

**Narara – Wyoming Cricket Club  
Minutes of the Special General Meeting held at  
The Grange Hotel on Sunday 18th June 2017**

**Meeting Opened:** 4.02pm by the President.

**Attendance:** M Smith, G Rowlands, L Egan, P Moriarty, S Anderson, T Maurer, N Lulham, E Lulham, S Owen, G Smith

**Apologies:** J Moriarty, A Kennedy, S Jordan, P Ness, G Crowe, P Stuckey, P Anderson.

**Proxies:** J Moriarty to P Moriarty, A Kennedy to L Egan

**Moved:** M Smith      **Seconded:** N Lulham that the apologies and proxies be accepted.      **Carried**

**Correspondence:**

1. Secretary confirmed that the notice of meeting and documentation relating to the meeting and Special Resolution had been provided to members.
2. The documentation included current Constitution and By Laws, a schedule of proposed changes to Constitution and By Laws and a draft of the Constitution and By Laws if all proposed changes were adopted. A copy of the Department of Fair Trading “Model Constitution” and background and information sheets published by the department were also provided to members.
3. An email had also been received late on the evening of Saturday 17<sup>th</sup> June from Peter Ness advising that the current constitution registered with the department was dated 1989.
4. Secretary has compared that version to the 1998 version, which we have believed for many years to be the current version, and was satisfied that apart from some numbering variations there would be no impact on proceeding with the adoption of the proposed changes.

**Reason for the meeting:**

Mark Smith advised that the Club Constitution and By Laws had not been updated since 1998, and The Department of Fair Trading have advised Incorporated Organisations of a number of changes to the relevant Acts and Regulations which need to be addressed by all organisations.

A number of the changes reflect how business is conducted in today’s electronic communications environment, other changes reflect how the club conducts its business. Mark stressed the need for us to closely monitor our operations and identify any further changes to our documentation that may be needed sooner rather than later.

**Discussion on proposed changes**

President opened the floor for any questions or discussion on the proposed changes. There being none it was then;

**Moved:** M Smith **Seconded:** T Maurer that the proposed changes to the Constitution (as per attachment A) be accepted to form a new Constitution (as per attachment B) for the Narara-Wyoming Cricket Club Incorporated and, the proposed changes to the By Laws (as per attachment C) be accepted to form new By Laws (as per attachment D) for the Narara-Wyoming Cricket Club Incorporated.

The motion was put to the members and **carried unanimously** on a show of hands.

**Meeting Closed:** 4.06pm

ATTACHMENT "A"

**PROPOSED CHANGES TO NARARA-WYOMING CRICKET CLUB INCORPORATED CONSTITUTION**

**Proposed Changes & Rationale in bold beneath each existing clause**

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**TITLE:**

**THE CONSTITUTION AND BY-LAWS OF THE NARARA-WYOMING CRICKET CLUB INCORPORATED.**

**Proposed:**

**THE CONSTITUTION OF NARARA-WYOMING CRICKET CLUB INCORPORATED**

**Rationale: Removal of the By-laws from the constitution as they are kept separate & operate as individual documents. The By-laws can be amended without having to amend the constitution.**

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**PART 1, RULE 1.1:**

- (a) NWCC - means Narara-Wyoming Cricket Club Incorporated.
- (b) Ordinary Member - means an ordinary member of the committee who is not an office bearer of the NWCC as referred to in rule 13.2.
- (c) Secretary - means the person holding office under these rules as secretary of the NWCC; or where no such person holds that office - the public officer of the NWCC.
- (d) Special General Meeting - means a general meeting of the NWCC other than the Annual General Meeting.
- (e) The Act - means the Associations Incorporation Act, 1984.
- (f) The Regulation - means the Associations Incorporation Regulation, 1985.

**Proposed:**

- (a) NWCC - means Narara-Wyoming Cricket Club Incorporated.
- (b) Ordinary Member - means an ordinary member of the committee who is not an office bearer of the NWCC as referred to in rule 13.2.
- (c) Secretary - means the person holding office under these rules as secretary of the NWCC; or where no such person holds that office - the public officer of the NWCC.
- (d) Special General Meeting - means a general meeting of the NWCC other than the Annual General Meeting.
- (e) The Act - means the Incorporated Associations Act 2009.

**Rationale: Update clause (e) to reflect the current legislation. Removal of reference to 'The Regulation', which is now defunct under the current Act.**

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**PART 1, RULE 1.3:**

1.3 The provisions of the Interpretation Act, 1897, apply to and in respect of these rules in the same manner as those provisions would so apply if these rules were an instrument made under the Act.

**Proposed: Removal of clause**

**Rationale: Reference to Interpretation Act 1897 is no longer relevant or applicable.**

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**PART 2, RULE 2.1:**

2.1 A person is qualified to be a member of the NWCC if, but only if :-

- (a) the person is a person referred to in section 15 (1) (a), (b) or (c) of the Act, and

has not ceased to be a member of the NWCC at any time after Incorporation of the NWCC under the Act; or,

(b) The person is a natural person who:-

(i) has been nominated for membership of the NWCC as provided by rule 3; and,

(ii) has been approved for membership of the NWCC by the committee of the NWCC.

**Proposed: Removal of clause. Clauses 2.2 & 2.3 will be renumbered as necessary.**

**Rationale: References in clause (a) refer to specific clauses in the defunct Act and are no longer applicable. Clause (b) is not relevant and unnecessary.**

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**PART 2, RULE 3.3:**

3.3 Membership and fees shall fall due on the first of October for non playing members, and upon registration of playing members, subject to rule (8).

**Proposed: Removal of clause.**

**Rationale: This clause acts as a repeat of other clauses within the constitution, namely 3.1 & 8, and is not at all required.**

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**PART 2, RULE 4.1:**

4.1 A person ceases to be a member of the NWCC if the person :-

(a) dies;

(b) resigns that membership; or,

(c) is expelled from the NWCC.

**Proposed:**

4.1 A person ceases to be a member of the NWCC if the person :-

(a) dies;

(b) resigns that membership; or,

(c) is expelled from the NWCC;

(d) fails to renew membership.

**Rationale: Addition of membership renewal clause. Without this clause any member is assumed to have continued membership indefinitely, whether the member is financial or not.**

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**PART 2, RULE 8:**

8.1 A member of the NWCC shall, upon admission to membership, pay to the NWCC a fee of \$1.00 or, where some other amount is determined by the committee of that other amount.

8.2 In addition to any amount payable by the member under clause (8.1), a member of the NWCC shall pay to the NWCC an annual membership fee of \$2.00 or, where some other amount is determined by the committee, of that other amount :-

(a) except as provided by paragraph (8.2 (b)), before 1st July in each calendar year; or,

(b) where the member becomes a member on or after 1st October in any calendar year - upon becoming a member and before 1st October in each succeeding calendar year.

**Proposed:**

8.1 A member of the NWCC shall, upon admission to membership, pay to the NWCC a fee in accordance with the Fee Payment Schedule.

**Rationale: Removes set figures and dates which are susceptible to change, references fees schedule which is amended by the committee and ratified at each AGM. Clause 8.2 to be**

removed as it is no longer relevant to current practices.

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**PART 2, RULE 10:**

10.1 Where the committee is of the opinion that a member of the NWCC :-

- (a) has persistently refused or neglected to comply with a provision or provisions of these rules; or,
- (b) has persistently and willfully acted in a manner prejudicial to the interests of the NWCC, the committee may, by resolution:-
  - (i) expel the member from the NWCC; or,
  - (ii) suspend the member from membership of the NWCC for a specified period.

10.2 A resolution of the committee under clause (10.1) is of no effect unless the committee, at a meeting held not earlier than fourteen (14) days and not later than twenty eight (28) days after service on the member of a notice under clause (10.3), confirms the resolution in accordance with this rule.

**Proposed:**

10.1 Where the committee is of the opinion that a member of the NWCC has allegedly:

- (a) breached, failed, failed, refused or neglected to comply with a provision of this Constitution, the By-laws or any resolution or determination of the Committee or any duly authorised committee; or
- (b) acted in a manner unbecoming of a member, or prejudicial to the purposes and interests of the Club and/or Cricket; or
- (c) brought the Club, any other member or Cricket into disrepute;

The committee may, by resolution;

- (i) expel the member from the NWCC; or,
- (ii) suspend the member from membership of the NWCC for a specified period.

**Rationale: Removes the words ‘persistently’, which implies the member must repeat a specific offense more than one time, and reconfigured clauses to replicate sample Constitution from NSW Sport & Recreation. Clause 10.2 is removed as the contents are adequately covered off within clauses 10.3 & 10.6.**

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**PART 3, RULE 13.1:**

13.1 Subject in the case of the first members of the committee to section 21 of the Act, the Committee shall consist of:-

- (a) the office bearers of the NWCC: and,
- (b) no less than six (6) ordinary members, each of whom shall be elected at the annual general meeting of the NWCC pursuant to rule 14.

**Proposed:**

13.1 The Committee shall comprise:

- (a) the office bearers of the NWCC: and,
- (b) no less than six (6) ordinary members, each of whom shall be elected at the annual general meeting of the NWCC pursuant to rule 14.

**Rationale: Removes reference to specific section of the outdated Act & reflects the Sport & Rec model Constitution.**

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**PROPOSED NEW RULE – delete current rule 13.3 to 16.1 (all remaining rules must be re-numbered)**

**PART 3, RULE 13.3:**

13.3 Roles and responsibilities of roles are described in the document NWCC Policy Document, Position Requirements and Descriptions.

**Rationale: Allows for removal of clauses 15 & 16. Policy document will require amendment with the Constitution simultaneously to correctly reflect responsibilities of roles.**

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**PART 3, RULE 19. MEETINGS AND QUORUM:**

19.1 The committee shall meet at least three (3) times in each period of twelve (12) months at such place and time as the committee may determine.

19.2 Additional meetings of the committee may be convened by the president or by any member of the committee.

19.3 Written or oral notice of a meeting of the committee shall be given by the secretary to each member of the committee at least forty eight (48) hours (or such period of time as may be unanimously agreed upon by the members of the committee) before the time appointed for the holding of the meeting.

19.4 Notice of a meeting given under clause (19.3) shall specify the general nature of the business to be transacted at the meeting and no business other than that business shall be transacted at the meeting, except business which the committee members present at the meeting unanimously agree to treat as urgent business.

19.6 No business shall be transacted by the committee unless a quorum is present and if within half an hour of the time appointed for the meeting a quorum is not present, the meeting stands adjourned to the same place and the same hour of the same day in the following week.

**Proposed:**

**PART 3, RULE 19. COMMITTEE MEETINGS AND QUORUM:**

16.1 The committee shall meet at least three (3) times in each period of twelve (12) months at such place and time as the committee may determine for the purpose of a general meeting.

16.2 Additional meetings of the committee may be convened by any member of the committee.

16.3 Written or oral notice of a general meeting or special general meeting of the committee shall be given by the secretary to each member of the committee at least forty eight (48) hours before the time appointed for the holding of the meeting.

16.4 Notice of a special general meeting given under clause (16.3) shall specify the general nature of the business to be transacted at the meeting and no business other than that business shall be transacted at the meeting, except business which the committee members present at the meeting unanimously agree to treat as urgent business.

16.6 No business shall be transacted by the committee unless a quorum is present and if within half an hour of the time appointed for the meeting a quorum is not present, the meeting stands adjourned until the time and place as advised by the Secretary.

**Rationale: 16.1 Identifies reason for committee to meet. 16.2 Clean-up unnecessary wording.**

**16.3 Specifies rules specific to different meeting types. Clean-up unnecessary wording.**

**16.4 Specifies special general meeting, rule does not apply to general meeting. New clause ref**

**16.6 Allows flexibility to reprogram meeting at a time other than exactly one week away.**

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**PART 3, RULE 21. VOTING AND DECISIONS:**

21.2 Each member present at the meeting of the committee or of any sub-committee appointed by the committee (including the person presiding at the meeting) is entitled to one vote, but, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.

21.4 Any act or thing done or suffered, or purporting to have been done or suffered by the committee, or by a sub-committee appointed by the committee, is valid and effectual notwithstanding any effect that may afterwards be discovered in the appointment or qualification of any member of the committee or sub-committee.

**Proposed:**

18.2 Each member present at any meeting of the committee or of any sub-committee appointed by the committee is entitled to one vote. In the event of an equality of votes on any matter, the chairperson may exercise a casting vote. If the chairperson does not exercise a casting vote the motion will be lost.

18.4 A member shall be entitled to appoint in writing a natural person who is also a Member of the club to be their proxy, and attend and vote at a general meeting of the club. No member may hold more than five (5) proxies.

**Rationale: 18.2 Makes reference to any meeting, and chairperson, tidy up terminology. 18.4 Current clause irrelevant, confusing and not practically applicable. Revised clause allows for proxy voting. Aligns with NSW Institute of Sport template constitution. Above clauses allow for the complete removal of current rules 29, 30 & 31 of the constitution as they now contain only duplicate information.**

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**PART 4, RULES 21 & 22:**

**22. ANNUAL GENERAL MEETING - HOLDING OF.**

22.1 The NWCC shall, at least once in each calendar year and within the period of six (6) months after expiration of each financial year of the NWCC, convene an annual general meeting of its members.

22.2 The financial year of the NWCC shall be from the 1st July to the 30th June each year.

**23 ANNUAL GENERAL MEETING - CALLING OF AND GENERAL BUSINESS AT.**

23.1 The annual general meeting of the NWCC shall, subject to the Act and to rule 22, be convened on such date and at such place and time at the committee thinks fit.

23.2 In addition to any other business which may be transacted at an annual general meeting, the business of an annual general meeting shall be:-

- A) to confirm the minutes of the last preceding annual general meeting and of any special general meeting held since that last meeting;
- B) to receive from the committee, reports upon the activities of the NWCC during the last preceding financial year;
- C) to elect office bearers of the NWCC and ordinary members of the committee; and,
- D) to receive and consider the statement which is required to be submitted to members pursuant to section 26(6) of the Act.

23.3 An annual general meeting shall be specified as such in the notice convening it.

**Proposed:**

**22. ANNUAL GENERAL MEETING**

22.1 The NWCC shall, once in each calendar year and within the period of six (6) months after expiration of each financial year of the NWCC, convene an annual general meeting of its members. The meeting shall, in accordance with the Act and this Constitution, be convened on such date, time and place that the committee determines.

22.2 The financial year of the NWCC shall be from 1 June to 31 May each year.

22.3 In addition to any other business which may be transacted at an annual general meeting, the business of an annual general meeting shall be:-

- a) to confirm the minutes of the preceding annual general meeting and of any special general meeting held since that last meeting;

b) to receive from the committee, reports upon the activities of the NWCC during the last preceding financial year;

c) to elect office bearers of the NWCC and ordinary members of the committee.

**Rationale: No need to have separate clauses for AGM details. Removal of reference to past Act.**

**Merged clauses 23.1 into 21.1 for simplicity.**

**Removed clause 23.2 d) as it is unnecessary.**

**Removed clause 23.3 as it is duplicated in clause 25.1.**

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**24. SPECIAL GENERAL MEETING - CALLING OF.**

**Proposed:**

**24. SPECIAL GENERAL MEETINGS**

**Rationale: Update sub-heading only.**

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**25. NOTICE.**

25.1 Except where the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the NWCC, the secretary shall, at least fourteen (14) days before the date fixed for the holding of the general meeting, cause to be sent by pre-paid post to each member at the member's address appearing in the register of member, a notice specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.

25.2 Where the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the NWCC, the secretary shall, at least twenty one (21) days before the date fixed for the holding of the general meeting, cause notice to be sent to each other member in the matter provided in clause (25.1) specifying, in addition to the matter required under clause (25.1), the intention to propose the resolution as a special resolution.

25.3 No business other than that specified in the notice convening a general meeting shall be transacted at the meeting except, in the case of an annual general meeting, business which may be transacted pursuant to clause (23.2).

25.4 A member desiring to bring any business before a general meeting may give notice in writing of that business to the secretary who shall include that business in the next notice calling a general meeting given after receipt of the notice from the member.

**Proposed:**

**26. NOTICE**

25.1 The secretary shall, at least twenty one (21) days before the date fixed for the holding of a general meeting, send to each member at the member's address appearing in the register of member, a notice specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.

25.2 Notice of a General Meeting shall be given to those Members entitled to receive notice, together with;

a) The agenda for the meeting; and

b) Any notice of motion received from Members entitled to vote.

25.3 A member desiring to bring any business before a general meeting may give notice in writing of that business to the secretary who shall include that business in the next notice calling a general meeting given after receipt of the notice from the member.

25.4 Notices can be sent by pre-paid post, facsimile transmission, electronic email or SMS to the Member's relevant contact address or phone number. Service of postal notices shall be deemed to be effective three (3) days after posting.

Facsimile transmission, electronic email and SMS service of notices shall be deemed to be effective one (1) days after it was sent.

**Rationale: Amended to reflect 21 days notice instead of 14 days in accordance with model constitution. Removed reference to mailing notice which is now covered in new clause 23.4**

**Removed clause 25.2 as it is duplicated from 'Special Resolutions' clause.**

**Removed clause 25.3 irrelevant information under 'Notice' clause. See AGM & SGM clauses.**

**Created new clause 23.4 which outlines methods/rules for notices in accordance with model.**

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**26.PROCEDURE.**

**Proposed:**

**26.PROCEEDINGS AT GENERAL MEETING**

**Rationale: Update sub-heading only, in line with model constitution.**

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**33.INSURANCE**

**Proposed: Remove clause**

**Rationale: Not required under current practices. JLT insurance must be bought under Cricket**

**Australia compulsory directive.**

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**34.FUNDS - SOURCE.**

**Proposed:**

**33.INCOME**

**Rationale: Update sub-heading only, in line with model constitution. Allows removal of subheading**

**35. FUNDS – MANAGEMENT.**

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**36. ALTERATIONS OF OBJECTS AND RULES.**

36.1 The statement of objects and these rules may be altered, rescinded or added to only by special resolution of the NWCC.

**Proposed:**

**37. ALTERATIONS TO CONSTITUTION**

36.1 This Constitution may be altered, rescinded or added to only by special resolution of the NWCC.

**Rationale: 'Objects and rules' is ambiguous and may not allow changes to by-laws or other rules without resolution.**

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**38.CUSTODY OF BOOKS, ETC.**

38.1 Except as otherwise provided by these rules, the public officer shall keep in his or her custody or under his or her control all records, books and other documents relating to the NWCC.

**Proposed:**

**38.RECORDS AND ACCOUNTS**

38.1 Except as otherwise provided by these rules, the secretary shall keep in his or her custody or under his or her control all records, books and other documents relating to the NWCC.

**Rationale: Update sub-heading only, in line with model constitution. Allows removal of subheading**

**39. INSPECTION OF BOOKS, ETC. The model constitution & NWCC practices are that the secretary, not the public officer, is the record custodian.**

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41.SURPLUS PROPERTY

41.1 In the event of the winding up of the NWCC, or the cancellation of its incorporation, all surplus property of the NWCC pursuant to section 53 (2) of the Act will vest in the Central Coast Cricket Association (CCCA).

**Proposed:**

41.WINDING UP

41.1 Subject to this Constitution the Club may be wound up in accordance with the Act.

41.2 The liability of the Members of the Club is limited.

41.3 Every Member undertakes to contribute to the assets of the Club in the event of it being wound up while a Member, or within one year after ceasing to be a Member, for payment of the debts and liabilities of the Club contracted before the time at which they ceased to be a Member and towards the costs, charges and expenses of winding up the Club, such an amount not exceeding one dollar (\$1.00).

41.4 In the event of the winding up of the NWCC, or the cancellation of its incorporation, all surplus property of the NWCC in accordance with this Constitution and the Act will vest in the Central Coast Cricket Association (CCCA).

**Rationale: Additional clauses added to indemnify the club’s members & committee in accordance with the Act. Removed reference to specific clauses to the redundant Act.**

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**PROPOSED NEW RULE**

**RULE 31: INDEMNITY**

31.1 Every director and employee of the Club will be indemnified out of the property and assets of the Club against any liability incurred by them in their capacity as director or employee in defending any proceedings, civil or criminal, in which judgement is given in their favour or in which they are acquitted or connected with any application in relation to any such proceedings in which relief is granted by the Court.

31.2 Subject The Club shall indemnify its directors or employees against all damages and losses (including legal costs) for which any such director or employee may be or become liable to pay any third party in consequence of any act or omission, except willful misconduct:

- a) In the case of a director, performed or made while acting on behalf of and with the authority, express or implied, of the Club; or
- b) In the case of an employee, performed or made in the course of, and within the scope of, their employment of the Club.

**Rationale: Additional clauses added to indemnify the club’s members & committee in accordance with the Act. Taken from model constitution.**

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**ADDITIONAL NOTES:**

- All sections of the current Constitution are divided into Parts (ie Part I to VI). These parts have been removed as they are unnecessary.
- All Clause numbers have been re-numbered to suit, and table of contents updated to reflect changes.
- Some other clause titles have been changed and/or moved into other areas of the Constitution for readability and logic.

ATTACHMENT "B"

**THE CONSTITUTION OF NARARA-WYOMING  
CRICKET CLUB INCORPORATED**

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## **1. INTERPRETATION**

**1.1** In these rules, except in so far as the context or subject matter otherwise indicates or requires :-

(a) NWCC - means Narara-Wyoming Cricket Club Incorporated.

(b) Ordinary Member - means an ordinary member of the committee who is not an office bearer of the NWCC as referred to in rule 11.2.

(c) Secretary - means the person holding office under these rules as secretary of the NWCC; or where no such person holds that office - the public officer of the NWCC.

(d) Special General Meeting - means a general meeting of the NWCC other than the Annual General Meeting.

(e) The Act - means the Incorporated Associations Act 2009.

**1.2** In these rules,

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

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

## **2. MEMBERSHIP OF THE NWCC**

**2.1** Categories of membership.

(a) Office bearers.

(b) Committee members.

(c) Delegate members.

(d) Life members.

(e) Playing members.

(f) Non playing members.

(g) Patron(s).

**2.2** Qualification.

A person is a member of the NWCC if that person is described under rule (1.1) above, and is subject to rule (3).

(a) Office bearer - elected as per rule (11.2).

(b) Committee members - elected as per rule (11.1).

- (c) Delegate members - these are sub-committee members appointed by any sub-committee of the NWCC which are under the control and direction of the NWCC.
- (d) Life members - elected as per NWCC's by-laws.
- (e) Playing members - persons who have signed the Central Coast Cricket Association (CCCA) registration form (this includes parents or guardians who have signed on behalf of a player who is under the age of 18yrs).
- (f) Non playing members - any person that abides by the objects, constitution and by-laws of the NWCC.
- (g) Patron - elected as per NWCC's by-laws.

**2.3** Membership is granted to those mentioned in rule (1.3) dependent upon them fulfilling the requirements as per rule (7).

**2.4** The committee shall determine whether or not to accept any nomination from a person mentioned in rule (1.3)(e) and (f).

### **3. CESSATION OF MEMBERSHIP**

**3.1** A person ceases to be a member of the NWCC if the person :-

- (a) dies;
- (b) resigns that membership;
- (c) is expelled from the NWCC; or,
- (d) fails to renew membership.

### **4. MEMBERSHIP ENTITLEMENTS NOT TRANSFERABLE**

**4.1** A right, privilege or obligation which a person has by reason of being a member of the NWCC :-

- (a) is not capable of being transferred or transmitted to another person; and,
- (b) terminates upon cessation of the person's membership.

### **5. RESIGNATION OF MEMBERSHIP**

**5.1** A member of the NWCC is not entitled to resign that membership except in accordance with this rule.

**5.2** A member of the NWCC who has paid all amounts payable by the member to the NWCC in respect of the member's membership may resign from membership of the NWCC by first giving notice (being not less than 1 month or not less than such other period as the committee may determine) in writing to the secretary of the member's intention to resign and, upon the expiration of the period of notice, the member ceases to be a member.

**5.3** Where a member of the NWCC ceases to be a member pursuant to clause (3.1), and in every other case

where a member ceases to hold membership, the secretary shall make an appropriate entry in the register of members recording the date on which the member ceased to be a member.

## **6. REGISTER OF MEMBERS**

**6.1** The secretary of the NWCC shall establish and maintain a register of members of the NWCC specifying the name, address, date of birth and phone number of each person who is a member of the NWCC together with the date on which the person became a member.

**6.2** The register of members shall be kept at the principal place of administration of the NWCC, and shall be open for inspection free of charge, by any member of the NWCC at any reasonable hour. The register of members may be kept in an electronic format.

## **7. FEES AND SUBSCRIPTIONS**

**7.1** A member of the NWCC shall, upon admission to membership, pay to the NWCC a fee in accordance with the Fee Payment Schedule.

**7.2** The liability of a member of the NWCC to contribute towards the payment of the debts and liabilities of the NWCC or the cost, charges and expenses of the winding up of the NWCC is limited to the amount, if any, unpaid by the member in respect of membership of the NWCC as required by rule (32).

## **8. DISCIPLINING OF MEMBERS**

**8.1** Where the committee is of the opinion that a member of the NWCC has allegedly:

- (a) Breached, failed, refused or neglected to comply with a provision of this Constitution, the By-laws or any resolution or determination of the committee or any duly authorised committee; or
- (b) acted in a manner unbecoming of a member, or prejudicial to the purposes and interests of the Club and/or Cricket; or
- (c) brought the Club, any other member or Cricket into disrepute;

The committee may, by resolution, expel the member from the NWCC or suspend the member from membership of the NWCC for a specified period.

**8.2** Where the committee passes a resolution under clause (8.1), the secretary shall, as soon as practicable, cause a notice in writing to be served on the member:-

- (a) setting out the resolution of the committee and the grounds on which it is based;
- (b) stating that the member may address the committee at a meeting to be held not earlier than

- fourteen (14) days and not later than twenty eight (28) days after service of the notice;
- (c) stating the date, place and time of that meeting; and,
- (d) informing the member that the member may do either or both of the following:
  - (i) attend and speak at that meeting;
  - (ii) submit to the committee at or prior to the date of that meeting, written representations relating to the resolution.

- 8.3** At a meeting of the committee held as referred to in clause (8.2), the committee shall:-
- (a) give to the member an opportunity to make oral representations;
  - (b) give due consideration to any written representations submitted to the committee by the member at or prior to the meeting; and,
  - (c) by resolution determine whether to confirm or to revoke the resolution.

- 8.4** Where the committee confirms a resolution under clause (8.3), the secretary shall, within 7 days after that confirmation, by notice in writing inform the member of the fact and of the member's right of appeal under rule 11.

- 8.5** A resolution confirmed by the committee under clause (8.3) does not take effect:-
- (a) until the expiration of the period within which the member is entitled to appeal against the resolution where the member does not exercise the right of appeal within that period; or,
  - (b) where within that period the member exercises the right of appeal, unless and until the NWCC confirms the resolution pursuant to clause (8.3).

## **9. RIGHT OF APPEAL OF DISCIPLINED MEMBER**

- 9.1** A member may appeal to the NWCC in general meeting against a resolution of the committee which is confirmed under rule (8.3), within seven (7) days after notice of the resolution is served on the member, by lodging with the secretary a notice to that effect.

- 9.2** Upon receipt of a notice from a member under clause (8.4), the secretary shall notify the committee which shall convene a general meeting of the NWCC to be held within twenty one (21) days after the date on which the secretary received the notice.

- 9.3** At a general meeting of the NWCC convened under clause (9.2):-
- (a) no business other than the question of the appeal shall be transacted;
  - (b) the committee and the member shall be given the opportunity to state their respective cases orally or in writing; or both; and,
  - (c) the members present shall vote by secret ballot on the question of whether the resolution should be confirmed or revoked.

- 9.4** If at the general meeting the NWCC passes a special resolution in favour of the confirmation of the resolution, the resolution is confirmed.

## **10. POWERS OF THE COMMITTEE**

**10.1** The committee shall be called the Committee of Management of the NWCC, subject to the Act, the Regulation and these rules, and to any resolution passed by the NWCC in general meeting:-

- (a) shall control and manage the affairs of the NWCC;
- (b) may exercise all such functions as may be exercised by the NWCC other than those functions that are required by these rules to be exercised by a general meeting of members of the NWCC; and,
- (c) has power to perform all such acts and do such things as to appear to the committee to be necessary or desirable for the proper management of the affairs of the NWCC.

## **11. COMMITTEE AND MEMBERSHIP**

**11.1** The Committee shall comprise:

- (a) the office bearers of the NWCC: and,
- (b) no less than six (6) ordinary members, each of whom shall be elected at the annual general meeting of the NWCC pursuant to rule (18.3).

**11.2** The office bearers of the NWCC shall be:

- (a) the president;
- (b) the vice president;
- (c) the treasurer;
- (d) the secretary; and,
- (e) the recorder.

**11.3** Roles and responsibilities of roles are described in the document NWCC Policy Document, Position Requirements and Descriptions.

## **12. ELECTION OF COMMITTEE MEMBERS**

**12.1** Nominations of candidates for election as office bearers of the NWCC or as ordinary members of the committee:-

- (a) shall be in writing, signed by two (2) members of the NWCC and accompanied by the written consent of the candidate (which) may be endorsed on the form of nomination; and,
- (b) shall be delivered to the secretary of the NWCC not less than seven (7) days before the date fixed for the holding of the annual general meeting at which the election is to take place.

**12.2** If insufficient nominations are received to fill all vacancies on the committee, the candidates nominated shall be deemed to be elected and further nominations shall be received at the annual general meeting.

**12.3** If insufficient further nominations are received, any vacant positions remaining on the committee shall be deemed to be casual vacancies.

**12.4** If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected.

**12.5** If the number of nominations received exceeds the number of vacancies to be filled, a ballot shall be held.

**12.6** The ballot for election for office bearers and ordinary members of the committee shall be conducted at the annual general meeting in such usual and proper manner as the committee may direct.

**12.7** A nomination of a candidate for election under this clause is not valid if that candidate has been nominated for election to another office at the same election.

### **13. CASUAL VACANCIES**

**13.1** For the purposes of these rules, a casual vacancy in the office of a member of the committee occurs if the member:

- (a) dies;
- (b) ceases to be a member of the NWCC;
- (c) resigns office by notice in writing given to the secretary;
- (d) is removed from office under rule (14);
- (e) becomes of unsound mind or a person whose person or estate is liable to be dealt with in any way under the law relating to mental health; or,
- (f) is absent without the consent of the committee from three (3) consecutive meetings all held during a period of three (3) months.

### **14. REMOVAL OF A MEMBER**

**14.1** The NWCC in a general meeting may by resolution remove any member of the committee from the office of member before the expiration of the member's term of office and may by resolution appoint another person to hold office until the expiration of the term of office of the member so removed.

**14.2** Where a member of the committee to whom a proposed resolution referred to in clause (14.1) relates makes representations in writing to the secretary or president (not exceeding a reasonable length) and requests that the representations be notified to the members of the NWCC, the secretary or president may send a copy of the representations to each member of the NWCC, or if the representations are not so sent, the member is entitled to require that the representations be read out at the meeting at which the resolution is considered.

## **15. COMMITTEE MEETINGS AND QUORUM**

**15.1** The committee shall meet at least three (3) times in each period of twelve (12) months at such place and time as the committee may determine for the purpose of a general meeting.

**15.2** Additional meetings of the committee may be convened by any member of the committee.

**15.3** Written or oral notice of a general meeting or special general meeting of the committee shall be given by the secretary to each member of the committee at least forty eight (48) hours before the time appointed for the holding of the meeting.

**15.4** Notice of a special general meeting given under clause (19) shall specify the general nature of the business to be transacted at the meeting and no business other than that business shall be transacted at the meeting, except business which the committee members present at the meeting unanimously agree to treat as urgent business.

**15.5** For the transaction of the business of a meeting of the committee, a number greater than 50% of the elected committee (executive and ordinary members) in attendance shall constitute a quorum.

**15.6** No business shall be transacted by the committee unless a quorum is present and if within half an hour of the time appointed for the meeting a quorum is not present, the meeting stands adjourned until the time and place as advised by the Secretary.

**15.7** If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the meeting shall be dissolved.

**15.8** At a meeting of the committee:-  
Narara-Wyoming Cricket Club Constitution

- (a) the president or, in the president's absence, the vice president shall preside; or,
- (b) if the president and the vice president are absent or unwilling to act such, one of the remaining members of the committee as may be chosen by the members present at the meeting shall preside.

## **16. DELEGATION BY COMMITTEE TO SUB-COMMITTEE**

**16.1** The committee may, by Instrument in Writing, delegate to one or more sub-committee's (consisting of such member or members of the NWCC as the committee thinks fit) the exercise of such of the functions of the committee as are specified in the Instrument, other than:-

- (a) this power of delegation; and,
- (b) a function which is a duty imposed on the committee by the Act, or by any other law.

**16.2** A function the exercise of which has been delegated to a sub-committee under this rule may, while the delegation remains unrevoked, be exercised from time to time by the sub-committee in accordance with the terms of delegation.

**16.3** A delegation under this section may be made subject to such conditions or limitations as to the exercise of any function the subject thereof, or as to time or circumstances, as may be specified in the Instrument of Writing.

**16.4** Notwithstanding any delegation under this rule, the committee may continue to exercise any function delegated.

**16.5** Any act, or thing done or suffered by a sub-committee acting in the exercise of a delegation under this rule has the same force and effect as it would if it had been done or suffered by the committee.

**16.6** The committee may, by Instrument in Writing, revoke wholly or in part any delegation under this rule.

**16.7** A sub-committee may meet and adjourn as it thinks proper.

**16.8** One of the sub-committees formed shall be a sub-committee formed for the purposes of the management and promotion of junior cricket. That sub-committee shall be known as the Narara-Wyoming Junior Cricket Club (NWJCC).

## **17. VOTING, DECISIONS & PROXIES**

**17.1** Questions arising at a meeting of the committee or of any sub-committee appointed by the committee shall be determined by a majority of the votes of members of the committee or sub-committee present at the meeting.

**17.2** Each member of the committee or of any sub-committee appointed by the committee is entitled to one vote. This vote may be submitted to the Secretary electronically no less than 24 hours prior to the commencement of the meeting, either by email or SMS. In the event of an equality of votes on any matter, the chairperson may exercise a casting vote. If the chairperson does not exercise a casting vote the motion will be lost.

**17.3** Subject to clause (13), the committee may act notwithstanding any vacancy on the committee.

**17.4** A member shall be entitled to appoint in writing a natural person who is also a Member of the club to be their proxy, and attend and vote at a general meeting of the club. No member may hold more than five (5) proxies.

## **18. ANNUAL GENERAL MEETING**

**18.1** The NWCC shall, once in each calendar year and within the period of six (6) months after expiration of each financial year of the NWCC, convene an annual general meeting of its members. The meeting shall, in accordance with the Act and this Constitution, be convened on such date, time and place that the committee determines.

**18.2** The financial year of the NWCC shall be from 1 June to 31 May each year.

**18.3** In addition to any other business which may be transacted at an annual general meeting, the business of an annual general meeting shall be:-

- a) to confirm the minutes of the preceding annual general meeting and of any special general meeting held since that last meeting;
- b) to receive from the committee, reports upon the activities of the NWCC during the last preceding financial year;
- c) to elect office bearers of the NWCC and ordinary members of the committee.

## **19. SPECIAL GENERAL MEETINGS**

**19.1** The committee shall, whenever it thinks fit, convene a special general meeting of the NWCC.

**19.2** The committee shall, on the requisition in writing of not less than five (5) per cent of the total number of

members, convene a special general meeting of the NWCC.

**19.3** A requisition of members for a special general meeting:-

- (a) shall state the purpose of the meeting;
- (b) shall be signed by the members making the requisition;
- (c) shall be lodged with the secretary; and,
- (d) may consist of several documents in a similar form, each signed by one or more of the members making the requisition.

**19.4** If the committee fails to convene a special general meeting to be held within one (1) month after that date on which a requisition of members for the meeting is lodged with the secretary, any one or more of the members who made the requisition may convene a special general meeting to be held not later than three (3) months after that date.

**19.5** A special general meeting convened by a member or members as referred to in clause (18.2) shall be convened as nearly as is practicable in the same manner as general meetings are convened by the committee and any member who thereby incurs expense is entitled to be reimbursed by the NWCC for any expense incurred.

## **20. SPECIAL RESOLUTIONS**

**20.1** A resolution of the NWCC is a special resolution if:

- (a) It is passed by a majority which comprises not less than three-quarters of such members of the NWCC as, being entitled under these rules so to do, vote in person or by proxy at a general meeting of which not less than twenty one (21) days written notice specifying the intention to propose the resolution as a special resolution was given in accordance with these rules; or,
- (b) where it is made to appear to the committee that it is not possible or practicable for the resolution to be passed in the manner specified in paragraph (a) - the resolution should not be changed.

## **21. NOTICE**

**21.1** The secretary shall, at least twenty one (21) days before the date fixed for the holding of a general meeting, send to each member at the member's address appearing in the register of member, a notice specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.

**21.2** Notice of a General Meeting shall be given to those Members entitled to receive notice, together with;

- a) The agenda for the meeting; and
- b) Any notice of motion received from Members entitled to vote.

**21.3** A member desiring to bring any business before a general meeting may give notice in writing of that business to the secretary who shall include that business in the next notice calling a general meeting given after receipt of the notice from the member.

**21.4** Notices can be sent by pre-paid post, facsimile transmission, electronic email or SMS to the Member's relevant contact address or phone number. Service of postal notices shall be deemed to be effective three (3) days after posting. Facsimile transmission, electronic email and SMS service of notices shall be deemed to be effective one (1) days after it was sent.

## **22. PROCEEDINGS AT GENERAL MEETINGS**

**22.1** No item of business shall be transacted at a general meeting unless a quorum of members entitled under these rules to vote is present during the time the meeting is considering that item.

**22.2** Ten (10) members present in person (being members entitled under these rules to vote at a general meeting) constitute a quorum for the transaction of the business of a general meeting.

**22.3** If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members present (being not less than three (3)) shall constitute a quorum.

## **23. PRESIDING MEMBER**

**23.1** The president or, in the president's absence, the vice president shall preside as chairperson at each general meeting of the NWCC.

**23.2** If the president and the vice president are absent from a general meeting or unwilling to act, the members present shall elect one of their number to preside as chairperson at the meeting.

## **24. ADJOURNMENT**

**24.1** If within half an hour after the appointed time for the commencement of a general meeting a quorum is not present, the meeting if convened upon the requisition of members shall be dissolved and in any other case shall stand adjourned to the same day in the following week at the same time and (unless another place is specified at the time of the adjournment by the person presiding at the meeting or communicated by written notice to members given before the day to which the meeting is adjourned) at the same place.

**24.2** The chairperson of a general meeting at which a quorum is present may, with the consent of the majority of members present at the meeting, adjourn the meeting from time to time and place to place, but no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.

**24.3** Where a general meeting is adjourned for fourteen (14) days or more, the secretary shall give written or oral notice of the adjourned meeting to each member of the NWCC stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.

**24.4** Except as provided in clauses (24.1) and (24.2), notice of an adjournment of a general meeting or of the business to be transacted at an adjourned meeting is not required to be given.

## **25. MAKING OF DECISIONS**

**25.1** A question arising at a general meeting of the NWCC shall be determined on a show of hands and, unless before or on the declaration of the show of hands a poll is demanded, a declaration by the chairperson that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to the effect in the minute book of the NWCC, is evidence of the fact without proof of the number or proportion of votes recorded in favour of or against that resolution.

**25.2** At a general meeting of the NWCC, a poll may be demanded by the chairperson or by not less than three (3) members present in person or by proxy at the meeting.

**25.3** Where the poll is demanded at a general meeting, the poll shall be taken:-

- (a) immediately in the case of a poll which relates to the election of the chairperson of the meeting or to the question of the adjournment; or,
- (b) in any other case, in such manner and at such time before the close of the meeting as the chairperson directs, and the resolution of the poll on the matter shall be deemed to be the resolution of the meeting on that matter.

## **26. VOTING AND PROXIES AT GENERAL MEETINGS**

**26.1** Upon a question arising at a general meeting of the NWCC, a member has one (1) vote only.

**26.2** All votes shall be given personally, by proxy, or submitted to the Secretary electronically no less than 24 hours prior to the commencement of the meeting either by email or SMS. No member may hold more than five (5) proxies.

**26.3** In the case of an equality of votes on a question at a general meeting, the chairperson of the meeting is entitled to exercise a second or casting vote.

**26.4** A member or proxy is not entitled to vote at any general meeting of the NWCC unless all money due and payable by the member or proxy to the NWCC has been paid, other than the amount of the annual subscription payable in respect of the then current year.

**26.5** Each member shall be entitled to appoint another member as proxy by notice given to the secretary no later than twenty four (24) hours before the time of the meeting in respect of which the proxy is appointed.

**26.6** The notice appointing the proxy shall be in the form set out in Appendix 1 to these rules.

## **27. INCOME**

**27.1** The funds of the NWCC shall be derived from entrance fees and annual subscriptions of members, donations and, subject to any resolution passed by the NWCC in general meeting, such sources as the committee determines.

**27.2** All money received by the NWCC shall be deposited as soon as practicable and without deduction to the credit of the NWCC's bank accounts.

**27.3** The NWCC shall, as soon as practicable after receiving any money, issue an appropriate receipt.

**27.4** Subject to any resolution passed by the NWCC in general meeting, the funds of the NWCC shall be used in pursuance of the objects of the NWCC in such manner as the committee determines.

**27.5** All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by any two (2) members of the committee or employees of the NWCC, being members or employees authorised to do so by the committee.

**27.6** The A properly qualified auditor or auditors shall be appointed by the Club in a general meeting. The auditor's duties shall be regulated in accordance with the Act. If no relevant provisions exist under the Act the duties shall be regulated in accordance with the Corporations Act 2001 (Cth.) and generally accepted principles and/or any applicable code of conduct. The auditor may be removed by the Club in a general meeting.

## **28. ALTERATIONS TO CONSTITUTION**

**28.1** The statement of objects and these rules may be altered, rescinded or added to only by special resolution of the NWCC.

## **29. COMMON SEAL**

**29.1** The common seal of the NWCC shall be kept in the custody of the public officer or secretary, as may be deemed appropriate by the committee.

**29.2** The affixing of the common seal shall not take place except by the authority of the committee, and the affixing of the common seal shall be attested by the signatures either of two (2) members of the committee or of one (1) member of the committee and of the public officer or secretary.

## **30. RECORDS AND ACCOUNTS**

**30.1** Except as otherwise provided by these rules, the Secretary shall keep in his or her custody or under his or her control all records, books and other documents relating to the NWCC. These may be kept in an electronic format.

**30.2** The records, books and other documents of the NWCC shall be open to inspection, free of charge, by a member of the NWCC at any reasonable hour.

## **31. WINDING UP**

**31.1** Subject to this Constitution, the Club may be wound up in accordance with the Act.

**31.2** The liability of the Members of the Club is limited.

**31.3** Every Member undertakes to contribute to the assets of the Club in the event of it being wound up while a Member, or within one year after ceasing to be a Member, for payment of the debts and liabilities of the Club contracted before the time at which they ceased to be a Member and towards the costs, charges and

expenses of winding up the Club, such an amount not exceeding one dollar (\$1.00).

**31.4** In the event of the winding up of the NWCC, or the cancellation of its incorporation, all surplus property of the NWCC in accordance with this Constitution and the Act will vest in the Central Coast Cricket Association (CCCA).

## **32. INDEMNITY**

**32.1** Every director and employee of the Club will be indemnified out of the property and assets of the Club against any liability incurred by them in their capacity as director or employee in defending any proceedings, civil or criminal, in which judgement is given in their favour or in which they are acquitted or connected with any application in relation to any such proceedings in which relief is granted by the Court.

**32.2** Subject The Club shall indemnify its directors or employees against all damages and losses (including legal costs) for which any such director or employee may be or become liable to pay any third party in consequence of any act or omission, except willful misconduct:

- a) In the case of a director, performed or made while acting on behalf of and with the authority, express or implied, of the Club; or
- b) In the case of an employee, performed or made in the course of, and within the scope of, their employment of the Club.

**APPENDIX 1**

**FORM OF APPOINTMENT OF PROXY**

I, ..... (full name)

of ..... (full address)

being a member of **Narara-Wyoming Cricket Club Incorporated**

hereby appoint ..... (full name of proxy)

of ..... (full address of proxy)

being a member of that Incorporated Association, as my proxy to vote for me on my behalf at the General meeting of the Club (Annual General Meeting or Special General meeting as the case may be), to be held on the .....day of....., 20..... and at any adjournment of that meeting.

\* My proxy is authorised to vote in favour/against (delete as appropriate) the resolution (insert details).

.....

**\* To be inserted as desired.**

..... Signature of member appointing proxy.

..... date.

**NOTE :**      **A proxy vote may not be given to a person who is not a member of the Club.**

## ATTACHMENT “C”

### **NARARA-WYOMING CRICKET CLUB INCORPORATED BY-LAWS – Proposed Changes & Rationale**

2. The club colours shall be green and white\*, with the colour green to be known as NWCC Green (pantone colour number 555C).

\*standardises green colour to a specific tone allowing consistency with colour scheme.

3. The objects of the club shall be :-

a) The management, promotion & encouragement of the game of cricket within the club boundaries as laid down by the Central Coast Cricket Association (CCCA) or it's assigns.

b) To legislate on all disputes and conduct of members within the club.

c) To arrange and enter teams in the \*Central Coast Cricket Association competition each season, and conduct social matches \*\*and functions as requested and desired by the members of the club.

\*changed from GWDCA to CCCA as per current establishment

\*\*included functions to cover events such as presentation night, etc.

#### **6. Election of Selectors.**

a) Selectors will be elected by the committee at a \*monthly committee meeting to be held prior to the end of August. \*\*clause removed

b) Five (5) selectors will be required to be elected, with non-playing members also being eligible for election.

c) \*\*\*Applying selectors must have their written applications \*\*\*submitted to the secretary by no later than 6:00pm on the day of the \*\*\*\*word removed meeting to elect selectors.

d) Voting shall be on a preferential system.

e) The committee shall have the power to veto any application for selector.

\* changed from 'special' meeting to 'monthly committee' in line with current practice. A special meeting implies a separate special meeting must be held to elect selectors.

\*\* removed clause 'such meeting to be set at the AGM'. Not applicable if selectors are elected at a monthly committee meeting.

\*\*\*changed from 'Aspiring' to 'Applying'. Terminology clean-up.

\*\*\*\*changed from 'in the hands of' to 'submitted to'. Terminology clean-up.

\*\*\*\*\* removed the word 'special'.

#### **8. Election of captains.**

a) The first grade captain will be elected by the committee at the August monthly committee meeting \*clause removed. All other captains will be elected by the committee \*\* clause removed at \*\*\*the September monthly committee meeting.

b) \*\*\*\*Applying captains must have their written applications \*\*\*\*\*submitted to the secretary by no later than 6:00pm on the day of the \*\*\*\*\*word removed meeting to select captains.

\* removed 'prior to the commencement of each season'. Irrelevant clause.

\*\*removed 'and selectors'. In line with current practice.

\*\*\*changed 'a special meeting' to 'September monthly committee meeting'. In line with current practice, negates the need to hold a special meeting.

\*\*\*\*changed from 'Aspiring' to 'Applying'. Terminology clean-up.

\*\*\*\*\*changed from 'in the hands of' to 'submitted to'. Terminology clean-up.

\*\*\*\*\*removed the word 'relevant'. Not required.

#### **11. Trophies.**

Trophies shall be presented at the \*Annual Presentation night of the club in each team for :-

a) Batting Average

b) Bowling Average

c) Fielding Award

d) Century Makers\*\*

e) 6 or more wickets in an innings\*\*\*

\*changed from 'conclusion of each season' to 'Annual Presentation night of the club', as referenced in By-law 15.(b).

\*\* & \*\*\* additional awards not included in current by-laws.

## 12. Trophies – Qualification.

a) To qualify for trophies (as per by-law 11), players must play at least 50% of matches in that team, and meet the following requirements :-

(i) Batting – score at least \*250 runs.

(ii) Bowling – take \*\*25 wickets.

c) Should no player qualify for a batting trophy as per \*\*\*By-law (12. (a)(i), the qualifying runs shall be reduced by 25 runs until a winner is reached.

d) Should no player qualify for a bowling trophy as per \*\*\*\*By-law (12. (a)(ii), the qualifying wickets shall be reduced by 5 wickets until a winner is reached.

\*changed from '300 runs (1<sup>st</sup> Grade) or 250 runs (all other grades)'. Seems illogical to differentiate rules between grades. Brings whole club into line.

\*\*changed from '25 wickets (1<sup>st</sup> & 2<sup>nd</sup> Grades) or 30 wickets (all other grades)'. Seems illogical to differentiate rules between grades. Brings whole club into line.

\*\*\*changes from 'clause 9(b)(i) re the number of runs scored'. References correct By-law clause, removes unnecessary reference.

\*\*\*\* changes from 'clause 9(b)(ii) re the number of wickets taken'. References correct By-law clause, removes unnecessary reference.

## 13. Special Trophies.

a) \*Special trophies are to be awarded for the most runs, the most wickets, etc etc etc

\*changes from 'That special trophies be'. Terminology clean-up, makes more sense to read.

## 14. John Olsen Memorial Trophy.

The rules for this trophy are to be decided by the Olsen family, in collaboration with the Narara-Wyoming Cricket Club Inc. Committee.

\*The winner has the highest amount of accumulated points counted for the first innings of competition matches within any grade. Points are awarded as follows:

a) 1 point per run

b) 15 points per bowler's wicket

c) 10 points per stumping \*\*clause removed

d) 10 points per catch

\*\*\*clause removed

\*changed 'Present rules'. Terminology clean-up (all By-laws are present rules), and amalgamation of \*\*\*clause removed.

\*\*removed 10 points per fielding award. Fielding awards are not common throughout grades, and are not in line with current practice. CHANGE MUST BE CONSULTED WITH OLSEN FAMILY.

\*\*\*clause removed & semi-amalgamated in 1<sup>st</sup> change above. 'Points are to be counted for the first innings of competition matches. Matches played under the One-Day Limited Over Competition rules are excluded.' The ODLO competition does not currently exist, yet this clause could be misconstrued with scheduled one-day matches that make up the competition structure. Clause obsolete. CHANGE MUST BE CONSULTED WITH OLSEN FAMILY.

New Clause – to be inserted between 15. & 16.

## Cricketer of the Year Trophy.

The winner shall be determined by accumulating the most points, as voted by each Committee member and each 1<sup>st</sup> Grade player who played 50% of matches in the last season. Voting shall be conducted in a 3-2-1 system. In the event of a tie between 2 or more players, the award shall be shared with multiple winners.

## 17. Life Members.

Life Membership of the club shall be granted to the following :-

a) Life Members of the NWCC prior to Incorporation.

b) Members, or former members, of the club whose nomination :-

i) \*May be made by a \*\*Member, seconder and duly signed by five (5) other members of the club. The nomination shall state the reasons for such nomination\*\*\* and shall be lodged with the secretary of the club at least twenty eight (28) days prior to the AGM, and if endorsed by a majority of the NWCC Board, then shall be submitted to the Committee, and subject to the Committee's ratification, shall be submitted for final approval at the next Annual General Meeting; \*\*\*\*OR

ii) \*May be made by any member of the NWCC Board and if endorsed by a majority of the NWCC Board, voting by secret ballot at a meeting of the Board, shall then be submitted to the Committee, and subject to the Committee's ratification, shall be submitted for final approval at the next Annual General Meeting\*\*\*\*; AND

iii) Shall require a majority which comprises of not less than seventy five (75) percent of the members in attendance at the Annual General Meeting, voting by secret ballot, to be passed.

All Life Members of the NWCC are automatically members of the NWCC Board.

Life Membership shall not entitle the Life Member the right to vote at a committee meeting,

\*\*\*\*\*unless they have been elected to the committee at the previous Annual General Meeting.

\*replace 'Shall' with 'May'. This allows for 2 optional methods of initiating a nomination, as opposed to having to follow both processes to move a nomination.

\*\*replace 'nominee' with 'Member'. The word nominee refers to the person being nominated for Life Membership. This change allows a member to move a nomination as is the intended process.

\*\*\*merge clauses (i) & (ii) in current By-laws document. Provides simplicity into the first optional stage of the process.

\*\*\*\*insert ';OR' – must be included to provide clarity & stipulates the optional first step.

\*\*\*\*\*insert ';AND' – must be included to provide clarity & a sequential final step to complete Life Member induction.

\*\*\*\*\*replace 'such right being applicable to committee members only'. Avoids possible misinterpretation that a Life Member would not have the right to vote a committee meeting, even if they are also a committee member.

## ATTACHMENT "D"

# NARARA-WYOMING CRICKET CLUB INCORPORATED BY-LAWS

1. A by-law cannot take precedence over a constitutional clause.
2. The club colours shall be green and white, with the colour green to be known as NWCC Green (pantone colour number 555C).
3. The objects of the club shall be :-
  - (a) The management, promotion and encouragement of the game of cricket within the club boundaries as laid down by the Central Coast Cricket Association (CCCA) or its assigns.
  - (b) To legislate on all disputes and conduct of members within the club.
  - (c) To arrange and enter teams in the Central Coast Cricket Association (CCCA) competition each season, and conduct social matches and functions as requested and desired by the members of the club.
4. The members, where they see fit, can appoint a club patron (or patrons). This position is held for a twelve (12) month period.
5. Any By-Law can be changed by a seventy five (75) percent majority of members at the Annual General Meeting (AGM).
6. Election of Selectors.
  - (a) Selectors will be elected by the committee at a monthly committee meeting to be held prior to the end of August.
  - (b) Five (5) Selectors will be required to be elected, with non-playing members also being eligible for election.
  - (c) Applying Selectors must have their written applications submitted to the secretary by no later than 6:00pm on the day of the meeting to elect Selectors.
  - (d) Voting shall be on a preferential system.
  - (e) The committee shall have the power to veto any application for Selector.
  - (f) A Chairman of Selectors shall be elected by those appointed as Selectors.
7. Dismissal of a Selector.
  - (a) The committee shall have the power to dismiss any selector and appoint a member (with that member's approval) as it sees fit.
  - (b) Should any selector be absent from two (2) consecutive selectors meetings, the committee of the club must be informed, and if no valid reason is given, that selector will be dismissed from the panel and a replacement will be appointed by the committee.
8. Election of Captains.
  - (a) The first grade captain will be elected by the committee at the August monthly Committee meeting. All other captains will be elected by the committee at the September monthly Committee meeting.
  - (b) Applying captains must have their written applications submitted to the secretary by no later than 6:00pm on the day of the meeting to select captains.
  - (c) Voting shall be a one name per vote system, however in the event of there being more than two (2) applications in the one grade, a second ballot will take place between the top two (2) applicants from the first ballot.
  - (d) The committee shall have the power to veto any application for captaincy.
9. Dismissal of a Captain.
  - (a) The committee shall have the power to dismiss any captain and appoint a player (with that player's approval) as it sees fit.
  - (b) Permanent captaincy changes shall be made only by the committee.
  - (c) If a captain becomes unavailable during the season, the selectors shall choose a replacement for the duration of their unavailability.
10. In the event of a team winning a premierships, the committee shall decide who are to receive premierships caps.

#### 11. Trophies.

Trophies shall be presented at the Annual Presentation night of the club in each team for;

- (a) Batting Average.
- (b) Bowling Average.
- (c) Fielding Award.
- (d) Century Makers.
- (e) 6 or more wickets in an innings.

#### 12. Trophies - Qualification.

(a) To qualify for trophies (as per By-law 11), players must play at least 50% of matches in that team, and meet the following requirements :-

- (i) Batting - score at least 250 runs.
  - (ii) Bowling - take 25 wickets.
- (b) Semi-finals, finals and grand finals shall be taken into consideration when determining the above trophy winners.
- (c) Should no players qualify for a batting trophy as per By-law 12. (a) ( i ) the qualifying runs shall be reduced by 25 runs until a winner is reached.
- (d) Should no players qualify for a bowling trophy as per By-law 12. (a) (ii) re the number of wickets taken, the qualifying wickets shall be reduced by 5 wickets until a winner is reached.

#### 13. Special Trophies.

- (a) Special trophies are to be awarded for the most runs, the most wickets, the most dismissals by a wicketkeeper and the most catches taken (other than by a wicketkeeper), with all matches counting irrespective of the grade played but excluding semi-finals, finals and grand finals.
- (b) The committee shall have the power to award any extra trophy that they decide is warranted.

#### 14. John Olsen Memorial Trophy.

The rules for this trophy are to be decided by the Olsen family, in collaboration with the Narara-Wyoming Cricket Club Inc. Committee.

The winner has the highest amount of accumulated points counted for the first innings of competition matches within any grade. Points are awarded as follows:

- (a) 1 point per run
  - (b) 15 points per bowler's wicket
  - (c) 10 points per stumping
  - (d) 10 points per catch
- #### 15. Clubman, Sportsman, Player of the Final Series and Colt of the Year Trophies.

- (a) Clubman, Sportsman, Player of the Final Series and Colt of the Year shall be elected by the committee, the voting to be a secret ballot on a preferential system.
- (b) The votes shall be counted by a person or persons nominated by the committee, and the results of such ballots to be announced at the next Annual Presentation night of the club.

#### 16. Cricketer of the Year Trophy.

The winner shall be determined by accumulating the most points, as voted by each Committee member and each 1<sup>st</sup> grade player which played at least 50% of matches in the last season. Voting shall be conducted in 3-2-1 system. In the event of a tie between 2 or more players, the award shall be shared with multiple winners.

17. The committee shall have the power where it sees fit, not to award any trophy.

#### 18. Life Members.

Life Membership of the club shall be granted to the following:-

- (a). Life Members of the NWCC prior to Incorporation.
- (b). Members, or former members, of the club whose nomination:-
  - (i) May be made by a M e m b e r, seconder and duly signed by five (5) other members of the club. The nomination shall state the reasons for such nomination and

shall be lodged with the secretary of the club at least twenty eight (28) days prior to the AGM, and if endorsed by a majority of the NWCC Board voting by secret ballot at a meeting of the Board, shall then be submitted to the Committee, and subject to the Committee's ratification, shall be submitted for final approval at the next Annual General Meeting, OR;

(ii) May be made by any member of the NWCC Board and if endorsed by a majority of the NWCC Board, voting by secret ballot at a meeting of the Board, shall then be submitted to the Committee, and subject to the Committee's ratification, shall be submitted for final approval at the next Annual General Meeting, AND;

(iii) Shall require a majority which comprises not less than seventy five (75) percent of the members in attendance at the Annual General Meeting, voting by secret ballot, to be passed.

All Life Members of the NWCC are automatically members of the NWCC Board.

Life Membership shall not entitle the Life Member the right of vote at a committee meeting, unless they have been elected to the committee at the previous Annual General Meeting.

Last Update: 2017 Annual General Meeting