



# Casino Cricket Club

Casino Magpies Cricket Club Inc INC2000735

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## Our Constitution

**Date of Creation April 2019**

Date of Amendments

TBC July 26<sup>th</sup> 2022 AGM

# Casino Cricket Club Constitution

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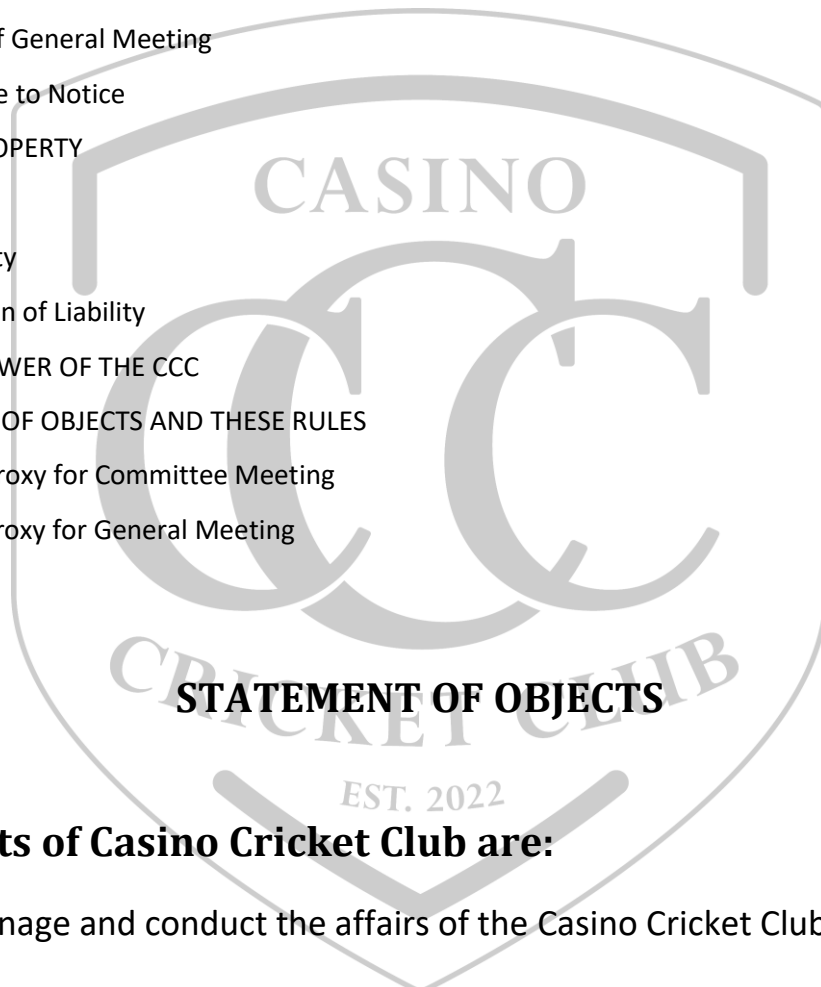
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## STATEMENT OF OBJECTS

### **The objects of Casino Cricket Club are:**

1. To manage and conduct the affairs of the Casino Cricket Club
2. To make, approve and enforce rules for the conduct of such cricket club within the affiliated Cricket Association area.
3. To promote the development of cricket within our community
4. To have general supervision of players operating within Casino Cricket Club.

# PART I - PRELIMINARY

## 1 INTERPRETATION

### 1.1 Name

The name of the club shall be Casino Cricket Club

### 1.2 Definitions

In these Rules, unless the subject matter or context otherwise indicates or requires:

“Act” means the Associations Incorporation Act 2009

“Annual General Meeting” means the Annual General Meeting of the CCC;

“Association” means “current affiliated association”;

“By-Laws” means the By-Laws of the New South Wales Cricket Association , FNCCC, CDCA & LDCA as amended from time to time;

“Chairperson” means the Chairperson or President of the CCC;

“Chief Executive” means the Chief Executive of the New South Wales Cricket Association.

“Code of Conduct” means the Code of Conduct contained in the By Laws of FNCC and/or LDCA, CDCA

“Code of Conduct Commissioner, means the CCC executive

“Committee” and “Committee of Management” means the Committee of Management of the Casino Cricket Club;

“Committee Member” means a Member of the Committee; ie Delegates elected by Casino Cricket Club

“CCC” means Casino Cricket Club

“Delegate Member” means a Delegate Member of the Club;

“Deputy Chairperson” means the Deputy Chairperson or Vice President of the Club;

“Director-General” means the Director-General referred to in the Act;

“Extraordinary General Meeting” means an Extraordinary General Meeting of the CCC;

“Honorary Member” means any person appointed by the Association to undertake roles, such as Players, Coaches, Managers, Regional Cricket Academy Coach, NSWCA Game Development Officer or other such persons nominated by the Committee from time to time.

“Judiciary Committee” means the elected members of the Club executive

“Judiciary Committee Member” means a Member of the Judiciary Committee;





“Life Member” means a Life Member of the Club;

“Member” means a Member of the Club; ( ie. A member is an active playing member registered on PlayHQ. This is distinct from a committee member)

“New South Wales Cricket Association” means the affiliated New South Wales Cricket Association;

“NSW Cricket Board” means the Board of Directors of the New South Wales Cricket Association;

“Office-Bearer” means an Office-Bearer of the Club;

“Prescribed Penalty Schedule” means the list of Prescribed Penalties approved by the Committee of Management with respect to breaches of the Code of Conduct; This will be the schedule as included in the FNCCC, LDCA or d CDCA “Rules , bylaws & Constitution”

“Person Reported” means a person who has been the subject of a report alleging a breach of the Code of Conduct;

“Register of Members” means the Register of Members of the Club , kept on the PlayHQ site.

“Regulations” means the regulations made in accordance with the provisions of the Act;

“Reporting Person” means a person who has lodged a report alleging a breach of the Code of Conduct;

“Rules” means these Rules as amended from time to time;

“Seal” means the common seal of the Association and includes the CCC Letterhead and Logo.

“Secretary” means any person appointed/employed“ to perform the duties of a Secretary of the Club or, where no person is so appointed, the Public Officer of the Club”;

“Selection Committee” means the Selection Committee of the Club;

“Selection Committee Member” means a Member of the Selection Sub Committee;

“Treasurer” means any person appointed to perform the duties of a Treasurer of the Club or, where no person is so appointed, the Council Administrator;

### **1.3 Construction**

In these Rules, unless the subject matter or context otherwise indicates or requires:

- (a) words (including defined expressions) importing the singular number only shall include the plural and vice versa;
- (b) words (including defined expressions) importing any gender shall include other genders;
- (c) words (including defined expressions) importing persons shall include corporations and bodies politic;
- (d) expressions referring to writing shall, unless the contrary intention appears, be construed as including references to printing, lithography, photography and other modes of representing or

reproducing words in a tangible and permanently visible form and includes telegram, telex, facsimile transmission and electronic mail;

(e) a reference to a statute, ordinance, code or other law includes regulations and other statutory instruments under it and consolidations, amendments, re-enactments or replacements of any of them (whether of the same or any other legislative authority having jurisdiction);

(f) references to business days means days other than Saturdays, Sundays and public holidays;

(g) references to days and related terms shall not be construed as referring only to business days but shall be construed to include Saturdays, Sundays and public holidays;

(h) a reference to a week and related terms means a period of seven (7) days commencing on any day of the week

(i) a reference to a month and related terms means a period commencing on the first day of a calendar month and ending on the day before the corresponding day in the next succeeding calendar month but if a corresponding day does not exist in the next succeeding calendar month the period shall end on the last day of the next succeeding calendar month

(j) a reference to a function includes a reference to a power, authority or duty; and

(k) a reference to the exercise of a function includes, where the function is a duty, a reference to the performance of the duty.

## 1.4 Headings

Headings do not affect the interpretation of these Rules.

## PART II - MEMBERSHIP

### 2 MEMBERSHIP

#### 2.1 Committee Members of the Club

Committee Members are:

- (a) the Delegate Members as elected at the Annual General Meeting
- (b) the executive of the club

#### 2.2 Commencement of Committee Membership

A person shall become a Member upon becoming a;



- (a) Delegate Member
- (b) Executive Member

## **2.3 Cessation of Committee Membership**

A Member shall cease to be a Member upon:

- (a) ceasing to be, a Delegate Member or an Executive Member
- (b) being expelled as a Member pursuant to the provisions of Rule 7. 3.

## **3 DELEGATE MEMBERS**

### **3.1 Delegate Members**

The Delegate Members consist of 2 representatives from the CCC and shall be required to attend LDCA or affiliated association.

### **3.2 Election of Delegate Members**

The Delegate Members representing the CCC shall be elected annually at the AGM

### **3.3 Person commencing to be a Delegate Member**

Upon election at the AGM or by appointment of the Committee.

### **3.4 Person Ceasing to be a Delegate Member**

A person shall cease to be a Delegate Member:

- (a) upon the body which that Delegate represents ceasing to be a Cricket Club ;
- (b) upon:
  - (i) being removed or replaced as its representative by the CCC Committee.
  - (ii) resigning by notice in writing delivered to the Secretary.
- (c) if the person dies; or
- (d) if the person becomes of unsound mind or a person whose person or estate is liable to be dealt with in any way under the law relating to mental health;

### **3.5 Election of New Delegate Members**

In the event of a person ceasing to be a Delegate Member other than by virtue of being replaced, the CCC which elected that Delegate Member shall, as soon as possible, elect another person to act as a Delegate Member.

### **3.6 Honorary Members**

May be appointed by the CCC upon the recommendation of the Committee at an AGM. Honorary Members will not have rights of Delegate Members to vote upon any matters within the CCC.



## **4 LIFE MEMBERSHIP**

### **4.1 Life Member to be Nominated by the Committee**

A candidate for election as a Life Member shall be nominated in writing by the Committee.

### **4.2 Nomination to be at the Committee's Discretion**

The nomination of a person for election as a Life Member is a matter within the sole discretion of the Committee having regard to whether the candidate has, in the opinion of the Committee, rendered exceptional or outstanding service to the CCC.

### **4.3 Election of Life Members**

A person shall only become a Life Member upon being elected as a Life Member by a resolution carried by a three-quarters majority of Members who are present in person or by proxy and are entitled to vote and do vote at a general meeting of the Association.

### **4.4 Notice of Meeting to Elect Life Member**

No election of a Life Member shall be valid unless 21 days' notice of the meeting and of the resolution to elect the Life Member has been given to the Members.

### **4.5 Requests by Members**

Any Member may request the Committee by written notice delivered to the Secretary to exercise its discretion to nominate a person for election as a Life Member. The Committee is obliged to consider such a request but is not obliged to nominate the relevant person.

### **4.6 Rights of Life Members**

A Life Member shall not:

- (a) take part in the proceedings of any meeting of the CCC except by leave of the meeting;
- (b) be entitled to receive notice of any meeting of the CCC other than the Annual General Meeting; or
- (c) be entitled to vote on any matter at a meeting of the CCC

### **4.7 Cessation of Life Membership**

A person shall cease to be a Life Member if:

- (a) that person dies;
- (b) that person resigns as a Life Member;
- (c) (i) the Club resolves by a special resolution in general meeting to remove that person as a Life Member; and  
(ii) the Life Member was given an opportunity to address that general meeting prior to the resolution being passed.

### **4.8 Resignation of Life Member**

A Life Member may resign as a Life Member by notice in writing delivered to the Secretary. The resignation shall be effective upon receipt by the Secretary of that notice.

## **5 REGISTER OF CCC COMMITTEE MEMBERS**

- (a) The Secretary shall establish and maintain a Register of Members.
- (b) The Secretary shall enter in the Register of Members:
  - (i) the full name and address of each Member;
  - (ii) the date on which the Member became a Member;
  - (iii) the date on which the Member ceased to be a Member;
  - (iv) the class of membership - that is, whether the Member is a Delegate Member, a Life Member, Honorary Member; and
- (c) The Register for Members shall not be used for any other purpose.
- (d) The Register of Members or Committee Members shall be kept on PlayHQ website.

## **6 FINANCIAL LIABILITY OF MEMBERS**

### **6.1 Liability to Pay Fees and Subscriptions**

A member shall be required to pay fees as set year to year by the CCC Committee.

### **6.2 Committee Member's Liabilities**

The liability of a Committee Member to contribute towards the payment of the debts and liabilities of the Association or the costs, charges and expenses of the winding up of the Association is limited to an amount of \$1. Every person who becomes a Member is deemed to have undertaken to pay an amount of \$1, if so required, in the event that the Association is wound up while that person is a Member or within a period of one year after that person ceases to be a Member.

## **7 DISCIPLINING, SUSPENSION AND EXPULSION OF MEMBERS**

### **7.1 Powers of the Committee in General Meeting**

If any Member:

- (a) refuses or neglects to comply with a provision of these Rules;
- (b) acts in a manner which is unbecoming of a Member;
- (c) acts in a manner which is prejudicial to the interests of the CCC; or
- (d) neglects to comply with a lawful requirement or direction of the CCC Committee, the Committee in general meeting have the power to:
  - (i) censure the Member;
  - (ii) impose a fine on the Member;
  - (iii) suspend the Member from membership of the CCC for a specified period;



- (iv) expel the Member from membership of the CCC; and
- (v) if the Member is expelled - disqualify the Member from being readmitted as a Member for a specified period. The above power may only be exercised in accordance with the provisions of this Rule 7.

## **7.2 Committee to Cause Notice to be Served on Member**

If the Committee considers that a Member may have acted in a manner referred to in Rule 7.1 and is considering passing a resolution to take action of the kind referred to in Rule 7.1 against the Member then the Committee shall cause a notice to be served on the Member. The notice shall:

- (a) specify the alleged conduct that the Committee considers that the Member may have engaged in;
- (b) specify the proposed resolution to be passed at a meeting of the Committee;
- (c) specify the date, place and time of the meeting at which it is proposed to pass the above resolution; and
- (d) inform the Member that the Member may do either or both of the following:
  - (i) attend the meeting and address the Committee at that meeting; and
  - (ii) submit to the Committee either at or prior to the meeting written representations relating to the proposed resolution.

## **7.3 Date of Committee Meeting**

The meeting at which the Committee is to consider the above resolution shall be held at the date, place and time specified in the notice previously forwarded to the Member. The meeting shall be held not earlier than 14 days and not later than 28 days after service of the notice on the Member.

## **7.4 Procedure at Committee Meeting**

At the meeting of the Committee at which the resolution is to be considered:

- (a) the Committee shall:
  - (i) give to the Member an opportunity to make oral representations to the Committee at that meeting;
  - (ii) give due consideration to any written representations submitted to the Committee by the Member at or prior to the meeting; and
  - (iii) by resolution:
    - (A) vote in favour of the resolution;
    - (B) vote against the resolution; or
    - (C) vote in favour of an amended resolution so long as the penalty imposed pursuant to the amended resolution is less severe than the penalty contained

in the original resolution contained in the notice previously forwarded to the Member; and

(b) the Member shall have no right to legal representation.

## **7.5 Notice of Committee Resolution**

The Secretary shall within 7 days of the passing of the resolution by the Committee forward written notice to the Member informing the Member of the content of the resolution which was passed and of the Member's right of appeal to the Members in general meeting.

## **7.6 Committee Resolution**

(a) If the Member who is the subject of a Committee resolution does not exercise the Member's right of appeal to the Association in general meeting within the period during which such right is exercisable, then the Committee resolution takes effect upon the expiration of that period.

(b) If the Member does exercise the Member's right of appeal to the FNCCC within the period during which such right is exercisable, then the Committee's resolution shall have no effect but the resolution of the Association in general meeting takes effect at the conclusion of the general meeting at which it is passed.

(c) If the Member exercises the Member's right of appeal to the NSW Cricket Board within the period during which such right is exercisable, then the resolution of the Committee and the CCC in general meeting shall have no effect but the decision of the NSW Cricket Board takes effect at the conclusion of the meeting at which it is passed.

## **7.7 Right of Appeal of Disciplined Member to the CCC**

A Member who is the subject of a Committee resolution may appeal to the CCC in general meeting against that resolution within 7 days after notice of the resolution is served on the Member by lodging with the Secretary a written notice which states that the Member wishes to appeal to the CCC in general meeting.

## **7.8 Extraordinary General Meeting to be Convened**

(a) If a Member who is the subject of a Committee resolution lodges written notice of that Member's intention to appeal to the Association in general meeting, then the Committee shall convene an Extraordinary General Meeting to determine that Member's appeal.

(b) The notice convening the Extraordinary General Meeting shall:

(i) specify the alleged conduct specified in the notice originally forwarded by the Committee to the Member;

(ii) specify the resolution of the Committee; and

(iii) include a copy of any written representations which the Member requested to be sent to the Members.

(c) The Members shall be given at least 21 days' notice of the Extraordinary General Meeting.

## **7.9 Procedure at Extraordinary General Meeting**

At the Extraordinary General Meeting:



(a) no other business shall be transacted other than the resolution of appeals by Members against Committee resolutions;

(b) the Committee and the Member shall be given an opportunity to orally address the meeting or make written representations to those present at the meeting or both for the purpose of stating their respective cases. The Members may:

(i) pass an ordinary resolution in similar terms to the Committee resolution;

(ii) pass an ordinary resolution which has amendments to the Committee resolution - such amendments may increase or decrease the penalty; or

(iii) pass an ordinary resolution that no action is to be taken against the Member; and

(c) all voting by Members with the exception of those members involved in the Committee original resolution, shall be by secret ballot; and

(d) a resolution shall be passed if a majority of the Members present and entitled to vote, vote in favour of the resolution.

### **7.10 Notice of Extraordinary General Meeting Resolution**

The Secretary shall within 7 days of the passing of a resolution by the CCC in general meeting forward written notice to the Member stating the terms of that resolution.

### **7.11 Member May Elect to Proceed Directly to the General Meeting**

Notwithstanding the provisions of Rules 7.2 to 7.10, a Member may by written notice to the Secretary at least 24 hours before the time for holding the Committee meeting at which the resolution is to be considered, elect to have the question dealt with by the CCC in general meeting. Upon receiving such a notice, the Committee shall convene an Extraordinary General Meeting of the CCC and the provisions of Rules 7.8 to 7.10 shall apply.

### **7.12 Right of Appeal of Disciplined Member to the FNCCC**

A Member who is the subject of a resolution of the CCC in a general meeting may appeal to the FNCCC against that resolution within 7 days after notice of the resolution is served on the Member by lodging a written notice to that effect with the Secretary of the FNCCC or at its registered office.

### **7.13 No Further Right of Appeal**

The decision of the NSW Cricket Board shall be final and the Member shall have no further right of appeal to any other body or court other than on a point of law.

## **PART III - THE COMMITTEE**

### **8 MEMBERSHIP OF THE COMMITTEE**

#### **8.1 Establishment of the Committee**

There shall be a Committee which shall be called the Committee of the CCC.

#### **8.2 Committee Members**

The Committee shall comprise of:

(a) Elected members from AGM





(c) Any other person so appointed by the CCC Committee

### **8.3 Election of Executive Committee Members**

The Executive Members shall be elected annually at the CCC Annual General Meeting .

### **8.4 Eligibility of Candidates for Election as Committee Members**

(a) Candidates for election as Committee Members shall be members of CCC

(b) Retiring Committee Members may be candidates for re-election.

### **8.5 Person commencing to be a Committee Member**

A person shall commence to be a Committee Member upon election.

### **8.6 Person ceasing to be a Committee Member**

(a) A person shall cease to be a Committee Member:

- (i) upon the person ceasing to be a Member in the terms of Rule 8.19(a);
- (ii) upon being removed or replaced as its representative by CCC and written notice of that removal or replacement signed by the Chairperson of the meeting at which he was removed or replaced, being delivered to the Secretary;
- (iii) upon resigning by notice in writing delivered to the Secretary;
- (v) if the person dies;
- (vi) if the person becomes of unsound mind or a person whose person or estate is liable to be dealt with in any way under the law relating to mental health; or
- (vii) if the person is absent without the leave of the Committee from 2 consecutive meetings of the Committee.

### **8.7 Office-Bearers (Executive)**

The Office-Bearers are:

- (a) the President (Chairperson) of the CCC,
- (b) the Vice President Chairperson of the CCC,
- (c) the Secretary,
- (d) the Treasurer
- (e) the Club Registrar
- (f) the Junior Coordinator
- (g) the Club Captain

### **8.8 Office-Bearers to be Elected at the Annual General Meeting**

Subject to the provisions of Rule 8.15(b), the Office-Bearers shall be elected by a ballot of the Members at the Annual General Meeting.

### **8.9 Period During Which Office-Bearers Hold Office**

Subject to the provisions of Rules 8.17 and 8.18, the Office-Bearers who are elected at the Annual General Meeting shall hold office from the end of that meeting until the end of the next Annual General Meeting.

### **8.10 Notice Seeking Candidates for Election as Office-Bearers**

At least 4 weeks prior to the date of the Annual General Meeting the Secretary shall forward written notice to:

- (a) each player Member; and Life Member

### **8.11 Nominations of Candidates for Election as Office-Bearers**

All nominations of candidates for election as Office-Bearers shall be:

- (a) made in writing;
- (b) signed by:
  - (i) 2 Delegate Members; or
  - (ii) 2 office-bearers of the body which the nominee represents; or
  - (iii) one Member and one office-bearer of the body which the nominee represents;
- (c) (i) signed by the candidate to indicate the candidate's consent to the nomination; or  
(ii) accompanied by the written consent of the candidate; and
- (c) delivered to the Secretary at least 7 days before the date of the Annual General Meeting.
- (d) Nominations for office –bearers may also be taken from the floor of the AGM and must have a proposer and seconder.

### **8.12 Eligibility of Candidates for Election as Office-Bearers**

- (a) Candidates for election as Office-Bearers shall be Committee Members.
- (b) Retiring Office-Bearers may be candidates for re-election.
- (c) A person may be a candidate for election to more than one Office-Bearer's position but may not be elected to more than one position. Upon being elected to a position the candidate shall be ineligible to be elected to a further position.

### **8.13 Candidates to be listed in Notice of Annual General Meeting**

The names of those candidates seeking election as Office-Bearers shall be set out in alphabetical order in the notice convening the Annual General Meeting.

### **8.14 Only One Nomination for Office-Bearer Position**

If there is only one nomination for a particular Office-Bearer position then the candidate shall be declared to be elected at the Annual General Meeting.

### **8.15 No Nomination for Office-Bearer Position**



- (a) If there are no nominations received, the Committee may appoint a person or persons to fill the remaining vacancy or vacancies

### **8.16 Number of Candidates Exceeds Vacancies**

If the number of candidates nominated exceeds the number required to be elected to a particular Office-Bearer's position then a ballot shall be held.

### **8.17 Election of Office-Bearers**

The ballot for the election of Office-Bearers shall be conducted at the Annual General Meeting in such usual and proper manner as the Chairperson may direct.

### **8.18 Vacancies**

The office of an Office-Bearer shall become vacant if the Office-Bearer:

- (a) dies;
- (b) ceases to be a Delegate Member;
- (c) becomes bankrupt or makes any arrangement or composition with the Office-Bearer's creditors generally;
- (d) resigns;
- (e) is removed from office;
- (f) becomes of unsound mind or a person whose person or estate is liable to be dealt with in any way under the law relating to mental health; or
- (g) is absent without the consent of the Committee from 2 consecutive meetings of the Committee. If an Office Bearer is absent for two consecutive meetings they will be asked to explain themselves, and if such explanation is not accepted by the CCC then their affiliation with the CCC, may be discontinued by a vote of the CCC.

### **8.19 Resignation of Committee Member**

A Committee Member may resign by notice in writing delivered to the Secretary and shall cease to be a Committee Member upon receipt by the Secretary of that notice.

### **8.20 Removal of Committee Member**

- (a) The CCC in a general meeting may, by ordinary resolution of which special notice has been given, remove any Committee Member from office before the expiration of the term of office.

### **8.21 Vacancy in Office of Committee Member**

If a vacancy in the office of a Committee Member occurs, other than the Committee Member's removal by the CCC in general meeting, the CCC shall ensure that another person is nominated.

## **9 POWERS OF THE COMMITTEE**

### **9.1 General Powers**

Subject to the Act, the Regulations and these Rules and to any resolution passed by the CCC in general meeting, the Committee:



- (a) shall control and manage the affairs of the CCC;
- (b) may exercise all such functions as may be exercised by the CCC other than those functions that are required by these Rules to be exercised by a general meeting of Members;
- (c) has power to perform all such acts and do all such things as appear to the Committee to be necessary or desirable for the proper management of the affairs of the CCC;
- (d) shall prepare rules each year for the conduct of such cricket competitions as the NSW Cricket Board may require the CCC to conduct and manage;
- (e) shall prepare programmes each year of matches to be played in such cricket competitions as the NSW Cricket Board may require the CCC to conduct and manage;
- (f) appoint the Selection Committee;
- (g) enforce Code of Conduct.
- (i) appoint members of sub committees as required. (Sub committee members do not have to be delegate members)

## **9.2 Power to Determine Appeals**

(a) A right of appeal shall exist from the decision of the Committee to;

- The Far North Coast Cricket Council Committee
- CCNSW Committee of Management,
- NSW Cricket Board if the person wishing to appeal lodges an appeal with the Secretary of the New South Wales Cricket Association within 7 days of the date on which the CCNSW Committee of Management hands down its decision.

## **9.3 Decision of the NSW Cricket Board Appeals Committee to be Final**

The decision of the NSW Cricket Board shall be final and no further appeal may be made to any other court other than on a point of law.

# **10 PROCEEDINGS OF COMMITTEE**

## **10.1 Frequency of Committee Meetings**

- (a) The Committee shall meet at least 3 times a year at such place and time as the Committee may determine.
- (b) Additional meetings of the Committee may be convened by the Chairperson or requested by any 3 Committee Members.
- (c) Meetings may be held face to face or by other electronic means eg skype, telephone conference call , group emails.

## 10.2 Notice of Committee Meetings

- (a) Oral or written notice of a meeting of the Committee shall be given by the Secretary to each Committee Member at least 7 days (or such other period as may be unanimously agreed upon by the Committee Members) before the time appointed for the holding of the meeting.
- (b) Notice of a meeting given under paragraph (a) of this Rule need not specify the business to be transacted at the meeting.

## 10.3 Quorum

- (a) Any 5 Committee Members constitute a quorum for the transaction of the business of a meeting of the Committee.
- (b) No business may be transacted by the Committee unless a quorum is present and if within half an hour of the time appointed for the meeting a quorum is not present the meeting stands adjourned to the same place and at the same hour of the same day in the following week.
- (c) If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the meeting shall be dissolved.

## 10.4 Chairperson of Committee Meeting

At a meeting of the Committee:

- (a) the Chairperson or, in the Chairperson's absence, one of the Deputy Chairpersons shall chair the meeting; or
- (b) if the Chairperson and the two Deputy Chairpersons are absent or unwilling to act, such one of the remaining Committee Members as may be chosen by the Committee Members present at the meeting shall chair the meeting.

## 10.5 Voting

- (a) Questions arising at a meeting of the Committee shall be determined by a majority of the votes of Committee Members present at the meeting.
- (b) Each Committee Member present at a meeting of the Committee (including the Chairperson of the meeting) is entitled to one vote but, in the event of an equality of votes on any question, the Chairperson of the meeting shall exercise a casting vote.
- (c) A determination by a majority of the Committee Members shall for all purposes be deemed a determination of the Committee.

## 10.6 Minutes

Minutes of proceedings at a meeting shall be signed by the Chairperson of the meeting or by the Chairperson of the next succeeding meeting.

## 10.7 Effect of Vacancies in Committee Members

- (a) Subject to the provisions of Rule 10.3, the Committee may act notwithstanding any vacancy on the Committee.
- (b) If the number of Committee Members falls below the number necessary to constitute a quorum at a meeting of the Committee, the continuing Committee Member or Committee



Members may act for the purpose of summoning a general meeting of the Association but for no other purpose.

## **10.8 Validity of Actions**

All acts done by the Committee shall be valid and effectual notwithstanding any defect that may afterwards be discovered in the appointment or qualification of any Committee Member.

## **10.9 Written Resolutions of the Committee**

A resolution in writing signed by all the Committee Members in Australia for the time being entitled to receive notice of a meeting of the Committee shall be as valid and effectual as if it had been passed at a meeting of the Committee duly convened and held. Any such resolution may consist of several documents in like form each signed by one or more Committee Members.

## **11 DELEGATION TO SUB-COMMITTEES**

### **11.1 Power to Delegate**

(a) The Committee may, by instrument in writing, delegate to one or more sub-committees the exercise of any of its powers or functions other than:

(i) this power of delegation; and

(ii) a function which is a duty imposed on the Committee by the Act or by any other law.

(b) The Chairperson and members of a sub-committee shall be appointed by the Committee and need not be Committee Members.

(c) A power or function, the exercise of which has been delegated to a sub-committee under this Rule, may, while the delegation remains unrevoked, be exercised from time to time by the subcommittee in accordance with the terms of the delegation.

(d) The Committee may regulate the affairs of a sub-committee as it sees fit.

(e) A delegation of a power or function by the Committee may be subject to such conditions and limitations as the Committee sees fit.

(f) Notwithstanding any delegation under this Rule, the Committee may continue to exercise any function delegated.

(g) Any act done by a sub-committee acting in the exercise of a delegation under this Rule has the same force and effect as it would have if it had been done by the Committee.

(h) The Committee may, by instrument in writing, revoke wholly or in part any delegation under this Rule.

### **11.2 Meetings of Sub-Committee**

(a) A sub-committee may meet and adjourn as it thinks proper.

(b) The quorum for transaction of business of a meeting of a subcommittee is one half of the members of the sub-committee (rounded up, if necessary, to the nearest whole number of the members).

### **11.3 Voting of Sub-Committee**

(a) Questions arising at a meeting of a sub-committee shall be determined by a majority of the votes of the members of the sub-committee present at the meeting.

(b) Each member of the sub-committee is entitled to one vote. In the event of an equality of votes, the Chairperson of the meeting shall exercise a casting vote.

### **11.4 Validity of Actions**

All acts done by a sub-committee appointed by the Committee shall be valid and effectual notwithstanding any defect that may afterwards be discovered in the appointment or qualification of any Committee Member or sub-committee member.

## **12 PROXIES - COMMITTEE MEETINGS**

### **12.1 Ability to Appoint a Proxy**

(a) A Committee Member may not appoint a proxy

## **PART IV - GENERAL MEETINGS**

## **13 GENERAL MEETINGS**

### **13.1 Holding of Annual General Meeting**

The Annual General Meeting shall be held on such day and at such time and place as the Committee shall determine but no later than the 31<sup>st</sup> August in each and every year.

### **13.2 Ordinary General Meetings**

All general meetings other than the Annual General Meeting shall be Ordinary General Meetings.

### **13.3 Convening of Ordinary General Meetings**

(a) The Committee may, whenever it thinks fit, convene an Ordinary General Meeting.

(b) The Committee shall, on the requisition in writing of not less than 20per cent of the total number of Members, convene a Ordinary General Meeting.

(c) A requisition of Members for an Ordinary General Meeting:

(i) shall state the purpose or purposes of the meeting;

(ii) shall be signed by the Members making the requisition;

(iii) shall be lodged with the Secretary; and

(iv) may consist of several documents in a similar form, each signed by one or more of the Members making the requisition.

(d) If the Committee fails to convene an Ordinary General Meeting to be held within one month after that date on which a requisition of Members for the meeting is lodged with the



Secretary, any one or more of the Members who made the requisition may convene an Ordinary General Meeting to be held not later than 3 months after that date.

(e) An Ordinary General Meeting convened by a Member or Members as referred to in paragraph (d) of this Rule shall be convened as nearly as is practicable in the same manner as general meetings are convened by the Committee and any Member who thereby incurs expense is entitled to be reimbursed by the CCC for any expense so incurred.

### **13.4 Notice of General Meetings**

(a) Except where the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the CCC, the Secretary shall, at least 7 days before the date fixed for the holding of the general meeting, cause to be sent by email to each Member entitled to receive notice of general meetings at the Member's email address appearing in the Register of Members, a notice specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.

(b) Where the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the CCC, the Secretary shall, at least 21 days before the date fixed for the holding of the general meeting, cause notice to be sent to each Member entitled to receive notice of general meetings in the manner provided in paragraph (a) of this Rule specifying, in addition to the matter required under paragraph (a) of this Rule, the intention to propose the resolution as a special resolution.

(c) No business other than that specified in the notice convening a general meeting shall be transacted at the meeting except, in the case of an annual general meeting, business which may be transacted pursuant to Rule 13.7 of these Rules.

(d) A Member desiring to bring any business before a general meeting may give notice in writing of that business to the Secretary who shall include that business in the next notice calling a general meeting after receipt of the notice from the Member.

### **13.5 Omission to Give Notice**

The accidental omission to give notice of a general meeting to or the non-receipt of notice of a general meeting by any person entitled to receive notice does not invalidate the proceedings at the meeting.

### **13.6 Business of Annual General Meeting**

The regular business of the Annual General Meeting shall be to:

- (a) confirm the minutes of the last preceding Annual General Meeting and of any Extraordinary General Meeting held since that meeting;
- (b) receive from the Committee reports on the activities of the Association during the last preceding financial year;
- (c) consider and approve the audited financials of the Association
- (d) In the event that CCC is incorporated, to receive and consider the statement which is required to be submitted to Members pursuant to Section 48 of the Act;
- (e) announce the names of persons elected as Committee Members;



- (f) elect Office-Bearers;
- (g) announce the names of the Selection Committee Members;
- (h) announce the names of the Sub Committee Members;
- (i) announce the name of the Club Patrons

### **13.7 Special Business**

All other business at an Annual General Meeting and all business at any other general meetings shall be special business.

## **14 PROCEEDINGS AT GENERAL MEETINGS**

### **14.1 Meetings Require a Quorum**

No item of business shall be transacted at a general meeting unless a quorum (5 members) is present during the time that the meeting is considering that item of business.

### **14.2 Quorum**

Subject to the other provisions of these Rules, 5 Members present in person or by proxy and entitled to vote shall be a quorum.

### **14.3 Effect of Lack of Quorum**

(a) If a quorum is not present within half an hour after the time appointed for the commencement of a general meeting then:

(i) if the meeting was convened upon the requisition of Members - the meeting shall be dissolved; or

(ii) in any other case - the meeting shall stand adjourned to:

(A) the same day in the following week and at the same time and place;

(B) such day, time and place as the Chairperson of the meeting decides and announces at the meeting; or

(C) such day, time and place as the Committee subsequently determines so long as written notice of the day, time and place of the adjourned meeting is forwarded to Members prior to the date of the adjourned meeting.

(b) If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, then:

(i) 5 Members present in person and entitled to vote shall be a quorum; and

(ii) if 5 such Members are not present the meeting shall be dissolved.

### **14.4 Chairperson of Meeting**

(a) The Chairperson or, if the Chairperson is absent, the Deputy Chairperson, shall preside as Chairperson at a general meeting of the Association.



(b) If the Chairperson and Deputy Chairperson are absent from a general meeting or unwilling to act, then the Members present shall elect one of their number to preside as Chairperson of the meeting.

## **14.5 Adjournment**

(a) The Chairperson of a general meeting at which a quorum is present:

(i) may, with the consent of the majority of Members present in person and entitled to vote; and

(ii) shall, if so directed by a resolution passed by the majority of Members present in person and entitled to vote, adjourn the meeting to such day, time and place as the Members so consent or direct.

(b) No business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.

(c) If a general meeting is adjourned for 30 days or more, notice of the adjourned meeting shall be given in the manner in which notice was required to be given for the original meeting. If a general meeting is adjourned for less than 30 days, it shall not be necessary to give any notice of the adjournment or the business to be transacted at the adjourned meeting.

## **14.6 Method of Voting in Respect of Resolutions**

At any general meeting a resolution put to the vote of the meeting shall be decided on a show of hands unless a poll is (before or on the declaration of the result of the show of hands) demanded:

(a) by the Chairperson; or

(b) by at least 3 Members present in person or by proxy and entitled to vote.

## **14.7 Minutes as Evidence of Result of Resolution**

Unless a poll is so demanded, a declaration by the Chairperson that a resolution has on a show of hands been carried or carried unanimously or carried by a particular majority or lost and an entry to that effect in the book containing the minutes of the meetings of the Association signed by the Chairperson shall be conclusive evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against the resolution.

## **14.8 Taking of Poll**

If a poll is duly demanded it shall be taken in such manner and at such time (before the close of the meeting) and place as the Chairperson directs. The Chairperson may direct the poll to be taken after an interval or adjournment. The result of the poll shall be the resolution of the meeting at which the poll was demanded. Notwithstanding the above, if a poll is duly demanded in relation to the election of a Chairperson or the question of an adjournment then the poll shall be taken immediately. The demand for a poll may be withdrawn. The demand for a poll shall not prevent the continuance of a meeting for the transaction of any business other than the question on which a poll has been demanded.

## **14.9 Chairperson to Determine Disputes**

In the case of a dispute as to the admission or rejection of a vote on a show of hands or on a poll the Chairperson shall determine the dispute and the determination, if made in good faith, shall be final and conclusive.

## **14.10 Special Resolution**

A resolution of the CCC is a special resolution if:

- (a) it is passed at a general meeting by a majority which comprises at least three-quarters of Members who:
  - (i) are present at the meeting in person or by proxy;
  - (ii) vote at the meeting; and
  - (iii) are entitled to vote at the meeting; and

at least 21 days' written notice specifying the intention to propose the resolution as a special resolution was given to Members in accordance with these Rules; or

## **14.11 Voting Power**

A Member entitled to vote may vote in person. A Member entitled to vote, either in person, shall be entitled to one vote both on a show of hands and on a poll.

## **14.12 Chairperson has Casting Vote**

In the case of an equality of votes, whether on a show of hands or on a poll, the Chairperson of the meeting at which the show of hands takes place or at which the poll is demanded shall exercise a casting vote.

## **15 PROXIES - GENERAL MEETINGS**

### **15.1 Ability to Appoint a Proxy**

- (a) A Member may not appoint a proxy in respect of any general meeting of the CCC.

## **PART V - MISCELLANEOUS**

## **16 AFFILIATES**

### **16.1 Power to seek Affiliation**

The Committee shall have the power to affiliate with an appropriate Cricket Association, subject to ratification by the NSW Cricket Board, to:

- (a) any associations for the purpose of competition fixtures
- (b) any associations for the purpose of competition administration
- (c) any parent body, eg FNCCC

## **16.2 Association is an Affiliate of the New South Wales Country Cricket Association**

The CCC is an affiliate of the New South Wales Country Cricket Association.

## **17 BY-LAWS, ETC**

### **17.1 By-Laws**

The By-Laws of the NSW Cricket Association shall apply to the CCC and be as effective as if such By-Laws were the By-Laws of the Association.

### **17.2 Articles of Association of the New South Wales Cricket Association**

The CCC, its Members, Office-Bearers, Committee Members and Affiliates shall be bound by and comply with the provisions of the articles of association of the New South Wales Cricket Association.

### **17.3 Effect of Conflict Between Documents**

To the extent that there is any conflict between the articles of association of the New South Wales Cricket Association, the By-Laws and these Rules:

- (i) the articles of association shall take precedence over the By-Laws and these Rules; and
- (ii) the By-Laws shall take precedence over these Rules.

## **18 CODE OF CONDUCT COMMISSIONER**

### **18.1 Appointment of Commissioner**

- (a) The executive shall act as the Code Of Conduct Commissioner

### **18.2 Powers of the Commissioner**

The Commissioner shall have power to:

- (a) receive, investigate, examine and consider all reports alleging a breach of the Code of Conduct;
- (b) determine whether:
  - (i) no action is to be taken against the Person Reported;
  - (ii) the Person Reported is to be given a caution; or
  - (iii) the Person Reported is to be given or offered a suspension, disqualification or other penalty; or
  - (iv) to lay a charge against the Person Reported and have the matter proceed to a hearing before the Judiciary Committee
- (c) present the case against the Person Reported in any hearing before the Judiciary Committee;
- (d) appeal to the FNCC Council against a decision of the Judiciary Committee; and

(e) appear before the FNCCC Council at the hearing of any appeal against a decision of the Judiciary Committee.

The Commissioner (Executive) may exercise all or any of the above powers in accordance with the procedures outlined in the Country Handbook.

### **18.3 No Action Taken by Commissioner**

(a) Where the Commissioner determines that no action is to be taken following consideration of a report alleging a breach of the Code of Conduct, the Commissioner shall, on the first working day following the determination, inform:

- (i) the Person Reported;
- (ii) the Reporting Person;
- (i) the Secretary; and
- (ii) the Zone Umpires' Representative if the Reporting Person is an umpire.

(b) There shall be no right of appeal against the determination of the Commissioner.

### **18.4 Caution, suspension, disqualification or other penalty to be issued by Commissioner**

(a) Where the Commissioner determines that a caution, suspension, disqualification or other penalty is to be issued or offered following consideration of a report alleging a breach of the Code of Conduct, the Commissioner shall, by whatever means the Commissioner considers appropriate, inform the Person Reported of the determination and ascertain if the Person Reported is prepared to accept that determination or wishes to proceed to a hearing before the Judiciary Committee.

(b) Should the Person Reported accept the Commissioner's determination of a caution, suspension, disqualification or other penalty (for this purpose the verbal advice of the Person Reported will be sufficient), the Commissioner shall then issue that written caution, suspension, disqualification or other penalty to the Person Reported which will be deemed to have been effected 3 days after its posting.

(c) Where the Commissioner issues or offers a caution, suspension, disqualification or other penalty pursuant to Rule 18A.5(b), the Commissioner shall, on the first working day following the issue of offer of the caution, suspension, disqualification or other penalty inform:

- (i) the Reporting Person;
- (ii) the secretary of the club, association or body of which the Person Reported is a member;
- (iii) the Secretary; and
- (iv) the Zone Umpires' Representative if the Reporting Person was an umpire.

(d) The issue or offer of a caution, suspension, disqualification or other penalty by the Commissioner to the Person Reported may be taken into account by the Judiciary Committee



should the Person Reported be found guilty of a breach of the Code of Conduct within 3 years of the date of the issue of the caution, suspension, disqualification or other penalty.

(e) There shall be no right of appeal against the determination of the Commissioner.

## **18.5 Commissioner to Present Case before Judiciary Committee**

Where a matter proceeds to a hearing before the Judiciary Committee, the Commissioner shall appear at that hearing to present the evidence relied upon to support the allegation, to test any defence, to address the Committee and, where appropriate, to make submissions in respect of those matters.

## **19 JUDICIARY COMMITTEE**

### **19.1 Establishment of the Judiciary Committee**

There shall be a Judiciary Committee which shall be called the CCC Judiciary Committee. This committee will deal with items not involving Code of Conduct items. All Code of Conduct items are referred to the Code of Conduct Commissioner. The CCC Judiciary Committee shall comprise of at least 3 members of the CCC executive.

## **25 THE SECRETARY**

### **25.1 Appointment of Secretary**

The Secretary shall be elected at the AGM. The Secretary may also be appointed as the Public Officer, Treasurer or both.

### **25.2 Temporary Secretary**

The Committee of Management may appoint a temporary substitute for the Secretary who shall for the purposes of these Rules be deemed to be the Secretary.

### **25.3 Termination of the Secretary's Appointment**

The Committee of Management may terminate the appointment of the Secretary at any time.

### **25.4 Resignation of Secretary**

The Secretary may resign by notice in writing delivered to the Chairperson and shall cease to be the Secretary upon receipt by the Chairperson of that notice.

### **25.5 Person Ceasing to be Secretary**

A person shall cease to be the Secretary if the person:

- (a) dies;
- (b) becomes bankrupt or makes any arrangement or composition with the Secretary's creditors generally;
- (c) becomes of unsound mind or a person whose person or estate is liable to be dealt with in any way under the law relating to mental health;
- (d) is removed pursuant to the provisions of Rule 24.3; or
- (e) resigns pursuant to the provisions of Rule 24.4;



The Committee of Management shall appoint a person to fill that vacancy.

## **25.6 Address of Secretary**

The Secretary shall, as soon as practicable after being appointed as Secretary, lodge notice with the Association of the Secretary's address.

## **25.7 Duties of Secretary**

It is the duty of the Secretary to keep minutes of:

- (a) all appointments of Committee Members;
- (b) the names of Committee Members present at a Committee meeting or a general meeting;  
and
- (c) all proceedings at Committee meetings and general meetings.

## **26 THE PUBLIC OFFICER**

### **26.1 Appointment of Public Officer**

If the CCC is incorporated then a Public Officer shall be appointed at the AGM. The Public Officer may also be appointed as the Secretary, Treasurer or both.

### **26.2 Termination of the Public Officer's Appointment**

The Committee of Management may terminate the appointment of the Public Officer at any time.

### **26.3 Resignation of Public Officer**

The Public Officer may resign by notice in writing delivered to the Chairperson and shall cease to be the Public Officer upon receipt by the Chairperson of that notice.

### **26.4 Person Ceasing to be Public Officer**

A person shall cease to be the Public Officer if the person:

- (a) dies;
- (b) becomes bankrupt or makes any arrangement or composition with the Public Officer's creditors generally;
- (c) becomes of unsound mind or a person whose person or estate is liable to be dealt with in any way under the law relating to mental health;
- (d) is removed pursuant to the provisions of Rule 26.2;
- (e) resigns pursuant to the provisions of Rule 26.3; or
- (f) ceases to be a resident in New South Wales;

The Committee of Management shall appoint a person to fill that vacancy.

### **26.5 Address of Public Officer**

The Public Officer shall, as soon as practicable after being appointed as Public Officer, lodge notice with the Association of the Public Officer's address.

### **26.6 Duties of Public Officer**

The duties of the Public Officer are those described in the Act and the Regulations.

## **27 THE TREASURER**

### **27.1 Appointment of Treasurer**

The Treasurer shall be appointed at the AGM. The Treasurer may also be appointed as the Secretary, Public Officer or both.

### **27.2 Temporary Treasurer**

The Committee of Management may appoint a temporary substitute for the Treasurer who shall for the purposes of these Rules be deemed to be the Treasurer.

### **27.3 Termination of Treasurer's Appointment**

The Committee of Management may terminate the appointment of the Treasurer at any time.

### **27.4 Resignation of Treasurer**

The Treasurer may resign by notice in writing delivered to the Chairperson and shall cease to be the Treasurer upon receipt by the Chairperson of that notice.

### **27.5 Person Ceasing to be Treasurer**

A person shall cease to be the Treasurer if the person:

- (a) dies;
- (b) becomes bankrupt or makes any arrangement or composition with the Treasurer's creditors generally;
- (c) becomes of unsound mind or a person whose person or estate is liable to be dealt with in any way under the law relating to mental health;
- (d) is removed pursuant to the provisions of Rule 27.3; or
- (e) resigns pursuant to the provisions of Rule 27.4.

The Committee of Management shall appoint a person to fill that vacancy.

### **27.6 Address of Treasurer**

The Treasurer shall, as soon as practicable after being appointed as Treasurer, lodge notice with the CCC of the Treasurer's address.

### **27.7 Duties of Treasurer**

It is the duty of the Treasurer to ensure that:

- (a) all money due to the CCC is collected and received and that all payments authorised by the CCC are made; and
- (b) correct books and accounts are kept showing the financial affairs of the CCC including full details of all receipts and expenditure connected with the activities of the CCC.

## **28 COMMON SEAL**

### **28.1 Custody of Seal**

The common seal of the Association shall be kept in the Custody of the Secretary. The CCC letterhead and CCC Logo shall be regarded as the Common Seal





## **28.2 Use of Seal**

The common seal shall not be affixed to any instrument except by the authority of the Committee and the affixing of the common seal shall be attested by the signatures of either 2 members of the Committee or one member of the Committee together with either the Secretary.

## **29 INSURANCE**

### **29.1 Insurance Required by Act**

In respect to the insurance required to be maintained by the CCC pursuant to Section 44 of the Act, it shall be a function of the Committee to ascertain whether or not the CCC is covered by a policy held by the New South Wales Cricket Association every year and, if not so covered, to effect such insurance forthwith and ensure that the CCC maintains such insurance either on its own account or by a policy held by the New South Wales Cricket Association.

### **29.2 Other Insurance**

In addition to the insurance required under Rule 28.1 the Committee may effect and maintain such other insurance as it deems necessary either on its own account or through policies held by the New South Wales Cricket Association.

## **30 FUNDS**

### **30.1 Source of Funds**

The funds of the CCC shall be derived from the activities of the Association.

### **30.2 Funds to be Deposited**

All money received by the CCC shall be deposited within 14 days and without deduction to the credit of the CCC's bank account.

### **30.3 Issue of Receipts**

The CCC shall, as soon as practicable after receiving any money, issue an appropriate receipt.

### **30.4 Use of Funds**

The funds of the CCC shall be used solely in pursuance of the objects of the Association.

### **30.5 Signing of Cheques**

All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by:

- (a) any 2 Committee Members; or
- (b) any Committee Member and the Secretary.

### **30.6 Electronic Banking**

Electronic Banking is the preferred method of conducting the financial business of the CCC. All payment, drafts, bills of exchange, promissory notes and other negotiable instruments shall be authorised by

- (a) any 2 Committee Members



## **31 ACCOUNTS**

### **3.1 Treasurer to Maintain Accounts**

The Treasurer shall maintain proper books of account in which shall be recorded all the financial transactions of the CCC.

### **31.2 Annual Statement**

At the end of each financial year the Treasurer shall prepare all such statements as are required to be presented to the annual general meeting in accordance with the provisions of Section 26(6) of the Act and shall present such statements together with the report of the Auditors thereon to the annual general meeting.

### **31.3 Financial Year of Association**

The financial year of the Association shall end on 30 June in each and every year.

## **32 BOOKS OF ASSOCIATION**

### **32.1 Custody of Books**

Except as otherwise provided by these Rules, the Secretary shall keep in the Secretary's custody or under the Secretary's control all records, books and other documents relating to the CCC.

### **32.2 Inspection of Books**

The records, books and other documents of the CCC shall be open to inspection by a Member between the hours of 9 am and 5 pm on any business day, free of charge. 7 days notice will be required.

## **33 NOTICE**

### **33.1 Notice to Members**

Any notice required by law or under these Rules to be given to any Member shall be given by delivering the notice personally to such Member or by sending it by post, email or facsimile to the Member at the Member's registered address.

### **33.2 Notice to Secretary or Committee Member**

Any notice required by law or under these Rules to be given to the Secretary or a Committee Member shall be given by delivering the notice personally to the recipient or by sending it by post, email or facsimile to the recipient at the Office.

### **33.3 Notice to Affiliates and Bodies Entitled to Elect or be represented by Delegate Members**

Any notice required by law or under these Rules to be given to an Affiliate or the Secretary of an Affiliate or any club, association or body entitled to elect or be represented by a Delegate Member or Delegate Members shall be given by delivering the notice personally to such Secretary or by sending it by post, email or facsimile to such Secretary at the Secretary's last known address or the last known address of the relevant Affiliate, club, association or body.



### **33.4 Notice to Other Persons**

Any notice required by law or under these Rules to be given to any other person shall be given by delivering the notice personally to such person or by sending it by post, email or facsimile to such person at the person's last known address.

### **33.5 Service by Post**

Where a notice is sent by post, service of the notice shall be deemed to be effected by properly addressing, prepaying and posting a letter containing the notice and to have been effected 2 days after the date of its posting.

### **33.6 Service by Facsimile**

Where a notice is sent by facsimile, service of the notice shall be deemed to be effected if the sender's facsimile machine produces a transmission confirmation report indicating that the facsimile was sent to the recipient's facsimile and to have been effected at the time indicated on that report.

### **33.7 Service by Electronic Mail**

Where a notice is sent by electronic mail, service of the notice shall be deemed to be effected if the sender DOES NOT receive a "message undelivered" or "message undeliverable" message in respect of the electronic mail sent.

### **33.8 Notice of General Meeting**

(a) Notice of every general meeting shall be given in any manner authorised by these Rules to:

- (i) every Member entitled to a vote; and
- (ii) the auditor or auditors for the time being of the Association.

(b) No other person shall be entitled to receive notice of general meetings.

### **33.9 Signature to Notice**

The signature to any notice to be given by the CCC may be written or printed or stamped.

## **34 SURPLUS PROPERTY**

In the event of the winding up or cancellation of the incorporation of the CCC, the Members shall be deemed, by virtue of this Rule, to have passed a special resolution pursuant to Section 65 of the Act resolving to distribute the surplus property of the CCC to the New South Wales Cricket Association.

## **35 INDEMNITY**

### **35.1 Indemnity**

Every Member, Auditor, Secretary, Treasurer and Committee Member for the time being of the CCC shall be indemnified out of the assets of the CCC against any liability arising out of the execution of the duties of that person's office which is incurred by that person in defending any proceedings whether civil or criminal in which judgment is given in that person's favour or in which that person is acquitted. The amount for which such indemnity is provided shall immediately attach as a lien on the property of the CCC and have priority over all other claims of Members.

### **35.2 Limitation of Liability**

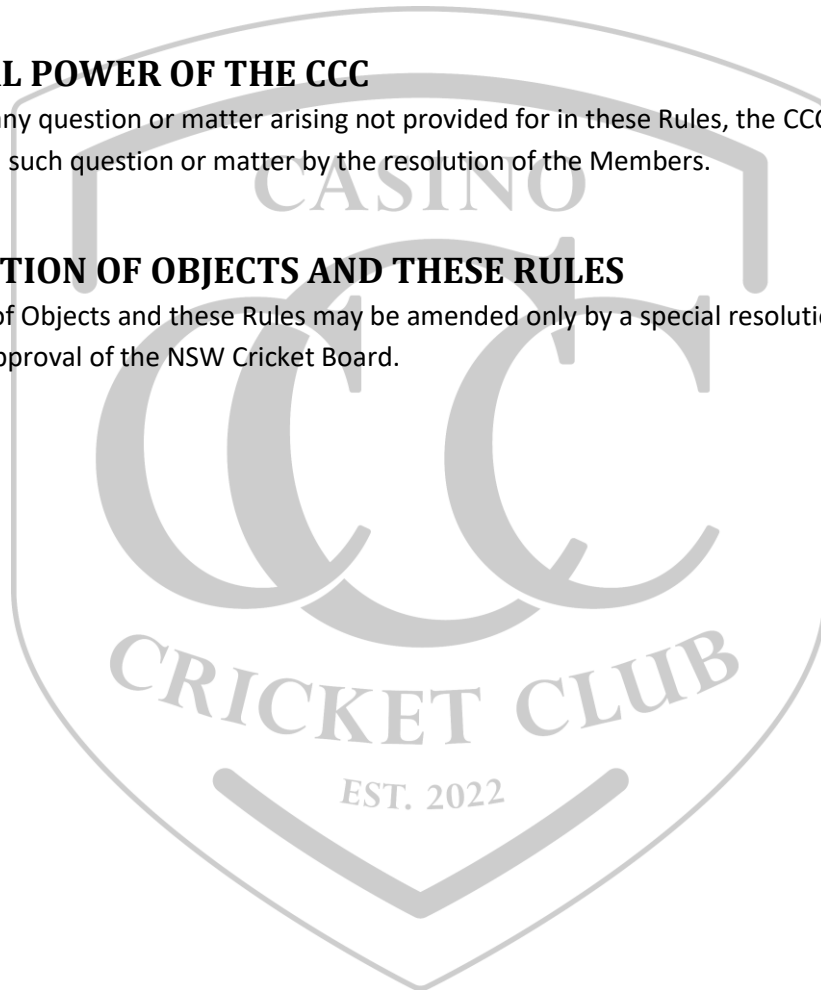
No Member, Secretary, Treasurer or Committee Member shall be liable for any negligence, default or other act of any other Member, Secretary, Treasurer or Committee Member which results in any loss or expense happening to the CCC through the insufficiency or deficiency of the title to any property acquired by a decision of the CCC or the Committee for and on behalf of the CCC, or for the insufficiency or deficiency of any securities in or upon which any monies of the CCC shall be invested, or for any loss or damage arising from bankruptcy, insolvency or tortious acts of any person with whom any monies, securities or effects shall be deposited, or for any loss, damage or misfortune whatever which shall happen in the execution of that person's duties or in relation thereto, unless the same happen or occur through that person's own wilful act of default or negligence on that person's part.

### **36 GENERAL POWER OF THE CCC**

In the event of any question or matter arising not provided for in these Rules, the CCC shall have power to decide such question or matter by the resolution of the Members.

### **37 ALTERATION OF OBJECTS AND THESE RULES**

The Statement of Objects and these Rules may be amended only by a special resolution of the CCC with the prior approval of the NSW Cricket Board.



## APPENDIX A – Proxy for Committee Meeting Form of Instrument

I .....(full  
name of Committee Member)

of .....  
(address of Committee Member)

being a Member of Casino Cricket Club Incorporated appoint

.....  
(full name of proxy)

of .....  
(address of proxy)

as my proxy to vote for me and on my behalf at the meeting of the Committee to be held on the  
..... day of ..... and at any adjournment of that meeting.

My proxy is authorised to vote:

- in favour of the following resolution
- against the following resolution (delete one)

.....  
(copy of resolution)

Except as stated above, my proxy may vote in respect of any resolution as he or she thinks fit.

Dated this ..... day of .....

Signed by .....

(signature of Member)

## APPENDIX B – Proxy for General Meeting Form of Instrument

I .....  
(full name of Member)

of .....  
(address of Member)

being a Member of Casino Cricket Club Incorporated appoint

.....  
(full name of proxy)

of .....  
(address of proxy)

as my proxy to vote for me and on my behalf at the general meeting of the Association to be held on the ..... day of ..... and at any adjournment of that meeting.

My proxy is authorised to vote:

- in favour of the following resolution
- against the following resolution (delete one) }

.....  
.....  
(copy of resolution)

Except as stated above, my proxy may vote in respect of any resolution as he or she thinks fit.

Dated this ..... day of .....

Signed by .....

(signature of Member)

