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# QDCC Inc Constitution

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Updated: June 2009

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## **1. Name of the Club**

This Club shall be called the Queanbeyan District Cricket Club Incorporated, hereinafter designated "the Club" (abbreviated, where necessary, to QDCC).

## **2. Colours of the Club**

The colours of the Club shall be Royal Blue and White.

## **3. Objectives of the Club**

The promotion and management of the game of cricket within Queanbeyan City and the rural surrounds and such social activities as the Management Committee shall deem proper in relation thereto.

## **4. Queanbeyan District Junior Cricket Committee**

- a) In noting Rule 3, QDCC recognises that an independent junior committee is responsible for the participation of boys and girls in teams participating in ACTCA junior competitions and such social activities that the junior committee deem appropriate.
- b) In running such teams and social activities the junior committee will establish and conform to a set of 'operational guidelines' (see note 1) which must be endorsed by the Management Committee of QDCC. These 'operational guidelines' can be endorsed at any meeting of the QDCC Management Committee. The Management Committee of QDCC must endorse any changes to the 'operational guidelines'.
- c) If there is any inconsistency between the 'operational guidelines' or decisions of the junior committee and this constitution then this constitution will take precedence in all cases and matters.

## **5. Full Privileges of the Club Definition**

'Full privileges of the Club' shall mean the right to represent the Club in the Australian Capital Territory Cricket Association (ACTCA) competition matches and eligibility for election as an office-bearer under Rule 10 as a life-member, or as a member of the Management Committee.

## **6. Members**

The number of members shall be unlimited and shall consist of:

- a) Life Members, as elected at an Annual General Meeting
- b) Playing Members, who have full privileges of the Club upon payment of annual subscription
- c) Non-playing (Social) Members who may be accepted by the Management Committee. Non-playing members will be subject to a fee as endorsed at the Annual General Meeting. A Social Member is a person who wishes to be actively involved in the club, either as a supporter or an office bearer, but is not a playing or life member of the club.

## **7. Membership**

- a) Application for membership shall be made to the Honorary Secretary who shall duly register the applicant in accord with requirements specified by the ACTCA and/or the Club's Management Committee. Such registration shall entitle the applicant to membership of the Club subject to Rule 5.
- b) Upon membership being granted the applicant, the Honorary Secretary shall provide the applicant with a copy of the rules of the Club and payment of the applicants Annual Membership Subscription shall be conclusive evidence of such agreement.
- c) Approval of a nomination shall be entirely at the discretion of the Management Committee. The Management Committee may reject any application for membership of the Club without the need to provide an explanation. As an applicant they have no right of appeal under Rule 12; however a member of the Club may appeal on their behalf as per Rule 12.
- d) All members of the Club are subject to the Club's constitution and Code of Conduct and any other rules as decided by the Management Committee through due process. Should any member be deemed to be in breach of any such rules then any action against a member will be conducted as per the QDCC Disciplinary Procedures.
- e) All members are subject to the provisions contained with the constitution of the ACTCA and other various procedures and requirements of the ACTCA as they are applicable.

## **8. Life-Members**

- a) Any person who has rendered distinguished service to the Club may be elected a life-member of the Club, at any Annual General Meeting provided that the Resolution is approved by not less than two-thirds of the Members present, who were financial at the end of the club's financial year, who register a vote (abstentions do not constitute a vote), at such Annual General Meeting.
  - i. Notification must be made in writing (email or other future technologies as they become available will constitute as "in writing") to the Honorary Secretary not less than two (2) weeks before the Annual General Meeting of any person nominated for Life-Membership.
  - ii. Upon receipt of such notification the Honorary Secretary must inform all members of the Management Committee of the nomination.
- b) Further, any person who has played 150 or more senior ACTCA accredited games for the Club is eligible for life-membership of the Club at the discretion of the Management Committee. This may be applied retrospectively. For the purpose of this rule accredited games will include senior representative games for the ACTCA.
- c) Other than those Life Members elected under Rule 8(b) no more than two (2) Life Members can be elected each year.
- d) The benefits of a life-member will be at the discretion of the Management Committee.

## **9. Office-Bearers**

The Office-Bearers shall be the Patron, President, Vice President(s), Honorary Secretary and Honorary Treasurer. All Office-Bearers must be members of The Club.

## **10. Election of Office-Bearers and Officers**

- a) Nominations for The Office Bearers and Management Committee must be called for 21 days prior to the AGM and said nominations close midnight the day before the AGM and must be received by the Honorary Secretary by this time. Note that only nominations are required, seconding will be done at the AGM. Nominees may accept their nomination before or at the AGM by notifying the Honorary Secretary. If there are insufficient nominations received by the said time, the Honorary Secretary can call for nominations from those present at the AGM.

- b) All nominees must have attained the age of 18 years by the 30<sup>th</sup> June of the year of the AGM to be eligible for nomination.
- c) Only members who were financial as at the end of the club's financial year are eligible to seek election. The Management Committee can, at its absolute discretion, allow the nomination of persons who become financial social members of the club between the end of the financial year and the AGM. Such persons become financial by paying the fee for social membership endorsed at the previous AGM.
- d) Only members who were financial as at the end of the club's financial year can nominate candidates.

## **11. Management Committee**

The Management of the Club shall be vested in a Management Committee comprising the following:

- a) The President, a maximum of two (2) Vice Presidents, Honorary Secretary Honorary Treasurer, Chairman of the Junior Committee (or nominee) together with seven ordinary members elected within the provisions of Rule 10.
- b) The Management Committee shall have the power to act in the name of the Club in all matters within the provisions of this Constitution, noting Rule 12 and such other matters consequent thereof or incidental thereto. The Committee may appoint any necessary sub-committee from its own members and may delegate to any such committee any of its powers.
- c) Further, the Management Committee shall have the right to co-opt any person to assist any such sub-committee, provided always that any such co-opted person shall not have a vote on any matter considered by that sub-committee.
- d) The Management Committee shall meet at least monthly during the playing season, as defined by the ACTCA. Special meetings of this Committee may be convened by the President or Honorary Secretary on his own initiative or upon written request signed by not less than three (3) members of Management Committee.
- e) The Management Committee must meet at least twice after the end of the playing season, as defined by the ACTCA and before the Annual General Meeting of the Club.
- f) The Management Committee, as appointed at the Annual General Meeting, must meet at least twice before the start of the playing season as defined by the ACTCA.

- g) The Management Committee will be responsible for the appointment of the Club Coach and any remuneration, terms and conditions forthcoming.
- h) Any members of the Management Committee, who shall have absented himself from three (3) consecutive meetings, shall be deemed to have vacated his seat on the same and shall not be eligible for re-election to such committee during the current year unless he submits an explanation in writing acceptable to this committee.
- i) The Management Committee may also replace a member of the committee due to other circumstances including, but not limited to, criminal offences, insolvency or becoming unfinancial.
- j) The Management Committee shall have the power to fill any position which becomes vacant in the interval between General Meetings in respect of Office-Bearers or of any Committee. These positions will be formally approved at the next General Meeting of The Club and must be done within two (2) months of the vacancy commencing.
- k) The Management Committee has the right to approve decisions "Out-of-Session" by means of email, teleconference or other technologies as they become available. In using current or future technology all correspondence must go through the Honorary Secretary who will inform all members of the Management Committee of the result of these decisions, either in writing, email or other technology as it becomes available. A simple majority will only be required and a lack of response, within the specified timeframe as dictated by the Honorary Secretary, by any member of the Management Committee will be deemed as approval. Should the voting be equal, the President shall have, in addition to such deliberate vote, a casting vote which he/she must exercise.

## **12. Members Rights of Appeal against Decisions of Management Committee**

- a) An appeal by a member of the club against the decision of the Management Committee may be made to a General Meeting of the Club.
- b) The member or members affected shall withdraw from the meeting while the decision is being reached. Should the temporary absence of such members reduce the number of those present to below that of the quorum this in itself shall not be regarded as prejudicing any decision which may be arrived at.

### **13. Emergency Committee**

- a) The Emergency Committee of the Club shall consist of President, Honorary Secretary and Honorary Treasurer.
- b) The Emergency Committee may only be established when there are insufficient nominations, and acceptances, to establish the Management Committee at the Annual General Meeting or in such conditions as deemed necessary, in writing, by the ACTCA.
- c) The decisions of the Emergency Committee will be considered and either ratified or rescinded by the Management Committee at its next meeting. This rule does not apply when the Emergency Committee has been formed at the request of the ACTCA (12b).

### **14. Annual General Meeting**

The Annual General Meeting shall be held not less than seven (7) days prior to the date set for the Annual General Meeting of the ACTCA. The time and place is to be determined by the Management Committee. The Honorary Secretary will chair the meeting, present all nominations and conduct the election of all office bearers.

Where there is more than one candidate for any position, a secret ballot will be conducted. The Honorary Secretary will appoint two (2) scrutineers. The Honorary Secretary will allow each candidate two (2) minutes to give an oral presentation outlining his or her attributes.

The order of business at such Annual General Meeting shall be:

- a) Apologies.
- b) The reading and confirmation of minutes of the previous Annual General Meeting.
- c) Business and actions arising from the minutes.
- d) Correspondence.
- e) Business arising from correspondence.
- f) Consideration and adoption of the Annual Report.
- g) Consideration and adoption of the Honorary Treasurer's Report, Statement and Balance Sheet.
- h) Motions of which due notice shall have been given to the Honorary Secretary in accordance with the rules of the Club.
- i) Presentations – if not previously awarded at any social function organised by the Management Committee.
- j) Reports.



- k) Dissolution of the existing Committee and election of Office-Bearers and Officers in the following order:
  - i. Patron
  - ii. President
  - iii. Vice Presidents
  - iv. Honorary Secretary
  - v. Honorary Treasurer
  - vi. Management Committee (seven members)

### **15. General Meeting**

Three (3) General Meetings of the Club shall be held during the currency of the cricket season, provided however, those two months shall not elapse between meetings during the currency of the cricket season.

### **16. Special General Meeting**

A special General Meeting may be held whenever the Management Committee may direct or, at the Honorary Secretary's discretion or upon a written request received by the Honorary Secretary setting forth the object of such meeting and signed by a least fifteen (15) members of the Club.

### **17. Notice of Meeting**

The Annual or any Special General Meeting or General Meeting of the Club shall be convened by the Honorary Secretary in writing to all members (email or other future technologies as they become available will constitute as "in writing") at least seven (7) days before the date for the holding thereof. The notice convening such meeting must clearly state the business which is to be considered thereat. Management Committee Meetings shall be convened by the Honorary Secretary and committee members is advised at least five (5) days beforehand. Agenda sheets are to be prepared by the Honorary Secretary for the meetings herein before specified.

### **18. Meetings of the Management Committee**

The order of business shall be:

- a) The reading and confirmation of the minutes of the previous Committee Meeting
- b) Business and actions arising from the minutes
- c) Correspondence
- d) Business arising from correspondence
- e) Financial statement

- f) Delegate and sub-committee's reports
- g) Motions
- h) Any other business properly before the meeting

## **19. Quorums**

- a) No business shall be taken or any resolution passed at any meeting unless there is a quorum present. A meeting shall lapse unless there is a quorum within thirty (30) minutes of the time for which the meeting has been set down, the meeting shall be reconvened in seven (7) days and if sufficient members to constitute a quorum are not present within thirty minutes of the time for which the meeting was reconvened those members present shall constitute a quorum.
- b) All members must be financial.
- c) A quorum shall be formed at all General Meetings by fifteen (15) members possessing full privileges of the Club. For the AGM members must have been financial at the end of the previous season.
- d) A quorum shall be formed at all Management Committee Meetings, by seven (7) Committee members being present
- e) A quorum at all sub-committee meetings by two (2) where the sub-committee consists of three (3).

## **20. Manner of Voting**

The voting at any meeting shall be by show of hands unless a ballot is demanded by at least three (3) members in the event of a ballot. The President shall appoint two (2) scrutineers. Only members entitled to full privileges of the Club shall be entitled to vote at any meeting.

## **21. Role of Patron**

The role of the Patron is to promote the Club to the wider Queanbeyan community and as an office bearer assist the Management Committee as and where appropriate.

## **22. Powers of President**

- a) The President shall have unlimited authority on every point of order and, in case of doubt, normal Parliamentary Procedure shall be adopted. The President shall have the right to vote on any motion and when the voting is equal, shall have, in addition to such deliberate vote, a casting vote which must exercised.
- b) The term of a President will be for a maximum of three (3) consecutive years, subject to re-election each year. A person who has been President for three (3) consecutive years may continue to be President subject to a two-thirds majority at the next Annual General Meeting. Regardless, no one may serve as President of the Club for more than five (5) consecutive years.
- c) Any person who has served as President for three (3), four (4) or the maximum of five (5) consecutive years may not be President for a minimum of three (3) years thereafter. This includes the establishment of the Emergency Committee unless specifically requested, in writing, by the ACTCA.

## **23. Duties of Vice President(s)**

- a) A Vice President, in the absence of the President, will have the full rights and powers of the President.
- b) There may be more than one Vice President, if so endorsed by a two-thirds majority at the Annual General Meeting, but the President will nominate the order or his proxy at the first meeting of the Management Committee.

## **24. Duties of Honorary Secretary**

- a) The Honorary Secretary shall convene all meetings, record the meetings, record the names and addresses of all members and perform such other duties as may be assigned to him from time to time by the Management Committee.
- b) The Honorary Secretary shall have charge of all Club property (other than cash, cheque, credit cards or any future money transfer mechanisms) which he shall not lend or otherwise dispose of without the authority of the Management Committee or Emergency Committee.
- c) The Honorary Secretary shall be liable to account to the Management Committee at any time for all or any of such property. He may delegate his authority to another member of the Management Committee which shall be appointed by the Management Committee.

- d) The Honorary Secretary, in the absence of the President or Vice President(s) will chair any meeting of the Management Committee (noting this would include the Annual General Meeting, General or Special meetings) with the full power of the President. If such a situation was to occur the Honorary Secretary will confer his responsibilities to another member of the Management Committee at their discretion.

## **25. Duties of the Honorary Treasurer**

- a) The Honorary Treasurer shall receive the revenue of the Club, promptly deposit same to the banking account and on the authority of the Management Committee make all payments, keep an accurate account of all monies received and expended and furnish a statement at each Management Committee Meeting, General Meeting and Special General Meeting. All accounts shall be presented to and passed by the Management Committee prior to payment. He shall also present at each Annual General Meeting a properly audited statement of all financial transactions during the year.
- b) The Honorary Treasurer may delegate to any member of the Management Committee or any Playing Member as defined in Rules 5 and 6b to receive revenue on their behalf. However, at all times it is the responsibility of the Honorary Treasurer that the Club receives all monies owing to it.
- c) It is the responsibility of the Honorary Treasurer to keep the Selection Committee (and Management Committee) informed of any unfinancial members.

## **26. Duty of the Records Officer**

The Records Officer, who may or may not be part of the Management Committee, is responsible to ensure that all the playing records of the Club are current and kept up to date. The Records Officer will also provide this information as requested by the Management Committee.

## **27. Duties of the Publicity Officer**

The Publicity Officer, who should be a member of the Management Committee, is responsible for distribution of QDCC information to the various media outlets and club's website as required.

## **28. Duties of the Chairman Junior Committee (or Nominee)**

The Chairman of the Junior Committee, who must be a member of the Management Committee, will report to the Management Committee the activities of the junior committee and the junior teams of the Club.

### **29. Honorary Auditor**

The Honorary Auditor, who shall not be a member of the Management Committee or a Club member, shall be appointed by the Management Committee and shall audit the annual financial statements of the Club. The auditor is required to be a suitably qualified and experienced accountant and preferably a member of an Australian Accounting body (i.e. CPA/CA/NIA).

### **30. Financial Year**

The Financial Year of the club shall end on the thirty first day of May in each year.

### **31. Banking**

The Banking Account in the name of the Club shall be in any bank agreed on by the Management Committee and shall be operated by the Honorary Treasurer, President and Vice President(s).

### **32. Annual membership Subscriptions**

- a) The Annual Membership Subscriptions shall be determined by the Management Committee at the first meeting after the Annual General Meeting of the Club as it sees fit and such fees are due henceforth and not later than the thirty first (31<sup>st</sup>) day of October that year.
- b) Players may seek to pay Membership Subscriptions in periodic payments as approved by the Honorary Treasurer. All such agreements must be reported to the Management Committee.
- c) The Management Committee may choose to waive part or all of the Annual Membership Subscriptions of any individual at its discretion.
- d) Members admitted after the first day of January next, shall pay half fees. Junior members under eighteen years of age, as defined by the ACTCA Constitution and By-Laws pay junior fees.

### **33. Unfinancial Members**

- a) Members in arrears with their subscription at the end of the thirty first (31<sup>st</sup>) day of October, with the exceptions referred to in Rule 32(b),(c),(d) or any other payments may be declared defaulters by the Management Committee and shall not be allowed to take part in matches or enjoy the privileges of the Club.
- b) Regardless of any approval granted under Rule 32(b) all subscriptions must be paid by the thirty first (31<sup>st</sup>) day of January except where Rule 32(d) has been applied by the Management Committee.

### **34. Delegates to the A.C.T.C.A.**

The Delegates to the ACTCA shall:

- a) Be appointed at the first Management Committee meeting after the Annual General Meeting;
- b) Attend all meetings of the ACTCA as required.
- c) Vote at ACTCA meetings in accordance with Club policy after seeking the views of the Management Committee whenever possible;
- d) Report to the Management Committee on matters dealt with at ACTCA meetings.

### **35. Selection Committee**

- a) The Selection Committee will be appointed by the Management Committee at the first meeting after the Annual General Meeting of the Club. It will consist of the Chairman of Selectors, who may or may not be a member of the Management Committee, the Club Coach and a member of the Management Committee. A representative, preferably the Captain, from each team will attend meetings of the Selection Committee but do not constitute part of the Selection Committee.
- b) The Selection Committee, so appointed shall, select all teams in accordance with current club selection policy guidelines and recommend a captain for each team.
- c) The decisions of the Selection Committee will be made using the QDCC Selection Policy Guidelines.
- d) It is the duty of each captain to attend each Selection Committee meeting to offer comments on player's performances as required.
- e) The Selection Committee shall meet not later than the Wednesday prior to the commencement of a match to select the team for such match. It shall:
  - f) Notify the Honorary Secretary of the Selection.
  - g) Notify the Publicity Officer who will inform the Queanbeyan Age and Canberra Press of selected teams within printing deadlines and ensure the teams are published on the QDCC website.
- h) The Management Committee, at its discretion, may choose to appoint two (2) Chairman of Selectors, both of which must attend Selection Committee meetings. In such a situation a further member of the Management Committee must be appointed making the total membership of the Selection Committee five (5). This represents the maximum number the Selection Committee can take.

- i) Any member of the Selection Committee failing to attend its meetings or practices shall automatically forfeit their position as a Selector, unless reasonable excuse is furnished to the Honorary Secretary. The Honorary Secretary shall have the power to appoint a Selector to fill the vacancy pending the appointment of a Selector at the next meeting of the Management Committee.

### **36. Role of Captains**

The role of the Captains is to uphold the good name of the Club and to adhere to the current QDCC Captain Guidelines.

The Management Committee shall appoint the Captain of each team taking into account, but not subject to, the recommendations of the Selection Committee prior to the commencement of each season.

Any captain that needs to be permanently replaced will be done by the Management Committee, taking into account but not subject to, the recommendations of the Selection Committee. Use of technology as outlined in Rule 11(k) is sufficient for this to take place.

Appointment of Captains shall be published on the Club's website, be included in the players' handbook and be announced at season launch.

### **37. Role of Club coach**

The Club coach is responsible for the preparation/training of all QDCC men's and women's teams. The Club coach will work in collaboration with captains and other coaches (appointed by the Management Committee) as required. The Club Coach should have at least a Level 2 National Accreditation.

Applications for the position of Club Coach are to be made to the Honorary Secretary. The Management Committee will consider all applications and appoint a Club Coach accordingly.

### **38. Failure to Attend Play**

Any member who after being notified of his selection fails to give the Honorary Secretary notice before the day of the match shall be subject to The Club's current disciplinary procedures unless his explanation is accepted by the Management Committee.

Players who fail to advise the Captain of the team they are selected in, on the day of the game, that they will be late or unable to play, may be subject to The Club's current disciplinary procedures.

### **39. Suspension or Disqualification**

For refusing to play with the team for which he has been selected, or failing to give the Honorary Secretary a satisfactory explanation of his absence from a match, or his late arrival thereat, or for any other reasonable cause, any member may be fined, suspended or disqualified by the Management Committee as it deems fit, and no such member shall have any claim on the Club or the members of the Management Committee by reason of such fine, suspension or disqualification.

Any member acting in a manner which in the opinion of the majority of the members of the Management Committee is calculated to bring discredit to the Club may be disqualified and become disentitled to the privileges of the Club for such period as the Management Committee shall determine.

### **40. Breach of Rules**

Any member guilty of a breach of any of the Club's Rules shall be dealt with as the Management Committee deems fit.

### **41. Alterations to or Repeal of Rules**

No existing Rule shall be repealed or altered, nor shall any Rule be adopted, without the consent of two thirds (2/3) of the members present and entitled to vote at the Annual General Meeting or a Special General Meeting or a General Meeting and unless the Honorary Secretary has given a least seven (7) days notice to each member of such proposed repeal, alteration or adoption.

### **42. Dissolution**

The Club shall not be dissolved, nor its name or colours changed, without the consent of at least two thirds of the members present at an Annual or Special General Meeting convened for the purpose of considering such dissolution.

### **43. Adoption of the Constitution**

The foregoing Constitution is hereby adopted as the Rules of the Queanbeyan District Cricket Club, and all Rules and Regulations previously adopted are hereby replaced.



## **Attachment**

### **1. History**

i) The original Constitution is believed to have been drafted circa 1920's.

It is believed the original Constitution was updated between 1920's and 2007 but there is no record of when and if this happened.

The Constitution as presented to the Management Committee was put into a digital format and reprinted in July 2007.

ii) Amendments were made to the copy provided to the Management Committee between July 2007 and May 2008 and endorsed by the members in attendance at the Annual General Meeting held on the 24<sup>th</sup> June 2008.

iii) Updates to the constitution were made to recognise the role of the Queanbeyan Junior Cricket Committee and other minor changes (including spelling and grammatical errors). The members in attendance at the Annual General Meeting held on 15<sup>th</sup> June 2009 endorsed these amendments.

### **2. Notes:**

i) The Honorary Secretary and President are to maintain a digital version of the Constitution as provided to the Management Committee in July 2007, the amended version from June 2008 and any subsequent amended versions for the benefit of the Queanbeyan District Cricket Club.

ii) All reprints of the Constitution must be dated to the time of reprint.

iii) The following refers specifically to Rule 4 (Queanbeyan District Junior Cricket Committee) of this constitution and for the purposes of any ruling must be considered part of this constitution.

The 'operational guidelines' must be, in both spirit and practical application, consistent with the Rules of this Constitution. This includes but is not limited to membership, life membership, the role of office bearers and their election, conduct of AGMs and other meetings and the financial year.