e) REGISTRAR
- (f) PCA DELEGATE
- (g) 3 OTHER MEMBERS

12.2 All members of the Management Committee must be financial members of the Club.





### **13. POWERS OF MANAGEMENT COMMITTEE**

- 13.1 The Management Committee may exercise all such powers of the Club and carry into effect all such objects of the Club provided however, that except in the case of extreme urgency, the Committee shall not take any action contrary to the decisions made at a General Meeting.
- 13.2 The Committee shall have the power to delegate any of its powers to a sub-committee to deal with any particular matter or matters and upon such terms as the Committee may think fit. The President and Secretary shall be ex-officio members of all sub-committees.
- 13.3 All acts or decisions done or made by a meeting of the Committee or any member thereof, shall, notwithstanding that it be afterwards discovered that there was some defect in the appointment of such member or all or any members of the Committee, be as valid and effective as if they had all be properly appointed unless it be proved that the appointment was made in fraud or in bad faith.

### **14. MEETINGS**

#### **14.1 Annual General and Special Meetings**

- 14.1.1 The Annual General Meeting of the Club shall be held in the month of July each year.
- 14.1.2 Special Meetings may be called:
- at the request of the President and/or Secretary
  - at the written request of any 10 members of the Club. Such meeting shall be held within 30 days of such request.
- 14.1.3 The Secretary shall give at least fourteen (14) days notice of the date of the Annual General Meeting and Special Meetings to all members of the Club.
- Notice of the Annual General Meeting shall be accompanied by copies of Minutes of the previous Annual General Meeting, any proposed alterations or additions to the Constitution and By Laws.
  - Notice of a Special Meeting shall set out clearly the business for which the meeting has been called. No other business shall be dealt with at that Special Meeting.
- 14.1.4 The quorum for the Annual General Meeting and Special Meeting shall be 12 Members present. If there be no quorum within 30 minutes of the time appointed for the meeting, the meeting shall adjourn for a period not exceeding 14 days. If there be no quorum within 30 minutes of the time appointed for the adjourned meeting, then the meeting shall lapse.

#### **14.2 Management Meetings**

- 14.2.1 The Management Committee shall meet at such time as may be deemed advisable for the efficient running of the Club.
- 14.2.2 A Meeting of the Management Committee shall be called
- at the direction of the President or, in his absence, the Vice President, or
  - on the written request of three members of the Management Committee.
- 14.2.3 The Secretary shall give each Management member at least 7 days notice of the date of any Management meeting, except in unforeseen circumstances when it is impossible to give the time stated. The accidental omission to give notice to any member, or the non receipt of any member of any notice required by this Constitution, shall not invalidate or affect the proceedings at such meeting.
- 14.2.4 The quorum at Management meetings shall be a simple majority of members.
- 14.2.5 Any member absent from three consecutive meetings without reasonable cause shall be replaced, the replacement to be decided by the Management Committee.





## **15. VOTING**

15.1 Voting powers at the Annual General Meeting and Special Meetings:

15.1.1 The President shall have a casting vote only.

15.1.2 Each member present shall be entitled to vote.

15.2 Voting powers at Management Meetings:

15.2.1 The President shall be entitled to a deliberate vote in addition to a casting vote.

15.2.2 The Secretary shall be entitled to vote provided the issues at hand does not involve monetary gain for himself.

15.2.3 Each member present shall have one vote.

15.3 Voting powers at Committee Meetings:

15.3.1 Each member present shall be entitled to vote.

15.3.2 The President and Secretary shall be ex-officio members of all committees but shall not, unless specifically elected or appointed as a member of a committee, be entitled to vote.

15.4 Method of voting:

15.4.1 Voting shall be by voice or show of hands unless a ballot be requested by any person present.

15.4.2 When more nominations than are required are received, a ballot shall be taken if requested by a nominee.

## **16. COMMITTEES**

16.1 The Management Committee shall have the power to appoint special standing ad hoc committees as required and delegate to such committees such powers as it may deem necessary.

16.2 The Chairman of each Committee shall be appointed by the Management, except for those elected to the Management at the Annual General Meeting.

## **17. FINANCE**

17.1 All funds of the Club shall be deposited in the accounts of the Club at such Bank or Building Society as the Management from time to time direct.

17.2 All accounts due by the Club shall be paid by cheque after having been passed for payment at Management Meetings. When immediate payment is necessary, accounts shall be paid with the approval of the President and Treasurer, and the action endorsed at the next Management Meeting.

17.3 The Secretary shall not spend more than \$20.00 petty cash without the consent of the Management and shall keep a record of expenditure in a petty cash book.

17.4 A statement showing the financial position of the Club shall be tabled at each Management Meeting.

17.5 The Management shall submit to the Annual General Meeting a statement of Income and Expenditure, and a Balance Sheet of Assets and Liabilities. The Auditors' Report shall be attached to such financial report.

17.6 The Financial Year of the Club shall be from 1st April to 31st March.

17.7 The accounts, books and all financial records of the Club shall be audited annually by an auditor appointed by the Annual General Meeting.





## **18. ALTERATIONS TO CONSTITUTION AND BY LAWS**

- 18.1 This shall be the only Constitution of the Club and shall come into force forthwith and shall not be altered, varied, added to or repealed unless two-thirds of financial members present at the Annual General Meeting, or at a meeting especially convened for that purpose, are in favour of such alteration, variance, addition or repeal.
- 18.2 Notice in writing of all motions to alter, add or repeal to the Constitution and By Laws, shall be signed by the proposer and seconder, and sent to the Annual General Meeting.
- 18.3 The Secretary shall forward such notices of motion to each member at least 14 days prior to the meeting.
- 18.4 Within 14 days after making any amendment or alteration or addition to the Constitution and By Laws, the Secretary shall send or deliver to the Principal Clerk of the Licensing Court of Western Australia, a certified copy of amendment, alteration or addition.

## **19. ASSETS**

The property, assets and income of the Club, wherever derived, shall be applied towards the promotion of the objects of the Club, and no portion thereof shall be paid or transferred either directly or indirectly, by way of dividend, bonus or otherwise by way of profit to members generally of the Club. Provided that nothing herein contained shall prevent the payment in good faith of remuneration to any officers or servants of the Club or any member in return for services actually rendered, not prevent the payment of interest on money borrowed from any member or person holding any Club monies or property, shall forthwith pay the same to the Committee.

## **20. DISSOLUTION**

The Club may be dissolved or wound up by resolution at any General Meeting or Special Meeting called for such purpose. If upon the dissolution or winding up of the Club there remains, after the satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid to, transferred or distributed amongst the members of the Club. It shall be given to some other Association, Club, Institution or body having objects similar wholly or in part to the objects of the Club, provided that the association, club, institution or body shall prohibit the distribution of its income and property among its members. In default of any such resolution, such payment, transfer or distribution shall be determined by a judge of the District Court. The Club may not be dissolved or wound up without the consent of three fourths of its members.

## **21. LICENCE**

- 21.1 Liquor shall be sold for consumption on the premises only.
- 21.2 No member under the age of 18 years may be admitted to the premises subject of the unlicensed club permit, during the hours of operation of the permit, unless in the company of an adult person in authority over him/her.
- 21.3 A member may introduce to the Club during the trading hours of the unlicensed club permit, guests not exceeding three in number and in the member's company. Names of guests and of the member introducing them, shall be entered in a book provided which will remain open for inspection at all times.

## **22. COMMON SEAL**

The Common Seal of the Club, engraved with the name of the Club, shall be kept in the care of the President. The seal shall not be used or affixed to any deed or other document pursuant to a resolution of the Management Committee and in presence of the President and two members of the management, both of whom shall subscribe their names as witnesses.





# BY LAWS

<b>INDEX:</b>	<b>1.</b>	<b>MANAGEMENT COMMITTEE</b>
	<b>1.1</b>	<b>NOMINATIONS</b>
	<b>1.2</b>	<b>APPOINTMENT</b>
	<b>1.3</b>	<b>DUTIES</b>
	<b>2.</b>	<b>COMMITTEES</b>
	<b>2.1</b>	<b>APPOINTMENT</b>
	<b>2.2</b>	<b>DUTIES</b>
	<b>3.</b>	<b>RESIGNATIONS</b>
	<b>4.</b>	<b>CAPTAINS &amp; VICE CAPTAINS</b>
	<b>5.</b>	<b>COACHES</b>
	<b>6.</b>	<b>SECRETARY</b>
	<b>7.</b>	<b>BAR MANAGER</b>
	<b>8.</b>	<b>PROPERTY MANAGER</b>
	<b>9.</b>	<b>TROPHIES</b>
	<b>10.</b>	<b>MEETINGS</b>
	<b>10.1</b>	<b>CHAIRPERSON</b>
	<b>10.2</b>	<b>BUSINESS OF ANNUAL GENERAL MEETING</b>
	<b>10.3</b>	<b>BUSINESS OF MANAGEMENT MEETING</b>





## **1. MANAGEMENT COMMITTEE**

### **1.1 NOMINATIONS**

- 1.1.1 Nominations for the positions of President, Vice President, Secretary and Treasurer, shall be called for prior to, or at, the Annual General Meeting.
- 1.1.2 Nominations for other Management Committee Members shall be called for prior to, or at, the Annual General Meeting.
- 1.1.3 The prior consent of any nominee shall be necessary.

### **1.2 APPOINTMENT**

- 1.2.1 The Management shall be elected at the Annual General Meeting. Members so elected shall assume office at the conclusion of the AGM and shall hold office until the conclusion of the Annual General Meeting the following year.

### **1.3 DUTIES**

#### **1.3.1 PRESIDENT**

- (1) Preside at meetings of the Club.
- (2) Chairperson of the Executive Committee of the Club.
- (3) Representative of the Club whenever possible or delegate such duties to other members.

#### **1.3.2 VICE PRESIDENT**

- (1) Attend meetings of the Club.
- (2) In the absence of the President, preside over Club meetings.

#### **1.3.3 SECRETARY**

- (1) Attend all meetings of the Club.
- (2) Be a member of the Executive Committee.
- (3) Transact all business of the Club as directed by the Management Committee and/or Executive Committee.
- (4) To keep a true record of minutes of meetings.
- (5) To conduct the correspondence of the Club and endorse and file all reports.

#### **1.3.4 TREASURER**

- (1) Attend all meetings of the Management Committee.
- (2) Be a member of the Executive Committee.
- (3) To Chair the Finance Committee of the Club.
- (4) To keep a correct account of all monies received and expended and shall ensure that all transactions are processed through the official bank account of the Club.
- (5) Prepare a financial statement for Management Meetings and ensure that an annual statement is prepared by the Auditor for presentation at the Annual General Meeting.
- (6) Be responsible for the preparation of a statement of anticipated expenditure and income for the ensuing year.

#### **1.3.5 REGISTRAR**

- (1) Attend all meetings of the Management Committee.
- (2) Be a member of the Executive Committee.
- (3) Ensure all playing members are properly registered with the PCA prior to playing for the Club.
- (4) Keep records of all registered players.
- (5) Arrange any playing permits as required by the Rules of the PCA.
- (6) Receive all match reports from each team and forward such reports to the PCA Registrar as required by the Rules of the PCA.

#### **1.3.6 CHAIRPERSON OF SELECTORS**

- (1) Attend all meeting of the Management Committee.
- (2) Select, in conjunction with the Coach and Captains, teams to compete in each game conducted by the PCA.
- (3) Confer with Registrar and Treasurer to confirm eligibility of members to play for the Club.

#### **1.3.7 PCA DELEGATE**

- (1) Attend all PCA meetings as directed by Management.
- (2) Submit regular reports to Management Committee.
- (3) Maintain copies of all PCA Minutes and reports.





## **2. COMMITTEES**

### **2.1 APPOINTMENT**

Members of a committee shall be appointed by the Management and hold office until the conclusion of the Annual General Meeting in the following year.

### **2.2 DUTIES**

#### **2.2.1 The Chairperson of a committee shall, where applicable,**

- (1) Be responsible for calling meetings of the Committee.
- (2) Act as liaison between the Management and the committee and arrange for the carrying out of any duties as allocated by the Management.
- (3) Submit regular reports and financial statements to the Management and forward any recommendations of the committee.
- (4) Maintain an up to date record of duties, procedures and policy or other matters pertaining to the function of the committee.

#### **2.2.2 EXECUTIVE COMMITTEE**

Composition: President, Secretary, Treasurer and Registrar

Duties: (i) Deal with day to day running of the Club.

(ii) Deal with applications for clearances.

#### **2.2.3 FINANCE COMMITTEE**

Composition: Treasurer to be Chairperson.

Two (2) other members.

Duties: (i) Raising finance via special fund raising projects.

(ii) Seek sponsorship for the Club.

#### **2.2.4 BAR & SOCIAL COMMITTEE**

Composition: Chairperson to be on the Management

Bar Manager, plus four (4) other members.

Duties: (i) Organise the activities of the bar and kitchen.

(ii) Organise social functions and catering for any function as directed by the Management.

#### **2.2.5 BUILDING & GROUNDS COMMITTEE**

Composition: Chairperson to be on the Management

Property Officer plus two (2) other members.

Duties: (i) Be responsible for the maintenance and improvements to the grounds, building and equipment where necessary.

#### **2.2.6 TRAINING & SELECTION COMMITTEE**

Composition: Chairperson of Selectors, Coach and Team Captains.

Duties: (i) Liaise with Registrar and Treasurer regarding eligibility of players.

(ii) Organise training.

(iii) Select teams for MCA matches.

## **3. RESIGNATIONS**

3.1 Resignations shall be submitted to the Secretary.

3.2 Should any vacancy occur in the Management Committee or other committees of the Club, the Management shall fill such vacancy from the financial members of the Club and such member duly appointed, shall hold office for the unexpired portion of the predecessor's term.

## **4. CAPTAINS AND VICE CAPTAINS**

4.1 Captains and Vice Captains shall be elected by the Management before the commencement of the first scheduled fixture. The Management shall have the power to censure or replace any Captain or Vice Captain.





## **5. COACHES**

- 5.1 The appointment of coaches shall be in the hands of the Management Committee.
- 5.2 Remuneration of coaches shall be determined by the Management.

## **6. SECRETARY**

- 6.1 Remuneration for the Secretary shall be determined by the Management.

## **7. BAR MANAGER**

- 7.1 The appointment of a Bar Manager shall be in the hands of the Management.

## **8. PROPERTY MANAGER**

- 8.1 The appointment of a Property Manager shall be in the hands of the Management.

## **9. TROPHIES**

- 9.1 Trophies shall be awarded for the following:
  - Batting Ave: Qualification 200 runs minimum. Winner to have batted 50% or more than the player with most innings.
  - Bowling Ave: Qualification 20 wickets minimum. Winner to have bowled 50% or more than the player with most overs.
- 9.2 In the case no player qualifies, the minimum qualification shall be reduced to 150 runs and 15 wickets. If these minimum qualifications are not met, the Management shall determine the awarding of trophies.
- 9.3 To qualify for trophies, players must compete in the number of games as specified in the PCA Rules.
- 9.4 Other awards will be at the discretion of the Management.

## **10. MEETINGS**

### 10.1 Chairperson:

The President shall preside at all meetings of the Club. In the absence of the President, the Vice President shall preside. In the absence of other, the meeting shall be opened by the Secretary, who shall call for nominations for Chairperson. Upon election, the Chairperson shall take the chair and continue with the meeting.

### 10.2 The business of the Annual General Meeting shall be:

Apologies

Confirmation of Minutes of Previous Annual General Meeting

President's Report

Treasurer's Report

Notices of motion for alteration, repeal or addition to the Constitution and By Laws.

Election of Office Bearers and Management Committee:

Officers: President

Vice President

Treasurer

Secretary

Management: Registrar

Chairman of Selectors

PCA Delegate

2 other members

Ratification of Bar Manager, Property Officer

Confirmation of appointments of Patrons, Vice Patrons and Auditor

Appointment of Life Members

General Business

