

CONSTITUTION OF SANDGATE-REDCLIFFE DISTRICT CRICKET CLUB INC

IA10987



Adopted 19 July 2025

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1 Interpretation

- (1) This constitution is the rules of the Club. It displaces the model rules.
- (2) Section 47(1) of the Act does not apply to these rules.
- (3) In these rules—

Act means the Associations Incorporation Act 1981.

aggrieved party see rule 12A(3).

casual playing member see rule 6C.

Club see rule 2.

dispute resolution centre means a dispute resolution centre established under the Dispute Resolution Centres Act 1990.

honorary member see rule 6F.

junior playing member see rule 6B.

life member see rule 6D.

membership fees means the annual fees payable by members determined as set out in rule 8.

non-playing member see rule 6E.

playing fees see rule 8.

playing member see rule 6A.

present—

- (a) at a management committee meeting, see rule 23(3); or
- (b) at a general meeting, see rule 37(2).

Queensland Association means Queensland Cricket Association Ltd (ABN 55 612 695 676, ACN 010 289 237).

registered to play see rule 5B(1).

Regulations, in relation to a cricket governing body including the Queensland Association, means the governing rules (however called) of that body including any by-laws, regulations, policies or procedures made under the governing rules.

secretary means the secretary of the Club for the time being referred to in rule 15.

selected to play see rule 5B(2).

- (4) A word or expression that is not defined in these model rules, but is defined in the Act has, if the context permits, the meaning given by the Act.

2 Name

The name of the incorporated association is Sandgate-Redcliffe District Cricket Club Inc (the **Club**).

3 Objects

The objects of the Club are—

- (1) To promote the game of cricket within the boundaries of the Club and in Queensland.
- (2) To co-operate with the Queensland Association in the implementation of the objects of the Queensland Association.
- (3) To control and manage in every way consistent with the Regulations of the Queensland Association, the players representing the Club in all competition and other matches.
- (4) To improve and develop the home grounds of the Club situated at Deagon Sports Field, Board Street, Deagon.
- (5) To do all such other things as are conducive or incidental to the attainment of the above objects or any of them.

4 Powers

- (1) The Club has the powers of an individual.
- (2) The Club may, for example—
 - (a) enter into contracts; and
 - (b) acquire, hold, deal with and dispose of property; and
 - (c) make charges for services and facilities it supplies; and
 - (d) do other things necessary or convenient to be done in carrying out its affairs.
- (3) The Club may also issue secured and unsecured notes, debentures and debenture stock for the Club.

5 Eligibility

5A Eligibility for membership

A person who is of good character and supports the objects of the Club is eligible to be a member of the Club.

5B Eligibility to play

A person is not eligible to play in a Club team unless the person—

- (1) is registered as a player for the Club with the cricket governing body applicable to the Club team in which the person intends to play, in

accordance with the process determined by the management committee (**registered to play**); and

- (2) is selected by the Club to be a member of that team, in accordance with the process determined by the management committee (**selected to play**); and
- (3) is eligible to play for the Club in that team under the Regulations of all cricket governing bodies applicable to players in that Club team and complies with those Regulations; and
- (4) is a member in the class of playing member, junior playing member or casual playing member, as applicable to the person's participation in that Club team; and
- (5) complies with the Club's by-laws.

6 Classes of members

- (1) The membership of the Club consists of the following classes of members—
 - (a) playing members (see rule 6A);
 - (b) junior playing members (see rule 6B);
 - (c) casual playing members (see rule 6C);
 - (d) life members (see rule 6D);
 - (e) non-playing members (see rule 6E);
 - (f) honorary members (see rule 6F).
- (2) A person who was a member of the Club on the date of adoption of these rules is taken to be a member in the same class of which they were a member immediately before the adoption of these rules.

6A Playing members

- (1) The number of playing members is unlimited.
- (2) A person aged 16 years or over who is registered to play in the Queensland Premier Cricket Competition or any non-junior cricket competition and selected to play in such a competition is eligible, subject to rule 7A, to be a playing member.
- (3) A member's membership in the class of playing member terminates if the member—
 - (a) has not been registered to play in the Queensland Premier Cricket Competition or any non-junior cricket competition within the immediately preceding period of 12 months; or
 - (b) has not been available to be selected to play for an unreasonable period of time and for unexplained or unacceptable reasons, as determined by the management committee; or

- (c) transfers to another Queensland Premier Cricket Club or any non-junior cricket club or team.
- (4) A member's membership in the class of playing member terminates if, for any reason, the member's membership of the Club is terminated under rule 10B.
- (5) Subject to these rules, playing members have the right to—
 - (a) receive notice of and attend all general meetings;
 - (b) vote on any matter at all general meetings; and
 - (c) with leave of the chairperson of a general meeting, speak at that general meeting.
- (6) A playing member does not have the right to vote on any matter at a general meeting if the member has membership fees in arrears or owes a debt to the Club.

6B Junior playing members

- (1) The number of junior playing members is unlimited.
- (2) A person—
 - (a) aged under 16 years who is registered to play in the Queensland Premier Cricket Competition or any non-junior cricket competition; or
 - (b) who is registered to play in the Brisbane North Junior Cricket Association Competition or any junior cricket competition; and
 - (c) is selected to play in such a competition is eligible, subject to rule 7A, to be a junior playing member.
- (3) A member's membership in the class of junior playing member terminates if the member—
 - (a) has not been registered to play in the in the Queensland Premier Cricket Competition, the Brisbane North Junior Cricket Association Competition or any non-junior or junior cricket competition within the immediately preceding period of 12 months; or
 - (b) has not been available to be selected to play for an unreasonable period of time and for unexplained or unacceptable reasons, as determined by the management committee.
- (4) A member's membership in the class of junior playing member terminates if, for any reason, the member's membership of the Club is terminated under rule 10B.
- (5) Subject to these rules, junior playing members aged 14 years and over have the right to—
 - (a) attend all general meetings (but not the right to receive notices of general meetings); and

- (b) with leave of the chairperson of a general meeting, speak at that general meeting.
- (6) Junior playing members aged under 14 years do not have the right to receive notice of or attend general meetings.
- (7) Junior playing members do not have the right to vote on any matter at any general meeting.

6C Casual playing members

- (1) The number of casual playing members is unlimited.
- (2) A person aged 14 years or over who is registered to play as a casual player in any competition in which the Club enters a team and selected to play in such a competition on a casual player basis is eligible, subject to rule 7A, to be a casual playing member.
- (3) A member's membership in the class of casual playing member terminates if the member—
 - (a) has not been registered to play within the immediately preceding period of 12 months; or
 - (b) has not been available to be selected to play for an unreasonable period of time and for unexplained or unacceptable reasons, as determined by the management committee.
- (4) A member's membership in the class of causal member terminates if, for any reason, the member's membership of the Club is terminated under rule 10B.
- (5) Subject to these rules, casual playing members have the right to—
 - (a) receive notice of and attend all general meetings; and
 - (b) with leave of the chairperson of a general meeting, speak at that general meeting.
- (6) Casual playing members do not have the right to vote on any matter at any general meeting.

6D Life members

- (1) The number of life members is unlimited.
- (2) The management committee may nominate a member or former member to be a life member in consideration of special services rendered to the Club. Nominations must be submitted to the secretary.
- (3) A nomination for life membership is to be considered by the members at the next annual general meeting held more than 4 weeks after the nomination is given to the secretary.
- (4) A nomination for life membership must be decided by special resolution.

- (5) Life members are not required to pay any membership fees.
- (6) In relation in general meetings, life members have the same rights and privileges as playing members.

6E Non-playing members

- (1) The number of non-playing Members is unlimited.
- (2) A person aged 18 years or over is eligible, subject to rule 7B, to be a non-playing member.
- (3) Membership in the class of non-playing member is on an annual basis and expires on 31 August each year. Notwithstanding the date of admission to the class, the initial membership of a non-playing member expires on the next 31 August after admission as a non-playing member, unless terminated earlier. A non-playing member who wishes to continue as a as a non-playing member must re-apply each year under rule 7B.
- (4) A non-playing member is not eligible to vote at any general meeting held during the period of 12 months after the date of first admission as a non-playing member (to avoid doubt, previous non-continuous periods of Club membership as a non-playing member are not counted), unless they were a playing member within 12 months before becoming a non-playing member.
- (5) Subject to these rules, non-playing members have the right to—
 - (a) receive notice of and attend all general meetings;
 - (b) subject to subrule (4), vote on any matter at all general meetings; and
 - (c) with leave of the chairperson of a general meeting, speak at that general meeting.
- (6) A non-playing member does not have the right to vote on any matter at a general meeting if the member has membership fees in arrears or owes a debt to the Club.

6F Honorary members

- (1) The management committee may, in its absolute discretion—
 - (a) appoint a person to be an honorary member, either for a specified period or an unlimited period, and
 - (b) revoke or reduce the period of any such membership, without assigning any reason for so doing.
- (2) An honorary member is not entitled to receive notice of, speak or vote at general meetings but may attend general meetings.

7 Membership

7A Admission to playing membership

- (1) A person who wishes to become a playing member, junior playing member or casual playing member must apply by registering to play in the manner and form decided by the management committee.
- (2) Subject to subrule (3), an application made under subrule (1)—
 - (a) may be accepted by a delegate of the management committee in the manner determined by the management committee;
 - (b) may be accepted or rejected by the management committee; and
 - (c) if not already accepted or rejected under paragraphs (a) or (b) is deemed to be accepted by the management committee with effect from the close of the next management committee meeting held more than 14 days after receipt of the application.
- (3) The secretary must, as soon as practicable after the management committee decides to reject an application, give the applicant a written notice of the decision.
- (4) An applicant whose application has been accepted or deemed to be accepted will be informed in the manner determined by the management committee.
- (5) The applicant's membership in the class of playing membership applied for commences on the date of acceptance of the application.

7B Admission as a non-playing member

- (1) A person who wishes to become a non-playing member, must be proposed by a playing member, non-playing member, or life member (the **proposer**).
- (2) An application for membership as a non-playing member must be—
 - (a) in writing; and
 - (b) signed by the applicant and the applicant's proposer; and
 - (c) in the form decided by the management committee; and
 - (d) accompanied by the annual membership fee.
- (3) The management committee must consider an application under subrule (2) no later than the next committee meeting held more than 30 days after it receives—
 - (a) the application for membership; and
 - (b) the annual membership fee.
- (4) The management committee must decide at the meeting whether to accept or reject the application.

- (5) If the management committee decides to accept the applicant as a member, the applicant must be accepted as a member for the class of membership applied for.
- (6) The secretary must, as soon as practicable after the management committee decides to accept or reject an application, give the applicant a written notice of the decision and if the application has been rejected, refund the annual membership fee paid by the applicant.
- (7) The applicant's membership as non-playing member commences on the date of acceptance of the application.

8 Membership fees

- (1) The amount of the membership fees payable by playing members, junior playing members and non-playing members for the next ensuing period of 12 months from 1 September to 31 August will be approved by the members at each annual general meeting, upon the recommendation of the management committee.
- (2) The membership fees to be approved by the members at each annual general meeting are—
 - (a) the annual membership fee payable by non-playing members as a contribution to the Club's general operating and administration expenses; and
 - (b) the playing fees payable by playing members and junior playing members. Playing fees are a contribution to the Club's general operating and administration expenses and to the Club's costs for the Club's teams to participate in competitions.

Note—The following payments are not membership fees for the purposes of these rules—

1. Affiliation fees and other fees set by and payable to Cricket Australia or other cricket governing bodies by individual players as a requirement for registration to play.
 2. Amounts payable to the Club by members for items purchased from the Club such as uniforms and equipment. Such unpaid amounts are a debt owing to the Club.
- (3) The membership fees (including playing fees) payable by casual playing members from time to time will be determined by the management committee.
- (4) Membership fees will be payable at the times (including by instalments) and in the manner determined by the management committee in respect of a class of members or individual members and may be reduced for annual membership periods of less than 12 months as determined by the management committee.
- (5) A member's unpaid membership fees are a debt to the Club. A person whose membership has expired or terminated for any reason—
 - (a) remains liable to the Club for unpaid membership fees and other unpaid debts; and

- (b) is not eligible for a refund of all or part of membership fees paid by the member, unless the management committee determines otherwise.

Note—The following payments are not membership fees for the purposes of these rules—

1. Affiliation fees and other fees set by and payable to Cricket Australia or other cricket governing bodies by individual players as a requirement for registration to play.
2. Amounts payable to the Club by members for items purchased from the Club such as uniforms and equipment. Such unpaid amounts are a debt owing to the Club.

9 Information for new members

- (1) The management committee must ensure that, as soon as possible after a person first applies to become, or is admitted as, a member of the Club in any class of membership, and before the management committee considers the person's application or approves the person's admission, the person is advised—
 - (a) whether or not the Club has public liability insurance; and
 - (b) if the Club has public liability insurance—the amount of the insurance.

10 When membership ends

10A Ending membership by resignation

- (1) A member may resign from the Club by—
 - (a) giving a written notice of resignation to the secretary; or
 - (b) requesting a permanent transfer to a club or team not linked to the Club.
- (2) The resignation takes effect at—
 - (a) the time the notice is received by the secretary; or
 - (b) if a later time is stated in the notice—the later time.

10B Termination of membership

- (1) The management committee may terminate a member's membership if the member—
 - (a) is convicted of an indictable offence;
 - (b) has membership fees in arrears for at least 2 months;
 - (c) does not comply with any of the provisions of these rules or a by-law of the Club; or
 - (d) conducts himself or herself in a way considered to be injurious or prejudicial to the character or interests of the Club.

- (2) Before the management committee terminates a member's membership, the committee must give the member a full and fair opportunity to show why the membership should not be terminated.
- (3) If, after considering all representations made by the member, the management committee decides to terminate the membership, the secretary must give the member a written notice of the decision.

11 Appeal against rejection or termination of membership

- (1) A person whose application for membership has been rejected, or whose membership has been terminated, may give the secretary written notice of the person's intention to appeal against the decision.
- (2) A notice of intention to appeal must be given to the secretary within 1 month after the person receives written notice of the decision.
- (3) If the secretary receives a notice of intention to appeal, the secretary must, within 1 month after receiving the notice, call a general meeting to decide the appeal.

12 General meeting to decide appeal

- (1) The general meeting to decide an appeal must be held within 3 months after the secretary receives the notice of intention to appeal.
- (2) At the meeting, the applicant must be given a full and fair opportunity to show why the application should not be rejected or the membership should not be terminated.
- (3) Also, the management committee and the members of the committee who rejected the application or terminated the membership must be given a full and fair opportunity to show why the application should be rejected or the membership should be terminated.
- (4) An appeal must be decided by a majority vote of the members present and eligible to vote at the meeting.
- (5) If a person whose application for membership has been rejected does not appeal against the decision within 1 month after receiving written notice of the decision, or the person appeals but the appeal is unsuccessful, the secretary must, as soon as practicable, refund the membership fee paid by the person.

12A Grievance procedure

- (1) This rule sets out a grievance procedure for dealing with a dispute under the rules between parties as mentioned in section 47A(1) of the Act.
- (2) To remove any doubt, it is declared that the grievance procedure cannot be used by a person whose membership has been terminated if the rules provide for an appeal process against the termination.

- (3) A member (the aggrieved party) initiates the grievance procedure in relation to the dispute by giving a notice in writing of the dispute to—
 - (a) the other party; and
 - (b) if the other party is not the management committee—the management committee.
- (4) If 2 or more members initiate a grievance procedure in relation to the same subject matter, the management committee may deal with the disputes in a single process and the members must choose 1 of the members (also the aggrieved party) to represent the members in the grievance procedure.
- (5) Subject to rule 12B, the parties to the dispute must, in good faith, attempt to resolve the dispute.
- (6) If the parties to the dispute cannot resolve the dispute within 14 days after the aggrieved party initiates the grievance procedure, the aggrieved party may, within a further 21 days, ask the secretary to refer the dispute to mediation.
- (7) Subject to rule 12B, if the aggrieved party asks the secretary to refer the dispute to mediation under subrule (6), the management committee must refer the dispute within 14 days after the request.
- (8) If the aggrieved party does not ask the secretary to refer the dispute to mediation under subrule (6), the grievance procedure in relation to the dispute ends.

12B Grievance procedure not continued in particular circumstances

- (1) This rule applies if—
 - (a) a member initiates a grievance procedure in relation to a dispute and the Club or the management committee is the other party to the dispute; or
 - (b) the aggrieved party asks the secretary to refer the dispute to mediation under rule 12A(6).
- (2) The management committee does not have to act under rule 12A(5) or if—
 - (a) the aggrieved party has, within 21 days before initiating the grievance procedure, behaved in a way that would give the management committee grounds for taking disciplinary action under the rules against the aggrieved party in relation to the matter the subject of the grievance procedure; or
 - (b) before the grievance procedure was initiated, a process had started to take action under the rules against the aggrieved party or terminate the aggrieved party's membership, as provided for under the rules, and the dispute relates to that process or to a matter relevant to that process; or

- (c) the dispute relates to an obligation under the Liquor Act 1992 or any other State law to prevent the entry of the aggrieved party to, or to remove the aggrieved party from, premises used by the Club, or to refuse to serve liquor to the aggrieved party at the premises; or
- (d) the dispute could reasonably be considered frivolous, vexatious, misconceived or lacking in substance, or relates to a matter that has already been the subject of the grievance procedure.

12C Appointment of mediator

- (1) If a dispute under rule 12A is referred to mediation—
 - (a) the parties to the dispute must choose a mediator to conduct the mediation; or
 - (b) if the parties are unable to agree on the appointment of a mediator within 14 days after the dispute is referred to mediation, the mediator must be—
 - (i) for a dispute between a member and another member—a person appointed by the management committee; or
 - (ii) for a dispute between a member and the management committee or the association—an accredited mediator or a mediator appointed by the director of a dispute resolution centre.
- (2) An accredited mediator may refuse to be the mediator, or the director of a dispute resolution centre may refuse to appoint a mediator, to mediate the dispute.
- (3) If subrule (2) applies, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.

12D Conduct of mediation

- (1) If a mediator is appointed under rule 12C, the mediator must start the mediation as soon as possible after the appointment and try to finish the mediation within 28 days after the appointment.
- (2) Subrule (1) does not apply if the mediator is a mediator appointed by the director of a dispute resolution centre.
- (3) The mediator—
 - (a) must give each party to the dispute an opportunity to be heard on the matter the subject of the dispute; and
 - (b) must comply with natural justice; and
 - (c) must not act as an adjudicator or arbitrator; and
 - (d) during the mediation—may see the parties with or without their representatives, together or separately.

- (4) The parties to the dispute must act reasonably and genuinely in the mediation and help the mediator to start and finish the mediation within the period mentioned in subrule (1).
- (5) The costs of the mediation, if any, are to be shared equally between the parties unless otherwise agreed.
- (6) If the mediator cannot resolve the dispute, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.

12E Representation for grievance procedure

- (1) A party to a dispute may appoint any qualified person to act on behalf of the party in the grievance procedure.
- (2) For subrule (1), a person is qualified to act on behalf of a party if the person—
 - (a) has sufficient knowledge of the matter the subject of the dispute to be able to represent the party effectively; and
 - (b) is authorised to negotiate an agreement for the party.
- (3) If a party appoints a person under subrule (1) to act on the party's behalf, the party must give written notice of the appointment to each of the following entities—
 - (a) the other party to the dispute;
 - (b) the management committee;
 - (c) if a mediator has been appointed before the party appoints the person—the mediator.

12F Electronic communication for grievance procedure

Any meeting or mediation session required under the grievance procedure may be conducted by electronic means if the parties to the dispute and, for a mediation, the mediator agree.

13 Register of members

- (1) The management committee must keep a register of members of the Club.
- (2) The register must include the following particulars for each member—
 - (a) the full name of the member;
 - (b) the postal or residential address of the member;
 - (c) the date of admission as a member;
 - (d) the member's class of membership, date of admission to that class and the date of ceasing to be a member of that class;
 - (e) the date of death or time of resignation of the member;
 - (f) details about the termination or reinstatement of membership;

- (g) any other particulars the management committee or the members at a general meeting decide.
- (3) The register must be open for inspection by members of the Club at all reasonable times.
- (4) A member must contact the secretary to arrange an inspection of the register.
- (5) However, the management committee may, on the application of a member of the Club, withhold information about the member (other than the member's full name) from the register available for inspection if the management committee has reasonable grounds for believing the disclosure of the information would put the member at risk of harm.

14 Prohibition on use of information on register of members

- (1) A member of the Club must not—
 - (a) use information obtained from the register of members of the Club to contact, or send material to, another member of the Club for the purpose of advertising for political, religious, charitable or commercial purposes; or
 - (b) disclose information obtained from the register to someone else, knowing that the information is likely to be used to contact, or send material to, another member of the Club for the purpose of advertising for political, religious, charitable or commercial purposes.
- (2) Subrule (1) does not apply if the use or disclosure of the information is approved by the management committee or the members in general meeting.

15 Appointment or election of secretary

- (1) The secretary of the Club must be an adult residing in Queensland, or in another State but not more than 65km from the Queensland border, who is—
 - (a) a member of the Club elected by the members as secretary; or
 - (b) any of the following persons appointed by the management committee as secretary—
 - (i) a member of the management committee;
 - (ii) another member of the Club;
 - (iii) another person.
- (2) If a vacancy happens in the office of secretary, the members of the management committee must ensure a secretary is appointed or elected for the Club within 1 month after the vacancy happens.
- (3) If the management committee appoints a person mentioned in subrule (1)(b)(ii) as secretary, other than to fill a casual vacancy on the

management committee, the person does not become a member of the management committee.

- (4) However, if the management committee appoints a person mentioned in subrule (1)(b)(ii) as secretary to fill a casual vacancy on the management committee, the person becomes a member of the management committee.
- (5) If the management committee appoints a person mentioned in subrule (1)(b)(iii) as secretary, the person does not become a member of the management committee.
- (6) In this rule—

casual vacancy, on a management committee, means a vacancy that happens when an elected member of the management committee resigns, dies or otherwise stops holding office.

16 Removal of secretary

- (1) The management committee may at any time remove a person appointed by the committee as the secretary.
- (2) If the management committee removes a secretary who is a person mentioned in rule 15(1)(b)(i), the person remains a member of the management committee.
- (3) If the management committee removes a secretary who is a person mentioned in rule 15(1)(b)(ii) and who has been appointed to a casual vacancy on the management committee under rule 15(5), the person remains a member of the management committee.

17 Functions of secretary

- (1) The secretary's functions include, but are not limited to—
 - (a) calling meetings of the Club, including preparing notices of a meeting and of the business to be conducted at the meeting in consultation with the president of the Club; and
 - (b) keeping minutes of each meeting; and
 - (c) keeping copies of all correspondence and other documents relating to the Club; and
 - (d) maintaining the register of members of the Club.

18 Membership of management committee

- (1) The management committee of the Club consists of a president, vice president, secretary, treasurer, and not less than 3 nor more than 5 general committee members.

- (2) A member of the management committee, other than a secretary appointed by the management committee under rule 15(1)(b)(iii), must be an adult playing member, life member or non-playing member.
- (3) At each annual general meeting, the members of the management committee must retire from office, but are eligible, on nomination under rule 19(1), for re-election.
- (4) An eligible member may be appointed to a casual vacancy on the management committee under rule 21.

19 Electing the management committee

- (1) A member of the management committee may only be elected as follows—
 - (a) any adult member or any playing member (the **proposer**) may nominate an adult playing member, life member or non-playing member (the **candidate**) to serve as a member of the management committee;
 - (b) the nomination must be—
 - (i) in writing; and
 - (ii) signed by the candidate and the proposer; and
 - (iii) given to the secretary at least 14 days before the annual general meeting at which the election is to be held;
 - (c) if, at the start of the meeting, no person has been nominated for the position of president, vice president, secretary or treasurer, nominations for that position may be taken from the floor of the meeting;
 - (d) if, at the start of the meeting, fewer than 5 candidates have been nominated for the position of general committee member, nominations may be taken from the floor of the meeting to increase the number of candidates to no more than 5;
 - (e) each member of the association present and eligible to vote at the annual general meeting may vote for 1 candidate for each vacant position on the management committee.
- (2) In addition to the eligibility requirements in rule 18, a person may be a candidate for election or appointed as a member of the management committee only if the person is not ineligible to be elected as a member under section 61A of the Act.
- (3) A list of the candidates' names in alphabetical order, must be posted in a conspicuous place in the office or usual place of meeting of the Club for at least 7 days immediately preceding the annual general meeting.
- (4) If required by the management committee, balloting lists must be prepared containing the names of the candidates in alphabetical order.

- (5) The management committee must ensure that, before a candidate is elected as a member of the management committee, the candidate is advised—
 - (a) whether or not the Club has public liability insurance; and
 - (b) if the Club has public liability insurance—the amount of the insurance.

20 Resignation, removal or vacation of office of management committee member

- (1) A member of the management committee may resign from the committee by giving written notice of resignation to the secretary.
- (2) The resignation takes effect at—
 - (a) the time the notice is received by the secretary; or
 - (b) if a later time is stated in the notice—the later time.
- (3) A member may be removed from office at a general meeting of the Club if a majority of the members present and eligible to vote at the meeting vote in favour of removing the member.
- (4) Before a vote of members is taken about removing the member from office, the member must be given a full and fair opportunity to show cause why he or she should not be removed from office.
- (5) A member has no right of appeal against the member's removal from office under this rule.
- (6) A committee member immediately vacates that office in the circumstances mentioned in section 64(2) of the Act.
- (7) A committee member immediately vacates that office if the member ceases to be playing member, life member or non-playing member.

21 Vacancies on management committee

- (1) If a casual vacancy happens on the management committee, the continuing members of the committee may appoint an adult playing member, life member or non-playing member to fill the vacancy until the next annual general meeting.
- (2) The continuing members of the management committee may act despite a casual vacancy on the management committee.
- (3) However, if the number of committee members is less than the number fixed under rule 24(1) as a quorum of the management committee, the continuing members may act only to—
 - (a) increase the number of management committee members to the number required for a quorum; or
 - (b) call a general meeting of the Club.

22 Functions of management committee

- (1) Subject to these rules or a resolution of the members of the Club carried at a general meeting, the management committee has the general control and management of the administration of the affairs, property and funds of the Club.
- (2) The management committee has authority to interpret the meaning of these rules and any matter relating to the Club on which the rules are silent, but any interpretation must have regard to the Act, including any regulation made under the Act.

Note—

The Act prevails if the Club's rules are inconsistent with the Act—see section 1D of the Act.

- (3) The management committee may exercise the powers of the Club—
 - (a) to borrow, raise or secure the payment of amounts in a way the members of the Club decide; and
 - (b) to secure the amounts mentioned in paragraph (a) or the payment or performance of any debt, liability, contract, guarantee or other engagement incurred or to be entered into by the Club in any way, including by the issue of debentures (perpetual or otherwise) charged upon the whole or part of the Club's property, both present and future; and
 - (c) to purchase, redeem or pay off any securities issued; and
 - (d) to borrow amounts from members and pay interest on the amounts borrowed; and
 - (e) to mortgage or charge the whole or part of its property; and
 - (f) to issue debentures and other securities, whether outright or as security for any debt, liability or obligation of the Club; and
 - (g) to provide and pay off any securities issued; and
 - (h) to invest in a way the members of the Club may from time to time decide.
- (4) For subrule (3)(d), the rate of interest must not be more than the current rate being charged for overdrawn accounts on money lent (regardless of the term of the loan) by—
 - (a) the financial institution for the Club; or
 - (b) if there is more than 1 financial institution for the Club—the financial institution nominated by the management committee.

23 Meetings of management committee

- (1) Subject to this rule, the management committee may meet and conduct its proceedings as it considers appropriate.

Note—

See also sections 70B and 70C of the Act about requirements relating to the

proceedings of the management committee if a member of the committee has a material personal interest in a matter being considered at a meeting of the committee.

- (2) The management committee must meet at least once every 8 weeks to exercise its functions.
- (3) The management committee must decide how a meeting is to be called.
- (4) Notice of a meeting is to be given in the way decided by the management committee.
- (5) The management committee may hold meetings, or permit a committee member to take part in its meetings, by using any technology that reasonably allows the member to hear and take part in discussions as they happen.
- (6) A committee member who participates in the meeting as mentioned in subrule (5) is taken to be present at the meeting.
- (7) A question arising at a committee meeting is to be decided by a majority vote of members of the committee present at the meeting and, if the votes are equal, the question is decided in the negative.
- (8) The president is to preside as chairperson at a management committee meeting.
- (9) If there is no president or if the president is not present within 10 minutes after the time fixed for a management committee meeting, the members may choose 1 of their number to preside as chairperson at the meeting.

24 Quorum for, and adjournment of, management committee meeting

- (1) At a management committee meeting, more than 50% of the members elected to the committee as at the close of the last general meeting of the members form a quorum.
- (2) If there is no quorum within 30 minutes after the time fixed for a management committee meeting called on the request of members of the committee, the meeting lapses.
- (3) If there is no quorum within 30 minutes after the time fixed for a management committee meeting called other than on the request of the members of the committee—
 - (a) the meeting is to be adjourned for at least 1 day; and
 - (b) the members of the management committee who are present are to decide the day, time and place of the adjourned meeting.
- (4) If, at an adjourned meeting mentioned in subrule (3), there is no quorum within 30 minutes after the time fixed for the meeting, the meeting lapses.

25 Special meeting of management committee

- (1) If the secretary receives a written request signed by at least 33% of the members of the management committee, the secretary must call a special meeting of the committee by giving each member of the committee notice of the meeting within 14 days after the secretary receives the request.
- (2) If the secretary is unable or unwilling to call the special meeting, the president must call the meeting.
- (3) A request for a special meeting must state—
 - (a) why the special meeting is called; and
 - (b) the business to be conducted at the meeting.
- (4) A notice of a special meeting must state—
 - (a) the day, time and place of the meeting; and
 - (b) the business to be conducted at the meeting.
- (5) A special meeting of the management committee must be held within 14 days after notice of the meeting is given to the members of the management committee.

26 Minutes of management committee meetings

- (1) The secretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each management committee meeting are entered in a minute book.
- (2) To ensure the accuracy of the minutes, the minutes of each management committee meeting must be presented to the next management committee meeting for review and acceptance and thereafter signed by the chairperson of the meeting, or the chairperson of the next management committee meeting, verifying their accuracy.

27 Appointment of subcommittees and other delegates

- (1) The management committee may delegate, in writing, any of its powers, other than those which by law must be dealt with by the management committee to—
 - (a) a subcommittee or subcommittees consisting of members of the Club or other persons;
 - (b) a member of the management committee;
 - (c) an employee of the Club; or
 - (d) any other person,as considered appropriate by the committee, to help with the conduct of the Club's operations.
- (2) A delegation of powers under subrule (1) may be made for a specified period or without specifying a period and on the terms (including power

to further delegate) and subject to any restrictions, the management committee decides.

- (3) A document of delegation may contain the provisions for the protection and convenience of those who deal with the subcommittee or other delegate that the management committee thinks appropriate.
- (4) Members of subcommittees and other delegates in that capacity are not entitled to attend or vote at a management committee meeting.
- (5) A subcommittee may elect a chairperson of its meetings.
- (6) If a chairperson is not elected, or if the chairperson is not present within 10 minutes after the time fixed for a meeting, the members present may choose 1 of their number to be chairperson of the meeting.
- (7) A subcommittee may meet and adjourn as it considers appropriate.
- (8) A question arising at a subcommittee meeting is to be decided by a majority vote of the members present at the meeting and, if the votes are equal, the question is decided in the negative.

28 Acts not affected by defects or disqualifications

- (1) An act performed by the management committee, a subcommittee or a delegate or a person acting as a member of the management committee or a subcommittee is taken to have been validly performed.
- (2) Subrule (1) applies even if the act was performed when—
 - (a) there was a defect in the appointment of a member of the management committee, subcommittee or delegate or person acting as a member of the management committee or a subcommittee; or
 - (b) a management committee member was disqualified from being a member of the management committee.

29 Resolutions of management committee without meeting

- (1) A written resolution signed by each member of the management committee is as valid and effectual as if it had been passed at a committee meeting that was properly called and held.
- (2) A resolution mentioned in subrule (1) may consist of several documents in like form, each signed by 1 or more members of the committee.

30 Annual general meetings

- (1) Each subsequent annual general meeting must be held—
 - (a) at least once each year; and
 - (b) in the period from 1 May to 31 July, unless the management committee determines for good cause to postpone the annual general meeting but in any case, no later than 31 August.

31 Management committee members to be elected at annual general meeting

The members must elect the members of the management committee at each annual general meeting of the Club.

32 Other business for annual general meeting of large incorporated associations and particular medium and small incorporated associations

- (1) This rule applies if the Club is—
 - (a) a large incorporated association to which sections 59A and 59AA of the Act apply; or
 - (b) a medium incorporated association to which sections 59A and 59AA of the Act apply; or
 - (c) a small incorporated association to which sections 59A and 59AA of the Act apply.
- (2) The following business must be conducted at each annual general meeting of the Club—
 - (a) receiving the Club's financial statement, and audit report, for the last reportable financial year;
 - (b) presenting the financial statement and audit report to the meeting for adoption;
 - (c) for a large incorporated association—appointing an auditor or an accountant for the present financial year;
 - (d) for a medium or small incorporated association—appointing an auditor, an accountant or an approved person for the present financial year.

33 Other business for annual general meeting of other medium incorporated associations

- (1) This rule applies if the Club is a medium incorporated association to which sections 59A and 59AB of the Act apply.
- (2) The following business must be conducted at each annual general meeting of the Club—
 - (a) receiving the Club's financial statement, and verification statement, for the last reportable financial year;
 - (b) presenting the financial statement and verification statement to the meeting for adoption;
 - (c) appointing an auditor, an accountant or an approved person for the present financial year.

34 Other business for annual general meeting of other small incorporated associations

- (1) This rule applies if the Club is a small incorporated association to which sections 59A and 59AB of the Act apply.
- (2) The following business must be conducted at each annual general meeting of the Club—
 - (a) receiving the Club's financial statement, and verification statement, for the last reportable financial year;
 - (b) presenting the financial statement and verification statement to the meeting for adoption.

35 Notice of general meeting

- (1) The secretary must call a general meeting of the Club when required to do so under these rules or the Act.
- (2) The secretary must give at least 14 days' notice of the meeting to each member of the Club.
- (3) If the secretary is unable or unwilling to call the meeting, the president must call the meeting.
- (4) The management committee may decide the way in which the notice must be given.
- (5) However, notice of the following meetings must be given in writing—
 - (a) a meeting called to hear and decide the appeal of a person against the management committee's decision—
 - (i) to reject the person's application for membership of the Club; or
 - (ii) to terminate the person's membership of the Club;
 - (b) a meeting called to hear and decide a proposed special resolution of the Club.
- (6) A notice of a general meeting must state the business to be conducted at the meeting.

36 Quorum for, and adjournment of, general meeting

- (1) The quorum for a general meeting is 15 members entitled to vote.
- (2) No business may be conducted at a general meeting unless there is a quorum of members when the meeting proceeds to business.
- (3) If there is no quorum within 30 minutes after the time fixed for a general meeting called on the request of members of the management committee or on the request or notification of a member or members of the Club (including to hear or decide an appeal), the meeting lapses and in the case of a meeting called to hear or decide an appeal, the appeal is taken to have been denied.

- (4) If there is no quorum within 30 minutes after the time fixed for a general meeting other than a meeting referred to in subrule (3)—
 - (a) the meeting is to be adjourned for at least 7 days; and
 - (b) the management committee is to decide the day, time and place of the adjourned meeting.
- (5) The chairperson may, with the consent of any meeting at which there is a quorum, and must if directed by the meeting, adjourn the meeting from time to time and from place to place.
- (6) If a meeting is adjourned under subrule (5), only the business left unfinished at the meeting from which the adjournment took place may be conducted at the adjourned meeting.
- (7) The secretary is not required to give the members notice of an adjournment or of the business to be conducted at an adjourned meeting unless a meeting is adjourned for at least 30 days.
- (8) If a meeting is adjourned for at least 30 days, notice of the adjourned meeting must be given in the same way notice is given for an original meeting.

37 Procedure at general meeting

- (1) A member may take part and vote in a general meeting in person, by proxy, by attorney or by using any technology that reasonably allows the member (or their proxy or attorney) to hear and take part in discussions as they happen.
- (2) A member who participates in a meeting as mentioned in subrule (1) is taken to be present at the meeting.
- (3) At each general meeting—
 - (a) the president is to preside as chairperson; and
 - (b) if there is no president or if the president is not present within 15 minutes after the time fixed for the meeting or is unwilling to act, the vice president will preside as chairperson. If the vice president is not present or unwilling to act, the members present must elect 1 of their number to be chairperson of the meeting; and
 - (c) the chairperson must conduct the meeting in a proper and orderly way.

38 Voting at general meeting

- (1) At a general meeting, each question, matter or resolution, other than a special resolution, must be decided by a majority of votes of the members present and eligible to vote.

- (2) Each member present and eligible to vote is entitled to 1 vote only and, if the votes are equal, the chairperson has a casting vote as well as a primary vote.
- (3) The method of voting is to be decided by the management committee.
- (4) However, if at least 20% of the members present demand a secret ballot, voting must be by secret ballot.
- (5) If a secret ballot is held, the chairperson must appoint 2 members to conduct the secret ballot in the way the chairperson decides.
- (6) The result of a secret ballot as declared by the chairperson is taken to be a resolution of the meeting at which the ballot was held.

39 Special general meeting

- (1) The secretary must call a special general meeting by giving each member of the Club notice of the meeting within 14 days after—
 - (a) being directed to call the meeting by the management committee; or
 - (b) being given a written request signed by—
 - (i) at least 4 members of the management committee; or
 - (ii) at least 10 life members, playing members and non-playing members; or
 - (c) being given a written notice of an intention to appeal against the decision of the management committee—
 - (i) to reject an application for membership; or
 - (ii) to terminate a person's membership.
- (2) A request mentioned in subrule (1)(b) must state—
 - (a) why the special general meeting is being called; and
 - (b) the business to be conducted at the meeting.
- (3) A special general meeting must be held within 3 months after the secretary—
 - (a) is directed to call the meeting by the management committee; or
 - (b) is given the written request mentioned in subrule (1)(b); or
 - (c) is given the written notice of an intention to appeal mentioned in subrule (1)(c).
- (4) If the secretary is unable or unwilling to call the special meeting, the president must call the meeting.

40 Proxies

- (1) An instrument appointing a proxy must be in writing and be in the following or similar form—

[Name of Club:

I, _____ of _____ being a
member of the Club, appoint
_____ of
_____ as my proxy to vote for me on my
behalf at the (annual) general meeting of the Club, to be held
on the _____ day of _____ 20_____
and at any adjournment of the meeting.

Signed this _____ day of _____ 20_____
_____ Signature

- (2) The instrument appointing a proxy must—
- (a) if the appointor is an individual—be signed by the appointor or the appointor's attorney properly authorised in writing; or
 - (b) if the appointor is a corporation—
 - (i) be under seal; or
 - (ii) be signed by a properly authorised officer or attorney of the corporation.
- (3) A proxy may be an adult member of the Club or another adult person.
- (4) The instrument appointing a proxy is taken to confer authority to demand or join in demanding a secret ballot.
- (5) Each instrument appointing a proxy must be given to the secretary before the start of the meeting or adjourned meeting at which the person named in the instrument proposes to vote.
- (6) Unless otherwise instructed by the appointor, the proxy may vote as the proxy considers appropriate.
- (7) If a member wants a proxy to vote for or against a resolution, the instrument appointing the proxy must be in the following or similar form—

[Name of Club]:

I, _____ of _____ being a
member of the Club, appoint
_____ of
_____ as my proxy to vote for me on my
behalf at the (annual) general meeting of the association, to be
held on the _____ day of _____
20_____ and at any adjournment of the meeting.

Signed this _____ day of _____ 20_____
_____ Signature

This form is to be used *in favour of/*against [*strike out
whichever is not wanted*] the following resolutions—

[List relevant resolutions]

41 Minutes of general meetings

- (1) The secretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each general meeting are entered in a minute book. The minute book may be kept in electronic format.
- (2) To ensure the accuracy of the minutes—
 - (a) the minutes of each general meeting must be signed by the chairperson of the meeting, or the chairperson of the next general meeting, verifying their accuracy; and
 - (b) the minutes of each annual general meeting must be signed by the chairperson of the meeting, or the chairperson of the next meeting of the Club that is a general meeting or annual general meeting, verifying their accuracy.
- (3) If asked by a member of the Club, the secretary must, within 28 days after the request is made—
 - (a) make the minute book for a particular general meeting available for inspection by the member (including by using a computer) at a mutually agreed time and place; and
 - (b) give the member copies of the minutes of the meeting.
- (4) The Club may require the member to pay the reasonable costs of providing copies of the minutes.

42 By-laws

- (1) The management committee may make, amend or repeal by-laws, not inconsistent with these rules, for the internal management of the Club.
- (2) A by-law may be set aside by a vote of members at a general meeting of the Club.

43 Alteration of rules

- (1) Subject to the Act, these rules may be amended, repealed or added to by a special resolution carried at a general meeting.
- (2) However an amendment, repeal or addition is valid only if it is registered by the chief executive.

44 Funds and accounts

- (1) The funds of the Club must be kept in an account in the name of the Club in a financial institution decided by the management committee.
- (2) Records and accounts must be kept in the English language showing full and accurate particulars of the financial affairs of the Club.
- (3) All amounts must be deposited in the financial institution account as soon as practicable after receipt.

- (4) A payment by the Club of \$100 or more must be made by electronic funds transfer.
- (5) A petty cash account must be kept on the imprest system, and the management committee must decide the amount of petty cash to be kept in the account.
- (6) All expenditure must be approved or ratified at a management committee meeting.

45 General financial matters

- (1) On behalf of the management committee, the treasurer must, as soon as practicable after the end date of each financial year, ensure a financial statement for its last reportable financial year is prepared.
- (2) The income and property of the Club must be used solely in promoting the Club's objects and exercising the Club's powers.
- (3) No part of the Club's income or property is to be distributed, paid or transferred by way of a bonus, dividend or other similar payment to the Club's members.
- (4) Subrule (3) does not apply to—
 - (a) reasonable remuneration paid to a member of the Club for work done by the member for or on behalf of the Club; or
 - (b) any payments or dispositions of property that are incidental to activities of the Club in accordance or consistent with the Club's objects.

46 Documents

The management committee must ensure the safe custody of books, documents, instruments of title and securities of the Club.

47 Financial year

The end date of the Club's financial year is 30 April in each year.

48 Distribution of surplus assets to another entity

- (1) This rule applies if the Club—
 - (a) is wound-up under part 10 of the Act; and
 - (b) has surplus assets.
- (2) The surplus assets must not be distributed among the members of the Club.
- (3) The surplus assets must be given to another entity—
 - (a) having objects similar to the Club's objects; and

- (b) the rules of which prohibit the distribution of the entity's income and assets to its members.
- (4) In this rule— **surplus assets** see section 92(3) of the Act.