

Constitution

Veterans Cricket ACT Incorporated

An Association incorporated pursuant to the
Associations Incorporations Act 1991 (ACT) & the *Legislation Act (2001)*

Table of Contents

1. Name	2
2. Objects	2
3. Powers	2
4. Affiliations	2
5. Membership Eligibility	2
6. Membership Fees	2
7. General Rights of Members	3
8. Life Membership	3
9. Rights Not Transferable	3
10. Ceasing Membership	3
11. Members Liabilities	4
12. Disciplinary Action by the Board	4
13. Disciplinary Notices	4
14. Decisions of Disciplinary Committee	4
15. Right of Appeal of a Disciplined Member	5
16. Annual General Meetings	5
17. Special General Meetings - Members Request	5
18. General Meetings	6
19. Notice of General Meetings	6
20. Quorums	6
21. Voting at Meetings	7
22. Special Resolutions	7
23. Minutes of General Meetings	7
24. Powers of the Board	7
25. Composition of Board	8
26. Terms of Office	8
27. General Duties	8
28. Duties of the President	9
29. Duties of the Vice President	9
30. Duties of the Secretary	9
31. Duties of the Treasurer	9
32. Duties of the Age Group Representatives	10
33. Election of the Board	10
34. Meetings of the Board	10
35. Notice of Meetings	10
36. Minutes of Meetings	11
37. Financial Year	11
38. Source of Funds	11
39. Management of Funds	11
40. Financial Records	11
41. Custody of books	12
42. Inspection of books	12
43. Winding Up and Cancellation	12
44. Alteration of Rules	12

Section 1 – Preliminary

1. Name

The name of the association is Veterans Cricket Australian Capital Territory Inc (the Association) and will be known as Veterans Cricket ACT (VCACT).

2. Objects

The objects for which the Association is established are:

- i. To promote, manage and develop the game of cricket within the Australian Capital Territory and surrounding regions for people who have met the minimum age requirement as set by the Board;
- ii. Promote fellowship and sportsmanship amongst all Veterans Cricketers;
- iii. To conduct over age cricket competitions;
- iv. To select cricket teams to represent the Association in matches at any National Cricket Championships or Cricket Tournament/Festival;
- v. To organise and play matches not included in the above;
- vi. Discharge the responsibilities given to it by Veterans Cricket Australia (VCA).

3. Powers

The Association has (but not so as to limit or diminish any power granted to the Association by the Act or any other law) the power, to implement all the rules contained within, subject to any relevant statutory law.

The Board will also create and maintain a set of By-laws that will govern the day to day operations of the Association.

4. Affiliations

The Association authorises the Board to affiliate, by entering into appropriate administrative arrangements, with other recognised cricket bodies or cricket associations or with other organisations whose objects are compatible with those of the Association.

Upon such affiliation, that body, association or organisation will become an "Affiliate" for the purposes of this constitution.

A record of all affiliated bodies will be maintained by the Secretary and published on the Associations Website.

Section 2 – Membership

5. Membership Eligibility

All natural persons are eligible for membership if they:

- i. Wish to play, train or participate in matches/events organised by the Association and have met the minimum age requirements; or
- ii. Wish to coach, umpire, score, play or support veterans cricket in the ACT; or
- iii. Are selected to represent the Association in a National Veterans Cricket Championship or other Veterans Cricket Tournament; or
- iv. Are a registered player of an affiliated club that participates in the ACT Veterans cricket competition.

6. Membership Fees

The Board will determine annually:

- i. The membership fees (if any);
- ii. The date for payment of those fees (if any).

Any member who has not paid their fees by the date or in a manner determined by the Board will cease to be a member, provided that:

- i. The Board may, at its discretion, restore membership to any member whose subscription is paid after that date; or
- ii. The Board may grant leave of absence to any member and suspend payment of their subscription, for such period as it deems fit.

7. General Rights of Members

A member of the Association has the right:

- i. To receive notice of general meetings and of proposed special resolutions in the manner and time prescribed by these Rules;
- ii. To submit items of business for consideration at a general meeting;
- iii. To attend and be heard at general meetings;
- iv. To vote at a general meeting;
- v. To have access to the minutes of general meetings and other documents of the Association as provided by these Rules.

8. Life Membership

At any Annual General Meeting a person may have life membership of the Association bestowed upon them in accordance with the processes established by the Association for that purpose. These processes are outlined in the Association's By-Laws.

Life members have the same rights as other Members. A person made a Life Member of the Association is exempt from payment of the annual membership fee.

9. Rights Not Transferable

The rights of a member are not transferable and end when membership ends.

10. Ceasing Membership

Membership of the Association will cease if:

- i. The membership is revoked; or
- ii. The member is expelled; or
- iii. The member resigns; or
- iv. The member passes away; or
- v. The member's annual subscription is more than 3 months in arrears; or where no annual subscription is payable:
 - a) The Secretary has made a written request to the member to confirm that he or she wishes to remain a member;
 - b) The member has not, within 3 months after receiving that request, confirmed in writing that he or she wishes to remain a member.

When a person ceases to be a member of the Association, the Secretary must, as soon as practicable, enter the date the person ceased to be a member in the register of members, including updating Cricket Australia's Player and Competition Management System.

11. Members Liabilities

The liability of a 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 the amount (if any) unpaid by the member in relation to membership of the association as required by Rule 6.

12. Disciplinary Action by the Board

The Board may take disciplinary action against a member if it is determined in accordance with these Rules that the member:

- i. Has failed to comply with these Rules; or
- ii. Has engaged in conduct considered by the Board to be damaging, prejudicial or otherwise detrimental to the Association or its purposes.

The Board may make any enquiries it considers appropriate, including appointing a Disciplinary Committee to assess the issue.

13. Disciplinary Notices

Before any disciplinary action is taken against a member, the Board must give written notice to the member:

- i. Stating that the Board considers that the member may:
 - a) Have failed to comply with these Rules; and/or
 - b) Have engaged in conduct damaging, prejudicial or otherwise detrimental to the Association or its purposes; and
 - c) The reasons why.
- ii. Specifying the date, place and time of the Disciplinary Committee meeting;
- iii. Advising the member that he or she may attend the disciplinary meeting and address and respond to questions from the Disciplinary Committee at that meeting; and/or
- iv. Give a written statement to the Disciplinary Committee at any time before the disciplinary meeting.

The notice must be given no earlier than 21 days, and no later than 7 days, before the meeting is held.

At this meeting, the Disciplinary Committee must:

- i. Give the member an opportunity to be heard; and/or
- ii. Consider any written statement submitted by the member.

14. Decisions of Disciplinary Committee

Following the meeting, the Disciplinary Committee may:

- i. Take no further action against the member; or
- ii. Reprimand the member; or
- iii. Suspend the membership rights of the member for a specified period; or
- iv. Expel the member from the Association;

In making its decision, the Committee must not impose any financial penalty on the member.

The Committee must advise the Board of its decision within 24 hours.

The suspension of membership rights or the expulsion of a member under takes effect immediately after the decision is made.

15. Right of Appeal of a Disciplined Member

The disciplined member may appeal any decision made by the Disciplinary Committee to the Board within 7 days after being notified of the decision by lodging a notice to that effect with the Secretary.

Upon receipt of the notice, The Secretary will advise the Board and will organise for a meeting to be held. The meeting must be held within 21 days after the date when the Secretary received the notice or as soon as possible after that date.

Any Board member(s) who sat on the Disciplinary Committee may not be present at the hearing of the appeal. However the Board may call on that member(s) to provide a report, which can be in person or via a written means.

After hearing the Appeal, the Board will deliberate the matter and then vote to either dismiss the appeal or to uphold the appeal.

Section 3 – Meetings

16. Annual General Meetings

The Board must convene an AGM meeting of the Association each calendar year. Meetings can be held face to face, online or a combination of both.

The Board will determine the date, time and place of the AGM, provided that it shall be held before 30 September each year.

The ordinary business of the annual general meeting is as follows:

- i. To confirm the minutes of the previous AGM and of any special general meeting held since then;
- ii. To receive and consider:
 - a) The annual report on the activities of the Association during the preceding financial year.
 - b) The financial statements of the Association for the preceding financial year, as submitted by the Board.
- iii. To elect members to the Board

The AGM may also conduct any other business of which notice has been given in accordance with these Rules.

17. Special General Meetings - Members Request

The Board must convene a special general meeting if a request to do so is made by at least 40 per cent of financial members.

A request for a special general meeting must:

- i. Delivered to the Secretary or a member of the Board (including the signatures of the minimum 40% financial members);
- ii. Be received no less than 3 months before the scheduled date of the AGM;
- iii. Be in writing or on a printed document;
- iv. State the business to be considered at the meeting and any resolutions to be proposed.

If the Board does not convene a special general meeting within one month after the date on which the request is made, any of the members making the request may convene the special general meeting.

A special general meeting convened by members:

- i. Must be held within 3 months after the date on which the original request was made;
- ii. May only consider the business stated in that request.

At that meeting, one of the members present, excluding Office Bearers, will be selected to chair said meeting.

The Secretary will record the minutes of the meeting, including recording all those present and any apology. In the event that the Secretary is absent, then a volunteer from those present will undertake that role.

18. General Meetings

The Board may convene a General Meeting of the Association if and when it sees fit. Meetings can be held face to face, online or a combination of both.

The Board will determine the date, time and place of the General Meeting.

19. Notice of General Meetings

The Secretary (or, in the case of a special general meeting convened under Rule 13, the members convening the meeting) must give to each member:

- i. At least 14 days' notice of a general meeting if a special resolution is to be proposed at the meeting; or
- ii. At least 7 days' notice of a general meeting in any other case.

The notice must:

- i. Specify the date, time and place of the meeting;
- ii. Indicate the general nature of each item of business to be considered at the meeting;

If a special resolution is to be proposed, state:

- i. The proposed resolution;
- ii. The intention to propose the resolution as a special resolution.

20. Quorums

No business may be conducted at a meeting unless a quorum is present. The following is the minimum number of members present to form a Quorum:

- AGMs and Special General Meetings – 15 financial members
- General Meetings – 10 financial members
- Board Meetings – 4 which must include at least 2 Office Bearers (see Rule 25).

If a quorum is not present within 30 minutes after the notified commencement time of the meeting, it must be adjourned to a date no later than 14 days after the adjournment.

If at the adjourned meeting, a quorum has not been met, the meeting will proceed, but any decision made at that meeting will:

- Not take effect for 14 days after the meeting;
- Must be advised to all members within 24 hours of the meeting.

21. Voting at Meetings

On any question or motion arising at any meeting:

- i. Each member who is financial and entitled to vote has one vote.
- ii. Except in the case of a special resolution, the question must be decided on a simple majority of votes.
- iii. If votes are divided equally on a motion, the motion is not passed.

If the question is whether or not to confirm the minutes of a previous meeting, only members who were present at that meeting may vote.

The Association does not have provision for Proxy Voting.

22. Special Resolutions

A special resolution is passed if not less than 75% of the members a general meeting vote in favour of the resolution.

Note: A special resolution is required:

- i. To remove a Board member from office;
- ii. To alter these Rules, including changing the name or any of the purposes of the Association.

23. Minutes of General Meetings

The Board must ensure that minutes are taken and kept of each general meeting.

The minutes must record the business considered at the meeting, any resolution on which a vote is taken, and the result of the vote.

In addition, the minutes of each AGM must include:

- i. The names of the members attending the meeting;
- ii. The financial statements submitted to the members;
- iii. Any audited accounts and auditor's report or report of a review accompanying the financial statements, if deemed appropriate.

Section 4 – The Board

24. Powers of the Board

The business of the Association must be managed by or under the direction of the Board.

The Board may exercise all the powers of the Association except those powers that these Rules require to be exercised by general meetings of the members of the Association.

The Board may establish subcommittees consisting of members with responsibilities it considers appropriate.

The Board may, delegate any of the responsibilities of the Association to a third party on any conditions it considers appropriate.

The Board will also appoint as required, representatives to:

- Veterans Cricket Australia
- Other Affiliated entities/bodies
- Committees, meetings or gatherings that require that the Association have a presence.

25. Composition of Board

The Board will consist of:

- i. The President
- ii. The Vice President
- iii. The Secretary
- iv. The Treasurer
(these positions are the Office Bearers of the Association)
- v. A representative from each of the Veterans Age Groups

If any member of the Board stands down, ceases to be a member, or has to be replaced during the current year then the Board will appoint another member in their place. The replacement will remain in that role until the next AGM.

26. Terms of Office

Office Bearers will have a 2 year term.

The Age group representatives will have a 1 year term.

At each AGM two Office Bearer position will be up for election as well as all Age Group Representatives.

27. General Duties

As soon as practicable after being elected or appointed to the Board, each member must become familiar with these Rules.

The Board is collectively responsible for ensuring that individual members of the Association comply with these Rules.

Board members must exercise their powers and discharge their duties:

- i. In good faith in the best interests of the Association;
- ii. With due care and diligence;
- iii. For a proper purpose.

Board members must not make improper use of their position or information acquired by virtue of holding their position so as to gain an advantage for themselves or any other person or to cause detriment to the Association.

In addition to any duties imposed by these Rules, a Board member must perform any other duties imposed from time to time by resolution at a general meeting.

28. Duties of the President

The President will:

- i. Chair all meetings of the Board.
- ii. Provide leadership of the Board between its meetings.
- iii. Report to all meetings and the AGM on specific areas of responsibility.
- iv. Serve as, or appoint another person, to assist members in their appearances before any committee or body of the VCA, if such assistance is required.
- v. Represent the Association on the VCA Board

29. Duties of the Vice President

- i. To take on the all President's duties in the event of their absence.
- ii. If the President stands down, ceases to be a member, or is replaced during the current year, the then Vice President will assume the role of President and the Board will appoint another Vice President in their place. The replacement Vice President will remain in that role until the next AGM.
- iii. Perform other duties as assigned by the Board.

30. Duties of the Secretary

The Secretary will:

- i. Produce the agendas for Association and Board meetings;
- ii. Take the minutes of all meetings;
- iii. Arrange distribution of documents (including agendas and minutes) for members prior to and at meetings as appropriate;
- iv. In conjunction with representatives of teams playing in the ACT Veterans cricket competition:
 - a) Prepare draws and ground allocations prior to the commencement of each cricket season;
 - b) Manage the competition's playing conditions;
 - c) Facilitate presentations and trophies at season's end, including the CACT's presentation night.
- v. Supervise the production of the Association's annual report;
- vi. Maintain a register of members;
- vii. Receive all correspondence on behalf of the Association, initiate appropriate administrative action as a result thereof, and table said correspondence at each meeting
- viii. Distribute information to the membership when required.
- ix. Perform other duties as assigned by the Board.

Unless otherwise appointed by the Board, the Secretary will be the Public Officer of the Association.

31. Duties of the Treasurer

- i. Collect and receive all amounts owing to the association and make all payments authorised by the association;
- ii. Keep correct accounts and books showing the financial affairs of the association with full details of all receipts and expenditure connected with the activities of the association;
- iii. Provide a report on the finances at every meeting;
- iv. Prepare annual financial reports to the various Government Agencies;
- v. Perform other duties as assigned by the Board.

32. Duties of the Age Group Representatives

- i. Each age group representative be responsible for reporting upon the activities of respective age groups;
- ii. They will represent the Association at the national level on any committee or working group specific to that age group unless the Association already has a representative who has been appointed by the VCA Board to that age group committee;
- iii. Perform other duties as assigned by the Board.

33. Election of the Board

All financial members are eligible to be elected or appointed as a member of the Board at the Association's AGM.

Prior to the AGM, the Board will authorise the Secretary to contact all members seeking nominations for the vacant positions on the Board by whatever means the Board deems to be acceptable.

The Board will appoint a Returning Officer who will receive all nominations.

If there are more than one nomination for any position, then the Board will organise for a vote to be undertaken by whatever means the Board deems to be acceptable.

If there is only one nomination for any position, then that member will be appointed unopposed.

If there are no nominations for any position, the Board will recommend an appointment for consideration of the membership at the AGM.

34. Meetings of the Board

The Board will meet as required but at least 4 times each year at a time and place determined by the President.

Meetings can be held face to face, online or a combination of both.

The date, time and place of the first Board meeting must be determined as soon as practicable after the AGM of the Association.

35. Notice of Meetings

Notice of each Board meeting must be given to each member no later than 7 days before the date of the meeting.

Notice may be given of more than one meeting at the same time.

The notice must state the date, time and place of the meeting.

In cases of urgency, a meeting can be held without notice being given in provided that as much notice as practicable is given to each member by the quickest means practicable.

36. Minutes of Meetings

The Secretary must ensure that minutes of each Board meeting are taken, kept and made available to Board members within 2 weeks of the meeting.

Section 5 – Miscellaneous

37. Financial Year

The financial year of the Association is each period of 12 months ending on 30 June.

38. Source of Funds

The funds of the Association may be derived from membership fees, donations, fund-raising activities, grants, interest and any other sources approved by the Board.

39. Management of Funds

The Association entrusts the responsibly of managing its funds and assets with the Board.

The Board will manage the funds and assets in the best way they see fit, including determining the number of bank accounts it will operate.

The Board will be free to engage any professional body/person to assist with this function.

Subject to any restrictions imposed by a general meeting of the Association, the Board may approve expenditure on behalf of the Association.

The Board may authorise the Treasurer to make arrangements to expend funds on behalf of the Association (including by electronic funds transfer) up to a specified limit without requiring approval from the Board for each item on which the funds are expended.

Funds of the Association that are received in cash must be deposited into the bank accounts no more than 5 business days after receipt.

The Treasurer may maintain a cash float, if required for an event, provided that all money paid from or paid into the float is accurately recorded at the time of the transaction.

The Board may authorise the use of available technology, such as an EFTPOS systems.

40. Financial Records

The Association must keep financial records that:

- i. Correctly record and explain its transactions, financial position and performance;
- ii. Enable financial statements to be prepared and audited.

The Association's accounts for the financial year are reviewed. The reviewer must:

- i. Undertake a review of the association's accounting records;
- ii. Prepare a written report;
- iii. State in the report whether, on the basis of the review, anything has come to the reviewer's attention that causes the reviewer to believe that the accounting records do not satisfy the requirements of this part.

The reviewer:

- i. Cannot be a member of the association;
- ii. Has not prepared or assisted with the preparation of the accounts.

41. Custody of books

Subject to the Act, the regulation and these rules, the secretary must keep in his or her custody or under his or her control all records, books, and other documents relating to the association.

42. Inspection of books

The records, books and other documents of the association must be open to inspection at a place in the ACT, free of charge, by a member of the association at any reasonable hour.

43. Winding Up and Cancellation

The Association may be wound up voluntarily by special resolution.

In the event of the winding up of the Association, the surplus assets of the Association must not be distributed to any members or former members of the Association. The Board will determine how these assets are to be disposed of.

44. Alteration of Rules

These Rules may only be altered by special resolution of a general meeting of the Association, including the AGM.