

### Constitution

### TABLE OF CONTENTS

Subject	Clause	Page
Acceptance of Membership	9 (b)	7
Adjudications	4	5
Administration of Club	6	6
Affairs of the Club	6	6
Agenda for AGM	19	11
Amending Constitution	39	15
Annual General Meeting [AGM]	18	11
Annual Subscriptions	9 (d)	7
Appeal Rights	65	18-19
Appealing Suspension	50	16-17
Appointment of Employees	13 (d)	8
Appointment of Officers	13 (d)	8
Appointment of Patron	57	17
Appointment of Representatives	44	16
Appointment of Returning Officer	27	13
Asset distribution if dissolved	43	16
Books on demand	38	15
Business of AGM	19	11
Calling an SGM	17	11
Candidate may withdraw	26	13
Casting Vote	56	17
Casual Vacancies	32	14
Casual Vacancy	13 (b)	8
Certain Clauses to Stay Permanently	41	15
Cessation of Membership	10	7
Changing any Rules	40	15
Clause Headings	8	6
Clauses not to be altered	41	15
Club Colours	2	5
Club Delegates	44	16
Colours	2	5
Committee Meetings	15	10-11
Committee Position becoming Vacant	13 (g)	8
Committee Powers	14	9-10
Committee to see Finance Books	38	15
Common Seal	52	17
Consider Life Members	19 (f)	12



Subject	Clause	Page
Corporate Members	9 (e)	7
Date of AGM	18	11
Delegation of Committee Powers	13 (e)	8
Discretionary Powers for Delegates	45	16
Dissolution of Club	42	16
Distribution of Assets	43	16
Election of Auditor	19 (e)	12
Elections	23	13
Elimination of Ballot	29	14
Emergency / Disaster	58	17
Enforcement of Rules	47	16
Executive Members	12	8
Expulsion of Members	64	18
Fees	9 (d)	7
Fees for Appeal	50 (a)	16
Fees for appeal to be Forfeited	50 (b)	17
Finance	34	14
Financial Responsibilities	36	14-15
Financial Year	35	14
Fines imposed on members	47 (a)	16
Fines Not Paid - Action taken	47 (a)	16
Gross Misconduct	64	18
Headings	8	6
How to Nominate	25	13
If Fines Aren't Paid	47 (a)	16
Insufficient Nominations	31	14
Insufficient quorum for AGM & SGM	20 (c)	12
Insufficient quorum for Committee	20 (c)	12
Insufficient quorum for OGM	21 (c)	12
Interpretations	3	5
Joint Members	9 (e)	7
Knocking back Membership	9 (f)	7
Late nomination not accepted	25 (e)	13
Liability of Members	7	6
Life Membership	60	17
Life Membership – Consideration of	19 (f)	12
Management of Club	11	7-8
Matters of Order and Procedure	55	17
Members Liability	7	6
Members may Appeal	65	18-19
Members of Committee	11	7-8



Subject	Clause	Page
Members of Executive	12	8
Membership	9	6-7
Method of Payment	9 (d)	7
Minutes of Meetings	15	10-11
Monies Received	37	15
Name	1	5
Nomination for more than one Position	30	14
Nominating Procedures	25	13
Non-Profit Organisation	34	14
Notice of Committee Meeting	22 (b)	13
Notice for Elections	24	13
Notice of AGM & SGM	20 (b)	12
Notice of Amendment	39 (b)	15
Notice of Meetings	20	12
Notice of OGM	21 (b)	12
Notice of SGM	17 (c)	11
Notice to D&DCA of suspension	49	16
Order of Voting	28 (b)	14
Ordinary General Meetings [OGM]	16	11
Patron	57	17
Position on Committee	13 (g)	8
Power to Censure & Suspend	47	16
Powers of the Committee	14	9-10
President to have Casting Vote	56	17
President's decision final	55	17
Previous Constitutions & Rules void	59	17
Prizes & Trophies	53	17
Public Officer – Appointment	61 (a)	18
Public Officer – Duties of	61 (c)	18
Pubic Officer – to become Vacant	61 (b)	18
Quorum for AGM & SGM	20 (a)	12
Quorum for Committee Meeting	22 (a)	13
Quorum for OGM	21 (a)	12
Quorum to change Constitution	39 (b)	15
Quorum to change Rules	40 (b)	15
Receipts	37	15
Register of Members	62	18
Rejecting Membership Applications	9 (f)	7
Repeal of old Constitution & Rules	59	17
Reports by Delegates / Representatives	46	16
Resigning Membership	10	7



Subject	Clause	Page
Retirement	13 (c)	8
Retirement of Executive	13 (a)	8
Retiring Committee	13 (c)	8
Returning Officer	27	13
Right of Appeal	65	18-19
Running the Club	6	6
Special General Meetings [SGM]	17	11
Statement of Objects	5	6
Suspending Club Activity in Emergency	58	17
The Committee	11	7-8
Treasurer to maintain Register	62	18
Tribunal to hear charges	48	16
Types of Members	9 (a)	6
Unfinancial Members can't Vote	9 (c)	7
Validity of ineligible Committee	54	17
Vice President	13 (b)	8
Voting Procedures – AGM	28	14
Voting Procedure – Other Meetings	33	14
Who can be a Member	9	6-7
Withdrawal of Candidate	26	13



#### THE CONSTITUTION

### Part I - Preliminary

#### **NAME**

 The name of the Incorporated Association shall be 'Waratah Cricket Club Incorporated' and is referred to herein as "the Club".

#### **COLOURS**

2. The colours of the Club shall be Red and White

### **INTERPRETATIONS**

- 3. In this Constitution, unless the context or subject-matter otherwise indicates or requires:
  - a. "Act" means the Associations Incorporation Act
  - b. "the Committee" means the elected/appointed Committee of the Club
  - c. "the Executive" means the duly elected Executive Officers of the Club
  - d. "Regulations" means the Associations Incorporation Regulations
  - e. "Rules" shall mean Rules/By Laws made, approved and enforced within the Club as it deems fit, from time to time
  - f. Words importing one gender include any other gender, and words in the singular include the plural and vice versa
- 4.
- a. If any circumstances arises for which no provisions is made in this Constitution and/or any rules then in existence;
   OR
- b. If there arises any reasonable doubt as to interpretation of any circumstance;
   OR
- c. If there is any doubt as to the correct procedure to be adopted on any occasion;

The Committee, having due regard to the Constitution and/or Rules then in existence, may decide the matter and may direct what shall be done in each particular instance, or may interpret the Constitution and/or Rules or direct what shall be done in any particular case.



#### STATEMENT OF OBJECTS

- 5. The Club has been formed to provide sporting and recreational opportunities and activities to it's Members and in particular, and without limiting the generality of the following:
  - a. The establishment and participation of teams to compete in various cricket competitions of whatsoever grade or standard and includes the establishment of teams to compete in youth or under-age cricket.
  - b. To develop, assist and encourage youth or under-age cricket by engaging suitable coaches, providing the necessary equipment and the establishing of various teams to compete in appropriate competitions.
  - c. To develop the skill of cricket through training camps, social matches and competition, and to encourage personal development and the attaining of a high standard of sportsmanship both on and off the field.

#### **ADMINISTRATION**

6. The affairs of the Club shall be conducted in accordance with this Constitution. A reference to a function includes a reference to a power, authority or duty, and a reference to the exercise of a function includes (where the function is a duty), a reference to the performance of that duty.

#### LIABILITY

7. The liability of a Member to contribute towards the payment of the debts and liabilities of the Club or the costs charges and expenses of the winding up of the Club is limited to an amount \$1 and every person who becomes a Member is deemed to have undertaken to pay such amount, if so required, in the event that the Club is wound up while he is a member or within a period of one year after ceasing to be a member thereof.

#### **HEADINGS**

8. Headings to Clauses of this Constitution are intended for the ease of reference only and are not to be taken to affect the Constitution or the interpretation of such Clauses.

Part II - Membership

#### **MEMBERS**



- a. Any person, group or company wishing to become a member of the Club shall make a written application on such a form as shall be prescribed by the Committee from time to time. The Club shall consist of members as follows:
  - i. The Executive of the Club
  - ii. Life Members of the Club
  - iii. Financial playing members of each team of the Club approved by the Committee to take part in competition each year. Each team will be represented at meetings of the Club by an appointed/elected delegate of that team.
  - iv. Any other person/body the Committee may from time to time decide to second for a particular purpose.
- b. When an applicant has been accepted for membership, the Secretary shall send to that applicant, written notice of acceptance. That member shall then be entitled to receive notice of all general meetings.
- c. A member who is determined as being unfinancial shall not be entitled to vote at Meetings, nor hold office within the Club.
- d. The annual subscription payable by each member shall be determined by the Committee, provided that it shall not be less than one dollar (\$1). The Committee retains the right to decide if fees, subscriptions or levies are payable in one or more installments, and at such time or times as it may deem necessary.
- e. In the case of a corporate or joint membership, such as corporate member or joint members shall be entitled to nominate an officer or one of the joint members as the case may be, to hold office within the Club. That nominated person shall, on behalf of their corporation or joint membership, have a single vote at any meeting of the Club.
- f. The Committee may reject any such application for membership, without assigning a reason for the rejection.

#### **CESSATION OF MEMBERSHIP**

- 10. A person/body shall cease to be a member of the club, if they:
  - a. Die
  - b. Resign their membership in writing
  - c. Are expelled from the Club or the Club's governing body

Part III - The Committee



#### THE COMMITTEE

11. The control, management and conduct of the club shall be vested in the Committee. The Committee shall serve in an honorary capacity and shall not be entitled to any remuneration or benefit from the income of the Club. The Committee shall consist of:-

The President
Vice President
The Junior Coordinator
A Publicity Officer [if deemed necessary]
The Secretary
Captain / Delegate from each Senior Team
The Treasurer
The Statistics Officer:

AND

Any other person the committee may deem necessary from time to time.

12. The Executive officers of the Club shall be the duly elected President, Vice President, Secretary and Treasurer.

- All Executive officers, and other members of the Committee shall retire at the Annual General Meeting following their election, and shall be eligible for reelection.
- b. The office of Vice President should be filled automatically by the outgoing President to allow for continuity in leadership. If the President elects to run for reelection, the office of Vice President should be filled by the incoming Executive, with a member who has show willingness to serve as President, on retirement of the incumbent. Any other casual vacancy amongst members of the Committee may be filled by the Executive and such member shall hold office until the next Annual General Meeting.
- c. A retiring Committee member shall be eligible to stand for re-election without nomination, but no other person shall be eligible for election, unless they have been nominated and seconded before the election conducted, and the nominee has signed a willingness to stand.
- d. The Committee may appoint such officers/employees as are required to carry out the objects of the Club, including a Public Officer required by the Act.
- e. The Committee may discuss or delegate any of its powers to such officers and employees including (but without limiting to forgoing) the formulation of Rules and/or By Laws or terms of reference for the administration of the Club.
- f. If only the required number of persons are nominated to fill existing vacancies, the Secretary shall report accordingly to the AGM and the President shall declare such persons duly elected.
- g. The office of any member of the Committee shall become vacant if the encumbent is:
  - i. Disqualified by the Act
  - ii. Expelled under this Constitution



- iii. Permanently incapacitated by ill health
- iv. Absent without apology from three [3] consecutive Committee meetings or a total of five [5] Committee meetings during the year.

#### **POWERS OF THE COMMITTEE**

- 14. The Committee, in addition to those conferred by the Act, shall have the following powers:
  - a. To control and manage the affairs of the Club;
  - Exercise all such functions as may be exercised by the Club other than those functions that are required by this Constitution to be exercised by a general meeting of the members of the Club;
  - Have the power to delegate any of its function to any Sub-Committee, Panel or the like, on whatever terms it deems fit. The President shall be an ex-officio member of all sub-committees and may, if he so desires, attend all or any meetings of such sub-committees;
  - d. Have the power to perform all such acts and do all such things as appear to the committee to be necessary or desirable for the proper management of the affairs of the Club, including the power to do any or all of the following:
    - i. To purchase, take on lease or in exchange or otherwise acquire any real or personal property an rights and privileges which the Committee may think necessary or desirable in order to effectuate its objects
    - ii. To construct, improve, maintain and alter any buildings or works necessary or convenient for the purposes of the Club
    - iii. To take a gift of property, whether subject to any special trust or not
    - iv. To deposit the monies of the Club not immediately required in any bank or invest same in any of the following investments:-
      - Any investment in which by the laws of the North Australian trustees are authorised to invest
      - The purchase, upon mortgage, of land of any tenure, improved or unimproved
      - The shares, stock, debentures, debenture stock unsecured notes or other securities of any company which is listed on any Stock Exchange in Australia, New Zealand or Great Britain
    - v. To take such steps by personal or written appeals, public meetings, or otherwise, as may be from time to time deemed expedient for the purposes of procuring contributions to the funds of the Club, in the shape



of donations, annual subscriptions or otherwise.

- vi. To sell, manage, lease, mortgage or dispose of or otherwise deal with all or any part of the real and personal property of the Club.
- vii. To undertake and execute any trusts which may seem directly or indirectly conducive to the Club
- viii. To borrow and raise money in such a manner as the Club may think fit, with the power to give mortgages, bonds, debentures, promissory notes, guarantees or other obligations or securities for any money and for interest thereon charged upon all or any of the property of the club, including after-acquired property
- ix. To become the proprietor of, and to register as proprietor of any newspaper, journal or publication which may be deemed necessary for furthering, effectuation or in connection with any of the objects of the Club
- x. To establish and support, and to aid in the establishment and support of any other body/association formed for all or any of the objects of this Club
- xi. To amalgamate with any companies, institutions, club or association, having objects altogether or in part similar to those of this Club
- xii. To use and exercise all powers, privileges and authorities conferred by the Associations Incorporation Act 1956 to any amendment or reenactment thereof
- xiii. To do all such acts, matters or things as are conducive or incidental to the attainment of the above, or any of them
- e. Maintain tables of points earned by each cricket team taking part in competition for the Club, to enable the winners of various prizes/trophies to be determined at the conclusion of such competitions of each year.
- f. Appoint members to stand as Club representatives on various Committees, Panel or the like, of the governing body.
- g. Prepare a budget of the expenditure of the club for the ensuing year and submit such budget, together with any application for funds, or application for grants-inaid to meet such budgeted expenditure to the Executive for consideration and allocation of such funds as the Executive deems adequate for the effective working of the Club.
- h. Levy such fees each year as is necessary to fulfill the objects of the Club.

Part IV - Meetings



#### **COMMITTEE MEETINGS**

15. The Committee of the club shall meet as often as is thought necessary to effect the smooth and efficient day-to-day operation of the club.

Minutes will be kept of all Committee Meetings, and at all other meetings of members as outlined below, and a register maintained of all Resolutions passed at such meetings. All resolutions arising from such meetings will be tabled at the first available General Meeting of the Club following the Committee meeting for confirmation or amendment. Voting shall be done by a how of hands, unless a secret ballot is requested.

#### **ORDINARY GENERAL MEETINGS**

16. Ordinary General Meetings [OGM] of the club will be held on dates and at times thought appropriate by the Committee.

### **SPECIAL GENERAL MEETINGS**

- 17. A Special General Meeting [SGM] shall be called by the Club Secretary:
  - a. Upon resolution of the Committee
  - b. Upon the written request of the President
  - c. Upon receipt of a written request signed not less than five [5] fully financial members of the Club. Any such request shall include the business proposed, specifying the motion to be considered.

Such a meeting shall be called within a period of not less than ten [10] days, nor more than twenty-eight [28] days from the date of the delivery of the request to the Club Secretary.

No other business, save that for which the SGM was called, will be discussed.

#### **ANNUAL GENERAL MEETING**

- 18. The Annual General Meeting [AGM] of the Club shall be held during November each year.
- 19. the regular business of the AGM shall be:
  - a. To confirm the minutes of the last preceding AGM and any SGM held since that meeting.



- b. To receive a report from the Club President on the Activities of the Club during the past year.
- c. To receive and consider any other report or statement which is required to be submitted to members, including a Statement of Income and Expenditure, together with a Balance Sheet and Books of Account, duly audited and signed by the Auditor of the Club.
- d. To elect the following officers, who will hold office (subject to any provisions of this Constitution and/or Rules) until the following AGM when they will retire and be eligible for re-election:-

The President The Secretary The Statistics Officer Vice President The Treasurer Junior Co-ordinator

- e. To elect an Auditor, not otherwise a member of the Club.
- f. To consider and decide on nominations from members or the Committee, on persons to be elected as Life Members of the Club.
- g. To finalise any other business of which due notice has been given.

#### **NOTICE OF MEETINGS & QUORUM REQUIRED**

### 20. .

- a. At the AGM or an SGM, a quorum of not less than five percent [5%] of the total number of the Members or where the total number exceeds five hundred [500] then any twenty five [25] members together with a quorum of the Committee, must be present at all times to declare the meeting duly constituted.
- b. Notice of such AGM or SGM will be given not less than ten [10] days prior to that meeting, and shall be delivered by Public Notice in the "NT News" newspaper specifying the time and the place, and the business to be conducted.
- c. Should the quorum not be present within thirty [30] minutes of the appointed time of the meeting, that meeting shall be adjourned fro not more than twenty one [21] days. Not less than seven [7] days notice of time and place of the adjourned meeting shall be given to all members outlined in (b) above.

- a. At an OGM, a quorum of twenty five percent [25%] of members, together with quorum of the Committee, must be present at all times to declare the meeting duly constituted.
- b. Notice of such OGM's will be given not less than seven [7] days prior to that meeting, by the Secretary or President of the Club. Notice may be verbal at the conclusion of the proceeding OGM, or by Public Notice in the "NT News"



newspaper specifying the time and the place.

c. Should the quorum not be present within thirty [30] minutes of the appointed time of the meeting, that meeting shall be adjourned for not more than fourteen [14] days. Not less than seven [7] days notice of the time and place of the adjourned meeting shall be given to all members as outlined in (b) above.

#### 22. .

- a. At a Committee Meeting, a quorum of five [5] Committee Members must be present at all times to declare the meeting.
- b. Notice of the Committee meetings will be delivered by the President or the Secretary, either verbally at the conclusion of the preceding Committee meeting, or by other verbal or written contact.
- c. Should the quorum not be present within fifteen [15] minute of the appointed time, that meeting shall be adjourned to a time and date suitable to those present.

#### **ELECTIONS**

- 23. The election of Office Bearers shall be held at the AGM of the Club. Election shall be made in all cases, according to the provisions of Clauses 24 32 of this Constitution.
- 24. The Secretary, the President, or the Vice President, shall, not less than twenty one [21] days, nor more than thirty one [31] days, prior to the date of the AGM, call for nominations for persons eligible for the office of President, Vice President, Secretary, Treasurer, Statistics Officer and Junior Co-ordinator.

- a. All nominations shall be lodged with the Secretary or with the person calling for nominations pursuant to Clause 24 not less than fourteen [14] days prior to the date of the AGM. Such closing time and date shall be clearly defined in the notice calling for nominations.
- b. Each nomination shall be signed on the prescribed form by the Proposer, a Seconder and **MUST** be signed by the Candidate.
- c. Such nominations shall be sealed and lodged with the Secretary or person calling for nominations, with the envelope endorsed "NOMINATION PAPER".
- d. All such envelopes shall remain sealed until authorized to be opened by the President, at a meeting of the Committee held within seven [7] days from the closing date for nominations to be lodged.
- e. Nominations received after the date and time specified shall not be accepted, irrespective of any cause of delay whatsoever.
- 26. A Candidate may withdraw their nomination by written notice to the Secretary, at any time , provided such withdrawal is made prior to the distribution of the ballot papers at the



AGM, and such withdrawal may be made with or without the consent of the Proposer and/or Seconder.

27. A Returning Officer and two [2] scutineers shall be appointed by the Members present, who are entitled to vote.

28. .

- a. The secretary, or such person as may be authorised by the Committee, shall, at the AGM, hand to each member entitled to vote, and actually present, a ballot paper on which shall be set out the names of the persons nominated and eligible for election.
- b. Voting shall be taken place separately and in the order of:-

President
Vice President
Secretary
Treasurer
Statistics Officer
Junior Co-ordinator

- 29. Voting shall be by elimination ballot. In the event of a tie, a fresh ballot shall be held of such candidates for that position, to decide which of them shall be elected.
- 30. A member may nominate for no more than two [2] positions on the Committee, but if and when elected to one position, his nomination for the second position shall automatically lapse.
- 31. Where no nominations are received, or where insufficient persons are nominated to fill the vacancy or vacancies, the Committee shall fill such vacancy within thirty [30] days.
- 32. At all times, should the Secretary fail to summon members of the Committee to meet in accordance with any requisition made pursuant to this Constitution, the President or Vice President, or any other two members of the Committee may call such a meeting.
- 33. Voting at the AGM will be described above. At any other meetings of members, voting shall be by show of hand, unless any three financial members, or the President, require a secret ballot. Financial Junior members present at an AGM or SGM may only vote in matters pertaining to junior cricket.

#### Part V - Finance

### FINANCIAL ADMINSITRATION

- 34. The Club shall be conducted as a Non-Profit organisation for its members, and no part of the Club's accumulated funds or assets may be distributed in any way whatsoever or used except for the purpose of fulfilling the objectives of the Club.
- 35. The financial year of the Club shall run from the 1st day of November in any one year to the 31st day of October in the following year.



#### 36. .

- a. The Committee shall be responsible for all finances of the Club and authorise all expenditure before payment. All payments shall be by cheque, signed by the Treasurer and on other member of the Committee.
- b. The Treasurer shall maintain proper books of account and shall record all financial transactions of the Club.
- c. The Treasurer may retain such sum not exceeding \$50.00 as determined by the Committee, for petty cash, but such money shall remain the property of the Club.

#### 37. .

- a. All monies received by the Club shall be deposited in an account with a accredited financial institution, to be entitled as deemed fit by the Committee. Such title must contain the name of the Club.
- b. The Club shall, as soon as practicable after receiving any money, issue an appropriate receipt.
- 38. Bank Pass Books, Account Books, Accounts, Vouchers and any other books or records directly or indirectly connected with the Club or its financial position, shall be produced to the Committee whenever they should so desire.

### Part VI - Administration

#### **AMENDMENTS TO CONSTITUTION AND/OR RULES**

### 39. .

- This Constitution shall not be altered, varied or added to, save on Notice of Motion at an AGM or SGM called for that purpose.
- Such Notice of Motion shall be lodged with the Secretary not less than thirty one
  [31] days prior to holding of such meeting and carried if seventy five percent
  [75%] of the members present and eligible to vote are in favour of such alteration,
  variation, addition or deletion.

- Any Rules made under this Constitution, may only be altered, varied added to or deleted at an OGM of members, upon recommendation from the Committee of the Club.
- b. Such alterations, variations, additions or deletions shall be carried out if seventy five percent [75%] of the members present and eligible to vote are in favour.
- 41. Clauses 34, 42 and 43 shall not be altered, amended, varied, added to or recinded in any way whatsoever.



#### DISSOLUTION

- 42. The club shall only be dissolved upon resolution being passed by two-thirds [2/3] majority of members personally present and entitled to vote at a SGM convened for that purpose, and for which Notice has been duly given in accordance with the provisions of this Constitution.
- 43. In the event of dissolution, the assets of the Club shall not be distributed to its members, or to relatives or heirs of members, excepting repayment of debts or loans.

The distribution of assets will be the responsibility of the Committee in office at the time of such dissolution, and all assets which can be distributed shall be, to either an organisation with similar objects and purposes, and/or recognised charitable organisation.

#### **APPOINTMENT OF REPRESENTATIVES**

- 44. The Club may appoint representatives to attend conferences, meetings or gatherings as it sees fit.
- 45. Representatives of the Club shall have discretionary powers to represent the views of the Club, excepting on those matters which the Club has given specific instructions.
- 46. The Club may require any such representative to report verbally or in writing, on the motions, resolutions and discussions made at any such conference, meeting or gathering, and on expenditures incurred on behalf of the Club or in the process of attending such conference, meeting or gathering.

### **ENFORCEMENT OF CONSTITUTION & RULES**

- 47. The Club will have the power to censure, suspend or fine any member or affiliate who fails to comply with the provisions of this Constitution or any Rules from time to time in force, or with any direction or decision of the Club.
  - If a fine incurred by a member is not paid within one [1] month of the date it was imposed, the member shall not be permitted to compete until payment is received.
- 48. The Committee shall appoint a Tribunal to hear charges or complaints against any club official, umpire or player, and such Tribunal shall have the power to apply any censure, suspension, disqualification or fine it deems fit.
- 49. The Committee may apply to the D&DCA to have disqualification or suspension recognised by all affiliated clubs.

50. .

a. Any Notice of Appeal received in relation to Clause 65 (a) and Clause 65 (e), or with any regard to any other matter, must be accompanied by a deposit of twenty five dollars [\$25].



- b. Any such deposit lodged, will be, at the discretion of the Club President, forfeited if the grounds for such appeal are considered frivolous, or, the appeal is subsequently withdrawn at the request of the appellant.
- 51. All appeals will be dealt with in accordance with Clause 65 herein.

#### **GENERAL**

- 52. There shall be a Common Seal. The Committee shall provide its safe custody, and the Seal shall be used only by the authority of the Committee. Every instrument to which the Seal is affixed shall be signed by the President, and countersigned by the Secretary and one other member of the Committee.
- 53. The Committee may offer prizes/trophies for its members at the completion of each season, or any other competition on such conditions as may be deemed necessary.
- 54. All acts done by the Committee or any delegated body, duly authorized in that behalf, shall, not withstanding that it afterwards be discovered that some person or persons were ineligible to act on such Committee, or delegated body, be as valid as if such person or persons were eligible to act.
- 55. At all Committee meeting or meeting of members, the President's decision on all matters or order and procedure shall be final.
- 56. The President at all such meetings shall be entitled to a casting vote as well as a deliberative vote in the event of equality of voting.
- 57. The Club, if decided at an AGM, may appoint a Patron.

- a. If at any time there should arise a circumstance of State or National Emergency or Disaster, the Committee shall have the power at it sole discretion, to suspend any Meeting or other activity of the Club for such period or periods as may be deemed advisable.
- b. In such periods of suspension, the management of the affairs of the Club shall be vested absolutely in the Committee in office at that time.
- c. All things done by and all acts of the Committee during such period shall be deemed constitutional, notwithstanding anything contained in this Constitution any Rules in force at the time.
- 59. All previous Constitutions and any Rules or documents purporting to be such, are hereby repealed.
- 60. Life Membership may be recommended by the Committee to the AGM in recognition of valuable services to the Club. No person may be recommended unless they have been a member of the Club for at least ten [10] years.



#### 61. .

- a. The Committee shall appoint a Public Officer for the Club. Until such an appointment is made, the Secretary at that time, if eligible, shall be the Public Officer.
- b. In accordance with the provisions of the Act, the office of the Public Officer shall become vacant if the person holding that office:
  - i. Dies
  - ii. Becomes of unsound mind
  - iii. Becomes bankrupt, applies to take relief of a law for the relief of bankrupt or insolvent debtors or compounds with his creditors
  - Resigns his office by writing under his hand, addressed to the Committee of the Club
  - v. Ceases to be a resident of the Territory.
- c. The duties of the Public Officer shall be to comply with the provisions of and to exercise the powers conferred upon him by the Act, or any amendment or reenactment thereof.
- 62. The Treasurer shall establish and maintain a register of Members and shall ensure that it is current detailing the name, address, contact number and current financial status as a member of the Club. These records should be cross referenced with the records kept by the Statistics Officer to enable financial obligation of members to the Club to be established.
- 63. The Committee shall have the sole authority to determine whether a Member is in good standing and financial.
- 64. Any member guilty of gross misconduct may (after natural justice has been afforded them) be expelled from the Club by the Executive.

### **RIGHT OF APPEAL**

- a. Members may appeal to the Executive in general meeting, against a resolution of the Committee, within seven [7] days after notice of the resolution is served on them, by lodging with the Club Secretary a notice in writing to that effect.
- b. Upon receipt of a notice as outlined above, the Executive shall convene a general meeting within 21 days after the date on which the Secretary received the notice.
- c. At a general meeting convened for that purpose:
  - i. No business other than the question of the appeal shall be transacted
  - The Committee and the member shall be given the opportunity to state their respective cases orally or in writing, or both; and



- iii. The members present shall vote by secret ballot on the question of whether the resolution should be confirmed or revoked.
- d. If at the general meeting, the Club passes a special resolution in favour of the confirmation of the resolution, the resolution is confirmed.
- e. If the resolution is confirmed, the appealing member may, within 7 days, lodge with the Secretary of the Club a further appeal to the D&DCA and the Secretary shall forthwith send such appeal to the Management Committee of the Darwin and Districts Cricket Association for consideration.
- f. The decision of the D&DCA on any such appeal shall be final and binding, and no further appeal shall be made to any other body or Court other than on a point of law.



#### STATEMENT OF JUNIOR PARTICIPATION

#### [First Produced - 1995-96 Season]

The Australian Cricket Board, in their Junior Policy document, state that their General Aims are:

- 1. To develop in all players, a positive attitude towards sport in general, the game of cricket in particular and to provide for long term appreciation of and participation in the game of cricket.
- To cater for the needs of players and to encourage development of confidence and self-esteem through participation in a level of activity, appropriate to the individual's stage of development.

They further state their Specific Aims are to provide for :

- 1. Enjoyment for all
- 2. Development of basic skills of cricket
- 3. Development of team spirit and co-operation
- 4. Equal opportunity to participate
- 5. Development of a balanced attitude to competition.

We at Waratahs, through necessity, see our basic aims in a more "in-depth" light. In addition to the basic aims of ACB, we see ourselves as providing an opportunity for involvement in a junior team, participating in an activity which will bring immediate and long term benefits for individual participants and the club in general. These benefits will be observed in terms of higher levels of fitness, better health, pleasurable social environment and the increase in skills of individual participants, and therefore, the team as a whole.

Children's activities tend to adjust to meet simple expectations. Those expectations, in the formative years of cricket development, will mould the way in which the child matures in the game, and in the way in which they will progress through the differing complexities of each level.

In short, children basically expect to:

- o Have fun
- o Play/compete with their friends
- Make new friends
- o Explore their capabilities
- o See improvement in their ability and performance
- o Share praise and recognition with others

Waratah's recognise that junior cricket should be free from adult pressures and demands, and that children are not little adults. With the correct approach, we can ensure that encouragement is given to our younger members, rather than discouraging them by pushing too hard. It is important to support juniors not drive them.

Waratah's further recognise that our junior participants mature at varying speeds, and that those who develop rapidly are encouraged to move on to the next level, whilst making sure that they want to – and are not pushed up. We have seen cases where some juniors develop physically, but not mentally or socially and on the other hand, we see juniors who develop mentally, but find their stature is such that they are placed at a distinct disadvantage at the higher level of competition.

Over the past few years, junior cricket in Darwin has evolved into a sport which is orientated towards active participation, safe practices and modern thinking. Rules have been formulated with the safety of participants as a paramount concern, whilst balancing this with innovative rule changes to enable the competitive spirit in each team member to emerge at the same time as guarding against the ethic of "winning is everything".

In the main, these changes have been highly successful, and we at Waratahs are proud to be one of the clubs who support the Cricket Association in this endeavour.



Junior cricket in Darwin is divided by age. Currently teams consist of children in 4 age groups:

JNDER 11 UNDER 13 UNDER 15 UN

A child who has not turned 15 before the 31<sup>st</sup> December in the year they wish to play, would be eligible to play in the Under 15 team. Most clubs adopt a nominal age of 8 years as the starting point for competitive teams, but again, this is only used as a basic guideline. Children younger than 8 years generally have too much of a physical handicap on the field.

Waratah's recognise that the two junior grades of Under 11's and Under 13's are critical to the Development of a positive attitude towards sport. Special care is taken at these levels to ensure that the correct start is given for a lifelong participation in team based sport.

Waratah's accept that children have rights and these would be defined as:

- Have fun in the chosen sport
- Play as children not as little adults
- Share in leadership and decision making roles if suited
- Participate in safe and healthy environments
- Access to proper preparation
- An equal opportunity to strive for success
- Be treated with dignity

Waratah's further accept that each junior has the right, where possible, to:

- Participate at a level suited to the child's maturity and ability; and
- Have qualified adult leadership, where coaches are accredited under the National Accredited Scheme

In accepting the rights of our junior players, Waratah's equally expects that they, as responsible club members, will accept that the club expects a certain "Code of behaviour" in return. Fair play, honesty, respect for team-mates and opponents [whether winning or losing] and respect for umpires and officials are seen as the core of this "Code of behaviour".

In addition, Waratah's would expect that each player's "Code of behaviour" would be expanded to include:

- Playing for the enjoyment you get out of the game, not just to please parents or coaches.
- Playing by the Rules.
- Never arguing with an umpire or official. If you disagree, have your Captain or Coach make an approach to the umpire or official during a break or after the match.
- Control your temper. Verbal abuse, deliberately provoking an opponent and throwing equipment are not
  acceptable or permitted in any form.
- Work equally hard for yourself and your team. The team's performance will benefit, as will you.
- Be a good sport, at all times. Applaud good play whether by your team or the other side.
- Treat all players as you would like to be treated yourself.
- Co-operate with your coach, team-mates and opponents without them there would be no game.

Two vital roles for the successful implementation of any Statement or Policy on Junior Sport should be addressed at this point. In addition to the "Code of behaviour" for players, it is essential that there be an attempt to understand that THERE MUST ALSO BE A "CODE OF BEHAVIOUR" FOR COACHES AND PARENTS.

For parents, we see as essential, that:

- If children are interested, encourage them to play sport. However, if a child is not willing to participate, do not force them.
- Focus upon the efforts of the child and their performance, rather than the overall outcome of the game. This assists the child in setting realistic goals related to their ability by reducing the emphasis on winning.
- Teach the child that an honest effort is as important as victory, so that the result of the game is accepted without
  undue disappointment.
- Encourage children to always play according to the rules.
- NEVER ridicule or yell at a child for making a mistake or losing a game [YES it still happens!]



- REMEMBER children learn best from example. Applaud good play on both sides.
- If you disagree with an official or umpire, raise the issue through the appropriate channels rather than question their judgement and honesty in public. REMEMBER, most officials and umpires give their time and effort voluntarily to your child's involvement.
- Support all efforts to remove verbal and physical abuse from sporting activities.
- Recognize the value and importance of volunteer coaches. They give their time and resources to provide recreational activities and opportunities for the children and deserve your support.

If, as a parent, you are a spectator, or you are joined by friends to watch your children in sport, please consider:

- Children play organised sport for the fun of it. They are not playing for the entertainment of spectators only, nor
  are they miniature professionals.
- Applaud good performances on both sides, and congratulate both teams on their performance regardless of the game's outcome.
- Respect the official's or umpires decisions.
- Never ridicule or scold a child for making a mistake during a competition. REMEMBER positive comments are motivational.
- Condemn the use of violence in any form, be it spectators, coaches, officials or players.
- Show respect for your team's opponents. Remember without them, there would be no game.
- Actively encourage players to play according to the rules and the officials decisions.
- Demonstrate appropriate social behaviour by not using foul language, harassing players, coaches or officials.

Waratahs fully recognise that probably, the most difficult of all positions to fill each year is that of Coach/Official/Umpire/Scorer. That many hats worn by that one person during the course of the season, make the task a daunting one, and one which sometimes receives little or no recognition.

We recognise also, that good players don't just happen, and that a lot of voluntary time and effort is invested in the production of individual and team results. It is, therefore. Very important that the person appointed oversee the development of our juniors as individuals in sport, and as contributing team members, is someone who fully appreciates that the standards that they themselves must adhere to, must be above the average expected.

As a coach, one must:

- Be reasonable in their demands on young players time, energy and enthusiasm.
- Teach players that rules of the game are mutual agreements which no one should evade or break.
- Whenever possible, group players according to age, physical maturity and skills.
- Avoid over-playing the talented players, that the "just average" players need and deserve, equal time.
- At the same time, ensure and encourage/create opportunities to develop individual skills.
- Remember that children play for fun and enjoyment, and that winning should be only part of their motivation.
   Never ridicule or yell at children for mistakes made or for losing the match.
- Ensure that equipment and facilities meet safety standards and are appropriate to the age and ability of the players.
- The scheduling and length of practice times should take into consideration the maturity level of the children involved.
- Develop team respect for the ability of opponent, as well as for the judgement of officials and opposing coaches.
- Follow advice or recommendations of a physician when determining when an injured player is ready to recommence the game.
- Make a personal commitment to keep oneself informed of sound coaching principles and the principles of growth and development of children.



Over the years, the controlling body running Junior cricket in Darwin, have set down guidelines for persons wishing to fill roles of Coach/Umpire/Officials and Scorers.

The following is an extract from the Association's Junior Rules on what they see as the role of the Coach/Umpire:

# GUIDELINES FOR PARENTS AND SUPPORTERS WHO ACT AS COACHES / MANAGERS / UNPIRES AND SCORERS

#### **BACKGROUND**

Periodically, there are queries from parents, players and coaches, new to club cricket in Darwin, regarding policy for Junior Cricket. This article has been prepared and up-dated following regular discussion and exchanges of ideas at meetings of experienced coaches and administration of the game. It reflects Junior Cricket's expectations in the conduct of junior competition.

Modified rules have been used in the lower grades of junior competition over many years now, to increase participation in each game, and to ensure safe sport. The style of competition, length of games, and arrangement for the informal "loan" of players to "make up" teams that are short, are all intended to accommodate the social climate and sporting environment of Darwin.

However, we also look to build quality performance, high standards of individual and team sportsmanship, as well as strong competitive performance. We do expect players, as team members, to think about their game, to strive for success, learn how to win and lose with grace, and to support their team members even when they themselves are not doing well. We further expect all players to respect their fellow players and administrators, and the rules of the game.

#### **GENERAL INTRODUCTION**

We encourage parents and friends to support and administer the weekly games, with some help from senior club members; particularly as most clubs are voluntary, non-profit groups, with little commercial or professional support. It is thus especially important that the people who do run the games have access to adequate information and advice. As a result, expectations on our junior players should then be as consistent as possible.

If this is the case, players will grow in confidence and skill, improving both the quality of their sport and their sportsmanship. In small "country type" competition, we try to set standards as high as possible in this area. Later, such support is essential, if Primary School, High School, Under 17 and Under 19 Northern Territory representative Teams are to cope successfully with all the demands of National Championships. It has been the case in the past, that sometimes our representative teams have been embarrassed, not through lack of determination and courage, but through inadequate background in sporting and competitive ethics, and cricket etiquette.

It is important that all club officials and supporters understand the philosophy of the Committee, and the particular rules and practices, at each level of the game. Particular attention should be given to applying the modified rules, which have been introduced over the last ten years or so, as an active start is critical in this sport. Our 1993 version of the Rules, and its associated Guide-lines, are intended to ensure that teams play within both the spirit and the rules of the game, within the new format of junior cricket in Darwin.

Introduced in 1989 on a formal basis, and continuing, in all junior grades is the agreement to temporarily clear players on a single match basis. This allows teams that are short, to borrow from their opposition, if spare players are available. Though this may at times conflict with the player's club loyalties, a value also endorsed by the Committee, it does enable teams to avoid forfeiting matches, when they are short of players. It also increases the opportunity for player participation, and the statistics are official. The Junior Committee rile applies in all junior grades, throughout the Minor Rounds, but should not be used by a club, in such a way as to avoid, or diminish its own team building responsibilities in the sport.

#### INFORMATION FOR EACH GRADE

#### Under 11

Particularly early on in the season, matches, while still played by the modified rules, are seen as an extension of training. While a high standard of performance and competition is still to be encouraged, emphasis on developing individual and team skills along with sportsmanship, must be appropriate to the players ability. Endeavour to match the players enthusiasm with self-control.

In this grade, umpires are expected to address major faults in player technique, and where necessary help advise players "on the run", as well as, and more usually, between overs. Such advice, should be positive, unpatronising



and completely impartial, should not interfere with play, and result in **nil or minimal delay to the game**. [At this age, children want to, and should, get on with the game].

Coaches are encouraged, even expected to rotate players through fielding positions and batting/bowling orders on a readiness basis, to ensure match experience is developed and shared. This is one of the major reasons for the decision to base the competition for this grade, on single day matches.

These strategies, and the modified rules, have improved the quality of, and interest in, cricket in this grade quite markedly. Single day games, and a special U/11, 12<sup>th</sup> man replacement rule, along with the "loan" of players, have allowed the organisation of the grade to better reflect the spread of interests and abilities evident in the club player in this grade. Most teams also run a number of "reserves" at U/11 level, to give new and less matured members an introduction to "match" experience.

Junior Committee monitors this grade with particular care. It would be appreciated your support and comments.

#### Under 13

In this grade, the Coach/Umpire is expected to maintain a more passive and impartial role, while still assisting less experienced players, obviously in need of advice.

Between balls, when play is not "live", a player may ask advice of either umpire, who should respond in a constructive manner, with little or no delay to play.

Between overs, a Coach/Umpire may call over a captain or player, and explain a weakness in fielding positions, or point out an error in technique to the player. In this grade, we should see more responsibility by the captains to actually place the field. Again, support and advice should not interfere with play or delay the game.

Compulsory retirements, maximum over limits, as well as the mix of single and two day games, are specifically aimed at retaining players of this age in the game.

At this level, the issue of team discipline and cricket "ethics" often surface, as developing players balance skills, self-control and improving standards in the competition. This is generally translated as pressure on players, and Coaches/Managers/Umpires can, with a positive approach, develop team support to manage this critical aspect of the game. Administrators should monitor it with care, and refer any problems to Committee before they become entrenched.

#### Under 15

If the Umpire is also the coach of the team in this grade, or a parent or family member of the club, s/he ,must adopt a completely neutral role during play. The umpires must expect and receive proper discipline from all players and supporters, with NO "sledging" or unfair play. Whilst umpiring, they must represent the sport impartially.

In this grade, both the Umpires and players are expected to have a sound knowledge of the Laws of Cricket, and the local Rules as they apply in Junior Cricket in Darwin.

Whilst strict adherence to the ethics and etiquette of cricket is to be expected at this grade, the requirement for impartiality dos not preclude coaching discussions with players, or the team, during breaks such as at drinks, the fall of a wicket, etc as long as play is not interrupted.

#### Under 17

The newest of our junior grades, it is expected that all participants at this level will have a superior knowledge of the Laws of Cricket and the local Rules as they apply to the game in Darwin.

Umpires will be expected to maintain total impartiality, with all aspects of the on-field game controlled by the Captain of each team. Particular emphasis MUST be placed on the Captain being responsible for the conduct of the players under his control both on and off the field of play.

Umpires [and therefore Coaches and Managers] must have a good working knowledge of PART D of the Junior Committee's rules which relates specifically to discipline. A strict adherence to this section of the Rules will be expected in this age group, and no tolerance will be shown for breaches detected.

Coaches and Managers will be expected remain uninvolved during the match, only the normal breaks in play such as drinks and change of innings to advise the captain and/or players.

PLAYER BEHAVIOUR, SELF AND TEAM DISCIPLINE



The Junior Committee advocates an approach to the management of the game that will encourage and expect self-control in all players, and leadership in the team structure for those ready to accept responsibility. Team members must be encouraged to practice and display concentration and patience, as well as skill; and should develop the ability to accept the decisions of the Umpires, Captain and Coach, whether or not they are decisions the player would prefer.

It should be the "norm" that quality sporting behaviour is demonstrated at all times, even when an error is thought to have been made. Sledging, abusive language, swearing or equipment abuse are totally unacceptable in any grade, and should not be condoned in any way, or in any circumstances.

The major influence in achieving such standards, is the model and example of Coaches, Managers and Senior Players who are involved with junior teams. Adults, as club officials, should balance enthusiasm and strong support for their sport, with self-control. Clubs should avoid exposure of their junior players, to adults [whether supporters or, more importantly, senior players] who behave immoderately, are abusive, or who behave inadequately at sporting events. In general, all clubs should try to attract former players or parents who are objective in their approach, while still being supportive. It is essential to provide consistency though team management, if players and teams are to grow in confidence and competitiveness without unsporting and aggressively antisocial attitudes.

If umpires and coaches identify players with difficulties in their discipline area, they are expected to work together, regardless of club affiliation, to intervene and correct behaviour, developing the players awareness and management of the problem. Experience has shown this to be an effective approach, and one which reduces the need for formal disciplinary action.

# PREPARED BY GRAHAM BENJAMIN AND UPDATED BY RUSS MARLBOROUGH FOR DARWIN JUNIOR COMMITTEE'S 1993 SEASON.

#### December 1992

Waratah Cricket club Inc. gratefully acknowledges the following, from which has been extracted the material to produce this document.

"Australian Cricket Board Junior Policy" - ACB, 1983

"Coaching for Children" - Australian Coaching Council, 1992

"Club Administration Manual" - Volunteer Involvement Program, 1995

"Guidelines for Parents & Supporters" - Darwin & District Cricket Association's Junior Rules, 1995

"Draft National Junior Sport Policy for Australia" - National Junior Support Working Party, 1992