

CONSTITUTION OF THE WESTON CREEK MOLONGLO CRICKET CLUB INCORPORATED

[ADOPTED AT ANNUAL GENERAL MEETING HELD ON 19 JULY 2017]

PRELIMINARY

Interpretation

1. 'special resolution' means a resolution of the voting members of the Club which is passed at a general or special meeting of the Club, being a meeting of which at least 21 days' notice, accompanied by notice of intention to propose the resolution as a special resolution, has been given to the voting members of the Club and which is passed by at least three quarters of those members who, being entitled to vote, vote in person at the meeting;

THE CLUB

Insignia

2. The name of this incorporated association is the *Weston Creek Molonglo Cricket Club Incorporated*.
3. The common seal of the Club shall be kept in safe custody by the Honorary Secretary of the Club, or such other person as the Management Committee appoints and shall not be used except in accordance with a decision of the Management Committee and in the presence of at least two members of the Management Committee.
4. The Colours of the Club shall be Bottle Green (Pantone 5511) and Australian Gold (Pantone 116C). Australian Green (Pantone 348C) may be substituted for Bottle Green where this colour is not usable.
5. For the purposes of section 57 of the Associations Incorporation Act the Honorary Secretary of the Club is the Public Officer of the Club.
6. For the purposes section 60 of the *Associations Incorporation Act*, the Management Committee is the committee of the Club.

Objects

7. The objects of the Club are:-
 - 7.1. to organise and to manage cricket teams, both senior and junior, for the purposes of competition;
 - 7.2. to provide, in relation to the game of cricket, recreational and social activities for the benefit of its members;
 - 7.3. to promote the game of cricket within the zone assigned to it by the ACTCA by:
 - 7.3.1. encouraging and developing cricket players; and
 - 7.3.2. generally advancing the game of cricket;
 - 7.4. to superintend and to prepare cricket grounds for which the ACTCA has given the Club responsibility;
 - 7.5. to assist the ACTCA in furthering its objects.

Powers

8. The Club has the power to do anything which is necessary or convenient to be done to achieve the objects of the Club.

MEMBERSHIP

Members

9. The members of the Club shall comprise:-
 - 9.1.1. Senior Player members,
 - 9.1.2. Junior Player members,
 - 9.1.3. Elected members,
 - 9.1.4. Associate members,
 - 9.1.5. Honorary Associate members and
 - 9.1.6. Honorary Life members.
10. The Senior Player members of the Club at any given time are those persons who are registered to play Mens Grade, Womens Grade or Veterans matches for the Club.
11. The Junior Player members of the Club at any given time are those persons who are registered to play Junior Grade for the Club.
12. The Elected members of the Club at any given time are those persons who are at that time officers of the Club, whether elected or appointed
13. The Associate members of the Club at any given time are those persons who, being registered as an Associate member, have paid the current annual Associate membership fee determined under this Constitution.
14. The Honorary Associate members of the Club at any given time are those persons on whom that status has been conferred under this Constitution.
15. The Honorary Life members of the Club, at any given time, are those persons, living at that time, upon whom life membership has been conferred by the Club under this or any previous Constitution of the Club.
16. Nothing in this part prevents a Junior Player member from being eligible to be selected in a Senior Grade competition.

Application for Membership and Registration

Senior players

17. A person may apply for membership as a Senior Player member by completing the approved registration form and giving it to the Registrar.
18. An applicant becomes a Senior Player member and is registered as a player when their application is recorded by the Registrar, unless at a meeting of the Management Committee held within the following 6 weeks the Committee decides to reject the application.
19. A Senior Player may not vote at meetings and may not be selected to play during any period when they are in arrears of payment of membership or playing fees.

Junior players

20. Persons who are not older than the maximum age prescribed by the ACTCA for selection in junior teams may apply for membership as a Junior Player member by completing the approved registration form and giving it to the officer designated by the Junior Cricket Committee for that purpose.

21. An applicant becomes a Junior Player member and is registered as a player when their application is recorded by the designated officer, unless at a meeting of the Junior Cricket Committee held within the following 6 weeks the Committee decides to reject the application.
22. No parent or guardian of a Junior Player may vote at meetings, and the Player may not be selected to play during any period when they are in arrears of payment of membership or playing fees.

Associate members

23. Persons who are not eligible for membership under any other category of membership may apply for membership as an Associate member by completing the approved application form and giving it to the Registrar.
24. An applicant becomes an Associate member when their application is recorded by the Registrar, unless at a meeting of the Management Committee held within the following 6 weeks the Committee decides to reject the application.

Life Members

25. The voting members of the Club, upon the recommendation of the Management Committee, may at any AGM or General Meeting confer life membership on any person provided that the resolution proposing such membership is approved by not less than two-thirds of the voting members present and voting.

Honorary Associate Members

26. The Management Committee may, on behalf of the Club, by unanimous resolution confer honorary associate membership on any person who has given voluntary and highly valued services to the Club.
27. An Honorary Associate Member is entitled to receive notice of, and to attend and to speak at, general meetings of the Club, but may not vote.

Voting Members

28. The voting members of the Club shall comprise:-
 - 28.1.1. Senior Player members,
 - 28.1.2. Elected members,
 - 28.1.3. Associate members, and
 - 28.1.4. Honorary Life members.
29. One parent or guardian of each Junior Player member shall be entitled to vote on matters relating to the conduct of junior cricket but not in respect of a matter proposed as a special resolution.

Cessation of Membership

30. A person ceases to be a member
 - 30.1.1. if a Playing member, on 1 October in a year if on that date more than 5 months have passed since the date on which they last became registered to play.
 - 30.1.2. if an Associate member, on 1 October in a year;
 - 30.1.3. if an Elected member, when they cease to be an officer of the Club.

Patrons

31. The Club may authorise the Management Committee to invite a person to be a Patron of the Club for such specified period as the Committee determines.

MEETINGS OF THE CLUB

Calling and Conducting Meetings of Voting Members of the Club

Annual General Meeting ("AGM")

32. The AGM must be held in July of each year on a date to be decided by the Management Committee and prior to the Annual General Meeting of the ACTCA.
33. At least twenty-one days' notice of the AGM shall be given in writing to each voting member.

Order of Business – AGM

34. The order of business at each AGM shall be:
- 34.1. Apologies;
 - 34.2. reading and confirmation of minutes of the previous AGM;
 - 34.3. and reading and confirmation of the minutes of any General or Special Meetings the minutes of which have not been confirmed previously;
 - 34.4. presentation of the Club's Financial Statements;
 - 34.5. elections required by this Constitution to be held at the AGM;
 - 34.6. notices of motion;
 - 34.7. questions;
 - 34.8. general business.

Special General Meetings

35. Special General Meetings of the Club may be convened:
- 35.1.1. by decision of the Management Committee;
 - 35.1.2. on the requisition to the Honorary Secretary signed by not fewer than ten voting members; or
 - 35.1.3. by direction of the President.
36. Voting members musty be given not less than 21 days' notice of the time, date, place and object of a special meeting.

Conduct of General Meetings

Chair

37. At each meeting of the Club (except during the election of office holders at the AGM), the President shall be chair; in the President's absence, the Vice-President shall chair; or if neither are present, a chair shall be elected from the voting members present.
38. For the election of office holders at the AGM, a chair shall be elected from the voting members present other than a person who is standing for election.

Chair's Vote

39. The chair has the right to vote on any question and where the voting is equal, the chair shall have a casting vote which must be exercised.

Mode of Voting

40. At all meetings of the Club:
- 40.1.1. all motions shall be resolved:

- 40.1.1.1.1. on the voices;
- 40.1.1.1.2. by a show of hands, or
- 40.1.1.1.3. if demanded by three members, secret ballot; and
- 40.1.1.1.4. members are not entitled to vote by proxy.

Voting Power

41. At any election, and in the case of all motions, each member present at the meeting who is entitled to vote has one vote. Unless present at a meeting, a member is not entitled to vote.

Notice of Motion

42. All notices of motion for consideration at a meeting of the Club must be delivered to the Honorary Secretary in writing.

Quorum

43. At a meeting of the Club, twenty persons present who are voting members shall, subject to paragraph 8 of this Schedule, constitute a quorum.
44. If within an hour after the appointed time for the commencement of the relevant meeting a quorum is not present, the meeting stands adjourned to a date, time and place to be fixed by the Management Committee except that, where the meeting is a Special Meeting convened on a requisition signed by not fewer than ten (10) voting members, the meeting shall be dissolved.

OFFICERS AND COMMITTEES

Officers

45. The following officers of the Club are to be elected annually at each AGM:-
- 45.1.1. the President,
 - 45.1.2. the Vice-President,
 - 45.1.3. the Honorary Secretary,
 - 45.1.4. the Honorary Treasurer,
 - 45.1.5. the Club Captain,
 - 45.1.6. the Registrar
 - 45.1.7. the Fundraising Coordinator
46. The following officers of the Junior Cricket Committee are to be elected annually at such time and in such manner as is determined by the Management Committee:
- 46.1.1. the Chairperson, Junior Cricket Committee,
 - 46.1.2. the Secretary, Junior Cricket Committee,
 - 46.1.3. the Treasurer, Junior Cricket Committee,
 - 46.1.4. the Registrar, Junior Cricket Committee.
47. The Management Committee may from time to time appoint other officers of the Club to perform such duties as are specified by the Committee .
48. An officer elected or appointed holds office, subject to this Constitution, until the conclusion of the next Annual General Meeting following their election or appointment.

Functions of Officers

49. The duties of the **President** of the Club are:

- 49.1.1. to chair all General and Special meetings of the Club and Executive and Management Committee meetings;
 - 49.1.2. to undertake such other duties as are prescribed by this Constitution or determined by the Management Committee.
50. The duties of the **Vice-President** of the Club are:
- 50.1.1. in the absence of the President, to chair General and Special meetings of the Club and Executive and Management Committee meetings;
 - 50.1.2. to undertake such other duties as are prescribed by this Constitution or determined by the Management Committee
51. The duties of the **Honorary Secretary** of the Club are:
- 51.1.1. To compile and maintain the administrative records of the Club which are not the responsibility of another officer;
 - 51.1.2. to undertake such other duties as are prescribed by this Constitution or determined by the Management Committee.
52. The duties of the **Honorary Treasurer** are as follows:
- 52.1.1. The Honorary Treasurer shall, subject to this Constitution, have the general oversight of the financial affairs of the Club;
 - 52.1.2. The Honorary Treasurer shall, in conjunction with the Director of Finance and the Treasurer, Junior Cricket Committee, prepare the Club's annual budget for approval by Management Committee;
 - 52.1.3. The Honorary Treasurer shall, subject to this Constitution:
 - 52.1.3.1.1. arrange for the proper collection and receipt of all moneys due to the Club and for the proper payment, in accordance with this Constitution, of all accounts payable by the Club;
 - 52.1.3.1.2. arrange for the safekeeping of cheque books, bank books and receipt books which belong to the Club; and
 - 52.1.3.1.3. arrange for the issue of invoices and statements of account for all moneys owing to the Club;
 - 52.1.4. The Honorary Treasurer shall arrange for the keeping of correct accounts and books showing the financial affairs of the Club with full details of all receipts and expenditure connected with the activities of the Club;
 - 52.1.5. The Honorary Treasurer shall cause to be prepared and maintained a register of the assets of the Club in a form which assists in the efficient administration of those assets;
 - 52.1.6. The Honorary Treasurer shall arrange for the safe custody of all security documents belonging to the Club;
 - 52.1.7. The Honorary Treasurer shall report to the Management Committee as and when the Management Committee determines from time to time.
 - 52.1.8. The Honorary Treasurer shall present the annual statement of income and expenditure and balance sheet to the Management Committee for their consideration following the close of business of the financial year of the Club;
 - 52.1.9. The Honorary Treasurer shall submit to the Auditor in a form that enables the Auditor to complete the audit of the statement of income and expenditure and balance sheet; and
 - 52.1.10. The Honorary Treasurer shall present the annual statement of income and expenditure and balance sheet for the AGM for its consideration.
53. The duties of the **Club Captain** are:

- 53.1.1.1. to represent the interests of all players within the Club;
- 53.1.2. to assist coaching officials in the conduct of official training sessions;
- 53.1.3. to assist coaching officials in the development of individual players' skills;
- 53.1.4. to assist the Management Committee in ensuring that a standard of conduct consistent with the Club's image and objects is maintained by players; and
- 53.1.5. to represent the Club at official and social occasions as requested by Management Committee.

54. The duties of the **Registrar** are:

- 54.1.1. to compile and to maintain a Register of members of the Club as required by the Act;
- 54.1.2. to receive and to account for membership and playing fees paid.

55. The duties of the **Fundraising Coordinator** are:

- 55.1.1. to develop and implement programs, projects and events to raise funds for the club; and
- 55.1.2. to promote sponsorship and assist the President in liaising with sponsors.

Nominations

56. A nomination of a candidate for election at the AGM shall be in writing signed by two voting members and delivered to the Honorary Secretary at least five days prior to the commencement of the AGM. In the event that a written nomination is not received for a particular position, candidates can be nominated by a voting member at the AGM provided they are seconded by another voting member.

Eligibility to Hold Office

57. A person is ineligible to be nominated for or to hold an office of the Club if that person:
- 57.1.1. has not attained the age of 18 years (except in the case of the Junior Development Officer);
 - 57.1.2. suffers from mental incapacity;
 - 57.1.3. becomes an insolvent under administration within the meaning of the Corporation Law; or
 - 57.1.4. has been convicted, whether in or outside the ACT, of:
 - 57.1.4.1. an indictable offence; or
 - 57.1.5. an offence punishable by imprisonment for a period of 12 months or more.

Vacation of Office

58. Subject to the Associations Incorporation Act, an office of the Club becomes vacant if the officer:
- 58.1.1. dies;
 - 58.1.2. is removed from office in accordance with this Constitution or otherwise in accordance with law;
 - 58.1.3. resigns by notice in writing to the Honorary Secretary, or, in the case of the Honorary Secretary, by notice in writing to the President;
 - 58.1.4. suffers from mental incapacity;
 - 58.1.5. becomes an insolvent under administration within the meaning of the Corporation Law;
 - 58.1.6. is convicted, whether in or outside of the ACT, of:
 - 58.1.6.1.1. an indictable offence;

58.1.6.1.2. an offence punishable by imprisonment for a period of 12 months or more; or

58.1.7. is absent from three or more meetings of any Committee in succession without the permission of the relevant Committee or, in the absence of such permission, any explanation of the absence submitted by the officer is not accepted by the Management Committee.

Filling of Vacancies

59. Whenever a casual vacancy occurs in an office of the Club or where such an office is not filled at the AGM:

59.1.1. the Management Committee shall, at the earliest opportunity, appoint a successor for the remainder of the term applicable to the previous holder of that office; or

59.1.2. the Management Committee may arrange for a person to act in the office, until a successor can be found.

60. Whenever an office holder is temporarily absent from the Association's area, the Management Committee or relevant Committee may arrange for a person to act in the office for the whole or part of the absence.

61. The Management Committee may at any time, without assigning a reason, terminate a person's acting duty in an office.

Representatives

62. The Management Committee may appoint a member to represent the Club on another body for a period of time, or on a particular occasion.

63. A representative must

63.1.1. attend meetings of the body to which they have been appointed

63.1.2. vote as directed by the Management Committee or otherwise as they consider to be in the interests of the Club; and

63.1.3. report to the Management Committee.

Committees

64. The Management Committee, and the Junior Cricket Committee shall be constituted and shall perform the functions as set out in this Constitution.

65. The Management Committee must create a Womens Cricket Committee and a Veterans Cricket Committee which shall be constituted, and shall have functions, as determined by the Management Committee.

66. The Management Committee may create such other committees as the Management Committee considers necessary to achieve the objects of the Club.

67. The Management Committee must from time to time determine the time at which each of the Junior Cricket Committee and other committees created by it must call, and the manner of calling and proceeding at, meetings.

Management Committee

68. The Management Committee shall consist of:

68.1.1. the President,

68.1.2. the Vice-President,

68.1.3. the Honorary Secretary,

68.1.4. the Honorary Treasurer,

- 68.1.5. the Chairperson, Junior Cricket Committee,
 - 68.1.6. the Chairperson of each other Committee created by the Management Committee,
 - 68.1.7. the Registrar,
 - 68.1.8. the Fund-raising Coordinator,
 - 68.1.9. the Club Captain, and
 - 68.1.10. the persons appointed as officers.
69. Subject to the Associations Incorporation Act, this Constitution and any resolution passed at a meeting of the Club, the Management Committee may on behalf of the Club do anything necessary or convenient to further the objects of the Club.

JUNIOR CRICKET

70. All Junior Player members are eligible to be selected to represent the Club in cricket matches.

Junior Cricket Committee

Function

71. The function of the Junior Cricket Committee is:
- 71.1.1. to promote and manage the participation of the Club in the Junior Cricket competition conducted by the ACTCA;
 - 71.1.2. to report, in accordance with this Constitution, to the Management Committee concerning the Club's junior cricket activities; and
 - 71.1.3. to implement the Club's policies in relation to matters under its control

Membership of Junior Cricket Committee

72. The Junior Cricket Committee shall consist of:
- 72.1.1. the Chairperson, Junior Cricket Committee,
 - 72.1.2. the Secretary, Junior Cricket Committee,
 - 72.1.3. the Treasurer, Junior Cricket Committee,
 - 72.1.4. the Registrar, Junior Cricket Committee and
 - 72.1.5. not more than six holders of an office created and designated by the Junior Cricket Committee as a Committee office.
73. A quorum for the Junior Cricket Committee shall be five members.

Responsibilities

74. The responsibilities of the **Chairperson Junior Cricket Committee** are, subject to this Constitution:
- 74.1.1. to supervise the overall running of the Junior Cricket Committee and the administration of junior cricket within the Club;
 - 74.1.2. where present at a meeting of the Junior Cricket Committee, to chair that meeting;
 - 74.1.3. to present, at meetings of the Management Committee, the views of the Junior Cricket Committee; and
 - 74.1.4. to represent the views of the Junior Cricket Committee at the ACT Cricket Association junior Council.
75. The responsibilities of the **Secretary of the Junior Cricket Committee**
- 75.1.1. to maintain the overall continuity of records of the junior Cricket Committee;

- 75.1.2. to maintain a correct record of minutes of the Junior Cricket Committee meetings; and
 - 75.1.2.1. to assist the Chairperson, Junior Cricket Committee as that officer requests.
- 76. The responsibilities of the **Treasurer of the Junior Cricket Committee** are, subject to this Constitution:
 - 76.1.1. to maintain books of account for junior cricket and ensure the safe-guarding of such books of account and other financial records;
 - 76.1.2. to ensure current signatories to accounts are maintained and changed when necessary;
 - 76.1.3. to produce appropriate financial statements for the Junior Cricket Committee and the Management Committee;
 - 76.1.4. to promptly pay, or arrange the paying of, all accounts as authorised by the Junior Cricket Committee;
 - 76.1.5. to prepare the annual junior cricket budget for approval and monitor and control its implementation;
 - 76.1.6. to report to the Chairperson, Junior Cricket Committee any case where an over-expenditure may occur;
 - 76.1.7. in conjunction with the Treasurer of the Club, to assist in the preparation of Annual Accounts of the Club for auditing; and
 - 76.1.8. to be responsible for collecting all moneys due to the junior Cricket Committee.

Other Junior Office Holders

- 77. The Junior Cricket Committee may from time to time establish such other offices, six of which it may designate as Committee offices, as it considers necessary to carry out its function, and determine the duties of those offices.

MEETINGS OF COMMITTEES

Meetings of the Management Committee

- 78. The Management Committee shall endeavour to meet at least once in every calendar month during the cricket season and at such other times as it considers necessary, but must meet at least 6 times in a year.
- 79. A meeting of the Management Committee shall be called at the request of the President or Honorary Secretary or any two members of the Management Committee.
- 80. The Management Committee shall, subject to this Constitution, determine the order of business and procedure at each of its meetings.
- 81. A quorum for the Management Committee shall consist of six members.
- 82. A proposal put to all members of the Management Committee simultaneously by electronic means and which is agreed to by a majority of the members is to be taken as having been passed at an ordinary meeting of the Committee and must be recorded in the minutes of the next meeting of the Committee.

Meetings of the Junior Cricket Committee

- 83. The Junior Cricket Committee shall meet at least once a month during the currency of the cricket season and at such other times as it may determine.

84. The Junior Cricket Committee shall, subject to this Constitution, determine the order of business and the procedures to be followed at each of its meetings.

Meetings of other Committees

85. A Committee created by the Management Committee shall, subject to any direction given by the Management Committee, determine the order of business and the procedure that is to be followed at each of its meetings.

Equality of Votes

86. At any meeting of a Committee created by the Management Committee where there is an equality of votes for a proposal, the matter must be referred to the Management Committee for determination.

FINANCE

Club Funds

87. The funds of the Club shall be derived from such sources as the Management Committee determines from time to time.
88. The finances for Senior Grade, Junior and Womens and Veterans cricket shall be set out separately in the Club's financial statements and shall be reported on separately at the AGM while comprising one consolidated account of the Club.
89. The assets and income of the Club shall be applied solely in furtherance of the Club's objects and no portion shall be distributed directly or indirectly to the members of the Club except as a bona fide and auditable compensation for services rendered or expenses incurred on behalf of the Club.
90. In the event of the Club being dissolved, the amount which remains after such dissolution and the satisfaction of all debts and liabilities shall be paid and applied by the Management Committee or a meeting of the Club in accordance with their powers, to any fund, institution or authority which is a non- profit Organisation and which has aims consistent with the aims of the Club.

Financial Year

91. The financial year of the Club shall end on 30 June in each year.

Fees

92. No fees are payable by Life, Honorary Associate, and Elected members.
93. Membership and playing fees payable by Mens, Womens and Veterans playing members, and membership fees payable by Associate members are as determined by the Management Committee from time to time for each category of member.

Accounts

94. Each Committee shall cause true accounts to be kept of receipts and expenditure and of matters to which such receipts and expenditure relate and of all assets and liabilities of the Club.

Inspection of Books

95. All books of accounts or any other records excluding commercial-in- confidence information may be inspected by any member of the Club upon request in writing to the Honorary Secretary.

Statement of Receipts and Expenditure

96. The Honorary Treasurer shall present, or cause to be presented, for the consideration of a general meeting a true and audited consolidated statement of receipts and expenditure for the previous financial year and a balance sheet reflecting the true position of the Club's assets and liabilities as at the end of the previous financial year.
97. Upon acceptance by a general meeting, the Public Officer shall lodge the statement and balance sheet with the Registrar of Incorporated Associations as required by the Associations Incorporation Act.

Auditor

98. An Auditor shall be appointed annually by the Management Committee.
99. The appointment of the Auditor shall be consistent with the provisions of the Associations Incorporation Act.
100. The report of the Auditor shall be presented to a general meeting of the Club and to the Registrar of Incorporated Associations as required by the Associations Incorporation Act.

Accounts

101. The Management Committee (and with the approval of the Management Committee, other Committees) may operate such accounts, including cheque accounts, as determined by the Management Committee from time to time.
102. Any account established pursuant to sub-clause (1) may be operated on behalf of the Club by such officers of the Club as are approved by the Management Committee provided that, as regards withdrawals or the signing of cheques in respect of such an account, two approved officers must authorise or sign any such withdrawals or cheques.

Investment of Funds

103. The funds of the Club may be invested in bank accounts, building societies, public unit trusts, capital guaranteed investments and government securities under such conditions and terms as thought fit by the Management Committee.
104. Moneys belonging to the Club shall not be invested otherwise than in accordance with the preceding provisions of this clause unless a meeting of the Club otherwise determines by a two-thirds majority of the voting members present and voting.

Borrowing

105. The Management Committee on behalf of the Club may raise or borrow money upon such terms and in such manner as it thinks fit and secure the repayment of money so raised or borrowed or the payment of a debt or a liability of the Club by granting mortgages, charges or securities upon or over all or any of the real or personal property of the Club.

Indemnity

106. Every member or officer of the Club, every person employed (on a full-time, part-time or casual basis) by the Club or any volunteer whose services have been accepted by the Club or any of its Committees shall be indemnified by the Club in accordance with this clause.

107. The amount of money for which, in a given case, an indemnity is provided, shall immediately attach as a lien on the property of the Club and have priority, as between the members, over all other claims against the Club.
108. The Club shall pay all costs, losses and expenses, which a member, officer, employee or volunteer may incur or may become liable for by reason of any contract entered into with the Club, any bona fide act or thing done as, or in the. bona fide exercise of the functions of, a member, officer or employee or any bona fide act or thing done in the performance of volunteer services.

Liability of Members

109. The liability of a member or officer of the Club to contribute towards the payment of the debts and liabilities of the Club or the costs, charges and expenses of the winding up of the Club is limited to the amount, if any, unpaid by the person in respect of membership of the Club.

DISCIPLINE

Disciplining of members

110. If the Management Committee is of the opinion that a member—
- 110.1.1. has persistently refused or neglected to comply with a provision of these rules; or
 - 110.1.2. has wilfully acted in a manner prejudicial to the interests of the Club;
- the committee may, by resolution—
- 110.1.3. expel the member from the association; or
 - 110.1.4. suspend the member from such rights and privileges of membership of the association that the committee may decide for a specified period.
111. A resolution of the Management Committee to expel or suspend a member takes effect seven days after the member has been notified of the resolution unless within that time the member has notified the Honorary Secretary in writing that they want a hearing.
112. As soon as practicable after resolving to expel all suspend a member, the Management Committee must notify the member in writing and personally —
- 112.1. of the terms of the resolution and the grounds on which it is based; and
 - 112.2. stating that the member may request a hearing in relation to the matters the subject of the resolution by written notice to the Honorary Secretary within seven days; and
 - 112.3. giving the member a copy of the provisions of this Constitution relating to the disciplining of members.
113. If a member requests a hearing the Management Committee must immediately appoint three of its members to form a panel to conduct the hearing.
114. The disciplinary panel must convene a hearing as soon as is practicable and notify the member of the date and time of the hearing, and give the member written statements of any evidence to be given in support of the resolution at the hearing.
115. At the hearing, the member may —
- 115.1. be represented by any person, including a lawyer; and
 - 115.2. call witnesses to give evidence; and
 - 115.3. cross-examine witnesses; and

- 115.4. make submissions orally or in writing.
116. The panel must report to the Management Committee, providing it with copies of all written evidence and submissions presented at the hearing and otherwise setting out the nature of the oral evidence and submissions, and recommend
- 116.1. that the resolution be rescinded, or
- 116.2. that the resolution be rescinded and substituted by a resolution imposing a lesser sanction specified by the panel; or
- 116.3. that the resolution be confirmed.
117. If the panel recommends that the resolution be confirmed, the Management Committee may make a resolution imposing a lesser sanction, but otherwise the Management Committee must accept and implement the recommendation of the panel.
118. A resolution of the Management Committee after a recommendation of the panel has immediate and final effect.

CONSTITUTIONAL ALTERATIONS AND SAVING CLAUSE

Alterations to Constitution

119. In this clause, a reference to this Constitution is a reference to the objects and rules of the Club set out in this document.
120. The Management Committee may from time to time propose alterations to this Constitution.
121. The Management Committee shall, in relation to a proposed alteration, arrange for a meeting of the voting members of the Club to be called of which meeting each of those members is given at least 21 days notice, accompanied by a notice of intention to propose the alteration in the form of a special resolution
122. Ten voting members, other than members of the Management Committee, may jointly propose to the Management Committee an alteration to this Constitution and the Management Committee shall convene a general meeting of the Association to consider the alteration.

Saving Clause

123. Any act or thing done or suffered, or purporting to have been done or suffered, by the Club, or a Committee of the Club, is valid and effectual notwithstanding any defect that may afterwards be discovered in the appointment or qualification of any person who participated in the relevant decision.

Transition

124. This clause and the other provisions of this Constitution (“the present provisions”) are the result of this Constitution having been altered by the deletion of its former provisions and the substitution of the present provisions.
125. A person who, at the time the preceding clause commenced to operate,
- 125.1. was a member of the Club of a particular description in the former provisions is to be taken to have become a member of that description under the present provisions; or

- 125.2. had been elected as an officer of a particular description under the former provisions is to be taken as having been elected to the position of that description under the present provisions; or
- 125.3. had been elected as an officer of a particular description under the former provisions and the present provisions do not provide for an office of that description is to be taken as having been elected to such office under the present provisions as the Management Committee determines; or
- 125.4. had been appointed as Auditor under the former provisions, is to be taken as having been appointed as Auditor under the present provisions.