

**SECTION 1
HAWKESBURY DISTRICT CRICKET ASSOCIATION INCORPORATED**

Objects and Rules

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SECTION 1
HAWKESBURY DISTRICT CRICKET ASSOCIATION INCORPORATED

Objects and Rules

Objects

The objects of the Association shall be:

- (a) To encourage, foster and control the game of cricket in the area adopted by the Association and to conduct competitions amongst the various clubs forming the Association as may from time to time be deemed fit and expedient.
- (b) To affiliate with the New South Wales Cricket Association Incorporated.

Rules

Part 1 - Preliminary

1. Interpretation

- 1.1 **Name**
The name of the Association shall be the Hawkesbury District Cricket Association Incorporated.
- 1.2 **Definitions**
In these objects except insofar as the context or subject matter otherwise indicates or requires:
 - (a) A "club" means a cricketing body controlling or participating in the game of cricket within the boundaries described in Part II hereof;
 - (b) "Honorary Secretary" means the person who holds the office of Secretary of the Association in accordance with the provisions contained in these Rules or where no persons holds that office, the Public Officer of the Association;
 - (c) "Public Officer" means the person who has been appointed by the Association as required by the Business and Consumer Affairs Commission under the Law.
 - (d) "Ordinary Member" means a member of the Council who is not an Office-Bearer of the Association, as referred to in By-Law 13.2.
 - (e) "the Council" means the Association in general, special or Annual General Meeting
 - (f) "the Act" means the *Associations Incorporation Act 1984*
 - (g) "the Regulation" means the *Associations Incorporation Regulation 1999*.
 - (h) "General Meeting" means any meeting of the Council, other than an Annual General Meeting or Special General Meeting

- (i) "Special General Meeting" means a meeting of the Council convened under By-Law 24
- (j) "the Commissioner" means the Commissioner of the Office of Fair Trading

1.3 **References**

In these Objects and Rules:

- (a) A reference to a function includes a reference to a power, authority and duty, and
- (b) A reference to an exercise of a function includes, where a function is a duty, reference to the performance of that duty.
- (c) The provisions of the *Interpretation Act 1987* apply to and in respect of these rules in the same manner as those provisions would apply if these rules were an instrument made under the *Act*.

1.4 **Headings**

Headings to Clauses in these Rules are intended for ease of reference only and are not to be taken to affect the Objects or Rules or the interpretation of such Clauses.

Part II - Membership

2. Membership

2.1 **Membership qualifications**

A cricket club is qualified to be a member of the Association if and only if:

- (a) The club is a cricket club having its playing grounds on or within the boundaries of an imaginary line connecting the townships of Wisemans Ferry, Bilpin, Berambing, Londonderry, Schofields, Rouse Hill, Annangrove, Maroota and Wisemans Ferry;
- (b) Such cricket club has enrolled only bona tide residents of the above mentioned areas as playing members, or having received from the Association a permit to enrol players resident in localities outside such boundaries;
- (c) Such cricket club has paid such affiliation fees and such other dues or levies as may from time to time be prescribed by the Association or its Management Committee;
- (d) Agrees to be guided by the Marylebone Cricket Club (MCC) Laws of Cricket and to abide by the Rules of the Association; and
- (e) Has nominated not more than three persons to act as delegates to the Association.

2.2 **Life Membership**

Individuals shall be entitled to Life Membership of the Association and such Life Members shall be elected in accordance with Clause 3.5 hereof. To be eligible for nomination for Life Membership of the Association a person must have demonstrated that he or she has actively assisted the Association in achieving its objectives for a period of not less than ten (10) years immediately prior to his or her nomination for Life Membership.

3. Nomination for Membership

3.1 **Lodgement**

- (a) A nomination of a cricket club for membership of the Association shall be made by a member of the Association in writing in the form set out in Appendix 1 to these Rules; and
- (b) Shall be lodged with the Secretary of the Association.

3.2 Reference to Council

As soon as practicable after receiving a nomination for membership the Secretary shall refer the nomination to the Council which shall determine whether to approve or reject the nomination.

3.3 Notification of approval

Where a Council determines to approve a nomination for membership, the Secretary shall, as soon as practicable after that determination, notify the nominee of that approval and request the nominee to pay within the period of twenty-eight (28) days after receipt by the nominee of the notification, the sum payable under these Rules by a member as entrance fee and annual subscription.

3.4 Entered in Register of Members

The Secretary shall on payment by the nominee of the amounts referred to in Clause 3.3 within the period referred to in that Clause, enter the nominee's name in the Register of Members and, upon the name being so entered, the nominee becomes a member of the Association.

3.5 Life Members

A person eligible for Life Membership may be nominated for Life Membership of the Association by written nomination signed by two (2) delegates of member clubs. All nominations for Life Membership must be in the hands of the Secretary of the Association by 30 April each year. Election of Life Members so nominated shall be by majority of member clubs and Life Members voting on the prescribed ballot paper and returned to the Secretary of the Hawkesbury District Cricket Association Incorporated fourteen (14) days prior to the Annual General Meeting. Life Members shall be entitled to all voting rights and other privileges enjoyed by delegates of member clubs, but shall not be obliged to pay entrance fees or annual fees.

4. Cessation of Membership

4.1 A cricket club ceases to be a member of the Association if the cricket club:

- (a) Is wound up or dissolved;
- (b) Resigns that membership; or
- (c) Is expelled from the Association.

5. Membership Entitlements Not Transferable

5.1 A right, privilege or obligation which a cricket club has by reason of being a member of the Association:

- (a) Is not capable of being transferred or transmitted to another organisation or person; and
- (b) Terminates upon cessation of the cricket club's membership.

6. Resignation of Membership

6.1 Not Entitled to Resign

A member of the Association is not entitled to resign that membership except in accordance with this Rule.

6.2 **Notice in Writing**
A member of the Association who has paid all amounts payable by that member to the Association in respect of the member's membership may resign from membership of the Association by first giving notice (being not less than one month or not less than such other period as the Council 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.

6.3 **Date of Resignation**
Where a member of the Association ceases to be a member pursuant to Clause 6.2, 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.

7. Register of Members

7.1 **Duties of Public Officer**
The Public Officer of the Association shall establish and maintain a register of members of the Association specifying the name and address of each member club or person who is a member of the Association together with the date on which the club or member became a member.

7.2 **Access to Register**
The Register of members shall be kept at the principal place of administration of the Association and shall be open for inspection free of charge by any member of the Association at any reasonable hour.

8. Fees, Subscriptions, etc.

8.1 **Admission Fee**
A member of the Association shall upon admission pay to the Association a fee of \$1.00 or where some other amount is determined by the Council, of that other amount.

8.2 **Annual Membership Fees and Levies**
In addition to any amount payable by the member club under Clause 8.1, a member of the Association shall pay to the Association an annual fees or levies assessed as follows:

- (a) For each side fielded by a member club, a sum per annum determined at the Annual General Meeting, or
- (b) such other fee as may from time to time be determined by the Council.

8.3 **Fees to Other Organisations**
Member clubs shall pay such fees as are from time to time payable by the Association on behalf of member clubs to the Hawkesbury Sports Council Incorporated or other Government bodies or Local Government authorities.

9. Members' Liabilities

9.1 The liability of a member of the Association to contribute towards the payment of the debts of the Association or the cost, charges and expenses of the winding up of the Association is limited to the amount, if any, unpaid by the member in respect of membership of the Association as required by Rule 8.

10. Resolution of Internal Disputes

- 10.1 Disputes between members (in their capacity as members) of the Association and disputes between members and the Association are to be referred to a Community Justice Centre for mediation in accordance with the Community Justices Centres Act (1983).

11. Disciplining of Members

11.1 Expulsion or Suspension

Where the Council is of the opinion that a member of the Association:

- (a) Has persistently refused or neglected to comply with a provision or provisions of these Rules; or
- (b) Has persistently and wilfully acted in a manner prejudicial to the interests of the Association,

the Council may, by resolution:

- (c) Expel the member from the Association; or
- (d) Suspend the member from membership of the Association for a specified period.

11.2 Confirmation of Resolution

A resolution of the Council under Clause 11.1 is of no effect unless the Council, at a meeting held not earlier than fourteen (14) days and not later than twenty-eight (28) days after the service on the member of a notice under Sub-Clause 11.3, confirms the resolution in accordance with this Rule.

11.3 Notice of Resolution in Writing

Where the Council passes a Resolution under Sub-Clause 11.1, 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 Council and the grounds upon which it is based;
- (b) Stating that the member, by its representative authorised in writing for the purpose, address the Council 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 by its representative authorised in writing for the purpose:
 - (i) Attend and speak at the meeting.
 - (ii) Submit to the Council at or prior to the date of that meeting written representations relating to the resolution.

11.4 Representations and Resolution

At a meeting of the Council held as referred to in Clause 11.3, the Council shall:

- (a) Give to the member an opportunity to make oral representations;
- (b) Give due consideration to any written representations submitted to the Council by the member at or prior to the meeting; and
- (c) By resolution determine whether to confirm or revoke the resolution.

- 11.5 **Notice of Confirmation in Writing**
Where the Council confirms the resolution under Clause 11.4, the Secretary shall within seven (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 12.
- 11.6 **Effect of Resolution**
A resolution confirmed by the Council under Clause 11.4 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 Association confirms the resolution pursuant to Rule 12.

12. Right of Appeal of Disciplined Member

- 12.1 **Right of Appeal**
A member may appeal to the Association in general meeting against a resolution of the Council which is confirmed under Rule 11.4, within seven (7) days after notice of the resolution is served on the member, by lodging with the Secretary a notice to that effect.
- 12.2 **Convene General Meeting**
Upon receipt of a notice from a member under Clause 12.1, the Secretary shall notify the Council which shall convene a general meeting of the Association to be held within twenty-one (21) days after the date on which the Secretary received the notice.
- 12.3 **Business at General Meeting**
At a general meeting of the Association convened under Clause 12.2:
- (a) No business other than the question of the appeal shall be transacted;
 - (b) The Council 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.
- 12.4 **Confirming the Resolution**
If at the general meeting, the Association passes a special resolution in favour of the confirmation of the resolution, the resolution is confirmed.

Part III – The Council

13. Powers of the Council

- 13.1 The Council of the Association, subject to the Act, the Regulations and these Rules and to any resolution passed by it in general meeting:
- (a) shall control and manage the affairs of the Association.
 - (b) May exercise all such functions as may be exercised by the Association other than those functions that are required by these Rules to be exercised by a general meeting of members of the Association; and
 - (c) Has the power to perform all such acts and do all such things as appear to the Council to be necessary or desirable for the proper management of the affairs of the Association.

14. Constitution and Membership

14.1 Membership of the Council

Subject, in the case of the first members of the Council, to Section 21 of the *Act*, the Council shall consist of

- (a) The Office-Bearers of the Association (each being a delegate of a member club or a Life Member); and
- (b) Three delegates of member clubs and Life Members

each of whom shall be elected at the Annual General Meeting of the Association pursuant to Rule 14.

14.2 Office-Bearers

The Office-Bearers and Executive of the Association shall be:

- (a) The President;
- (b) Vice-President - Seniors;
- (c) Vice-President - Juniors;
- (d) Secretary; and
- (e) Treasurer
- (f) Asst Secretary (minute taker)

14.3 Period of Office

Each member of the Council shall, subject to these Rules, hold office until the conclusion of the Annual General Meeting following the date of the member's election but is eligible for re-election.

14.4 Filling of Casual Vacancies

In the event of a casual vacancy occurring in the Office-Bearers, the Council may appoint a member of the Council to fill the vacancy and the member so appointed shall hold office, subject to these Rules, until the conclusion of the Annual General Meeting next following the date of appointment

15. Election of Members

15.1 Nominations

Nominations for candidates for election as Office-Bearers of the Association or ordinary members of the Council:

- (a) Shall be made in writing, signed by two (2) delegates of member clubs or Life Members of the Association and accompanied by the written consent of the candidate (which may be endorsed in the form of nomination); and
- (b) Shall be delivered to the Secretary of the Association 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.

15.2 Insufficient Nominations

If insufficient nominations are received to fill all vacancies on the Council, the candidates nominated shall be deemed to be elected and further nominations shall be received at the Annual General Meeting.

15.3 Insufficient Further Nominations

If insufficient further nominations are received, any vacancies remaining on the Council shall be deemed to be casual vacancies.

15.4 Nominations equal to Vacancies

If the number of nominations received is equal to the number of vacancies to be filled then the person nominated shall be deemed to be elected.

15.5 Excess of Nominations

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

- 15.6 **Ballot for Election**
The ballot for election of Office-Bearers and ordinary members of the Council shall be conducted at the Annual General Meeting in such usual and proper manner as the Council may determine.

16. Secretary

- 16.1 **Notice of Address**
The Secretary of the Association shall, as soon as practicable after being appointed as Secretary, lodge notice with the Association of his or her address.
- 16.2 **Minutes**
It is the duty of the Secretary to keep minutes of:
- (a) All appointments of Office-Bearers and members of the Council;
 - (b) The names of members of the Council present at a Council meeting or a general meeting; and
 - (c) All proceedings at Council meetings and general meetings.
- 16.3 **Confirmation of Minutes**
Minutes of proceedings at a meeting shall be signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting.

17. Treasurer

- 17.1 It is the duty of the Treasurer of the Association to ensure that:
- (a) All money due to the Association is collected and received and that all payments authorised by the Association are made; and
 - (b) Correct books and accounts are kept showing the financial affairs of the Association including full details of all receipts and expenditure with the activities of the Association.

18. Casual Vacancies

- 18.1 For the purpose of these Rules, a casual vacancy in the office of a member of the Council occurs if the member:
- (a) Dies;
 - (b) Ceases to be a member of the Association;
 - (c) Becomes an insolvent under administration within the meaning of Corporations Law;
 - (d) Resigns office by notice in writing given to the Secretary;
 - (e) Is removed from office under Rule 18 ;
 - (f) Becomes of unsound mind or a person whose person or estate is liable to be dealt with in any way under the law relating to mental health; or
 - (g) Is absent without the consent of the Council from two consecutive meetings of the Council or three meetings in all held during a period of twelve months.

19. Removal of Member

19.1 Removal by Resolution

The Association in general meeting may by resolution remove any member of the Council 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.

19.2 Representations

Where a member of the Council, to whom a proposed resolution referred to in Clause 18.1 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 Association, the Secretary or President may send a copy of the representations to each member of the Association or, if the representations are not so sent, the member is entitled to require that the representations be read out at a meeting at which the resolution is considered.

20. Meetings and Quorum

20.1 Council Meetings

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

20.2 Additional Meetings

Additional meetings of the Council may be convened by the President or any member of the Council.

20.3 Notice of Meeting

Oral or written notice of a meeting shall be given by the Secretary to each member of the Council at least forty-eight (48) hours (or such other period as may be unanimously agreed upon by the members of the Council) before the time appointed for the holding of the meeting.

20.4 Nature of Business

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 Council members present at the meeting unanimously agree to treat as urgent business.

20.5 Quorum

Representatives of at least five member clubs will constitute a quorum for the transaction of the business of a meeting of the Council.

20.6 Quorum not Present

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

20.7 Quorum at Adjourned Meeting

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.

20.8 Chairperson

At a meeting of the Council:

- (a) The President, or in the President's absence, a Vice-President shall preside;
or
- (b) If the President and Vice-Presidents are absent or unwilling to act such one of the remaining members of the Council as may be chosen by the members present at the meeting shall preside.

21. Delegation by Council

- 21.1 The Council shall delegate to the Management Committee (consisting of one delegate from each member Club which fields a team) the management and control of all cricket competitions between member clubs of the Association together with the administration of funding and finance for such competitions.
- 21.2 **Delegation of Council to Sub-Committee**
In addition to the Management Committee, the Council may, by instrument in writing, delegate to one or more Sub-Committees (consisting of such delegates of member clubs or Life Members of the Association as the Council thinks fit) the exercise of such of the functions of the Council as are specified in the instrument, other than:
- (a) This power of delegation; and
 - (b) A function which is a duty imposed on the Council by the Act or by any other law.
- 21.3 **Power to Act**
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 the delegation.
- 21.4 **Conditions and Limitations**
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 delegation.
- 21.5 **Council to Continue to Act**
Notwithstanding any delegation under this Rule, the Council may continue to exercise any function delegated.
- 21.6 **Powers of Council to Sub-Committee**
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 have if it had been done or suffered by the Council.
- 21.7 **Revoke Delegation**
The Council may by instrument in writing revoke wholly or in part any delegation under this Rule.
- 21.8 **Meetings of Sub-Committees**
A Sub-Committee may meet and adjourn as it thinks proper.

22. Voting and Decisions

- 22.1 **Determining of Questions**
Questions arising at a meeting of the Council, Management Committee or of any Sub-Committee appointed by the Council shall be determined by a majority of the votes of members of the Council or Sub-Committee present at the meeting.
- 22.2 **Voting**
Each member present at the meeting of the Council, Management Committee or of any Sub-Committee appointed by the Council (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.
- 22.3 **Act Despite Vacancies**
Subject to Clause 19.5, the Council may act notwithstanding any vacancy on the Council.

- 22.4 **Decisions Valid and Effectual**
Any act or thing done or suffered, or purported to have been done or suffered, by the Council, Management Committee or by a Sub-Committee appointed by the Council, is valid and effectual notwithstanding any defect that may afterwards be discovered in the appointment or qualification of any member of the Council, Management Committee or Sub-Committee.

Part IV - General Meetings

23. Annual General Meetings -Holding of

- 23.1 With the exception of the first Annual General Meeting of the Association, the Association shall at least once in each calendar year and within the period of six (6) months after the expiration of each financial year of the Association convene an Annual General Meeting of its members.
- 23.2 The Association shall hold its first Annual General Meeting
- (a) Within the period of eighteen (18) months after its incorporation under the Act; and
 - (b) Within a period of six (6) months after the expiration of the first financial year of the Association.
 - (c) Clauses 22.1 and 22.2 have effect subject to any extension or permission granted by the Commissioner under Section 26(3) of the Act.

24. Annual General Meetings -Calling of and Business at

- 24.1 The Annual General Meeting of the Association shall, subject to the Act and to Rule 22, be convened on such a date and at such a place as the Council thinks fit.
- 24.2 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 Meetings held since that meeting;
 - (b) To receive reports upon the activities of the Association during the preceding financial year;
 - (c) To elect Office-Bearers of the Association and ordinary members of the Council; and
 - (d) To receive and consider the statement which is required to be submitted to members pursuant to Section 26(6) of the Act.
- 24.3 An Annual General Meeting shall be specified as such in the notice convening it.

25. Special General Meetings -Calling of

- 25.1 The Council may, whenever it thinks fit, convene a Special General Meeting of the Association.
- 25.2 The Council shall, on the requisition in writing of not less than 33 per cent of the total number of members, convene a Special General Meeting of the Association.

- 25.3 A requisition of members for a Special General Meeting:
- (a) Shall state the purpose or purposes of the meeting;
 - (b) Shall be signed by or on behalf of the members making the requisitions;
 - (c) Shall be lodged with the Secretary; and
 - (d) May consist of several documents in a similar form, each signed by one of more of the members making the requisition.
- 25.4 If the Council fails to convene a Special General Meeting to be held within one month after the date on which the requisition for the meeting is lodged with the Secretary, anyone or more of the members who made the requisition may convene a Special General Meeting to be held not later than three months after that date.
- 25.5 A Special General Meeting convened by a member or members as referred to in Clause 24.4 shall be convened as nearly as is practicable in the same manner as general meetings are convened by the Council and any member who thereby incurs expense is entitled to be reimbursed by the Association for any expense so incurred.

26. Notice

- 26.1 Except where the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the Association, the Secretary shall, at least fourteen (14) days before the date fixed for the holding of the general meeting, cause to be sent by prepaid post to each member at the member's address, a notice specifying the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
- 26.2 Where the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the Association, 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 member in the manner provided in Clause 25.1 specifying, in addition to the matter required under Clause 25.1, the intention to propose a resolution as a special resolution.
- 26.3 No business other than that specified in the notice convening the general meeting shall be transacted at the meeting except, in the case of an Annual General Meeting, business which may be transacted pursuant to Rule 23.2.
- 26.4 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.

27. Procedure

- 27.1 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.
- 27.2 Five delegates of members or Life Members present in person (being delegates of members entitled under these Rules to vote at a general meeting) constitute a quorum for the transaction of the business of a general meeting.
- 27.3 If within half an hour of 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 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.

- 27.4 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 delegates of members present (being not less than three) shall constitute a quorum.

28. Presiding Member

- 28.1 The President or, in the President's absence a Vice-President, shall preside as chairperson at each general meeting of the Association.
- 28.2 If the President and the Vice-Presidents are absent from a general meeting or unwilling to act, the delegates of members present shall elect one of their number to preside as chairperson at the meeting.

29. Adjournment

- 29.1 The chairman of a general meeting at which a quorum may be present may, with the consent of the majority of delegates 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.
- 29.2 Where a general meeting is adjourned for fourteen days or more, the Secretary shall give written or oral notice of the adjourned meeting to each member of the Association stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
- 29.3 Except as provided in Clauses 28.1 and 28.2, 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.

30. Making of Decisions

- 30.1 A question arising at a general meeting of the Association shall be determined on a show of hands and, unless beforehand 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 particular majority or lost, or an entry to that effect in the minute book of the Association, is evidence of the fact, without proof of the number or proportion of the votes recorded in favour of or against that resolution.
- 30.2 At a general meeting of the Association, a poll may be demanded by the chairperson or by not less than three delegates of members or Life Members present in person or by proxy at the meeting.
- 30.3 Where a poll is demanded at a general meeting, the poll shall be taken
- (a) Immediately in the case where a poll relates to the election of the chairperson of the meeting or to the question of an adjournment; or
- (b) In any other case, in such a manner and at such a 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.

31. Special Resolution

31.1 A resolution of the Association is a special resolution if:

- (a) It is passed by a majority which comprises not less than three-quarters if such members or Life Members of the Association as, being entitled under these Rules to do so, vote in person or by proxy at a general meeting of which not less than twenty- one 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 Commissioner that it is not possible or practicable for the resolution to be passed in the manner specified in Clause 30.1 (a) -the resolution is passed in a manner specified by the Commissioner.

32. Voting

32.1 Upon any question arising at a general meeting of the Association, a delegate of a member or Life Member has one vote only.

32.2 All votes shall be given personally or by proxy but no member or Life Member may hold more than five proxies.

32.3 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.

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

33. Appointment of Proxies

33.1 Each member is to be entitled to appoint another member as proxy by notice given to the secretary no later than 24 hours before the time of the meeting in respect of which the proxy is entitled

33.2 The notice appointing the proxy is to be in the form, set out in Appendix 2 to these rules.

Part V - Miscellaneous

34. Insurance

34.1 The Association shall effect and maintain insurance pursuant to Section 44 of the Act.

34.2 In addition to the insurance required under Clause 32.1, the Association may effect and maintain other insurance.

35. Funds - Source

35.1 The funds of the Association shall be derived from entrance fees and annual subscriptions of members, levied on member clubs, donations and subject to any resolution passed by the Association in general meeting, such other sources as the Council determines.

- 35.2 All monies received by the Association shall be deposited as soon as practicable a without deduction to the credit of the Association s bank account.
- 35.3 The Association shall as soon as practicable after receiving any money, issue appropriate receipt.

36. Funds - Management

- 36.1 Subject to any resolution passed by the Association in general meeting, the funds of I Association shall be used in pursuance of the objects of the Association in such a manner as the Council determines.
- 36.2 All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by any two members of the Council or employees of the Association being members or employees authorised to do so by the Council.

37. Alteration of Objects and Rules

- 37.1 The statement of Objects and these Rules may be altered, rescinded or added to only by special resolution of the Association.

38. Common Seal

- 38.1 The common seal of the Association shall be kept in the custody of the Public Officer.
- 38.2 The common seal shall not be affixed to any instrument except by the authority of the Committee and the affixing of the common seal shall be attested by the signatures of either of two members of the Council or one member of the Council and the Public Officer or Secretary.

39. Custody of Books

- 39.1 Except as otherwise provided by these Rules, the Public Officer shall keep in his or I custody or under his or her control all records, books and other documents relating to 1 Association.

40. Inspection of Books, etc.

- 40.1 The records, books and other documents of the Association shall be open for inspection, free of charge, by a member of the Association or its duly authorised representative at any reasonable hour.

41. Service of Notices

- 40.1 For the purpose of these Rules, a notice may be served by or on behalf of the Association upon any member either personally or by sending it be post to the member at the member's address shown in the register of members.
- 40.2 Where a document is sent to a person or club by properly addressing, prepaying and posting to the person a letter containing the document, the document shall, unless the contrary is proved, be deemed for the purpose of these Rules to have been served on the person at the time at which the letter would have been delivered in the ordinary course of post.

Appendix 1

(Rule 3)

APPLICATION FOR MEMBERSHIP OF HAWKESBURY DISTRICT CRICKET ASSOCIATION

Hawkesbury District Cricket Association Incorporated (incorporated under the *Associations Incorporation Act 1984*).

I,.....
(full name of applicant)

of.....
(address)

.....hereby apply to become a
(occupation)

member of the above named incorporated association. In the event of my admission as a member, I agree to be bound by the rules of the association for the time being in force.

.....
Signature of applicant

Date.....

I,..... a member for the association,
(full name)

nominate the applicant, who is personally known to me, for membership of the association.

.....
Signature of proposer

Date.....

I,..... a member for the association,
(full name)

second the nomination of the applicant, who is personally known to me, for membership of the association.

.....
Signature of seconder

Date.....

Appendix 2

(Rule 33)

FORM OF APPOINTMENT OF PROXY

I,of
(full name) *(address)*

being a member of
(name of incorporated club)

hereby appoint of
(full name of proxy) *(address)*

being a member of that incorporated club, as my proxy to vote for me on my behalf at the general meeting of the association (annual general meeting or special general meeting, as the case may be) to be held on the

.....day of.....
(month and year)

and at any adjournment of that meeting.

- * My proxy is authorised to vote in favour of/against (delete as appropriate) the resolution (insert details).
- * to be inserted if 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.