

Rules

Altona Cricket Club Inc

PART 1 – PRELIMINARY

1. Name & Colours

- 1.1. The name of the Club shall be the “Altona Cricket Club Inc.” (“the Club”).
- 1.2. The colours of Altona Cricket Club Inc. are Purple and Gold

2. Purposes

- 2.1. The purposes of the Altona Cricket Club Inc. shall be: -
 - a. To foster the game of cricket both within the City of Hobson Bay and generally.
 - b. To participate in the Victorian Sub-District Cricket Association and any other Association or Associations selected by the Executive Committee.
 - c. To do all things conducive to or incidental to the attainment of the above purposes or any of them.

PART 2 – MEMBERSHIP

3. Membership

- 3.1. The Club shall consist of the members hereinafter specified. The number of such members or any class thereof shall be unlimited.
- 3.2. Any person may become a member upon being nominated by a member, and upon paying the required subscription.
- 3.3. The Executive Committee of the Club shall be the sole judge of the fitness of any person for membership, and may without assigning any reason therefore refuse any person membership of the Club.
- 3.4. The classes of members of the Club shall be: -
 - a) Life Members.
 - b) Social Members.
 - c) Senior Playing Members.
 - d) Junior Playing Members.
 - e) Associate Members.
 - f) Honorary Members.
- 3.5. Any member may nominate any other member for Life Membership of the Club.
- 3.6. All nominations for Life membership must meet the minimum criteria as per the ACC Life Membership policy. A nomination for Life Membership of the Club shall be given to the Secretary at least seven days prior to the Executive Committee meeting at which that nomination is to be considered, and if approved by the Executive Committee, the name of the nominee shall appear on the Agenda of the forthcoming Annual General Meeting.
- 3.7. The Executive Committee shall not approve more than two nominations pursuant to sub-clause 3.6 prior to an Annual General Meeting.
- 3.8. Life Members shall be entitled to all the privileges of Club membership.
- 3.9. The Executive Committee may appoint as Associate Members of the Club for any period it thinks fit, any persons, having regard to the benefit whether financial or otherwise conferred on the Club by any such persons.
- 3.10. Social Members shall be entitled to all the privileges of Club membership, other than the right to play cricket.
- 3.11. Senior Playing Members shall be at least Eighteen years of age on 1st September of the relevant year, and shall be entitled to all the privileges of Club membership.

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- 3.12. Junior Playing Members shall be less than Eighteen years of age on 1st March of the relevant cricket season, and shall be entitled to all privileges of Club membership, other than the right to vote or hold office.
- 3.13. Associate Members shall not be entitled to any of the privileges of Club membership other than the right to access Club facilities at times nominated in the Club By-Laws. Parents and Guardians of Junior members and families of senior members are eligible to join as Associate Members. Associate Members who are parents and/or guardians of Junior Members are able to serve as a member of the Junior Sub-Committee.
- 3.14. Honorary Members – Any player, official or umpire affiliated with Cricket Victoria will be a honorary member of the Altona Cricket Club on the day of competition.
- 3.15. The privileges of Club membership include the right to play cricket, vote, hold office and access Club facilities.
- 3.16. A member of the Club who is entitled to vote has the right: –
 - a) To receive notice of general meetings and of proposed special resolutions in the manner and time prescribed by these Rules.
 - b) To submit items of business for consideration at a general meeting.
 - c) To attend and be heard at a general meeting.
 - d) To vote at a general meeting.
 - e) To have access to the minutes of general meetings and other documents of the Club as provided under rule 20.1.
 - f) To inspect the register of members as provided under rule 18.1.

4. Subscriptions

- 4.1. The annual subscription in respect of each class of member shall be determined by the Executive Committee from time to time. Annual subscriptions are paid for the 12 months from 1st October through to 30th September of the relevant year.
- 4.2. Annual subscriptions shall be due and payable on 1st October of the relevant year. Any member who has not before the 30th November of the relevant year, paid the annual subscription due, shall at the discretion of the Executive Committee, cease to be entitled to any of the privileges of Club membership until such subscription is paid.
- 4.3. No trophy shall be awarded to any member of the Club who has not paid the subscription due in respect of the relevant year.
- 4.4. The Executive Committee may refuse a clearance to any member owing money to the Club.

5. Ceasing Membership

- 5.1. The membership of a person ceases on resignation, expulsion or death. If a person ceases to be a member of the Club, the Secretary must, as soon as practicable, enter the date the person ceased to be a member in the register of members.

6. Register of Members

- 6.1. The Secretary shall keep and maintain a register of members in which shall be entered the full name, address and date of entry of the name of each member, together with the date of birth of Junior Playing Members, and the register shall be available for inspection by members at the address of the Secretary.

PART 3 - COMMITTEE

7. Executive Committee

- 7.1. The Executive Committee shall consist of members elected to the positions of
- a) President (Mandatory); and
 - b) Vice-President (2); and
 - c) Secretary (Mandatory); and
 - d) Treasurer (Mandatory); and
 - e) General Committee
- 7.2. General Duties of Executive Committee
- a) As soon as practicable after being elected or appointed to the Committee, each committee member must become familiar with these Rules and the Act.
 - b) The Committee is collectively responsible for ensuring that the Association complies with the Act and that individual members of the Committee comply with these Rules.
 - c) Committee members must exercise their powers and discharge their duties with reasonable care and diligence.
 - d) Committee members must exercise their powers and discharge their duties—
 - in good faith in the best interests of the Association; and
 - For a proper purpose.
 - e) Committee members and former committee members must not make improper use of—
 - their position; or
 - Information acquired by virtue of holding their position so as to gain advantage for themselves or any other person to cause detriment to the Association.
 - f) In addition to any duties imposed by these rules, a committee member must perform any other duties imposed from time to time by resolution at a general meeting.
- 7.3. All members of the Executive Committee shall retire annually and the vacant positions shall be filled at each Annual General Meeting except as otherwise provided in these Rules. All retiring members of the Executive Committee shall be eligible for re-election. Nominations of members for any position on the Executive Committee shall be in writing and signed by two members of the Club, and must be lodged with the Secretary, not less than three days prior to the Annual General Meeting, provided that any retiring member of the Executive Committee shall ipso facto be deemed to have been duly nominated for any election in relation to his/her respective office, unless he/she has signified in writing his/her desire not to seek re-election prior to such election.
- 7.4. The Executive Committee shall exercise, subject to any direction from the Club, the full power of management of the Club, and shall have the power to: -
- a) Nominate and approve the Coach(s) of the Senior Club
 - b) By majority resolution elect to end the tenure of the coach for the reasons listed below
 - Professional misconduct; or
 - Failure to attend four consecutive training sessions and/or two consecutive matches without reasonable excuse that is accepted by the Executive Committee; or
 - Should the coach be the subject of a unanimous no-confidence vote by the executive committee
 - c) Fill any casual vacancy occurring in the office bearers of the Club until the next Annual General Meeting of the Club.
 - d) Appoint delegates to the Cricket Association(s) with which the Club is affiliated.

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- e) Appoint officers not provided for or contemplated at the time of these Rules.
 - f) Arrange to enter any of the Club's teams in any competitions.
 - g) Fine, suspend or expel members in accordance with these Rules.
 - h) Make levies on members.
 - i) Cause to be carried out any resolution passed at any General Meeting of the Club.
 - j) Remove from office any member who is considered to have failed to carry out his/her duties to the satisfaction of the Executive Committee.
 - k) Co-opt not more than two further members to join the Executive Committee.
 - l) Perform all other acts and deeds as it thinks fit for the full and proper control and management of the Club, its affairs, property and concerns.
- 7.5. The Executive Committee shall meet at least once a month during the cricket season.
- 7.6. A minimum of 50% + 1 member of the Executive Committee present at any meeting shall form a quorum.
- 7.7. At meetings of the Executive Committee, the chair shall be taken by the President, or in his/her absence, by a member of the Executive Committee elected under the Chairmanship of the Secretary.
- 7.8. Meetings of the Executive Committee shall be called by the Secretary giving at least two days' notice in email.
- 7.9. Any member of the Executive Committee failing to attend three consecutive meetings shall forfeit his/her seat unless he/she gives to the Executive Committee a sufficient and acceptable reason for his/her failure to attend.
- 7.10. Where it is impractical to call an Executive Committee meeting to handle an emergency, the President, Secretary and Treasurer may act on behalf of the Club, provided that any decision is unanimous and does not contravene Club policy.
- 7.11. The results of any decision made under Rule 7.10 must be tabled in writing at the next Executive Committee meeting.
- 7.12. The Executive Committee must ensure that minutes are taken and kept of each Executive Committee meeting.
- 7.13. The minutes must record the following: -
- a) The names of the members in attendance at the meeting
 - b) The business considered at the meeting
 - c) Any resolution on which a vote is taken and the result of the vote
 - d) Any material personal interest disclosed under rule 7.14
- 7.14. An Executive Committee member who has a material personal interest in a matter being considered at an Executive Committee meeting must disclose the nature and extent of that interest to the Executive Committee.
- 7.15. A general meeting of the Club may: -
- a) By special resolution remove an Executive Committee member from office.
 - b) Elect an eligible member of the Club to fill the vacant position in accordance with these rules.
A member who is the subject of a proposed special resolution under sub rule 7.15 may make representations in writing to the Secretary or President of the Club (not exceeding a reasonable length) and may request that the representations be provided to the members of the Club.
- 7.16. The Secretary or the President may give a copy of the representations to each member of the Club or, if they are not so given, the member may require that they be read out at the meeting at which the special resolution is to be proposed.

PART 4 – DISCIPLINARY ACTION AND GRIEVANCE PROCEDURE

8. Disciplinary Action

- 8.1. The Executive Committee may take disciplinary action against a member in accordance with these rules if it is determined that the member has -
 - a) Failed to comply with these Rules, Club By-Laws, Club Policies and/or Codes of Conduct; or
 - b) Acted in a manner prejudicial to the interests of the Club; or
 - c) Has engaged in dishonourable conduct, including disputing an umpire's decision.
- 8.2. Where the Executive Committee has resolved to charge a member, or has received a written charge against a member, the Executive Committee shall: -
 - a) Give a copy of the charge to the member.
 - b) Consider written and/or oral submissions from the accused member.
- 8.3. Where the Executive Committee is satisfied of the accused member's guilt, or is satisfied that there are sufficient grounds for taking disciplinary action against the member, the Executive Committee must appoint a Disciplinary subcommittee to hear the matter and determine what action, if any, to take against the member.
 - a) The members of the Disciplinary Sub Committee; May be members of the Executive Committee, members of the Association or anyone else; but must not be biased against or in favour of, the member concerned.
- 8.4. The Disciplinary Sub Committee Meeting shall consider written and/or oral submissions from the accused member.
- 8.5. At the Disciplinary Sub Committee Meeting, subcommittee must
 - a) Give the member an opportunity to be heard, and
 - b) Consider any written submission by the member
- 8.6. After complying with 8.5, the Disciplinary Sub Committee may
 - a) Take no further action against the member, or
 - b) Reprimand the member, or
 - c) Suspend the membership rights of the member for a specified period, or
 - d) Expel the member from the Club

9. Grievance Procedure

- 9.1. The grievance procedure set out in this rule applies to disputes under these rules between: -
 - a) A member and another member.
 - b) A member and the Executive Committee (including Appealing a Disciplinary Action outcome – 8.6)
 - c) A member and the Club
- 9.2. A member must not initiate a grievance procedure in relation to a matter that is the subject of a disciplinary procedure until the disciplinary procedure has been completed.
- 9.3. The parties to a dispute must attempt to resolve the dispute between themselves within 14 days of the dispute coming to the attention of each party.
- 9.4. If the parties to a dispute are unable to resolve the dispute between themselves within the time required by Rule 9.3, the parties must within 10 days: -
 - a) Notify the Executive Committee of the dispute, and
 - b) Agree to or request the appointment of a mediator, and
 - c) Attempt in good faith to settle the dispute by mediation.
- 9.5. The mediator must be:-
 - a) A person chosen by agreement between the parties, or
 - b) In the absence of agreement and where the dispute is between a member and another member – a person appointed by the Executive Committee, or

- c) In the absence of agreement and where the dispute is between a member and the Executive Committee or the Club – a person appointed or employed by the Dispute Settlement Centre of Victoria.
- 9.6. A mediator appointed by the Executive Committee may be a member or former member of the Club but in any case must not be a person who:-
 - a) Has a personal interest in the dispute, or
 - b) Is biased in favour of or against any party.
- 9.7. The mediator to the dispute, in conducting the mediation, must:-
 - a) Give each party every opportunity to be heard, and
 - b) Allow due consideration by all parties of any written statement submitted by any party, and
 - c) Ensure that natural justice is accorded to the parties throughout the mediation process, and
 - d) Not determine the dispute
- 9.8. If the mediation process does not resolve the dispute, the parties may seek to resolve the dispute in accordance with the Associations Incorporation Reform Act 2012 or otherwise at law.

PART 5 - MEETINGS

10. Annual General Meetings

- 10.1. The Annual General Meeting of the Club must be held prior to the 31st day of July of each year.
- 10.2. The ordinary business of the annual general meeting is as follows-
 - a) to confirm the minutes of the previous annual general meeting and of any special general meeting held since then;
 - b) to receive and consider—
 - the annual report of the Committee on the activities of the Association during the preceding financial year; and
 - the financial statements of the Association for the preceding financial year submitted by the Committee in accordance with the Act;
 - to elect the members of the Committee;
 - c) The annual general meeting may also conduct any other business of which notice has been given in accordance with these Rules.

11. Special General Meetings

- 11.1. Any general meeting other than the Annual General meeting or a disciplinary appeal meeting is a special general meeting
- 11.2. The Executive Committee may convene a special general meeting whenever it thinks fit
- 11.3. No business other than set out in the notice under rule 14 may be conducted at the special general meeting.

12. Notice of General Meeting (Including Special General Meetings)

- 12.1. The Secretary shall at least fourteen days before the date fixed for holding a General Meeting of the Club, cause to be sent to each member via registered email address; a notice stating the date, place and time of the meeting, and the nature of the business to be transacted.
- 12.2. No business other than that set out in the notice convening the meeting shall be transacted at the meeting.

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- 12.3. A member desiring to bring any business before a meeting may give notice of that business in writing to the Secretary, who shall include that business in the notice calling the next General Meeting after receipt of the notice.

13. Proxies

- 13.1. A member may appoint another member as his or her proxy to vote and speak on his or her behalf at a general meeting
- 13.2. The appointment of a proxy must be in writing and signed by the member making the appointment
- 13.3. Notice of a general meeting given to members (who have full voting rights), under rule 12 must
- a) State that the member may appoint another member as a proxy for the meeting; and
 - b) Include a copy of any form that the Executive Committee has approved for the appointment of a proxy.

14. Procedure at General Meetings

- 14.1. At any meeting of the Club, one fifth of the eligible voting members (physically or by proxy) shall constitute a quorum.
- 14.2. The chairmanship of any General Meeting of the Club shall be determined in accordance with the procedure in Rule 7.7.
- 14.3. The Executive Committee must ensure that minutes are taken and kept of each general meeting.
- 14.4. The minutes must record the business considered at the meeting, any resolution on which a vote is taken and the result of the vote.
- 14.5. In addition, the minutes of each annual general meeting must include: -
- a) The names of the members attending the meeting.
 - b) Proxy forms given to the Chairman of the meeting under rule.
 - c) The financial statements submitted to the members in accordance with rule 10.2.
 - d) The certificate signed by two Executive Committee members certifying that the financial statements give a true and fair view of the financial position and performance of the Club.
 - e) Any audited accounts and auditor's report or report of a review accompanying the financial statements that are required under the act.
- 14.6. On any question arising at a general meeting -
- a. Each member who is entitled to vote has one vote; and
 - b. Members may vote personally or by proxy; and
 - c. Except in the case of a special resolution, the question must be decided on a majority of votes
 - d. If votes are divided equally on a question the Chairperson of the meeting has a second or casting vote

PART 6 – FINANCIAL MATTERS

15. Finance

- 15.1. The financial year of the Club shall end on 30th April of each year.
- 15.2. The funds of the Club shall be derived from entrance fees, annual subscriptions, donations and other such funds as the Executive Committee determines.
- 15.3. The Treasurer shall: -
- a) Collect and receive all moneys due to the Club, and shall pay such moneys into the bank at which the Club transacts its business.
 - b) Make all payments authorised by the Club.
 - c) Keep correct accounts and books showing the financial affairs of the Club with full details of all receipts and expenditure connected with the activities of the Club.

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- d) Submit to the Executive Committee at its meetings, interim financial statements in such form as the Executive Committee requires.
- e) Submit to the Club at each Annual General Meeting, financial statements for the previous year in such form as the Executive Committee requires.
- 15.4. No payments on behalf of the Club shall be made except upon the direction of the Executive Committee and by cheques signed by any two of the Secretary, Treasurer and any such member of the Executive Committee as the Executive Committee may from time to time appoint for that purpose.
- 15.5. The accounts and books referred to in Rule 15.3 shall be available for inspection by members.

PART 7 – GENERAL MATTERS

16. By-Laws

- 16.1. The Executive Committee may make, amend or revoke By-Laws including club Policies and Codes of Conduct.
- 16.2. By-Laws, Policies and Codes of Conduct shall be posted in the Clubrooms during the cricket season.

17. Secretary

- 17.1. Except as otherwise provided in these Rules, the Secretary shall keep in his/her custody or under his/her control, all books, documents and securities of the Club.

18. Inspection of Books and Records

- 18.1. Members may on request inspect free of charge: -
 - a) The register of members.
 - b) The minutes of general meetings.
 - c) Subject to sub rule 18.2, the financial records, books, securities and any other relevant document of the Club, include minutes of the Executive Committee meetings.
- 18.2. The Executive Committee may refuse to permit a member to inspect records of the Club that relate to confidential, personal, employment, commercial or legal matters or where to do so may be prejudicial to the interests of the Club or in breach of the privacy act.

19. Colours

- 19.1. The colours, badges, monograms, caps, blazers, uniforms or other distinctive and distinguishing trappings of the Club and of the members, may be determined by the Executive Committee with approval from the Association at a general meeting and governing Cricket Associations.

20. Alteration of the Rules and Statement of Purposes

- 20.1. No alteration to these Rules and the Statement Of Purposes shall be made except by vote of three fourths majority of members present at a General Meeting called for that purpose.

21. Dissolution of the Club

- 21.1. The Club shall not be dissolved except by vote of three fourths majority of members present at a Special General Meeting called for that purpose.
- 21.2. Upon dissolution, any moneys left after meeting all obligations, paying accounts and debts, shall be donated to a charity determined by the members at that Special General Meeting.

22. Captains

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- 22.1. The Captains and Vic-Captains of all senior elevens teams shall be selected by the senior coach(s) and ratified by the Executive Committee at the September Committee Meeting, prior to the first match.

23. Sub-Committees

- 23.1. The Executive Committee may appoint Sub-Committees, together with respective Chairmen from Club members, for any purpose it thinks fit.
- 23.2. The President shall ex-officio be a member of all such Sub-Committees, other than the Selection Sub-Committee.
- 23.3. The Executive Committee shall appoint a Selection Sub-Committee which shall consist of: -
- a) The Captain of each eleven.
 - b) The official Club Coach(s).
 - c) A Chairman appointed by the Executive Committee.
- 23.4. Sub-committees may nominate additional persons to join the sub-committee as required. Only persons approved by the Executive Committee may serve on sub-committees.

24. Junior Sub-Committee

- 24.1. The Executive Committee will establish a junior sub-committee to organise, run and maintain the junior grades of the club and shall be known as the 'Altona Cricket Club Juniors'.
- 24.2. The objects of the Junior Section will be as follows:
- a) The conduct, management and promotion of the game of cricket in the Municipality of Hobsons Bay City Council (or any such variation thereof) subject to the Constitution and By Laws made thereunder and in accordance with the Rules of the Western Region Junior Cricket Association (or any such variation thereof) and in affiliation with that body.
 - b) The holding, managing and carrying out of any other sport, pastime, social function, fete, fair, game or occupation for any purpose associated with or incidental to the conduct, management and promotion of the game of cricket.
 - c) The entry and promotion of representative teams and the entry thereof in competitions held and conducted by the Western Region Junior Cricket Association (or any such variation thereof) and for such other competitions or matches as may be arranged from time to time.
 - d) To buy, sell, supply and deal in all kinds of apparatus and all kinds of provisions, liquid and solid, required or used by members of the Junior Section.
 - e) To hire and employ all classes of persons whose services may be deemed necessary for the purposes of the Junior Section
- 24.3. Nominations for office bearers shall be called for in accordance with the constitution.
- 24.4. The Junior Section must present the nominations to the Committee of the Association for ratification at the Annual General Meeting.
- 24.5. Nominations for the Junior Section are to be in writing and to be signed by two members of the Association. Nominations are to be received at least 14 days prior to the Annual General Meeting.
- 24.6. The Junior Section committee shall consist of a Chairperson, Assistant Chairperson, Secretary, Treasurer, and committee members.
- 24.7. All positions are for a period of one year.
- 24.8. At any meeting of the junior subcommittee, five committee members will constitute a quorum.
- 24.9. The junior committee has the discretion to co-opt members to assist in the carrying out of its functions.
- 24.10. The junior committee has the power to establish sub-committee's provided such sub-committee(s) do not exceed the powers of the junior committee.
- 24.11. The operation and functions of the junior committee or its sub-committees shall not in any way lessen or affect the efficient running of Association.

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24.12. The junior committee shall:

- a) Appoint one or two delegates to attend Western Region Junior Cricket Association ("WRJCA")(or other relevant body) meetings each month
- b) Appoint one or two delegates to attend all Committee meetings.
- c) Be responsible for all activities related to junior cricket (including the J.G. Craig competition) (or any such variation thereof):
 - Raise monies through fees and fundraisers, to be used for the betterment or development of junior cricket at Altona Cricket Club.
 - Arrange for trophies and organise a presentation day/night at the end of each season.
 - Decide and enter the number of teams required in each age group in the WRJCA (or other relevant body).
 - Arrange and order all equipment at the beginning of each season.
 - Be responsible for appointing coaches for the various age groups and playing team Captains.

24.13. The Junior Committee shall be permitted to operate a bank account styled "Altona Cricket Club Juniors" at such Bank and at such Branch of such Bank as the Association in General Meeting shall approve, and shall be operated on by cheques signed by the two of the Chairperson, Secretary or Treasurer of the Junior Section. Additional interest bearings accounts may be opened with the approval of the Executive Council.

24.14. Any bank account(s) held in the name of the 'Altona Cricket Club Juniors' as described in paragraph 24.13 hereof or equivalent must be audited by an independent auditor at the conclusion of each playing season and be presented to the Association at its Annual General Meeting.

24.15. Custody of records, books and other documents relating to the Association will be as follows:

- a) Those relating to the financial affairs: by the Treasurer of the Junior Section
- b) Recent minutes: by the Secretary of the Junior Section
- c) Performance and player registration records: by the Secretary of the Junior Section

24.16. Those not mentioned above: by the Secretary of the Junior Section Except where the Executive Committee reasonably determines otherwise the records, books and other documents of the Junior Section must be open to inspection, free of charge, by a member of the Association at any reasonable hour with at least 48 hours prior notice.

24.17. For the avoidance of any confusion, the Altona Cricket Club Juniors are not a separate legal entity from the Altona Cricket Club and are at all times answerable to the Executive Committee of the Altona Cricket Club.

24.18. Upon request by the Executive Committee, the junior committee must appear before it within two weeks of such request being made to answer any queries howsoever arising or attend to any outstanding matters that the Committee so determines.