

Constitution

For

The North Eastern  
Junior Cricket  
Association  
Incorporated

## Table of Contents:

1. Name .....	3
2. Objectives of The Association .....	3
3. Affiliation .....	3
4. Membership.....	4
5. Life Members .....	5
6. Management.....	5
7. Officers .....	6
8. Powers and Duties of the Officers of the Association .....	7
9. Public Officer .....	7
10. Sub Committees .....	7
11. Elections.....	8
12. Meetings .....	9
13. Quorum.....	9
14. Voting.....	10
15. Finance and Property.....	10
16. Common Seal .....	10
17. Alteration To The Constitution.....	11
18. Dissolution .....	11
19. Indemnity .....	11
20. Competition Rules .....	11
21. Powers of The Association .....	11

## **1. Name**

- 1.1. The name of the incorporated organisation shall be “The North Eastern Junior Cricket Association Incorporated” herein after referred to as “the Association.”

## **2. Objectives of the Association**

- 2.1. The objectives of the Association shall be:
  - 2.1.1. To promote the sport of cricket throughout the North Eastern suburban community (S.A.)
  - 2.1.2. To provide a competition which member organisations can enter to be able to promote and encourage their junior members to play cricket
  - 2.1.3. To promote, coordinate and develop a cricket competition for the benefits of Junior Cricket in the North Eastern Suburbs
  - 2.1.4. To provide opportunities for junior cricketers to play in the SAMCA Cup or any other relevant competition representing the Association
  - 2.1.5. To develop a spirit of cooperation and team work vital to the success of the Association
  - 2.1.6. To promote and encourage junior cricket club members to play cricket in a safe and supported environment, with the emphasis on participation
  - 2.1.7. To provide the best cricketing experience for all children who want to play cricket.

## **3. Affiliation**

- 3.1. The Association may each year affiliate with Adelaide Turf Cricket Association (ATCA) and/or South Australian Metropolitan Cricket Association (SAMCA) and/or the South Australian Cricket Association (SACA) or any other State or National sporting organisation/relevant body, as voted by the General Committee, which the General Committee deems advantageous to the Association.

## 4. Membership

- 4.1. All membership organisations will be subject to the regulations of the Constitution and by joining the Association will be deemed to accept these regulations and any Codes of Conduct that the Association has adopted.
- 4.2. Membership of the Association shall consist of those organisations which have applied in writing for membership and which are accepted as membership organisations by the majority of the General Committee at a General Committee Meeting.
  - 4.2.1. Membership organisations must support the above objectives of the Association.
  - 4.2.2. Membership organisations must have paid the prescribed annual membership fees.
  - 4.2.3. Membership organisations may appoint from its membership a representative/delegate who may speak and vote on its behalf at Annual General, Special General and General Committee Meetings
  - 4.2.4. Membership organisations must renew their membership annually.
- 4.3. Membership of the Association shall consist of the Executive Committee members who are elected at the Annual General Meeting of the Association
- 4.4. A list of membership organisations of the Association shall be maintained by the Secretary or other Officer of the Executive
  - 4.4.1. The name of the membership organisation
  - 4.4.2. The name of the representative of the membership organisation
  - 4.4.3. The date on which the membership organisation joined
- 4.5. The subscription for membership organisations shall be such sum as passed by a majority vote of the current Executive Committee.
  - 4.5.1. Any fully financial membership organisation delegate (or their duly authorised proxy) shall be eligible to vote.
- 4.6. Any membership organisation, whose subscription is outstanding by more than two months after the due date for payment shall cease to be a member of the Association, provided always that the Executive Committee may reinstate such an organisations membership on such terms as it thinks fit.
  - 4.6.1. Non-financial membership organisations cannot participate in finals competitions
- 4.7. Membership of the Association shall be terminated and, where appropriate, may cause a vacancy of an Officer, by any of the following events:
  - 4.7.1. Death or incapacitation
  - 4.7.2. Resignation
    - 4.7.2.1. An Executive member may resign by a notice in writing, given to the Secretary or Public Officer of the Association
    - 4.7.2.2. A membership organisation may resign by a notice in writing, given to the Secretary or Public Officer of the Association
    - 4.7.2.3. Any resigning membership organisation shall be liable for any outstanding subscriptions which may be recovered as a debt due to the Association.
  - 4.7.3. Breach of the Association's Constitution
  - 4.7.4. Persistent and wilful acts prejudicial to the interests of the Association
  - 4.7.5. Conduct deemed by the Executive Committee to be undesirable
  - 4.7.6. Failure to perform duties to the satisfaction of the Association
- 4.8. Termination of Membership shall only be valid provided that:
  - 4.8.1. The proposal for termination is considered at an Executive Committee Meeting of the Association
  - 4.8.2. The member concerned has been given the opportunity to put his/her case to the members of the Executive Committee of the Association
- 4.9. The proposal for termination is agreed to by not less than three fourths of the committee members present and entitled to vote at a General Meeting

## **5. Life Members**

- 5.1. Life Membership does not have to be awarded every year.
- 5.2. All parties involved with the nomination and consideration of the nomination must keep all deliberations confidential.
- 5.3. Any member of the Association may be the proposer or seconder of a nomination of a person for life membership.
  - 5.3.1. The proposer, or the proposer and seconder jointly, shall provide a detailed statement of evidence supporting the nomination.
  - 5.3.2. The nomination shall be received by the Executive Committee no later than the thirtieth day of April to be eligible to be considered.
  - 5.3.3. The nomination shall be considered by the Executive Committee at its first meeting after the thirtieth day of April.
  - 5.3.4. The Executive Committee shall consider support for the nomination based on the criteria of rendering outstanding or untiring and devoted service in the best interests of the Association
  - 5.3.5. The Executive Committee shall, if it declines to support the nomination, advise the proposer and the seconder of its decision.
  - 5.3.6. The Executive Committee shall, if it supports the nomination, arrange a citation to be presented at the Annual General Meeting.
  - 5.3.7. No more than two Life Members shall be awarded at any Annual General Meeting.
  - 5.3.8. Life Members shall be issued with a suitable plaque.

## **6. Management**

- 6.1. The affairs of the Association shall be managed and controlled by the Executive Committee in accordance with this Constitution and with the Objectives and in the best interests of the Association.
- 6.2. The Executive Committee shall:
  - 6.2.1. Comprise of the Officers and four Executive General Members elected at the Annual General Meeting of the Association.
  - 6.2.2. The Executive Committee members will be members of the General Committee
- 6.3. The delegates from each membership organisation will form the General Committee
- 6.4. A person nominated by the South Australian Cricket Association will be considered a member of the General Committee
- 6.5. The Executive Committee and the General Committee shall meet at least once in each calendar month, other than during the months of April to July each year.

## 7. Officers

- 7.1. Officers shall be elected at the Annual General Meeting of the Association and shall hold office for the period of one year.
  - 7.1.1. Except in the case of the President who shall have a term of two years
  - 7.1.2. Except in the case of the Secretary who shall have a term of two years
  - 7.1.3. The President and the Secretary shall be elected in alternate years
- 7.2. The duties of the Officers shall be those defined in this Constitution.
- 7.3. The Executive Committee of the Association shall comprise of:
  - 7.3.1. President
  - 7.3.2. Secretary
  - 7.3.3. Treasurer
  - 7.3.4. Four Executive Members
- 7.4. The Executive Committee shall have full power and authority to make decisions relating to the affairs and business of the Association consistent with the objectives and in the best interests the Association
- 7.5. The Executive Committee is authorised to settle any urgent or unforeseen business as may occur from time to time subject to such ratification as may be necessary by the General Committee at its next meeting
- 7.6. In the event of a casual vacancy occurring in the Executive Committee during the course of the Association's year the Executive Committee of the Association shall appoint a suitable person to fill the vacancy. Any person so appointed shall only hold office until the next Annual General Meeting following their appointment
- 7.7. The General Committee may appoint one or more of its members, or any other person or persons, to a sub-committee or to carry out on its behalf and subject to its control and direction, any general or specific duties and may at any time alter or revoke such appointment
- 7.8. The General Committee may appoint sub-committees to perform, from time to time, certain tasks. Members of such sub-committees shall carry out their duties in accordance with the directions of the General Committee. The Executive Committee may at any time alter or revoke such appointment.
- 7.9. The President and Secretary shall be entitled to receive notice of, and may attend any or all meetings of sub-committees but shall not be entitled to vote on any issues unless specifically appointed as a member of such sub-committee

## **8. Powers and Duties of the Officers of the Association**

### 8.1. The President shall:

- 8.1.1. Demonstrate leadership within the Association and oversee the overall direction of the Association
- 8.1.2. Preside at all Annual General Meetings, Special General Meetings, General Committee Meetings and meetings of the Executive Committee.
  - 8.1.2.1. Except for the election of President at an Annual General Meeting
- 8.1.3. Plan and run meetings of the Association
- 8.1.4. Coordinate meeting agendas in collaboration with the Secretary
- 8.1.5. Ensure that the required quorum is present at all times.
- 8.1.6. Conduct the meetings in accordance with the Constitution.
- 8.1.7. At meetings have a casting vote only, and in exercising the casting vote, shall vote in a manner which maintains the status quo.

### 8.2. The Secretary shall:

- 8.2.1. Attend all Annual General Meetings, Special General Meetings, General Committee and Executive Committee meetings
- 8.2.2. Maintain Association records and ensure effective management of the Association's records
- 8.2.3. Manage minutes of the Annual General Meetings, Special General Meetings, General Committee and Executive Committee meetings of the Association
- 8.2.4. Ensure minutes are distributed in a timely manner following Executive and General Committee meetings
- 8.2.5. Manage the Associations communications.
- 8.2.6. Provide an agenda for all meetings of the Executive Committee, General Committee, Annual General Meeting and Special General meeting prior to the meeting.
- 8.2.7. In the absence of the Secretary another member shall be elected as minute Secretary

### 8.3. The Treasurer shall:

- 8.3.1. Maintain the Associations financial records
- 8.3.2. Be responsible for the receipt of all monies on behalf of the Association and to deposit such monies without undue delay to the credit of the Association's Account at the nominated Financial Institution.
- 8.3.3. Be responsible for all payments that have been ratified by the Executive Committee will be paid by cheque or Electronic Funds Transfer drawn on the Association's account and such cheques shall be signed by any two of the following Executive: President, Treasurer or Secretary.
- 8.3.4. Provide an overview of the financial position of the Association to Executive Committee and General Committee meetings
- 8.3.5. Keep proper books and accounts.
- 8.3.6. Prepare an annual statement of income and expenditure and submit same to the Annual General Meeting of the Association.

## **9. Public Officer**

9.1. The Association shall appoint a Public Officer in accordance with the requirements of the *Associations Incorporation Act (SA) 1985*, or any equivalent State or Commonwealth legislation, at the Annual General Meeting.

### 9.2. The Public Officer shall:

- 9.2.1. Act as Chairperson of the Annual General Meeting for the purpose of the election of the President
- 9.2.2. Ensure the Association's operations comply with the statutory requirements relating to an incorporated body
- 9.2.3. Upon the request of a member, provide advice on the interpretation of the Constitution, statutory requirements and Competition Rules
- 9.2.4. Carry out other duties as required by relevant State or Commonwealth legislation

## **10. Sub Committees**

- 10.1. Each Sub Committee shall
  - 10.1.1. Exist at the pleasure of the General Committee
  - 10.1.2. Be responsible to the General Committee
  - 10.1.3. Have such powers and duties as determined by the General Committee

## **11. Elections**

- 11.1. The Public Officer shall call for nominations at the Annual General Meeting for the vacant position of President.
- 11.2. The President shall call for nominations at the Annual General Meeting for all vacant Executive Committee positions to be filled.
- 11.3. Nominations shall have a proposer and seconder.
- 11.4. The proposer of the nomination may be the nominee.
- 11.5. A nomination shall not be accepted without the nominee indicating to the meeting of their acceptance of the nomination.
  - 11.5.1. In the event that the nominee is unable to attend the meeting, written acceptance of the nomination shall be accepted at the meeting.
- 11.6. If the number of nominations accepted does not exceed the number of positions vacant, the Public Officer/President shall:
  - 11.6.1. Give the meeting the opportunity to propose that any or all of the nominees be accepted.
  - 11.6.2. If a resolution that not all nominees be elected is carried, further nominations shall be called for.
  - 11.6.3. If no such resolution is made, declare the nominees elected.
- 11.7. If there are more nominees than vacancies, other than for the positions of General Executive Member, the election shall be determined by a show of hands.
  - 11.7.1. In the event that two or more candidates receive an equal number of votes the Public Officer shall request a ballot of the members present.
- 11.8. If there are more nominees than vacancies for General Executive Members, the election shall be by ballot.
- 11.9. Where a ballot is necessary the responsible person overseeing the process shall be the Public Officer or a member of the Executive
- 11.10. That responsible person shall distribute and collect the ballot papers. The responsible person shall, as required, supervise the counting of votes of the ballot.
- 11.11. At the conclusion of the ballot, where two or more candidates receive an equal number of votes from that ballot, the Public Officer shall draw lots to decide the successful candidate.
- 11.12. When a ballot is taken, the result of each ballot shall be deemed to be a resolution of the Association adopted at such Annual General Meeting or Special General Meeting



## **12. Meetings**

- 12.1. Notice of the Annual General Meeting and Special General Meeting shall be given to members not less than fourteen days prior to the date of the meeting.
- 12.2. The Annual General Meeting of the Association shall be held no later than the end of August of each year.
  - 12.2.1. The order of the business at the Annual General Meeting shall be:
    - 12.2.1.1. The confirmation of the minutes of the previous Annual General Meeting and of any Special General Meeting held since that meeting.
    - 12.2.1.2. President's Annual Report
    - 12.2.1.3. Secretary's Annual Report
    - 12.2.1.4. Treasurer's Annual Report, which shall include the financial statements of the Association.
    - 12.2.1.5. Presentation of Life Membership
    - 12.2.1.6. Election of Executive Committee Members
    - 12.2.1.7. Appointment of Public Officer
    - 12.2.1.8. General Business
- 12.3. A Special General Meeting shall be called at the request of the President or at the written request of not less than five members of the Association.
  - 12.3.1. The notice of a Special General Meeting, issued within one month of receipt of written requisition, shall set out clearly the business for which the meeting has been called. No other business may be dealt with at that Special General Meeting.
  - 12.3.2. Any person who may attend and take part in an Annual General Meeting may also attend and take part in a Special General Meeting.
  - 12.3.3. If the Executive Committee fails to convene the Special General Meeting within one month of the request, the requisitionists may convene a Special General Meeting, in the manner as if the meeting had been called by the Executive Committee.
- 12.4. The Executive Committee may at its discretion convene such other meetings as it thinks necessary to consider any matters pertaining to the affairs of the Association

## **13. Quorum**

- 13.1. The quorum for Executive Committee meetings shall be four
- 13.2. The quorum for General Committee meetings shall be half the number of voting members.
- 13.3. There shall be no set quorum for an Annual General or Special General Meetings
- 13.4. If a quorum of members is not present within thirty minutes of the time called for a meeting, the President shall adjourn the meeting to a time and date and place to be fixed

## **14. Voting**

- 14.1. Subject to these rules, every member of the Association has only one vote at a meeting of the Association.
- 14.2. Persons entitled to vote shall be as follows:
  - 14.2.1. At General Committee meetings, Annual General Meetings and Special General Meetings all Executives elected and the delegates from membership organisations present
  - 14.2.2. Written proxy votes shall not be permitted at any Annual General Meeting or Special General Meeting of the Association.
  - 14.2.3. Voting shall be by a show of hands, unless a division or a ballot is requested and agreed to by the meeting. Resolutions shall be deemed passed by a simple majority in favour.
  - 14.2.4. When a ballot is taken, the result of each ballot shall be deemed to be a resolution of the Association adopted at such Annual General Meeting or Special General Meeting.
- 14.3. A membership organisation delegate shall be entitled to register a proxy vote in writing with the President of the Associations at General Committee Meetings of the Association

## **15. Finance and Property**

- 15.1. All funds and property of the Association shall be kept or secured in a manner approved by the Executive Committee and consistent with the objectives of the Association.
- 15.2. The Executive Committee shall cause true accounts to be kept of all monies received and expended, and matters in respect of all property, assets and liabilities.
- 15.3. All accounts due by the Association shall be passed for payment by the Executive Committee.
- 15.4. All expenditure must have prior approval from the Executive Committee
- 15.5. A statement of the financial position of the Association shall be made available to each meeting of the Association.
- 15.6. An Annual Statement of Income and Expenditure and a Balance Sheet of the Assets and Liabilities shall be presented to each Annual General Meeting.
- 15.7. The financial year of the Association shall commence on the first day of July each year and end on the thirtieth day of June the following year.

## **16. Common Seal**

- 16.1. The Association shall have a Common Seal upon which its incorporated name shall appear in legible characters.
- 16.2. The Common Seal of the Association shall be affixed to any document requiring to be sealed only with the authority of the Executive Committee and in the presence of any two members of the Executive Committee who shall sign the document to which the seal is affixed.
- 16.3. The Common Seal shall be kept in the custody of the Secretary or such other person as the Executive Committee decides.

## **17. Alteration to the Constitution**

- 17.1. The Constitution of the Association shall define the existence and operations of the Association.
- 17.2. The authority of the Association provided in the Constitution shall extend to, and be recognised by all Executive Committee members and membership organisation delegates.
- 17.3. No alteration, addition or repeal shall be made to this Constitution except at an Annual General Meeting or Special General Meeting of the Association provided that the notice of such meeting sets out in full the proposed alteration, addition or repeal which shall have been signed by the proposer and seconder, and that any motions regarding them are agreed to by not less than two-thirds of the members present and entitled to vote.
- 17.4. The alteration shall be registered with the Office of Consumer and Business Affairs or other State Regulatory organisation as required by the *Associations Incorporation Act (S.A.) 1985*.

## **18. Dissolution**

- 18.1. The Association shall not dissolve unless with the consent of three-fourths of the persons present and entitled to vote at a General Committee Meeting. The motion to dissolve the Association, signed by the proposer and seconder, shall be submitted in writing to the Executive Committee. Such notice will be dealt with at an Annual General Meeting or Special General Meeting.
- 18.2. In the case of dissolution the property, assets and income of the Association remaining after payment of all its debts and liabilities shall be paid to a body having similar objectives as designated by the Executive Committee.
- 18.3. Where the Association is voluntarily winding up then notice should be made to the relevant body that administers Association Incorporation.

## **19. Indemnity**

- 19.1. This constitution shall repeal all previous Constitutions but except as specifically provided shall not affect any right, duty or liability or any matter or thing done or commenced, acquired or imposed under the previous Constitution.
- 19.2. No member or past member shall be entitled to bring any legal action of any kind whatsoever against the Association or any officers or members of the Association, for or in respect of anything done in accordance with the Constitution.

## **20. Competition Rules**

- 20.1. The Executive Committee shall have the power to make, alter, amend or rescind the Competition Rules as may from time to time be considered necessary for the wellbeing of the Association but which are not inconsistent with this Constitution
- 20.2. All members of the Association shall be notified of any amendment made to the Competition Rules.

## **21. Powers of The Association**

- 21.1 The Association shall have the powers conferred in Section 25 of the Act.