Bangor Barden Ridge Cricket Club (BBRCC) Constitution

PREAMBLE

The Bangor Barden Ridge Cricket Club (BBRCC) Constitution has been developed based on the NSW Office of Sport's Model Sport Club Constitution (October 2024). The document has been adapted to reflect the specific needs and context of BBRCC while ensuring compliance with the Associations Incorporation Act 2009 (NSW) and alignment with contemporary governance standards for sporting clubs. The Club is formally affiliated with Cricket NSW and is committed to upholding the policies, rules, and standards set by Cricket NSW and its governing bodies. This approach ensures that the Club's governance framework is robust, transparent, and consistent with best practice in the sector.

TABLE OF CONTENTS

PART I – CLUB

1. Name
2. Definitions and Interpretations
3. Objects of the Club

PART II – MEMBERSHIP

4. Membership
5. Membership Application and Renewal
6. Membership Register
7. Subscriptions and Fees
8. Members' Liability
9. Discontinuance of Membership

PART III – COMMITTEE

10. Functions of the Committee
11. Composition of the Committee
12. Election of Committee Members
13. Delegations and Subcommittees
14. Conflict of Interest Policy

PART IV – MEETINGS

15. Club Committee Meetings
16. Annual General Meetings (AGM)
17. Special General Meetings (SGM)
18. Voting

PART V – DISCIPLINE AND GRIEVANCE RESOLUTION

19. Disciplinary Procedures
20. Right to Appeal
21. Grievance Procedure

PART VI – CLUB FINANCES

22. Financial Management
23. Income and Property

PART VII – ADMINISTRATION

24. Alteration of the Constitution
25. Digital Communications and Notices
26. Indemnity
27. Winding Up
28. Regulations
29. Status and Compliance of Club

Adopted: 10/06/2025

PART I – CLUB

1. NAME

1.1 The Club shall be known as "Bangor Barden Ridge Cricket Club Incorporated" (Club).

2. DEFINITIONS AND INTERPRETATIONS

2.1 In this Constitution, unless the contrary intention appears:

- **Act** means the *Associations Incorporation Act 2009* (NSW).
- **Committee** means the managing body consisting of elected and appointed officers.
- **Constitution** means this Constitution of the Club.
- **Club** means Bangor Barden Ridge Cricket Club Incorporated.
- **Financial Year** means each period of 12 months after the expiration of the previous financial year, commencing on 1 April and ending on the following 31 March.
- **General Meeting** means any Annual General Meeting (AGM) or Special General Meeting (SGM) of members.
- **Individual Member** means a registered, financial Club member aged 18 or above.
- **Junior Member** means a registered Club member under 18 years of age.
- **Life Member** is an honorary title bestowed upon individuals for distinguished service.
- **Member** includes Life Members, Individual Members, and Junior Members.
- **Objects** means the Objects of the Club in clause 3.
- **Public Officer** means a person appointed to be the public officer in accordance with the Act.
- **Register** means a register of Members kept and maintained in accordance with clause 6.
- **Regulations** means any rules, by-laws or regulations made by the Committee in accordance with clause 28.
- **Special Resolution** requires a two-thirds majority vote as defined by the Act.

3. OBJECTS OF THE CLUB

3.1 The Club is established to advance the game of cricket within the local community and beyond by:

3.1.1 Promoting and facilitating active participation in cricket for players of all ages, genders, and abilities, ensuring opportunities are inclusive and equitable.

3.1.2 Creating pathways for player development, coaching excellence, and competitive success from grassroots to advanced levels.

3.1.3 Encouraging community involvement and fostering relationships with local families, schools, and community groups to strengthen community ties and support.

3.1.4 Upholding and promoting the highest standards of sportsmanship, fair play, and respect among members, officials, supporters, and opponents.

3.1.5 Providing, developing, and maintaining suitable facilities, resources, and equipment necessary for playing, training, and administrating cricket effectively.

3.1.6 Maintaining strong affiliations and collaborations with Cricket NSW, Cricket Australia, and relevant regional and state cricket organisations, ensuring adherence to standards, rules, and policies.

3.1.7 Promoting personal growth and leadership among members through sport, focusing on resilience, teamwork, and community spirit.

3.1.8 Organising cricket competitions, events, and social activities to build camaraderie, enjoyment, and lifelong connections among members and the broader community.

3.1.9 Adopting and enforcing appropriate governance practices and administrative efficiency to sustain club growth and operational success.

Adopted: 10/06/2025

PART II – MEMBERSHIP

4. MEMBERSHIP

4.1 Membership of the Club is classified into three distinct categories:

4.1.1 Life Members: Honorary membership awarded to individuals who have rendered outstanding and distinguished service to the Club. Life Members enjoy full membership privileges, including voting rights, and are exempt from paying annual fees.

4.1.2 Individual Members: Financially registered members who are at least 18 years old. Individual Members hold full voting rights and are entitled to participate fully in Club activities, meetings, and decision-making processes upon successful application and payment of the annual membership fees.

4.1.3 Junior Members: Registered members under 18 years of age. Junior Members do not hold voting rights but are encouraged to actively participate in all cricketing activities and Club events designed for their age group. Junior Members' membership requires parental or guardian consent and is subject to annual renewal and payment of a fee.

5. MEMBERSHIP APPLICATION AND RENEWAL

5.1 All individuals seeking to join the Club must submit a written application on the official form provided by the Club. The application must include the applicant's full name, contact details, date of birth (if under 18), and any other relevant information as determined by the Committee. Each application must be accompanied by the appropriate membership fee, as determined annually by the Committee.

5.2 The Committee reserves the right to accept or reject any application for membership. Approval is at the sole discretion of the Committee, and no explanation shall be required in the event of a rejection. Successful applicants will be recorded on the official Register and receive confirmation of their membership.

5.3 All memberships, except for Life Memberships, are valid for one financial year and must be renewed annually. To renew, you must submit any updated information and pay the annual membership fee by the date stipulated by the Committee.

5.4 Members acknowledge and agree that:

5.4.1 This Constitution forms a contract between each of them and the Club and that they are bound by this Constitution, any Club Code of Conduct and the Regulations.

Adopted: 10/06/2025

5.4.2 they shall comply with and observe this Constitution, any Club Code of Conduct and the Regulations and any determination, resolution or policy which may be made or passed by the Committee;

5.4.3 By submitting to this Constitution, any Club Code of Conduct and the Regulations, they are subject to the jurisdiction of the Club, Cricket Australia, and Cricket NSW.

5.4.4 Neither membership of the Club or this Constitution gives rise to any proprietary right of Members into, to or over the Club or its property or assets.

5.5 Membership renewal is not automatic. All renewing members must continue to meet the eligibility criteria, adhere to the Constitution and any Club code of conduct, and uphold the Club's values. The Committee may deny renewal if a member has previously breached Club rules or acted in a manner detrimental to the club's interests.

5.6 Members who fail to renew by the designated deadline may be deemed to have discontinued their membership and forfeit any associated rights or privileges until they complete the reapplication and payment.

6. MEMBERSHIP REGISTER

6.1 The Secretary shall maintain an up-to-date and confidential Register of Members in accordance with the requirements of the Act. The Register may be kept in written or electronic form and must include:

a) The full name of each Member;
b) The residential or postal address of each Member;
c) The email address or other contact details of each Member as provided;
d) The category of membership to which the Member belongs (Life, Individual, or Junior);
e) The date on which each Member's membership commenced;
f) The date of cessation of membership, where applicable; and
g) Any other information as determined by the Committee to be necessary for the proper management of the Club.

6.2 Members must notify the Secretary of any changes to their contact information or personal details within 14 days of such change.

Adopted: 10/06/2025

6.3 The Register is confidential and used solely for Club purposes. Access to it is limited to Committee members and other authorised persons as determined by the Committee.

6.4 In accordance with the Act, a Member may inspect the Register of Members upon written request. The Committee may refuse access to any part of the Register that contains sensitive or confidential information, including personal addresses or contact details, unless required by law. If access is granted, the inspection shall take place under supervision at a time and place deemed reasonable by the Committee.

6.5 Information about a member, other than the member's name, must not be made available for inspection if the member requests that the information not be made available.

7. SUBSCRIPTIONS AND FEES

7.1 The Committee shall annually determine the amount of membership subscriptions and any other fees payable by Members for participation in the activities of the Club. These may include, but are not limited to:

a) Annual membership fees for Individual and Junior Members;
b) Team or registration levies for competition participation;
c) Uniform or apparel charges;
d) Fees for events, coaching programs, or development clinics.

7.2 The Committee will set payment due dates and advise all Members through appropriate communication channels. All fees must be paid in full by the specified dates.

7.3 Failure to pay required fees by the due date, without prior arrangement or exemption approved by the Committee, may result in the Member being deemed unfinancial. Unfinancial Members:

a) Forfeit their voting rights;
b) May be excluded from training, matches, or other Club activities;
c) May be ineligible for selection in teams or participation in programs; Will be issued a final notice before their membership privileges are suspended.

7.4 Reinstatement of membership rights and participation may only occur upon full payment of all outstanding fees and any applicable late charges, subject to approval by the Committee.

Adopted: 10/06/2025

8. MEMBERS' LIABILITY

8.1 In accordance with the Act, the liability of a Member of the Club to contribute towards the payment of debts and liabilities of the Club, or the costs, charges, and expenses of the winding up of the Club, is limited to the amount of any unpaid membership fees or levies owing by that Member.

8.2 No Member shall be personally liable for any debt or obligation incurred by the Club in the conduct of its affairs, except as expressly provided by this Constitution. This provision applies to all categories of membership, including Life, Individual, and Junior Members.

8.3 The Club shall ensure that its financial dealings protect its members' limited liability status. It will only enter into agreements or commitments that do not impose additional financial liability on individual Members beyond their unpaid dues.

9. DISCONTINUANCE OF MEMBERSHIP

9.1 Membership with the Club may be discontinued under the following circumstances:

> **9.1.1 Resignation:** A Member may resign from the Club by submitting a written notice of resignation to the Secretary. A minimum notice period of two weeks is required. Upon receipt of the resignation, the Secretary shall update the Membership Register accordingly.
>
> **9.1.2 Non-Payment of Fees:** Any Member who fails to pay the annual subscription or other fees by the due date without prior arrangement or exemption approved by the Committee may be deemed to have discontinued their membership. A final notice will be issued, and if payment is not received within 14 days, membership will be considered lapsed.
>
> **9.1.3 Breach of Club Rules or Code of Conduct:** A Member found to be in serious breach of the Constitution, Club rules, or any Club code of conduct may have their membership discontinued following disciplinary procedures outlined in this document.
>
> **9.1.4 Deceased Members:** Membership automatically ceases upon a Member's death, and the Register of Members is updated accordingly.

9.2 Upon discontinuance, the Member forfeits all rights, privileges, and claims to the Club, including access to facilities and participation in Club activities. All Club property must be returned, and no refund of membership fees will be granted unless approved by the Committee in exceptional circumstances.

Adopted: 10/06/2025

PART III – COMMITTEE

10. FUNCTIONS OF THE COMMITTEE

10.1 The Committee of the Club is responsible for the overall management and governance of the Club. Its functions include, but are not limited to:

10.1.1 Controlling and managing the affairs and property of the Club in accordance with the Constitution, the Act, and any resolutions passed by members at a General Meeting;

10.1.2 Determining and implementing the strategic direction, objectives, and operational plans of the Club;

10.1.3 Ensuring that all financial decisions are sound, responsible, and aligned with the Club's values, and overseeing the preparation and review of budgets, financial statements, and expenditure reports;

10.1.4 Establishing policies, rules, and procedures for the effective and safe operation of the Club, including Regulations, codes of conduct and guidelines for member behaviour;

10.1.5 Managing all aspects of membership, including applications, renewals, suspensions, and terminations, in line with the Constitution;

10.1.6 Maintaining strong relationships and compliance with governing cricket bodies such as Cricket NSW, Cricket Australia, and associated regional organisations;

10.1.7 Creating, amending, and enforcing Regulations, as necessary, to support the objectives and values of the Club;

10.1.8 Forming subcommittees and delegating responsibilities where appropriate to ensure the efficient operation of various Club functions;

10.1.9 Ensuring that all Club activities are conducted in a safe, inclusive, and respectful environment;

10.1.11 Overseeing the conduct of disciplinary procedures, grievance resolution processes, and upholding Club standards;

10.1.12 Representing the Club in external matters, including sponsorship, local community engagement, and regional cricket administration.

Adopted: 10/06/2025

10.2 The Committee acts in good faith and in the best interests of the Club and its members, and is collectively accountable to the membership.

11. COMPOSITION OF THE COMMITTEE

11.1 The Committee of the Club shall consist of both Executive and General Committee Members. Together, these individuals are responsible for the administration and strategic oversight of the Club. The composition shall be as follows:

11.1.1 Executive Committee, consists of:

- President
- Vice President
- Secretary (Public officer)
- Treasurer

11.1.2 General Committee, consists of:

- Registrar
- Club Coach
- Seniors Delegate
- Female Delegate
- Pathways Delegate
- Equipment/Gear Steward
- Sponsorship/Fundraising Coordinator
- Events Coordinator
- Communications Officer
- General Committee
- Club Patron
- Assistant delegates/officer (as committee see fit)

11.2 The Executive Committee is responsible for high-level decision-making and the day-to-day governance of the Club. In cases where a member of the Executive Committee is unavailable, the Vice-President shall act in their place unless otherwise determined by the Committee.

11.3 Additional roles may be created or appointed by the Committee from time to time as deemed necessary for the efficient functioning of the Club. Members may hold more than one position on the Committee, provided that no individual may hold more than one Executive position concurrently.

11.4 All Committee members are expected to uphold the Constitution, promote the values of the Club, and act in the best interests of its members.

Adopted: 10/06/2025

12. ELECTION OF COMMITTEE MEMBERS

12.1 Committee positions shall be filled by election at the Annual General Meeting (AGM). Nominations for Committee positions must:

12.1.1 Be made in writing using the official nomination form issued by the Club;

12.1.2 Be supported by the signatures of two current Individual Members of the Club, excluding the nominee;

12.1.3 Include the written consent of the nominee to accept the nominated position if elected;

12.1.4 Be submitted to the Secretary no later than one (1) day before the scheduled date of the AGM.

12.2 In the event that:

12.2.1 The number of nominations received equals the number of vacant positions; the nominees will be declared elected unopposed.

12.2.2 The number of nominations exceeds the number of positions; an election will be conducted by secret ballot at the AGM.

12.2.3 Insufficient nominations are received prior to the AGM to fill all vacancies, the chairperson, appointed in accordance with clause 16, shall call for nominations from the floor. Nominations from the floor must be endorsed by two Individual Members present and accepted verbally by the nominee.

12.3 If any vacancies remain after nominations from the floor, they will be considered casual vacancies and may be filled by the Committee at its discretion following the AGM.

12.4 All Committee members elected at the AGM shall hold office from the conclusion of the AGM until the conclusion of the next AGM. Committee members are eligible for re-election without limitation on the number of terms they may serve.

12.5 If nominations equal the number of available positions, those nominated shall be elected unopposed. If there are more nominations than available positions, a secret ballot will be conducted. If insufficient nominations are received, further nominations may be invited from the floor during the AGM. Elected committee members serve from the conclusion of the AGM at which they are elected until the next AGM, with eligibility for re-election unlimited.

Adopted: 10/06/2025

13. DELEGATIONS AND SUBCOMMITTEES

13.1 The Committee of the Club may, by resolution, establish subcommittees as required to support the efficient operation of the Club. These subcommittees may be permanent or temporary in nature and shall focus on specific areas such as events, coaching, fundraising, facilities, governance, or any other area deemed necessary by the Committee.

13.2 Each subcommittee shall operate under terms of reference approved by the Committee, including clear objectives, reporting obligations, and timelines. Subcommittees must:

> **13.2.1** Be composed of at least one Committee member and may include other Members of the Club;
>
> **13.2.2** Operate in accordance with the Club's Constitution, policies, and values;
>
> **13.2.3** Report regularly to the Committee on their activities, progress, and outcomes; and
>
> **13.2.4** Have no power to make decisions binding on the Club unless expressly delegated such authority by the Committee.

13.3 The Committee retains ultimate responsibility for all actions undertaken by its subcommittees. It may amend, suspend, or dissolve any subcommittee at its discretion, with or without notice, when it is considered in the best interests of the Club to do so.

13.4 Delegations of authority to individuals or subcommittees shall be made in writing, clearly stating the scope and duration of such delegation, and may be withdrawn at any time by resolution of the Committee.

14. CONFLICT OF INTEREST POLICY

14.1 All Committee members of the Club are required to act with integrity and in the best interests of the Club at all times. To maintain transparency and avoid bias or impropriety in decision-making, the following procedures apply:

> **14.1.1** Any Committee member who has a material personal interest in a matter being considered by the Committee must disclose the nature and extent of that interest as soon as practicable after the relevant facts have come to their knowledge.

Adopted: 10/06/2025

14.1.2 Disclosures must be made in writing to the Secretary and verbally at the relevant Committee or General Meeting. All such declarations shall be recorded in the official meeting minutes.

14.1.3 The member with the declared interest must abstain from participating in any discussions or decisions relating to the matter. They may remain present only with the committee's consent but may not vote.

14.1.4 If a member is uncertain as to whether a conflict exists, they should disclose the situation to the Committee for guidance.

14.1.5 The Committee may require a member to leave the meeting entirely during the deliberation of the conflicted matter.

14.1.6 A Register of Declared Conflicts shall be maintained by the Secretary for internal governance purposes.

14.2 This policy ensures that all Committee decisions are made fairly, objectively, and in the best interests of the Club and its members.

PART IV – MEETINGS

15. CLUB COMMITTEE MEETINGS

15.1 The Club shall hold a minimum of seven Club Committee meetings each financial year, excluding the Annual General Meeting (AGM) and any Special General Meeting (SGM).

15.2 The Secretary is responsible for issuing formal notice of each meeting, which must:

a) Be provided in writing (including via email or other approved digital means);
b) Be delivered to all Committee Members and any other relevant participants;
c) Be issued no less than forty-eight (48) hours prior to the scheduled meeting time; and
d) Include details of the meeting agenda, location or virtual link, and time of commencement.

15.3 The Committee may call additional Club Committee meetings at its discretion to address urgent or time-sensitive matters. All members are encouraged to attend and

contribute where appropriate, with voting rights restricted to eligible financial members.

15.4 Meetings may be held:

a) Physically, at a designated venue;
b) Virtually, using appropriate video conferencing platforms; or
c) In hybrid form, allowing both in-person and online participation.

15.5 The technology used must enable full participation, including the ability to hear, speak, ask questions, and cast votes.

15.6 A quorum shall consist of no fewer than five (5) members eligible to vote. If a quorum is not reached within 30 minutes of the scheduled meeting time, the meeting may proceed for discussion only; however, it cannot pass binding resolutions.

15.7 The President shall preside over Club Committee Meetings. In the President's absence, the Vice-President shall act as chair. If neither is available, the Committee shall appoint a chair from among the attending Committee Members.

15.8 The agenda of Club Committee Meetings shall typically include:

a) Apologies;
b) Confirmation of previous minutes;
c) Correspondence in and out;
d) Reports from key officers and subcommittees;
e) Financial updates;
f) General business;
g) Notice of the next meeting.

15.9 All financial Members are welcome to attend Club Committee Meetings. While only eligible Members may vote, input and discussion from other attendees are encouraged, subject to the chair's discretion.

15.10 Minutes shall be taken for all meetings and made available to the Committee and Members upon request, following approval at the next scheduled meeting.

16. ANNUAL GENERAL MEETINGS (AGM)

16.1 The Club shall hold an Annual General Meeting (AGM) each year within sixty (60) days of the conclusion of the Club's financial year, unless otherwise extended under exceptional circumstances and approved by the Committee.

16.2 Written notice of the AGM shall be provided to all Members no less than fourteen (14) days in advance. Such notice shall include:

a) The time, date, and location (or online platform) of the meeting;
b) The proposed agenda;
c) Details of any proposed constitutional amendments;
d) Nominations received for Committee positions.

16.3 A quorum for the AGM shall consist of no fewer than seven (7) Individual Members eligible to vote. If a quorum is not present within 30 minutes of the scheduled start time, the meeting shall be rescheduled within a reasonable period.

16.4 The President shall preside as chair of the AGM. In the President's absence, the Vice-President shall act as Chair. If neither is present, the Committee shall appoint another Committee Member to chair the meeting.

16.5 The agenda for the AGM shall typically include:

a) Apologies;
b) Confirmation of minutes from the previous AGM;
c) President's Report;
d) Secretary's Report;
e) Treasurer's Report including financial statements;
f) Auditor's Report (if applicable);
g) Election of Returning Officer;
h) Election of Committee Members;
i) Determination of membership fees for the upcoming year;
j) Motions for proposed changes to the Constitution;
k) General Business.

16.6 Committee Members shall be elected in accordance with Section 12 of this Constitution. Any proposed amendments to the Constitution must be passed by a Special Resolution of two-thirds of those present and eligible to vote.

16.7 Minutes of the AGM shall be taken, endorsed by the chair, and confirmed at the following AGM. A copy of the minutes shall be made available to Members upon request.

17. SPECIAL GENERAL MEETINGS (SGM)

17.1 Special General Meetings (SGM's) of the Club may be convened at any time to address urgent or significant matters that require the input of the membership.

17.2 An SGM may be called:

a) By resolution of the Committee; or
b) Upon receiving a written request signed by no fewer than ten (10) Individual Members of the Club (Member Requisition).

Adopted: 10/06/2025

17.3 A Member Requisition must:

a) State clearly the reason for the meeting and the proposed motions to be discussed;
b) Be signed by the required number of eligible Members;
c) Be submitted in writing to the Club Secretary; and
d) Be submitted electronically or in hard copy form.

17.4 The Secretary must issue written notice to all Members of a Special General Meeting:

a) If a matter to be determined at the meeting requires a Special Resolution - at least 21 days before the meeting, or
b) otherwise - at least 14 days before the meeting.

17.5 The notice must include:

a) The date, time, and location (or virtual platform) of the meeting;
b) The agenda for the meeting; and
c) The motions to be considered. If a matter to be determined at the meeting requires a Special Resolution - that a Special Resolution will be proposed.

17.6 No business other than that specified in the notice shall be transacted at an SGM. Motions must relate to the meeting's stated purpose.

17.7 A quorum for an SGM shall be the same as that required for the AGM – a minimum of seven (7) Individual Members eligible to vote unless a .

17.8 The meeting shall be chaired by the President, or in their absence, the Vice-President. If neither is present, a chair shall be appointed from among the Committee Members present.

17.9 All decisions at the SGM shall be determined by a majority vote of Members present and eligible to vote, unless a Special Resolution is required.

18. VOTING

18.1 Voting rights are restricted to eligible members and conducted via a show of hands or electronic methods. Proxy voting is not permitted.

Adopted: 10/06/2025

PART V – DISCIPLINE AND GRIEVANCE RESOLUTION

19. DISCIPLINARY PROCEDURES

19.1 The Committee is responsible for addressing breaches of the Club's constitution, policies, or expected standards of behaviour. Upon receiving a complaint or identifying a breach, the Committee shall:

a) Provide written notification to the member involved, outlining the nature of the alleged breach and the potential consequences.
b) Allow the member a minimum period of seven days to submit a written response or request a hearing.
c) Conduct a fair and impartial hearing if requested, providing the member with an opportunity to present their case.
d) Consider all evidence and responses thoroughly before making a decision.

19.2 Penalties imposed by the Committee may include, but are not limited to, verbal or written warnings, suspension for a specified period, or permanent expulsion from the Club. Decisions shall be communicated in writing to the affected member and must detail the reasons for the disciplinary action taken. All disciplinary decisions are subject to the appeals process outlined in clause 20 of the Constitution.

20. RIGHT TO APPEAL

20.1 Members subject to disciplinary action by the Committee have the right to appeal the decision through a formal process established by the Club. The following procedures apply:

a) A Member must lodge a written notice of appeal with the Secretary within seven (7) days of receiving written notification of the Committee's decision. The appeal must specify the grounds for appeal and include any supporting documentation.
b) Upon receipt of the appeal, the Committee shall appoint an independent Appeals Panel comprising three (3) individuals who were not involved in the original decision. These individuals may include Committee Members without a conflict of interest or external persons deemed suitable by the Committee.
c) The Appeals Panel shall schedule a hearing within twenty-one (21) days of receiving the appeal. The Member shall be invited to attend the hearing, either in person or via videoconference, and may be accompanied by a support person.

Adopted: 10/06/2025

d) Before making a determination, The Panel shall review all available documentation, hear the Member's representations, and consider any other relevant material.
e) The Appeals Panel shall decide to uphold, vary, or overturn the original decision. This decision shall be final and binding.
f) The outcome of the appeal shall be communicated in writing to the Member within seven (7) days of the decision being made.

21. GRIEVANCE PROCEDURE

21.1 Any Member of the Club who has a grievance relating to the administration, conduct, or decisions of the Club or its Committee is encouraged to seek resolution through the following process:

a) The grievance must be submitted in writing to the Secretary and clearly outline its nature, the parties involved, and any relevant supporting details or documentation.
b) Upon receipt, the Secretary shall acknowledge the grievance and refer it to the Committee for review and resolution within fourteen (14) days.
c) The Committee shall ensure that the matter is dealt with fairly, confidentially, and in a timely manner. The Member lodging the grievance shall be given an opportunity to present their case, either in writing or in person at a designated meeting.
d) If the matter cannot be resolved to the satisfaction of the parties through informal or internal processes, the Committee may refer the grievance to an independent mediator, agreed upon by all parties.
e) Mediation shall occur at a mutually convenient time and location and shall be conducted in accordance with recognised principles of procedural fairness. The goal is to achieve a resolution acceptable to all parties.
f) If mediation is unsuccessful or if the grievance remains unresolved, the matter may be escalated to an external authority as deemed appropriate by the Committee, in accordance with the Act or relevant governing bodies.

Adopted: 10/06/2025

PART VI – CLUB FINANCES

22. FINANCIAL MANAGEMENT

22.1 The Club is committed to the transparent and accountable management of its financial resources. To ensure strong financial governance, the Club shall adhere to the following practices:

a) The Treasurer, under the committee's direction, is responsible for preparing and maintaining accurate records of income, expenditures, assets, and liabilities.
b) A bank account shall be maintained in the name of the Club. All monies received shall be deposited promptly, and all payments shall be made through authorised Club accounts with the approval of at least two (2) authorised signatories.
c) Financial reports shall be presented at each Committee meeting and at the AGM, including an annual statement of accounts.
d) The Club shall comply with all financial reporting obligations required by NSW Fair Trading or other applicable regulatory bodies.
e) The Committee shall ensure prudent financial management, ensuring that all Club funds are used solely to advance its objects and not for personal benefit.

23. INCOME AND PROPERTY

23.1 The income and property of the Club shall be applied solely towards the promotion of the objects of the Club as set out in this Constitution. No portion of the income or property shall be paid, transferred, or distributed, directly or indirectly, to any Member of the Club except as bona fide compensation for services rendered or expenses incurred on behalf of the Club.

23.1.1 The Club may reimburse a Member or Committee Member for expenses legitimately incurred while acting in an official Club capacity, provided the Executive Committee has approved such reimbursement.

23.1.2 In good faith, payments may be made to Club employees or contractors or to Members in return for services actually rendered to the Club, subject to approval by the Committee and consistent with any applicable financial policies.

23.1.3 All payments must be supported by appropriate documentation and made in accordance with the financial controls outlined in this Constitution.

Adopted: 10/06/2025

23.2 The Club shall ensure that its operations remain non-profit in nature, ensuring that such operations do not provide a pecuniary gain for any member of the association, and consistent with its obligations as an incorporated association under the Act.

24. ALTERATION OF CONSTITUTION

24.1 Constitutional amendments require approval by a Special Resolution, which must be passed by at least two-thirds of Members present and eligible to vote at a duly convened Special General Meeting of the Club.

24.2 All members must receive a minimum of twenty-one (21) days' written notice specifying the proposed amendment(s) and the reasons for the changes. The notice must include the exact wording of the proposed amendments and may be distributed via email, digital communication platforms, or postal mail.

24.3 No alteration to the Constitution shall be valid unless it is consistent with the Objects of the Club and complies with the requirements of the Act. All approved changes shall take effect immediately unless otherwise specified in the resolution.

25. DIGITAL COMMUNICATIONS AND NOTICES

25.1 The Club explicitly permits official communications and voting via electronic methods.

> **25.1.1** As approved by the committee, electronic notices of meetings, document distribution, voting procedures, and other official communications may be sent to Members.
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> **25.1.2** Members are required to provide a valid and regularly monitored email address or preferred digital contact method. It is the member's responsibility to keep their contact details up to date.
>
> **25.1.3** The Committee shall take reasonable steps to ensure that the digital communication platforms used are accessible, reliable, and secure and that personal information is protected in accordance with relevant privacy standards.
>
> **25.1.4** Members who do not have access to email or digital systems may request to receive notices and communications via alternative means, such as postal mail, where practical and approved by the Committee.

Adopted: 10/06/2025

25.1.5 Participation in meetings and voting via digital methods shall be deemed valid and binding, provided procedures are followed as outlined in this Constitution.

25.2 For the purposes of this Constitution, a notice may be given to or served on a person:

a) by delivering the notice to the person personally, or
b) by sending the notice by pre-paid post to the address of the person, or
c) by sending the notice by electronic transmission to an address specified by the person for giving or serving the notice.

25.3 A notice is taken to have been given to or served on a person, unless the contrary is proved:

a) For a notice given or served personally - on the date on which the notice is received by the person, or
b) For a notice sent by pre-paid post - on the date on which the notice would have been delivered in the ordinary course of post, or
c) for a notice sent by electronic transmission:
    i) on the date the notice was sent, or,
    ii) if the machine from which the transmission was sent produces a report indicating the notice was sent on a later date—on the later date.

26. INDEMNITY

26.1 Committee members and officers of the Club shall be indemnified by the Club to the fullest extent permitted by law against any liability, loss, or legal cost incurred in the proper performance of their duties in good faith.

26.2 This indemnity covers:

a) Expenses incurred in defending any civil or criminal proceedings relating to the conduct of Club business, provided the officer acted in good faith and in the best interests of the Club;
b) Costs or damages awarded against the officer, excluding cases of gross negligence, dishonesty, fraud, or willful misconduct;
c) Legal costs arising from claims brought by third parties or members, where the officer has acted within the scope of their role and responsibilities.

26.3 The Committee may arrange and maintain appropriate insurance coverage for its officers and volunteers to support this indemnity.

Adopted: 10/06/2025

26.4 This clause is intended to provide protection and reassurance to those serving the Club in a voluntary capacity and shall be interpreted in accordance with the Act.

27. WINDING UP

27.1 The Club may only be wound up or dissolved by a Special Resolution passed at a duly convened Special General Meeting (SGM) or Annual General Meeting (AGM), with proper notice provided to all Members in accordance with this Constitution.

27.2 A Special Resolution requires the approval of at least two-thirds (2/3) of financial Members present and eligible to vote.

27.3 Upon the winding up or dissolution of the Club, any assets remaining after payment of all debts and liabilities shall not be distributed to Members but must be transferred to another incorporated non-profit organisation that:

a) Has similar objectives to the Club;
b) It is not carried on for the profit or gain of its members;
c) Is eligible to receive property and funds under section 41 of the Act.

27.4 The recipient organisation shall be determined by the Members at the meeting passing the Special Resolution. If no such determination is made, the matter shall be referred to the appropriate regulatory authority for resolution.

28. REGULATIONS

28.1 The Committee may formulate, issue, adopt, interpret and amend Regulations for the proper advancement, management and administration of the Club. The Regulations must be consistent with this Constitution.

28.2 All Regulations are binding on the Club and all Members.

28.3 All clauses, rules, by-laws and regulations of the Club in force at the date of approval of this Constitution (as long as such clauses, rules, by-laws or regulations are not inconsistent with or have been replaced by this Constitution) shall be deemed to be Regulations and shall continue to apply and be in operation.

28.4 Amendments, alterations, interpretation or other changes to Regulations shall be advised to Members by such means as are determined and approved by the Committee from time to time. The Club shall take reasonable steps to distribute such changes to Members. All changes are binding on all Members.

Adopted: 10/06/2025

29. STATUS AND COMPLIANCE OF CLUB

29.1 The Club is a member of Cricket NSW and Cricket Australia and is recognised by those bodies as the entity for the delivery of cricket in the local community in accordance with the Objects but subject always to compliance with this Constitution and the constitutions of Cricket NSW and Cricket Australia.

29.2 This Constitution will clearly reflect the objects of the bodies referred to in clause 29.1 and will generally conform to the constitution of those bodies, subject always to the Act.

29.3 The Club will not resign, disaffiliate or otherwise seek to withdraw from the bodies referred to in clause 29.1, subject always to the Act.

Adopted: 10/06/2025